

Application number 94496/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 24/09/2015

Application Reference: 94496/15

Type of Application: Reserved Matters
Registration Date: 29/06/2015
Decision Due By: 23/08/2015
Responsible Officer: Paul Bridge

Location: 63 CHAPELTOWN ROAD, BROMLEY CROSS, BOLTON, BL7 9NB

Proposal: RESERVED MATTERS - APPEARANCE, SCALE AND LAYOUT INCLUDING MINOR REPOSITIONING OF DWELLING DUE TO TREE ROOTS

Ward: Bromley Cross

Applicant: Mr & Mrs Shaw
Agent : PCE Designs

Officers Report

Recommendation: Approve subject to conditions

Proposal

Outline planning permission was approved (88716/12) for the erection of one detached dwelling (layout, scale and access details only) on the 8th November 2012. An application for the reserved matters (91676/14) was approved by the Planning Committee on the 20th November 2014.

Work has commenced on site, however it has been established that the proposal has not been sited in accordance with the approved plans (91676/14). The development has been sited approximately 1.9m closer to the eastern common boundary than the approved distance of 5.7m so that the roots of the protected trees, sited along the eastern boundary of the site, are not compromised.

This application seeks to regularise the current development.

A number of other minor alterations are also proposed which have been listed below:-

- * The single storey rear element has been removed at ground floor level and a number of windows have been enlarged.
- * A window at first floor level has been removed.
- * The single storey side element has been stepped in from the main rear elevation.

It must be noted however, that the general appearance, layout and landscaping were considered acceptable during consideration of the previous proposals.

This current reserved matters application shows a two storey dwelling. There would be 4 bedrooms at first floor level and the roof space would be used for storage/games room. An integral garage is also still proposed. The dwelling would have a ridge height of approximately 9.5 meters. The

proposed detached dwelling would be located in the side garden area of number 63 Chapeltown Road. Access would be via an existing private access drive which serves No. 59, 61 and 63 Chapeltown Road.

Site Characteristics

The site measures approximately 0.46 hectares and forms part of the garden area of 63 Chapeltown Road. The existing dwelling at No.63 is located to the west of the application site. The existing garden has well established trees and garden landscaping. The trees in the eastern half of the site and the trees grouped in the south eastern corners of the site are protected under a Tree Preservation Order which was made in 1975.

Vehicular access is initially taken off Chapeltown Road via a shared access which currently serves three dwellings. The application site is not visible from Chapeltown Road. The area surrounding the site is predominantly residential in character. To the east of the site of the residential dwellings of No. 2, 3 and 4 Stonehouse. No. 3 Stonehouse Road has a rear conservatory.

Policy

National Planning Policy Framework 2012

Core Strategy Policies: CG3 The Built Environment; CG4 Compatible Uses; P5 Transport and Accessibility; S1 Safety; OA4 West Bolton; SC1 Housing.

SPD General Design Principles

Analysis

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

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

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

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

The impacts of the proposal are:-

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

Impact on the Character and Appearance of the Area

Policy CG3 of the Core Strategy states that the Council will expect development proposals that contribute to good urban design, that conserve and enhance local distinctiveness, ensuring it has regard to the overall built character of the area, and that are compatible with the surrounding area in terms of scale, massing, grain, form, architecture, street enclosure and local materials. Policy OA4 states that the Council will conserve and enhance the character of the existing physical environment in West Bolton and will require special attention to be given to the massing and

materials used in new development.

As stated earlier in this report the design, scale and massing of the proposal are fundamentally the same. In terms of the impact on the character and appearance of the area it is considered that the position of the proposed dwelling is acceptable by virtue of the existing screening by the protected trees and landscaping. The protected trees will mask the majority of the development from view and the proposed boundary treatment with number 63 will create a separate plot.

The character and appearance of the surrounding area consists of large properties set within large plots. The proposed dwelling would continue this theme and pattern of development with a large front and rear garden which would provide a significant amount of amenity space. The scale of the house (footprint and height) is considered to be compatible with the neighbouring houses. Whilst it is acknowledged that the proposed dwelling still incorporates accommodation in the roof space served by dormer windows, the height of properties within the surrounding area varies considerably and the proposed dwelling would not be significantly higher than the surrounding neighbouring properties.

The design of the proposed dwelling is considered acceptable and is in keeping with the character of the area. Many of the surrounding dwellings are of individual design and the proposed dwelling reflects this principle. Details of materials have been submitted which are considered acceptable, therefore a condition has been attached requesting the development be constructed out of these material.

It is considered that the proposed development has regard to the built character of the area, is compatible with the surrounding area in terms of scale, massing, grain and architecture, and provides adequate amenity space. It is therefore considered that the proposal complies with Policy CG3 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

Policy CG4 of the Core Strategy aims to ensure that new development is compatible with surrounding land uses and occupiers and protects amenity. Development should not generate unacceptable nuisance, odours, fumes, noise. SPD General Design Principles sets out the Council's standards regarding space around dwellings.

No.63 Chapeltown Road

The relationship with the existing property at No.63 Chapeltown Road is face to gable. The distance being shown at over 17.5 metres, this is in excess of the minimum requirement of 13.5 metres. In addition, the proposal has been designed so that there are no directly facing principal habitable room window relationships between No.63 Chapeltown Road and the proposed dwelling. It is considered therefore that the proposal would not have an unacceptable impact on the amenity of the current or future occupiers of No.63 Chapeltown Road.

No.3 Stonehouse

No.3 Stonehouse is located directly to the east of the application site and is a relatively large two storey detached dwelling which has a rear conservatory. Conservatories for the purposes of an assessment of residential amenity do not constitute habitable rooms and therefore little weight can be given to the effect of the proposal on the rear conservatory.

Due to the design of the proposal, the single storey garage element is located approximately 3.8 metres from the eastern boundary of the site, therefore an interface distance of approximately 14 metres is maintained from the main rear elevation of No. 3 Stonehouse to the single storey garage element and approximately 19.5 metres to the eastern two storey side gable elevation. These distances are in excess of the 13.5 metres between a neighbouring elevation which contains a main

room window and a facing wall of a two storey extension and 9 metres between a neighbouring elevation which contains a main room window and a facing wall of a single storey extension (garage). In addition given the orientation of the sun, it is not considered that the dwelling results in an unacceptable impact in terms of loss of sunlight to the rear amenity space of No. 3 Stonehouse.

In respect of loss of privacy and overlooking, a distance of approximately 3.8 metres is maintained between the eastern wall of the dwelling's garage and the eastern boundary of the application site. This is less than the 4.58 metres that was required by condition 5 of the outline application. This condition was attached in the interest of privacy as elevations and potential location of windows was not submitted at that stage. The current dwelling does not have any windows in the eastern elevations of either the main dwelling or the garage. In addition, an element of screening is provided along the eastern boundary due to the trees and hedges. It is considered therefore that the proposal would not have an unacceptable impact on the amenity of the current or future occupiers of No.3 Stonehouse.

Given the size and siting of the dwelling and that there are no windows in the eastern elevation, it is not considered that the dwelling would have any unacceptable impact on the residential amenity of No. 2 and 4 Stonehouse. In addition the property to the rear at Holmewood is over 35 metres away and there is sufficient screening along the boundary between the two to avoid any significant adverse issues of overlooking.

It is therefore considered that the development does not have an adverse impact on the living conditions of neighbouring residents as the siting of the residential dwelling meet the minimum interface distances as set out within SPD General Design Principles. The dwelling therefore complies with Policy CG4 of the Core Strategy.

Impact on Trees

Policy CG1.2 seeks to safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development.

The site is currently used as residential curtilage and is surrounded by residential curtilages associated with nearby residential dwellings. The dwelling has been repositioned just outside of the 'Root Protection Zones' (RPZ) and two Lime Trees that were to be retained as part of the outline proposals have been removed. However, Bolton Council's Trees and Woodlands Officer has assessed the revised proposal and has no objections to the current application subject to the attachment of a number of conditions.

Subject to the conditions recommended below, the proposal is considered to comply with Policy CG1.2 of the Core Strategy.

Impact on the Highway

The outline application previously dealt with access matters, therefore no new highway considerations should be taken into account. However, the Council's Highways Engineers have commented and they do not raise any objections to the layout of the development. The development therefore complies with policies S1 and P5 of the Core Strategy.

Conclusion

The development is considered to comply with Council policy and guidance. Relevant interface distances are met and the dwelling does not adversely affect the character and appearance of the area, protected trees are not adversely affected and nor are the living conditions of adjacent dwellings. Members are therefore recommended to approve the application.

Representation and Consultation Annex

Representations

Letters:- 2 letters of objection have been received in response to the planning application publicity from local residents raising the following points:

The proposal is closer to the eastern boundary than what was previously approved – *Response, as stated above this current application seeks to regularise the current position of the dwelling and therefore the planning application will therefore be judged on its own planning merits.*

Building work has continued on site – *Response, The applicant was made aware that a further planning application was required for the development. The applicant chose to continue and has done so entirely at his own risk. Section 73(1) of the Town and Country Planning Act provides that a Local Planning Authority may grant planning permission for development carried out before the date of the application.*

Impact of the proposal on tree roots and removal of trees – *The Council's Tree and Woodland Officer has been consulted on the proposal and has no objections. In addition the Tree and Woodland Officer has visited the site on a number of occasions and is satisfied that no unacceptable damage has been caused to the protected trees.*

Loss of privacy - *this has been addressed in the report above.*

Consultations

Advice was sought from the following consultees:

Highways Engineer - no objection

Trees and Woodland Officer - no objection subject to the attachment of the conditions set out above.

Pollution Control- No comments received as at 25.08.2015

Planning History

91676/14 – Reserved matters application for the erection of two storey dwelling. Approved with Conditions

88716/12 - Outline application for the erection of one detached dwelling (Layout, Scale and Access details only)-Approved with conditions

82701/09 - Erection of one detached dwelling (siting, means of access and scale details only). Approved with conditions.

60113/01 - Felling of 1 beech & 1 horse chestnut tree. Refused.

59349/01 - Felling of 1 beech & 1 horse chestnut tree. Approved with conditions.

15788/80 - Erection of a detached house with double garage. Approved with conditions.

15787/80 -Erection of a detached house with double garage. Approved with conditions.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

1. a).The trees within or overhanging the site which are subject of a Tree Preservation Order (TPO) shall be surrounded by suitable fences which should extend to the root protection zones as shown on drawing No. PCE-Shaw-July-14/Root Zone Detail - dated 6th July 2014.

b). The approved fencing shall remain in the agreed location (in accordance with BS 5837:2012) until the development is completed or unless otherwise agreed in writing with the Local Planning Authority and there shall be no work, including the storage of materials, or placing of site cabins, within the fenced areas.

Reason

To protect the health and appearance of the tree(s).

2. Prior to the dwelling being first occupied, full details of the treatment to all boundaries (including materials, siting and height) to the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full within 21 days of the Local Authorities approval, unless otherwise agreed in writing with the Local Planning Authority and retained thereafter.

Reason

To ensure adequate standards of privacy and amenity are obtained and the development reflects the landscape and townscape character of the area.

3. Trees and shrubs shall be planted on the site in accordance with the approved landscape scheme PCE-Shaw-July-14/landscaping plan - dated 18th July 2014. The approved scheme shall be implemented in full and carried out within 6 months of the occupation of the dwelling. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason

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

4. The development hereby permitted shall be constructed entirely of the materials details of which are shown below:-

Russell Galloway grey tile for the roof and natural coarse stone (pitched face) for the walls.

Reason

For the avoidance of doubt as to what is permitted.

5. Within 12 months of any trees(s)/hedgerow(s) not covered by Tree Preservation Order but nevertheless shown for retention on the approved being felled, suitable replacement(s) of a size, species and location to be agreed in writing with the Local Planning Authority shall be replanted. Any such tree(s)/hedgerow(s) which die or are removed (including those which die) within 5 years of planting shall be replaced in the next available planting season with (an) other(s) of a similar size and species.

Reason

To safeguard the tree(s) and hedgerow(s) within or adjacent to the development site.

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, greenhouses or sheds shall be constructed.

Reason

To safeguard the character and appearance of the dwelling and the surrounding area.

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

PCE-Shaw-July-14/Planning - dated 18th July 2014

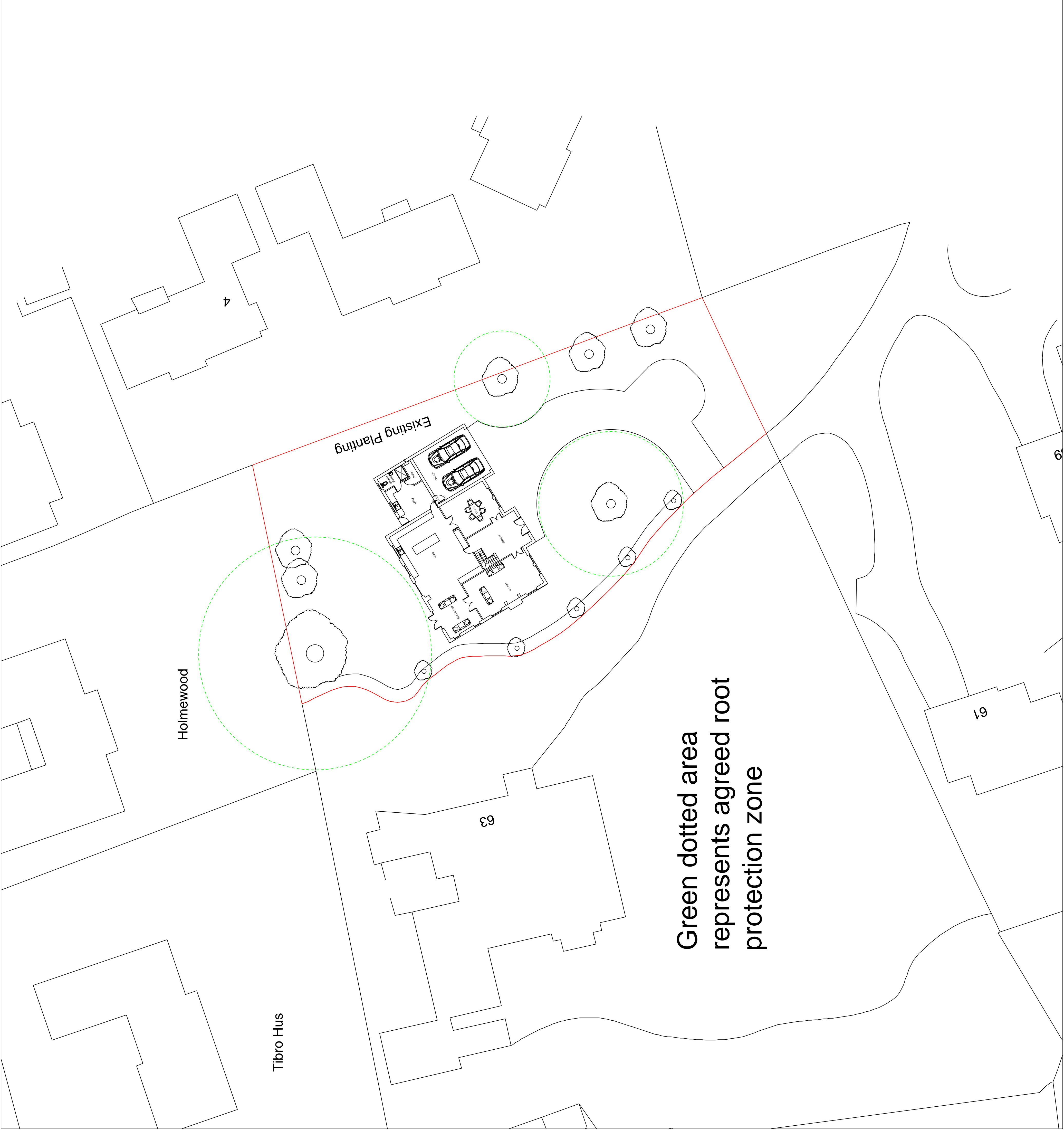
PCE-Shaw-July-14/landscaping plan - dated 18th July 2014

PCE-Shaw-July-14/location plan - dated 6th July 2014

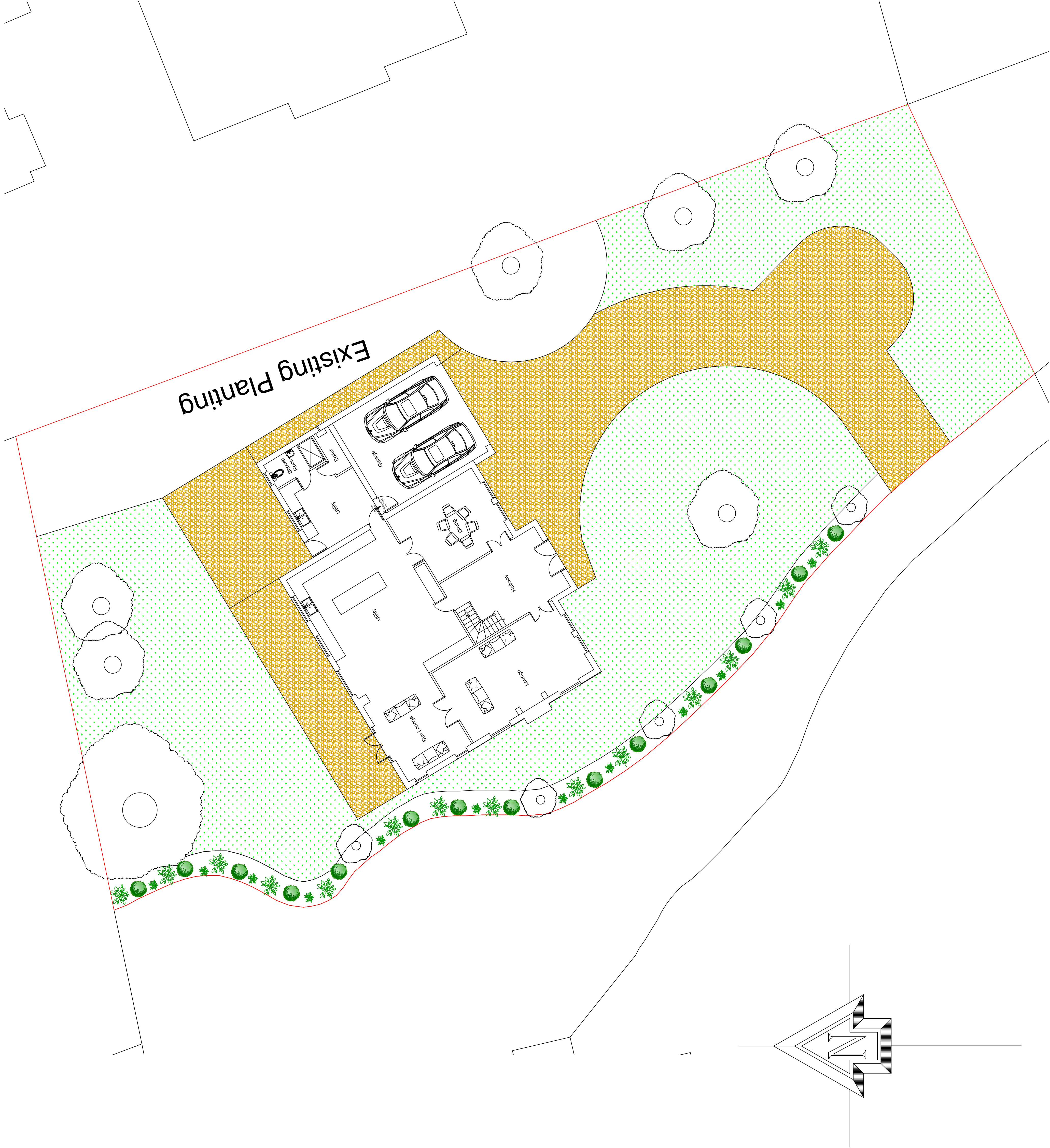
PCE-Shaw-July-14/Root Zone Detail - dated 6th July 2014

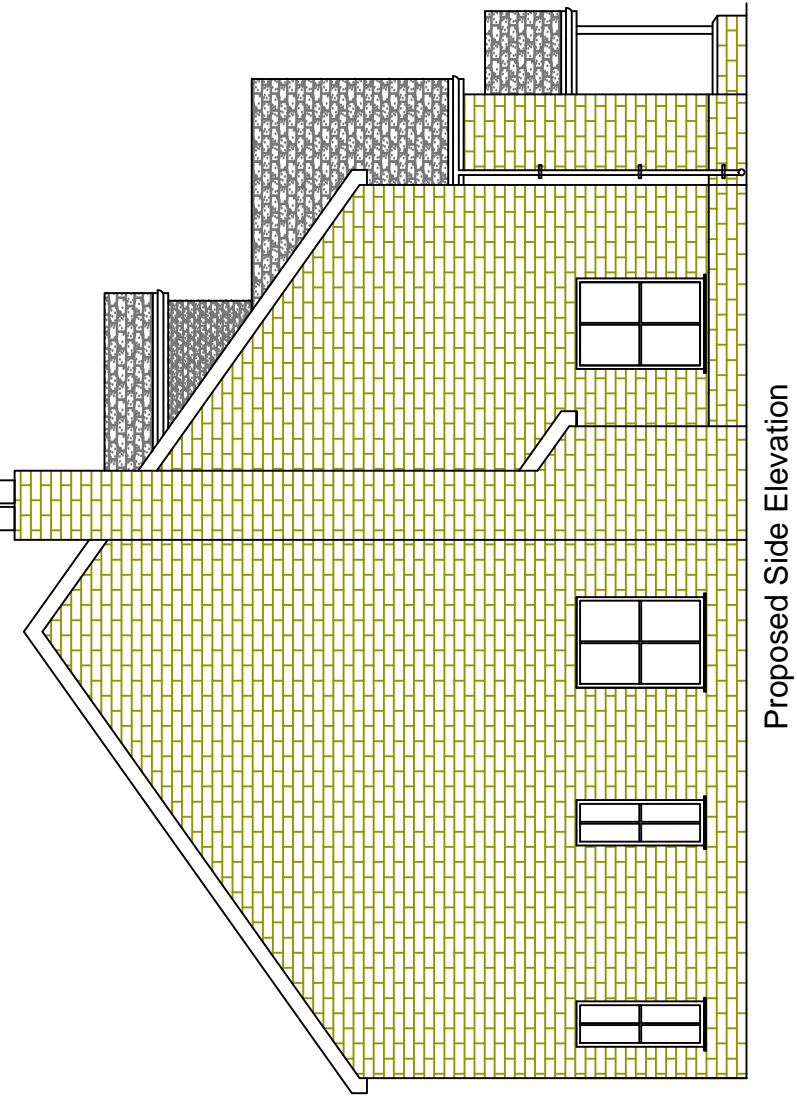
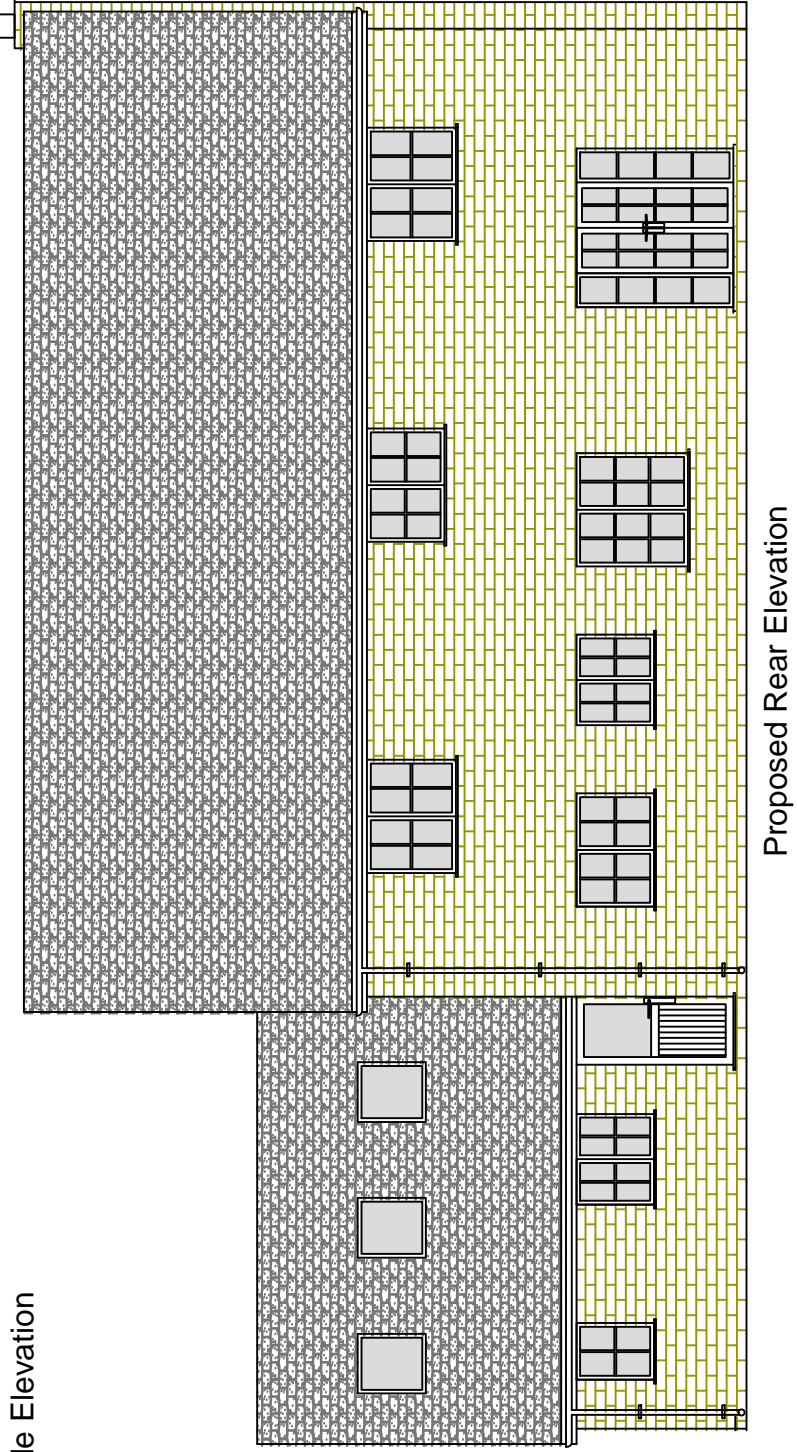
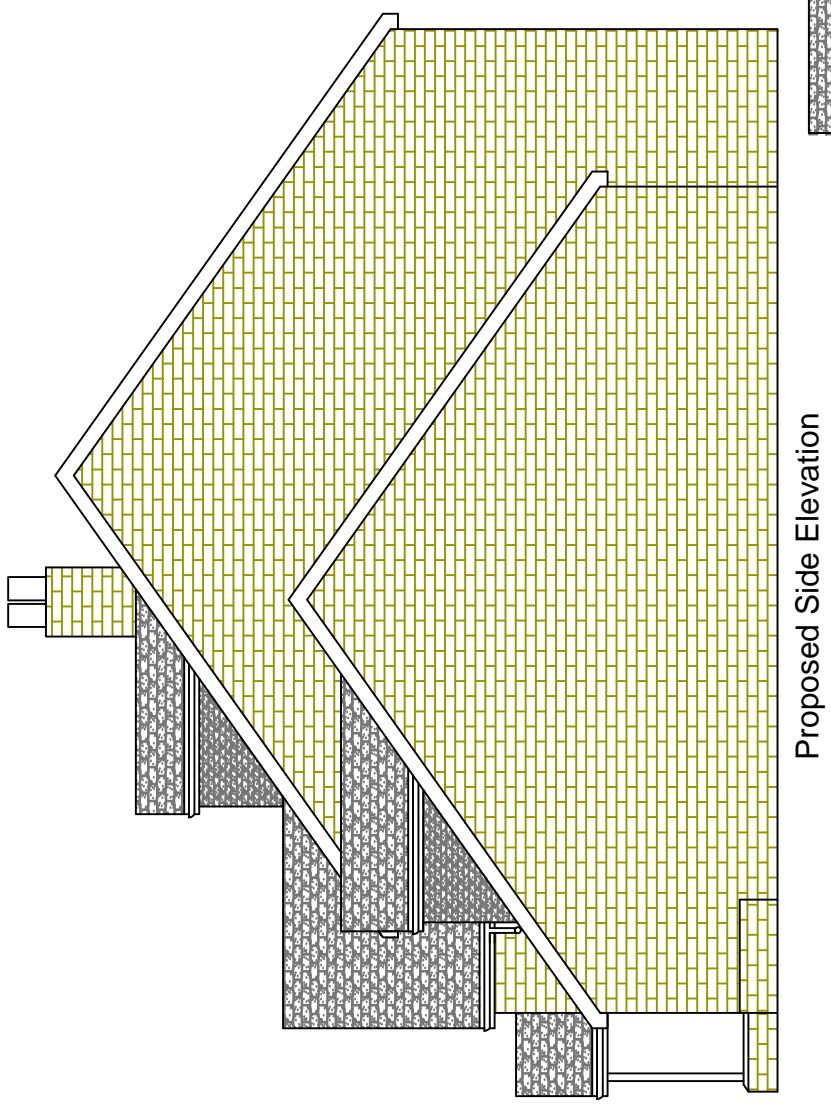
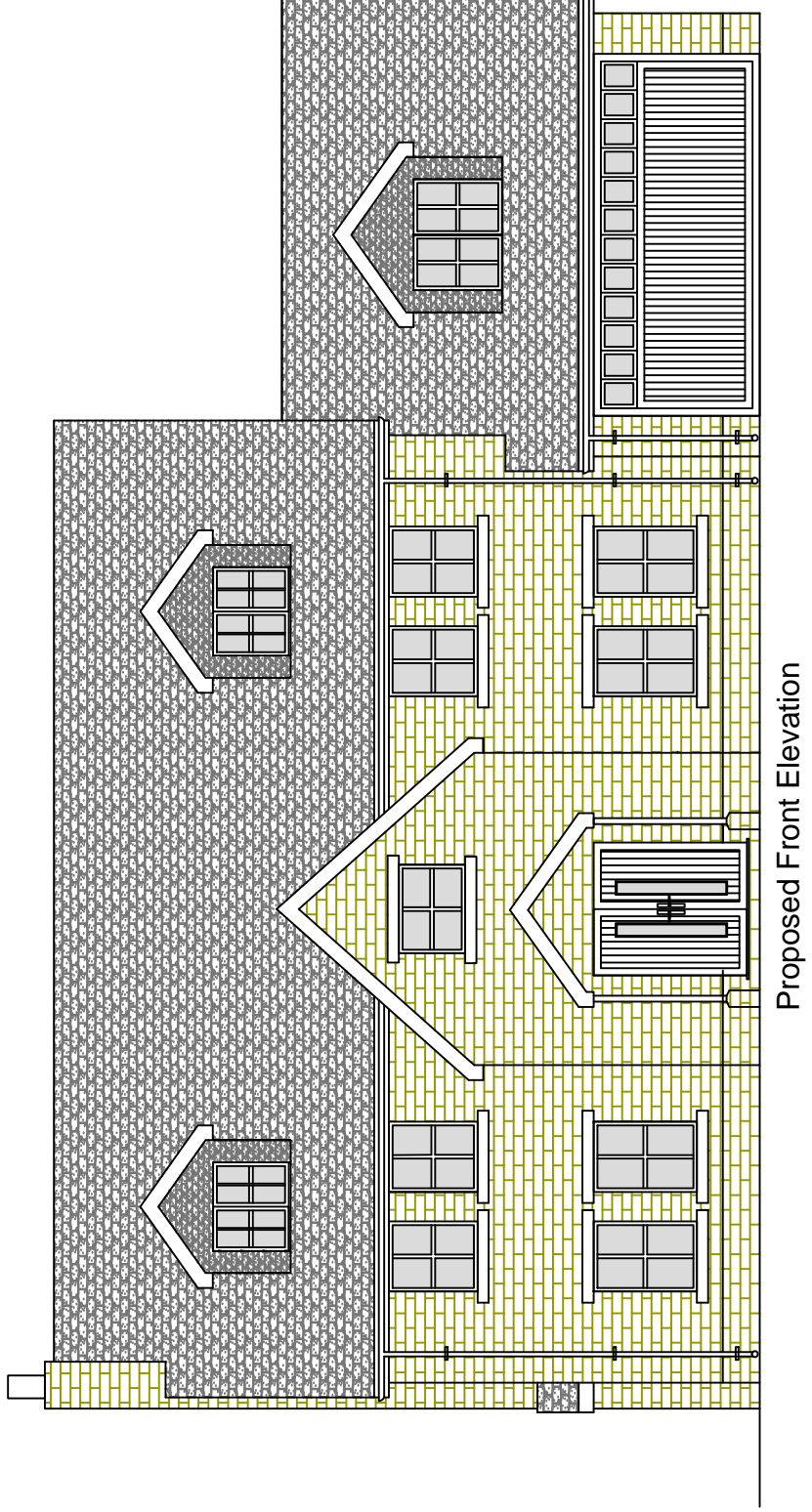
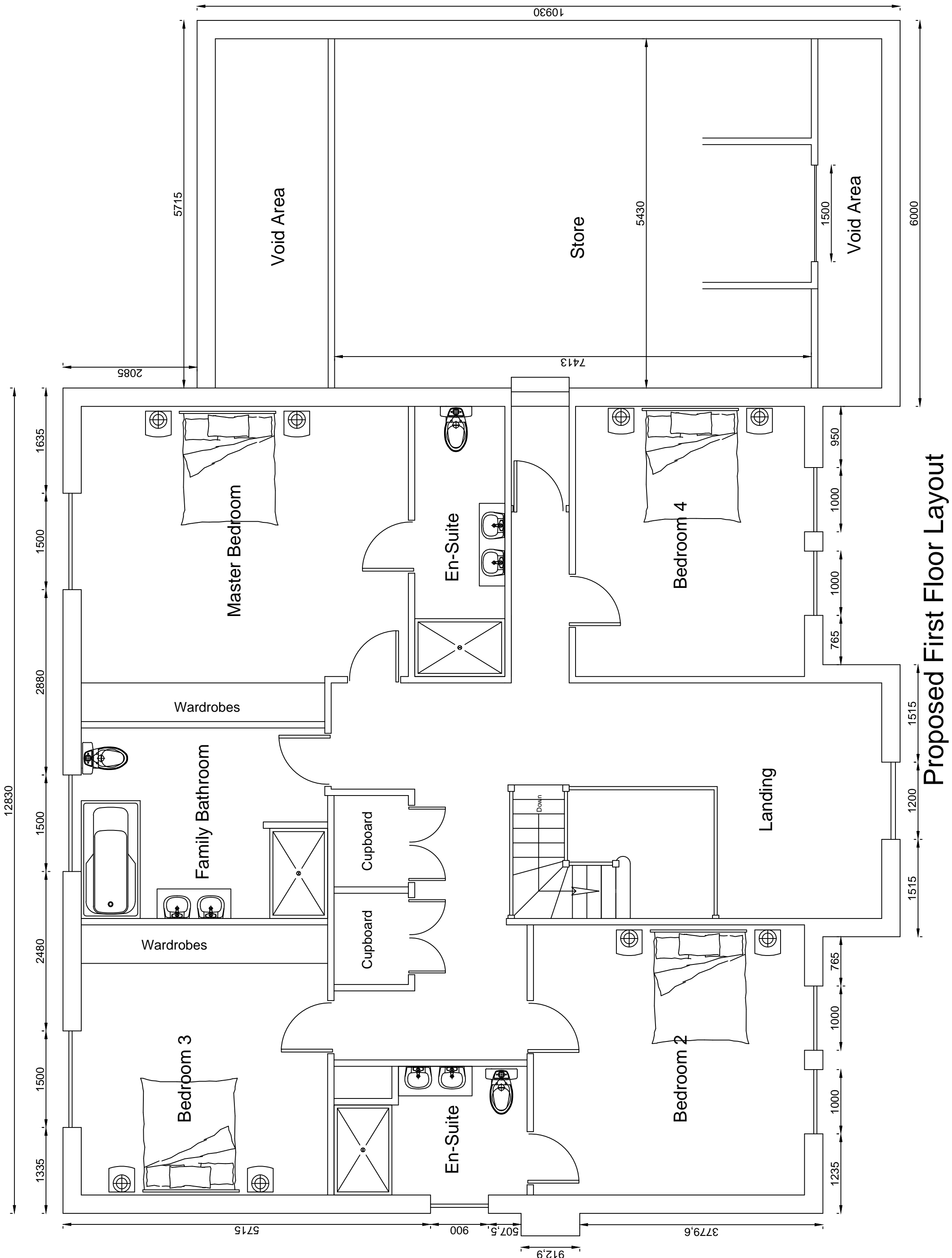
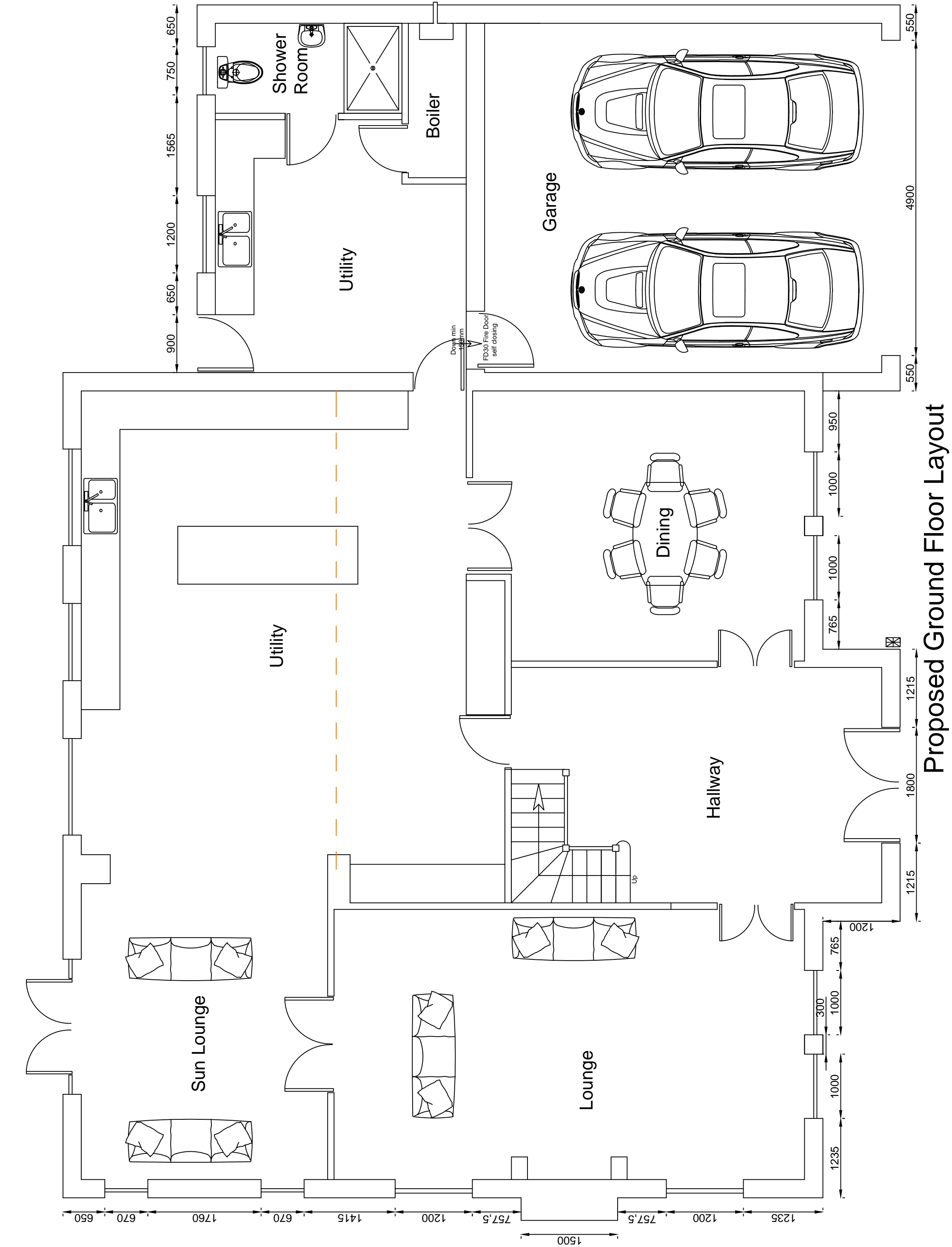
Reason

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

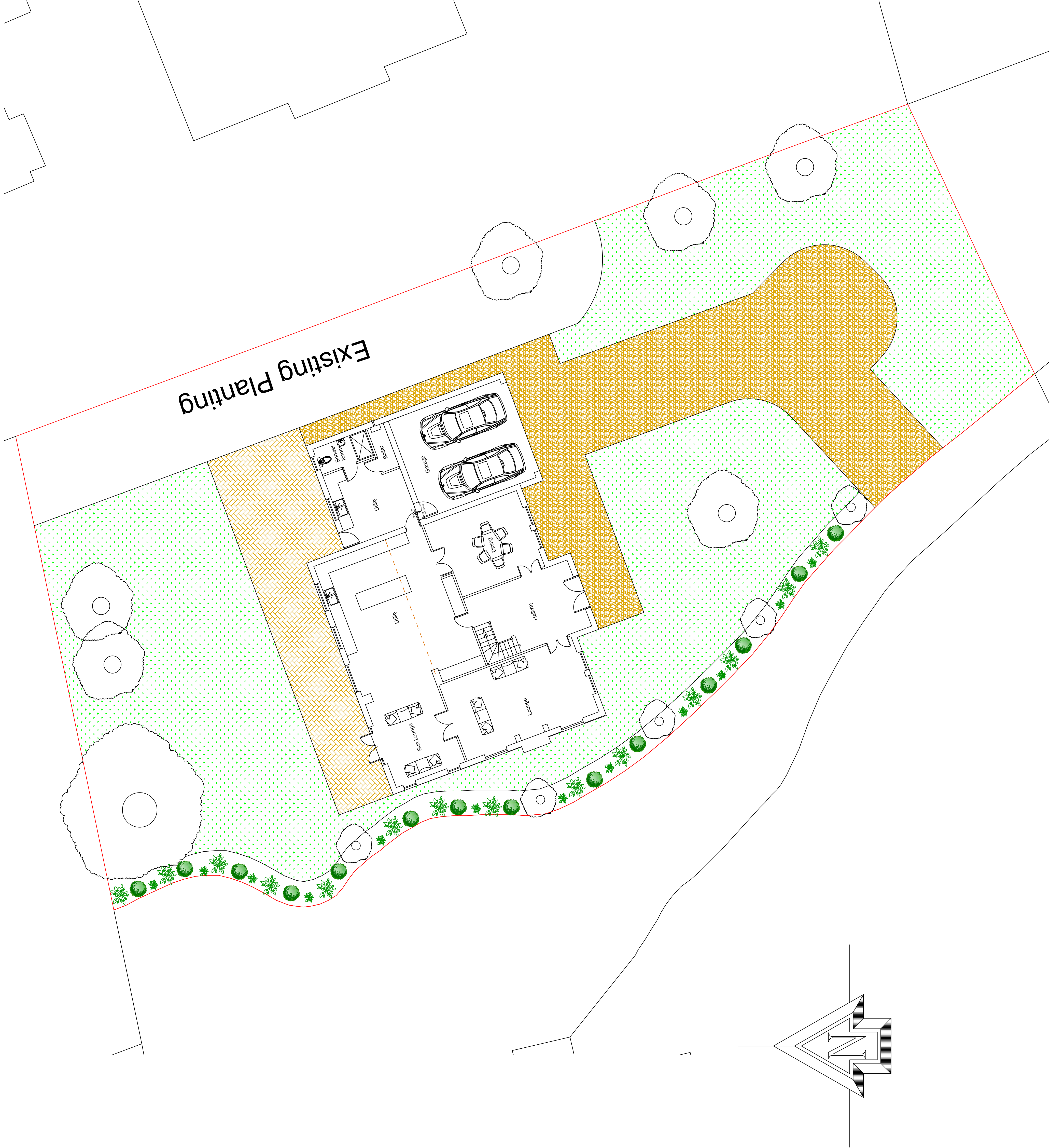


Proposed New Dwelling at : 63 Chapel Town Road Bromley Cross Bolton BL7 9NB	
CLIENT:	Mr & Mrs Shaw
CONTRACT No:	PCE-Shaw-July-14
DATE:	6th July 2014
SCALE:	1:200 @A1
DWG No:	PCE-Shaw-July-14/Root Zone detail
L.A:	Bolton Metropolitan Borough Council
AMENDMENTS:	DATE:
PCE DESIGNS 40 Queensway Tel: 01257233850 Euxton Mobile:07515878823 Chorley Email pcedesigns@aol.com Lancashire PR7 6PW	





Proposed New Dwelling at :		CLIENT:	Mr & Mrs Shaw
63 Chapel Town Road		CONTRACT No:	PCE-Shaw-July-14
Bromley Cross		DATE:	18th July 2014
Bolton		SCALE:	1:50, @A1
BL7 9NB		DWG No:	PCE-Shaw-July-14/Planning
		L.A:	Bolton Metropolitan Borough Council
		AMENDMENTS:	DATE:
		PCE DESIGNS	
		40 Queensway Tel: 01257233850	
		Euxton Mobile:07515878823	
		Chorley Email pcedesigns@aol.com	
		Lancashire	
		PR7 6PW	



Permeable Paver

Grass

Gravel Driveway

Prunus Avium

Pachysandra terminalis 'Variegata'

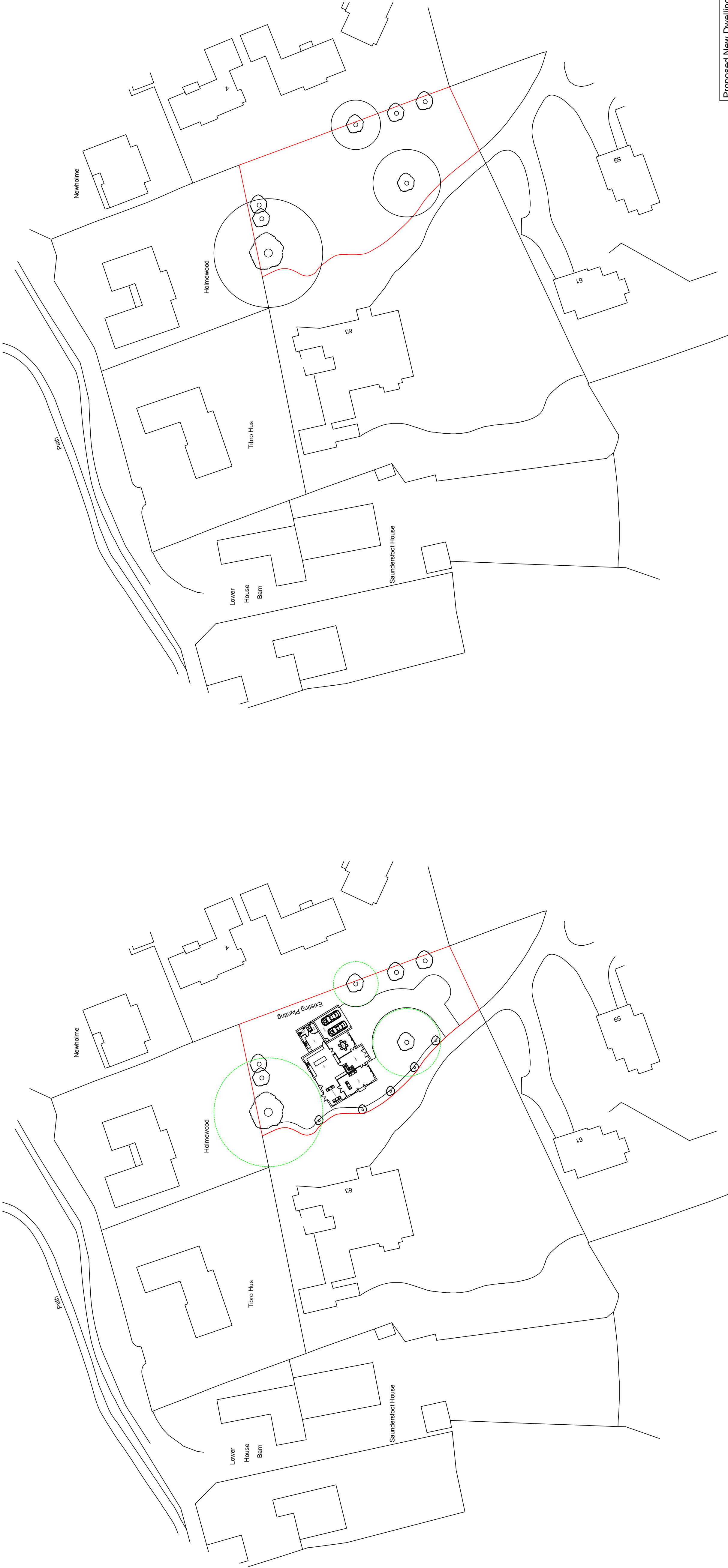
Pernettya Mucronata

Phlomis fruticosa

Proposed New Dwelling at :

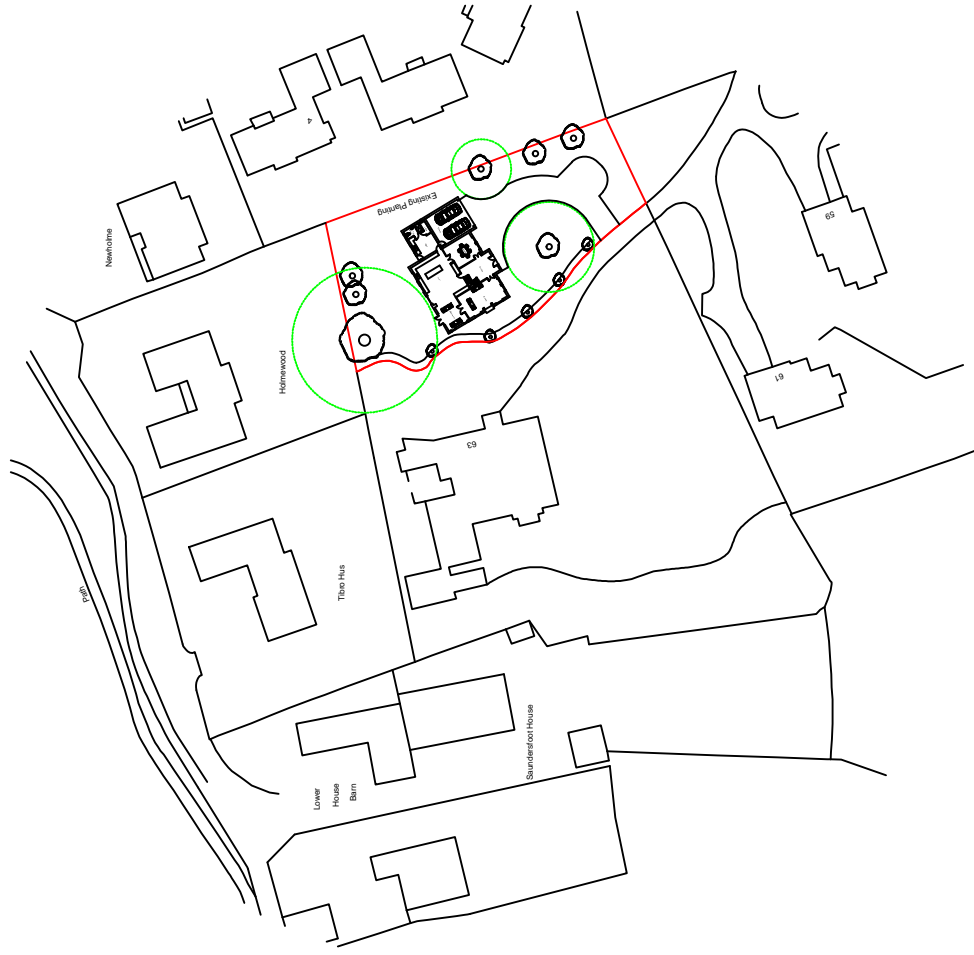
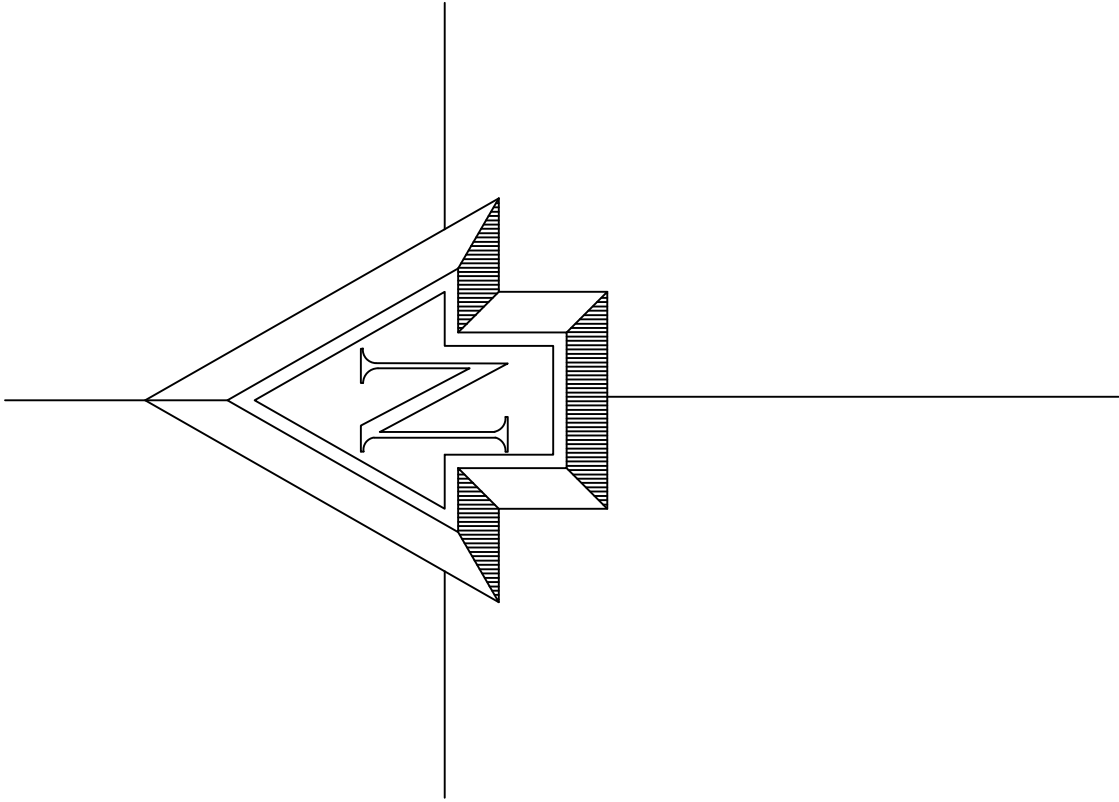
63 Chapel Town Road
Bromley Cross
Bolton
BL7 9NB

CLIENT:	Mr & Mrs Shaw
CONTRACT No:	PCE-Shaw-July-14
DATE:	6th July 2014
SCALE:	1:100 @A1
DWG No:	PCE-Shaw-July-14/landscaping plan
L.A:	Bolton Metropolitan Borough Council
AMENDMENTS:	DATE:
PCE DESIGNS	
40 Queensway Euxton Chorley Lancashire PR7 6PW	Tel: 01257233850 Mobile:07515878823 Email pcedesigns@aol.com

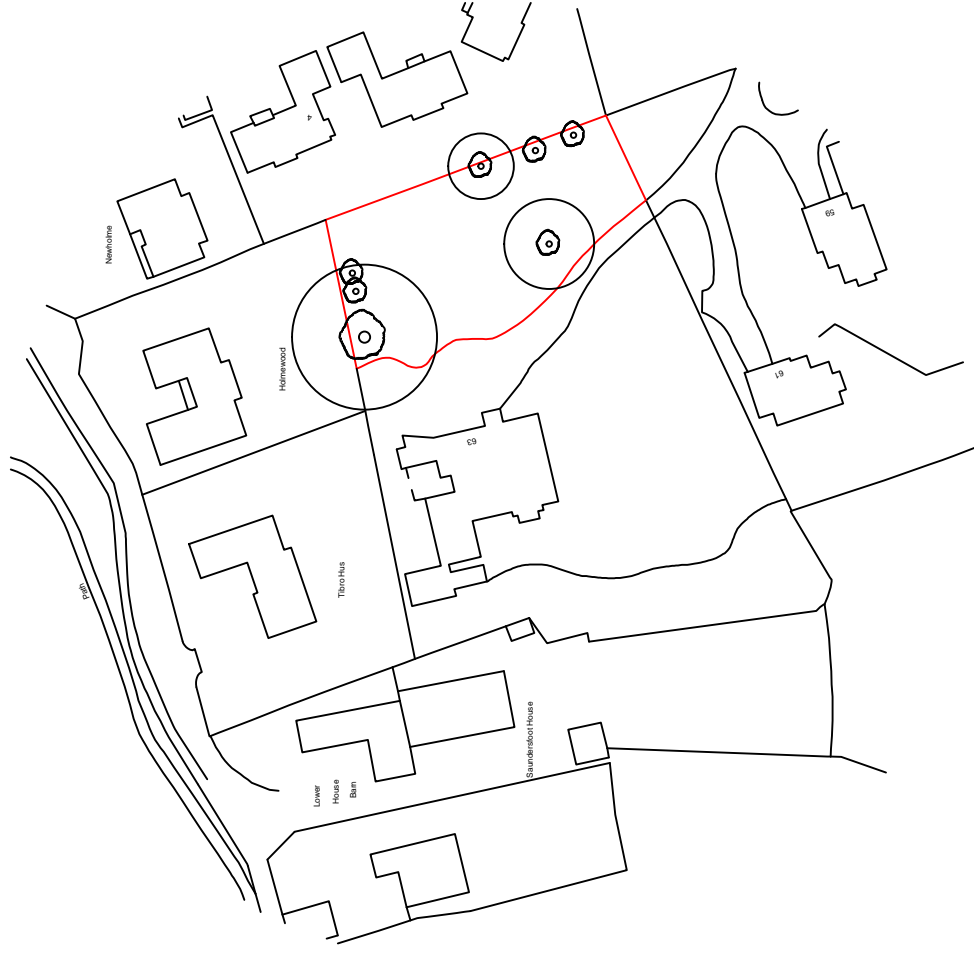


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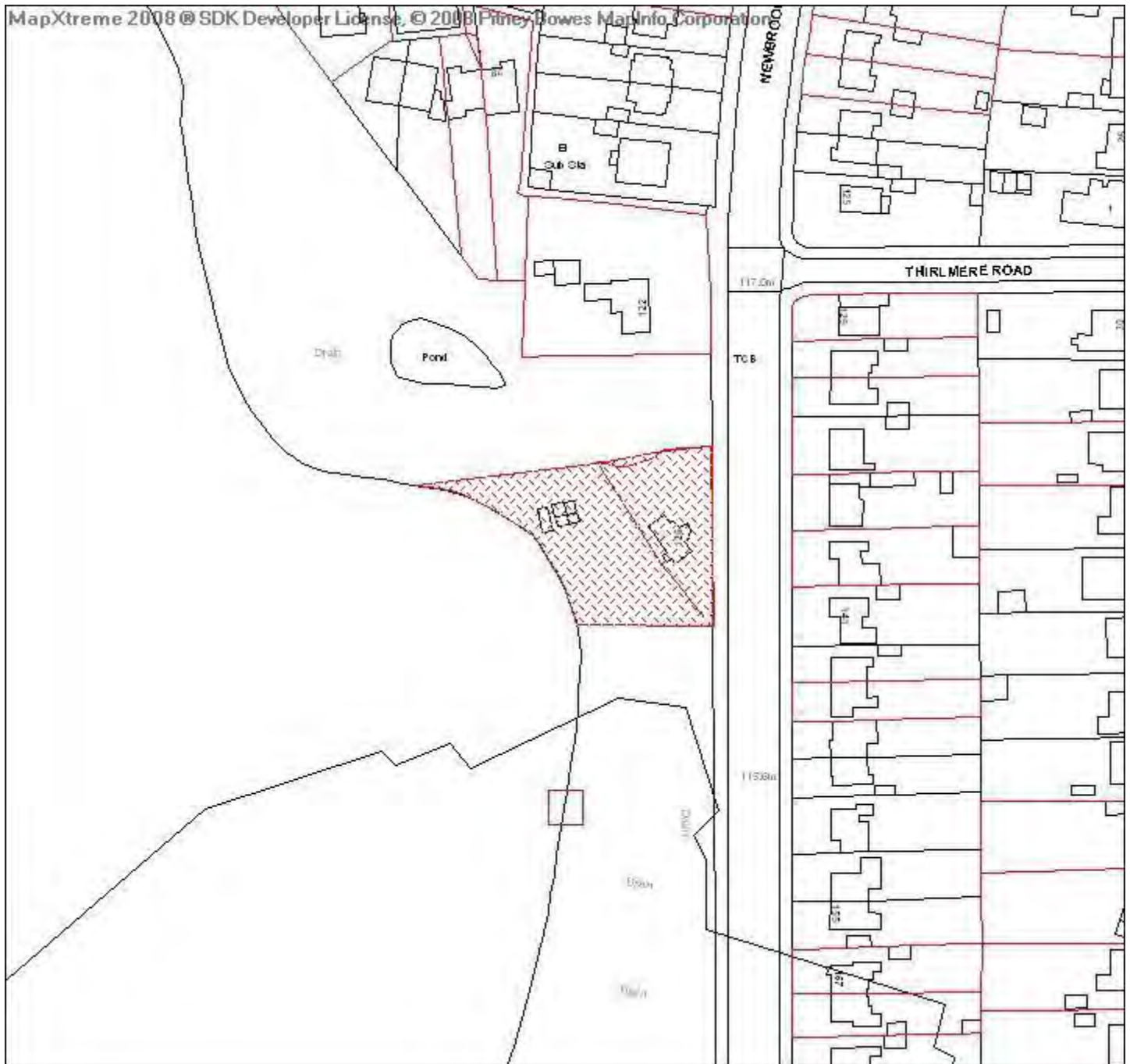
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Proposed New Dwelling at : 63 Chapel Town Road Bromley Cross Bolton BL7 9NB		CLIENT:	Mr & Mrs Shaw
		CONTRACT No:	PCE-Shaw-July-14
		DATE:	6th July 2014
		SCALE:	1:500, 1:1250 @A1
		DWG No:	PCE-Shaw-July-14/locationplan
		L.A:	Bolton Metropolitan Borough Council
		AMENDMENTS:	DATE:
		PCE DESIGNS	
		40 Queensway Euxton Chorley Lancashire PR7 6PW	Tel: 01257233850 Mobile:07515878823 Email pcedesigns@aol.com

Application number 94528/15



Development & Regeneration Dept
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Date of Meeting: 24/09/2015

Application Reference: 94528/15

Type of Application: Full Planning Application
Registration Date: 14/07/2015
Decision Due By: 07/09/2015
Responsible Officer: Jeanette Isherwood

Location: 126 NEWBROOK ROAD, BOLTON, BL5 1EX

**Proposal: ERECTION OF HOUSE AND DETACHED GARAGE FOLLOWING
DEMOLITION OF EXISTING HOUSE**

Ward: Hulton

Applicant: Mr Pope
Agent : Artform Architects

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application proposes the demolition of the existing building and the erection of a four bedroomed detached property with associated double garage. The property has a dual apex frontage with symmetrical bay window design at ground and first floor level. To the rear are similar bays at ground and first floor with two juliette balconies at first floor level. The proposal is sited squarely on the plot, set back and with the frontage running parallel with Newbrook Road.

Access will be taken direct from Newbrook Road as existing, with the addition of timber gates, replacing the existing temporary entrance.

Site Characteristics

This property is sited as a sole dwelling on the edge of Hulton Park, within the green belt. It is sited with an off set location and is bounded by a 1.6 metres high stone wall with a pedestrian gate and recently created vehicular access with temporary timber gate, abutting the footpath serving Newbrook Road. To the sides and rear the plot is well screened by large trees. To the front are similar styled properties of a smaller scale, both detached and semi-detached in style.

Newbrook Road is the main thoroughfare from Bolton to Atherton.

Policy

National Planning Policy Framework (NPPF)

Core Strategies Policies: P5 Transport and Accessibility; S1.2 Road Safety; CG3 The Built Environment; CG4 Compatible Uses, SC1 Housing and OA4 West Bolton.

Allocations Plan Policies: CG7AP Green Belt.

SPD General Design Guidance

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on housing provision;
- * impact on the purposes and openness of the Green Belt and the wider area;
- * impact on the amenity of neighbouring residents;
- * impact on parking; and
- * impact on trees.

Impact on Housing Provision

Policy SC1.2 of the Core Strategy states that at least 80% of housing development will be on previously developed land in accordance with the Regional Spatial Strategy. Policy OA4.1 refers specifically to development in West Bolton and states that the Council will concentrate sites for new housing within the existing urban area.

The proposal will ensure the effective use of existing housing stock and enable this large vacant dwelling to be utilised for accommodation in a sustainable location.

Impact on the Purposes and Openness of the Green Belt and the wider area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA4 of the Core Strategy states that the Council will conserve and enhance the character of the existing physical environment, and will ensure that development in West Bolton has particular regard to the overall density, plot sizes, massing and materials of the surroundings – these features should be retained where possible.

Newbrook Road is characterised by a mix of architectural styles and house types. Directly opposite the site are detached properties with apex frontage details and two storey bays, as shown on the applicants plans. The existing property occupies an offset position which gives the appearance of the property being at odds with the street scene. The new house will sit squarley on the plot occupying a position that mimics the relationship of the majority of the other surrounding properties, with Newbrook Road.

As such the proposal is not thought to unduly impact on the street scene or the character of the wider

area.

Policy CG7AP of the Allocations Plan states that the Council will not permit inappropriate development in the Green Belt. Inappropriate development includes any development which does not maintain the openness of land or which conflicts with the purposes of including land within the Green Belt, and the erection of new buildings except for [amongst other things] the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. It also states that the council will permit development proposals which fail to meet the above criteria in CG7AP only in 'very special circumstances.' It is the responsibility of the applicant to prove that such circumstances exist.

The applicant submits that the existing building is dilapidated and in a very poor state of disrepair that is consequently having a negative impact on the surrounding area. The applicant is committed to returning the site to a well maintained natural environment and establishing a low carbon family home that sits well in the plot and embraces the designs of surrounding dwellings.

Other avenues have been explored with the possibility of extending the existing property being one of them. This has been hampered by the poor existing build and demolition and rebuild is the only option to restore this site.

On balance the benefits of the scheme outweigh the larger scale development and therefore the proposal is considered to comply with Allocations Policy CG7AP and also guidance contained within NPPF on Green Belt matters.

Impact on the Amenity of Neighbouring Residents

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

SPD General Design Guidance sets out the Council's minimum interface standards between dwellings.

The adjoining property at No. 122 is sited to the north of the application site and is screened by mature trees which are sited along the shared boundary. Properties on the eastern side of Newbrook Road overlook the property and yet are sited some distance away from the dwelling. The property is sited to meet all the required interface distances from surrounding dwellings.

The proposal complies with CG4 of Boltons Core Strategy.

Impact on Parking

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

The proposed plans would make for c. 3 off road car parking spaces within the curtilage of the property. This would ensure compliance with the maximum car parking standards.

Highways have requested that the proposed gates are set back a distance of 5.5 metres from the westerly kerb line of Newbrook Road to avoid waiting vehicles from obstructing the bus lane, together with a turning area to allow vehicles to enter and leave in forward gear.

The applicant has provided amended plans that meet the above requested information and therefore

the proposal as amended is now considered to be acceptable.

Impact on Trees

Policy CG1.1 of the Core Strategy states that the Council will safeguard and enhance the rural areas of the borough from development that would adversely affect its biodiversity including trees, woodland and hedgerows.

The Council's Trees and Woodland Officer was consulted on the proposal and slight amendments were made to the siting of the house and garage on the plot, to avoid the root protection zone of protected trees on the site.

The applicant has provided amended plans that meet the above requested information and therefore the proposal as amended is now considered to be acceptable with proposal respecting the health of the existing trees located within the site curtilage.

The proposal now complies with CG1.1 of the Core Strategy.

Conclusion

For the reasons discussed above it is considered that the revised proposed residential development of the site would be compatible with the character and appearance of the area, would not unduly harm the amenity of neighbouring residents and would not jeopardise highway safety. Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Letters/petitions:- none received.

Consultations

Advice was sought from the following consultees:- Historic England, Greater Manchester Ecology Unit, Drainage, Coal Authority, Highways, Trees and Woodlands, Greenspace, Environmental Health.

Planning History

The applicant submitted an application which sought part retrospective permission for the creation of a new vehicular access from Newbrook Road, new driveway, dropped kerb and the relocation of a street lamp (Ref: 93181/14). AC January 2015

An application, 93182/14 for the erection of a two storey side extension comprising an enlarged living room, master bedroom and ensuite, two storey extension to front of property to enlarge existing hall and provide further bedroom accommodation, a single storey rear extension with lantern roof and internal reconfigurations has recently been approved in January 2015.

Planning permission was granted in September 2009 (Ref: 82487/09) for a dropped kerb, formation of a vehicular access and driveway to facilitate off road car parking.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

To ensure the development reflects local distinctiveness.

3. Before the approved development is commenced details of the existing and proposed ground levels within the site and on adjoining land including spot heights, cross sections and finished floor levels of all buildings and structures shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full and retained thereafter.

Reason

To safeguard the visual appearance and or character of the area.

4. Prior to the commencement of development of any works on site, the developer shall submit a

method statement detailing how the following elements of the site will be constructed without causing harm or damage to the protected trees found on the site to the Local Planning Authority. The specified areas are:

- Cantilever and piled foundations for garage/utility

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

Reason

To ensure the safe development of the site and favourable retention of trees.

5. Prior to the commencement of development (including demolition) the applicant shall survey the site for evidence of bats, submit to and obtain approval in writing by the Local Planning Authority that the submitted bat report including appropriate mitigation measures is acceptable.

The approved mitigation measures should be implemented in full in accordance with an agreed timetable and retained thereafter.

Reason

To safeguard the habitats of protected species.

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

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

Reason

To protect the health and appearance of the tree(s).

7. Before the approved/permitted development is first brought into use no less than 3 car parking spaces with minimum dimensions of 2.5 metres by 5 metres shall be provided within the curtilage of the site, in accordance with Drawing Ref: NBR_PL_102 Rev 02 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

8. 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, hardstandings, 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/land

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

Proposed ground floor plan - NBR_PL_103 Rev 01 - Dated 22/04/15

Proposed first floor plan - NBR_PL_104 - Dated April 15

Proposed east and west elevation - NBR_PL_106 Rev 01 - Dated 12/06/15

Proposed north and south elevation - NBR_PL_107 Rev 01 - Dated 12/06/15

Proposed highways layout - NBR_PL_102 Rev 01 - Dated 10/06/15

Proposed site plan (trees) - NBR-TCP-001 Rev A - Dated October 14

Reason

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

notes:

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No dimensions to be scaled from drawings.

Specific details are subject to further design development.

NEWBROOK ROAD



02	Access gate amended, parking space and turning head added	18.08.15	JE
01	Dimensions added	20.07.15	JE
Rev	Description	Date	By

PROJECT: 126 Newbrook Road

DRAWING STATUS: PLANNING

DRAWING TITLE: Proposed Site Plan

SCALE: 1 : 200 @ A3

DATE: 10/06/15 DRAWN: JE

DRAWING NO: NBR_PL_102 REV: 02

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Specific details are subject to further design development.

NEWBROOK ROAD



01	Dimensions added	20.07.15	JE
Rev	Description	Date	By

PROJECT: 126 Newbrook Road

DRAWING STATUS: PLANNING

DRAWING TITLE: Proposed Site Plan

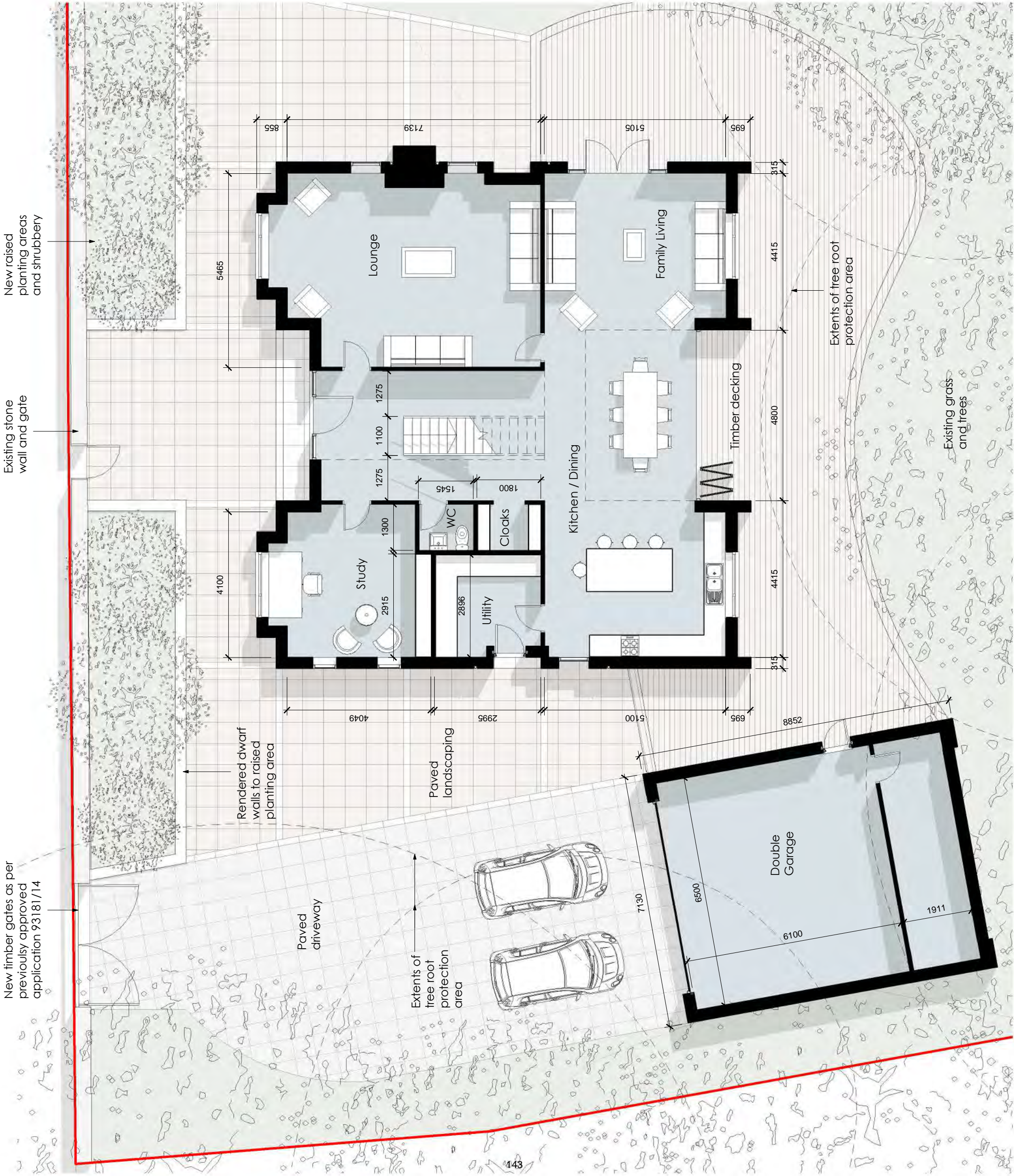
SCALE: 1 : 200 @ A3

DATE: 10/06/15 DRAWN: JE

DRAWING NO: NBR_PL_102 REV: 01

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No dimensions to be scaled from drawings.

Specific details are subject to further design development.

GROUND FLOOR
INTERNAL AREA:
162 sqm (not inc. garage)



01	Dimensions added	20.07.15	JE
Rev	Description	Date	By

PROJECT: 126 Newbrook Road

DRAWING STATUS: PLANNING

DRAWING TITLE: Proposed Ground Floor Plan

SCALE: 1 : 100 @ A3

DATE: 22.04.15

DRAWN: SJ

DRAWING NO: NBR_PL_103

REV: 01

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PROPOSED EAST ELEVATION

Scale 1:100



PROPOSED WEST ELEVATION

Scale 1:100

notes:

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No dimensions to be scaled from drawings.

Specific details are subject to further design development.

Rev	Description	Date	By
01	Height dimensions added	20.07.15	JE

PROJECT: 126 Newbrook Road

DRAWING STATUS: PLANNING

DRAWING TITLE: Proposed East & West Elvs

SCALE: 1 : 100 @ A3

DATE: 12/06/15

DRAWN: JE

DRAWING NO: NBR_PL_106

REV: 01

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All dimensions are in millimetres unless stated otherwise.
No dimensions to be scaled from drawings.

Specific details are subject to further design development.



PROPOSED NORTH ELEVATION

Scale: 1:100

01	Height dimensions added	20.07.15	JE	
Rev	Description	Date	By	

PROJECT: 126 Newbrook Road

DRAWING STATUS: PLANNING

DRAWING TITLE: Proposed North & South Elevs

SCALE: 1 : 100 @ A3

DATE: 12/06/15

DRAWN: JE

DRAWING NO: NBR_PL_107

REV: 01

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PROPOSED SOUTH ELEVATION

Scale: 1:100

**Application number
94564/15**



**Development & Regeneration Dept
Development Management Section**

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

**Bolton
Council**

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Date of Meeting: 24/09/2015

Application Reference: 94564/15

Type of Application: Full Planning Application
Registration Date: 09/07/2015
Decision Due By: 02/09/2015
Responsible Officer: Simon Coles

Location: 107 BEACONSFIELD STREET, BOLTON, BL3 5EB

Proposal: ERECTION OF FIRST FLOOR EXTENSION AT REAR

Ward: Rumworth

Applicant: MR YUSUF

Agent : Y A ARCHITECTURAL SERVICES

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application seeks permission for the erection of a first floor extension at rear with a projection of 4.3 metres.

Site Characteristics

This is a mid-terraced property with an existing single storey extension that projects the full length of the yard. This extension is handed with a similar extension at number 107.

The property at number 109 has a full length two storey rear extension handed towards the application property.

The opposite neighbouring property at number 105 has a full length single storey extension that is handed towards number 103.

The rear elevations of the properties within the row have a southern orientation forming onto Back Deane Road.

There are various examples of similar sized two storey extensions within the row.

Policy

National Planning Policy Framework (NPPF)

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

SPD House Extensions and PCPN2 Space Around Dwellings

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

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

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

The first floor extension would be constructed above the existing single storey extension and would have a total height of approx. 6.8 metres and an eaves height of approx. 5.6 metres. There are many of the properties with rear elevations facing towards Back Deane Road exhibit a variety of different sizes and styles of extensions. Given that there is an existing single storey extension which extends the full depth of the yard, it is considered that a 4.3 metre deep extension at first floor level would reflect the character of the host dwelling as well as the character, quality and local distinctiveness of the area. Also it would respect the general street scene.

Further to the above, if the extension was to be set back to 4 metres it would lead to a small mono pitched roof being incorporated that would appear out of place and would represent poor design within this location.

The materials to be used are to match the existing building. An area is to remain for the storage of bins and private amenity space.

Further to the above, it is considered that the proposal complies with Policy CG3.

Impact on the Amenity of Neighbouring Residents

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

SPD House Extensions provides general advice on house extensions and offers guidance relating to

the impact of extensions on neighbouring properties, particularly in relation to natural light, privacy and overlooking. PCPN2 Space Around Dwellings sets out the Council's minimum interface standards between dwellings.

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.

Supplementary Planning Document - House Extensions states that rear single and two storey extensions on terraced properties of up to 4 metres in length (taken from the original rear elevation of the property) will normally be permitted.

The purpose of the above is to ensure that neighbouring properties are not unduly affected in terms of their living conditions by reason of being overshadowed by any development to a degree where reasonable outlook would be lost.

The Council has taken the view that applications to extend such properties need to be considered more sympathetically. These principles may also be applied to more modern terraced and town houses which, by reason of style and fashion at the time they were built, also offer very limited accommodation to meet growing demands for home owners.

In this case the first floor proposal will be 4.3 metres long and therefore exceeds this guidance by 300 mm. Whilst it's recognised that the projection is greater than normally permitted for two storey extensions, the impact would not significantly harm the neighbours living conditions at number 105 and it would not detrimentally affect the character and appearance of the locality. There are also other extensions within the row that extend at varying sizes and styles, some of which project the full length of the yard area.

Further to the above and on balance it is officer's view that the proposal would be acceptable with regard to any impact on the living conditions of the neighbouring residents and that the extension is in-line with a similar extension at the neighbouring property at number 109.

Conclusion

It is considered that on balance that the proposal is acceptable and therefore members are recommended to approve the application.

Representation and Consultation Annex

Representations

Letters:- one letter of objection has been received from a neighbouring resident with concerns of loss of daylight to their kitchen and back room.

Consultations

Advice was sought from the following consultees: none.

Planning History

Not applicable.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

To ensure the development visually reflects the existing building.

3. 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 windows or doors shall be formed in the side elevation of the development **[facing number 105 Beaconsfield Street]** hereby approved, nor shall those approved windows or doors be enlarged or altered.

Reason

To safeguard the outlook, privacy and living conditions of neighbouring residents.

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

Drg No. 1335-P01 - Existing and Proposed Plans and Elevations - Dated 06.07.15

Drg No. 1335-P02 - Proposed Site Plan - Dated 06.07.15

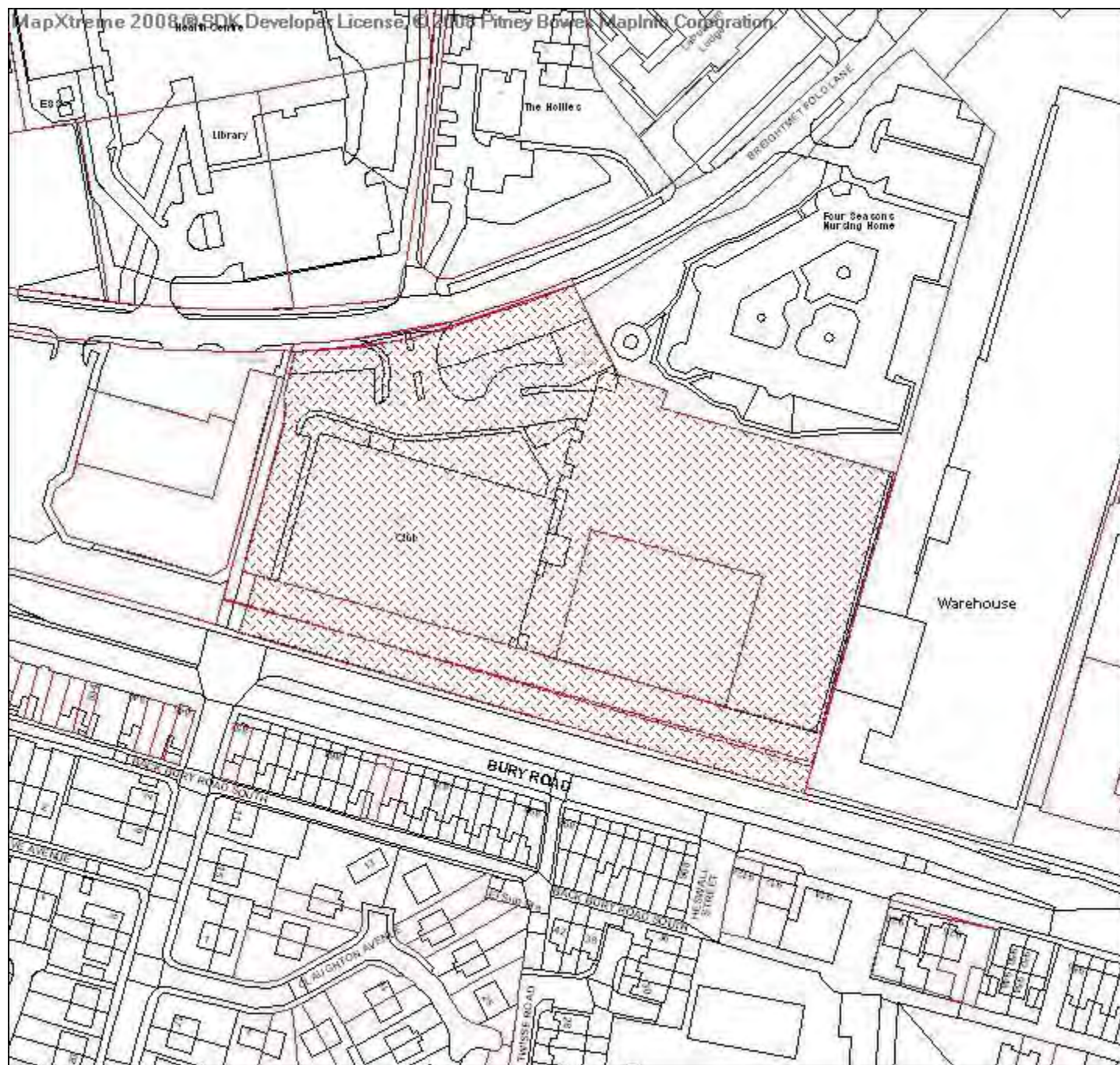
Reason

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



<div>JOB No.</div> <div>1335-P02</div> <div>Y A Architectural Services</div>	<div>PROJECT.</div> <div>PROPOSED FIRST FLOOR EXTENSION AT 107 BEACONSFIELD STREET, BOLTON.</div>	<div>JOB TITLE.</div> <div>PROPOSED SITE PLAN.</div> <div>CLIENT</div> <div>MR MOHAMMED YUSUF.</div>	<div>GENERAL NOTES.</div> <div>1. This drawing is the property of Y A Architectural Services and copyright is reserved by them, and this drawing is not to be copied or disclosed by or to any unauthorised persons without prior written consent of Y A Architectural Services.</div> <div>2. All dimensions are approximate only and are to be checked on site by contractor and any discrepancies to be reported prior to commencement of work.</div> <div>3. Do not scale from this drawing, only work to written dimensions.</div> <div>4. All new drains to be laid, jointed and tested to the entire satisfaction of the Local Authority.</div> <div>5. All work to comply with current Building Regulations and subsequent revisions.</div> <div>6. Foundations not to encroach over boundaries.</div>
	<div>DRAWN: Y AHMED. SCALE: 1:200 DATE: 06.07.15</div>		
	<div>Unity House, Fletcher Street, Bolton, Lanc, BL3 6NE. tel/fax: 01204 559988 e-mail: designs@yaas.co.uk, www.yaas.co.uk</div>		

Application number
94582/15



**Development & Regeneration Dept
Development Management Section**

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

Bolton Council

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Date of Meeting: 24/09/2015

Application Reference: 94582/15

Type of Application: Full Planning Application
Registration Date: 09/07/2015
Decision Due By: 07/10/2015
Responsible Officer: Helen Williams

Location: MECCA BINGO CLUB LIMITED, 60 BRIGHTMET FOLD LANE, BOLTON, BL2 6PP

Proposal: DEMOLITION OF EXISTING STRUCTURES AND ERECTION OF A FOODSTORE (CLASS A1) AND FIVE FLEXIBLE USE RETAIL UNITS (CLASSES A1, A2, A3 AND A5), WITH ASSOCIATED VEHICULAR ACCESS, CAR PARKING, SERVICING AREAS, AND HARD AND SOFT LANDSCAPING.

Ward: Breightmet

Applicant: Aldi Stores Limited
Agent : HOW Planning

Officers Report

Recommendation: Approve subject to conditions

Proposal

Permission is sought for the erection of a foodstore (Use Class A1, to be operated by Aldi) and five retail units (proposed to be a flexible use of Use Classes A1, A2, A3 and A5), along with associated access, car parking, servicing areas and landscaping.

The proposed Aldi foodstore will occupy the eastern part of the application site and will be a single storey, white rendered building, having a gross internal area (GIA) of 1,1715 sqm (1,254 sqm net sale area).

The five "flexible use" retail units will comprise one 1,115 sqm (GIA) unit, one 935 sqm (GIA) unit, and three 93 sqm (GIA) units. These units are proposed at the western part of the application site, with the larger two units being sited adjacent to the western boundary and the smaller three units being sited at a right angle from Unit B (in an inverted "L-shape" formation). There are no end users currently for these units.

Vehicular access into the proposed development will be off Breightmet Fold Lane (to the north of the site) as existing, though this access is proposed to be modified/improved. Two pedestrian accesses (footpaths) are also proposed off Bury Road to the south of the site (along with the pavements on either side of the proposed vehicular access).

The Aldi is proposed to open between the hours of 0800 and 2200 Mondays to Saturdays and between the hours of 0900 and 1700 on Sundays. The other five retail units do not yet have an end

user and therefore the opening times for these units are proposed between 0800 and 2200 hours Mondays to Sundays.

The proposed car park, which will be mainly centrally sited within the development, will comprise 213 car parking spaces (including ten disabled bays and 14 parent and child spaces) and six motorcycle spaces.

The service area to the Aldi foodstore will be to the north of the unit. Servicing for the other units will be to the west of the larger two units (Units B and C), with additional servicing to the rear of the three smaller units.

Prior approval has already been granted for the demolition of the Mecca Bingo building (under prior notification 93668/15).

Site Characteristics

The rectangular shaped application site measures 1.78 hectares in size and is the site of the former Mecca Bingo hall and its large car park. The bingo hall building is a large, two storey building that occupies the western half of the application site. Vehicular access to the building and car park is off Brightmet Fold Lane to the north. Bury Road (A58) is to the south of the site; there are no vehicular accesses into the site from Bury Road, only a pedestrian access to the western side of the building.

The application site (along with Morrisons supermarket and the Home Bargains store to the east of the site, the terraced properties at 806-846 Bury Road opposite Morrisons, The Withins public house and Brightmet Centre for Autism on Milnthorpe Road) is located within Brightmet District Centre.

To the front of the site (along Bury Road) is a wide grassed verge running the length of the site. Five trees to the front of the bingo hall are protected under Tree Preservation Order Bolton (Bury Road, Brightmet) 1994.

Opposite the application site (on the opposite side of Bury Road) are terraced properties, comprising mainly of dwellings. To the immediate north of the former car park is Four Seasons Nursing Home. Neighbouring the east of the site is a large warehouse building. On the opposite side of Brightmet Fold Lane to the application site are Brightmet Health Centre and the residential developments of The Hollies and Laburnum Lodge.

Bury Road is a main arterial road to Bolton town centre.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P2 Retail and Leisure; P5 Accessibility and Transport; S1 Safe Bolton; CG1 Green Bolton; CG2 Sustainable Design and Construction; CG3 The Built Environment; CG4 Compatible Uses; RA3 Brightmet.

Allocations Plan

SPD General Design Principles; SPD Accessibility, Transport and Safety.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of retail development on the site
- * impact on highways
- * impact on the character and appearance of the area
- * impact on protected trees
- * impact on the amenity of neighbouring residents
- * impact on flooding and drainage

Principle of Retail Development on the Site

Section 2 of the National Planning Policy Framework (NPPF) concerns ensuring the vitality of town centres. It states, in drawing up Local Plans, local planning authorities should [amongst other things] define a network and hierarchy of centres that is resilient to anticipated future economic changes and allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres. Paragraph 24 states that local planning authorities should require applications for main town centre uses to be located in town centres.

Policy P2.3 of the Core Strategy states that the Council will plan for additional convenience goods floor space of up to 10,000 sqm in town, district and local centres where local communities have good access. Policy RA3.4 states that the Council will maintain the existing local shopping centre along Bury Road at Brightmet as a focus for local shopping.

The application site is allocated within the Allocations Plan as being wholly within Brightmet District Centre (along with Morrisons, Home Bargains, The Withins public house, Brightmet Centre for Autism and the terraced properties at 806-846 Bury Road). The Core Strategy confirms that new shops to serve local communities, as well as being located in Bolton town centre and local town centres, will also be concentrated in the defined district and local centres. It is considered that the proposed Aldi foodstore and five retail units would be of a scale to serve the local community and would therefore accord with the Council's Allocations Plan and Policies P2.3 and RA3.4 of the Core Strategy.

Impact on Highways

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

The applicant has submitted a Transport Assessment (including a Travel Plan) to accompany their planning application.

The proposed vehicular access into the development site is proposed to be taken from the existing access, a priority controlled T-junction off Brightmet Fold Lane to the north of the site. In addition to the footways proposed on either side of this access, two further pedestrian/cycle links are proposed into the site directly from Bury Road. No new vehicular accesses are proposed off Bury Road.

As requested by the Council's Highways Engineers, the submitted Transport Assessment has considered the junctions at Brightmet Fold Lane and the site access, Brightmet Fold Lane with Milnthorpe Road, and Milnthorpe Road with Bury Road (A58), as well as baseline traffic flows and accident records in the local area.

The Transport Assessment estimates that the proposed development will attract about 211 two-way trips in the weekday afternoon peak hour and 367 two-way trips in the Saturday peak hour (average trip rates). It is however widely accepted that the total number of trips attracted to a new retail development are not comprised wholly of new trips on the local highway network, with many of the trips already existing, albeit at another location, or where a visit to the store will be incorporated into an existing pattern of travel behaviour. The applicant predicts that 20% of trips will be new to the network.

The Transport Assessment concludes that the proposed vehicular access into the development site, along with the junctions of Brightmet Fold Lane with Milnthorpe Road and Milnthorpe Road with Bury Road, could accommodate the development proposals without detriment to, or a material impact on, the operational performance of the highway network.

The Council's Highways Engineers have confirmed that the Transport Assessment is robust and substantiates the proposed development from a transport and highways perspective. They agree that the predicted traffic generation associated with the development can be accommodated without detriment to the operational capacity or safety of the local highway network surrounding the application site.

The proposed foodstore and retail units will share a car park within the development comprising 213 parking spaces. 10 of these spaces will be for disabled parking and 14 will be for parent and child parking. Six motorcycle parking spaces are also proposed. Highways Engineers have confirmed that the number of parking spaces proposed fall just slightly below the maximum parking requirement for such a development within Appendix 3 of the Core Strategy, however it is considered that the proposed parking provision for the development is acceptable and compliant with Policy P5 of the Core Strategy.

It is also noted that the application site is in a highly accessible location, being within walking and cycling distance of nearby residential areas, which reduces the need for these residents to travel by vehicle. The site is also sited off Bury Road, which is served by a frequent bus service. The applicant has also stated within their submission that Aldi staff will be encouraged to use public transport or cycle/walk to the store.

Comments have been received on behalf of Brightmet Health Centre, commenting that staff previously had an agreement with Mecca Bingo to use their car park for additional parking. Officers would however comment that this was a private agreement/arrangement and could have been withdrawn by Mecca Bingo at any time (should they have remained on the site). The proposed parking provision for the proposed development is considered to be sufficient in its own right and therefore any loss of informal parking for neighbouring uses should not be a planning reason for the applicant to have to provide any further spaces than they are required to for their proposal.

Servicing of the units will take place via the main vehicular access off Brightmet Fold Lane. The applicant has demonstrated (using AutoTrack) that a 16.5 metre refrigerated articulated vehicle can access and leave the site satisfactorily. The service area to the Aldi foodstore will be to the north of the unit and servicing for the other units will be to the west of the larger two units (Units B and C), with additional servicing to the rear of the three smaller units.

It is considered that the proposed retail development of the site will not have a detrimental impact on the operational performance of the local highway network, will provide for sufficient on-site parking for staff and customers, will provide for sufficient servicing arrangements, and will not jeopardise highway safety on neighbouring roads. It is therefore considered that the proposed development complies with Policies P5 and S1.2 of the Core Strategy.

Impact on the Character and Appearance of the Area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, 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 RA3 specifically concerns development in Brightmet and RA3.8 states that the Council will require development to introduce increased levels of high quality, distinctive design that will enhance the local area.

It is proposed that the Aldi foodstore will be sited to the west of the site, with the other five retail units proposed to be sited at the eastern end, with a large car park between the two parts of the development. The grassed and landscaped 'verge' to the front of the site along the Bury Road frontage is proposed to be retained, meaning that the development will be stepped back from the main road and softened/screened by the existing and proposed landscaping.

It is considered that the retail units are of good design, being relatively contemporary in their appearance through the use of white rendered walls, full height shop front glazing and strip-ribbon glazing at fascia level. Although the Aldi store and Unit C will have their front entrances facing onto the car park, the use of extensive glazing on their side elevations facing Bury Road ensure that these buildings appear active along the street scene. The introduction of pedestrian accesses into the development from Bury Road also helps increase the activity of the site along Bury Road and helps the development better address the main road and the neighbouring properties on the other side of Bury Road. The use of strip-ribbon glazing at fascia level also helps to break up the perceived massing of the units.

The side of Unit B, which will face the vehicular access into the site and Brightmet Fold Lane, will comprise cladding and dummy glazing, to give an illusion of a shop front. Additional tree planting is also proposed along the site frontage to Brightmet Fold Lane.

Any signage on the units or free-standing within the site would need the benefit of advertisement consent.

It is considered that the proposed development is compatible with the mixed retail and residential character of this part of Bury Road and is of good quality design that will enhance the local area, compliant with Policies CG3 and RA3.8 of the Core Strategy.

Impact on Protected Trees

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

adverse development.

There are five protected trees on the grass verge in front of the Mecca Bingo building along Bury Road. These are protected under Tree Preservation Order Bolton (Bury Road, Breightmet) 1994 and comprise two Norway Maples, a Lime, an Oak and a Silver Birch. There are other groups of trees located on this verge (to the Bury Road frontage of the car park) which are not protected and a number of trees on the landscaped area at the Breightmet Fold Lane frontage to the site. There is also a line of hedgerow adjoining the western boundary of the site, outside the boundary of the site, and trees to the north east within the grounds of Four Seasons Nursing Home.

Four of the five protected trees are proposed to be retained. The fifth protected tree (the silver birch), has been found to be of poor condition and is therefore proposed to be removed. The Council's Tree Officers have raised no objection to the loss of this tree.

With the exception of the retention of a Beech and a Silver Birch at the eastern end of the grassed verge (along Bury Road), the other trees along the Bury Road frontage are proposed to be removed, to allow the retail development to be visible from the road. The Council's Tree Officers consider that the groups of trees to be lost (though they not protected) are of high amenity value and should be retained, however the Tree Survey submitted by the applicant concludes that the trees are either of low quality and value or moderate quality and value. Officers therefore recommend (in agreement with the applicant) that a landscaping condition is attached to any approval for compensatory tree planting along the grass verge fronting Bury Road, which would strike the correct balance between the Tree Officers' requirement for landscaping at the front and the applicant's requirement for the development to be visible from the road (the landscaping would need to "frame" the development rather than obscure it).

A number of existing trees to the Breightmet Fold Lane frontage of the site are also proposed to be removed to accommodate the proposed parking, access road and servicing areas. The Tree Officers have recommended compensatory planting in this area, and it is therefore also recommended that this is included within the suggested landscaping condition.

The hedgerow to the west and the tree within the nursing home grounds will be retained.

It is therefore considered, subject to the recommended landscaping condition, that the proposed development will not result in the unacceptable loss of trees from the site, compliant with Policy CG1.2 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.

The nearest residential neighbours to the application site are at Four Seasons Nursing Home to the north east of the site (to the north of the proposed Aldi) and to the south of the site within the terraced properties on the opposite side of Bury Road.

The proposed hours of opening for the retail units are between 08:00 and 22:00 Mondays to Saturdays and 09:00 and 17:00 Sundays and Bank Holidays. The applicant has however stated that Sunday trading laws mean that the Aldi store can only open for up to six hours on a Sunday, which will typically be between 10:00 and 16:00. Delivery hours are proposed between 06:00 and 23:00 Mondays to Saturdays and 08:00 and 17:00 Sundays.

A Noise Impact Assessment has been submitted with the planning application. Noise levels were measured at the nearest residential properties (Four Seasons and Bury Road) between 06:00 and 08:00 and between 22:00 and 01:00 on a Tuesday and between 08:00 and 10:00 on a Sunday. The assessment has assessed the potential noise impact of the proposed development on the nearest neighbours (including noise associated with the use of the car park, with deliveries and HGV movements, and from mechanical services plant) and has compared these with the existing noise levels. The assessment concludes that the proposed retail development would not result in any unacceptable harm to residential amenity by reason of noise, subject to a proprietary acoustic fence of 2.2 metres in height being installed immediately to the north of the service yard to the Aldi foodstore to reduce noise from the service yard activities (to protect the amenity of the residents at Four Seasons Nursing Home). The assessment demonstrates that with an acoustic fence there would be no adverse impact at the nursing home during the proposed delivery hours. It is therefore recommended that this acoustic fencing is required by condition.

The northern side elevation of the proposed Aldi foodstore (Unit A) will be approximately 33 metres away from the rear elevation of Four Seasons Nursing Home and the southern side elevations of Units A and C will be over 40 metres away from the fronts of the dwellings on Bury Road; these distances far exceed the requirements within SPD General Design Principles.

An external lighting condition has also been suggested by the Council's Pollution Control Officers to ensure that illumination is no more than 5 LUX at the nearest residential properties.

For these reasons, and subject to the recommended conditions, it is considered that the proposed development of the site would not unduly harm the amenity of neighbouring residents, compliant with Policy CG4 of the Core Strategy.

Impact on Flooding and Drainage

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

A flood risk assessment has been submitted with the application as the application is over 1 hectare in size. The site is located within Flood Zone 1, which is the lowest probability category, and therefore it is considered that the proposed development will not increase the risk of flooding.

The applicant has confirmed within their submission that the use of soakaways within the natural ground (SuDS) is not feasible at the site owing to the presence of relatively impermeable strata underlying the site. It is instead intended that surface water from the site will discharge into the existing surface water sewer located in Brightmet Fold Lane. United Utilities and the Council's Drainage Officers have raised no objection to the proposal.

A public sewer crosses the application site in a north/south direction. None of the proposed buildings will encroach upon the 6 metre access strip required by United Utilities to this sewer.

It is therefore considered that the proposed development complies with Policy CG1.5 of the Core Strategy.

Other Issues

The submitted Ecological Assessment report confirms that the Mecca Bingo building is of negligible suitability to support roosting bats and it lacks features which could be utilised by roosting bats. The assessment also recommends that the landscaping of the site incorporates features which could be used by breeding birds.

A BREEAM pre-assessment has also been submitted with the application for the three largest units, which concludes that the development is likely to gain a "very good" rating.

Value Added by the Development

Policy RA3.7 of the Core Strategy states that the Council will continue to focus jobs, opportunities and improvements in the employment area between Bury Road and Brightmet Fold Lane. The applicant has stated that the proposed development would bring about flexible job opportunities for the local area, including the employment of local contractors and labour during the construction phase and the creation of at least 100 full and part time jobs for local people within the Aldi foodstore and the retail units.

Conclusion

For the reasons discussed above it is considered that the proposed retail development of this site within Brightmet District Centre complies with retail policy, would not have a detrimental impact on the operational performance of the local highway network or would jeopardise highway safety, would enhance the character and appearance of the area, would not result in the unacceptable loss of trees on the site, would not unduly harm the amenity of neighbouring residents, and would not increase the risk of flooding. Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Support: 237 letters of support have been received (some without addresses), which raise the following:

- * Welcome an Aldi store to the area;
- * It is a convenient location. It will be convenient for local residents;
- * Creation of jobs;
- * Will improve the area. The site is currently an eyesore. It will regenerate the area;
- * Will bring more people to the area and will benefit nearby businesses;
- * Competition is good for local shoppers.

Objection: 2 letters of objection have been received, which raise the following concerns:

- * Increase in traffic during peak times at the already dangerous junction of Milnthorpe Road and Brightmet Fold Road;
- * There is already grid lock as it is;
- * The health centre does not have enough parking spaces and visitors would park on the site;
- * Another exit onto Bury Road is not needed (officer's comment: there will not be an access onto Bury Road).

Comments: 11 letters commenting on the proposal have been received. These raise the following points:

- * Brightmet Health Centre for the last 8 years has had an agreement with Mecca to park up to 100 cars (staff vehicles) on their site; this agreement has now been withdrawn and this will lead to parking difficulties in the area;
- * Could there be a road via Meadow Lane as well?;
- * There should be access from Bury Road;
- * Hope there will be some form of traffic control;
- * Concerns about congestion.

Consultations

Advice was sought from the following consultees: Highways Engineers, Drainage Officers, Tree Officers, Landscape Officers, Pollution Control Officers, Wildlife Liaison Officers, Economic Strategy Officers, Strategic Development Officers, Greater Manchester Police's Architectural Liaison Officers and United Utilities.

Planning History

Prior approval was granted in April 2015 for the demolition of the Mecca Bingo Club building under prior notification application 93668/15.

A smoking shelter for the bingo hall was approved in February 2007 (76120/06).

A single storey entrance lobby was approved in October 1994 (45816/94).

Application 36858/90 for the erection of buildings for Class D2 and Class A1 (non food retail) was refused in March 1991.

Permission was granted in September 1990 for the erection of a leisure complex (Class D2 & Class A3 uses) (35919/90).

Alterations to the elevations of the building were approved in January 1990 (35533/89).

Permission was granted in October 1989 for the change of use of offices to a bingo club (34801/89). A previous application (33902/98) for the change of use of offices to a bingo club was refused in April 1989.

Various signs for Mecca Bingo were approved under applications 52277/98, 45581/94, 45376/94, 45297/94, 44481/94, 35905/90 and 35897/90.

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. Development shall not commence until an investigation and risk assessment has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The contents of the scheme shall be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall be subject to the approval in writing of the Local Planning Authority and shall include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to human health, property or the environment;
 - (iii) an appraisal of remedial options and proposal for a preferred option.

Reason

To ensure the development is safe for use.

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

1. The trees and hedgerows within or overhanging the site which are to be retained/or are subject of a Tree Preservation Order (TPO) have been surrounded by fences as shown in the Tree Protection Strategy, Plan ref. 2214/P04a of the Tyler Grange Arboricultural Method Statement (8 June 2015) prior to such works commencing.
2. The approved fencing shall remain in the agreed location (in accordance with BS 5837:2012) until the development is completed or unless otherwise agreed in writing with the Local Planning Authority and there shall be no work, including the storage of materials, or placing of site cabins, within the fenced area(s).
3. No development shall be started until a minimum of 14 days written notice has been given to the Local Planning Authority confirming the approved protective fencing has been erected.

Reason

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

4. Before the development is first brought into use a scheme shall be submitted to and approved in

writing with the Local Planning Authority for external lighting. The lighting shall be designed to an illumination value of 5 lux at the nearest residential property. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

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

5. Trees and shrubs shall be planted on the site in accordance with a landscape scheme to be submitted and approved in writing by the Local Planning Authority prior to the development being first brought into use. The scheme should include additional tree/shrub planting in appropriate locations along the verge at the Bury Road frontage of the site and to the north of the site adjacent Brightmet Fold Lane. The approved scheme shall be implemented in full and carried out within 6 months of the occupation of any of the buildings or the completion of the development, whichever is the sooner, or in accordance with phasing details included as part of the scheme and subsequently approved by the Local Planning Authority. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason

To reflect and soften the setting of the development within the landscape and to comply with Bolton's Core Strategy Policies CG1.2 and CG3.

6. Prior to Unit A being first brought into use/occupied a 2.2 metre high acoustic close boarded fence shall be erected to the immediate north of the servicing area. This fence or wall shall be retained in position thereafter.

Reason

To safeguard the amenity of neighbouring residents at Four Seasons Nursing Home and to comply with Bolton Core Strategy Policy CG4.

7. Prior to the development hereby approved being first occupied/used, the access junction onto Brightmet Fold Lane shall be widened and the radii improved as shown in drawing ref: 337MID-110 Rev. H; "Proposed Site Layout"; dated (revised) 26.05.15. The improvements shall be retained thereafter.

Reason

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

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

Reason

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

9. Before the approved/permitted development is first brought into use no less than 200 car parking spaces shall be marked out and provided within the curtilage of the site, in accordance with drawing ref: 1337MID-110 Rev. H; "Proposed Site Layout"; dated (revised) 26.05.15 . 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 Bolton's Core Strategy Policies P5 and S1.2.

10. Prior to the development hereby approved/permitted being first occupied or brought into use the turning areas for service vehicles shall be provided in full, as shown in drawing ref: 337MID-110 Rev. H; "Proposed Site Layout"; dated (revised) 26.05.15 and retained thereafter and not to be used for any purpose except the turning of vehicles.

Reason

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

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

08:00 and 22:00 Mondays to Saturdays
09:00 and 17:00 Sundays

Reason

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

12. No deliveries shall be taken or dispatched from the premises outside the following hours:-

06:00 and 23:00 Mondays to Saturdays
08:00 and 17:00 Sundays

Reason

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

13. Prior to first occupation of the development, a scheme which assesses the proposed BREEAM rating of the building hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall achieve a BREEAM (Retail) Very Good standard (or such national measure of sustainability for commercial retail design that replaces that scheme). Within 3 months of the occupation of the building a Final BREEAM Certificate shall be submitted to the Local Planning Authority which certifies that the approved scheme/standard has been achieved.

Reason

To reduce the impact on climate change and to improve the sustainability of the site.

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

1377MID-110 Rev. H; "Proposed Site Layout"; dated Jan 15
1377MID-111 Rev. A; "Proposed Elevations"; dated Jan 15
1377MID-112 Rev. E; "Proposed Elevations (Terrace)"; dated Jan 15
1377MID-113 Rev. A; "Proposed Unit A GA Plan (Aldi)"; dated Feb 15
1377MID-114 Rev. E; "Proposed Units B-F GA Plan (Terrace)"; dated Feb 15
1377MID-115; "Proposed Units A Roof Plan (Aldi)"; dated Feb 15
1337MID-116 Rev. C; "Proposed Units B-F Roof Plan (Terrace)"; dated Feb 15
1377MID-117 Rev B; "Proposed Bury Road Elevation"; dated Feb 15

Reason

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



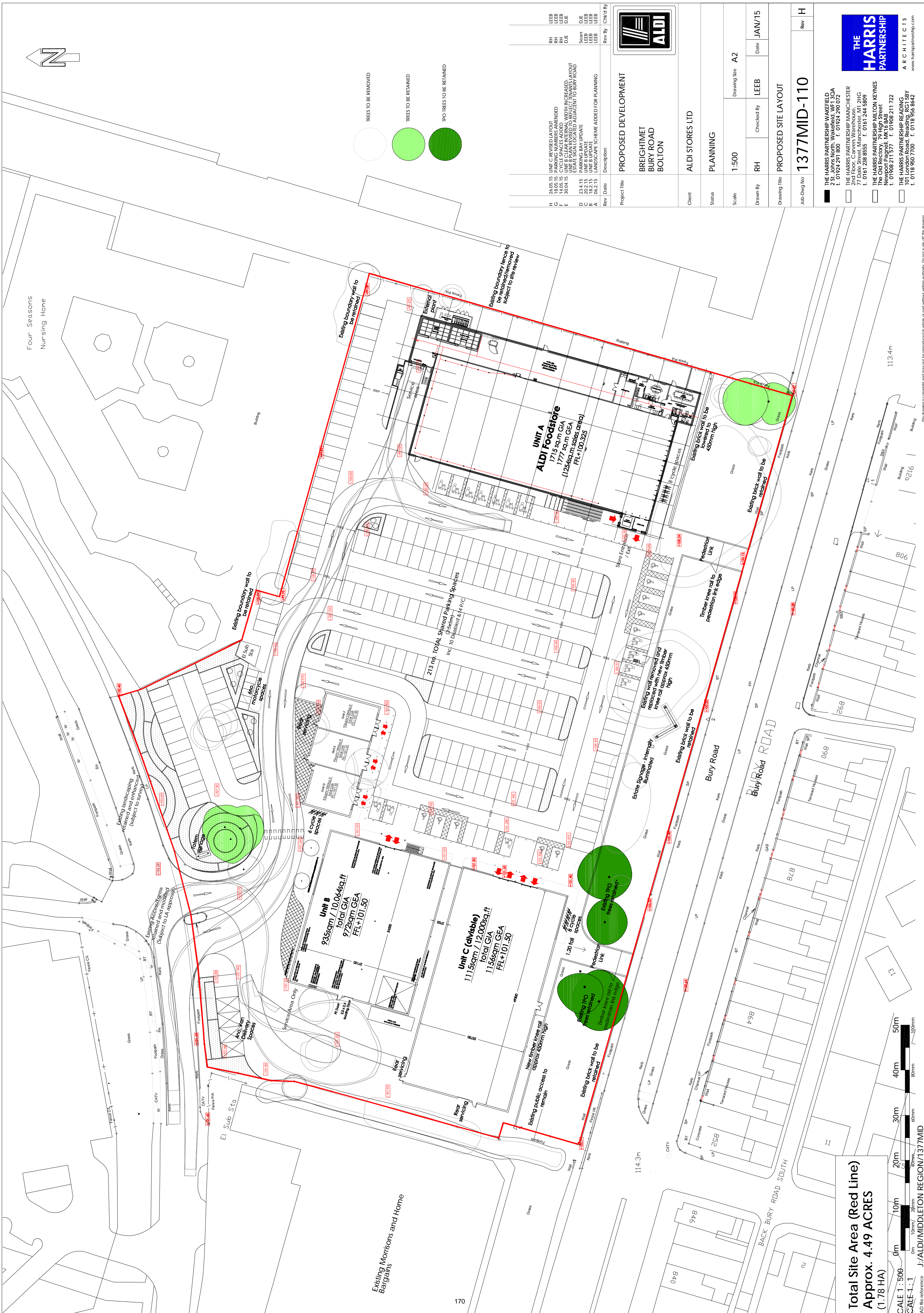
Proposed Development - Brightonmet, Bolton

Client: Aldi Stores Limited
Date: 24/03/15
Job/Dwg: 1377MD-CG102B
Not to Scale



Proposed Development - Brightonmet, Bolton

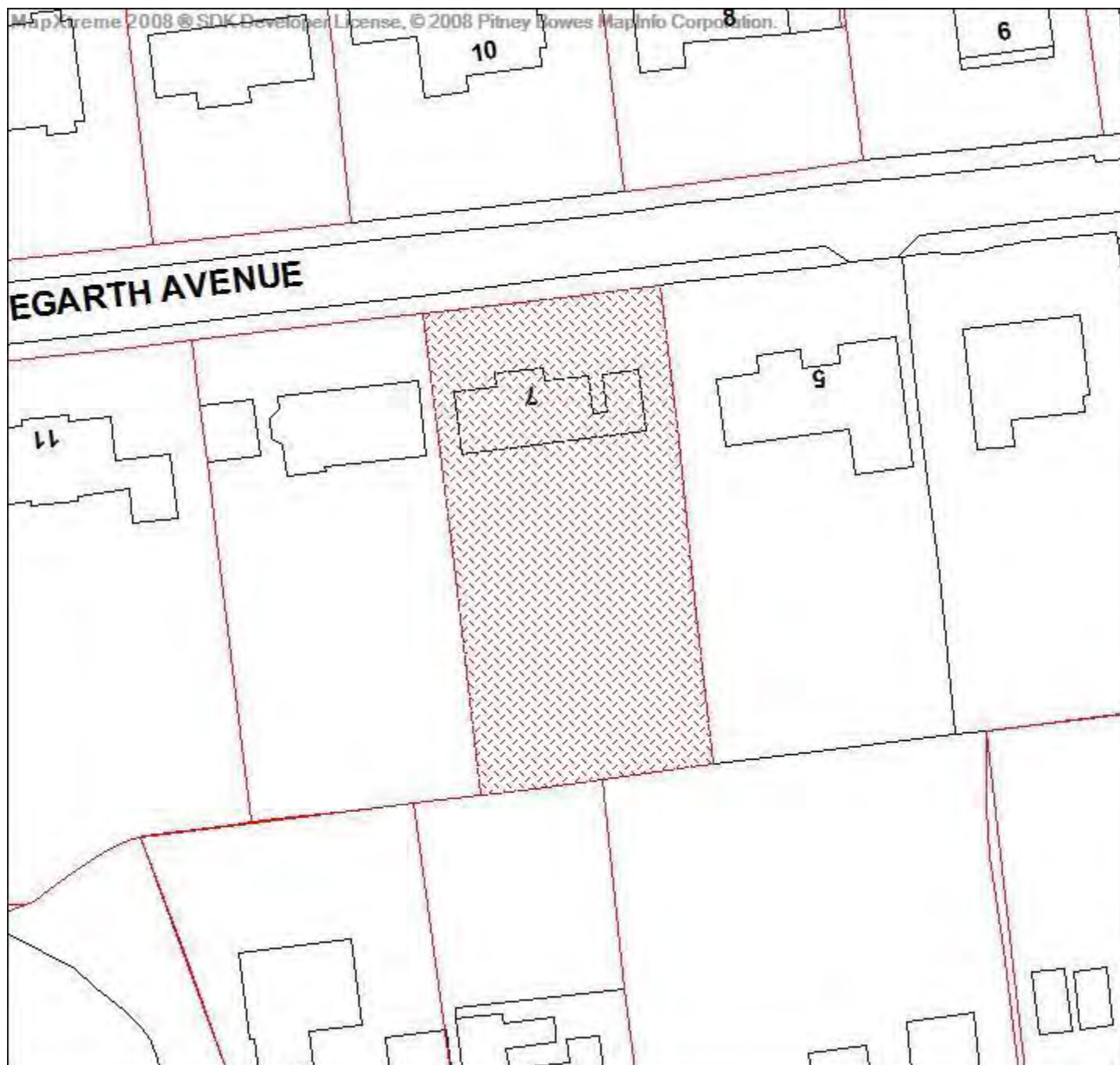
Client: Aldi Stores Limited
Date: 24/03/15
Job/Dwg: 1377MID-CG101A
Not to Scale



Rev / Date	DESCRIPTION	<div> <div>  </div> </div>	<div> <div>Rev By</div> <div>Chk'd By</div> </div>
Rev / Date	Project Title	<p>PROPOSED DEVELOPMENT</p> <p>BRIGHTMET BURY ROAD BOLTON</p>	

Drawing Title	PROPOSED SITE LAYOUT	
Job-Dwg No	1377MID-110	Rev H

**Application number
94595/15**



**Development & Regeneration Dept
Development Management Section**

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**Bolton
Council**

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Date of Meeting: 24/09/2015

Application Reference: 94595/15

Type of Application: Full Planning Application
Registration Date: 22/07/2015
Decision Due By: 15/09/2015
Responsible Officer: Helen Williams

Location: 7 DALEGARTH AVENUE, BOLTON, BL1 5DW

Proposal: FORMATION AT REAR OF RAISED PATIO AREA WITH STEPS

Ward: Heaton and Lostock

Applicant: Mr Daud
Agent : Bradbury Consulting

Officers Report

Recommendation: Approve subject to conditions

Proposal

Planning permission was granted in August 2012 (under application 88040/12) for a single storey rear extension together with the formation of a raised patio area with steps (as well as for the repositioning of the front porch door). The single storey rear extension has been built. It however came to the attention of the Development Control section that the raised patio area was not being built in accordance with the approved plans and as a result of an enforcement investigation this latest application, seeking to rectify the breach, has been submitted.

The raised patio area (as currently being constructed) differs from the approved raised patio area in the following main ways:

- * Instead of the raised patio area being at one level for the whole of its width (2.05 metres above ground level (when measured from the rear)), the raised patio is now proposed over three levels (the central part being raised 2.05 metres, the part adjacent 9 Dalegarth Avenue being raised 1.3 metres and the part adjacent 5 Dalegarth Avenue being raised 0.535 metres);
- * The patio area is now proposed to project a distance of 5.144 metres from the rear elevation (when measured adjacent the boundary with 5 Dalegarth Avenue) rather than a distance of 3.561 metres as originally proposed;
- * The highest level of the patio area is now set in approximately 5 metres further away from the boundary with 5 Dalegarth Avenue. The whole of the previously approved patio area was at the same level as the highest part now proposed;
- * A new patio area (at a height of 1.3 metres above ground level (when measured from the rear)) is proposed behind the lounge and adjacent the boundary with 9 Dalegarth Avenue;
- * Steps are now proposed to each side of the central (and highest) level of the patio, to access the new lower levels. Further steps are proposed from these lower levels to the garden. The previous approval had steps central to the rear elevation of the patio area;
- * A new access door is to be installed in the rear elevation of the house below the morning room

window, so that the existing area below this room can be accessed from the lower patio area. This, in itself, does not require the benefit of planning permission. The basement store was granted permission under application 33136/89.

The applicant has responded to neighbours' concerns (during the process of this application) by amending their plans in the following ways:

- * By proposing to reduce the width of the steps facing 5 Dalegarth Avenue by 1 metre, so that they are now 1.2 metres wide rather than 2.261 metres wide;
- * By proposing to plant trees along the boundary with 5 Dalegarth Avenue (shown on the plans as mature cypress trees);
- * Removing the boundary wall to the patio area adjacent the boundary with 5 Dalegarth Avenue, so that it is only a retaining wall the height of the patio at this area.

Site Characteristics

The application property is a large detached dwelling that has previously been extended at the front and rear. The last extension built at the dwelling was a single storey mono-pitched extension sited between the two existing two storey elements on each side of the property.

Construction of the raised patio area (which is subject to this application) has been started at the rear, with the breeze block walls, floors and steps having been laid. The wall constructed adjacent the boundary with 5 Dalegarth Avenue is to be lowered, as per the amended plans. Work on the patio area has ceased until a decision is made on this application.

The houses on this side of Dalegarth Avenue are elevated from their rear gardens; the rear gardens slope down to the south.

The application property is at a higher ground level than the neighbouring property at 5 Dalegarth Avenue. A staggered timber boarded fence marks the party boundary between the two properties. No. 5 has a raised patio area to the rear of their living room, which is the nearest room to the party boundary with the application dwelling.

There is dense tree screening along the boundary with 9 Dalegarth Avenue.

Policy

National Planning Policy Framework (NPPF)

Core Strategies Policies: CG3 The Built Environment; CG4 Compatible Uses; OA4 West Bolton.

SPD House Extensions

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the 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 OA4 of the Core Strategy states that the Council will conserve and enhance the character of the existing physical environment, and will ensure that development in West Bolton has particular regard to the overall density, plot sizes, massing and materials of the surroundings – these features should be retained where possible.

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 design and scale of the proposed raised patio area has been altered in a number of ways from the structure that was granted planning permission in 2012. The patio area is now proposed to comprise three different levels, with the highest level (at 2.05 metres above garden level) being central to the rear of the dwelling, and with two lower levels being sited on either side (at 1.3 metres above garden level adjacent 9 Dalegarth Avenue and at 0.535 metres above garden level adjacent 5 Dalegarth Avenue). The patio area is now proposed to extend the full width of the dwelling. The depth of the patio area (its projection from the rear elevation of the dwelling) has also been increased from 3.561 metres originally approved to 5.144 metres.

The length and depth of the patio area have been increased, but the bulk of the structure has been reduced as the highest part of the structure (at 2.05 metres above garden level) has been reduced to a 8.589 metres long area rather than a 14.605 metres long area as originally approved. The applicant has also sought to improve the appearance of the rear wall of the highest part of the structure by introducing terraced walls, which will hold plants/flower beds to help soften the appearance of this elevation. This central part of the patio area will be bounded with glass balustrades/screens at approximately 1 metre in height.

The floors are to be finished in light porcelain tiles and the external walls are to be finished in stone dressing. The objectors have raised concern that the proposed finish to the walls (currently proposed as "Norstone XLV - Ochre") would be "garish", as they believe they would be too orange in colour. Officers are therefore suggesting, should Members approve the application, that details of the finished walls are agreed with the local planning authority prior to being applied to the breeze blocks, to ensure that the finished colour is compatible with the appearance of the dwelling and its neighbours.

The applicant has noted the concerns raised by their neighbours during the application process and has amended their plans to reduce the width of the steps facing 5 Dalegarth Avenue and also to reduce the height of the wall constructed at the edge of the patio area adjacent no. 5 (so that it is only a retaining wall rather than projecting above the floor area).

Although large in scale, it is not considered that the proposed raised patio area would be detrimental to the character and appearance of the host dwelling or the surrounding area. A large rear garden will be retained (in character with the immediate area) and the structure will not be visible from the street. It is therefore considered that the proposal complies with Policies CG3 and OA4 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

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

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

Impact on 5 Dalegarth Avenue

The dwelling at 5 Dalegarth Avenue is at a lower ground level than the application property. The extended application property (without the raised patio area) extends just beyond the rear elevation of no. 5. 5 Dalegarth Avenue has a raised patio area to the rear of their living room (which contains patio doors), which is adjacent the party boundary with the application property. The staggered timber fencing between the two properties does not provide any screening between the two patio areas.

Within the approved 2012 plans, the part of the patio adjacent to the boundary with 5 Dalegarth Avenue was to be at a height of 2.05 metres above garden level and was to project a length of 3.561 metres. The patio as built and now applied for is now only at a height of 0.535 metres above garden level but will project a length of 5.144 metres from the rear elevation. The patio area (at 5.144 metres in projection) would not infringe upon a line drawn at a 45 degree angle from the centre of no. 5's patio doors, therefore it is not considered that the proposal would unduly affect residential amenity within this room. It is acknowledged that residents standing or sitting on this area of the proposed patio would be able to overlook into no. 5's rear garden and onto their raised patio area, however the patio as approved would have been approximately 1.5 metres higher at this point should it have been built in accordance with the plan. It should also be noted that the neighbouring residents at no. 5 can already overlook the applicant's garden from their own raised patio area and these residents could plant trees or shrubs along their own boundary if they wanted, to provide screening.

The highest part of raised patio area will be approximately 8 metres away from the party boundary with no. 5. Again this area would not infringe upon a 45 degree line taken from the centre of the no. 5's patio doors.

The objectors have commented that trees and shrubs that were previously along the boundary between the application property and no. 5 have been removed by the applicant prior to them constructing the patio (there were no conditions on the 2012 permission to retain these trees). These trees provided screening between the two properties. The applicant is now proposing to replace these trees with mature cypress trees, so that the screening is reintroduced. These should reduce overlooking between the neighbouring gardens, and officers recommend that a condition is attached to ensure that these trees are planted, in accordance with the amended plans.

Impact on 9 Dalegarth Avenue

The rear elevation of 9 Dalegarth Avenue is in line with the rear elevation of the application property, and the boundary between the two dwellings is heavily screened with trees. It is therefore

considered that there will be no overlooking created between the two properties.

It is considered for these reasons that the proposed development will not unduly harm the amenity of either neighbour, compliant with Policy CG4 of the Core Strategy.

Conclusion

For the reasons discussed above, it is considered that the amended proposal would not harm the character and appearance of the host dwelling or the surrounding area and would not unduly harm the amenity of neighbouring residents, compliant with policy. Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- Objections have been received from the neighbouring residents at 5 Dalegarth Avenue (and on behalf of these residents from Aylward Town Planning Ltd.) and from Lostock Residents' Group. These letters raise the following concerns:

- * The raised patio that has been built is radically larger in size, of very different design and of considerably greater massing than that approved in 2012;
- * The raised patio as built creates an unacceptable intrusion to no. 5's privacy. People on both levels and coming down the steps will be able to see directly into their living room and into their garden. The patio is only 7 metres away from the living room window;
- * The extended footpath that runs down the boundary with no will cause a further intrusion of privacy;
- * The 2 metre high hedge between no and 7 was removed on the first day of work to the patio. The previous screening between the properties (which was referred to in the officer's report for the 2012 application) has therefore been removed;
- * The approved raised patio area was 52 sqm but has been built at least as 92 sqm;
- * The 2.2 metre wide steps add to the built and visual impact;
- * The balustrade with stone pillars and glazed screen will add to the height and impact;
- * There is a storage room of undisclosed interior size under the patio;
- * The original raised patio did not have a 'sub-patio courtyard' level;
- * A wall has been constructed along the eastern boundary of the development which has a considerable intrusive impact, as screening has been removed;
- * The external finish of the patio walls have changed from dressed stone to "Norstone XLV in Ochre", which is garish in colour;
- * Negative impact on the surroundings;
- * Consider that the development does not comply with the Council's policy guidance on house extensions (*officer's comments: there also appears to be some confusion within the letters regarding what is permitted development (under permitted development rights) and what is acceptable in policy guidance terms*);
- * The rear of the dwelling has been extended twice, first in 1987-92 and then in 2015;
- * The structure has been built without planning permission and is a breach of planning control. It should be taken down;
- * The proposal cannot be treated as an amendment to the earlier permission as it has now lapsed (*officer's comment: this application has been submitted as a new "full" householder application*);
- * No.5 did not object to the original plan as, although they felt the plan "over-strained the boundaries of acceptability" they wished to maintain a good relationship with their neighbours.

Elected Members:- Cllr. Robert Allen has requested that an advanced site visit be carried out by Members before the final determination of the application is made by the Planning Committee.

Consultations

Advice was sought from the following consultees: None.

Planning History

Permission was granted in August 2012 for the erection of a single storey rear extension together with the formation of a raised patio area with steps and the repositioning of the front porch door (88040/12).

A front porch was approved in May 1993 (43027/93).

Application 42601/93 for a two storey side extension and a new front porch was refused in March 1993.

An extension to the rear of the garage incorporating a basement store was approved in February 1989 (33136/89).

A two storey rear extension was approved in January 1988 (30474/87).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

To ensure the development reflects local distinctiveness and to comply with Policies CG3 and OA4 of the Core Strategy.

3. Trees shall be planted on the site in accordance with drawing reference 001 Rev B and 002 Rev B within the next planting season. Any trees that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason

To reduce overlooking and in accordance with Policy CG4 of the Core Strategy.

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

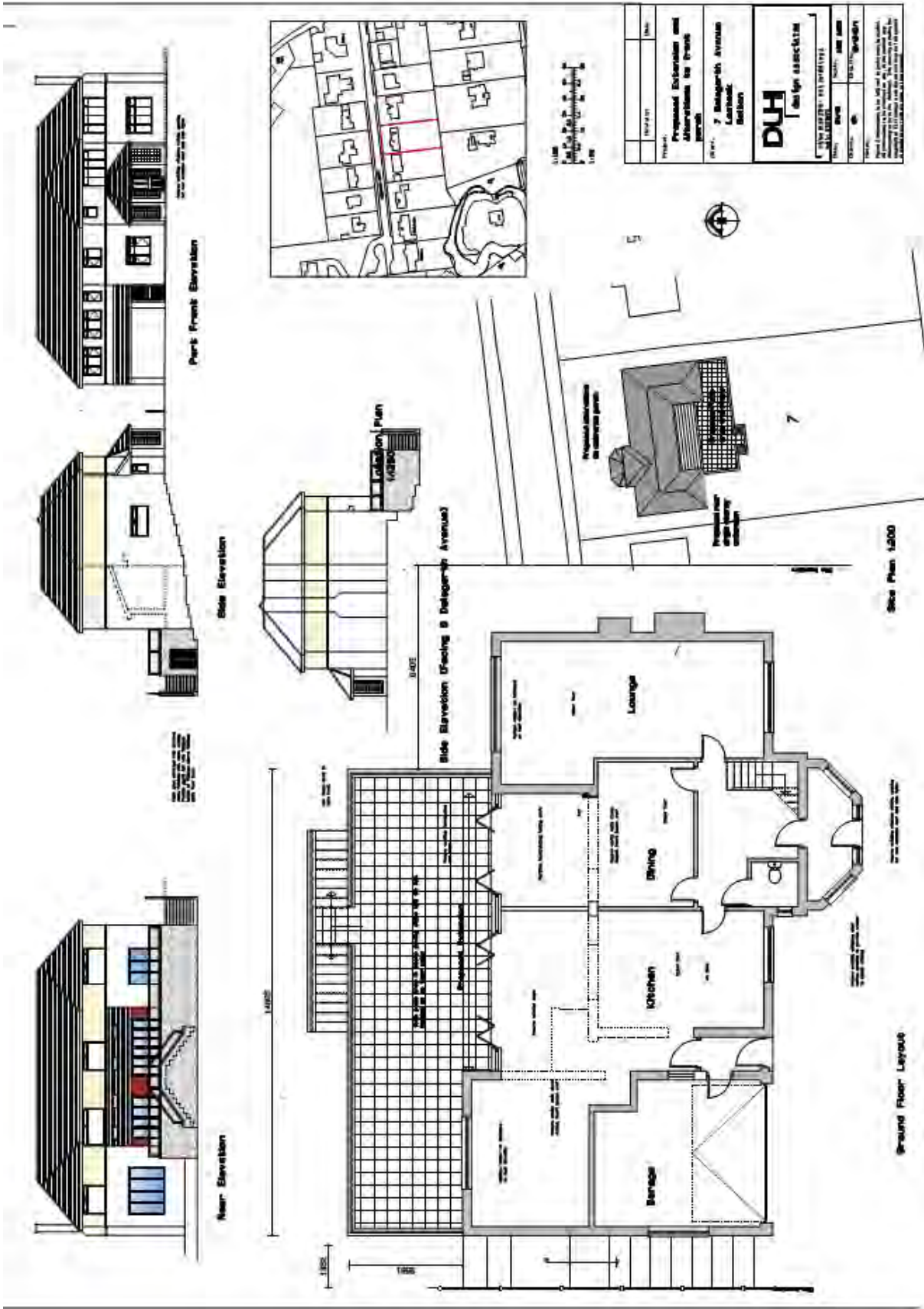
001 Rev. B; "Proposed Elevations"; dated Sept 14

002 Rev. B; "Proposed Plans"; dated Sept 14

Reason

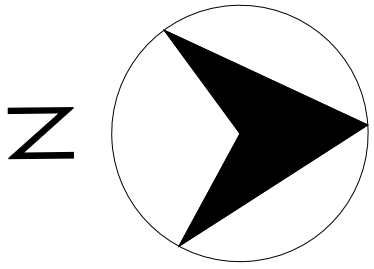
For the avoidance of doubt and in the interests of proper planning.

Previously approved plans (88040/12)



NOTES

ALL DIMENSIONS AND LEVELS ARE TO BE CHECKED ON SITE
ANY DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT BEFORE ANY WORK COMMENCES
THIS DRAWING SHALL NOT BE SCALED TO ASCERTAIN ANY DIMENSIONS WORK TO FIGURED DIMS ONLY
THIS DRAWING SHALL NOT BE REPRODUCED WITHOUT EXPRESS WRITTEN PERMISSION FROM CUBE DESIGN.



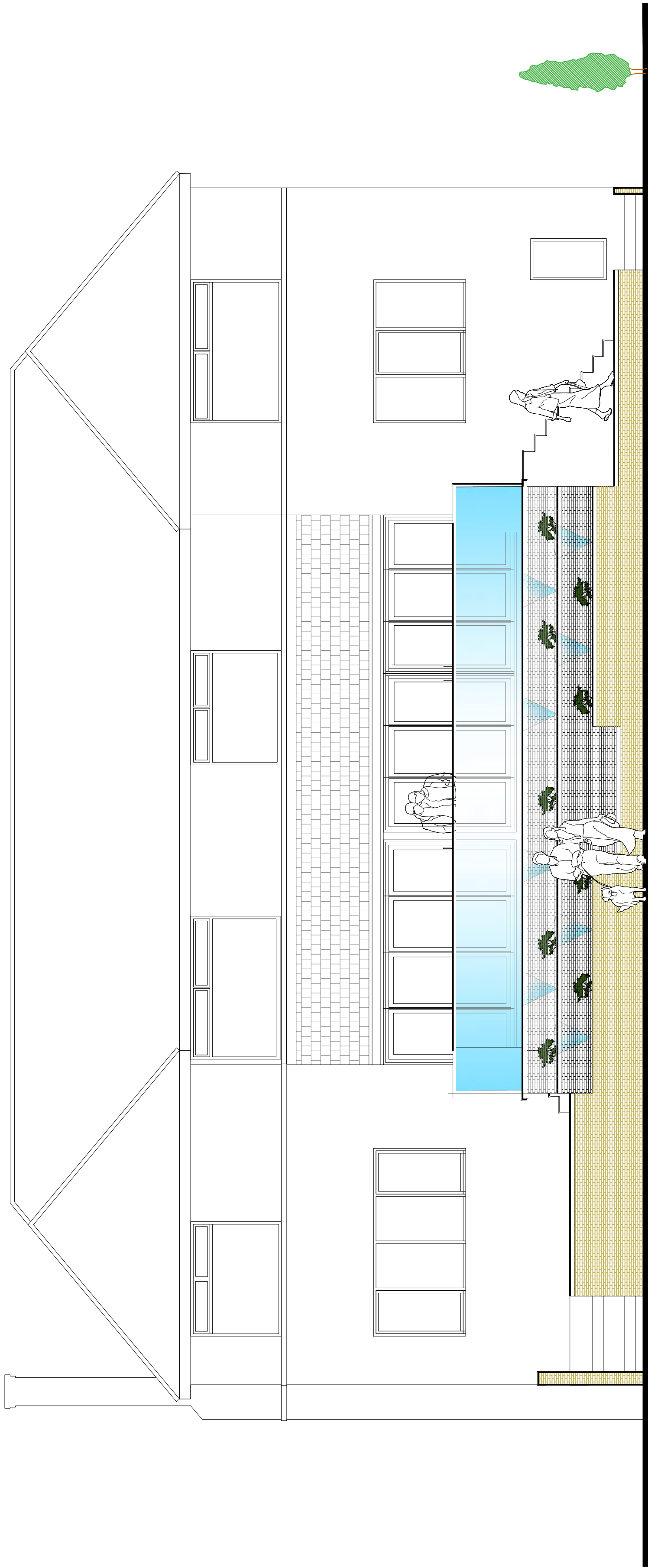
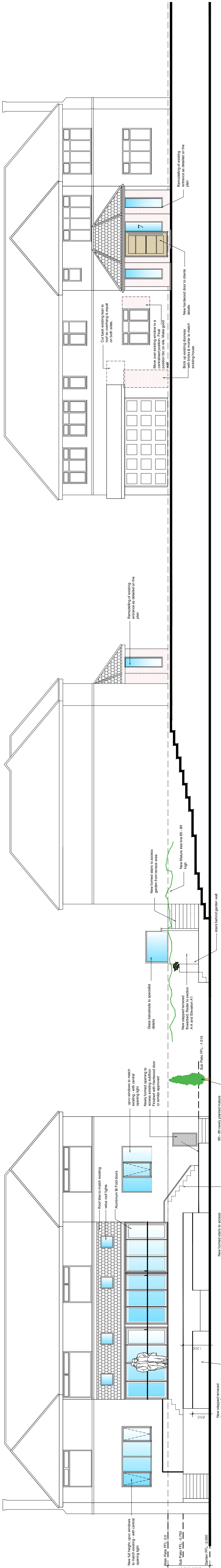
Revision	Description	Date	Drawn	Checked
1	183 Windsor Road Dale Bank, Bolton M20 6LH t: +44 (0)799 157472 e: info@cube7design.co.uk			

External Landscape Stationary.jpg

Client:	Mr & Mrs Daud														
Project:	7 Dalegarth Avenue, Bolton														
Phase / Location:	Construction														
Drawing:	Proposed Plans														
Scale @ A1	1:50	Scale @ A3	-	Date:	Sept 14	Drawn:	MF	Checked:	-	Job No.:	1425	Drawing No.:	002	Revision:	B

NOTES

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THIS DRAWING SHALL NOT BE REPRODUCED WITHOUT EXPRESS WRITTEN PERMISSION FROM CUBED/DESIGN.



Revision	Description	Date	Drawn	Checked
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18 Windsor Road
Dane Bank, Denon
Manchester, M34 2HH
t: +44 (0)1753 157922
e: info@cube.design.co.uk

Client:	Mr & Mrs Daud		
Project:	7 Dalegarth Avenue, Bolton		
Phase / Location:	Construction		
Drawing:	Proposed Elevations		
Scale as At	Scale	at	As At
1:50	.	Sept 14	
	MF		
Checked:	-		
Job No.	1425		
Drawing No.	001		
Revision	B		

Application number
94609/15



Development & Regeneration Dept
Development Management Section

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

Bolton
Council

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Date of Meeting: 24/09/2015

Application Reference: 94609/15

Type of Application: Full Planning Application
Registration Date: 15/07/2015
Decision Due By: 13/10/2015
Responsible Officer: Alex Allen

Location: EDGE FOLD INDUSTRIAL ESTATE, PLODDER LANE, BOLTON, BL4 0LW

Proposal: DEMOLITION OF EXISTING EMPLOYMENT & CONSTRUCTION WASTE TRANSFER PREMISES AND ERECTION OF 9NO. NEW EMPLOYMENT UNITS (B1C / B2 / B8) AND NEW CONSTRUCTION WASTE TRANSFER UNIT (SUI GENERIS) ALONG WITH ASSOCIATED PARKING AND LANDSCAPING

Ward: Hulton

Applicant: JCBS Properties Ltd
Agent : P4 Planning Limited

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant is seeking the demolition of existing industrial buildings located on the northern side ('Top Deck') of Edgefold Industrial Estate including the removal of an existing Construction Industry Recycling Centre (Waste Transfer Station). The existing buildings on site are at the end of their useful life and replacement is necessary.

In terms of floorspace the existing site provides 3,331 sq.metres. The current proposal seeks the replacement of this floorspace with a total floor area of 3,641 sq.metres. In terms of the context of the wider industrial estate this represents an increase in floorspace of less than 2%. The new buildings would be used for B1c (general industrial compatible with residential use), B2 (general industrial) and B8 (storage and distribution) uses.

The overall height of the new units would vary between 7.7 metres and 10.2 metres to the ridge. This would ensure that each unit has clear internal heights of 6.5 metres to enable them to be appropriate for modern industrial use.

Site Characteristics

The application relates to the northern part of Edgefold Industrial Estate which forms part of the large Estate currently operated by the Bolton based construction company Seddon's. The application site currently provides 3,331 sq.m of floorspace with the existing buildings being constructed of bricks with profiled cladding in a mix of colours, in varying degrees of dilapidation. The land in between the buildings consists of large areas of hardstanding which is used for a mix of servicing, car

parking and vehicular access/egress. Vehicular access is from Smethurst Lane to the west.

Policy

National Planning Policy Framework (NPPF).

Core Strategy: P1 Employment land, P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, OA4 West Bolton.

Bolton Allocations Plan: Policy CG7AP Green Belt, Appendix 2: Protected Employment Land - Site 14 P1.2 - Edge Fold.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of development;
- * impact on highway safety;
- * impact on adjoining land uses;
- * impact on drainage/sustainability;
- * impact on ecology.

Principle of development

The application site is located within allocated Green Belt land and is also allocated as a Protected Employment area (Site 14 P1.2 Edge Fold).

Guidance contained within NPPF (Paragraphs 79 to 92) provides guidance on the consideration of development proposals within the Green Belt. The overarching aim of Green Belt policy is to protect Green Belt areas from inappropriate development to prevent urban sprawl by keeping land permanently open. This is replicated within Allocations Plan policy CG7AP. It is noted that paragraph 89 of NPPF does allow for '...the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

The site is also allocated as protected employment land. Core Strategy policy P1 seeks to ensure that the Council and its partners safeguard existing employment areas where they are compatible with residential amenity and contribute to the sustainability of communities in which they are situated.

As outlined above the proposal would result in the redevelopment of an existing large employment site whose buildings have become dilapidated and are not fit for purpose. The net increase in floorspace would be 310 sq. metres which in the context of the application site and the wider

Edgefold Industrial Estate is a modest addition. The proposed heights of the new buildings would be broadly comparable to the existing site ensuring the proposal would have a minimal impact on the openness of the Green Belt.

The proposal would assist in providing modern industrial units with a modest increase in footprint without compromising the overall openness of the Green Belt in this location.

The proposal complies with policy.

Impact on highway safety

Core Strategy policy P5 seeks to ensure that new development proposals take into account accessibility, freight movement, servicing arrangements and parking.

The applicant has developed a scheme which provides 89 car parking spaces together with vehicle circulation areas.

The Council's Highways Engineers have commented that they have no objections to the proposal. They have concluded that the proposal provides sufficient car parking for the proposal.

The proposal would provide a redeveloped site which would provide a modern industrial facility providing sufficient parking, circulation and servicing space to meet the requirements of the end users of the new units.

The proposal complies with policy.

Impact on adjoining land uses

Core Strategy policy CG4 seeks to ensure that new development proposals are compatible with surrounding land uses and occupiers.

The site is located in the northern part of the wider Edgefold Industrial area, with the adjoining land use being in industrial use. There are some residential properties which front Plodder Lane some 90 metres away to the south. However, the wider Industrial area is located in between the application site and the existing industrial units which provides an effective buffer.

It is therefore considered that the proposed development would be complementary to the adjoining industrial use whilst not being detrimental to the closest residential properties.

The proposal complies with policy.

Impact on drainage/sustainability

Core Strategy policy CG1.5 seeks to ensure that new development proposals reduce the risk of flooding in Bolton by minimising water run-off from new development and ensuring a sequential approach is followed, concentrating new development in the areas of lowest flood risk. In addition, Core Strategy policy CG2 seeks to ensure that new development proposals achieve a BREEAM rating of very good together with the reduction in surface water run-off from sites by 50% for previously developed sites

It is noted that United Utilities currently advise a planning condition which makes provision for the above reduction in surface water run-off by 50%.

The applicant has stated that they are unable to reduce surface water run-off from the site for a number of reasons:

- the development proposal is the sequential replacement of existing buildings that are no longer fit for use. The existing development outfalls and connection routes to the public sewer network are being reused without replacement. There is no proposal to change to the existing rate or quantity of storm water discharge to the network. This is understood to be acceptable to UUpIc and the requirement restricting the surface water discharge may be removed.
- the existing networks are separate foul and surface water drainage. This is compliant with your requirements and acceptable to UUpIc.
- the site is built over historic landfill. This will preclude the use of sustainable drainage and infiltration methods. This is understood to be acceptable to UUpIc and supports the retention of the existing drainage serving the development.
- the retention of the existing infrastructure, outfalls and rates of discharge combined with the need to avoid significant excavation that may open pathways to through the historic landfill will preclude the use of attenuation. This is understood to be acceptable to UUpIc and further supports our agreement to remove the obligation to restrict the surface water drainage.

The proposal represents a modest extension in floorspace than currently exists. It is considered that due to the site constraints the recommended policy requirement to reduce surface water run-off is not feasible. Therefore it is recommended, so as not to increase the risk of flooding from the proposed development, to condition that surface water flows from the site are not increased as a result of the proposed site redevelopment. This would be in compliance with policy CG1.

In planning policy terms the proposed development would have to comply with Core Strategy policy CG2.2 (a) and (b). CG2.2 (a) relates to ensuring the buildings are constructed to the BREEAM "Very Good" standard and CG2.2 (b) seeks to ensure new development proposals reduce carbon dioxide emissions by at least 10%. It is considered appropriate to condition these aspects to ensure the proposal complies with policy.

It is considered that the development proposal fully complies with Core Strategy policy CG1 and broadly complies with Core Strategy policy CG2.

Impact on ecology

Core Strategy policy CG1 seeks to ensure that new development proposals safeguard and enhance biodiversity in the borough by protecting sites of urban and rural biodiversity.

The proposal would not result in an increase in the existing operations taking place within the site in relation to ecology.

It is therefore considered that the proposal would not have a detrimental impact on the ecological value of the site and thus complies with policy.

Conclusion

The proposal would involve the redevelopment / regeneration of a well established industrial area, providing new industrial facilities which would meet the requirements of the existing and future business occupiers with a limited net increase in floorspace. The development would have a minimal impact on the openness of the Green Belt. The proposal would complement the existing use of the site, also complementing the adjoining use/wider industrial estate without compromising the living conditions of the closest residential occupiers. The development proposal would provide sufficient car parking whilst seeking to maintain surface water run off at existing discharge rates.

The proposal complies with policy and is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters/petitions:- no representations received.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: the Coal Authority, the Council's Landscape Architects, Environmental Health officers, Highways Engineers, Economic Strategy, Strategic Development Unit, Drainage/Flood Risk officers, Environment Agency, Design for Security (Greater Manchester Police), Greater Manchester Waste Disposal Authority.

Planning History

The site has been the subject of a number of planning permissions for industrial development on the site which reflects the current layout.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

To ensure the development reflects local distinctiveness.

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

Reason

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

4. Trees and shrubs shall be planted on the site in accordance with [a landscape scheme to be submitted and approved in writing by the Local Planning Authority/the approved landscape scheme [drawing reference: **] prior to the development being first brought into use. The approved scheme shall be implemented in full and carried out within 6 months of the occupation of any of the buildings or the completion of the development, whichever is the sooner, or in accordance with phasing details

included as part of the scheme and subsequently approved by the Local Planning Authority. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason

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

5. No building hereby permitted shall be occupied until surface water drainage works have been implemented on site which maintains the existing surface water run off from the site in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

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

The approved scheme shall be implemented in full prior to full occupation of the development hereby permitted and retained thereafter.

Reason:

To reduce the risk of contaminating surface water run off and reduce the risk of localised flooding and down stream flooding by ensuring the provision of a satisfactory means of surface water dispersion

6. Before the approved/permitted development is first brought into use no less than 89 car parking spaces shall be provided within the curtilage of the site, in accordance with Drawing Ref: P4053_0003 Rev. 1 dated 25/06/15. 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

7. Development shall not commence until any remediation scheme required as a result of the investigation carried out in accordance with Condition [number] has been prepared, approved in writing by the Local Planning Authority, and implemented as approved. The scheme shall include provision for verifying that the remediation objectives (verification report) have been met and for any subsequent monitoring and maintenance in accordance with Model Procedures for the Management of Land Contamination (CLR 11), details of which should be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use or first occupied.

Reason

To ensure the development is safe for use.

8. Prior to the development hereby approved/permitted being first occupied or brought into use the HGV turning areas as shown on Drawing No. P4053_0003 Rev. 1 shall be brought into use and

retained thereafter and not to be used for any purpose except the parking/turning/loading/unloading of vehicles.

Reason

In the interests of highway safety.

9. Prior to the development hereby approved/permitted being first occupied or brought into use the redundant vehicular access point onto Smethurst Lane shall be closed to vehicles and the existing highway (kerbing and footway) made good to adoptable footway standards. There shall thereafter be no means of vehicular access to or from Smethurst Lane, other than as shown on drawing ref: P4053_0003 Rev. 1.

Reason

In the interests of highway safety.

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

Reason

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

11. Prior to the development being first occupied or brought into use, including detailed specification of the proposed gabion wall shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full within 21 days of the Local Authorities approval, unless otherwise agreed in writing with the Local Planning Authority and retained thereafter.

Reason

To ensure the development reflects the landscape and townscape character of the area.

12. No dwelling shall be occupied until the access road(s), footway(s) and footpath(s) leading thereto have been constructed and completed in accordance with the drawing ref: P4053_0003 Rev. 1.

Reason

In the interests of highway safety.

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

**P4053_0003 - Proposed Site Plan, scanned to file 15/07/15;
P4053_0004 - WTS_ GA Ground Floor Plan, scanned to file 15/07/15;
P4053_0005 - WTS_ GA First Floor Plan, scanned to file 15/07/15;
P4053_0006 - WTS_ GA Roof Plan, scanned to file 15/07/15;
P4053_0007 - WTS_ GA Elevations, scanned to file 15/07/15;
P4053_0008 - Units 1 & 2_ GA Plans, scanned to file 15/07/15;
P4053_0009 - Units 1 & 2_ GA Elevations, scanned to file 15/07/15;
P4053_0010 - Units 3 to 6_ GA Plans, scanned to file 15/07/15;
P4053_0011 - Units 3 to 6_ GA Elevations, scanned to file 15/07/15;
P4053_0012 - Units 7 to 9_ GA Plans, scanned to file 15/07/15;
P4053_0013 - Units 7 to 9_ GA Elevations, scanned to file 15/07/15.**

Reason

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

Notes

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Scales

TO BE USED ONLY AS GUIDANCE

1:100	mm	1:1000	mm	1:5000	mm
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KEYPLAN

Colour coated vertically laid profiled metal built up/composite cladding.
Colour: Goosewing Grey

1 Proposed South Elevation
1 : 100

Colour coated vertically laid profiled metal built up/composite cladding.
Colour: Goosewing Grey

2 Proposed North Elevation
1 : 100

Colour coated vertically laid profiled metal built up/composite cladding.
Colour: Goosewing Grey

3 Proposed East Elevation
1 : 100

Colour coated vertically laid profiled metal built up/composite cladding.
Colour: Goosewing Grey

4 Proposed West Elevation
1 : 100

FOR COMMENT

1 Update in line with client comments

SPK 28.05.15

Rev

Description

By

Date

Section

Plotter Lane, Bolton

Units 3 to 6 - Proposed
GA Elevations

P4053_0011

2

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123-PZ-00-DR-A-0011

Scale

1 : 100

@ A1

25/06/15

Scale

1 : 100

@ A1

SPK

JW

Approved

Feasibility

Tender

Construction

Design

Contract

As Built

POZZONI

London House
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Scales

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KEYPLAN

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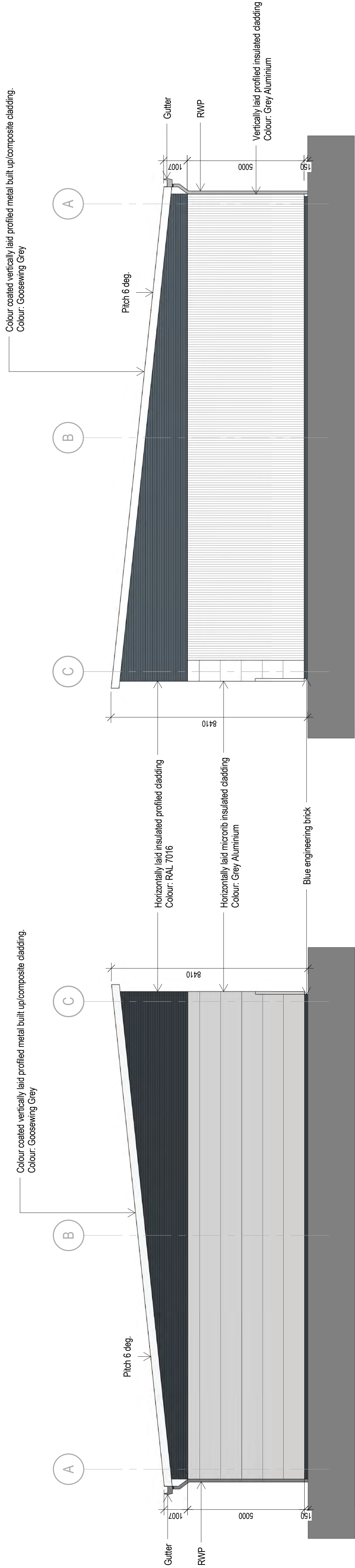
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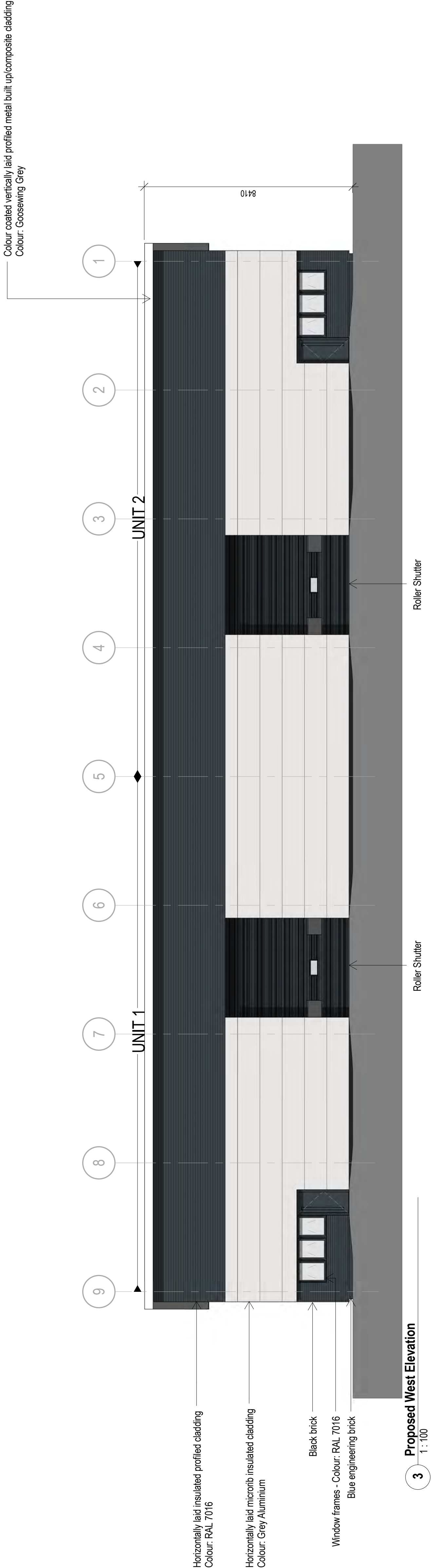
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1 Proposed North Elevation
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2 Proposed South Elevation
1 : 100



3 Proposed West Elevation
1 : 100

4 Proposed East Elevation
1 : 100

FOR COMMENT

1 Updated in line with client comments: SPK 25/05/15

Rev Description By Date

Section

Plotter Lane, Bolton

Units 1 & 2 - Proposed GA Elevations

P4053_0009

123-PZ-00-DR-A-0009

25/06/15

1 : 100

@ A1

SPK

JW

Feasibility

Design

As Built

POZZONI

London House
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Notes

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Scale bars

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KEYPLAN

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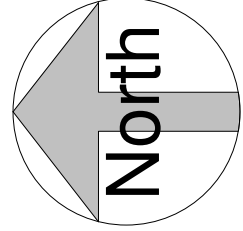
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1

Updated in line with client comments

SPK

25.06.15

Rev

Description

Date

Section

Plotter Lane, Bolton

Existing Site Plan

P4053_0002

2

1

Scale

1 : 500

@ A1

Scale

SPK

JW

Feasibility

Tender

Construction

Design

Contract

As Built

London House
115 Golden Lane
London
EC1N 7DT
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www.pozzoni.co.uk

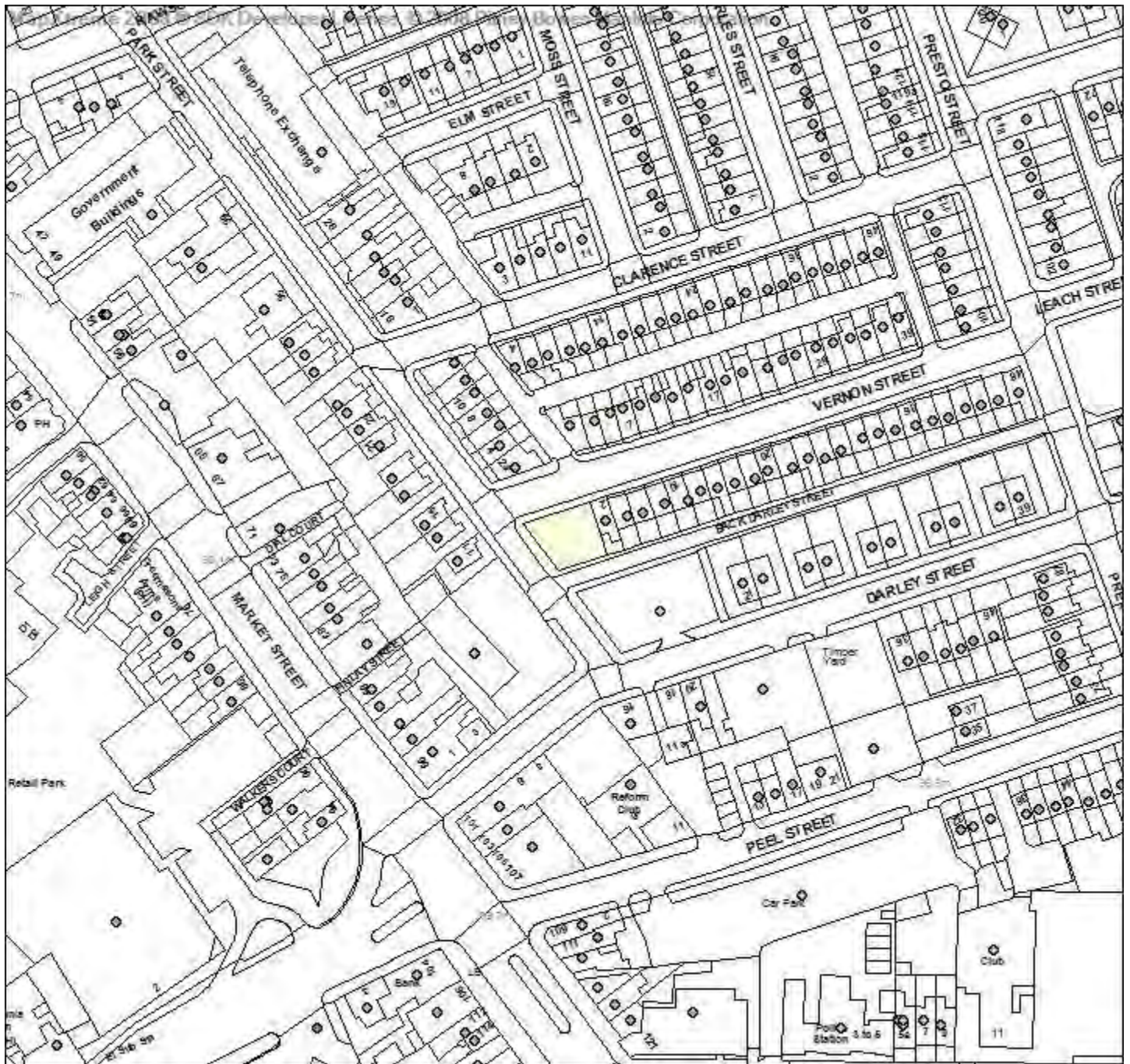
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196

Application number 94617/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 24/09/2015

Application Reference: 94617/15

Type of Application: Full Planning Application

Registration Date: 15/07/2015

Decision Due By: 08/09/2015

Responsible Officer: Paul Bridge

Location: 2 PARK STREET, FARNWORTH, BOLTON, BL4 7PH

Proposal: CHANGE OF USE AND CONVERSION OF WAREHOUSE TO TWO FOUR-BEDROOM FLATS AND ONE THREE-BEDROOM FLAT

Ward: Farnworth

Applicant: Acamba Systems Ltd

Agent : Nick Howard Planning

Officers Report

Recommendation: Approve subject to conditions

Proposal

Planning permission (93671/15) was refused for the change of use of the premises from a warehouse (decorating centre) to 2 five and 1 six bedroomed flats on the 6th July 2015 for the following reason:-

The proposal represents an over development of the site and fails to ensure a suitable standard of amenity space for potential future occupiers, refuse bin provision and adequate living conditions (for occupiers of flat 3), and would increase the demand for the limited on-street parking contrary to policies CG3, CG4, RA2, P5 and S1 of the adopted core strategy.

This current proposal seeks to address the reason for refusal.

Planning permission is now being sought for the change of use of the premises from a warehouse (decorating centre) to 2 four and 1 three bedroomed flats. The three flats would be self-contained and would be spread over three floors. The two four bed flats would be located at ground and first floor level, with the three bedroom unit being located at second floor level (within the roofspace). The majority of the bedrooms would have en-suite facilities. At the entrance to the building there would be an internal storage area and an area for meters. Access to the flats would be via an existing entrance in the front elevation with a separate fire escape at the rear of the building.

Bin storage will be provided in a store room at ground floor level.

No car parking provision is proposed.

The properties would be marketed as three individual units and not as 'bed sit accommodation'.

Alterations to the external elevations include the enlargement of the existing windows in the side elevations and the introduction of a number of roof lights within the roof slope. The external elevations would also be re-rendered.

Site Characteristics

The application site comprises of a vacant two storey rendered warehouse within close proximity of Farnworth Local Centre.

The site is located on the corner of Park Street and Vernon Street and is the end premises on a row of terraced dwellings along Vernon Street. The immediate surrounding area is mixed in nature with a number of residential and commercial premises in close proximity to the site. The commercial premises are principally located to south and west of the application site. To the south of the site and separated by Back Darley Street is a public car park. At the time of the case officer's site visit a number of the proposed internal and external works had been undertaken.

Policy

National Planning Policy Framework,

Core Strategy Policies:- S1 Safe, P5 Accessibility, CG3 The Built Environment and CG4 Compatible Uses; SC1 Housing and RA2 Farnworth

Supplementary Planning Documents - Accessibility, Transport and Safety; General Design Principles.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of the development;
- * impact on the character and appearance of the surrounding area;
- * impact on the amenity of existing residents and future occupiers;
- * impact on highway safety/parking provision
- * bin storage
- * impact on crime and the fear of crime

Principle of the Development

At the heart of national policy within the NPPF is a presumption in favour of sustainable development. The NPPF maintains the importance of supporting sustainable economic development. Given the property has been vacant for approximately 12 months, (is a brownfield site) its conversion to residential would be likely to improve the appearance of the building and bring an empty building

back into use.

Paragraph 50 of the Framework considers that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes)

The conversion of non-residential property into residential use should normally only be permitted depending on the impact on the amenities of neighbouring properties and the character of the surrounding area by reason of; noise and disturbance; loss of privacy; the siting and design of external alterations and extensions; the cumulative effect of the concentration of such uses, the intensity of occupation and parking and servicing arrangements. In addition proposals should provide satisfactory provision of open space, should not have an unacceptable impact on highway safety and not impact upon the regeneration of the local area.

As such, the principle of the change of use is acceptable subject to being in accordance with the above and with other relevant policies of the Core Strategy.

Impact on the Character and Appearance of 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 specifically concerns development 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.

There would be minimal alterations to the external elevations in order to accommodate the proposal. These include the enlargement of the existing windows in the side elevations and the introduction of a number of roof lights within the roof slopes. The external elevations would also be re-painted. As the alterations to the external appearance of the building are minimal and would re-invigorate the external appearance of the building the proposed extensions and alterations would not unacceptably affect the character and appearance of the existing building and area in accordance with policy CG3 of the Core Strategy.

Impact on the Amenity of Existing Residents and Future Occupiers

Policy CG4 of the Core Strategy has the objective of ensuring that proposal do not adversely affect the level of residential amenity neighbouring occupants can reasonably expect to enjoy.

Future Occupiers

All new development, alterations and extensions to existing buildings should provide potential users with a satisfactory level of amenity in terms of space, sunlight, daylight, privacy, aspect and layout. Development should not usually be permitted where it would have an unacceptable impact on the amenity of occupiers and users of other development.

The proposal is for three self-contained units, which would provide a suitable mix of dwellings in terms of the floor area of each unit for potential users seeking this type of accommodation.

In respect of sunlight and daylight the habitable rooms (bedrooms and lounges) units on the ground and first floor would be provided with satisfactory light and outlook. The proposed habitable rooms on the second floor (flat 3) would be served via roof lights. It is acknowledged that converting an existing building to residential accommodation will have its constraints and given the reduction in the number of bedrooms from the previous refusal and the number of potential occupiers of flat 3, it is considered on balance that the proposal would provide the potential future occupiers of flat 3 with a satisfactory level of amenity.

With regard to noise and disturbance, any potential future occupiers of the existing units will be fully aware that the proposal is located within a mixed use area and in close proximity to Farnworth Local Centre. Given this it is not considered that the occupiers of the proposal would experience any unacceptable loss of residential amenity in terms of noise and disturbance.

SPD General Design Principles outlines amenity space standards for flat and apartment developments. It advises of either 5sqm balcony space per flat or 18sqm adequately screened communal amenity space per flat. Policy CG4.1 refers to protecting amenity, privacy, safety and security.

Terraces lining the immediate area are generally constricted in external amenity space. Most properties operate as single family dwellings and whilst private amenity space is limited it is afforded. This current proposal still does not provide any private amenity space for the future occupiers and is therefore below the standards outlined above. The number of bedrooms has been reduced from 16 to 11. As the proposal is for flats the intensity of its use is likely to be less than would be expected within a family residential dwelling house and therefore an assessment as to the nature of amenity space being provided has to be made and a judgement arrived as to whether it is appropriate for the particular development concerned. Given the reduction in the number of bedrooms and that the proposal is located in the edge of Farnworth Town Centre, it is considered that the lack of any external amenity space (given the potential number of occupants) would not warrant a refusal in this case. It is considered therefore that the proposal would not be at odds with policy CG4.1 of the Council's Core Strategy.

Neighbouring Residents

There are a number of residential dwellings within close proximity and even adjoining the application site along Vernon Street. It would be considered unreasonable to refuse the application for residential occupation based on the potential noise and disturbance to adjoining and adjacent neighbouring residential dwellings as adequate provision could be made internally to minimise such disruptions and noise generated between the proposal and adjacent dwellings. This can be achieved through insulating walls and other sound insulation means and can also be controlled via building regulations. It is considered the proposed use would not either individually or cumulatively increase the potential for noise and disturbance than the previous use as a warehouse and in all probability would potentially reduce due to the proposed residential nature of use of the premises.

In addition, the site is located close to a main arterial route through Farnworth and therefore there is a relatively high level of ambient noise levels throughout the day.

It is considered that therefore that the proposal is in accordance with policy CG4 of the Council's Core Strategy.

Impact on Highway Safety/Parking Provision

In terms of available on-site parking for the site, it is noted that no parking provision exists, nor is any proposed as part of this planning application. Site observations have confirmed that as the property is situated within a predominantly terraced street, parking associated with the surrounding

residential dwellings largely occurs on street. The previous use of the premises was as a warehouse and therefore would have had a number of vehicles visiting the site throughout the day and into the early evening. This current proposal has reduced the number of bedrooms from 16 to 11. There are a number of side streets which allow for unrestricted on street parking, in addition, the site is located within an accessible location (close to Farnworth Town Centre) which is served by good public transport links and situated within a mixed use area allowing for trips on foot and public transport. The Council's Highway Engineers have been consulted and have no objections to the proposal. Given the above, it is considered that the proposal would not result in an unacceptable impact on the highway safety in accordance with policies S1 and P5 of the Core Strategy.

Bin Storage

The submitted plans indicate that provision has been made for secure bin storage, (internally at ground floor level). Given this the proposal would not result in a large number of refuse bins being located outside of the application site and visible within the street scene to the detriment of the character and appearance of the immediate surrounding area, in accordance with policy CG3 and RA2 of the Core Strategy.

Impact on Crime and the Fear of Crime

The flats would be accessed via the door on the front elevation. Given the location of the door, there is a high level of natural surveillance from Park Street, with the proposed entrance being overlooked by passing traffic, pedestrians and neighbouring properties.

In addition as the proposal is a residential conversion of an existing building rather than a new build the access arrangement, is considered acceptable. It is considered that the proposal is in accordance with policy S1 of Core Strategy.

Conclusion

The proposed use of the site would complement the host building and the surrounding area without compromising existing/future occupiers and adjoining uses or highway safety. The proposal complies with policy and Members are recommended to approve the application.

Representation and Consultation Annex

Representations

Letters:- 7 letters have been received in response to the planning application publicity and who have raised the following issues have been raised:-

- * Impact on highway safety and lack of car parking provision,
- * Overdevelopment of the site,
- * Increase in waste,
- * Increase in noise.,
- * The proposal will bring crime into the area due to the potential type of occupants – *There is no evidence to suggest that the proposal would result in the increase in crime in the area and the potential "lifestyle" of the occupants is not a material planning consideration in this case*
- * Lack of fire escape – *The Building Regulations Act will ensure the premise has an adequate means of escape*
- * Loss of property value – *The potential loss of property value is not a material planning consideration*
- * Work has commenced on the development - *The Town and Country Planning Act allows for applications to be submitted after the date of the development.*

- * The property is a House in Multi Occupation – *the proposal is not for house in multi occupation it is for three individual units. Should the premises convert to a House in Multi Occupation than a further planning permission would be required.*

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

Consultations

Advice was sought from the following consultees: Highway Engineers, Design for Security.

Planning History

See above.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

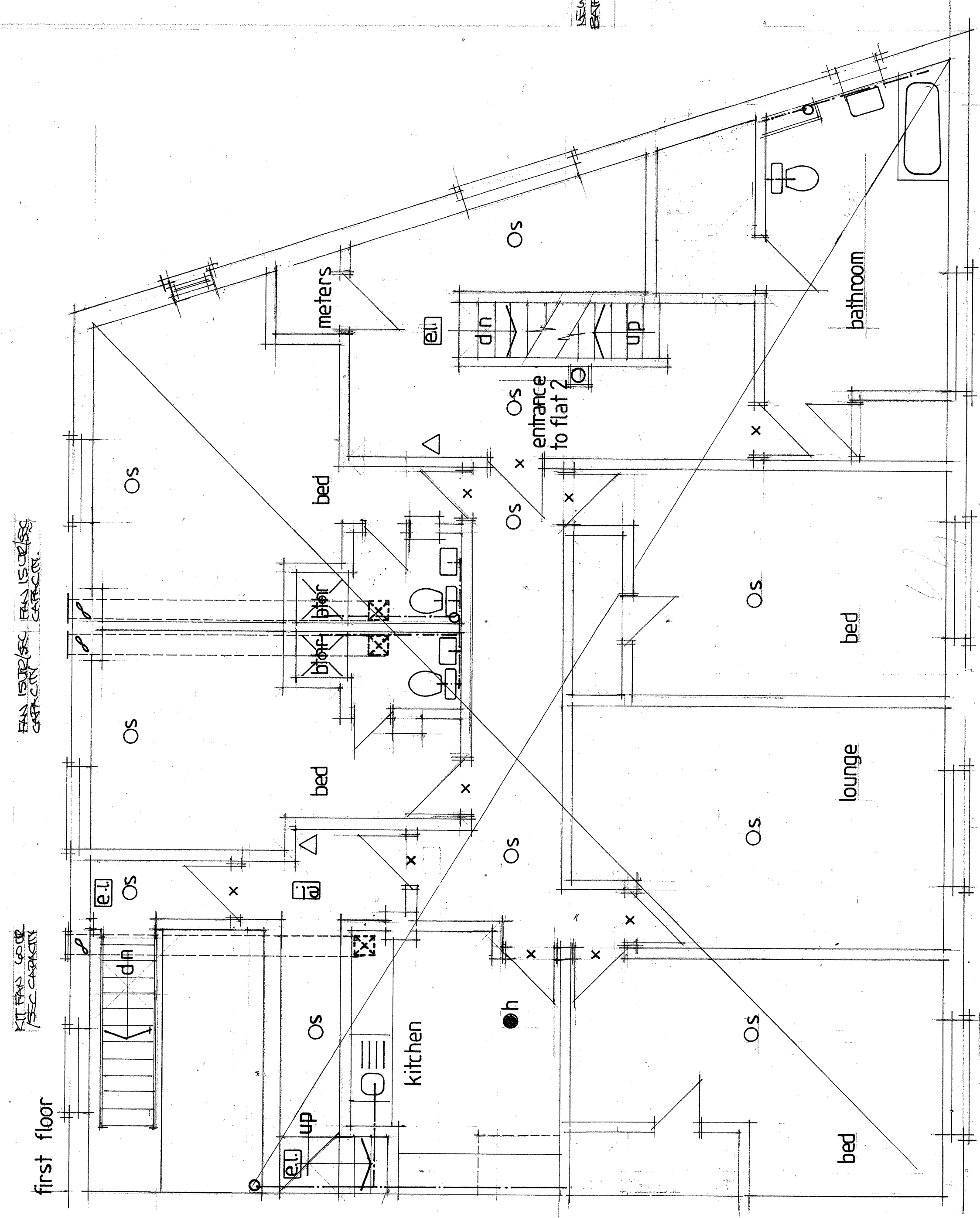
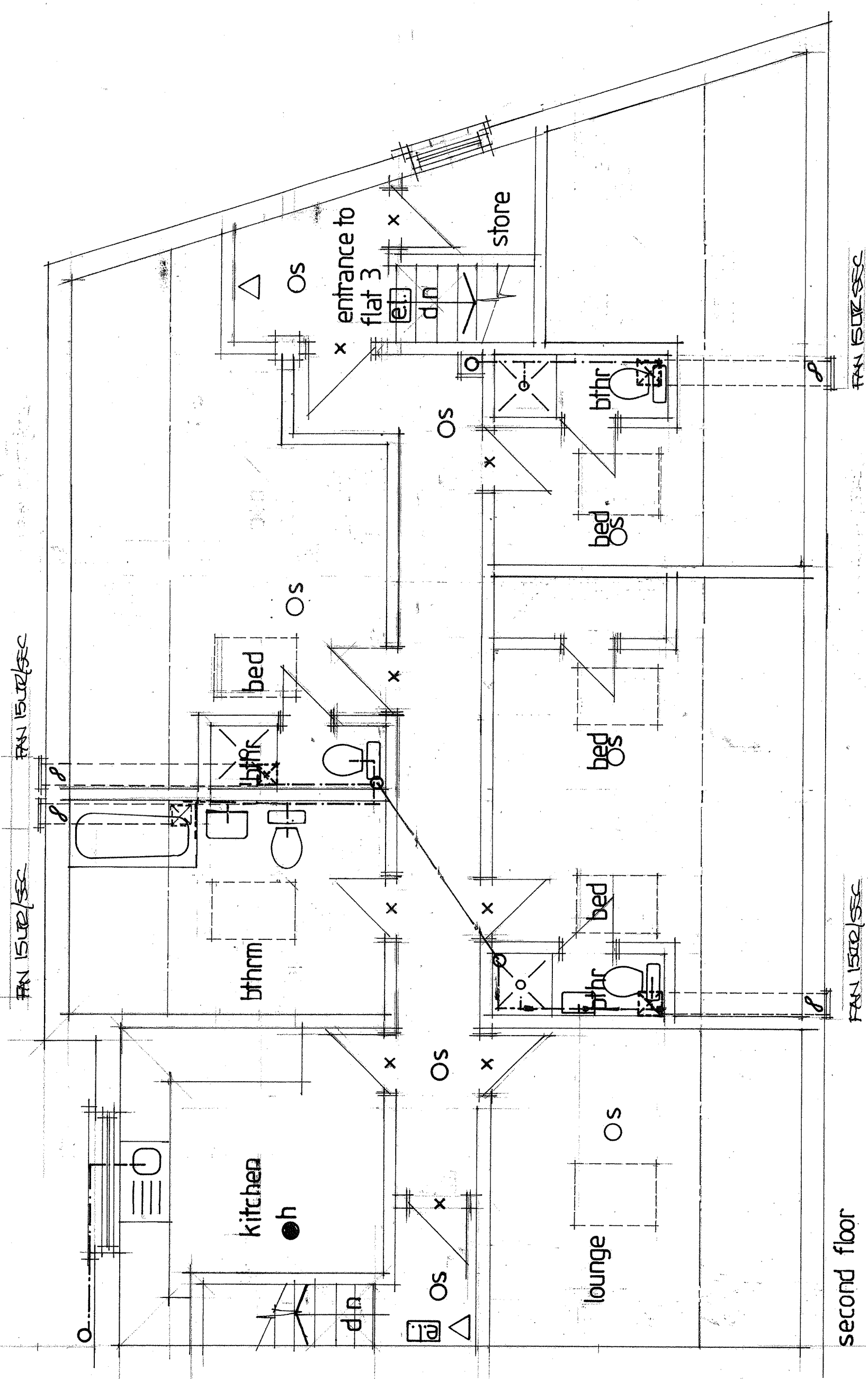
No.3 - Proposed Ground Floor, dated January 2015

No.4 - Proposed first and second floor plans, dated January 2015

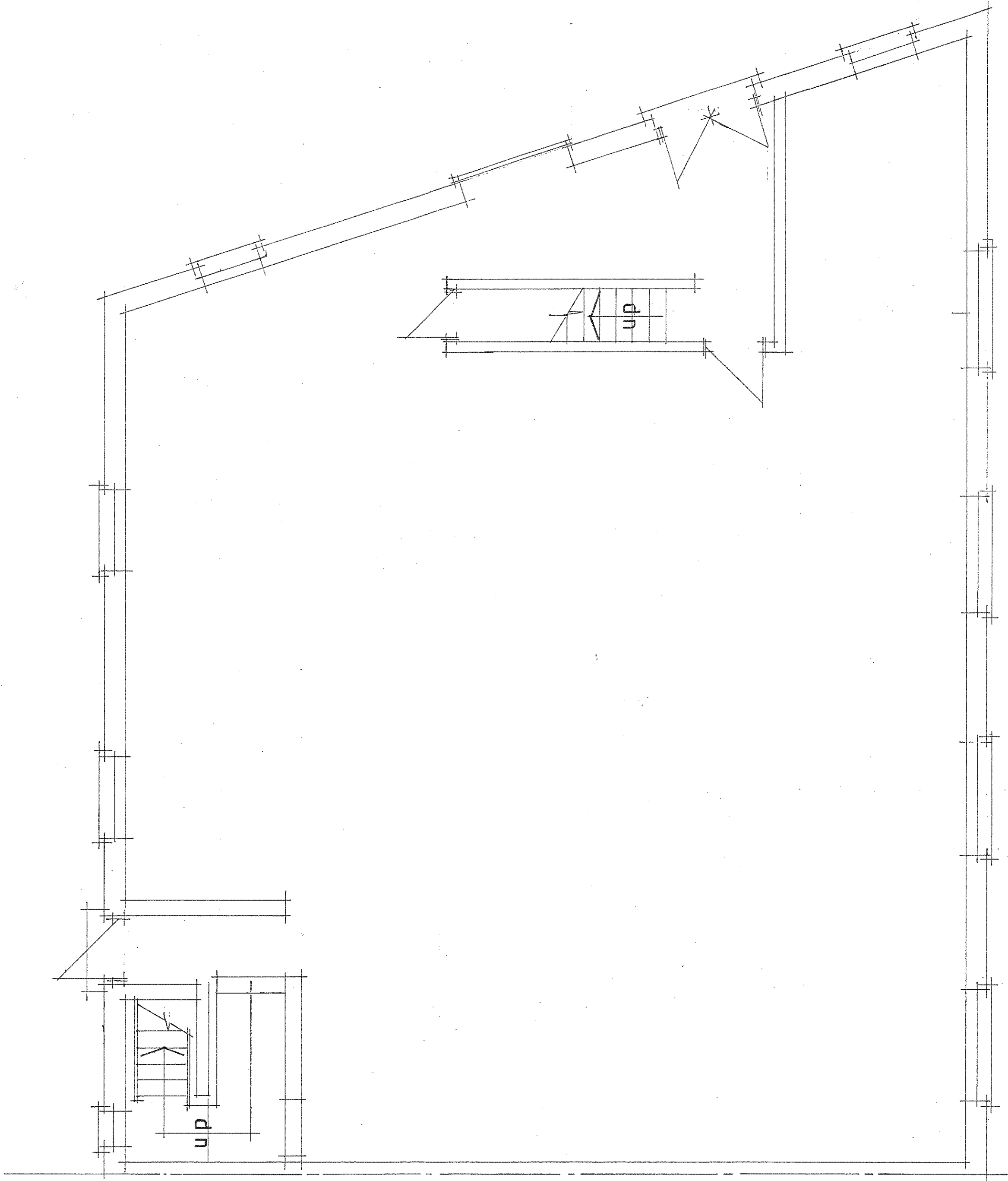
No. 5 - Elevations and site layout, dated March 2015

Reason

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



No:	Revision:	Date:	Initial:
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Title: Proposed first and second floor plans			
Scale: 1/50 Date: Jan 15 Initial: CTH			
Dwg. No: 4			

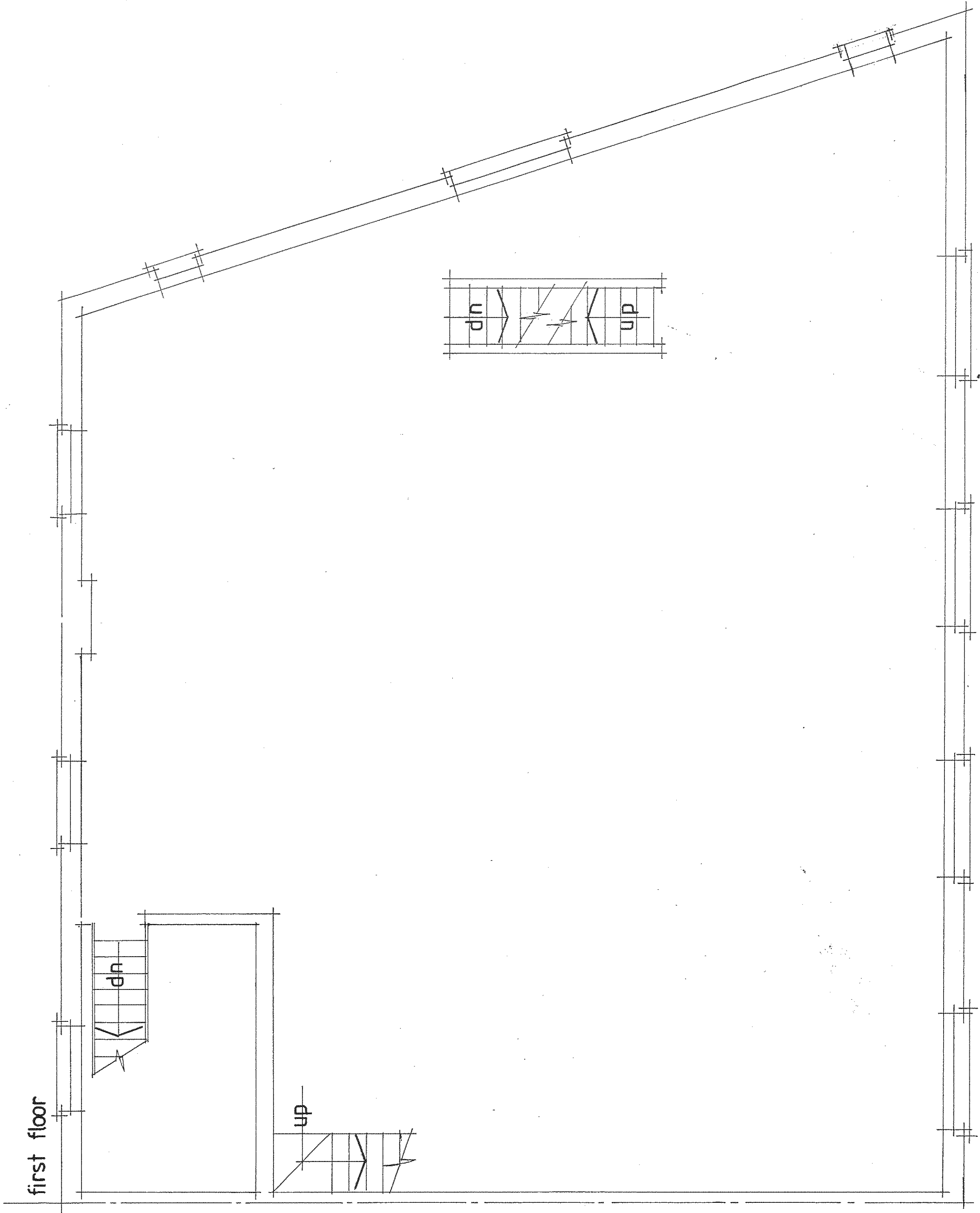
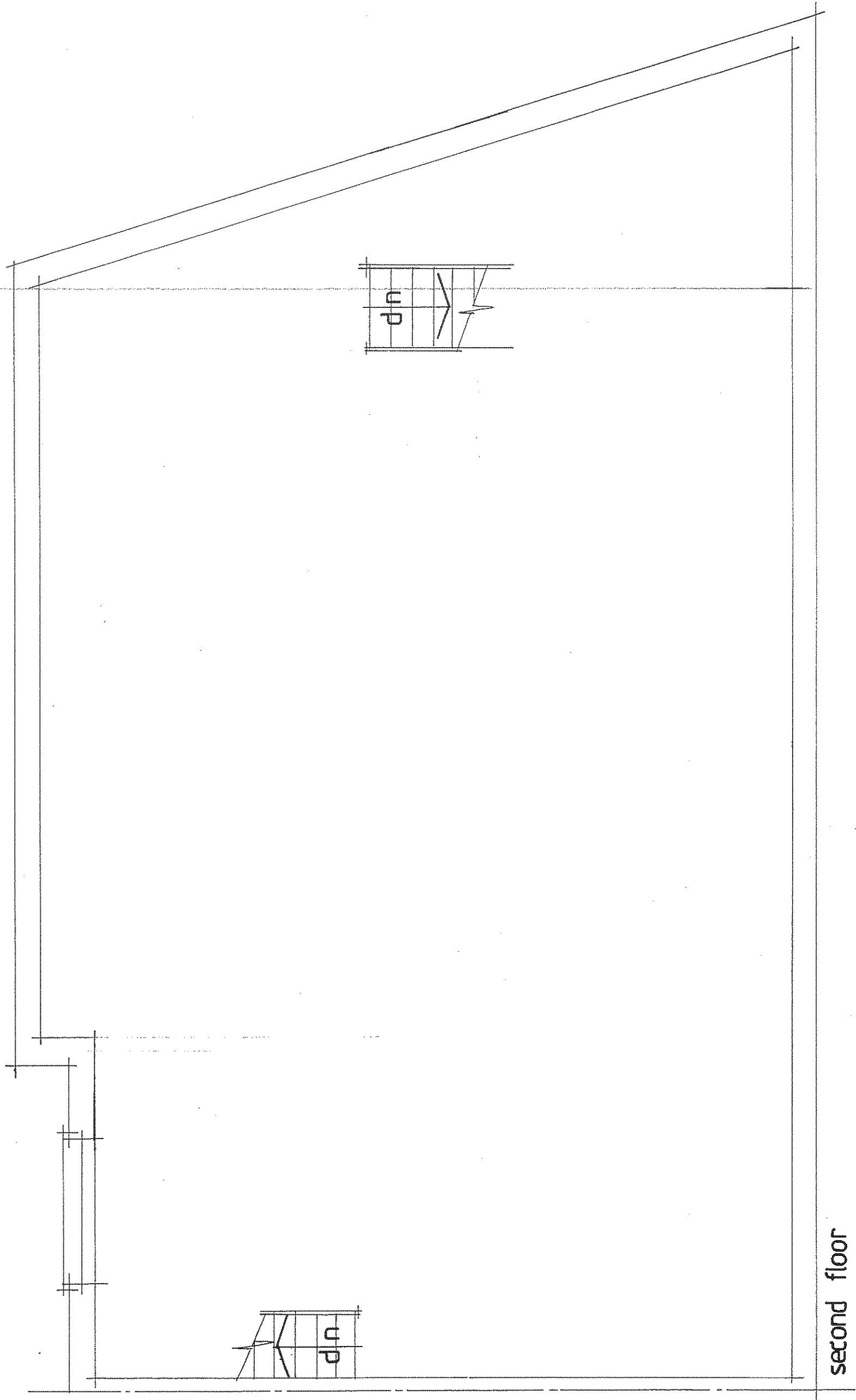


ground floor

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DEVELOPMENT & REGISTRATION
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12 MAR 2015

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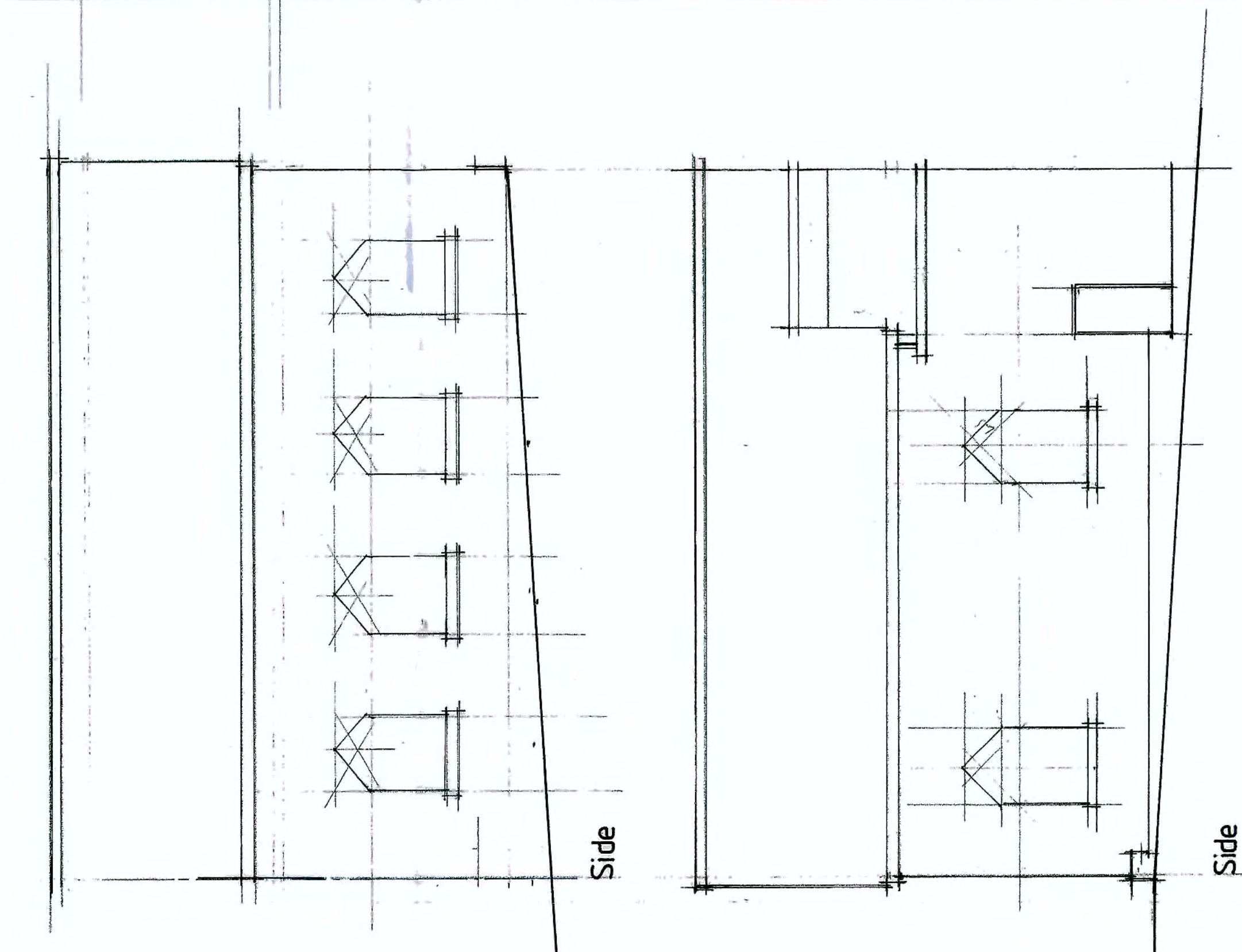
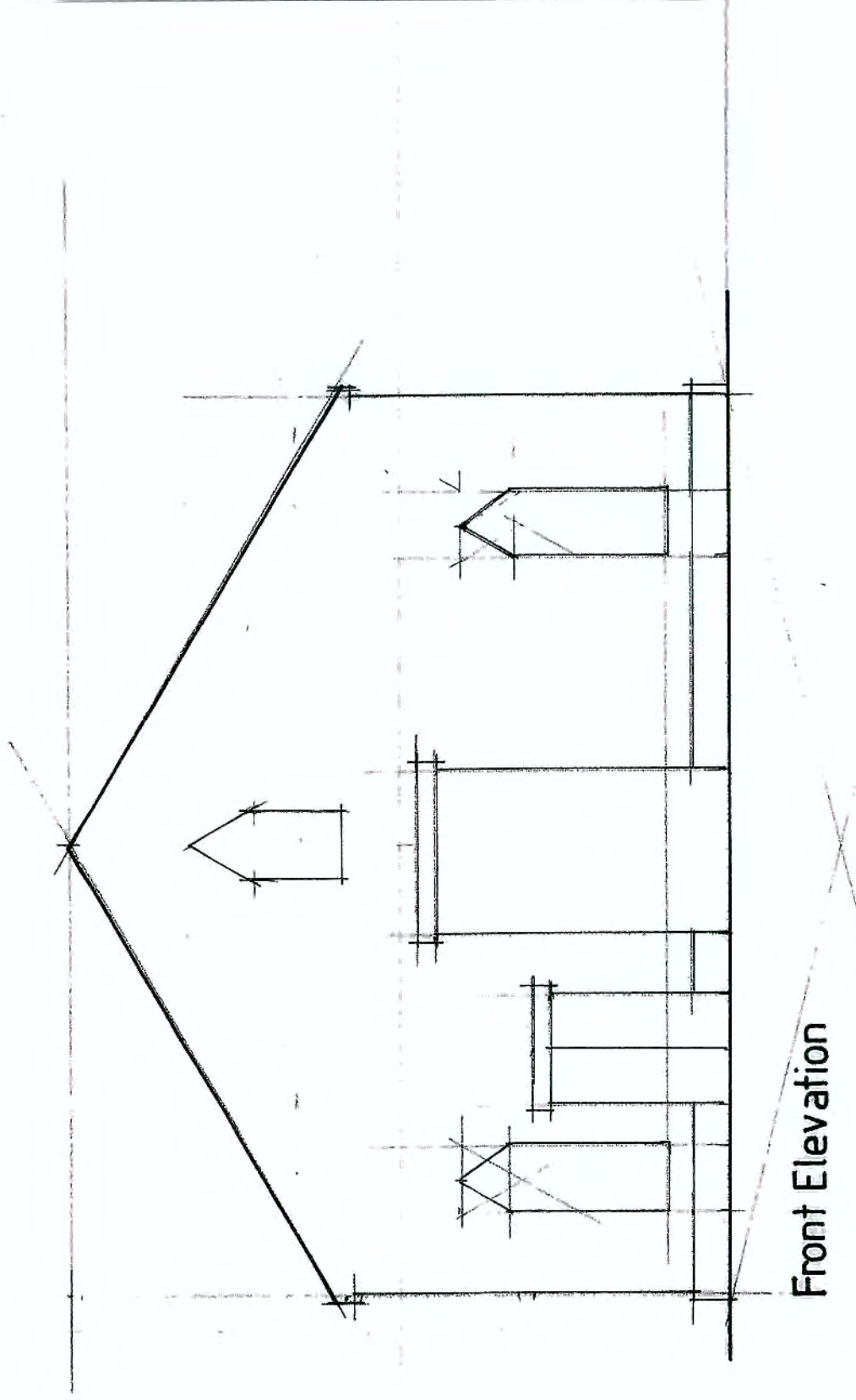
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11 GILDA CRESCENT ROAD ECCLES M30 9AG TELEPHONE : 081 707 3333	
Project:	2 Park Street Farnworth Bolton
Title:	Existing ground floor
Scale:	1/50
Date:	March 15
Initial:	CTM
Dwg. No:	1



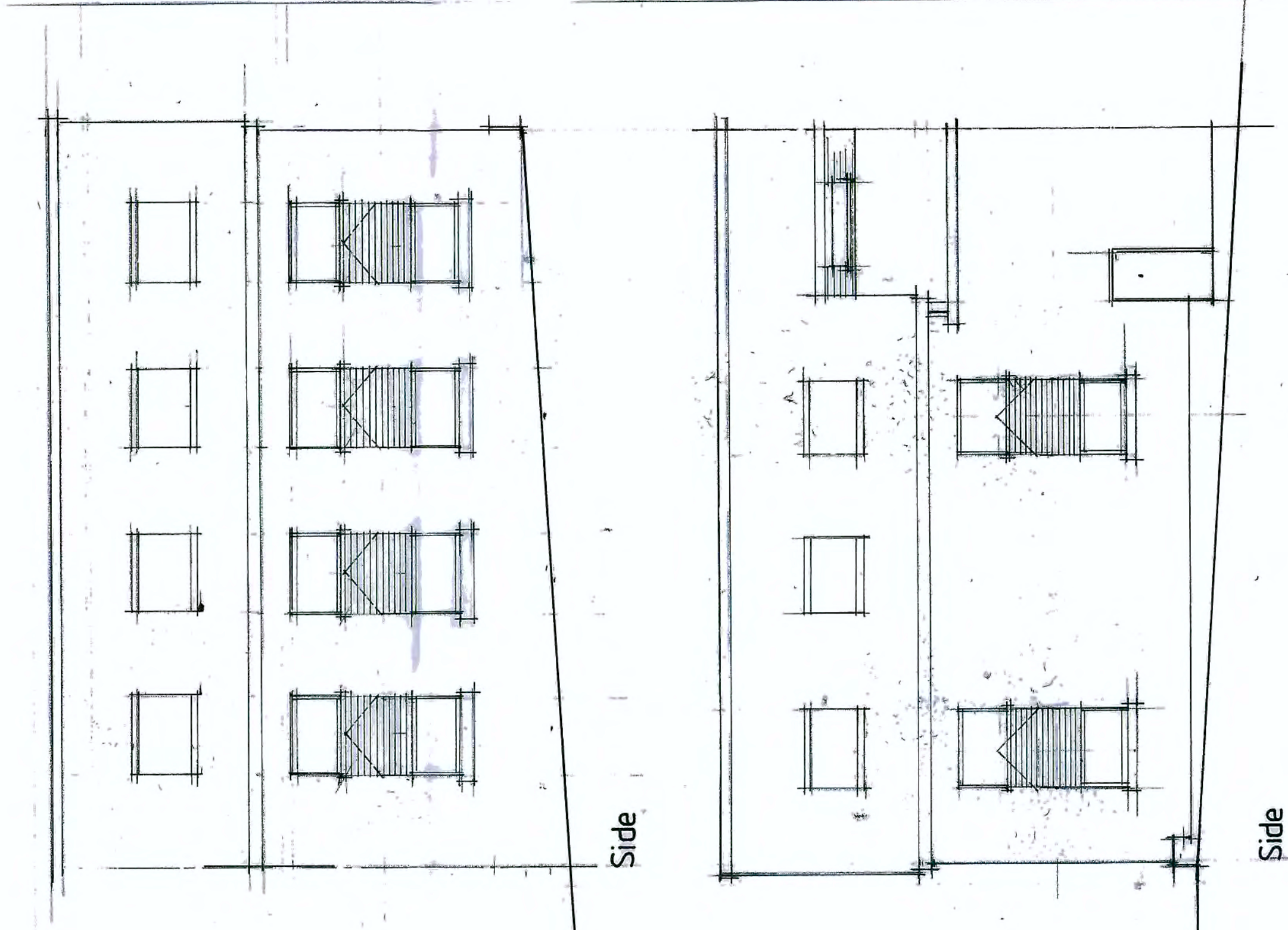
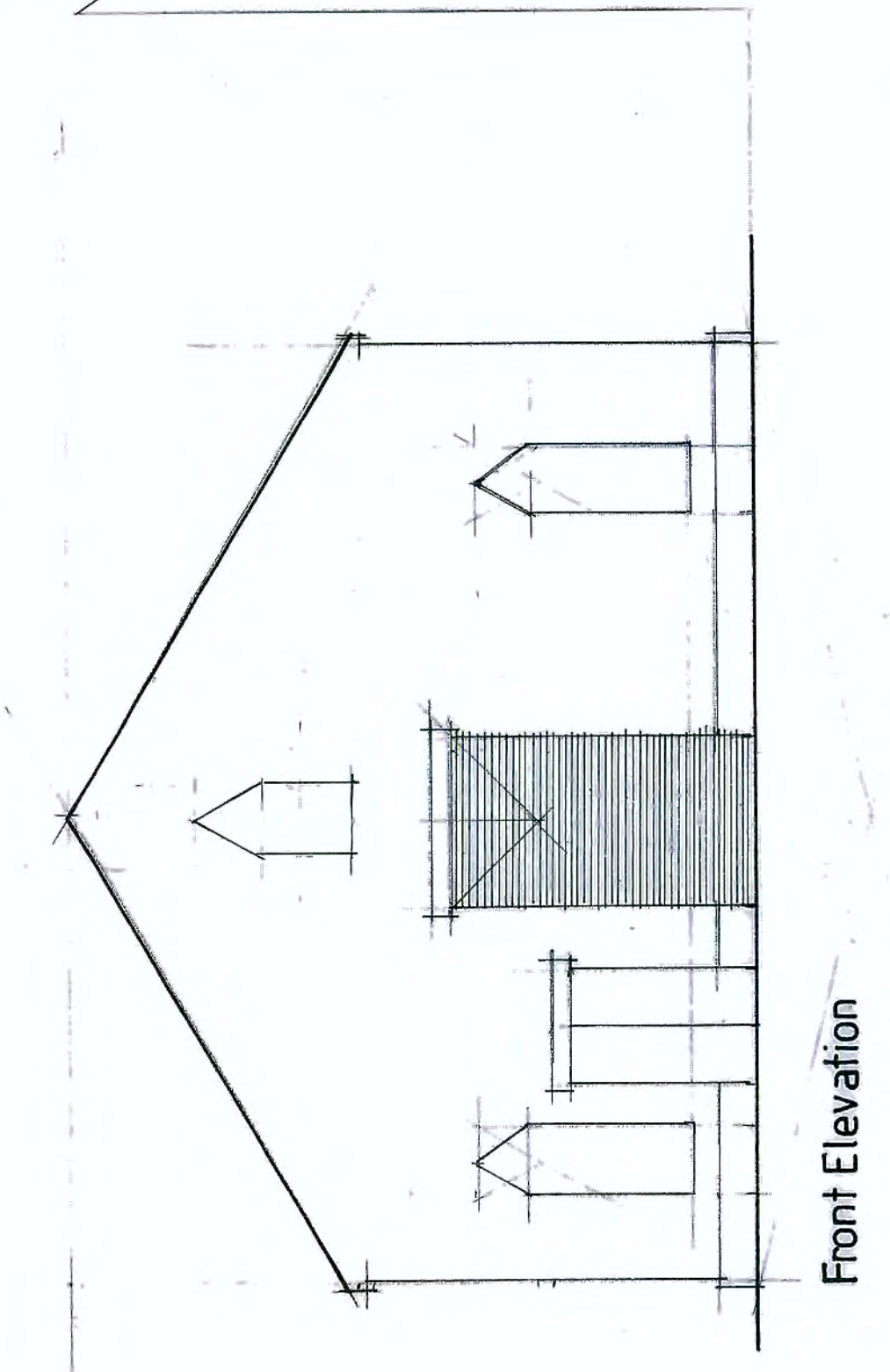
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BOLTON COUNCIL
DEVELOPMENT REGISTRATION
RECEIVED
12 MAR 2015

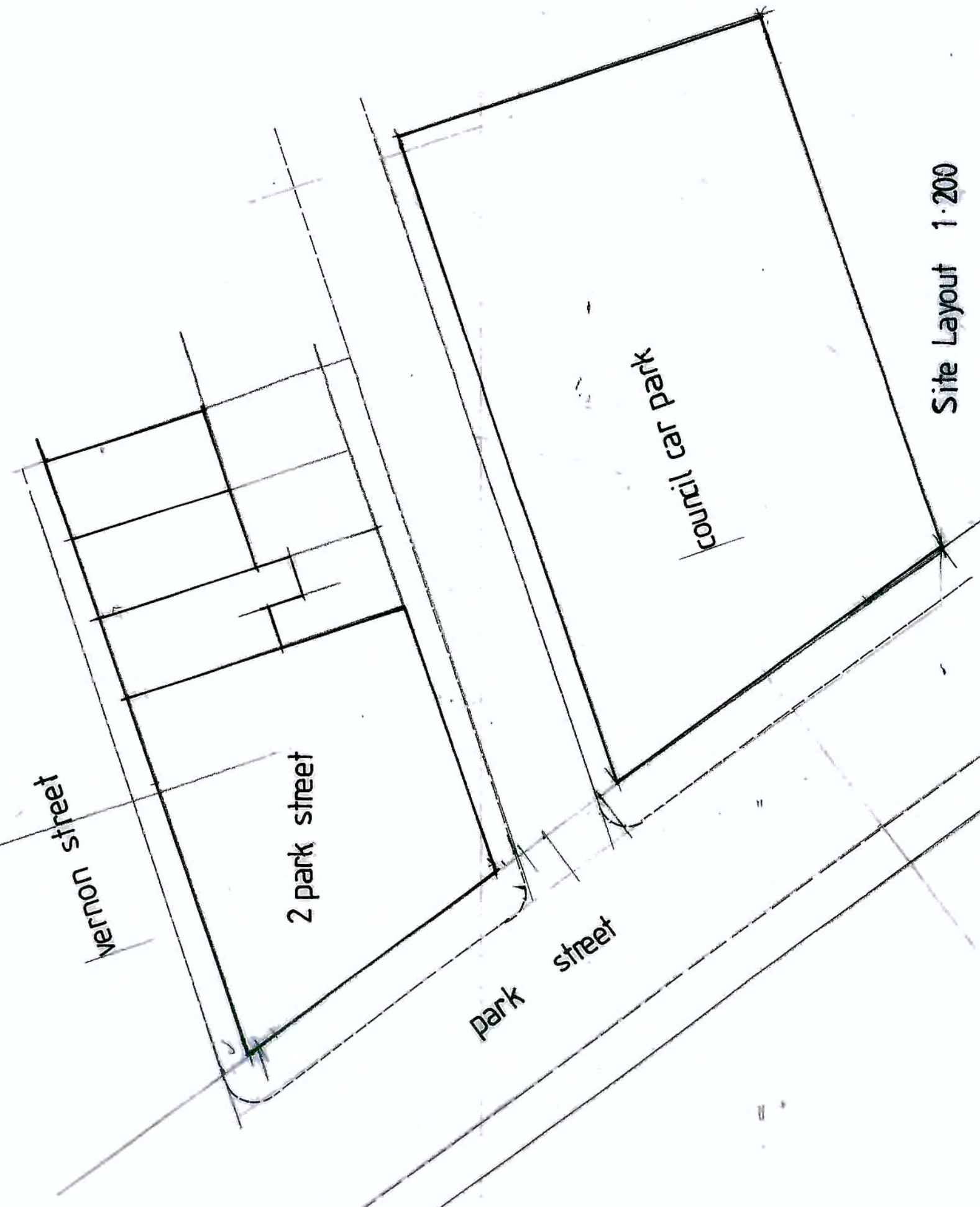
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Project: 2 Park Street Farnworth Bolton			
Title: Existing first and second floor plans			
Scale: 1/50	Date: March 15	Initial: CTR	
Drg. No:		2	



existing



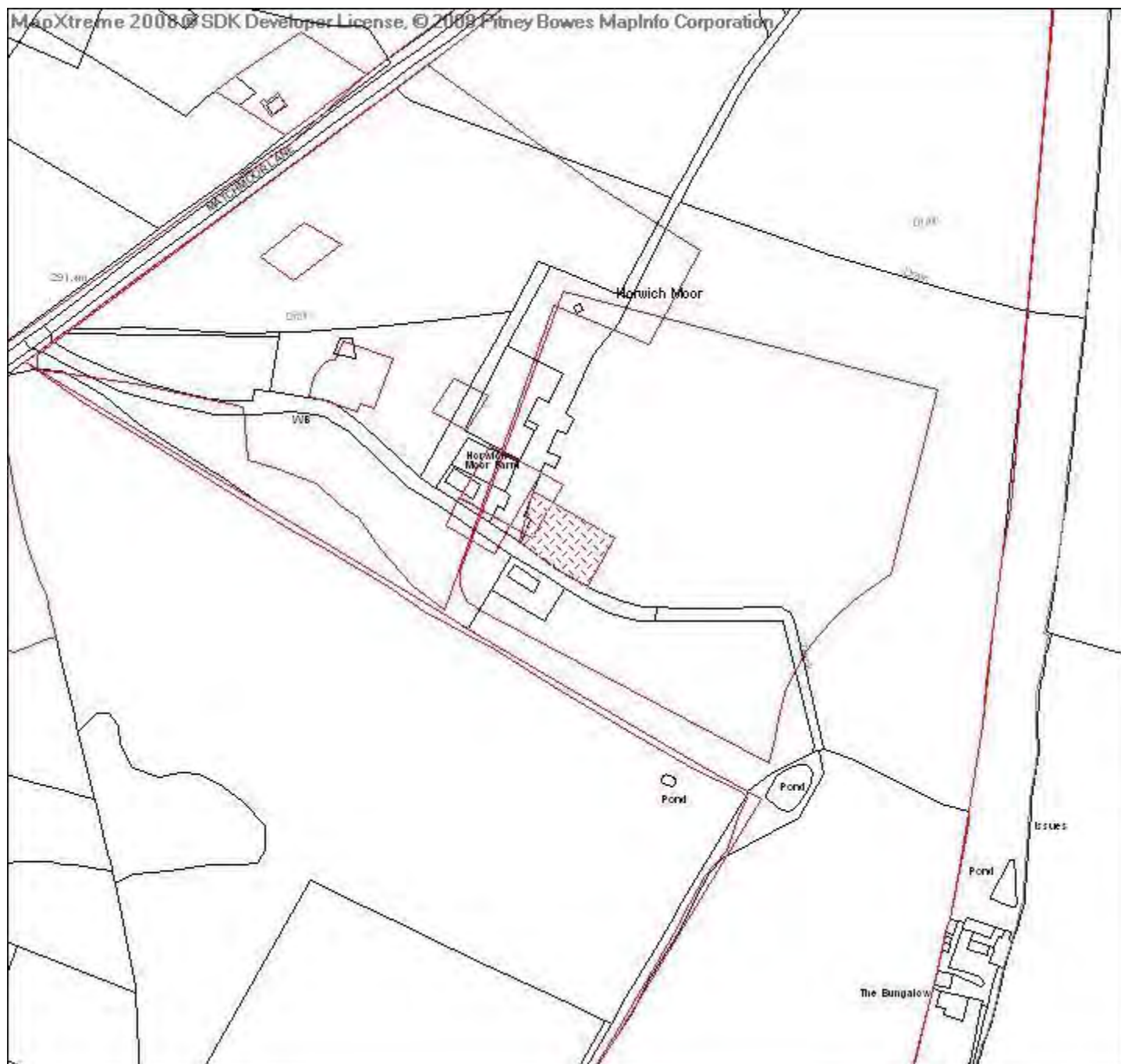
proposed



SENT TO COUNCIL
FOR DEVELOPMENT & REGISTRATION
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12 MAR 2015

No:	Revision:	Date:	Initial:
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Project: 2 Park Street Farnworth Bolton			
Title: Elevations and site layout			
Scale: 1:100	Date: March 15	Initial: <i>CH</i>	
Dwg. No:	5		

Application number 94622/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 24/09/2015

Application Reference: 94622/15

Type of Application: Full Planning Application
Registration Date: 20/07/2015
Decision Due By: 13/09/2015
Responsible Officer: Helen Williams

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

Proposal: ERECTION OF FOUR-BEDROOM HOUSE FOR AGRICULTURAL WORKER

Ward: Horwich North East

Applicant: Mr Boardman

Agent : Steven Abbott Associates LLP

Officers Report

Recommendation: Approve subject to conditions

Proposal

Permission is sought for a permanent dwelling at Horwich Moor Farm for an agricultural worker (that is, the farmer and his five children). The applicant currently resides at a temporary dwelling on the farm, which was approved at Planning Committee in August 2011 under application 86498/11 (this permission expired in August 2014).

The proposed dwelling is a dormer bungalow comprising four bedrooms (two on the ground floor and two en suite within the roof), a lounge, kitchen/diner, bathroom and office/utility. The dwelling will occupy a similar scale footprint as the existing temporary dwelling and is proposed to be sited immediately to the south east of the temporary dwelling and existing buildings and yard area. It is to be constructed from local random stone with a slate roof.

The existing temporary dwelling will be completely removed from the site once the permanent dwelling is occupied by the family.

The applicant both owns and works on the farm. He has lived at the farm since 2011 and has used the land for agricultural purposes since at least 2007.

Site Characteristics

The application site is part of Horwich Moor Farm. The proposed site for the dwelling is located immediately to the south east of the part of the farm that accommodates the farmer's/applicant's temporary dwelling, two agricultural buildings, a paddock and a yard. The farm comprises approximately 19 hectares of land and the applicant has cows, sheep, chickens, goats and sows.

The temporary dwelling is a single storey, flat roof, timber clad building with a terraced area to the

front.

Access into the farm and to the existing buildings is from Matchmoor Lane, which runs along the north western boundary of the farm.

The site is allocated within Green Belt and the Upland Moorland Hill Landscape Character Area. The land rises relatively steeply to the north.

The application site is also located within the former Horwich Moor Site of Biological Importance (SBI), which was revised in 2011 to exclude the areas that were being used for agricultural purposes.

The nearest residential properties to the application site are to the north west at Red Cot, Matchmoor Lane (approximately 230 metres away) and to the south east at The Bungalow, Shepherd Drive (approximately 260 metres away).

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1.1 Rural Biodiversity; CG3 The Built Environment; SC1 Housing; OA1 Horwich and Blackrod.

Allocations Plan Policies: CG7AP Green Belt.

SPD General Design Principles

A Landscape Appraisal of Bolton (2001)

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the purposes and openness of the Green Belt
- * impact on the character and appearance of the area
- * impact on biodiversity
- * impact on the highway

Impact on the Purposes and Openness of the Green Belt

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

of Green Belts are their openness and their permanence.

Paragraph 55 of the NPPF states, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as [amongst other things] the essential need for a rural worker to live permanently at or near their place of work in the countryside.

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, and the erection of new buildings except for [amongst other things] agriculture and forestry and the replacement of a building provided the new building is in the same use and not materially larger than the one it replaces.

The proposed dwelling would be for a rural worker (the farmer and his family), to allow them to live at the farm (the farmer's place of work). The permanent dwelling would replace an existing temporary dwelling at the farm, which the applicant gained temporary permission for in August 2011 (under application 86298/11). At the time of determining this temporary application (2011) the relevant policy guidance for a rural worker's dwelling was contained within Annex A of Planning Policy Statement 7 (PPS7). The applicant was able to demonstrate at that time his intention to develop the business, the need for him to be readily available at the site at most times, evidence that the business had been planned on a sound financial basis and would continue to be viable for the next three years, and that there were no other dwellings nearby that could be used instead. This guidance has however now been replaced with paragraph 55 of the NPPF, which just requires that there is an "essential need for a rural worker to live permanently at or near their place of work in the countryside".

The applicant has confirmed that he is still employed on a full-time basis on the farm. The information submitted with the previous application justified the essential need for the applicant to live permanently at the site (to be on site around the clock for good animal welfare, for calving and for lambing) and it is not considered that this requirement has changed since 2011. The applicant has also submitted information regarding finance and stock levels to prove that the farm is still financially sound and will continue to be so.

The proposed dwelling will replace an existing temporary dwelling, and it will be of a similar footprint to the temporary building. The new dwelling will be larger in scale/height than the temporary dwelling, in that two bedrooms will be provided within the roofspace, however it is not considered that the scale of the building is excessive given that the applicant has five children. It is not considered that the siting or scale of the proposed dwelling will harm the openness of the Green Belt to any greater extent than the temporary building it is to replace (which is barely visible from outside the farm).

Conditions to ensure that the temporary dwelling is completely removed from the site within three months of the new dwelling being occupied and that the new dwelling is only occupied by "persons solely or mainly employed or last employed locally in agriculture" are suggested, to ensure that the proposed dwelling complies with Green Belt policy requirements.

It is considered that the proposed dwelling is essentially needed for a rural worker and would therefore not jeopardise the purposes of the Green Belt, and the scale and siting of the dwelling would not harm the openness of the Green Belt in this location, compliant with paragraph 55 of the NPPF and Allocations Plan Policy CG7AP.

Impact on the Character and Appearance of the Area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, will require development to be compatible with the surrounding area in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment, and will maintain and respect the landscape character of the surrounding countryside and its distinctiveness. Policy OA1 specifically concerns development in Horwich and Blackrod and states that the Council will conserve and enhance the character of the existing landscape and physical environment, will ensure that development respects street patterns, the grain and the form of predominant architectural styles and where possible makes sympathetic use of locally distinctive materials such as stone, and ensure that new development does not harm the landscape setting and protects views from public areas to the surrounding landscape.

The four bedroom dwelling is proposed as a dormer bungalow, which allows for accommodation over two floors but ensures the height and bulk of the dwelling is reduced as far as possible. The application site currently comprises a gradual slope (in a northwards direction), which will be 'cut into' to accommodate the dwelling and which again will ensure that the overall height of the building is reduced.

Views of the new dwelling from the north of the site/farm (from Matchmoor Lane) will be obscured by the siting of the existing agricultural buildings and also by the slope of the land (only the roof should be visible from afar). The dwelling will also be viewed against the backdrop of the existing agricultural buildings when viewed from the south (Chorley Old Road and Shepherds Drive).

It is proposed that the dwelling will be constructed from local random stone and slate, which are considered to be in character with the local area. The design of the dwelling is also of a rural vernacular, compatible with its Green Belt, moorland setting.

It is considered that the siting, scale and appearance of the dwelling is compatible with the surrounding area and the landscape setting, compliant with Policies CG3 and OA1 of the Core Strategy.

Impact on Biodiversity

Policy CG1.1 of the Core Strategy states that the Council will safeguard and enhance rural areas of the borough from development that would adversely affects its biodiversity including trees, woodland and hedgerows, geodiversity, landscape character, recreational or agricultural value.

Greater Manchester Ecology Unit have confirmed that Horwich Moor Site of Biological Importance was revised in 2011 to exclude the areas that are now used for agricultural purposes. They state that there are no significant ecological constraints on the application site and that risks relating to nesting birds are possible but low. The Unit therefore request that an informative note is attached to any consent to make the applicant aware that it is an offense under the Wildlife and Countryside Act 1981 to remove, damage or destroy the nest of a wild bird.

It is therefore considered that the proposal will not affect biodiversity, compliant with Policy CG1.1 of the Core Strategy.

Impact on the Highway

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

The farm has its own access off Matchmoor Lane, which serves the existing buildings and yard and will also serve the new dwelling. The Council's Highways Engineers raise no objection to the proposal but recommend a condition that three parking spaces are provided within the site, however this is not considered necessary given the extent of existing hardstanding within the farm.

It is considered that the proposed development will not jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy.

Conclusion

For the reasons discussed above it is considered that the proposed new dwelling would comply with Green Belt policy in that it is essentially needed by a rural worker associated with the site and would not harm the openness of the Green Belt in this location. It is also considered that the proposal would be compatible with the character and appearance of the area, would not affect biodiversity and would not affect the highway. Members are therefore recommended to approve this application subject to the suggested conditions.

Representation and Consultation Annex

Representations

Horwich Town Council:- raised an objection to the proposal at their meeting of 20th August on grounds of a detrimental effect on the Green Belt. They expressed some concern with regard to the design of the proposed dwelling and that there has been no information provided regarding the future of the temporary building.

Elected Members:- Cllr. Richard Silvester has requested that this application be heard before Committee and that an advance site visit be carried out.

Consultations

Advice was sought from the following consultees: Highways Engineers, Landscape Officers, Wildlife Liaison Officers and Greater Manchester Ecology Unit.

Planning History

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

History associated with the farm

Application 90107/13 for the importation of subsoils and inert materials to land to the north east of the proposed dwelling (adjoining Matchmoor Lane), to allow future use for agriculture and grazing of livestock, was withdrawn by the applicant in August 2013.

Application 88209/12 for the importation of subsoils and inert materials to land to the north east of the proposed dwelling (adjoining Matchmoor Lane), to allow future use for agriculture and grazing of livestock, was refused at Committee in August 2012.

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). This land is to the south east of the proposed dwelling.

Prior notification application 85136/10 for an agricultural building was refused in November 2010.

An agricultural stock and storage building with paddock enclosure and landscaping was approved at Committee in February 2009 (81329/08).

Permission was granted at Committee in April 2008 for the restoration of land by draining and importing sub-soils and inert materials to allow subsequent use for grazing and agriculture (78560/07).

Application 79019/07 for the erection of an agricultural building was refused in February 2008.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as

amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Reason

To ensure the development reflects local distinctiveness.

3. Prior to the commencement of development a detailed specification for all doors and windows hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is first occupied and retained thereafter.

Reason

To ensure the development reflects local distinctiveness.

4. Within 3 months of the dwelling hereby permitted being occupied, the temporary dwelling (the timber clad building adjacent the application site) shall be completely removed from the site and the land reinstated in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The approved scheme for the reinstatement of the land shall be implemented in full and retained thereafter.

Reason

The approved dwelling is to replace the temporary dwelling, and in order to comply with Allocations Plan Policy CG7AP.

5. The occupation of the dwelling hereby approved shall be limited to a persons solely or mainly employed or last employed locally in agriculture as defined in Section 336 of the Town and Country Planning Act 1990 (including any dependents of such person also residing in the dwelling or widow or widower of such a person).

Reason

The site lies in the Green Belt, where development is not normally permitted except where it is required in the interests of agriculture or in very special circumstances. To comply with Allocations Plan Policy CG7AP.

6. The curtilage of the property is being treated for planning purposes as that defined on the approved drawing ref: "Landscaping Plan"; dated August 2015.

Reason

For the avoidance of doubt as to what is permitted and to comply with Allocations Plan Policy CG7AP.

7. 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 or greenhouses (other than those expressly authorised by this permission) shall be constructed.

Reason

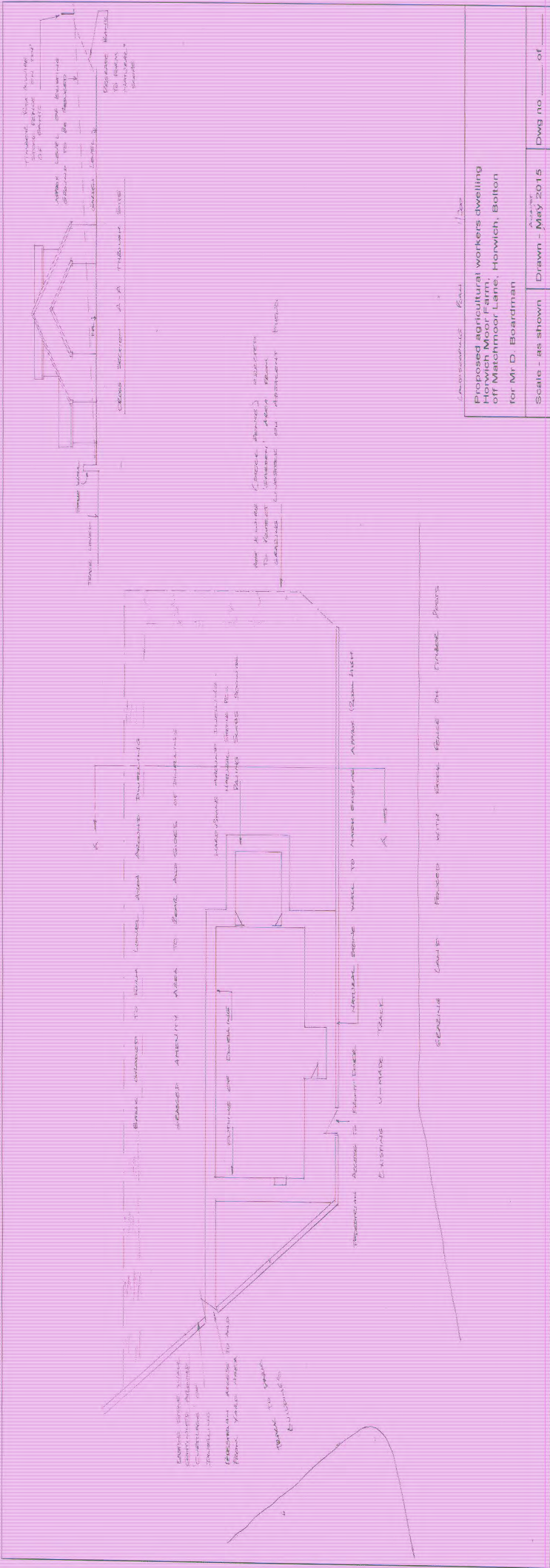
To safeguard the character and appearance of the land and to comply with Allocations Plan Policy CG7AP.

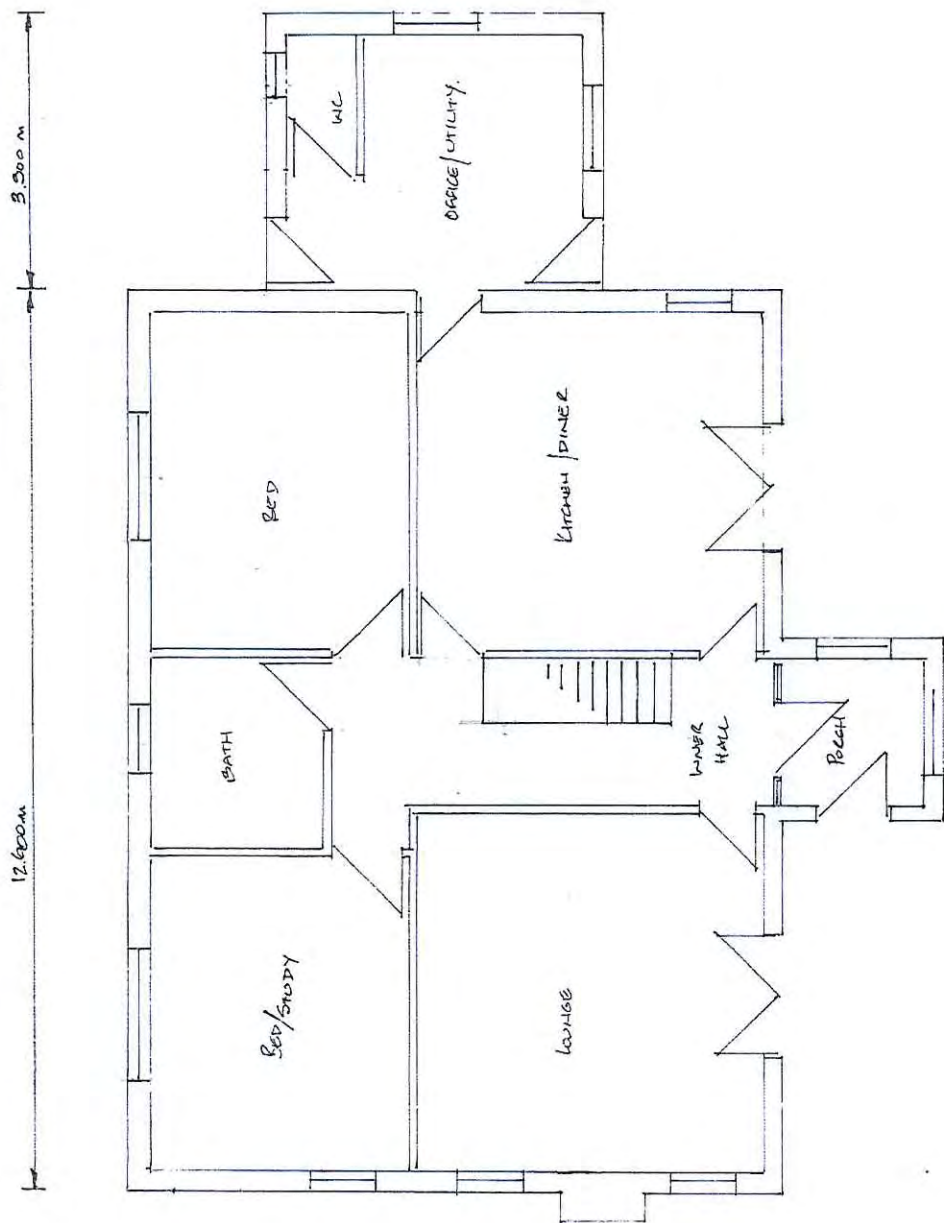
8. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

Dwg no. 1 of 3; "Proposed Elevations"; dated May 2015
Dwg no. 2 of 3; "Proposed Floor Plans"; dated May 2015
Dwg no. 3 of 3; "Site Plan and Location Plan"; dated May 2015
"Landscaping Plan"; dated August 2015

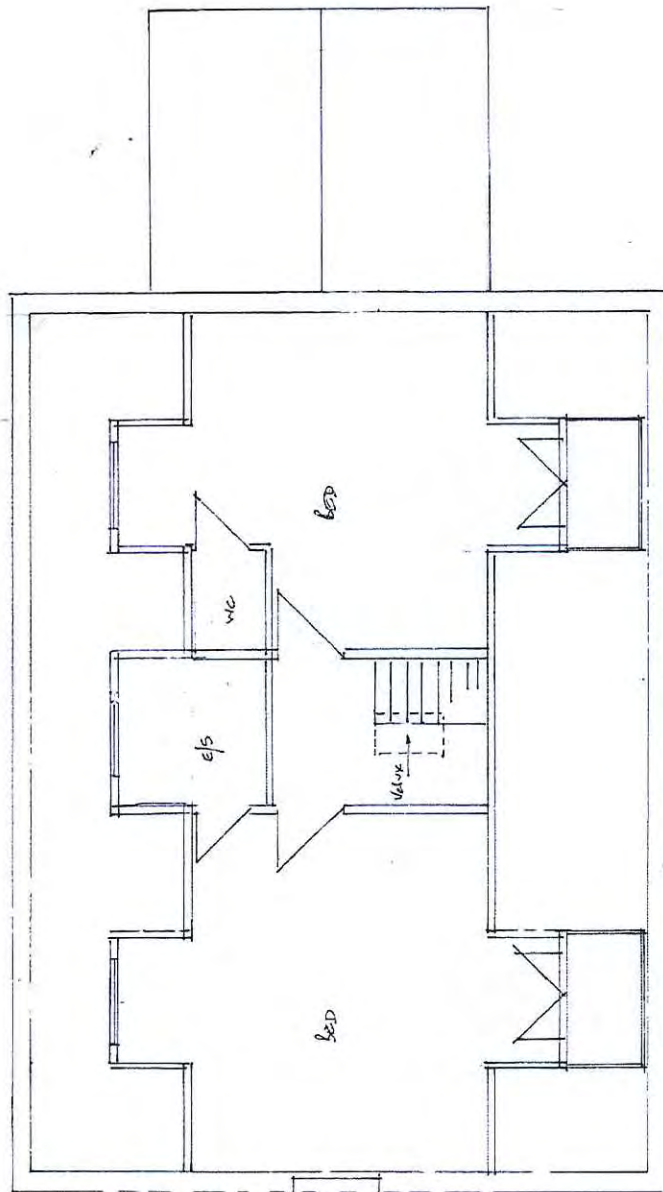
Reason

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





GROUND FLOOR PLAN

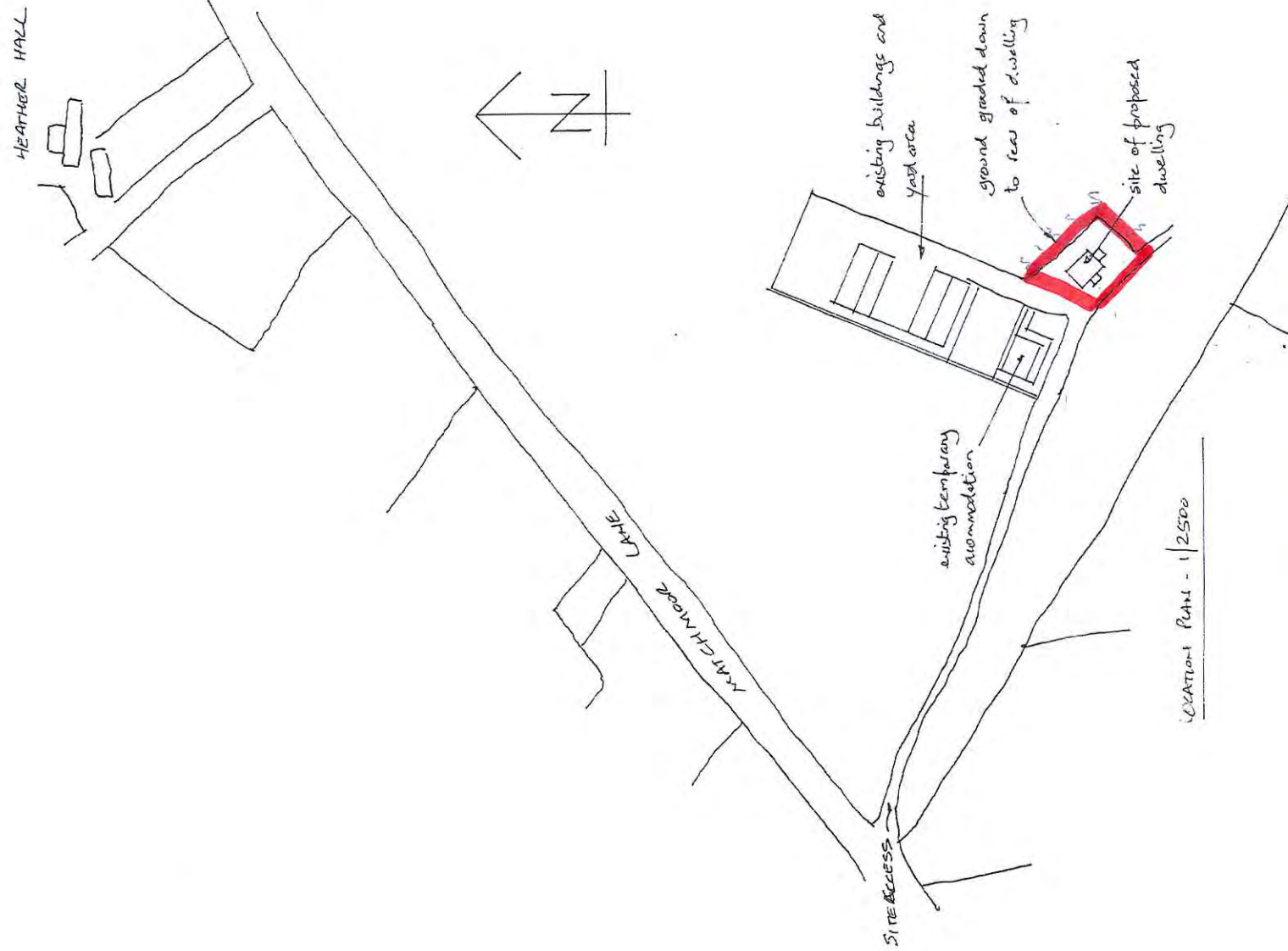
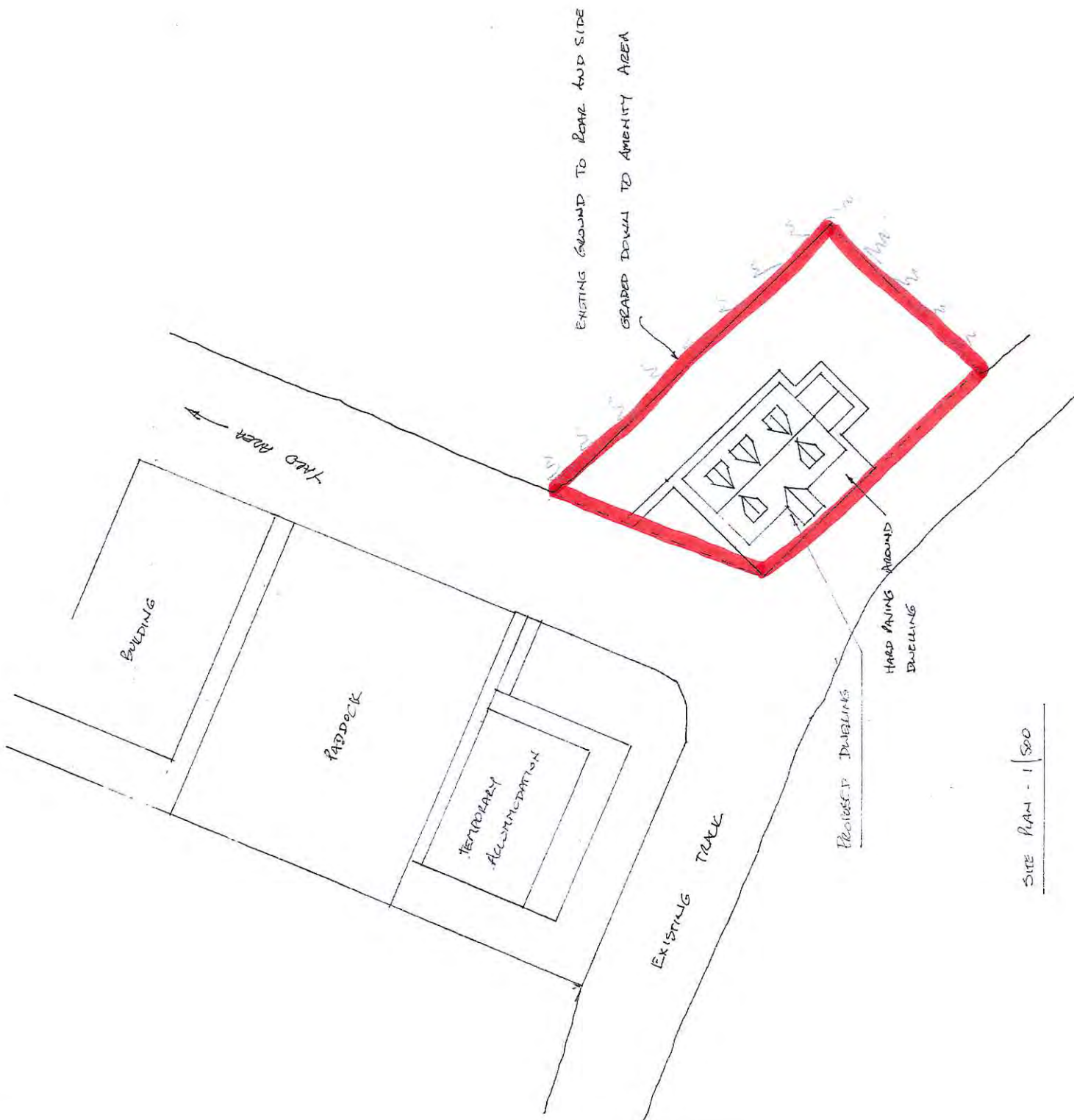


FIRST FLOOR PLAN

PROPOSED FLOOR PLANS - 1/100

Proposed agricultural workers dwelling
 Horwich Moor Farm,
 off Matchmoor Lane, Horwich, Bolton
 for Mr D. Boardman

Scale - as shown	Drawn - May 2015	Dwg no <u>2</u> of <u>3</u>
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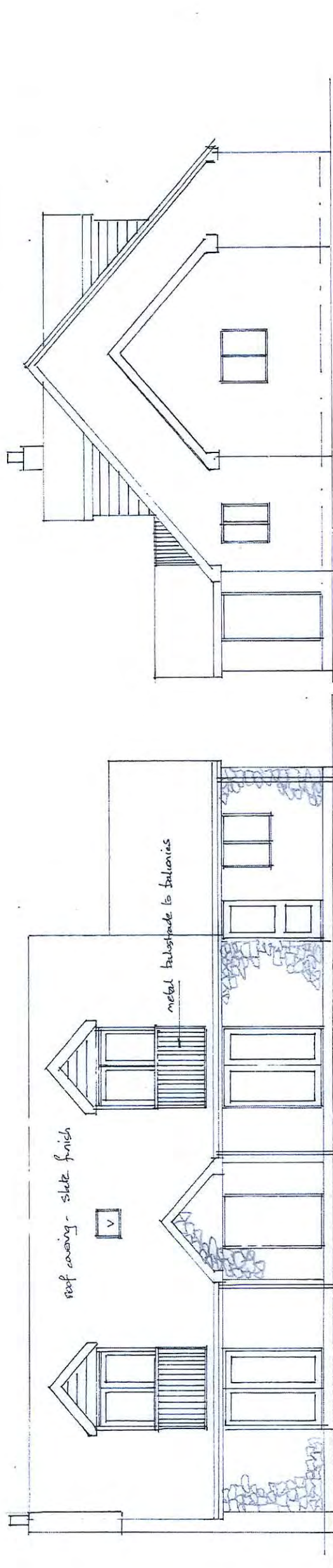


Proposed agricultural workers dwelling
 Horwich Moor Farm,
 off Matchmoor Lane, Horwich, Bolton
 for Mr D. Boardman

Scale - as shown

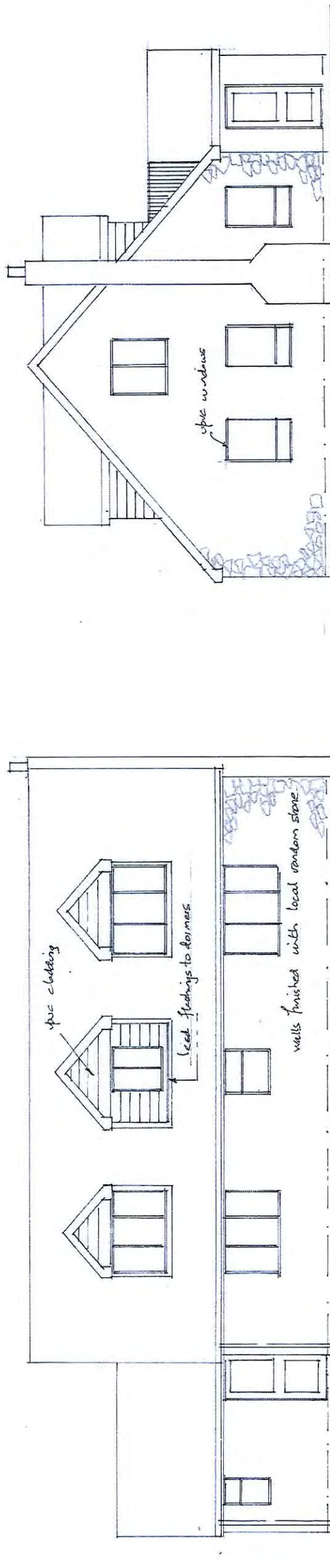
Drawn - May 2015

Dwg no 3 of 3



FRONT ELEVATION (SW)

SIDE ELEVATION (SE)



REAR ELEVATION (NE)

SIDE ELEVATION (NW)

NOTES

- Walls - finished with local random stone
- Roof - slate finish
- Windows & doors - upvc
- Rugrocks - upvc
- Gate 4 lead flashings & sashes as required
- lead valley gutters (or proprietary prefabricated beams)

PROPOSED ELEVATIONS - 1/100

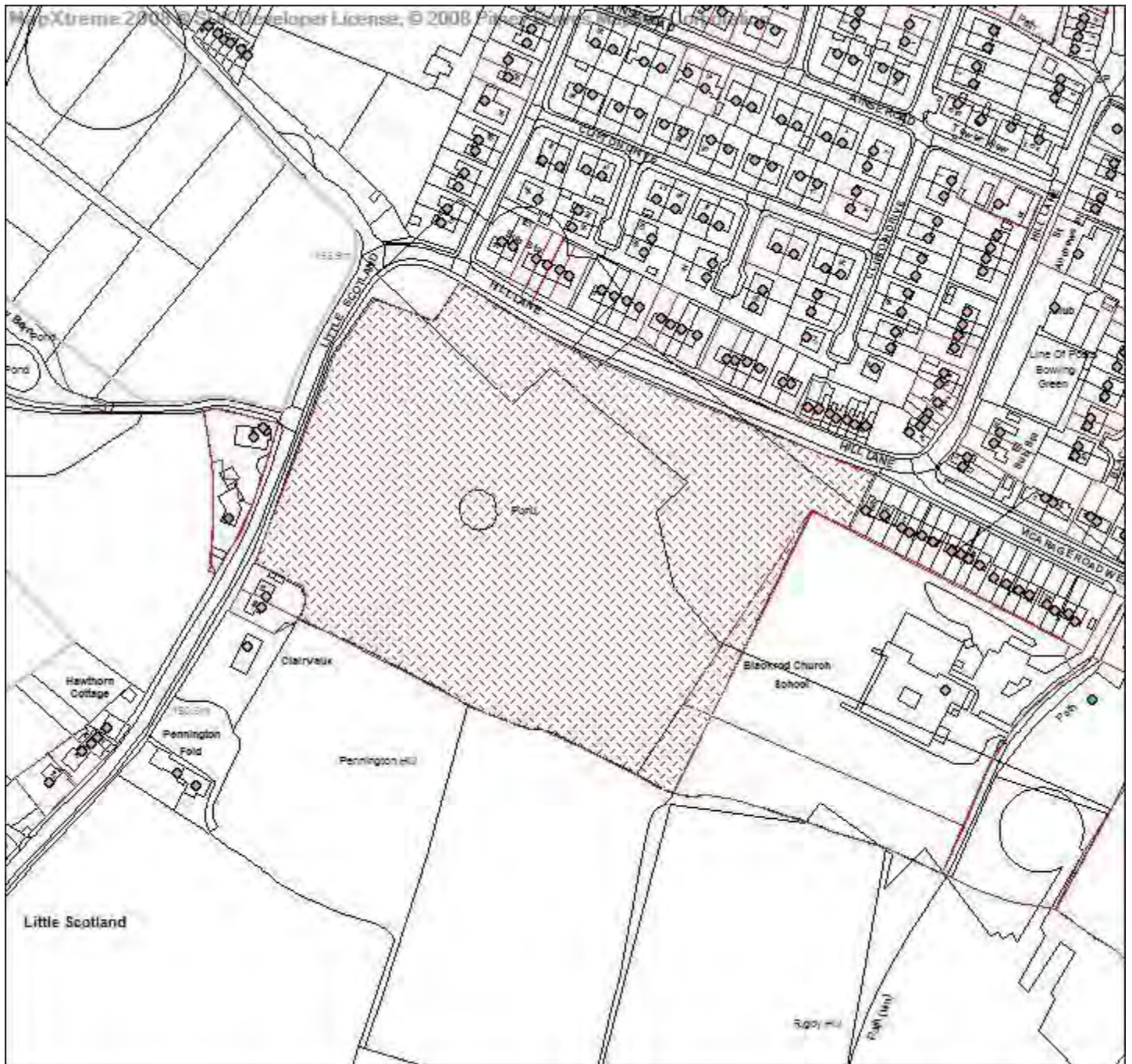
Proposed agricultural workers dwelling
Horwich Moor Farm,
off Matchmoor Lane, Horwich, Bolton
for Mr D. Boardman

Scale - as shown

Drawn - May 2015

Dwg no 1 of 3

Application number 94656/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 24/09/2015

Application Reference: 94656/15

Type of Application: Outline Planning Permission

Registration Date: 22/07/2015

Decision Due By: 20/10/2015

Responsible Officer: Helen Williams

Location: HILL LANE, BLACKROD, BOLTON, BL6 5JN

**Proposal: OUTLINE APPLICATION FOR ERECTION OF 110 DWELLINGS
(ACCESS DETAILS ONLY)**

Ward: Horwich and Blackrod

Applicant: Hollins Strategic Land LLP

Agent : Sedgwick Associates

Officers Report

Recommendation: Refuse

Proposal

Outline permission is sought for the erection of 110 dwellings on this greenfield (previously undeveloped) site. As all matters apart from the details of the proposed access have been reserved, the applicant only seeks permission for the principle of erecting 110 dwellings on the site and for the means of access into the site. Details of the layout, scale and design of the dwellings (along with landscaping) would need to be sought at a later stage, through a Reserved Matters application.

Only one vehicular access is proposed into the site, off Hill Lane (opposite 84 Hill Lane, which is relatively central to the north of the site).

Site Characteristics

The application site measures approximately 3.81 hectares and is greenfield land (the site has not been previously developed and remains a field).

The site is allocated within Bolton's Allocations Plan as 'Other Protected Open Land', countryside that is not within the Green Belt but is protected from inappropriate development. The site is also identified as being within the Agricultural Coal Measures Landscape Character Area.

The application site is an open field which rises in ground level to the south and south east. There is a pond central to the site. The site is bordered with hedgerows along its northern and western boundaries (adjoining Hill Land and Little Scotland).

To the north of the site is Hill Lane, which comprises residential dwellings (terraced and semi-detached houses) on its northern side. The majority of houses on this stretch do not have off-street parking and therefore rely on on-street parking in front of their properties.

Hill Lane curves around the application site to its north western corner and becomes Little Scotland, which runs along the western boundary of the site. Dark Lane also forms a junction with Hill Lane and Little Scotland at the north western corner of the site. There are a couple of dwellings opposite the application site on Little Scotland and also to the south along Little Scotland.

To the east of the site are the row of houses on the southern side of Vicarage Road West, and to the south of these is Blackrod Church School (a primary school).

There are further fields to the south and south east of the application site.

Policy

National Planning Policy Framework (NPPF)
Planning Practice Guidance

Greater Manchester Joint Minerals Plan

Core Strategy Policies: H1.2 Health Contributions; A1.4 Education Contributions; P4 Minerals; P5 Accessibility and Transport; S1 Safe Bolton; CG1 Cleaner and Greener Bolton; CG2 Sustainable Design and Construction; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA1 Horwich and Blackrod; IPC1 Infrastructure and Planning Contributions.

Allocations Plan Policies: CG6AP Other Protected Open Land.

SPD Accessibility, Transport and Safety; SPD Affordable Housing; SPD General Design Principles PCPN1 Health and Well Being; PCPN8 The Provision for Children's Play Within New Residential Developments; PCPN22 Provision of Public Art; PCPN30 Education.

Bolton's Authority Monitoring Report 2013/2014

A Landscape 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 Other Protected Open Land
- * other material considerations: Bolton's supply of housing
- * impact on Mineral Safeguarding Areas
- * impact on the highway

- * impact on biodiversity
- * impact of loss of agricultural land
- * impact on flooding
- * impact on local infrastructure
- * impact on the character and appearance of the area
- * impact on the amenity of neighbouring residents

Impact on Other Protected Open Land

The application site is allocated within Bolton's Allocation Plan as 'Other Protected Open Land'.

Policy OA1.6 of the Core Strategy states that the Council will ensure Protected Open Land around Horwich and Blackrod remains undeveloped, except to the west of Horwich Loco Works where development will be allowed to support the regeneration of the Loco Works site.

Allocations Plan Policy CG6AP states that the Council will permit development proposals within the defined areas of Protected Open Land shown on the Proposals Map provided that they fall within one or more of the following categories:

1. The development represents limited infilling within an established housing or industrial area, is in scale with it and would not adversely affect its character or surroundings; or
2. It forms part of, and is required for, the maintenance of an existing source of employment; or
3. The development requires a location outside the urban area, but is inappropriate within the Green Belt, and providing it maintains the character and appearance of the countryside; or
4. The development would be appropriate within the Green Belt.

The reasoned justification for the policy within the Allocations Plan states that the Core Strategy's overall approach is to concentrate development in the existing urban area and to constrain most forms of development on Protected Open Land. It explains that the urban area is defined as that which is not Protected Open Land or Green Belt.

The Allocations Plan continues at paragraph 5.12 that it is a general principle of national policy that the character and appearance of Protected Open Land should be protected from inappropriate development. This also supports the Council's efforts to achieve urban regeneration. It is explained that some of this land could be appropriate for development in the future, but not during the plan period up to 2026 and not without a further review of the Core Strategy.

The applicant is proposing to erect 110 dwellings on the application site. It is not considered that the proposed residential development of this 3.81 hectare site would represent limited infilling within an established housing area, would form part of (or is required) for the maintenance of existing employment, nor would require a location outside the urban area. The residential development of a greenfield site would also not be appropriate development within the Green Belt, also failing to meet category 4 of Allocations Plan Policy CG6AP.

It is therefore considered that the proposed residential development of this 'Other Protected Open Land' site would be contrary to Core Strategy Policy OA1.6 and Allocations Plan Policy CG6AP.

Other Material Considerations: Bolton's Supply of Housing

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

Policy SC1 of the Core Strategy states that the Council will identify a range of housing sites for additional provision of 694 dwellings per annum between 2008 and 2026, with at least 80% of

housing development to be on previously developed land. Policy SC1.2 states that the 20% of housing on greenfield land will be provided through the Transforming Estates programme.

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

As discussed above, it is considered that the proposed residential development of the application site is contrary to Policy OA1.6 of Bolton's Core Strategy and Allocations Plan Policy CG6AP, as the site is allocated as 'Other Protected Open Land' and as the proposal would constitute inappropriate development on that land.

Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan (that is the Core Strategy and the Allocations Plan) *unless material considerations indicate otherwise*. The applicant is arguing in this case that there are material considerations that indicate that the residential development of application site would be appropriate and planning permission should be forthcoming; that is, they are contending that the Council has a shortage of deliverable housing land.

Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The local planning authority continues to contend that there is a demonstrable five-year supply of deliverable housing sites in the borough. Bolton's Authority Monitoring Report 2013/2014 takes into account both the Allocations Plan Inspector's comments and national policy regarding the meeting of backlog (where completions have been below Core Strategy requirements) within the five-year period (2014-2018/19) rather than over the remaining life of the plan, the need for a 5% buffer (as required within paragraph 47 of the NPPF) and also the more realistic clearance allowance of 40 dwellings per annum. These factors taken together increase the underlying five-year requirement above that in previous reports to 5,051 dwellings (2014-2018/19). The report also demonstrates that the projected supply for 2014-2018/19 is 5,492 dwellings, which equates to a 5.44 year supply.

The Council's policies for the supply of housing are therefore considered to remain up-to-date as a five-year supply of deliverable housing sites can be demonstrated.

It is therefore subsequently considered that the benefits of providing more houses on this previously undeveloped site outside the existing urban area would not outweigh the harm that would be caused

to the Council's objective of focusing new housing within the existing urban area, contrary to Strategic Objective 15 and Policy OA1.6 of the Core Strategy and Allocation Plan Policy CG6AP.

Impact on Mineral Safeguarding Areas

The application site forms part of a Mineral Safeguarding Area for sandstone, surface coal, brick and clay.

Policy 8 of the Greater Manchester Joint Minerals Plan states that all non-mineral development proposals within the Mineral Safeguarding Area should extract any viable mineral resources present in advance of construction. Proposals for non-mineral development within the Mineral Safeguarding Areas that do not allow for the prior extraction of minerals will only be permitted where:

1. The need for the development outweighs the need to extract the mineral; or;
2. It can be clearly demonstrated that it is not environmentally acceptable or economically viable to extract the mineral prior to non-mineral development taking place; or
3. It can be clearly demonstrated that the mineral is either not present or of no economic value or too deep to extract in relation to the proposed development; or;
4. The development is limited or temporary and would not prevent minerals extraction taking place in the future.

Policy P4.3 of the Core Strategy states that the Council will safeguard known resources of minerals, and existing and planned infrastructure that supports mineral exploitation including facilities for manufacturing and the handling, processing and distribution of substitute recycled and secondary aggregate materials.

The proposed erection of dwellings on the site is a non-mineral development. The applicant has argued within their submission that the proposed development meets criteria 1 of Policy 8 as they believe the need for the development (that is, as they contend Bolton has a shortage of housing land) outweighs the need to extract the mineral.

As discussed above, the officers maintain that the Council has a demonstrable five-year supply of deliverable housing sites. It is therefore considered that it has not been demonstrated by the applicant that the need for the development outweighs the need to extract the mineral, contrary to Policy 8 of the Greater Manchester Joint Minerals Plan and to Policy P4.3 of the Core Strategy.

Impact on the Highway

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

Along with the principle of the residential development of the site for 110 dwellings, the details of the means of access into the development are also being sought. The new vehicular access is proposed to be located off Hill Lane, in front of 84 Hill Lane, and is proposed at 5.5 metres wide with footway of 2 metres in width on either side. The junction radii is proposed at 10 metres and visibility splays will measure at least 2.4 metres by 43 metres onto Hill Lane.

The applicant has amended their plans, following discussions with the Council's Highways Engineers, to introduce a right-turn pocket on Hill Lane in front of the proposed access.

The Council's Highways Engineers have raised no objection to the location or design of the proposed access.

The applicant has submitted a Transport Assessment with their planning submission, which analyses the predicted traffic impact of the proposed development (as well as looking at local accident data).

Traffic surveys were undertaken at the junctions of A6 Chorley Road/Dark Road/Grimeford Lane and B5408 Manchester Road/New Street/Vicarage Road on Tuesday 24th March 2015 and capacity assessments were undertaken at the junctions of the proposed site access/Hill Lane, A6 Chorley Road/Dark Lane/Grimeford Lane and B5408 Manchester Road/New Street/Vicarage Road, as agreed with Highways Engineers prior to the submission of the planning application. Using forecasted trip generation from the proposed development, the Transport Assessment concludes that the proposed site access is forecast to operate well within capacity and that the proposed development would not result in a material impact on the local highway network.

The local highway network in the vicinity of the site does not have an unduly poor safety record and the Transport Assessment concludes that there are no reasons to assume that this situation should be significantly worsened as a consequence of the proposed residential development.

The Council's Highways Engineers consider the Transport Assessment to be robust and consider that the assessment substantiates the development from a transport and highways perspective.

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

It is therefore considered that the proposed residential development of the application site (110 dwellings) would not have a detrimental impact on the capacity of local highways and junctions and would not jeopardise highway safety, compliant with Policies P5 and S1.2 of the Core Strategy.

Impact on Biodiversity

Policy CG1.1 of the Core Strategy states that the Council will safeguard and enhance the rural areas of the borough from development that would adversely affect its biodiversity including trees, woodland and hedgerows, geodiversity, landscape character, recreational or agricultural value.

The applicant has submitted an Ecology Survey and Assessment and a Tree Survey Report with the application.

Greater Manchester Ecology Unit (GMEU) has confirmed that the ecology surveys have been undertaken by suitably qualified consultants, have been undertaken to appropriate standards and are proportionate to the likely impacts of the scheme.

GMEU also confirm that the application site is not designated for its nature conservation value and is not close to any designated sites. It is considered that the application site only has low potential to support specially protected or priority species. Officers state that the site is dominated by species-poor grassland of generally low ecological value but comment there are some features of local nature conservation interest, particularly the pond and the boundary hedgerows. The applicant has shown on their indicative site layout that these features are proposed to be retained and GMEU officers recommend a number of conditions to secure their retention and to create further habitat landscapes within the development.

GMEU therefore raise no objection to the proposed development, commenting that ecological harm would not be significant and that enhancement would be possible.

The Council's Tree Officers have confirmed that there are no significant trees on the development site, but comment that the hedgerow shown for retention is an important feature. Officers advise that adequate clearance is given to the trees on the site boundary with Blackrod Church School when considering the siting of the dwellings.

It is therefore considered, subject to the retention of the pond and the hedgerows and the conditions recommended by officers, that the proposed development would safeguard the biodiversity of the site, compliant with Policy CG1.1 of the Core Strategy.

Impact of Loss of Agricultural Land

Paragraph 112 of the NPPF states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

An extract from Natural England's Agricultural Land Classification Map North West Region submitted by the applicant shows that the application site is of Grade 3 agricultural land, which is good to moderate. It is therefore considered that the site does not fall within the category of the best and most versatile agricultural land.

Impact on Flooding

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

The applicant has submitted a flood risk assessment and drainage strategy with their submission. At the time of writing this report the case officer was awaiting further comments from the Council's Drainage officers regarding the proposal. This will be reported directly to Members at the meeting.

Impact on Local Infrastructure

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

The proposal for 110 dwellings in this location generates the following Section 106 requirements:

- * Affordable housing: 39 affordable units on site, with 29 (75%) being for social/affordable rent at 60% discount off open market value and 10 (25%) being for intermediate housing at 30% discount off open market value.
- * Education: £317,681.63 to be used at either of the two primary schools in Blackrod to assist with pupil place provision (a named school has not been confirmed at this time).
- * Public open space: £147,180 contribution to off-site provision.
- * Health: £24,640
- * Public art: 1% of total development costs

The Council's Asset Management and Pupil Place Planning Officers have commented that at present, and looking ahead over the next year or two, there are only very limited primary school places available in Blackrod. They state that they are having to increase provision for September 2016 because of the already high numbers of young children who will be starting school that year and who would otherwise not have a place available for them. Blackrod has two primary schools, which are at and will be at full capacity for the foreseeable future. The officers however state that there is not currently a requirement to provide a commuted sum for secondary school places based on current school numbers and places.

The applicant has not submitted any information with their planning submission to demonstrate that the scheme would not be viable if the contributions were offered in full.

Notwithstanding the concerns raised by the Council's Asset Management and Pupil Place Planning Officers, it is considered that a Section 106 Agreement would ensure that the proposed development could be supported by appropriate infrastructure, compliant with Policy IPC1 of the Core Strategy.

Impact on the Character and Appearance of the Area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, will require development to be compatible with the surrounding area in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment, and will maintain and respect the landscape character of the surrounding countryside and its distinctiveness. Policy OA1 refers specifically to developments in Horwich and Blackrod and states that the Council will conserve and enhance the character of the existing landscape and physical environment, ensure that development respects street patterns, the grain and the form of predominant architectural styles and where possible makes sympathetic use of locally distinctive materials such as stone, 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 allocated as 'Other Protected Open Land' and is within the Agricultural Coal Measures Landscape Character Area. The site is an open agricultural field bounded by hedgerows and trees.

The proposed residential development of the site will inevitably forever change the character of the land from an open field on the edge of the countryside to a housing estate (which would become an extension to the existing urban area). As discussed above, Allocations Plan Policy CG6AP seeks to protect the character and appearance of such Protected Open Land from inappropriate development, which residential development is considered to be.

Details of the siting, scale and design of the dwellings (along with details of landscaping) have not been sought within this outline application, and therefore would need to be assessed during any Reserved Matters stage.

Impact on the Amenity of Neighbouring Residents

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

The proposed site layout is only indicative, however it illustrates that the Council's recommended minimum interface distance of 21 metres between fronts of dwellings can be achieved both within the development and between the proposed and neighbouring dwellings. The layout of the dwellings

would need to be sought through a Reserved Matters application.

Conclusion

For the reasons discussed above it is considered that the proposed residential development of the site would represent inappropriate development of 'Other Protected Open Land' and the benefits associated with developing the site for housing would not outweigh the harm that would be caused to the Council's strategic objective of focusing new housing development within the existing urban area. It is also considered that the applicant has not demonstrated that the need for the development outweighs the need to extract the mineral from the Mineral Safeguarding Area in which it is located. It is therefore considered that the proposed development is contrary to Strategic Objective 15 and Policies OA1.6 and P4.3 of the Core Strategy, Allocations Plan Policy CG6AP and Policy 8 of the Greater Manchester Joint Minerals Plan.

Members are therefore recommended to refuse this application for the reasons listed below.

Representation and Consultation Annex

Representations

Letters:- 53 letters objection letters have been received raising the following concerns:

- * The land is allocated as Protected Open Land and the application does not meet the criteria for building on such protected land; The land is not allocated for housing;
- * The site is a green area that should be retained;
- * The Council's Allocation Plan is not out of date;
- * There are many brownfield sites that could be developed instead; Brownfield sites should be looked at first;
- * Increase in traffic in the area; traffic has already increased over the years;
- * Hill Lane is already very busy at peak times;
- * Dark Lane is a country lane which is not suitable to take an increase in traffic; Dark Lane is often closed in winter months; The road through the centre of Blackrod is not suited to an increase in traffic due to roadside parking;
- * Concerns about highway safety; The junction of Vicarage Road West with Hill Lane is an accident black spot and additional development can only make it worse; It is a bad bend where Little Scotland becomes Hill Lane;
- * Concerns about pedestrian safety, particularly school children;
- * It currently takes 40 minutes to access J6 of the M61 from Blackrod, adding further vehicles would be madness; There will be further traffic chaos when the 1,700 houses at Horwich Loco Works are built;
- * There not enough on-street parking for the residents on Hill and Vicarage Road West as it is;
- * Vehicles will use Ainslie Road to avoid Hill Lane;
- * The local bus services are very restricted; There is no bus route along Hill Lane;
- * Effect on wildlife; Bats, kestrels, barn owls, herons, curlews, hawks, buzzards, wild pheasant, hares and deer have been seen on the site; believe there may be great crested newts on the site;
- * A full ecology report does not appear to have been undertaken;
- * The development is going to spoil the appearance of the area; the openness of the land is crucial to maintaining the character and identity of Blackrod;
- * Increase in noise pollution from additional traffic;
- * This is the likely site of Coccium Roman Fort, therefore an archaeological survey is essential;
- * Existing infrastructure cannot sustain 110 new houses; existing infrastructure/amenities are already stretched;
- * The local schools are already full with no places available for existing local children; local schools are already oversubscribed; will Bolton Council increase primary school places in Blackrod?;
- * People of Blackrod will struggle to get doctors and dentist appointments; it is already hard to get an appointment;
- * There are not enough play and leisure areas for children in Blackrod;
- * Blackrod has already had its fair share of new housing; there is enough housing in Blackrod;
- * Blackrod is a village not a town;
- * Loss of agricultural land; loss of good quality grazing land;
- * Concerns about drainage of the site and flooding;
- * Will the utilities in the area be able to cope with more houses?;
- * The development would set a precedent for other developments on greenfield and protected sites around Blackrod;
- * There will be coal mines under the field (*officer's comment: the site has only been identified as low risk by the Coal Authority*);
- * Loss of view (*officer's comment: this is not a material planning consideration*);
- * Devaluation of properties (*officer's comment: this is not a material planning consideration*).

Blackrod Town Council:- raised an objection to the application at their meeting of 7th September on the grounds of both the access to the site and the onward access routes in the surrounding area.

Consultations

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

Planning History

Applications 33055/89 and 34098/89 for the erection of dwellings (means of access details only) were refused in March 1989 and August 1989 respectively.

Application 32980/89 for the erection of dwellings was refused by the Council in March 1989 and subsequently dismissed at appeal by the Planning Inspectorate in January 1990. The application was refused as it was not an allocated housing site and as it would result in the loss of an area of open land.

Application 13398/80 for the residential development of the site was refused in May 1980.

Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The proposed residential development of the site would represent inappropriate development of 'Other Protected Open Land' in that it would not fall within any of the categories listed within Bolton's Allocations Plan Policy CG6AP. The benefits associated with developing the site for housing would not outweigh the harm that would be caused to the Council's strategic objective of focusing new housing in the existing urban area, contrary to Strategic Objective 15 and Policy OA1.6 of Bolton's Core Strategy and Bolton's Allocations Plan Policy CG6AP.
2. It has not been proven by the applicant that the need for the proposed residential development outweighs the need to extract mineral from the site, a site within the Mineral Safeguarding Area, contrary to Policy 8 of the Greater Manchester Joint Minerals Plan and Policy P4.3 of Bolton's Core Strategy.

PLAN 3

INDICATIVE SITE BOUNDARY



REV.	DETAILS	DRAWN	CHECKED	DATE

CLIENT: **HOLLINS STRATEGIC
LAND**

PROJECT: HILL LANE, BLACKROD

DRAWING TITLE:

1:500 @ A3

DRAWN: JC	CHECKED: MTC	DATE: AUG 15
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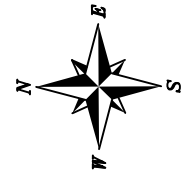
Email: info@croftts.co.uk
Tel: 0161 667 3746
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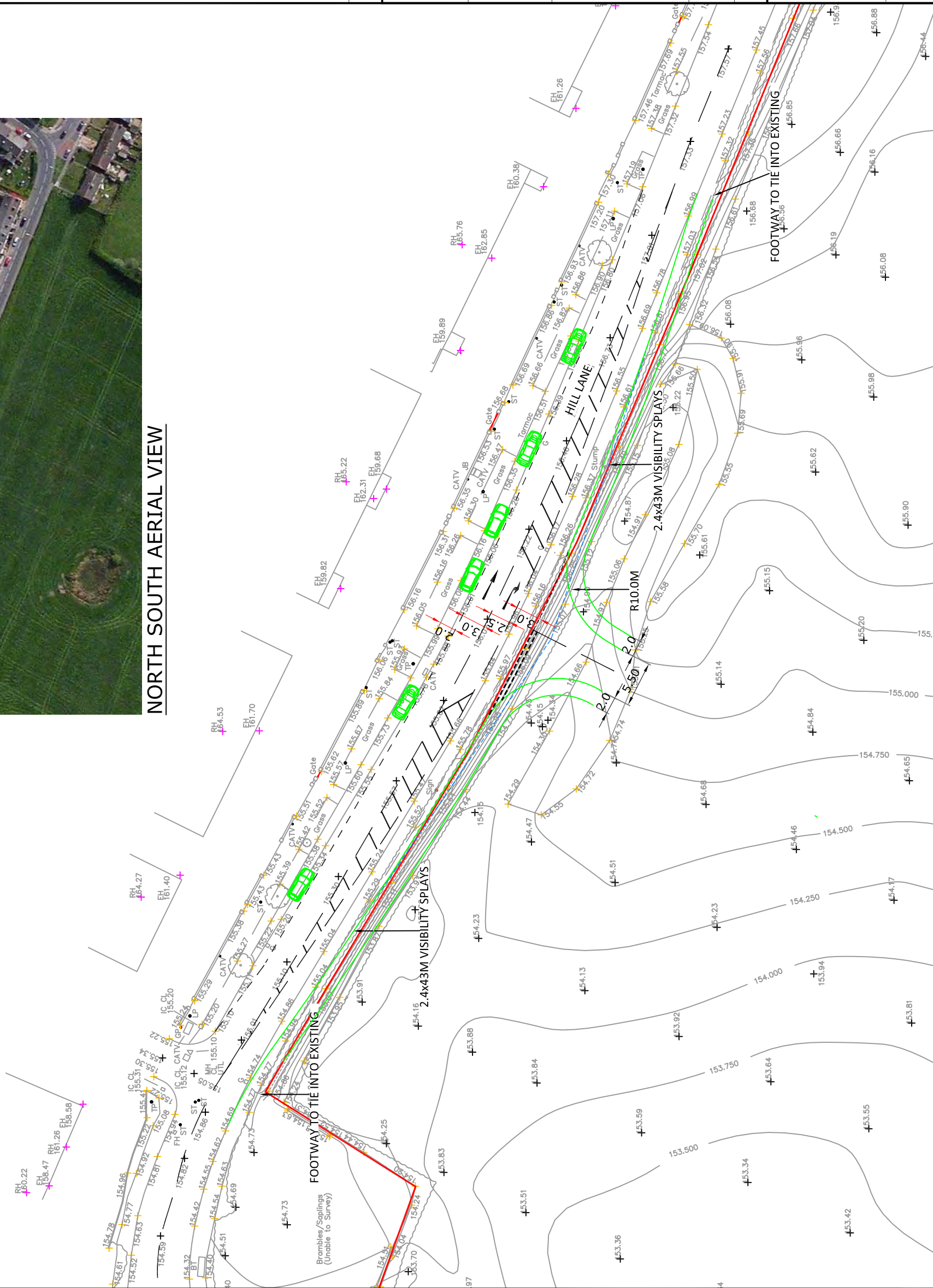
Web: www.croftts.co.uk

DRAWING NUMBER:	0968-F02
REVISION:	1

REVISION:



NORTH SOUTH AERIAL VIEW





The Tree Preservation Order is objected to on three grounds:-

1. That it is not expedient in the interest of amenity.
2. The order contains specimens that do not merit protection by virtue of their past management or other issues.
3. Trees are already in Stewardship

I would respond to these issues as follows:-

1. The trees are considered to be of amenity and are visible to the general public. Being on a corner plot the trees are visible on both Briksdal Way and Lostock Junction Road. Along Lostock Junction Road they are visible for a distance of at least 150 metres northwards and 120 metres southwards. On Briksdal Way they are visible at least 90 metres from the property boundary. The majority of properties on Lostock Junction Road have Tree Preservation Orders protecting various trees within their grounds with similar visibility.

The plot is of a generous size and the planting around the periphery does not exclude reasonable and proper enjoyment of the garden areas.

2. The topping of a number of trees had been noted when considering the Tree Preservation Order. Whilst it is agreed that topping is not considered conducive to good management the topping has not been undertaken of large limbs but higher in the canopy with smaller diameter branches which are less prone to major decay. Such topping if not repeated often leads to recovery of the tree without major weaknesses developing.

The Cherry trees are variable in their quality but are considered to have a life expectancy in excess of 10 years and collectively add to the collective value of the boundary line of trees. Clearly if defects arise in any of the trees that warrants tree surgery or removal in the interest of safety this would be considered as part of an application for tree works.

3. The objector cannot guarantee the future stewardship of the trees in perpetuity. The formal protection of the trees is considered to be reasonable.

Conclusion

In conclusion it is considered that the trees are of amenity to the area.

Matthew Rainer
Tree and Woodland Manager

THE COMMON SEAL OF THE BOROUGH COUNCIL OF
 BOLTON WAS HEREON AFFIXED ON THE MAKING OF THE
 BOLTON (26 LOSTOCK JUNCTION LANE No.2) TREE
 PRESERVATION ORDER 2015 ON THE 2ND DAY
 OF JULY, 2015 IN THE PRESENCE OF:-



Aileen Gorman

AUTHORISED SEALING
 OFFICER

SEALING NO.
 18862

Bolton (26 Lostock Junction Lane No.2) Tree Preservation Order 2015

DC23. 953

drawn: SC

June 2015

Scale : 1250



T1 Individual Tree

G1 Groups of Trees

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**Bolton
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