

Planning Applications Report

**Planning Committee
6th August 2020**

**Bolton
Council**

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

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

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

The following abbreviations are used within this report: -

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

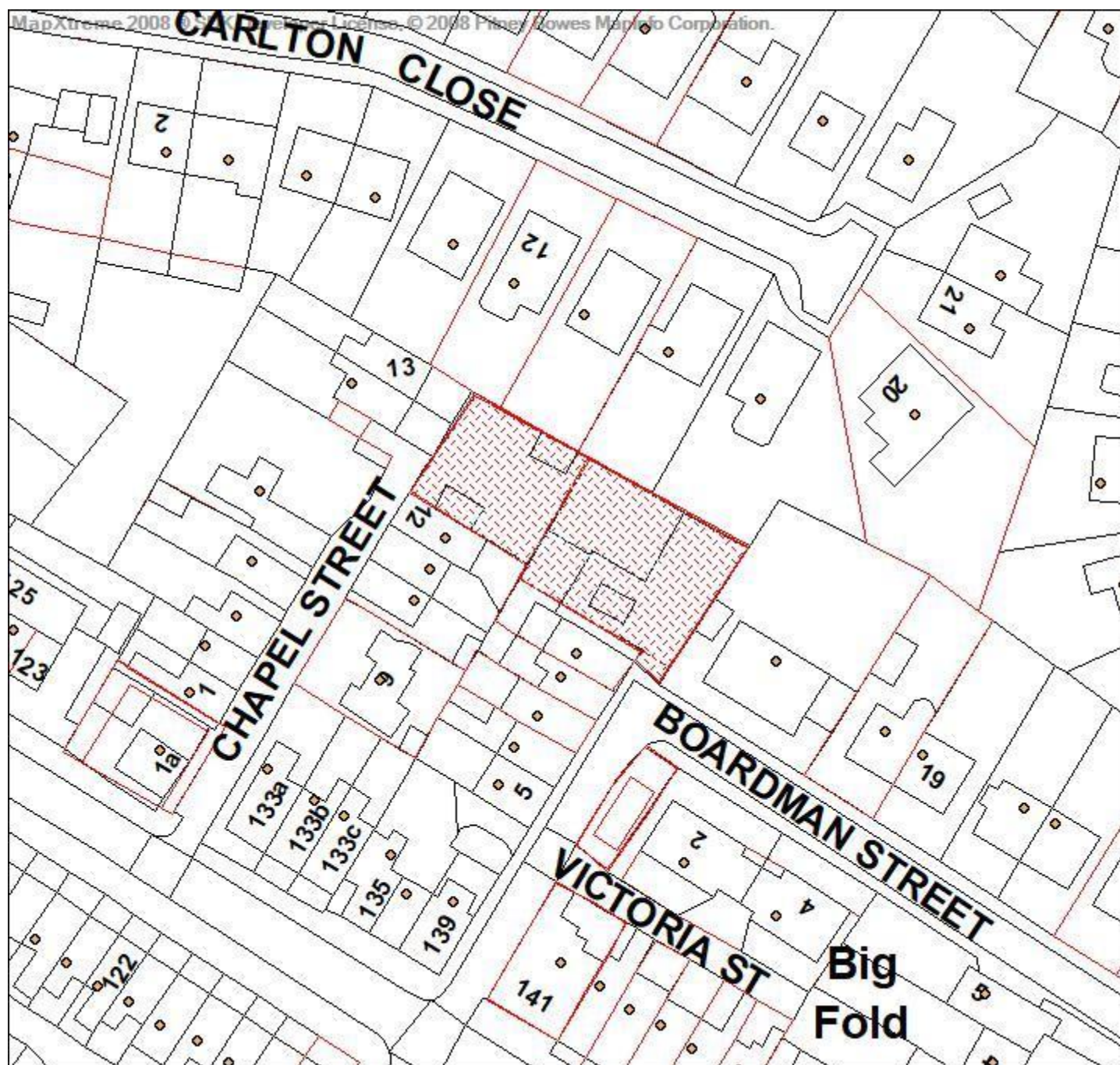
The background documents for this Report are the respective planning application documents which can be found at:-

www.bolton.gov.uk/planapps

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07844/20	4	KEAR	58 MANCHESTER ROAD, KEARSLEY, BOLTON, BL4 8NZ
08483/20	25	HOBL	STREET RECORD NORTH OF13, BOARDMAN STREET,BLACKROD, BOLTON

Application number
08483/20



Directorate of Place
Development Management Section

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**Bolton
Council**

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Date of Meeting: 06/08/2020

Application Reference: 08483/20

Type of Application: Full Planning Application

Registration Date: 03/06/2020

Decision Due By: 28/07/2020

Responsible Officer: John Dupre

Location: STREET RECORD NORTH OF13, BOARDMAN STREET, BLACKROD, BOLTON

Proposal: ERECTION OF 1NO. RESIDENTIAL DETACHED DWELLING

Ward: Horwich and Blackrod

Applicant: Mr B Jackson

Agent : Hatch Architecture Limited

Officers Report

Recommendation: Approve subject to conditions

Executive Summary

- The principle of development for dwellings on the site has been established via two separate consents 07046/19 and 07758/20.
- Outline planning permission for a single dwelling has been granted for the eastern half of this site under 07046/19 with access taken from the existing access on Boardman Street.
- A further Permission in Principle (PiP) has been granted for a single dwelling on the western half of this site under 07758/20 with access taken from the existing access on Chapel Street.
- This application seeks full planning permission for the erection of one detached dwelling on the combined site. The main access is to be taken from Chapel Street with a secondary access on Boardman Street to provide a designated parking space for 13 Boardman Street.
- Through thoughtful design the proposed dwelling meets the required interface distances to all surrounding properties.
- It is considered that the proposed dwelling contributes to good urban design and is compatible with the surrounding area in terms of scale, massing, grain, form and architecture.
- There are no objections from the Council's Highways Engineers, nor any objections from any other Statutory Technical Consultees.
- Councillor Wright requests that the application be decided at Planning Committee (reasons stated in Representation Annex).
- Neighbour objections have been received - see Representation Annex below.
- Officers recommend that the application be approved, subject to the suggested conditions.

Proposal

1. Outline planning permission for a single dwelling on the eastern half of this site was granted by Planning Committee under application 07046/19. Due the constraints of the site, officers advised that the dwelling type most likely to ensure that interface distances to neighbouring properties were met would be a bungalow. In this regard a planning condition was attached to the outline

consent requiring that the proposed new dwelling should be no greater than 5 metres in height. A condition also stated the site should accommodate 3 off-street parking spaces, one of which would be designated for the owner/occupier of 13 Boardman Street.

2. Subsequent to the granting of outline consent 07046/19, a "Permission in Principle" (PiP) application was granted under The Town and Country Planning (Permission in Principle) (Amendment) Order 2017 for a further single dwelling on the western half of this site under application 07758/20. In this case access was to be taken from Chapel Street.
3. A full planning application is now made for a single residential dwelling on the combined site to the north of 12 Chapel St and 13 Boardman St.
4. The dwelling is approximately 19 metres in length and 10 metres in width. The first-floor section is approximately 10 metres in length and 6 metres in width. The overall footprint of the proposed dwelling is approximately 165 sq. metres (the total site area is 670 sq. metres).
5. The proposed dwelling would be split over two levels and would be set into the existing ground levels so that it has a maximum height of 3.8 metres at first-floor and 2.4 metres at ground floor when measured from the highest existing adjoining ground level. In this regard it is under the 5 metres stipulated by Condition 3 of 07046/19.
6. The dwelling has a covered patio area on ground floor providing views to the north. It also has a narrow balcony area at first floor which is set back from the north elevation of the dwelling by approximately 4.8 metres.
7. The dwelling is of modern design with block cavity construction and finished externally with a mixture of silicon render and timber cladding. The dwelling is proposed to have dark powder coated aluminium doors and windows, dark aluminium capping to the parapet, a glazed balcony guard at the edge of the decked area at the first floor and a new retaining wall at the perimeter.
8. The main access to the site is to be taken directly from the existing access on Chapel Street. An existing secondary access is proposed to be utilised from Boardman Street to provide a designated parking space for neighbouring property 13 Boardman Street.

Site Characteristics

9. Boardman Street is located off the northern side of New Street, one of the main thoroughfares through Blackrod.
10. The application site is located and accessed via Chapel Street and also the 90-degree corner between nos. 13 and 15 Boardman Street. The rectangular shaped site measures approximately 40 metres by 18 metres (total area 670 sq. metres).
11. Residential uses surround the site to all sides. The immediate surrounding area can be characterised as residential.
12. There is a level difference between the site and dwellings on Carlton Close at the rear/north of the site, with the application site being at a higher level by approximately 3 to 5 metres than these properties.
13. There is a mixture of house types in the immediate area ranging from back of pavement terrace properties on Chapel Street and Boardman Street, to detached and semi-detached properties on

Boardman Street and Carlton Close. These have a mixture of exterior finishes including render, pebble dash, brick and stone.

Policy

14. Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1 Cleaner Greener Bolton; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA1 Horwich and Blackrod.
15. National Planning Policy Framework (NPPF)
16. SPD Accessibility, Transport and Safety
17. SPD General Design Principles 2015
18. Emerging Blackrod Neighbourhood Plan (was planned for Referendum 2020)

Analysis

19. 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.
20. The main impacts of the proposal are:
 - * principle of the development
 - * impact on character and appearance of the surrounding area
 - * impact on neighbouring residential amenity
 - * impact on the highway network

Principle of the development

21. The principle of the development has been established with outline planning permission granted under 07046/19 for the erection of one detached dwelling on the eastern half of the site and a permission in principle granted under 07758/20 for the erection of one detached dwelling on the western half of the site. The justification for these consents can be understood as follows.
22. Policy OA1 of the Core Strategy refers specifically to development in Horwich and Blackrod and states that the Council will [amongst other things] concentrate sites for new housing in Horwich town centre, at Horwich Loco Works and on other sites within the existing urban area.
23. Policy H1 of the emerging Blackrod Neighbourhood Plan states [amongst other things] that development will be supported for a target of 215 new homes built within the Plan Area of Blackrod in the Plan period, new residential development should be designed to meet local needs, and that new housing development proposals will only be supported where they are located on previously developed land, or are within existing residential built up areas of Blackrod, or represent a re-use of redundant or disused building(s) and lead to an enhancement to their immediate setting, and respond to an identified local need.
24. Policy H2 of the emerging Blackrod Neighbourhood Plan states that housing development should provide for a mix of housing types and sizes, taking account of local needs.... proposals that

contribute to meeting the needs of an ageing population, including homes for down-sizing, as well as residential or nursing care, will be supported.

25. Paragraph 6.14 of the emerging Blackrod Neighbourhood Plan states that Blackrod Town Council is keen to see the development of self and custom build housing in the Neighbourhood Area.
26. Residential uses surround the application site to all sides. The immediate surrounding area can be characterised as predominantly residential in nature. The site is within the existing urban area and vehicular/pedestrian access and off-street parking have been demonstrated.
27. For the reasons given above, Officers consider that the principle of development is acceptable when assessed against with local and national planning policy.

Impact on character and appearance of the surrounding area

28. Core Strategy policy CG3.1 states that the Council expects development proposals to display innovative, sustainable designs that contribute to good urban design. Core Strategy policies CG3.2 and CG3.3 require proposals to respect and enhance local distinctiveness, being compatible with the surrounding area in terms of scale, massing, grain, form, architecture and landscape details, including hard/soft landscaping and boundary treatment. Policy OA1 specifically concerns developments in Horwich and Blackrod.
29. Policy DES1 of the emerging Blackrod Neighbourhood Plan states that all new developments, extensions and alterations to existing buildings should demonstrate good quality design and respect the character and appearance of the surrounding area.
30. In order to reduce the height of the proposed dwelling in comparison to neighbouring dwellings and to limit the level of overlooking to properties on Carlton Close, the proposed dwelling has been set into the existing ground levels such that it has a max height of 3.8 metres at first-floor and 2.4 metres at ground floor when measured from the highest existing adjoining ground level. By way of comparison, the neighbouring dwelling 13 Boardman Street is approximately 5.3 metres to the eaves and 7.5 metres to the ridge. As a result, the roof of the first-floor element of the proposed dwelling will be approximately 1.6 metres below the eaves height of 13 Boardman Street.
31. The proposed dwelling has an overall footprint of approximately 165 sq. metres and occupies a large plot, approximately 670 sq. metres in size.
32. While the predominant design of houses is one of pitched roof, it is noted that there are a mixture of house types in the area, ranging from the stone built cottages at 135 - 139 Manchester Road (listed in the emerging Blackrod Neighbourhood Plan as an area of Special Character) and the traditional back of pavement terrace properties immediately to the south on Chapel Street and Boardman Street, to the more contemporary semi-detached properties on Boardman Street (as it turns east away from the site) and detached properties on Carlton Close to the north. These properties display a mixture of external finishes including original stonework, render, pebble dash and brick.
33. The proposed dwelling is of modern design with block cavity construction and finished externally with a mixture of silicon render and timber cladding. Although it will be different from neighbouring dwellings, it is considered that it will complement rather than detract from them.
34. Notwithstanding the modern design, cladding and flat roofs therefore, it is considered that the

proposed dwelling does contribute to good urban design and is compatible with the surrounding area in terms of scale, massing, grain, form and architecture.

35. The proposed dwelling will also be set back from the road and mostly hidden from view by surrounding properties. In this regard it is not in a prominent location and will not be overly conspicuous
36. For this reason, it is considered that it complies with Policies CG3 and OA1 of the Core Strategy and DES1 of the emerging Blackrod Neighbourhood Plan.

Impact on neighbouring residential amenity

37. Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security and should not generate unacceptable nuisance, odours, fumes, noise or light pollution. SPD General Design Principles sets out the Council's recommended minimum interface distances between dwellings.
38. In terms of meeting the Council's recommended minimum interface distances to neighbouring dwellings, Officers previously advised that a bungalow would most likely be the most appropriate design solution for the residential development of this site. In this regard a condition was added to approval 07046/19 limiting the house to a maximum height of 5 metres. The reason for this is a difference in ground levels at the rear/north of the site to dwellings sited on Carlton Close of approximately a full floor level.
39. In line with this advice, the proposed dwelling has a maximum height of 3.9 metres, albeit split over two levels. The majority of the dwelling is designed at ground floor, with a smaller, first floor section adjacent to 13 Boardman Street.
40. To confirm that neighbouring amenity will not be unduly impacted, it has been necessary to assess the interface distances from principal windows to each of the neighbouring properties together with any overlooking or overshadowing to neighbouring amenity space. Taking each neighbouring property in turn:

13 Boardman Street

41. 13 Boardman Street lies immediately adjacent to the site to the south. The principal windows at the property are in the front (east facing) elevation with a further bedroom window in the side (north facing) elevation overlooking the application site. The property has a lean-to conservatory to the rear. There are no principal windows in the rear elevation of the property.
42. The front elevation of the proposed dwelling would be approximately 2.4 metres from the side elevation of 13 Boardman Street which has a bedroom window at the first floor. Although this is below the recommended interface distance of 13 metres, the drop in levels is such that the top of the roof would be approximately 0.5 metres below the centre of this window, thereby enabling long ranging views from this window to be retained over the roof of the proposed dwelling to the north. In this regard it is not considered that the proposed dwelling would have an undue impact on living condition at in this bedroom. This is therefore considered acceptable.
43. The proposed dwelling would project some 7.7 metres from the original rear elevation of 13 Boardman Street albeit set back from the boundary by 1.2 metres and on a lower ground level. It is also noted that there are no principal windows in the rear elevation of 13 Boardman Street and that the proposed dwelling will be sited directly to the north of this property.

44. Taking these factors into consideration therefore, it is not considered that the proposed dwelling will have an undue impact on the outlook of or cause any significant overshadowing to the amenity space at this property. This is therefore considered acceptable.

12 Chapel Street

45. 12 Chapel Street lies directly to the south west/west of site. The principal windows are in the front and rear elevation of the property. The property has a 'lean-to' conservatory to the rear above which is a bedroom window which faces south east towards 13 Boardman Street.
46. The side elevation of the first-floor element of the proposed dwelling, which has no main windows, would be approximately 11 metres from the rear elevation of 12 Chapel Street, which has a bedroom window at the first floor. This is below the minimum recommended interface distance of 13 metres required between a window in a two-storey elevation of an existing house and a two-storey elevation of proposed dwelling with no windows, however due to the drop in levels long ranging views will be retained from this window over the roof of the proposed dwelling to the east. In this regard, it is considered that the more appropriate interface to apply is that between a single storey elevations, which is 9 metres. Either way, it is not considered that the two-storey element of the dwelling would have an undue impact on living conditions in this bedroom. This is therefore considered acceptable.
47. The interface distance between the window in the side elevation of the ground floor element of the proposed dwelling and the first floor window in the rear of 12 Chapel Street is approximately 14 metres. This is below the recommended interface distance of 17 metres for indirectly facing main windows, however due to the drop in levels (the bedroom window will be approximately 4 metres higher than the window in the side elevation of the proposed dwelling) and the angle between the two properties, it is not considered that this shortfall will have an undue impact on the privacy or outlook of 12 Chapel Street. This is therefore considered acceptable.
48. The proposed dwelling has a split-level balcony area on the first-floor, however this will be screened from 12 Chapel Street by a solid screen. This is therefore considered acceptable.
49. The proposed dwelling will be directly to the east of 12 Chapel Street and set back from the boundary by 1.2 metres and on a lower ground level. Taking these factors into account, it is not considered that the proposed dwelling will have an undue impact on the outlook of, or cause any significant overshadowing to, the amenity space at 12 Chapel Street. This is therefore considered acceptable.

10 Chapel Street

50. 10 Chapel Street lies directly to the south west of the site adjacent to 12 Chapel Street. The principal windows are in the front and rear elevation of the property.
51. Between the wall of a neighbouring house, which contains a main window, and the wall of a two-storey dwelling which does not, there should be a minimum interface distance of 13.5 metres, although as with the relationship with 12 Chapel Street, due to the drop in levels, it is considered that a more appropriate interface distance to apply would be 9 metres. The interface distance between the side elevation of the first-floor element of the proposed dwelling, which does not contain a main window, and the rear elevation of 10 Chapel Street, which does, is 13 metres. Taking into account the drop in levels and the angle between the two properties, this is considered acceptable.
52. Between walls on a neighbouring house and a new dwelling which both contain main windows, but which do not directly face each other, there should be a minimum 17 metres. The interface

distance between the side elevation of the proposed dwelling and the rear elevation of 10 Chapel Street which both contain main windows, but which do not directly face each other, is 18 metres. This is therefore considered acceptable.

53. The proposed dwelling has a split-level balcony area on the first-floor, however this will be screened from 10 Chapel Street by a solid screen. This is therefore considered acceptable.
54. The proposed dwelling will be set back from the boundary with 10 Chapel Street by 6 metres and on a lower ground level. For this reason, it is not considered that the proposed dwelling will have an undue impact on the outlook of, or cause any significant overshadowing to, the amenity space at 10 Chapel Street. This is therefore considered acceptable.

11- 13 Chapel Street

55. 11-13 Chapel Street lies directly to the north west of site. The principal windows are in the front and rear elevation of these properties.
56. Between walls on a neighbouring house and a new dwelling which both contain main windows, and which directly face each other, there should be a minimum interface distance of 21 metres. The interface distance between the front elevation of 11-13 Chapel Street and the side elevation of the proposed dwelling, which both contain main windows and which directly face each other, is 26 metres. The two properties are also well screened by a row of leylandii trees. This is therefore considered acceptable.
57. The proposed dwelling has a split-level balcony area on the first-floor, however this will be screened from 11-13 Chapel Street by a solid screen. This is therefore considered acceptable.

12 Carlton Close

58. 12 Carlton Close lies directly to the north of the application site. The principal windows in this property are in the front and rear elevation of the property.
59. Between walls on a neighbouring house and a new dwelling which both contain main windows, but which do not directly face each other, there should be a minimum interface distance of 17 metres. Where there is change in levels, an additional 3 metres interface distance is applied for each additional storey. 12 Carlton Close is approximately 3 metres below the finished floor level of the proposed dwelling (or approximately the height of a single storey) which gives a minimum recommended interface of 20 metres. The interface distance between the ground floor side elevation of the proposed dwelling and the rear elevation of 12 Carlton Close, which both contain main windows, but which do not directly face each other, is 28 metres. Due to the drop in levels, direct views between these windows will, in any case, not be possible. This is therefore considered acceptable.
60. The interface distance between the first-floor rear elevation of the proposed dwelling and the rear elevation of 12 Carlton Close, which both contain main windows, but which do not directly face each other, is 28 metres. This is therefore considered acceptable.
61. The proposed dwelling has a split-level balcony area on the first-floor, however this will be narrow and well set back from the north elevation of the building and approximately 30 metres from the rear elevation of 12 Carlton Close. Due to the distance and proposed intervening boundary treatment, it is not considered that the balcony will cause undue overlooking to this neighbouring property.
62. It is considered that any residual issues relating to overlooking of amenity space from the garden or balcony area can be adequately controlled by the addition of a condition requiring landscape

and boundary treatments to agreed prior to first occupation.

14 Carlton Close

63. 14 Carlton Close lies directly to the north of the application site and has a flat roofed extension built to the rear. The principal windows in this property are in the front and rear elevation of the property.
64. Between walls on a neighbouring house and a new dwelling which both contain main windows, but which do not directly face each other, there should be a minimum interface distance of 17 metres. Where there is change in levels, an additional 3 metres interface distance is applied for each additional storey. 14 Carlton Close is approximately 3 metres below the finished floor level of the proposed dwelling (or approximately the height of a single storey) which gives a minimum recommended interface distance of 20 metres. The interface distance between the ground floor side and rear elevations of the proposed dwelling and the rear elevation of 12 Carlton Close, which both contain main windows and do not directly face each other, is 20 metres. Due to the drop in levels direct views between these windows will, in any case, not be possible. This is therefore considered acceptable.
65. The interface distance between the first-floor rear elevation of the proposed dwelling and the rear elevation of 12 Carlton Close, which both contain main windows, but which do not directly face each other, is 24 metres. This is therefore considered acceptable.
66. The proposed dwelling has a split-level balcony area on the first-floor, however this will be narrow and well set back from the north elevation of the building and approximately 25 metres from the rear elevation of 14 Carlton Close. Due to the distance and proposed intervening boundary treatment, it is not considered that it will cause undue overlooking to this neighbouring property.
67. It is considered that any residual issues relating to overlooking of amenity space from the garden or balcony area can be adequately controlled by the addition of a condition requiring landscape and boundary treatments to agreed prior to first occupation.

16 Carlton Close

68. 16 Carlton Close lies directly to the north of the application site. The principal windows in this property are in the front and rear elevation of the property.
69. Between walls on a neighbouring house and a new dwelling which both contain main windows and which directly face each other, there should be a minimum interface distance of 21 metres. Where there is change in levels, an additional 3 metres interface distance is applied for each additional storey. 16 Carlton Close is approximately 3 metres below the finished floor level of the proposed dwelling (or approximately the height of a single storey) which gives a minimum recommended interface distance of 24 metres. The interface distance between the ground-floor rear elevation of the proposed dwelling and the rear elevation of 16 Carlton Close, which both contain main windows and which directly face each other, is 22 metres. Although this is below the minimum recommended interface distance between properties at these levels, it is considered that the drop in levels will prevent direct views between these main windows. This is therefore considered acceptable.
70. The interface distance between the first-floor main windows in the rear elevation of the proposed dwelling and the main windows in the rear elevation of 16 Carlton Close, which directly face each other, is 26 metres. Due to the drop in levels, direct views between these main windows will, in any case, not be possible. This is therefore considered acceptable.

71. The proposed dwelling has a split-level balcony area on the first-floor, however this will be narrow and well set back from the north elevation of the building and approximately 25 metres from the rear elevation of 16 Carlton Close. Due to the distance, drop in levels and proposed intervening boundary treatment it is not considered that it will cause undue overlooking to this neighbouring property.

72. It is considered that any residual issues relating to overlooking of amenity space can be adequately controlled by the addition of a condition requiring landscape and boundary treatments to agreed prior to first occupation.

18 Carlton Close

73. 18 Carlton Close lies directly to the north of the application site. The principal windows in this property are in the front and rear elevation of the property.

74. Between walls on a neighbouring house and a new dwelling which both contain main windows and which directly face each other, there should be a minimum interface distance of 21 metres. Where there is change in levels, an additional 3 metres interface distance is applied for each additional storey. 18 Carlton Close is approximately 4.3 metres below the finished floor level of the proposed dwelling (or approximately the height of 1.5 storeys) which gives a minimum recommended interface distance of approximately 25.5 metres. The interface distance between the ground-floor main windows in the rear elevation of the proposed dwelling and the main windows in the rear elevation of 18 Carlton Close, which directly face each other, is 23 metres. Although this is below the minimum recommended interface distance between properties at these levels, it is considered that the drop in levels will prevent any direct views between these windows. This is therefore considered acceptable.

75. The interface distance between the first-floor main windows in the rear elevation of the proposed dwelling and the main windows in the rear elevation of 18 Carlton Close, which directly face each other, is 27 metres. Due to the drop in levels, direct views between these main windows will, in any case, not be possible. This is therefore considered acceptable.

76. The proposed dwelling has a split-level balcony area on the first-floor, however this will be narrow and well set back from the north elevation of the building and approximately 27 metres from the rear elevation of 18 Carlton Close. Due to the distance, drop in levels and proposed intervening boundary treatment it is not considered that it will cause undue overlooking to this neighbouring property.

77. It is considered that any residual issues relating to overlooking of amenity space can be adequately controlled by the addition of a condition requiring landscape and boundary treatments to agreed prior to first occupation.

15 Boardman St

78. 15 Boardman St lies directly to the east of the application site. The principal windows in this property are in the front and rear elevation of the property with a further bedroom window in the side elevation facing the application site. The property also has a detached garage to side.

79. Between the wall of a neighbouring house which contains a main window and the wall of a two-storey extension which does not there should be a minimum interface distance of 13.5 metres. The interface distance between the side elevation of the proposed dwelling which does not contain a main window and the side elevation of 15 Boardman Street, which does, is 14 metres. The proposed dwelling has two full-height vertical windows at the first floor which serve as secondary windows to the master bedroom. These will directly face the bedroom window in

the side elevation of 15 Boardman Street. To prevent any infringement of privacy arising from this, it is considered that a condition should be added to the decision notice requiring that the two vertical windows should be obscure glazed. Provided this is done, it is not considered that the proposed dwelling will have an undue impact on the living conditions at this property. This is therefore considered acceptable.

80. The proposed dwelling has a split-level balcony area on the first-floor, however this will be screened from 15 Boardman Street by the proposed first-floor bedroom. This is therefore considered acceptable.

81. The proposed dwelling is to the west of and set back from boundary of the garden of 15 Boardman Street by approximately 5 metres. In this regard it is not considered that it will cause undue overshadowing to the garden.

Impact on the highway network

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

83. Policy DES1 (g) of the emerging Blackrod Neighbourhood Plan states that the plan will ensure that car parking is positioned and designed to have minimal impact on the street scene. DES1 (p) states wherever possible vehicle parking should be provided off-street (i.e. within the curtilage). Appendix TRA1 sets out minimum parking standards for development, with 2 to 3-bedroom houses requiring 2 spaces.

84. The application site has two existing access points, one on Chapel Street and one on Boardman Street. It is proposed that the main access to new dwelling will be taken from Chapel Street, adjacent to which will be a turning area and off-street parking spaces for two cars. A further designated off-street parking space for 13 Boardman Street is proposed adjacent to the entrance onto Boardman Street.

85. The Council's Highways Engineers have been consulted and note that the principle of residential development on this site has been approved under applications 07046/19 and 07758/20 and that adequate access from the public highway and sufficient parking/turning provision has been provided within the site curtilage in order to support the level of development. On this basis, the Local Highway Authority have confirmed that they cannot reasonably object to what is being proposed.

86. It is therefore considered that the proposed development complies with Policies P5 and S1.2 of the Core Strategy and Policy DES 1 (g) and (p) of the emerging Blackrod Neighbourhood Plan.

Other Matters

87. United Utilities and the Council's Drainage Officers have raised no objections to the proposal. Drainage Officers note that the proposal does "not relate to a flood risk buffer".

88. The site is not within 250m of a landfill and the Council's Pollution Control Officers have raised no objections to the proposal, however have requested that conditions are added requiring a watching brief to be undertaken during construction. The suggested conditions concerning a construction management plan and electric vehicle recharging points are not considered reasonable or necessary for a minor development such as this.

Conclusion

89. It is considered that the proposed residential development of this urban site for one detached dwelling complies with local and national planning policy. It is considered that the proposed dwelling does contribute to good urban design and is compatible with the surrounding area in terms of scale, massing, grain, form and architecture. All aspects of the design have clearly been considered carefully as it responds well to the constraints on site. Sufficient interface distances between main room windows have been achieved and the design minimises the impact on surrounding properties. Members are therefore recommended to approve the application.

Representation and Consultation Annex

Representations

Letters: 11 letters have been received objecting to the proposal on the following grounds:

90. Loss of views to Rivington from neighbouring dwellings on Boardman Street (*Officer comment - not a material planning consideration, views are not afforded protection*).
91. Residents of 13 Boardman Street would lose on street parking space (*Officer comment - a designated parking space is to be provided for this property within the application site*).
- * The redline boundary includes part of the pavement (*Officer comment - this is to show the access*).
 - * Impact on the shared sewer serving neighbouring properties on Boardman St (*Officer comment - this is not material planning consideration for this scale of application. Any connection to the public sewer would be a matter between the applicant and United Utilities*).
 - * Undue impact on the windows in neighbouring properties on Boardman Street (*Officer comment - it is not considered that the proposal will have an undue impact on any main room windows at neighbouring properties on Boardman Street*).
 - * 1 ½ storey section will overshadow neighbouring gardens (*Officer comment - the proposed building is to the north of 13 Boardman Street and will not overshadow this neighbouring property*).
 - * Proposed dwelling will overshadow neighbouring properties on Chapel Street (*Officer comment - the proposed dwelling is to the east of 10 and 12 Chapel Street and would not cause undue overshadowing to these properties*).
 - * Proposed dwelling will overshadow neighbouring properties on Carlton Close (*Officer comment - the proposed dwelling is set well back from properties on Carlton Close and has been sensitively designed over two levels. In this regard it is considered it would not overshadow these properties*).
 - * Property does not respect the local context and is out of character with area (*Officer comment - it is accepted that the character of the property differs from its surroundings however it is considered that it is of good design and that it will complement the surrounding properties rather than detracting from them*).
 - * Glazed balcony out of keeping with surrounding properties (*Officer comment - the 6m section of glazed balcony is in keeping with the modern design of the house and is not a reason for refusal in itself*).
 - * Proposed dwelling is out of scale with surrounding properties (*Officer comment - bearing in mind the size of the plot and the low height of the proposed dwelling it is not considered that it would be out of scale with surrounding properties*).
 - * Overlooking to neighbouring properties on Carlton Close (*Officer comment - it is not considered that any neighbouring properties on Carlton Close will be unduly overlooked by the proposed dwelling*).
 - * No cross section has been provided to show overlooking to 14 Carlton Close (*Officer comment - cross sections have been provided for the nearest neighbouring properties 16 & 18 Carlton Close which is considered sufficient to allow the impact on properties on Carlton Close to be considered properly*).
 - * Extension at 14 Carlton Close not shown on plans (*Officer Comment - noted, however this extension will be well screened by the existing drop in levels and proposed new boundary treatment*).
 - * Existing boundary treatments should be retained to ensure privacy and security is not compromised (*Officer comment - full details of the boundary treatment will be required to be agreed by condition*).
 - * The balcony area would overlook properties on Carlton Close (*Officer comment - the balcony*

area on the first floor is quite narrow and well set back from the north elevation of the building. In this regard it is not considered that it will cause undue overlooking neighbouring properties on Carlton Close).

- * The balcony area would overlook properties on Chapel St and Boardman Street (*Officer comment – the balcony area on the first floor is quite narrow and well set back from the north elevation of the building. It is also screened on both sides. In this regard it is not considered that it will overlook neighbouring properties on Chapel St or Boardman St).*
- * Undue impact on privacy from windows in side elevation of proposed dwelling (*Officer comment – a condition has been added requiring these windows to be fitted with obscured glass).*
- * Overshadowing to neighbouring polytunnels (*Officer comment – it is not considered that the proposed dwelling will cause undue overshadowing of neighbouring gardens as it will be set back from the polytunnel by 5m).*
- * Building too large for plot (*Officer comment – it is not considered that the proposed development for a 3-bedroom house 160sqm in size represents an overdevelopment of a 670sqm plot. An ample sized garden space is proposed for the house).*
- * Chapel Street is a narrow road and an additional dwelling this will create issues with parking / access for existing residents and emergency vehicles (*Officer comment – it is accepted that Chapel Street is a very narrow street however access is already afforded to vehicles at 11-13 Chapel Street. In this regard it is not considered that the provision of a further 2 off street parking spaces would exacerbate the parking situation on Chapel Street).*
- * Disruption to residents of Chapel Street caused by construction traffic (*Officer Comment – as it is inevitable that there will be some disruption to neighbouring residents during the construction period it is considered that this concern should only carry limited planning weight).*
- * Undue impact on the visual amenity of neighbouring properties (*Officer comment – it is considered that the proposed dwelling is of good design and will not have an undue impact on the visual amenity of neighbouring properties).*
- * Chapel St requires resurfacing / the development will exacerbate this (*Officer comment – it is not considered that one additional dwelling would exacerbate the existing condition of the road. Any requirements for repair would be a matter for the Local Highways Authority).*
- * Impact on privacy of properties on Chapel St (*Officer Comment – it is not considered that the proposed dwelling would have an undue impact on properties on Chapel St).*
- * Increase traffic noise (*Office comment – the increase in traffic noise caused by the proposed dwelling would be negligible).*
- * Proposed dwelling would result in the loss of garden (*Officer comment – it is accepted that the proposed dwelling would result in the loss of what was previously residential garden however this in itself is not a reason for refusal).*
- * The proposal is contrary to the NPPF (*Officer comment – it is not considered that the proposal is contrary to the NPPF).*
- * Site is liable to subsidence (*Officer comment – the site is not within the high risk coal area. Any concerns regarding subsidence would therefore be a Building Regulations matter).*
- * Drainage issues (*Officer comment – the proposed dwelling would connect to the existing drainage network and therefore would be a matter for United Utilities).*

Blackrod Town Council: Blackrod Town Council, at their meeting of 6th July 2020, voted to object to this application. The reasons for the objection were given as follows:

Councillors voted to wholeheartedly object to the planning application. Objections included the site becoming over congested. The design is not in keeping with current buildings on the street and would be entirely out of character with surroundings; the access on to the street is too small (via Chapel Street) and the application to include a balcony and open patio aspect will impact greatly on neighbouring properties and surrounding streets. The loss of existing views from neighbours' properties would have an adverse effect on the residential community, together with a loss of light to

some buildings. The application for the development is within two gardens, which have been sold and in close proximity to 19th century buildings and would surely conflict with inappropriate development of existing residential gardens. The application site is also at a different level to other surrounding areas. The Town Council recommend a site visit as a must in order for planning officers to understand the depth to which this application would cause adverse effects to neighbouring properties.

Officer comment – these issues are addressed within the report.

Elected Members:- Councillor Wright has requested that the application be decided by Planning Committee and has objected to the application on the following grounds:

I would like to request that this Planning application: 08483/20 be moved up to full Planning. By way of reason it is inappropriate development in a very small street/space and access may be difficult as well as it having a greater impact on the privacy of neighbours on nearby Carlton Close and not in keeping with street scenes or many aspects of the Blackrod Neighbourhood Plan. When 13 Boardman Street previously came to Bolton Council as an 'Online Application' it was agreed that a Site Visit is needed before any future decision is to be made concerning this site. I would like to remind Planning Control of this a site visit is essential. With the onset of Covid-19 I feel that this can safely be achieved by a small group using social distancing or by one person.

Officer comment – Cllr Wright's concern have been given careful consideration by officers. Organised site visits for Planning Committee are not currently being undertaken therefore Members are advised that they should acquaint themselves with the site themselves.

Consultations

Advice was sought from the following consultees: The Council's Highways Engineers, Environmental Health, Tree officer, Economic Strategy, Strategic Development Management, Drainage and Design for Security GM Police.

There have been no objections from any of the consultees.

Planning History

07046/19 - Outline application for the erection of 1no. residential detached dwelling (all matters reserved) – Approved at Planning Committee in January 2020. *This was for the eastern part of the current application site.*

07758/20 - Application for permission in principle for the erection of one dwelling – Approved under delegated powers March 2020. *This was for the western part of the current application site.*

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples or full details of materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The approved materials shall be implemented in full thereafter.

Reason

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

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

Reason

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

4. Notwithstanding the submitted details, upon first installation of the 2.no. full height vertical windows in the side elevation of the dwellinghouse hereby approved, facing No.15 Boardman Street, shall be either non opening or with openings more than 1.7 metres above the finished floor level and fitted with obscure glazing whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely) of the Pilkington Glass scale (or equivalent) and shall be permanently retained in that condition thereafter.

Reason:

To protect the privacy, outlook and living conditions of neighbouring occupiers and in order to comply with 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 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 in order to comply with Core Strategy policies CG1 and CG3.

6. Prior to the development being first occupied or brought into use, details of the treatment to all boundaries to the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of the dwelling, unless otherwise agreed in writing with the Local Planning Authority and retained thereafter.

Reason:

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

7. Before the approved/permitted development is first brought into use the car parking space for 13 Boardman Street shall be provided within the curtilage of the site in accordance the approved plan "Proposed Floors, Site & Site Sections" - Drwg. No. A1Sh2 - Rev B - dated 23.07.20. The parking space shall be made available for the parking of a vehicle for neighbouring property 13 Boardman Street at all times.

Reason:

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

8. A Watching Brief for the development should be undertaken by a suitably qualified person. Prior to first occupation of the dwelling hereby approved a Verification / Completion Report detailing the objectives and findings of the Watching Brief and appropriate recommendations, where necessary, shall be submitted to and approved in writing by Local Planning Authority.

Reason

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

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

Reason

To safeguard the character and appearance of the dwelling and to safeguard the amenity of neighbouring dwellings, and to comply with policies CG3 and CG4 of Bolton's Core Strategy.

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

Proposed Floors, Site & Site Sections - Drwg. No. A1Sh2 - Rev B - dated 23.07.20
Proposed Elevations and Perspectives - Drwg. No. A1Sh3 - Rev B - dated 25.07.20

Reason:

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



Existing boundary
wall to Manchester
Road modified to
suit new
development

Perimeter of site to
receive new 2.1m
high close boarded
timber fence

New vehicular
access formed to
site

WESTER R

General Notes
01. Dimensions must not be scaled from this drawing. If in doubt, please ask.
02. All dimensions should be verified on site before proceeding with the work.
03. All dimensions shall be verified in writing of any discrepancies.
04. © 2015, All rights reserved.

Schedule of Accommodation

- 5no. 2B3P flats at 57qm each
- 19no. 1B2P flats at 45sqm each

TOTAL - 24 units

Issue	Description	Date	Drawn	Checked
P1	Issued for comment	31.01.20	MM	BB
P2	Additional notes added	10.02.20	MM	BB
P3	Asymmetry revised	12.02.20	MM	BB
P4	Dimensions added	16.02.20	MM	BB
P5	Levels added	05.03.20	MM	BB
P6	Trees amended	14.05.20	MM	BB
P7	Landscape redrafted	19.07.20	MM	BB

Drawing Status
P - Planning | T - Tender | C - Construction | R - As Record

For Planning

tadw architects

Site: 25, Riverside, Stoughton, Cheshire, SK7 1HD
P: 0161 477 9136 F: 0161 480 5432 email@tadw.co.uk www.tadw.co.uk

Client Watson Homes Ltd

Job Kearsley Social Club

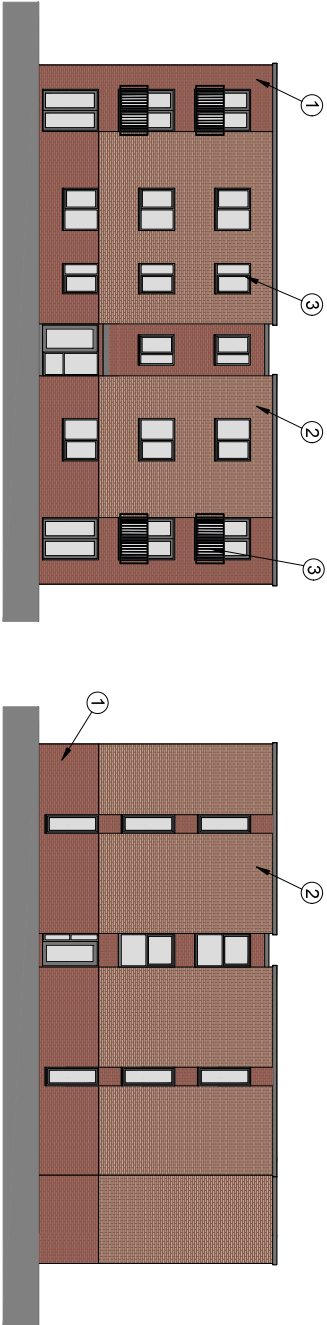
Title Proposed Site Plan

Scale 1:100 @ A1

Job Number 021287

Drawing Number 11

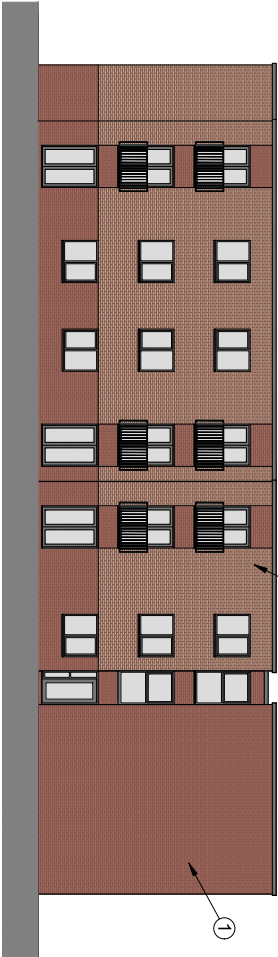
Issue P7



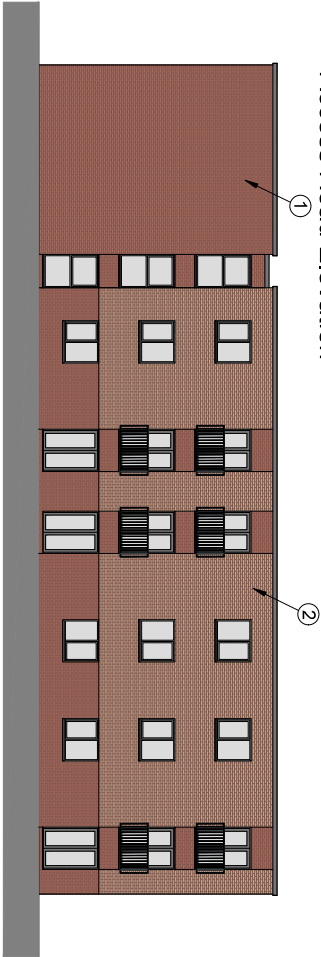
Entrance Elevation

Car Park Elevation

01
13
Proposed Apartment Elevations
Scale 1:100 @ A1

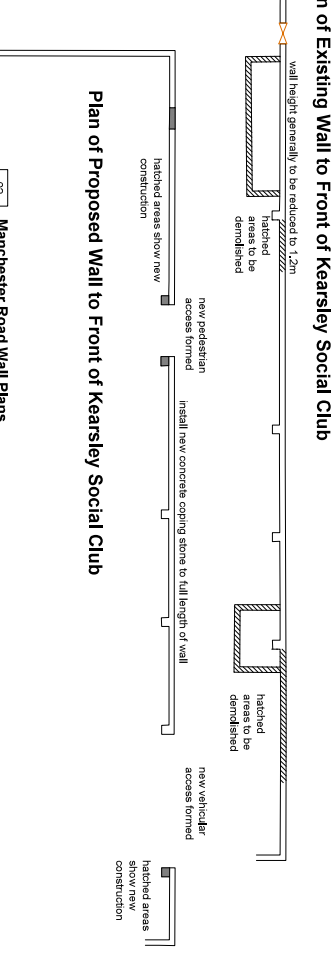


Access Road Elevation

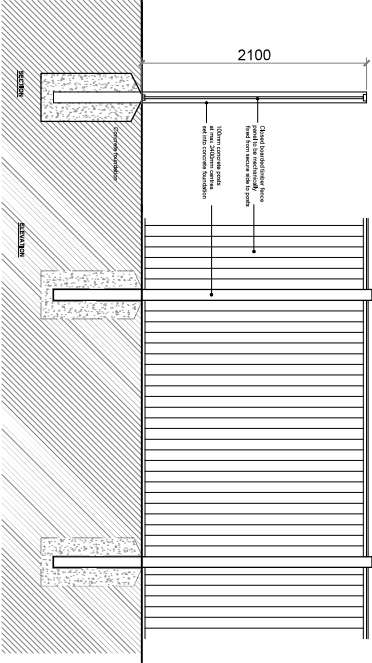


Amenity Space Elevation

03
13
Perimeter Fence
Scale 1:25 @ A1



Plan of Existing Wall to Front of Kearsley Social Club



2.1M HIGH CLOSE BOARDED TIMBER FENCE

General Notes
01. Dimensions must not be scaled from this drawing. If in doubt, please ask.
02. All dimensions should be verified on site before proceeding with the work.
03. All dimensions shall be rounded in writing of any discrepancies.
04. © TADW Architects Ltd 2015

Legend

Schedule of Materials

1. Rannoch Red Multi brick by Forterra
2. Laggan Mixture brick by Forterra
3. Grey upvc double glazing
4. Painted metal balustrade

Issue	Description	Date	Drawn	Checked
P0	Elevations revised to suit new layout	14.07.20	MH	BB
P5	Drawing number corrected	10.7.20	MH	BB
P4	Boundary details added	17.03.20	MH	BB
P3	Redesigned	12.02.20	MH	BB
P2	Entrance revised	11.02.20	MH	BB
P1	Issued for comment	4.02.20	MH	BB

Drawing Status
P - Planning | T - Tender | C - Construction | R - As Record

For Planning

tadw architects

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Client: **Watson Homes Ltd**

Job: **Kearsley Social Club**

Title: **Proposed Apartment Elevations**

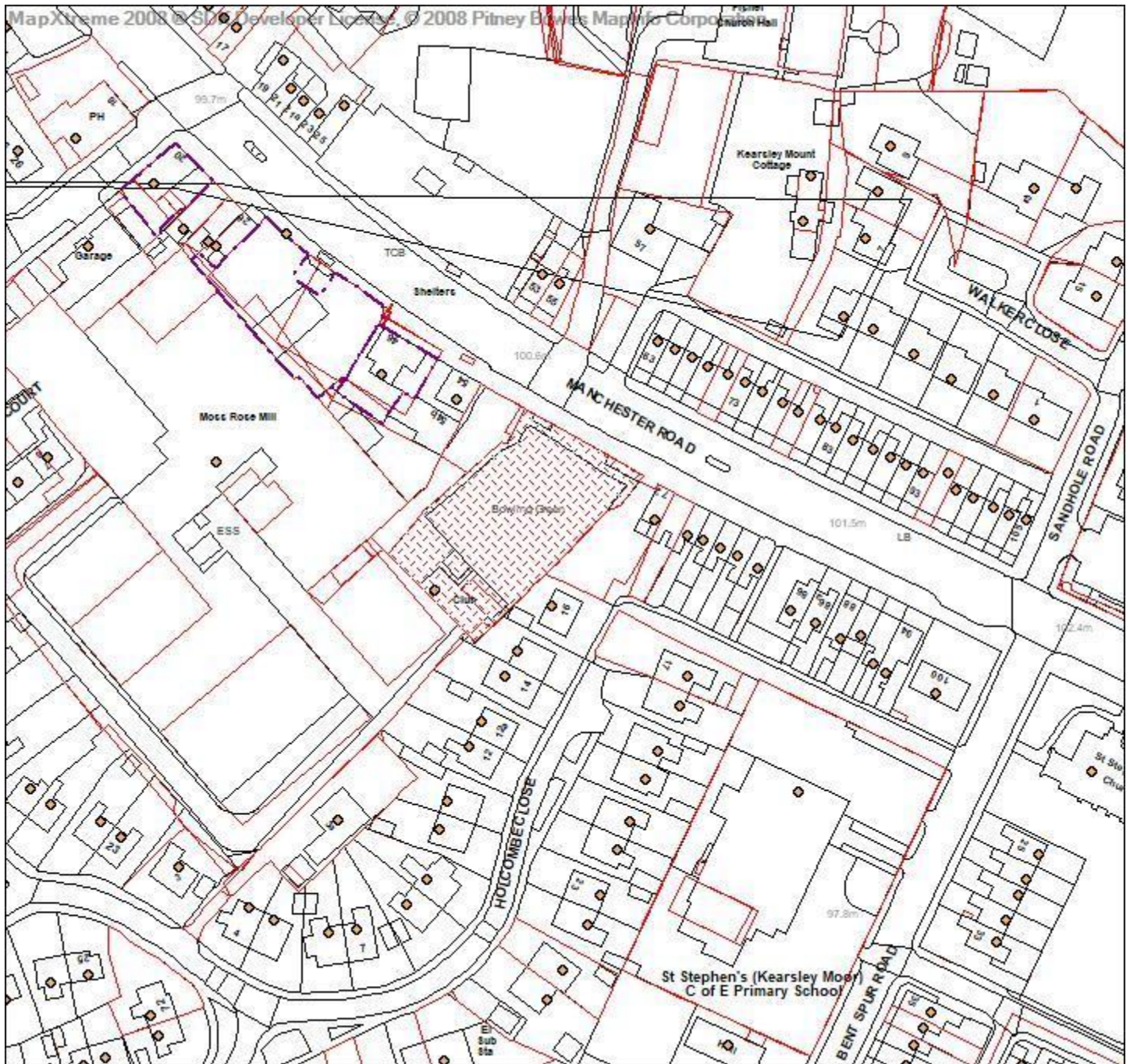
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Note - Prints from PDF files may refer to scale, check accuracy against scale

Job Number	Drawing Number	Issue
021287	13	P6



Application number 07844/20



Directorate of Place
Development Management Section

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

Bolton Council

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Date of Meeting: 06/08/2020

Application Reference: 07844/20

Type of Application: Full Planning Application
Registration Date: 02/03/2020
Decision Due By: 31/05/2020
Responsible Officer: Helen Williams

Location: 58 MANCHESTER ROAD, KEARSLEY, BOLTON, BL4 8NZ

Proposal: DEMOLITION OF SOCIAL CLUB AND ERECTION OF 24 SELF-CONTAINED FLATS WITH ASSOCIATED ACCESS AND PARKING.

Ward: Kearsley

Applicant: Watson Homes Ltd
Agent : TADW Ltd

Officers Report

Recommendation: Approve the application subject to conditions and authorise the Director of Place and Borough Solicitor to complete all the necessary legal formalities in consultation with the Chair of Planning Committee.

Executive summary

- * This application was deferred at the Committee meeting of 9th July 2020 for amendments to be made. The amendments made by the applicant are reported in the Background section of this report (paras. 2-6).
- * The application site is allocated for housing within the Council's development plan (Allocations Plan), as part of a wider Housing Allocation that also encompasses Moss Rose Mill (allocation reference 4SC - Moss Rose Mill). The principle of residential development on the site has already been established (back in December 2014 when the Allocations Plan was adopted) (see paras. 23-33).
- * This application is before Committee at the request of Cllr. Cunningham and as over five objections have been received. A summary of the concerns raised can be found within the Representation and Consultation Annex of this report.
- * The proposed one and two bed apartments would be accommodated within a three storey, flat roof building fronting Manchester Road.
- * A new vehicular access off Manchester Road is proposed to serve the development.
- * Bolton at Home (a Registered Provider/Housing Association) will be delivering all the apartments for social rent. The proposed development would therefore be 100% affordable.
- * Bolton at Home have confirmed that there is currently a significant demand for the types of properties proposed within this development (apartments for affordable rent) (see para. 30).
- * The former bowling green on the site has not been used as a playing field for over 5 years and is therefore not afforded protection as such. The application site is instead allocated as a housing

site. No formal objections were received during the adoption process of the Allocations Plan and Sport England did not raise an objection to the allocation of the site (see paras. 34-40).

- * The scale, height, layout and design of the proposed development is considered to be compatible with the character and appearance of the area for the reasons discussed within paragraphs 41-49 of this report.
- * Officers have found that there will be some harm to the outlook of the residents of 16 Holcombe Close owing to the scale and siting of the apartment building, but it is not considered that their overall amenity would be unduly harmed given that there would be no direct overlooking or undue loss of light. The amended plans now before Members have also helped to improved this relationship (see paras. 54-58).
- * Given the potential noise impact on future residents from existing surrounding commercial uses, a noise assessment has been submitted in support of the proposal. This concludes that the noise impact on future residents would be acceptable, subject to a condition requiring the implementation of the recommended sound attenuation to the apartments (see para. 60).
- * The size of the five proposed two bed apartments falls slightly short of the nationally described space standards and it is recognised that the amount of usable communal open space for future residents is limited. It is however considered, given the highly sustainable location of the development and as Bolton at Home find the room sizes to be acceptable for their requirements, that the proposed development would not unduly harm the amenity of future residents (see paras. 61-63).
- * A Transport Statement has been submitted in support of the proposal. The Council's Highways Engineers have raised no objection to the proposed location of the access or the amount of on-site parking, and find that the proposed development would have limited impact on the operational capacity of the surrounding highway network and minimal road safety implications (see paras. 65-71).
- * A number of trees within the site are to be lost to accommodate the proposed development, however these (with the exception of a Category B Ash tree) have been found to be Category C trees and therefore of low value. The trees of most amenity value (Category B trees) are off-site and these are not proposed to be removed. Additional tree and shrub planting is proposed within the development and this is considered to sufficiently mitigate for the loss of the existing trees and hedges. The Council's Tree Officers have raised no objection (see paras. 74-77).
- * Members are recommended to delegate the decision to the Director, to secure the Unilateral Undertaking for the public open space contribution (as requested by Members at the 9th July Committee meeting).

Background

1. This application was deferred at the Planning Committee meeting of 9th July as Members sought the following amendments:
 - * Increasing the internal space of the apartments, so that they at least meet the national described space standards.
 - * Increasing the size of the outside amenity area.
 - * Improving the building's relationship with 16 Holcombe Close, by moving it further away.
2. The applicant has amended their proposal by re-designing the south western corner of the apartment building (by re-orientating the flats within that part of the building) so that the building is now sited further north and further away from the neighbouring property at 16 Holcombe Close. The southern corner of the apartment building would now be approximately 13.3 metres away from the northern corner of 16 Holcombe Close, rather than the originally proposed (approx.) 11.2 metres away. Officers had advised Members that, whilst the original plans would result in some harm to the outlook of the residents at 16 Holcombe Close, it was

considered that their overall amenity would not be unduly harmed as there would not be any direct overlooking between the properties or any undue loss of light. The proposed amendments have improved the proposed relationship between the proposed apartment building and the bungalow at 16 Holcombe Close.

3. The size of the five proposed two bed apartments (which are 3 sq. metres below the nationally described space standard (DCLG 2015) have not been amended by the applicant. The applicant reiterates that Bolton Council does not have a local policy or policy guidance on minimum space standards and therefore the nationally described standards are not mandatory. They also confirm that they have built other affordable properties in the Borough of a similar size. The applicant contends that it would not be viable for them to increase the size of the apartments as this would result in fewer apartments being proposed within the scheme.
4. Bolton at Home have also confirmed that they require the number of apartments being proposed within the scheme and also "need" apartments of these proposed sizes. They again comment that apartments at 90-93% of the national space standards are acceptable to them and that Homes England will provide funding for apartments that are anything over 85% of the national space standards.
5. Officers would advise Members that whilst the described national space standards are a material consideration, only some planning weight can be afforded to these as they do not form part of the Council's development plan policies. Officers consider that the amenity of future residents of the development would not be unduly harmed, for the reasons discussed within this report.
6. As the scale of the building is not being reduced, the amount of outside amenity space is not proposed to be increased. For the reasons discussed within this report, Officers do not consider that the amount of amenity space being proposed would be so harmful as to result in a refusal of permission. The applicant however is now proposing to contribute £3,000 towards public open/play space in the Kearsley area, which would help to improve facilities for local residents and the future residents of the proposed development. This contribution is to be secured through a Unilateral Undertaking (as legal agreement).
7. Although not a planning consideration for this development, Bolton at Home have clarified that they will be operating a Local Lettings Policy (LLP) for the apartment development. They have explained that all LLPs contain the requirement of a Local Connection, whether this being via current accommodation arrangements, work or caring requirements. They would not usually apply a 100% criteria to Local Connection, as they need also to take into account broader demand, such as they might struggle to allocate from within an identified / restrictive catchment area versus number of properties available. However, Bolton at Home could look at this as they develop the LLP for the proposed development and they will, as always, be developing the LLP with the Local Authority.

Proposal

8. Permission is sought for the demolition of the single storey, Kearsley Social Club clubhouse building followed by the erection of a three storey, flat roofed building comprising 24 apartments. 5 of the apartments are to be two-bedroom apartments and 19 are to be one-bedroom.
9. The apartment building is proposed to be sited on the part of the site currently occupied by the former bowling green, with its principal elevation parallel to and fronting Manchester Road. The building is to be constructed in two tones of red brick (to help break up the massing of the block) and would have Juliet balconies to the living room areas at first and second floor.

10. Access into the development is proposed solely from a new vehicular access off Manchester Road, at the north eastern corner of the site, adjacent 72 Manchester Road.
11. A car park comprising 21 parking spaces is proposed at the rear (south) of the site, where the clubhouse building currently stands. The main outdoor amenity space for the apartments is proposed to the west of the site and there is additional amenity space proposed to the east of the building.
12. Bolton at Home (a Registered Provider/Housing Association) will be delivering all the apartments for social rent. The proposed development would therefore be 100% affordable.

Site Characteristics

13. The application site measures 0.16 hectares and comprises the clubhouse building and former bowling green to Kearsley Social Club.
14. The white painted, single storey clubhouse building is sited along the south western boundary of the site (back of the site when viewed from Manchester Road). To the west of the clubhouse, at the western corner of the site, is small car park, which is accessed off Manchester Road by a shared private access road by the side of 54 Manchester Road. The access road is not included within the application site. The majority of the application site comprises the former bowling green, which has most recently been used as a recreational lawn (with wooden tables and benches) in association with the social club.
15. The site is level. Off-site trees border the south western (behind the clubhouse) and south eastern boundaries of the site. A low wall forms the northern boundary of the site; this wall is sited to the back of the pavement on Manchester Road. There is pedestrian access into the site, through a gap in the wall, at the northern corner of the site. A street tree (an Ash) is located within the pavement to the front of the site. A concrete boarded fence forms the north western boundary with the private access road.
16. Manchester Road (A666), to the north of the application site, is a main classified road. This stretch of Manchester Road mainly comprises residential properties, but there are numerous commercial properties, including "Airflow Measurements" at no. 72, "Clifton Autos" at no. 54 and a restaurant ("Shabna Tandoori") at no. 46.
17. To the south of the application site are residential bungalows on Holcombe Close. To the south east and east is the large commercial complex of Moss Rose Mills.
18. The application site is considered to be partly previously developed land (brownfield), where the clubhouse and car park are located, and partly greenfield (not previously developed) where the former bowling green is. The whole of the application site is however allocated for housing within the Council's development plan (Allocations Plan), as part of a wider Housing Allocation that also encompasses Moss Rose Mill (allocation reference 4SC - Moss Rose Mill).

Policy

19. The Development Plan

- * Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1 Cleaner and Greener Bolton; CG2 Sustainable Design and Construction; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA6 Little Lever and Kearsley; IPC1 Infrastructure and Planning Contributions.

- * Allocations Plan: Appendix 4 Allocated Housing Land

20. Other material considerations

- * National Planning Policy Framework (NPPF): 2 Achieving sustainable development; 4 Decision-making; 5 Delivering a sufficient supply of homes; 8 Promoting healthy and safe communities; 9 Promoting sustainable transport; 11 Making effective use of land; 12 Achieving well-designed places; 14 Meeting the challenge of climate change, flooding and coastal change; 15 Conserving and enhancing the natural environment.
- * Supplementary Planning Documents (SPDs): Affordable Housing; General Design Principles; Accessibility, Transport and Road Safety.
- * Bolton's Allocations Plan, Inspector's Report September 2014
- * Emerging Greater Manchester Spatial Framework

Analysis

21. 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.

22. The main impacts of the proposal are:-

- * principle of residential development on the application site
- * loss of the former bowling green
- * impact on the character and appearance of the area
- * impact on the amenity of neighbouring and future residents
- * impact on the highway
- * impact on biodiversity
- * impact on flood risk

Principle of Residential Development on the Application Site

23. The application site is allocated for housing within the Council's development plan (Allocations Plan), as part of a wider Housing Allocation that also encompasses Moss Rose Mill (allocation reference 4SC - Moss Rose Mill).

24. Bolton's Allocations Plan was adopted in December 2014. No formal objections were received at this time regarding the proposed allocation of the application site for housing. Sport England was consulted on all sites proposed within the Allocations Plan, but, whilst raising objection to other proposed site allocations, did not object to the inclusion of the application site for development.

25. Policy OA6.3 of Bolton's Core Strategy states that the Council will concentrate sites for new housing within the existing urban area.

26. Paragraph 59 of the NPPF states to support the Government's objective of significantly boosting

the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Paragraph 117 states that planning policies and decisions should promote an effective use of land in meeting the needs for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or "brownfield" land.

27. As stated above, Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with policies in the development plan, unless material considerations indicate otherwise. The Allocations Plan along with the Core Strategy and Greater Manchester Joint Mineral and Waste Plans form Bolton's development plan. As dwellings are being proposed on a site allocated for housing there is no conflict with the development plan in this respect. The principle of housing on the application site has indeed already been established by the site being allocated for housing.
28. The proposed development would also provide housing on a site within the existing urban area of Kearsley, compliant with Policy OA6.3 of the Core Strategy.
29. Notwithstanding the housing allocation, the application site is considered to be in a highly sustainable location, being located on a main thoroughfare (A666) between Bolton and Manchester, being within walking distance of local amenities (including shops, restaurants/cafes, public houses, and Kearsley Park) primary schools and a secondary school. There bus stops on both sides of Manchester Road, within less than 100 metres from the proposed development, and Kearsley Railway Station is approximately a 15 minute walk away.
30. Bolton at Home (a Registered Provider/Housing Association) will be delivering all the dwellings as affordable units. Bolton at Home have confirmed that there is a significant shortfall of suitable affordable properties in the Kearsley/Stoneclough area, and for the types of properties proposed within this development (apartments for affordable rent) there is currently both low turnover and significant demand. Over the period of July 2018 and November 2019, out of the total stock of 169 1 bed and 50 2 bed flats, there were only 17 properties that became available for re-let, of which 13 were 1 bed flats and four were 2 bed flats. Four of these were management moves and for the remaining properties the average expressions of interest for 1 bed flats were 75 and 25 for the 3 bed flats.
31. The proposed development would help to boost the supply of housing in the borough, and this would be in an area where there is a recognised need for the types of houses being proposed.
32. The principle of housing on the application site is therefore fully compliant with Bolton Council's development plan policies.
33. In accordance with planning law, this planning application should therefore be approved unless other material considerations indicate otherwise. These considerations are now considered below within this analysis.

Loss of the Former Bowling Green

34. Policy CG1.3 of the Core Strategy states that the Council will safeguard and enhance parks, gardens, allotments, civic spaces, cemeteries and playing fields and improve the quality and multi-functional benefits of these assets.

35. Paragraph 97 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
36. The application site comprises of a lawned area that was previously used as a bowling green. The definition of a "playing field" within the Town and Country Planning (Development Management Procedure) (England) Order 2015 is i) land that has been used as a playing field at any time in the 5 years before the making of the planning application and which remains undeveloped, or ii) land that has been allocated for use as a playing field in a development plan or in proposals for such a plan.
37. The applicant has confirmed that it has been over 10 years since the grassed area of the application site has been used for bowling and it is now intermittently used as a beer garden in association with the social club. This is evidenced by the wooden table and benches on the site and by aerial photographs dating back to 2011, which clearly show the lawn occupied by these tables and chairs. It is not the owner's intention to ever bring the site back into use as a playing pitch and the applicant has cited that it would be too costly for them to do so. As the bowling green has not been used as a playing field/pitch at any time in the last 5 years, it is considered that the site no longer comprises a playing field.
38. The bowling green was also not referenced within the Council's 2014 Playing Pitch Strategy (though it was in the 2007 Open Space Assessment), which suggests that it stopped being used between 2007 and 2014.
39. The site is also not allocated as recreational space within the Council's development plan.
40. The application site is instead allocated as a housing site within the Council's development plan (Allocations Plan). No formal objections were received during the adoption process of the Allocations Plan and Sport England did not raise an objection, despite formally objecting to the loss of other proposed sites within the Borough at that time. As the Allocations Plan was adopted in December 2014, this supports the applicant's claim that the land has not been used as a playing pitch for over 10 years.

Impact on the Character and Appearance of the Area

41. 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 OA6 refers specifically to developments in Little Lever and Kearsley, and states [among other things] that the Council will conserve and enhance the character of the existing physical environment and will respect and enhance the built form and pattern of existing development.
42. The three storey, flat roof apartment building, comprising 24 apartments, is proposed to be sited on the part of the site currently occupied by the former bowling green. The principal elevation of the building (containing its entrance) would sit parallel to and front Manchester Road. The siting of the building is therefore considered to respect the established building line of this stretch of Manchester Road, where buildings follow a linear pattern of development on both sides of

Manchester Road.

43. The height of the building, whilst a storey taller than the buildings it would immediately neighbour on Manchester Road and two storeys taller than the bungalows on Holcombe Close, is considered to be appropriate for the site given the presence of taller buildings in the vicinity (for example at Chestnut Court, Kearsley Mount Methodist Church and St. Stephen's Church) and as the apartment building would be viewed as a separate entity within the street scene and from neighbouring properties as it is of a different design, scale and tenure than the neighbouring buildings. The proposed flat roof to the building helps to reduce the overall height of the building.
44. It is noted that the proposed apartment building is rather simplistic and uninspiring in its design, however the proposed use of two tones of red brick and Juliet balconies at first and second floor levels help to break up the overall mass of the building and add some visual interest. Red brick is the predominant material used for buildings in the area and therefore the proposed material are considered to be acceptable.
45. The majority of the existing wall along the Manchester Road frontage of the site is to be retained, where it is not to be breached by the new vehicular access or the newly proposed pedestrian access (to the entrance of the apartment building). The taller part of the existing wall (at the northern corner of the site) is to be reduced to 1.2 metre (the same height as the rest of the wall) and new coping stones are to be installed along the full length of the wall. It is considered that the retention of this wall respects the existing character of the street scene of Manchester Road.
46. The other boundaries to the site are to be enclosed by 2.1 metre high close boarded timber fencing, which is considered to be a suitable boundary treatment for a domestic development and more attractive than the existing concrete panel fencing along north western boundary of the site.
47. The proposed development would involve the loss of a number of (generally poorly formed) trees along the eastern boundary, an Ash tree at the northern corner of the site, a Cypress hedge to the front/side of the clubhouse building and a group of Cypress trees at the western corner of the site (the rear boundary of the existing car park). The condition of these trees is discussed later in this analysis. The taller, more prominent trees when viewed in context with the site (and those having the most amenity value - Category B trees) are off-site and are not proposed to be removed.
48. A proposed landscape scheme has been submitted with the application, which proposes new tree, shrub and hedgerow planting along the north western and south eastern boundaries of the site, as well as around the communal garden areas. This scheme is considered to sufficiently mitigate for the loss of the existing trees and hedges within the site and will help soften the appearance of the building when viewed from the north and west.
49. For these reasons, it is considered that the scale, height, layout and design of the proposed development has regard to the overall existing built form of the area and would not be detrimental to the character and appearance of the area, compliant with Policies CG3 and OA6 of Bolton's Core Strategy.

Impact on the Amenity of Neighbouring and Future Residents

50. 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. SPD General Design Principles sets out the Council's recommended interface distances between dwellings.

Neighbouring residents

51. The proposed use of the application site for residential purposes (apartments) is considered to be a compatible use with the residential properties that neighbour the site.
52. The proposed apartment building would be approximately 24.5 metres away from the existing houses on the other side of Manchester Road. This meets the Council's recommended minimum interface distance of 24 metres between two storey and three storey dwellings (as prescribed within SPD General Design Principles).
53. The properties on Manchester Road on both sides of the application site are in commercial use.
54. The nearest neighbouring dwelling to the proposed building is the detached bungalow at 16 Holcombe Close. This property sits approximately 1.7 metres lower than the ground level of the application site and will be approximately 2.2 metres lower than the finished floor level of the proposed apartment building. The southern corner of the apartment building would be approximately 13.3 metres away from the northern corner of 16 Holcombe Close (the submitted amended plans have increased this distance from approximately 11.2 metres).
55. Officers recognise that there would be some harm to the outlook for the residents of 16 Holcombe Close given the proximity of the proposed apartment building to their bungalow (though this proposed relationship has been improved with the amended plans), and as these neighbouring residents are used to viewing an open lawn where the building is now proposed.
56. 16 Holcombe Close will however not directly overlook the proposed apartment building, with the rear elevation of the apartment building being set further north than the northern side elevation of 16 Holcombe Close. There will also be no windows or Juliet balconies that would directly overlook the dwelling at 16 Holcombe Close or its rear garden. Whilst the distance between the corner of the proposed apartment building and bungalow at no.16 is relatively short, it is not considered (also taking into account the 2.2 metre level difference) that this relationship would unduly harm the privacy of the neighbours at 16 Holcombe Close given the proposed location of the windows on the apartment building, and noting that residents would be unable to sit out on the Juliet balconies. Also, as the apartment building would be sited to the north of the bungalow, it is not considered that its proposed siting and height would unduly affect the sunlight the neighbouring property currently receives.
57. A 2.1 metre high close boarded fence is proposed to be erected along the north western, south western and south eastern perimeters of the development. This would prevent any overlooking between users of the access road and car park and residents of 16 Holcombe Close.
58. Whilst there will be some harm to the outlook of the residents of 16 Holcombe Close, it is not considered that their overall amenity would be unduly harmed given that there would be no direct overlooking or undue loss of light.
59. A condition requiring details of any external lighting scheme for the development to be approved by the local planning authority, prior to installation, is suggested, to ensure neighbouring residents are not unduly affected by light pollution.

Future residents

60. A noise assessment (residential acoustic survey) has been submitted in support of the proposal, given the potential noise impact on future residents from existing surrounding noise sources. The application site is neighboured to the north by the A666 (Manchester Road), to the west and south by industrial buildings that form Moss Rose Mill, and to the west by a MOT garage. The submitted assessment concludes that the noise impact on future residents would be acceptable, subject to the installation of double glazed windows to all habitable windows and heat recovery systems for ventilation, as an alternative to opening windows. The Council's Pollution Control Officers have reviewed this assessment and agree with its findings. A condition requiring the implementation of the recommended sound attenuation to the apartments is therefore to be imposed on any approval.
61. The five proposed two bed apartments fall below the nationally described space standards (DCLG 2015), being 57 sq. metres rather than the recommended 60 sq. metres (therefore 3 sq. metres short of the national standard). The proposed one bed apartments meet the national standards should they be let to one person, but would be 5 sq. metres short if let to two people. Bolton Council however does not have a local policy or policy guidance on minimum space standards, therefore the national space standards are not mandatory. Bolton at Home, the Registered Social Landlord that will be delivering the apartments, have confirmed that the sizes of the proposed apartments are acceptable and that they comply with Homes England funding criteria.
62. SPD General Design Principles advises that apartment schemes should provide 18 sq. metres of communal amenity space for each flat. For this development that would be 432 sq. metres. Officers calculate that the proposed development only achieves around half of this recommended amenity space, and this is spread out around the apartment building (that is, not just one dedicated communal area). The development would however only be within 500 metres of Kearsley Park (which is about a 6 minute walk away), therefore the development be accessible to usable public open space.
63. A preliminary risk assessment for land contamination has been submitted with the application. This has been accepted by the Council's Pollution Control Officers. A standard condition relating to land remediation is therefore suggested.
64. Whilst some harm has been recognised in terms of the change in outlook to 16 Holcombe Close, the size of the proposed apartments and the limited amount of usable communal open space around the development, it is considered, for the reasons discussed above, that the proposed development would not unduly harm the amenity of neighbouring residents or future residents of the development, thereby complying with Policy CG4 of the Core Strategy.

Impact on the Highway

65. Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility by different types of transport, servicing arrangements and parking, in accordance with the parking standards sets out in appendix 3 of the Core Strategy. Policy S1.2 states that the Council will promote road safety in the design of new development.
66. Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
67. Vehicular access into the development is proposed solely off Manchester Road, at the north eastern corner of the site and adjacent 72 Manchester Road. This would be a new access into the site. The existing access into the site, a shared private road by the side of 54 Manchester

Road, would no longer be used and would be separated from the development by 2.1 metre high close boarded fencing. The Council's Highways Engineers have raised no objection to the location or dimensions of the proposed access.

68. A Transport Statement has been submitted with the application (although there was not a formal requirement for this given the number of dwellings proposed), which concludes that the level of traffic impact from the development would be minimal within the operational peak periods of the highway network. The Council's Highways Engineers consider that this level of traffic should have a limited impact on the operational capacity of the surrounding highway network and would have minimal road safety implications. It is therefore considered that the development would accord with paragraph 109 of the NPPF.
69. Highways Engineers have commented that the internal road within the development would remain as a private road, to be maintained at the landowner's expense. They state that the proposed layout appears sufficient to provide manoeuvrability into and within the site, and that the bin storage is proposed in a suitable location, close to the highway.
70. The proposed car park would comprise 21 parking spaces. The Council's car parking standards (set out in appendix 3 of the Core Strategy) requires a maximum of 29 spaces for such a development, however these are maximum standards, not minimum standards, and therefore there is not a conflict with policy. Furthermore, the submitted Transport Statement supports the number of spaces being proposed, highlighting that the site is highly accessible to sustainable modes of transport (there are bus stops less than 100 metres away on Manchester Road and Kearsley Railway Station is only approximately a 15 minute walk away). It is considered that is, along with the size of the apartments being proposed, justifies the number of parking spaces proposed. The Council's Highways Engineers also raise no objection to the number of parking spaces proposed.
71. It is considered, subject to a number of conditions recommended by the Council's Highways Engineers, that the proposed development would not jeopardise highway safety or have a harmful impact on the capacity of the local highway network, compliant with Policies P5 and S1.2 of Bolton's Core Strategy.

Impact on Biodiversity

72. 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, and improving the quality and interconnectivity of wildlife corridors and habitats.
73. An arboricultural impact assessment, a preliminary ecological appraisal and a bat emergence survey have been submitted with the application.
74. The proposed development would involve the loss of a number of trees along the eastern boundary, an Ash tree at the northern corner of the site, a Cypress hedge to the front/side of the clubhouse building and a group of Cypress trees at the western corner of the site (the rear boundary of the existing car park). These trees, along with the other trees on the site and those adjoining the site (to be retained), have been recorded and assessed within the submitted arboricultural impact assessment. The Ash tree is the only Category B tree that would be lost. The other trees and hedges would be Category C, therefore of low value. The Council's Tree Officers have reviewed the survey and has not disagreed with the categorisation. They have also not objected to the loss of the trees.

75. The trees of most amenity value (Category B trees) are off-site and these are not proposed to be removed.
76. Conditions are suggested to ensure that the retained trees are suitably protected by fencing during the construction period and that their root protection zones are not harmed by the construction of the access road, parking area and boundary fencing.
77. A proposed landscape scheme has been submitted with the application, which proposes new tree, shrub and hedgerow planting along the north western and south eastern boundaries of the site, as well as around the communal garden areas. This scheme is considered to sufficiently mitigate for the loss of the existing trees and hedges within the site.
78. Two bat emergence surveys have been carried out for the site and these show no evidence of emergence and only very limited level of bat activity. Greater Manchester Ecology Unit and the Council's Greenspace Officers have reviewed the surveys and agree with the conclusion of the surveys and ecological appraisal that bats are not utilising the clubhouse building as a roost and that no further surveys or measures relating to bats are required.
79. The proposed development would however incorporate nesting bricks for house sparrow and insect boxes within the fabric of the apartment building. These are to be secured via a planning condition.
80. It is therefore considered, subject to the suggested planning conditions, that the proposed development would safeguard and enhance biodiversity, compliant with Policy CG1.2 of the Core Strategy.

Impact on Flood Risk and Drainage

81. 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, concentration new development in areas of lowest flood risk. Policy CG2.2 states that the Council will ensure that all proposals for 5 or more residential units demonstrate the sustainable management of surface water run-off from developments. On brownfield sites the rate of run-off should be 50% less than conditions before the development. On greenfield sites the rate of run-off should be no worse than the original conditions before development.
82. The application site is located within Flood Zone 1 and therefore has a low risk of fluvial flooding.
83. It is proposed to that surface water from the site would be directed towards the existing public sewer network, the rates of which would need to be agreed with United Utilities. Flows in excess of this would be attenuated on site, with a cellular storage tank beneath the proposed car park.
84. The Council's Drainage Officers have raised no objection to the proposal, subject to the standard drainage condition.
85. It is therefore considered that the proposed development would comply with Policies CG1.5 and CG2.2 of the Core Strategy.

Other matters

Planning obligations

86. As the proposed development is for 100% affordable housing (provided by a Registered Social Landlord) there is no policy requirement for the applicant to contribute to any other infrastructure obligations. The applicant however is offering £3,000 towards public open/play space within the Kearsley area. This could be spent at Kearsley Park.

Sustainable development

87. Policy CG2 of the Core Strategy states that the Council will ensure that all development proposals contribute to the delivery of sustainable development being located and designed so as to mitigate any adverse effects of the development and adapt to climate change by incorporating high standards of sustainable design and construction principles.
88. The applicant has stated that it is their intention to take a fabric first approach to sustainable construction. This represents a greater than 10% improvement on Building Regulations.
89. The applicant has also stated that they will be providing electric vehicle changing points within the proposed car park. This is therefore proposed to be secured via a planning condition.

Coal mining legacy

90. The application site falls within the defined Development High Risk Area, therefore within the application site and surrounding area there may be coal mining features and hazards that need to be considered. A desk-based coal mining risk assessment has been submitted with the application, which has been reviewed by the Coal Authority. The Coal Authority has raised no objection to the proposed development, subject to a standard pre-commencement condition requiring an intrusive site investigation.

'Tilted balance' exercise

91. It is acknowledged that the Council is not able to demonstrate a 5-year supply of deliverable housing sites. This represents a housing shortfall. In this circumstance paragraph 11 of the NPPF indicates that the policies that are most important for determining the application should be regarded as out-of-date and that there is a 'tilted balance' in favour of granting permission. It is found in this case that there is no harm that would significantly and demonstrably outweigh the tilted balance in favour of granting permission.

Local finance considerations

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

93. New Homes Bonus for the 24 proposed dwellings – this is not a material planning consideration.

Conclusion

94. The application site is an allocated housing site within Bolton Council's development plan, and therefore the principle of residential development on the site has already been established (back in December 2014 when the Allocations Plan was adopted). Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with policies in the development plan, unless material considerations indicate otherwise.
95. The proposed development of 24 affordable apartments on an allocated housing site would help to boost the supply of housing in the borough, in an area where there is a recognised need for the types of apartments being proposed. It is considered, for the reasons discussed above, that the proposed development would be compatible with the character and appearance of the area, would not unduly harm the amenity of neighbouring or future residents, would not jeopardise

highway safety or harm the capacity of the local highway network, would safeguard biodiversity and would not lead to an increase risk of flooding, therefore complying with the Council's development plan policies in this respect.

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

Representation and Consultation Annex

Representations

Letters:- 7 letters of objection have been received, which raise the following concerns:

- * Increase in traffic and congestion;
- * Very difficult to exit onto Manchester Road as it is;
- * Lack of parking spaces for the apartments, leading to demand in parking elsewhere;
- * What are the safety measures for cars manoeuvring on site given the difference in levels between the site and 16 Holcombe Close? There are no safety measures or boundary treatment shown on the submitted plans (*Officer comment: a 2.1 metre high close boarded timber fence is proposed along the boundary with this neighbouring property. This is shown on the submitted plans. There are no proposed changes to the existing level of the site here*);
- * Loss of privacy to neighbours;
- * Overlooking into 16 Holcombe Close, particularly from the Juliet balconies;
- * Loss of light to neighbouring properties owing to the height of the proposed building;
- * Three storeys is out of character with the area; the building is too high in comparison with the neighbouring bungalows on Holcombe Close and there are significant level differences;
- * Concerns about the design of the building; The design is extremely poor;
- * The proposal is an overdevelopment of the site, with only some tokenistic amenity space proposed;
- * Lots of trees will be lost;
- * Traffic movements in association with the neighbouring business may lead to complaints from the future residents; their vehicle compound is adjacent the application site (*officer comment; a noise assessment has been submitted as part of the application, which considers the existing noise disturbances from neighbouring uses. This is further addressed within the analysis*);
- * Increase in noise and air pollution (*Officer comment: it is considered that the proposed residential development of the site is a compatible use with the surrounding residential uses, and should not give rise to a material increase in noise and pollution*);
- * Where will the bin store be? (*officer comment: the proposed site plan shows that the bin store is proposed against the north eastern corner of the apartment building, by the proposed access*);
- * Disturbance during the construction period (*officer comment: some disturbance during the construction period is inevitable, and therefore it is considered that only limited planning weight should be given to this concern. It is not considered that the type or scale of the development is significant enough to require the applicant to provide a construction management plan, and the Council's Pollution Control Officers have not recommended one be submitted*);
- * Kearsley has had its fair share of new build (*officer comment: there is a recognised shortfall of suitable affordable rent properties in Kearsley area. The proposed development would help towards meeting this*).

Points raised above without specific officer comment are considered to have been addressed within the analysis of this report.

One letter commenting on the proposal has also been received. This states that they are happy that a quieter use than the social club is being proposed and that the homes will be affordable, but would like the Council to provide a comparable area elsewhere for children to play (*Officer comment: there is no a policy requirement for an alternative play area to be provided if the application is approved*).

Elected Members:- Cllr. Cunningham has requested that the application be heard before Committee, and raises the following concerns on behalf of a neighbouring property:

- * There was a delay in this neighbour receiving a notification letter about the application (*Officer*

comment: all neighbour notification letters were sent to the 33 neighbouring properties on 2 March 2020, and a site notice was also posted on the site on 16 March 2020. Any delay therefore does not appear to be as a result of any action of the LPA. The letters of objection and comment summarised above were received within the statutory consultation period, therefore suggesting that these neighbouring properties received their letters without any undue delay);

- * The proposed entrance to the development would unfairly impinge upon and have a detrimental impact on their business premises, in relation to disruption, road safety hazards and public costs that would be incurred by the unnecessary creation of a new junction (*Officer comment: the Council's Highways Engineers have raised no objection to the proposed access. The developer would have to pay for the required highways works*).

Consultations

Advice was sought from the following consultees: Highways Engineers, Pollution Control Officers, Tree Officers, Landscape Officers, Greenspace Officers, Drainage Officers, Housing and Public Health Officers, Education Officers, Economic Strategy Officers, Strategic Development Unit, Greater Manchester Ecology Unit, Coal Authority, Greater Manchester Police, Primary Care NHS.

Planning History

A single storey front extension to form conservatory/toilets on part of the existing car park was approved in April 2001 (58655/01).

Application 47653/95 for the change of use, conversion and extension of the social club to form restaurant with manager's flat, construction of new vehicular access and layout out of car park was refused in October 1995.

Application 38255/91 for an extension to the front and side of the clubhouse to form entrance store and lounge with beer cellar under entrance and store was refused in March 1991.

Recommendation: **Approve the application subject to conditions and authorise the Director of Place and Borough Solicitor to complete all the necessary legal formalities in consultation with the Chair of Planning Committee.**

Recommended Conditions and/or Reasons

1. The development hereby permitted shall be begun before the expiration of two 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. **Contaminated land**

The development hereby approved shall be carried out in full accordance with the approved Preliminary Risk Assessment - ref. CL-602-LKC 19 1107-01; dated 7 March 19; by LK Consult.

- i. Prior to commencement of development (excluding any demolition or site clearance) a methodology shall be submitted to the local planning authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration. Provision of a comprehensive site investigation and risk assessment examining identified potential pollutant linkages in the Preliminary Risk Assessment should be submitted to and approved in writing by the local planning authority.

- ii. Where necessary, a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment shall be approved by the local planning authority prior to implementation.
- iii. Any further or unforeseen contamination encountered during development shall be notified to the local planning authority as soon as practicably possible and a remediation scheme to deal with this approved by the local planning authority.
- iv. Upon completion of any approved remediation schemes, and prior to first occupation, a completion report demonstrating that the scheme is suitable for its intended end use shall be submitted to and approved in writing by the local planning authority.

Reason

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

Reason for Pre-Commencement Condition: Any works on site could affect contamination which may be present and hinder the effective remediation of any contamination causing a risk to the health of future occupiers and harm to the environment, hence the initial investigation must be carried out prior to the commencement of any works on site.

3. **Intrusive site investigations (coal mining legacy)**

Prior to the commencement of development (excluding any demolition or site clearance) intrusive site investigations shall be carried out on the application site to establish the exact situation in respect of coal mining legacy features. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance. The findings of the intrusive site investigations shall be submitted to and approved in writing by the Local Planning Authority.

Where the findings of the intrusive site investigations identify that coal mining legacy on the application site poses a risk to surface stability, no development shall commence unless and until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to and approved in writing by the Local Planning Authority. The approved remedial works shall then be implemented in full accordance with the approved details and within the approved timescales.

Reason

To ensure the safety and stability of the development, and to comply with Policy CG4.3 of Bolton's Core Strategy.

Reason for pre-commencement condition: Adequate information pertaining to ground conditions and coal mining legacy is required prior to the commencement of any development to enable appropriate remedial and mitigatory measures to be identified and carried out before any building works commence on site.

4. **Surface water drainage**

Prior to the commencement of development (excluding any demolition or site clearance), full details of the proposed surface water drainage works shall be submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out to investigate the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system is to be provided, the submitted details shall:

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

The approved works shall be implemented in full prior to the occupation of the buildings hereby

approved and those works as approved shall be retained thereafter.

Reason

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

Reason for pre-commencement condition: The solution for surface water disposal must be understood prior to works commencing on site as it could affect how underground works are planned and carried out.

5. **Tree protection method statement**

Prior to the commencement of development of any works on site, including demolition, 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:

- * Demolition of the clubhouse building;
- * Formation of the car park;
- * Timetable of proposed construction work on site, to ensure that the formation of the access road is one of the final stages, to avoid impact on trees along the eastern boundary;
- * Location of gas and electricity services;
- * Installation of boundary fencing.

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

Reason

To ensure the safe development of the site and favourable retention of trees and in order to comply with Bolton's Core Strategy policies CG1 and CG3

Reason for Pre-Commencement Condition: Tree protection measures must be implemented prior to the commencement of works to protect the health and appearance of the tree(s) during the construction phase.

6. **Tree protection fencing**

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

1. The trees and hedgerows within or overhanging the site which are to be retained have been surrounded by fences of the type and in the location as shown within "Arboricultural Impact Assessment with Tree Protection Measures"; by Godwins Arboricultural Limited; received 18 Feb 2020 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).

Reason

To protect the health and appearance of the tree(s) and in order to comply with Bolton's Core Strategy policies CG1 and CG3.

Reason for Pre-Commencement Condition: Tree protection measures must be implemented prior to the commencement of works to protect the health and appearance of the tree(s) during the construction phase.

7. **Doors and windows**

Prior to any doors or windows being installed, a detailed specification for all doors and windows shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is first occupied and retained thereafter.

Reason

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

8. **Alternative on-site bird and insect accommodation**

The approved alternative on-site accommodation for nesting birds and insects, as shown on approved drawing 6320.01 Rev A; "Landscape Proposal"; revision dated 15.07.20 shall be implemented in full, prior to first occupation of the building hereby approved, and retained thereafter.

Reason

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

9. **Sound attenuation scheme**

The development hereby approved shall be carried out in full accordance with the recommendations of the approved Noise Assessment: Residential Acoustic Survey; dated 21 February 2020; ref. 10815; by Braiden Acoustics.

The windows of the development hereby approved shall be installed so as to provide sound attenuation as laid down in BS8233:2014, LAeq/T living rooms 35dB, dining rooms 40dB and bedrooms 30dB (night time) with windows shut and other means of ventilation provided as detailed in 5.3 and 5.4 of the approved acoustic survey. The approved scheme shall be implemented in full prior to first occupation of the apartment building and retained thereafter.

Reason

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

10. **Boundary treatment**

Prior to the development being first occupied or brought into use, the approved boundary treatment as shown on drawings 11 Rev P7; "Proposed Site Plan"; revision dated 13.07.20 and 13 Rev P6; "Proposed Apartment Elevations"; revision dated 14.07.20 shall be implemented in full and retained thereafter.

Reason

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

11. **Landscape scheme**

Trees and shrubs shall be planted on the site in accordance with the approved landscape scheme (drawing reference: 6320.01 Rev A; "Landscape Proposal"; revision dated 15.07.20) 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 the building or the completion of the development, whichever is the sooner. 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 in order to comply with Core Strategy policies CG1 and CG3.

12. **Vehicular access**

Prior to the development hereby approved/permitted being first occupied the means of vehicular access to the site from Manchester Road shall be constructed to a minimum width of 5.0 metres with 3.0 metres radii in accordance with drawing ref. 11 Rev P7.

Reason

In the interests of highway safety and in order to comply with Bolton's Core Strategy policies S1, P5

and Supplementary Planning Document 'Accessibility, Transport and Road Safety'.

13. **Right-turn pocket on Manchester Road**

Prior to first occupation of the development hereby approved full details of the highway works at Manchester Road comprising the formation of a right-turn pocket within the central hatching on Manchester Road (in order to aid right turning vehicles accessing the development) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

14. **Access road and footpaths**

The approved development shall be occupied until the access road and footpaths leading thereto have been constructed and completed in accordance with drawing ref: 11 Rev P6.

Reason

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

15. **Parking**

Before the approved/permitted development is first brought into use no less than 21 car parking spaces shall be marked out and provided within the curtilage of the site in accordance approved the plan (drawing ref. 11 Rev P7). Such spaces shall be made available for the parking of cars at all times.

Reason

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

16. **Electronic vehicle charging points**

Details of the electric vehicle charging points to be provided within the car park shall be submitted and approved in writing by the Local Planning Authority prior to occupation. The electric vehicle charging points shall be provided in accordance with the approved scheme prior to occupation and shall be maintained for the life of the approved development.

Reason

To safeguard the amenity of the occupiers of the proposed development in respect of atmospheric pollution, and to incorporate high standards of sustainable design within the development, in compliance with policies CG2 and CG4 of Bolton's Core Strategy.

17. **Review of Traffic Regulation Orders**

Prior to the first occupation of the development hereby approved/permitted, all developer obligations shall be fulfilled to enable the Local Highway Authority to carry out a review of Traffic Regulation Orders in the locality where necessary and to enable the Local Highway Authority to consult, advertise, promote and implement Traffic Regulation Orders to keep visibility splays at the access onto Manchester Road clear of parked vehicles.

Reason

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

18. **Soil testing methodology**

No soil or soil forming materials shall be brought to the site until a testing methodology including testing schedules, sampling frequencies, allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information has been submitted to and approved in writing by the Local Planning Authority. The approved testing methodology shall be implemented in

full during the importation of soil or soil forming material.

Prior to the development being first brought into use or occupied a verification report including soil descriptions, laboratory certificates and photographs shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the site is safe for use and in order to comply with Core Strategy policy CG4.

19. **External lighting**

Before the development hereby approved is first brought into use a scheme shall be submitted to and approved in writing with the Local Planning Authority for external lighting. The lighting shall be designed to an illumination value of no more than 5 lux at the nearest residential property. The beam angle of any lights directed towards any potential observer should be kept below 70 degrees. Spill shields should also be fitted. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

To safeguard the character and appearance of the locality and to prevent light pollution and in order to comply with Bolton's Core Strategy policies CG3 and CG4.

20. **External materials**

The development hereby permitted shall be constructed entirely of the materials details of which are shown on plan ref: 13 Rev P6; "Proposed Apartment Elevations"; revision dated 14.07.20.

Reason

For the avoidance of doubt as to what is permitted and in order to comply with Bolton's Core Strategy policy CG3.

21. **No-dig construction of access road**

The access road shall be constructed using the Cellweb geosystem as detailed within "Arboricultural Impact Assessment with Tree Protection Measures"; by Godwins Arboricultural Limited; received 18 Feb 2020.

Reason

To ensure the safe development of the site and favourable retention of trees and in order to comply with Bolton's Core Strategy policies CG1 and CG3.

22. **Tree pruning**

All pruning work must be carried out in accordance with British Standards 3998 (2012) recommendation for tree work.

Reason

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

23. **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 to the apartment building or any alterations to the roof shall be constructed.**

Reason

To safeguard the character and appearance of the area, to protect the amenity of neighbouring residents, and to ensure that adequate car parking provision and outdoor amenity space is retained, and to comply with policies CG3 and CG4 of Bolton's Core Strategy.

24. **Approved plans**

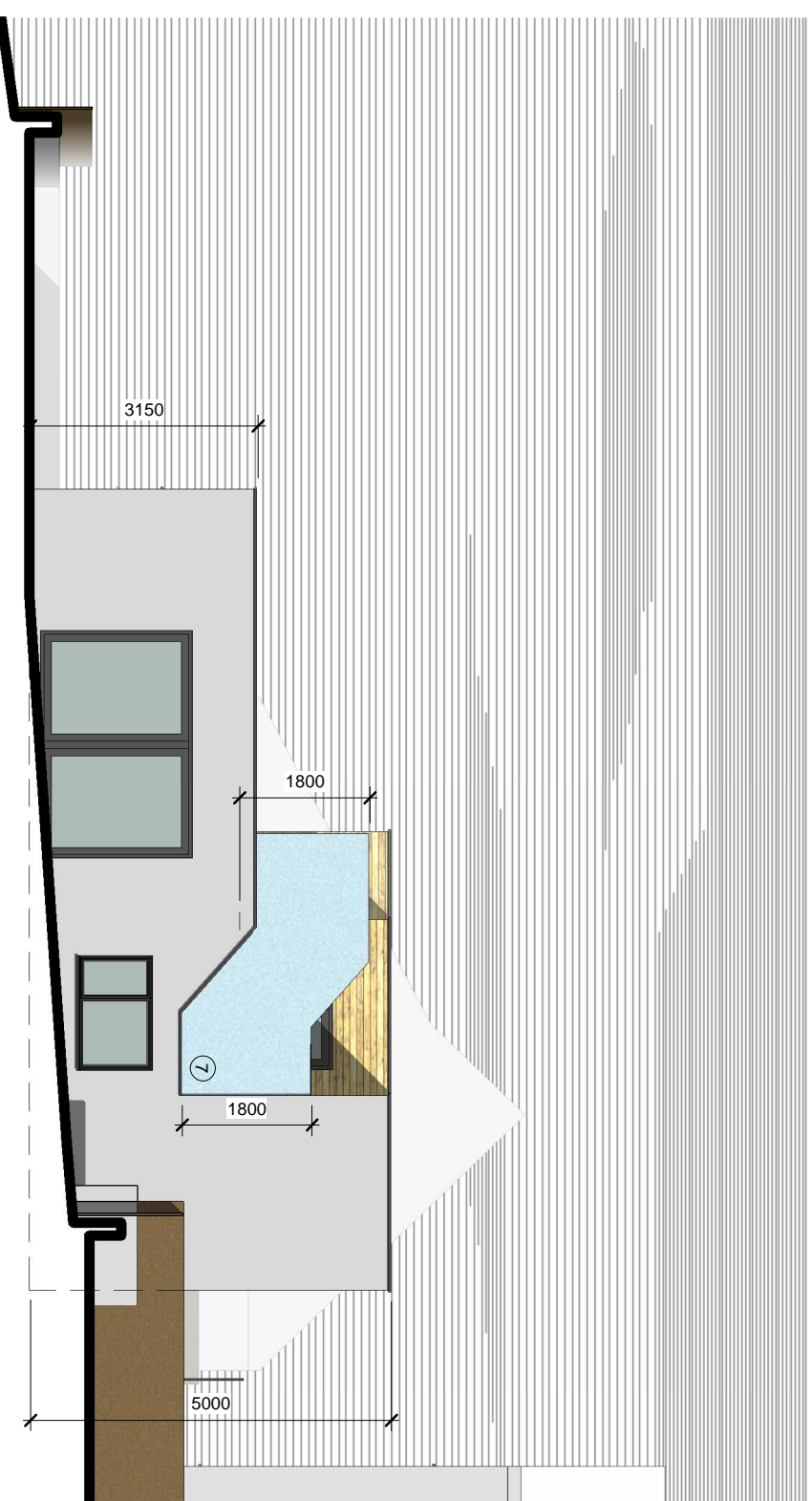
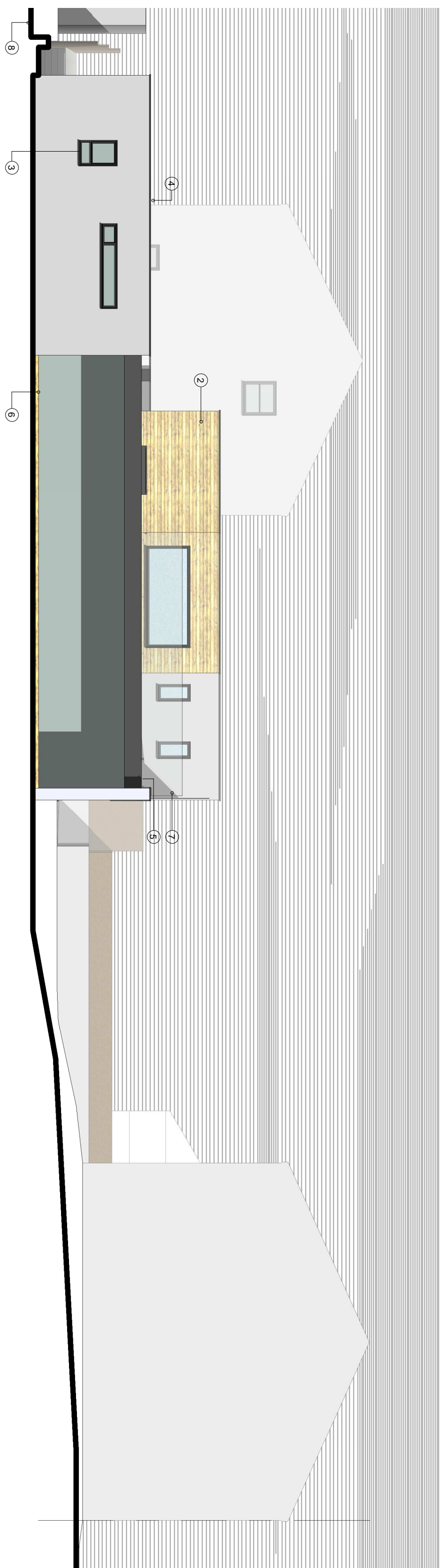
The development hereby permitted shall be carried out in complete accordance with the following

approved plans:

11 Rev P7; "Proposed Site Plan"; revision dated 13.07.20
12 Rev P7; "Proposed Apartment Plans"; revision dated 15.07.20
13 Rev P6; "Proposed Apartment Elevations"; revision dated 14.07.20
14 Rev P1; "Proposed Bin Store Design"; dated 01.07.20
6320.01 Rev A; "Landscape Proposal"; revision dated 15.07.20

Reason

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



1. Block cavity construction with Silcon render finish external
2. Timber cladding to indicated areas
3. Dark powdercoated aluminium doors and windows
4. Dark aluminium cladding to parapet
5. Impervious roofing finish such as zinc/gfp/rubberoid
6. Timber cladding to covered deck, partial balcony
7. Glazed guarding to balcony perimeter- 1.8m high to waist
8. New retaining walls to perimeter

[illegible]



View north towards 12 & 14 Carlton Close



Rear elevation 16 Carlton Close



Rear elevation 12 Carlton Close



Rear elevation 12 Carlton Close



Leylandii trees on boundary of site and 11-13 chapel Street



Front elevation 11 – 13 Chapel Street



Front elevation 11 – 13 Chapel Street



View south down Chapel Street



View north up Chapel Street



View north east



View north west towards 11-13 Chapel Street



Rear elevations 10 & 12 chapel Street



Rear Elevation 13 Boardman St



Side Elevation 13 Boardman St



View east towards 15 Boardman St



View east towards 15 Boardman St

