

Planning Applications Report

Planning Committee

12 May 2016

**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: -

UDP	The adopted Unitary Development Plan 2005
RSS	Regional Spatial Strategy for the North West of England 2008
PCPN	A Bolton Council Planning Control Policy Note
PPG	Department of Communities and Local Government Planning Policy Guidance Note
MPG	Department of Communities and Local Government Minerals Planning Guidance Note
SPG	Bolton Council Supplementary Planning Guidance
SPD	Bolton Council Supplementary Planning Document
PPS	Department of Communities and Local Government Planning Policy Statement
TPO	Tree Preservation Order
EA	Environment Agency
SBI	Site of Biological Importance
SSSI	Site of Special Scientific Interest
GMEU	The Greater Manchester Ecology Unit

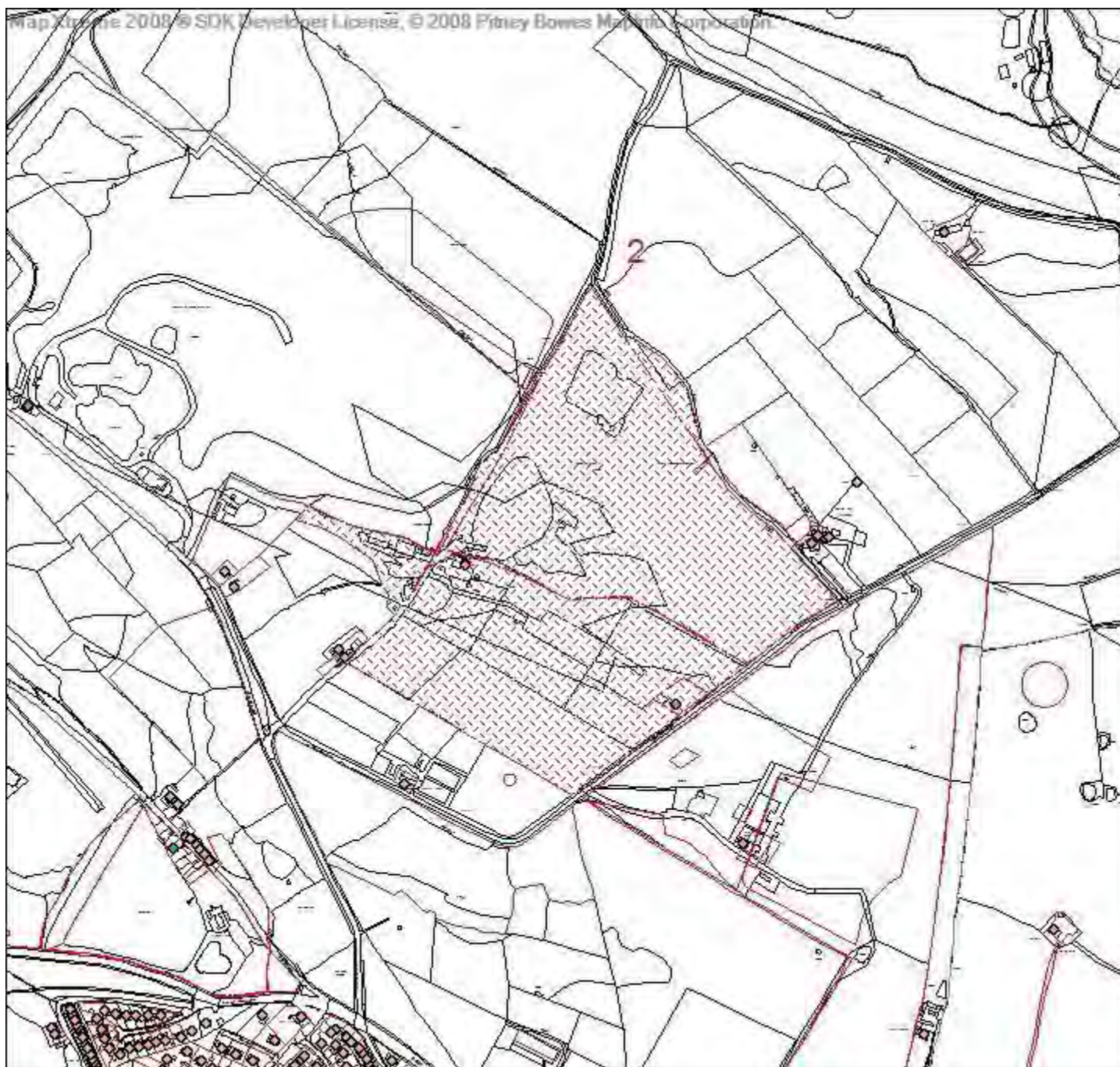
The background documents for this Report are the respective planning application documents which can be found at:-

www.bolton.gov.uk/planapps

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Application number 93925/15



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Date of Meeting: 12/05/2016

Application Reference: 93925/15

Type of Application: County Matters
Registration Date: 31/03/2015
Decision Due By: 25/05/2015
Responsible Officer: Helen Williams

Location: PILKINGTON QUARRY, GEORGES LANE, HORWICH, BOLTON, BL6 6RS

Proposal: VARIATION OF CONDITION 22 ON APPLICATION 84065/10 TO ALLOW OCCASIONAL USE OF TRADITIONAL QUARRY DRILL AND BLAST TECHNIQUES

Ward: Horwich North East

Applicant: Mr D Armstrong
Agent : The Mineral Planning Group

Officers Report

Recommendation: Approve subject to conditions

Proposal

Permission is sought to vary condition 22 on planning approval 84065/10 to allow for the occasional use of traditional drill and blast techniques in the permitted southern extension area of the quarry (the extension area approved under application 84065/10).

Condition 22 reads:

"There shall be no blasting of stone within the site unless otherwise agreed in writing with the Local Planning Authority. Any subsequent blasting shall be undertaken in accordance with the noise restrictions set out in condition 05 above and shall be subject to 48 hours notice to the Local Planning Authority and all residential property within 200 metres of the site boundary."

Condition 22 did not prohibit the use of blasting, but required the applicant to apply formally to the Local Planning Authority for its use, as well as giving the Local Planning Authority and all residential properties within 200 metres of the site boundary 48 hours notice of any blasting and to ensure that any blasting is within the approved noise restrictions.

The applicant has stated that whenever possible the rock will be extracted with the use of a hydraulic excavator (as approved under 84065/10) but on occasions when this is not possible, traditional quarry drill and blast techniques (the use of "black powder") will be utilised. They only anticipate an initial period of blasting to create a loose rock face that can then be extracted by a hydraulic excavator in the normal fashion. Thereafter, only if the operator encounters unjointed 'massive' sandstone would there be a need for further occasional blasting (as larger blocks cannot be moved by a hydraulic excavator).

Blasting will only occur between the hours of 1000 and 1600 hours Monday to Friday. There will be no blasting on Saturdays, Sundays, National Holidays or Bank Holidays and no secondary blasting will take place (except with the prior written approval of the local planning authority).

The proposal will not result in any additional vehicles entering/leaving the quarry.

Site Characteristics

Pilkington Quarry is located approximately 2 kilometres east of Horwich and is allocated within the Allocations Plan as being within an Area of Search for gritstone/sandstone, the Green Belt and the Upland Moorland Hills Landscape Character Area.

To the west of the application site is Montcliffe Quarry.

To the north of the established quarry are the residential properties of Heather Hall and Heather Hall Cottages (1, 3 and 5). To the south of the existing quarry and the west of the proposed extension is Lodge Farm (owned by the applicant). Grundy Cottages (1 and 2) on Makinson Road are to the south west corner of the proposed quarry extension and Matchmoor Riding School is to the south.

Matchmoor Lane runs to the east of the application site.

Public right of way HOR054 runs to the south of the existing quarry and to the north of Lodge Farm and the proposed quarry extension. The footpath has been partially quarried away by the previous owner of the site. HOR057 runs to the west of the application site (along Makinson Road), HOR055 runs to the west of the worked quarry and HOR053 runs to the north.

Pilkington Quarry is utilised for the extraction of high quality sandstone. The existing planning permission at Pilkington Quarry runs until February 2042, with permission for the extension running until 31st December 2026.

Policy

National Planning Policy Framework (NPPF)

National Planning Policy Guidance - Minerals

Greater Manchester Joint Minerals Plan April 2013

Core Strategy Policies: P4 Minerals; P5 Accessibility and Transport; S1 Safe Bolton; CG1 Cleaner and Greener Bolton; CG3 The Built Environment; CG4 Compatible Uses; OA1 Horwich and Blackrod.

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

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the amenity of neighbouring residents
- * impact on biodiversity
- * impact on the adjacent public rights of way
- * impact on the highway

Impact on the Amenity of Neighbouring Residents

Paragraph 144 of the National Planning Policy Framework (NPPF) states when determining mineral related planning applications, local planning authorities should [amongst other things] ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties. Paragraph 143 states [amongst other things] that local planning authorities should, when developing noise limits, recognise that some noisy short-term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction.

Policy CG4 of the Core Strategy states that the Council will ensure that development does not generate unacceptable nuisance, odours, fumes, noise or light pollution, nor cause detrimental impacts upon water, ground or air quality.

As stated above, it is proposed that on the occasions when the rock within the approved quarry extension is not able to be extracted by the use of a hydraulic excavator, traditional quarry drill and blast techniques will be utilised.

The applicant has submitted an Assessment of Environmental Impact of Blasting with their application. This assessment looks at the potential effects of the proposed blasting on neighbouring properties (Heather Hall, Heather Hall Cottages, Matchmoor Riding Centre, Grundy Cottages and Lodge Farm) including ground vibration and airborne vibration, and uses blast vibration data monitored at similar quarries to Pilkington to predict vibration levels.

The assessment confirms that all blasts at the quarry will be designed in order to comply with the recommended vibration criterion. It asserts that all vibration will be well below the levels recommended for blast induced vibration and human perception as being satisfactory within British Standard Guide BS 6472-2: 2008, and with such low ground vibration levels, accompanying air overpressure would also be of a very low and hence safe level (although possibly perceptible on occasions at the closest of properties). The assessment concludes by stating that if the applicant follows the recommendations given in the report, then there is no reason why blasting operations within the extraction area would give rise to adverse comment due to induced vibration at any of the neighbouring dwellings.

The Environment Agency and the Council's Pollution Control Officers have raised no objection to the proposal.

Pollution Control Officers have recommended that the blasting is:

- * carried out in line with the recommendations of the submitted vibration assessment report;
- * that any subsequent blasting is undertaken in accordance with the noise restrictions set out in condition 5 of previous approval 84065/10; and,
- * the applicant gives 48 hours notice to the local planning authority and all residents within 200 metres of the site boundary.

The proposed blasting will inevitably cause a loud, short noise, however the applicant will be giving all neighbouring residents within 200 metres of the quarry 48 hours notice, so the blast noise should not come as a shock to neighbouring residents. Blasting will also only occur between the hours of 1000 and 1600 hours Monday to Friday (there will be no blasting on Saturdays, Sundays, National Holidays or Bank Holidays and no secondary blasting will take place, except with the prior written approval of the local planning authority); this will be conditioned. As paragraph 143 of the NPPF states, local planning authorities should recognise that some noisy short-term activities are unavoidable to facilitate minerals extraction.

Neighbouring residents at Heather Hall Cottages have raised concern about damage to their properties. The submitted vibration assessment however states that the predicted ground vibration levels will be low and the accompanying air overpressure will be very low and at a safe level. It is therefore not considered that the proposed development would cause damage to any neighbouring properties.

In accordance with the submitted blasting assessment, the applicant will also be carrying out blast vibration monitoring of every blast, at the closest vibration sensitive property (the closest dwelling to the blast location). On occasion, an additional location may be monitored in order, for example, to investigate specific blast related complaints (if there are any). Following a period of 12 months from the commencement of the monitoring, the local planning authority and the applicant will review the monitoring procedures.

The applicant has also confirmed that should a complaint be made to the quarry management relating to levels of blast vibration and/or air overpressure, this will be investigated and, where necessary, measures to control the effects will be implemented with feedback provided to the complainant. Any complaints, and any action undertaken as a result of the investigation, will be recorded in a log available for inspection by the mineral planning authority.

Third parties have also raised concern about potential dust pollution from the proposed blasting. Conditions 8, 9 and 10 of approval 84065/10 for the quarry extension already address this issue (dust suppression measures, wheel cleaning facilities, and sheeting of vehicles) and will still be applicable for the proposed development (as this application only seeks to vary a condition to 84065/10).

It is considered that the proposed occasional use of traditional quarry drill and blast techniques will not unduly harm the amenity of neighbouring residents, compliant with Policy CG4 of the Core Strategy. As stated above, the applicant only anticipates an initial period of blasting to create a loose rock face that can then be extracted by a hydraulic excavator in the normal fashion. Thereafter, only if the operator encounters unjointed 'massive' sandstone would there be a need for further occasional blasting.

Impact on Biodiversity

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

Greater Manchester Ecology Unit has raised no objection and the Council's Wildlife Liaison Officer has stated that the proposal is unlikely to significantly change the impacts upon biodiversity in the area.

The Wildlife Liaison Officer advises that should nesting birds be present, particularly cliff nesting species, legislation within the Wildlife and Countryside Act 1981 (as amended) would protect them.

Third party concerns have been raised with regard to the affect of blasting on horses at the neighbouring riding school and horses using the nearby bridleways. Matchmoor Riding School will be given 48 hours notice of any blasting (as they are one of the recognised neighbouring sensitive properties within the submitted assessment), therefore appropriate measures can be taken to ensure the wellbeing of the horses. Signs will also be posted in the local area by the quarry management to inform the public of the proposed blasting, so riders can avoid the area when necessary.

It is therefore considered that the proposal complies with Policy CG1.1 of the Core Strategy.

Impact on the Adjacent Public Rights of Way

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

The Council's Public Rights of Way Officer has confirmed that the applicant is aware of the location of the public footpaths that lead through and around the boundary of the application site. The Officer advises that due to the proximity of these public rights of way the applicant should be made aware of the need to safeguard people using these paths and that their surfaces must not be damaged, widths altered or obstructed either during or as a result of the development. An informative note will be attached to the decision to make the applicant aware of this advice.

Footpath HOR054 that runs to the south of the existing quarry has been fenced and is in the process of being diverted (as required within the 2010 permission).

It is therefore considered that the proposal complies with Policy P8AP of the Allocations Plan.

Impact on the Highway

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

The proposal will not result in any additional vehicles entering/leaving the quarry. Condition 3 of planning approval 84065/10 (for the extension of the quarry) already restricts the number of HGV vehicles movements in association with the quarry, and this condition will still apply following any decision made on this latest application.

Conditions are also attached to 84065/10 relating to the sheeting of vehicles and a wheel wash.

It is therefore considered that the proposal complies with Policies P5 and S1.2 of the Core Strategy.

Conclusion

For the reasons discussed above it is considered that the proposed variation of condition 22 of approval 84065/10 (the approved extension to Pilkington Quarry) would not unduly harm the amenity of neighbouring residents, would not impact on biodiversity, would retain the existing integrity of the surrounding footpaths, and would not impact on the highway. Members are therefore recommended to approve this application subject to the suggested conditions.

Representation and Consultation Annex

Representations

Letters:- Seven letters of objection have been received (three from residents neighbouring the site), which raise the following concerns:

- * What constitutes "occasional use", it is vague?;
- * It will cause a lot of disturbance to local residents and the extended community;
- * Increase in dust and other pollution;
- * Affect on quality of life and the peaceful environment;
- * Blasting has in the past and will cause damage to all four properties at Heather Hall because the wind direction predominantly blows from the site towards the properties at Heather Hall;
- * The applicant should enter into a legal agreement to assure that in the case of damage to properties all damages will be paid in full by the applicant;
- * The original application 84065/10 stated that no drilling or blasting would be carried out; this latest proposal could have affected the outcome of the original application;
- * Conditions should be put in place to protect all residents and properties;
- * Footpath HOR054 was to be redirected as it has been made unsafe by mechanical earth movements; this needs re-addressing;
- * The overburden/soil stacks at the front of Heather Hall were meant to be reduced in height to 3 metres; this has not been carried out (*officer's comment: the applicant has now confirmed that the overburden is currently being reduced in height*);
- * Blasting will cause horses using the surrounding land to be frightened, spooked and even bolt; it will affect the health and safety of riders;
- * Disruption to walkers and cyclists;
- * Increase of large vehicles;
- * Concerns about road safety and material on Chorley Old Road;
- * Residents water supply could be affected by contamination;
- * Risk to the heather moorland and wildlife;
- * Affect on a local beauty spot in a Green Belt area.

Horwich Town Council:- objected to the proposal at their meeting of 28th May 2015 due to concerns about disturbance on local residents and wildlife, an increase in dust and pollution, and concern about the lack of detail regarding "occasional" blasting.

Consultations

Advice was sought from the following consultees: Pollution Control Officers, Wildlife Liaison Officer, Public Rights of Way Officers, Drainage Officers, the Environment Agency, Greater Manchester Ecology Unit, Ramblers Association, Peak and Northern Footpath Society, and the Open Space Society.

Planning History

Planning permission was granted for the extraction of clay and coal from beneath the quarry in 1949 (ref: 12/5/43).

Planning permission for stone extraction was granted at the existing Pilkington Quarry on the 26th June 1950 (ref: 12/5/103).

In 1968 a further permission was granted for stone extraction from 4 hectares of land within the 1950 permission area (ref: 12/5/1642). Why this application was submitted when the site already had planning permission is not known.

In 1999, Santime Limited (the previous owners/operators of the quarry) obtained a determination of new conditions under Schedule 13 of the Environment Act 1999 in respect of the 1950 permission (50252/97).

Further planning permission was granted in November 2002 for a variation of condition 23 of the Determination of New Conditions to permit the importation of inert materials for stabilisation of the existing northern quarry face and restoration works. The stabilization works on the buttress are complete – restoration works are ongoing (ref: 61530/02).

When Armstrong Aggregates Limited acquired Santime Limited a correction was made to permission 50252/97 and 61530/02 to amend the end-date to the 22nd February 2042 following the 'Earthline' case in 2003 which clarified the law on this issue. The decision on the relevant applications was confirmed by Committee in October 2010 (83299/09).

Planning application (80931/08) for an extension to the quarry with associated aggregate recycling and restoration infill over the whole site was refused by Bolton Planning Committee in November 2009. This application was appealed but then withdrawn.

An application (84065/10) for the extension of dimension stone/aggregate quarry operations until 31st December 2026 (and restoration by 31st December 2027) was approved at Committee in January 2011.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. The blasting of stone within the site shall be carried out in line with the recommendations of the submitted and approved vibration assessment report, unless otherwise agreed in writing by the Local Planning Authority. Any subsequent blasting shall be undertaken in accordance with the noise restrictions set out in condition 5 of planning approval 84065/10 and shall be subject to 48 hours' notice to the Local Planning Authority and all sensitive properties within 200 metres of the site boundary.

Reason

In the interest of protecting the living conditions of nearby residents and to comply with Policy CG4 of Bolton's Core Strategy.

3. No blasting shall be occur outside the following hours (unless otherwise agreed in writing by the Local Planning Authority):-

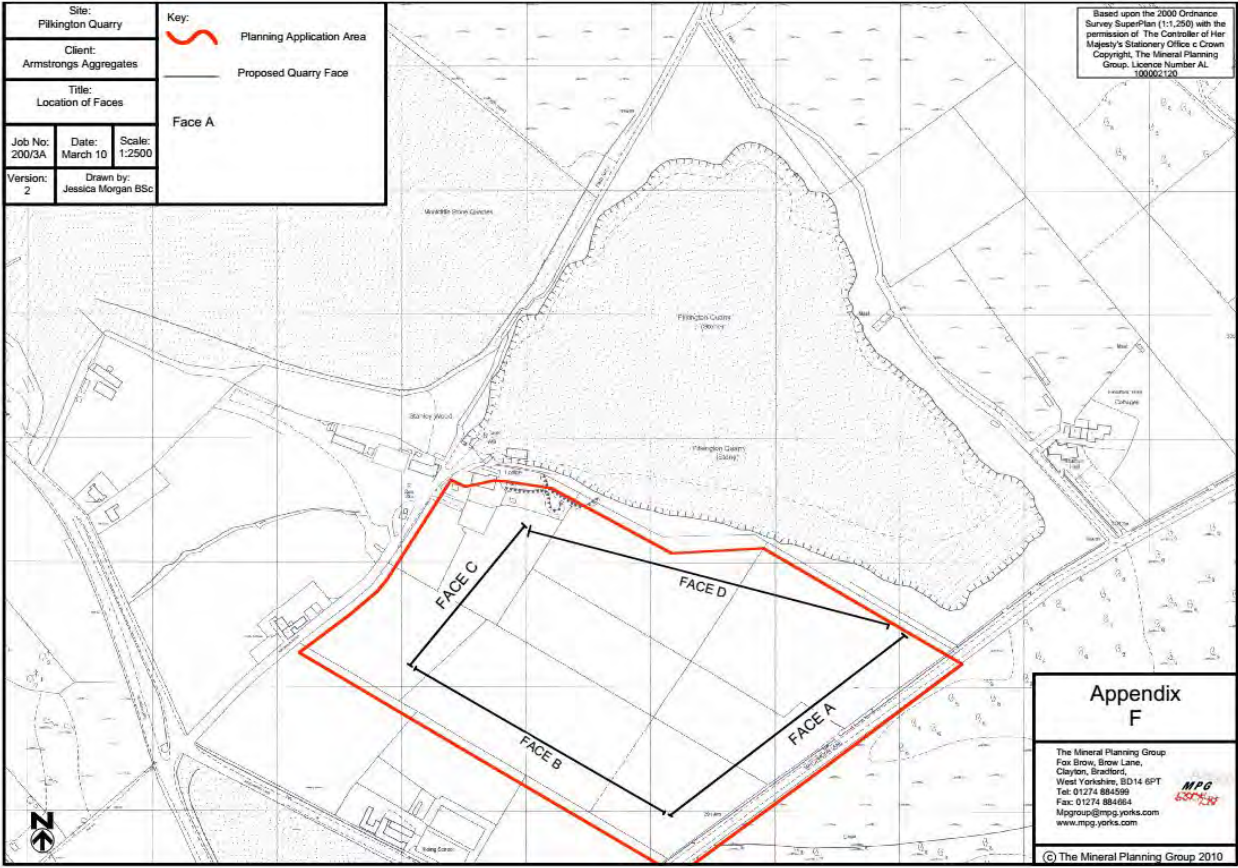
1000 to 1600 hours Mondays – Fridays

No blasting shall occur on Saturdays, Sundays, Bank Holidays and National Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason

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

Plan submitted with application 84065/10



Application number 93948/15



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Bolton Council

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Date of Meeting: 12/05/2016

Application Reference: 93948/15

Type of Application: Outline Planning Permission
Registration Date: 03/04/2015
Decision Due By: 02/07/2015
Responsible Officer: Alex Allen

Location: 160-164 TONGE MOOR ROAD, BOLTON, BL2 2HN

Proposal: OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING PREMISES AND ERECTION OF A THREE STOREY DEVELOPMENT COMPRISING RETAIL ON GROUND FLOOR AND 12No APARTMENTS ON FIRST AND SECOND FLOORS.

Ward: Tonge with the Haulgh

Applicant: Mr Hardiman
Agent : Neil Pike Architects

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant proposes the demolition of the existing building and its replacement with a large two/two and a half storey building with retail (A1 use) at ground floor with two storeys of residential accommodation comprising 10 units (10 x 1 bed and 2 x 2bed). The proposal also provides for a layby at the front of Tonge Moor Road which would provide a loading facility.

The proposal would require the relocation of the existing bus stop to enable implementation of the proposed layby with diversion to services underneath the pavement required to facilitate the development.

Site Characteristics

The application relates to an existing two storey building which provides for 3 small retail units and one garage for MOT/Servicing. Adjacent to the site are other commercial premises including the Tonge Moor Conservative Club to the south. Residential properties are also located at the rear of the property and also on the opposite side of Tonge Moor Road.

Properties generally slope down in height from the north to the south with eaves and apex heights running down the slope. A bus stop on the southbound side of Tonge Moor Road is located adjacent to the application site with double yellow lines (TROs) placed on either side of the road. The application site is located in close proximity to the traffic controlled junction at Tonge Moor Road with Thicketford Road. Tonge Moor Road is a busy road and forms part of the Strategic Highway network.

Policy

National Planning Policy Framework

Core Strategy policies: CG1 Cleaner Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, P5 Accessibility, S1 Safe, SC1 Housing, RA1 Inner Bolton.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of retail/residential development
- * impact on the character and appearance of the area;
- * impact on adjoining uses / users;
- * impact on highway safety;
- * impact on protected species / ecology / biodiversity;
- * impact on effective waste management;
- * impact on sustainability / surface water run - off.

Principle of retail/residential development

The proposed redevelopment of the site has previously been accepted in 2009, albeit for new office accommodation rather than a mixed use scheme. The property occupies a prominent location close to the junction of Tonge Moor Road with Thicketford Road. The proposal therefore has the potential to regenerate the site and provide a more efficient use of the site.

The site is well related in terms of locational sustainability, being located adjacent to the Strategic Highway Network with excellent access to local bus services, close to local amenities (shops) and recreational areas such as Seven Acres Country Park and in relative close proximity to Bolton Town Centre. Core Strategy SC1 also seeks to provide additional new residential accommodation on previously developed land.

The proposal in principle would be broadly acceptable.

Impact on the character and appearance of the area

The principle of redevelopment of the building has been previously been approved in 2009. However, the design of that particular scheme was acceptable. The previously approved scheme had a gable to the properties to the north and a hipped roof to the south (adj to the Conservative Club). An earlier, almost identical scheme to the current application was withdrawn by the applicant in 2012 due to concerns over the proposed scheme.

Core Strategy policies CG3 and RA1 seek to ensure that new development proposals are compatible

with the surrounding area, in terms of scale, massing, architecture.

The proposal is considered to be an improvement (in some respects) on the previously approved scheme, in that it represents a simpler design which mirrors the simple design of the surrounding properties. Detail has been taken from the existing and adjoining properties including the provision of gable / pike features within the front elevation.

Whilst the proposal would be taller than the adjoining Conservative Club building, this part of Tonge Moor Road is characterised by a street scene which has a varied heights. Therefore, the proposal would complement the character of the area and would comply with Core Strategy policies CG3 and RA1.

Impact on adjoining uses / users

Core Strategy policy CG4 seeks to ensure that new development proposals are compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security.

The overall character of the area is mixed, commercial properties located side by side residential properties. It is considered that the proposal would be compatible with the surrounding area.

Impact on highway safety

Core strategy policies P5 and S1 seek to ensure that new development proposals provide adequate parking, servicing, are designed for the needs of people with disabilities and promote road safety in the design of new development.

The Council's Highways Engineers have commented that the amended plan is acceptable in terms of highways design. Concerns remain as follows:

- Siting of the loading bay would require the relocation of the bus stop, shelter and bus clearway traffic order;
- Cost of providing the layby may be prohibitive and would require the provision of a s. 278 agreement.

Subject to the two issues being resolved prior to commencement of development it is considered that there are no grounds to refuse planning permission for such a proposal on highways grounds.

The proposal would comply with Core Strategy policies P5 and S1.

Impact on protected species / ecology / biodiversity

Core Strategy policy CG1 seeks to ensure that new development proposals safeguard and enhance urban biodiversity.

The proposal would require the demolition of the existing building. This building has the potential to be used by protected species such as bats and nesting birds. The applicant has not provided a bat / breeding bird survey. However, it is considered that this information could be provided prior to commencement of development.

Therefore, at this stage it is impossible to assess whether the current application would have a detrimental impact on urban biodiversity. The proposal would therefore not comply with policy.

Impact on sustainability / surface water run - off

Core Strategy policy CG2 seeks to ensure that new development proposals contribute to the delivery of sustainable development being located and designed to mitigate any adverse effects of the

development and to adapt to climate change by incorporating high standards of sustainable design and construction. The proposal would be under the threshold for both the provision of a sustainable urban drainage system and the integration of sustainable building methods within the construction of the building.

Conclusion

The proposal would be now satisfy the Council's Highways Engineers and would result in the regeneration of any otherwise dilapidated and underused site in a prominent location. The proposal would comply with policy and is recommended for approval.

Representation and Consultation Annex

Representations

Letters:- one representation of objection and one general comment of concern have been received from two properties fronting Tonge Moor Road. The grounds are:-

- the proposal would cause potential safety hazards and conflicts between pedestrians, cyclists and vehicular movements due to the busy main road, bus stop, school and the alleyway which adds to the volume of pedestrians around the area
- there is a lack of amenity space and the proposal would impact car parking and footpath with public with loading, turning and parking traffic increased
- Tonge Moor Road is an exceptionally busy road and would cause further chaos for drivers impacting free traffic flow, congestion, emissions, pollution, noise, accidents and community severance
- there is not a single property on this busy main road with an entry/exit point and it is very obvious why
- parking would remain a problem and be made even worse with this proposal, it is very sought after and will cause more conflict
- there are on street parking controls and limited parking spaces and no provisions have been made to parking facilities to potential building occupiers, employees and customers
- Planning Policy Guidance states that the scale of parking must be in keeping with the size/number for a development
- visual amenities would be impacted and the proposal is not deemed to fit in with its surroundings, it would be out of character and overdeveloped
- due to the size/height of the development, the proposal would have an adverse impact on the amenities of nearby properties through overlooking, loss of light, loss of privacy, over dominance and a visually overbearing impact
- there is no direct rear access for each of the properties, the back street is narrow and this would produce substantial maintenance difficulties such as waste management resulting to larger industrial bins and more domestic bins

Consultations

Advice was sought from the following consultees: Highway Engineers, Strategic Development, GM Police, Coal Authority

Planning History

Planning permission was refused for the demolition of the existing building and its replacement with a large two/two and a half storey building with retail (A1 use) at ground floor with two storeys of residential accommodation comprising of 10 residents units (10 x 1 bed and 2 x 2bed). The proposal also provides for a layby at the front of Tonge Moor Road which would provide a loading facility (Ref: 91845/15) for the following reasons:

1. The proposed development will give rise to increased traffic and result in on-street parking to the detriment of the visual appearance of the locality and highway safety and is contrary to Policy S1 and P5 of Bolton's Core Strategy and guidance.
2. The proposed extension would, by virtue of its design, height and siting be detrimental to the character and appearance of the area and is contrary to Policies CG3 and RA1 of Bolton's Core Strategy.

Insufficient information has been provided by the applicant with regard to proposed crime safety

measures, the sustainable design and construction of the development and a bat survey of the building which is to be demolished to enable the proposal to be properly judged against Policies S1.1, CG1 and CG2 of Bolton's Core Strategy.

A planning application for an identical description was withdrawn by the applicant in August 2012 (Ref: 87955/12).

Planning permission was approved in May 2009 (Ref: 81950/09) for the erection of 3 office units. Planning permission was refused for the erection of 4 office units (Ref: 81412/08).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

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

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

**[*insert
Title of plan
Plan Reference
Date]**

Reason

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

4. Prior to the commencement of the development:-

- A Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, property and/or the wider environment; and
- The details of any proposed remedial works shall be submitted to, and approved in writing by the Local Planning Authority. The approved remedial works shall be incorporated into the development during the course of construction and completed prior to occupation of the development or the development being first brought into use; and

Prior to first use/occupation of the development hereby approved:

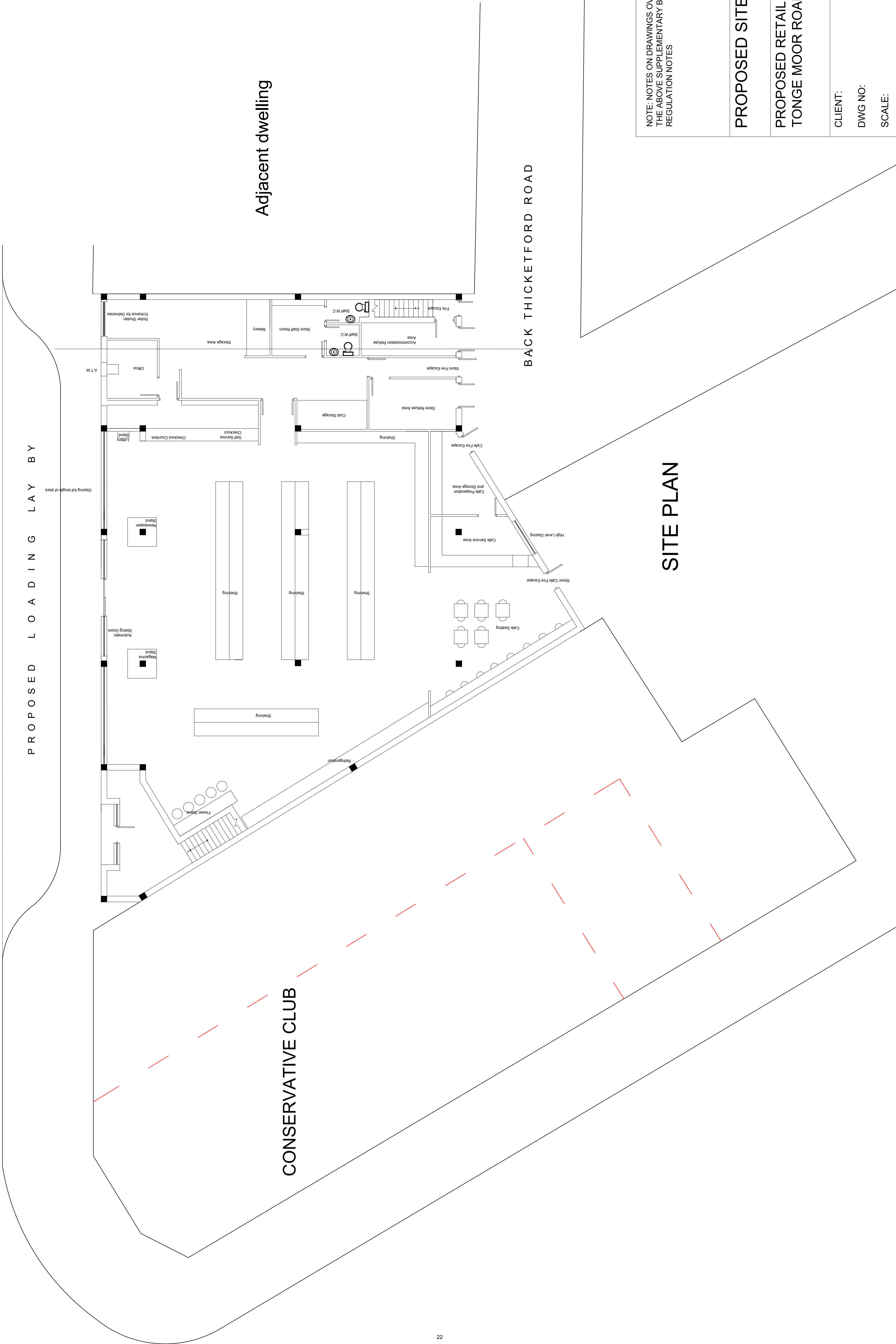
- A Verification Report shall be submitted to, and approved in writing by, the Local Planning Authority. The Verification Report shall validate that all remedial works undertaken on site were completed in accordance with those agreed by the LPA.

Reason

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

T O N G E M O O R R D

PROPOSED L O A D I N G L A Y B Y



NOTE: NOTES ON DRAWINGS OVERRIDE THE ABOVE SUPPLEMENTARY BUILDING REGULATION NOTES	REV	DESCRIPTION

PROPOSED SITE PLAN

PROPOSED RETAIL UNIT WITH APTS ABOVE
TONGE MOOR ROAD, BOLTON

CLIENT:

DWG NO:

SCALE:

DRAWN BY:

DATE:

REV:


HARDIMAN

PL K413/01

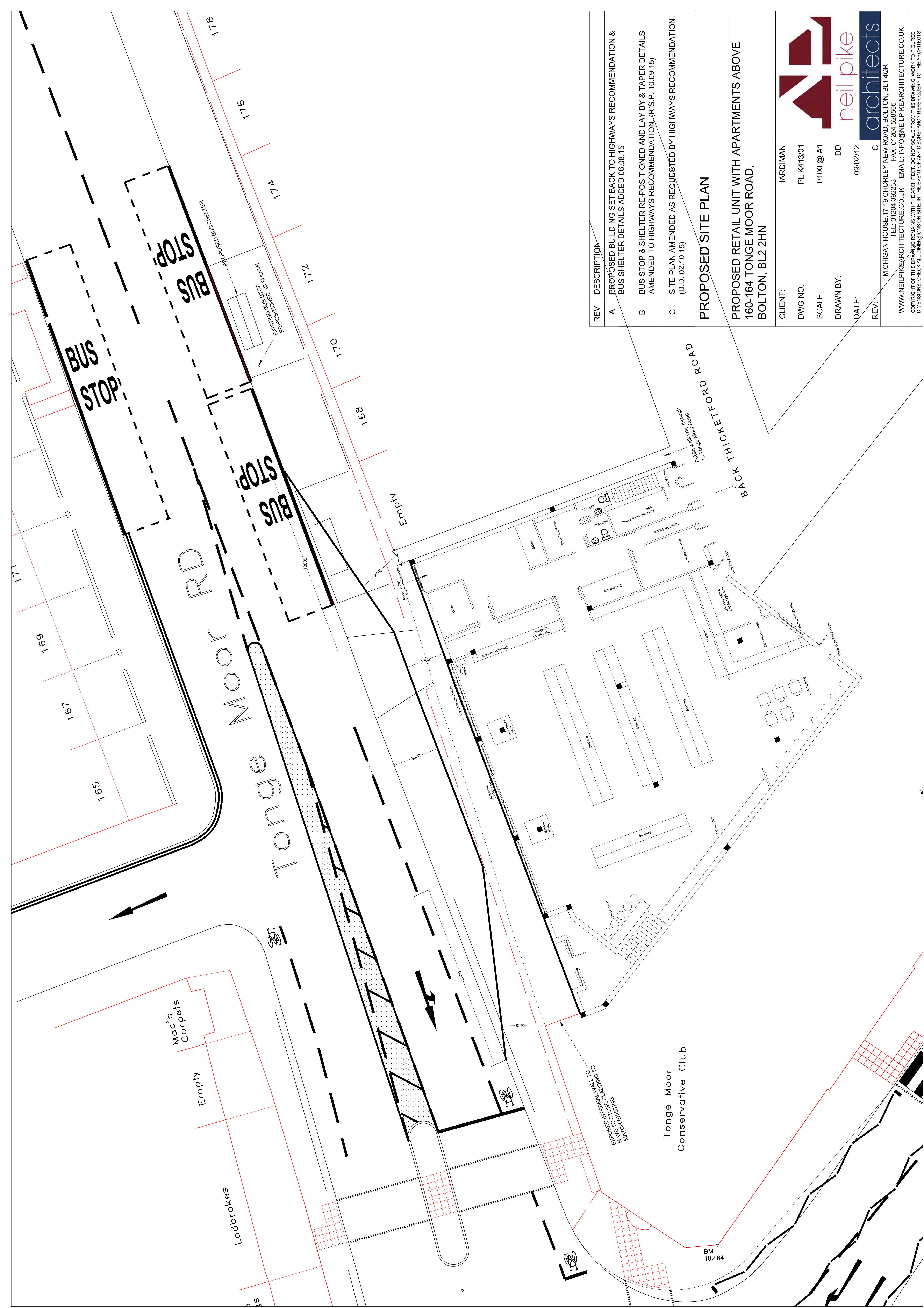
1/100 @ A1

DD

09/02/12



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REV	DESCRIPTION
A	PROPOSED BUILDING SET BACK TO HIGHWAYS RECOMMENDATION & BUS SHELTER DETAILS ADDED 06.08.15
B	BUS STOP & SHELTER RE-POSITIONED AND LAY BY & TAPER DETAILS AMENDED TO HIGHWAYS RECOMMENDATION. (R.S.P. 10.09.15)
C	SITE PLAN AMENDED AS REQUESTED BY HIGHWAYS RECOMMENDATION. (D.D. 02.10.15)

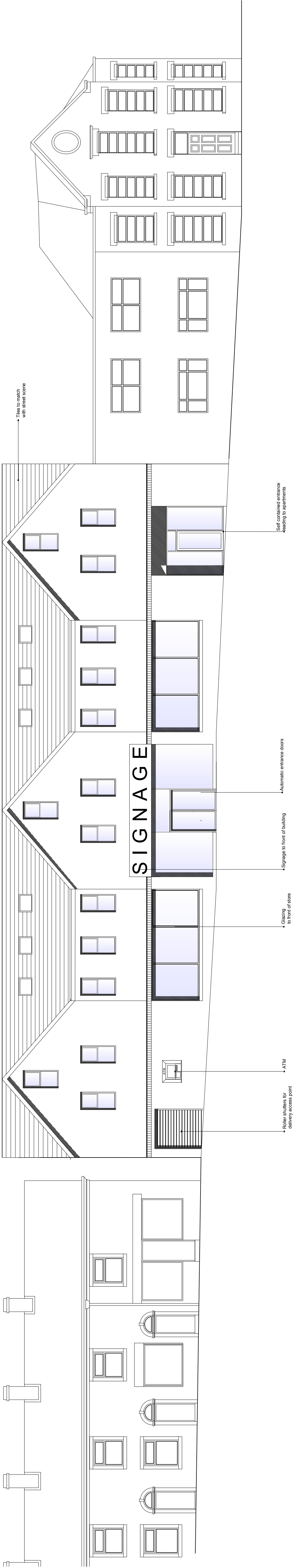
PROPOSED SITE PLAN

PROPOSED RETAIL UNIT WITH APARTMENTS ABOVE
160-164 TONGE MOOR ROAD,
BOLTON, BL2 2HN

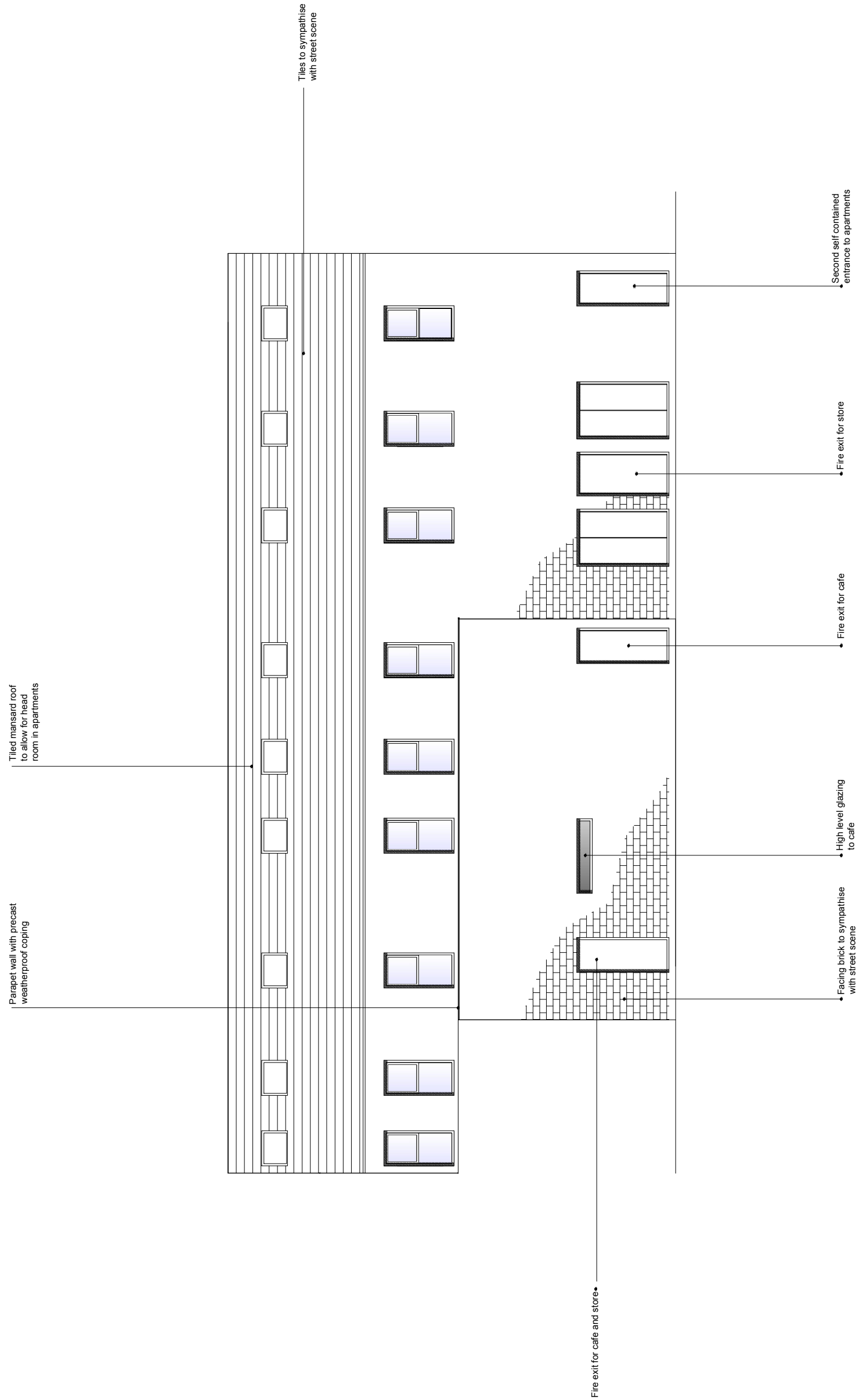
CLIENT:	HARDIMAN
DWG NO:	PL K413/01
SCALE:	1/100 @ A1
DRAWN BY:	DD
DATE:	09/02/12
REV:	C

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PROPOSED STREET SCENE




PROPOSED REAR ELEVATION

NOTE: NOTES ON DRAWINGS OVERRIDE THE ABOVE SUPPLEMENTARY BUILDING REGULATION NOTES	REV	DESCRIPTION

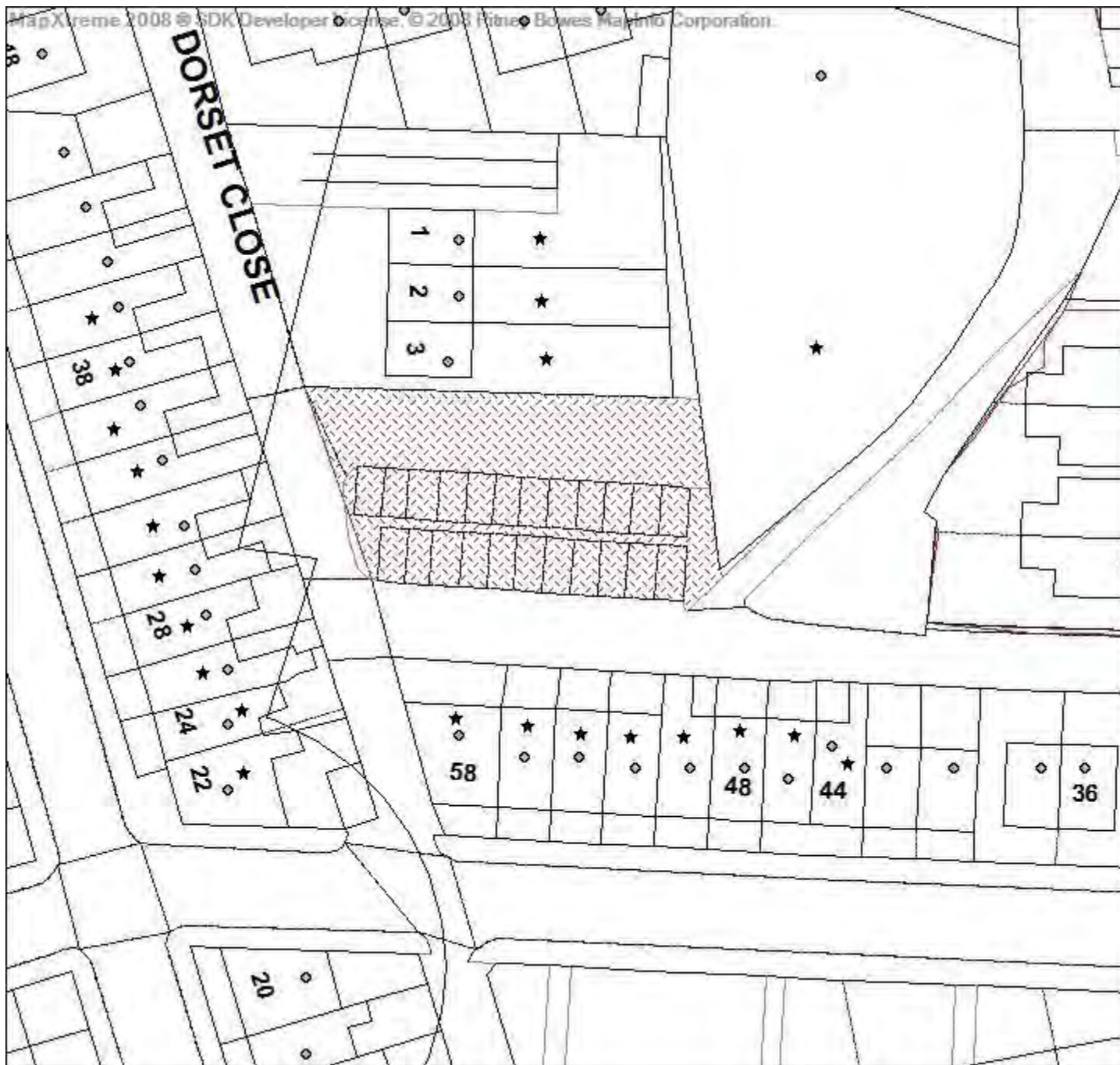
PROPOSED ELEVATIONS

PROPOSED RETAIL UNIT WITH APTS ABOVE
TONGE MOOR ROAD, BOLTON

CLIENT:	HARDIMAN	
DWG NO:	PL K413/03	
SCALE:	1/100 @ A1	
DRAWN BY:	DD	
DATE:	09/02/12	
REV:		

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**Application number
94453/15**



**Development & Regeneration Dept
Development Management Section**

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

**Bolton
Council**

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Date of Meeting: 12/05/2016

Application Reference: 94453/15

Type of Application: Full Planning Application

Registration Date: 01/07/2015

Decision Due By: 25/08/2015

Responsible Officer: Paul Bridge

Location: GARAGE COLONY, DORSET CLOSE, FARNWORTH, BOLTON

Proposal: DEMOLITION OF GARAGES AND ERECTION OF 7No APARTMENTS TOGETHER WITH ASSOCIATED PARKING AND LANDSCAPING.

Ward: Farnworth

Applicant: Landmark Investment Group

Agent : Walker Design

Officers Report

Recommendation: Approve subject to conditions

Background

Members will recall that the application was deferred at Planning Committee on the 18th February 2016 so that the interface distances between the proposal and the residential dwellings along Balmoral Road could be revisited. The case officer has discussed issues with the applicant and amended plans have now been received. The amended plans have reduced the bulk and massing of the proposal along the southern boundary facing the residential dwellings on Balmoral Road. The amended design has resulted in a 'stepped' design with the proposed apartment block being part two/part three storey. The issues in respect of residential amenity have been addressed in the "impact on the living conditions of existing/future residents" section of this appraisal.

Proposal

Planning permission is sought for the demolition of the existing garage colony and the erection of 7 No. apartments together with associated parking and landscaping. The proposed apartments would be two bedroomed and accommodated in a three storey building which would have a two storey element to the rear.

The proposed mix is as follows:

Apartment 1 – 58m²

Apartment 2 – 56m²

Apartment 3 – 58m²

Apartment 4 – 58m²

Apartment 5 – 53.4m²

Apartment 6 - 44m²

Apartment 7 – 53.4m²

The site is bounded by two roads - Dorset Close and an access ginnel behind Balmoral Road. Access to the car park area would be via a new side entrance formed in Back Balmoral Road which can be accessed from either Balmoral Road or Dorset Close.

Seven car parking spaces are proposed along with a cycle store which could accommodate approximately 5 bicycles. The proposal would also include several improvements to the existing adopted and unadopted roads which serve the site. These will be explained in more detail in the appraisal.

Site Characteristics

The application site is located in Farnworth and to the west of Farnworth Town centre. It is set within a densely populated area with a variety of properties, i.e. terraces, semis and apartments in close proximity to the site. The site is bounded by the unadopted Dorset Close to the west, whilst to the south is the rear access ginnel for the houses fronting Balmoral Road. The site backs on to an active vehicle scrap yard to the east, where general dismantling of cars for resale and metal recycling is carried out.

The existing garages are vacant and have become dilapidated and subject to vandalism.

Policy

National Planning Policy Framework

Core Strategy CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing, RA2 Farnworth and Appendix 3 - Parking Standards.

SPD Accessibility, Transport and Road Safety

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of residential development;
- * impact on housing provision
- * impact on affordable housing
- * impact on the character and appearance of the surrounding area;
- * impact on the living conditions of existing and future residents;
- * impact on the existing highway network and parking;
- * impact on crime and the fear of crime;
- * impact on the environment.

Principle of residential development

The National Planning Policy Framework at paragraph 7 defines sustainable development as incorporating a social role - "supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being".

Paragraph 49 of the NPPF states that "housing applications should be considered in the context of the presumption in favour of sustainable development", whilst one of the 12 core planning principles identified in paragraph 17 is to encourage the effective use of land that has been previously developed (brownfield land). Core Strategy policy CG3 reflects these priorities. The site is previously developed brownfield land and its development would constitute effective use of land in accordance with the NPPF.

Given the fact that the site is brownfield land located within an urban area in an accessible and sustainable locality and having regard to the housing requirements on previously developed land in Bolton, it is considered that the principle of developing the site for residential purposes is acceptable.

Impact on Housing Provision

All new housing developments should contribute towards the provision of a balanced mix of dwellings within the local area in terms of size, type, tenure and affordability.

The submitted plans indicate that the following dwelling sizes will be provided:-

- Apartment 1 – 58m²
- Apartment 2 – 56m²
- Apartment 3 – 58m²
- Apartment 4 – 58m²
- Apartment 5 – 53.4m²
- Apartment 6 - 44m²
- Apartment 7 – 53.4m²

Typically, the majority of apartments should have a floor space of 55m² or more to provide an adequate living space. The submitted plans show that 4 out of the 7 apartments would have a floor space above 55m², with two others just marginally below this. The proposed development is therefore considered acceptable in this regard.

Impact on Affordable Housing

Given that only 7 residential units are proposed there is no requirement for the developer to provide any affordable housing provision within the site.

Impact on the Character and Appearance of the Surrounding Area

Policy CG3 of the Core Strategy seeks to ensure that new development proposals contribute to good urban design in that they are compatible with/improve their surroundings, create a safe, secure environment and are accessible by people with a range of mobility and physical ability.

There are no objections to the layout of the development in terms of design. The Local Planning Authority have sought amendments to the plans which brought the proposed building closer to the building line of the dwellings which currently populate this section of Dorset Close and also reduced the bulk and massing of the proposal along towards the southern boundary. It is considered that the siting of the proposal is considered acceptable and would respect the layout of the immediate

surrounding area.

The adjacent dwellings are all principally two storey and whilst the proposed building is part two/part three storeys, the overall maximum height of the building would only be approximately 1.3m higher than the adjacent dwellings along Dorset Close. Therefore there are no objections from the Local Planning Authority in respect of the scale and massing of the proposal which is considered to be appropriate in the context of the dwellings in the immediate area.

The apartment block would have a contemporary appearance to the front with a large protruding window which spans the full height of the proposal and which adds interest and a focal point to this elevation. The application forms states that the proposal would be constructed from a mixture of brickwork and render with a flat roof covered in grey single ply. In order to ensure that the materials proposed are of a high quality a materials condition will be recommended requiring the applicant to submit agreed samples of materials prior to the commencement of development.

The proposed site plan shows that the proposed apartments would have a small area of amenity space which would be located to the front of the proposal. Given that the site plan lacks detail in this respect a landscape condition is recommended to agree these details at an appropriate stage within the development. It is considered that a high quality landscaping scheme could be secured and as such there are no objections to the development in this regard.

In light of the above and subject to conditions to secure high quality materials and a landscaping scheme the development is considered to accord with Core Strategy Policies CG3 and RA2.

Impact on the living conditions of existing/future residents

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

Future Occupiers

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

The proposed apartments are considered to be of an appropriate size to be functional and would provide any potential future occupiers with adequate living space. All of the habitable rooms within the flats are served by way of windows which would provide an adequate source of both light and outlook to these habitable rooms. It is therefore considered that the proposed flats are sufficient in size and design.

There would be a small area of communal open space to the front of the property for the flats and there are areas of open space within walking distance of the site. In addition, the property is located on Dorset Close, which is within close proximity to a number of services and is in a sustainable location with access to regular public transport links. It is therefore considered that the sustainability of the location and close proximity of open spaces mitigate the limited amount of open space contained within the curtilage of the property. Bin storage would be located in an internal area to the rear of the main two storey building which would provide sufficient space for bin storage for the seven proposed apartments.

To the rear of the site is a scrap/vehicle dismantling yard, therefore this has the potential to cause issues in respect of noise, therefore an appropriate condition has been attached to ensure an

assessment is carried of any noise likely to affect the application and any subsequent mitigation measures recommended by the Local Planning Authority incorporated into the development.

Neighbouring Residents

There are a number of residential dwellings adjacent to the site. The proposed development would result in the former Garage Colony being demolished and brought back into use as a residential development. The site is located in a dense urban location and there are residential properties adjacent to the site. It is considered the proposed use would not increase the potential for noise and disturbance than the previous use as garage colony and therefore would be wholly compatible in a residential area.

Loss of Privacy/Overlooking

In respect of loss of privacy and overlooking adequate screening would be secured at ground floor level by the proposed landscaping condition.

There would be habitable and non-habitable room windows located at all three levels in the rear eastern elevation, however a distance of approximately 20m would be maintained (from the main building) to the rear boundary beyond which is a scrap/vehicle dismantling yard.

There would be habitable and non-habitable room windows located at all three levels in the southern side elevation. The full length vertical windows would serve a stairwell, whilst the three horizontal windows would be secondary habitable room high level windows (approx. 1.8m above floor level) to prevent any direct outlook. A distance of approximately 8m would be maintained to the rear common boundaries of the residential dwellings along Balmoral Road and approximately 13m to the main rear elevations. In order to prevent any unacceptable loss of privacy/overlooking to the dwellings along Balmoral Road a condition has been attached to ensure these windows are all obscurely glazed.

There would be three habitable room windows located at all three levels in the northern side elevation of the main building and a further habitable room window at first floor level in the two storey rear element. All these windows are secondary habitable room high level windows which are approximately 1.8m above floor level to prevent any direct outlook. In addition a condition has been attached to ensure these windows are all obscurely glazed to prevent any direct overlooking into No.3 Dorset Close.

There would be principal habitable room windows introduced into the western front elevation at all three levels. Directly to the front of the site is Dorset Close beyond which are the rear elevations of the residential dwellings sited along Leinster Street. The dwellings along Leinster Street are set at an angle away from the proposed development. Whilst this is not an extension to a residential dwelling, the principles of the adopted House Extension SPD can be applied in this case. The House Extension SPD considers that a distance of 21 metres should be maintained between facing houses (i.e. 'directly' facing principle habitable room windows.) A distance of approximately 8.5m would be maintained to the nearest rear boundary at No.26 Leinster Road and approximately 13m to the further rear boundary at No.36 Leinster Road which is considered acceptable in respect of the rear yard areas of the residential dwellings along this section of Leinster Road.

In respect of the habitable room window to habitable room window interface distances, a minimum distance of approximately 17m would be maintained to the main two storey rear elevation of the nearest dwelling at No.26 Leinster Road and approximately 21m to the further rear two storey elevation at No.36 Leinster Road. Whilst it is recognised there is a shortfall in the interface distances between the proposal and Nos 26, 28 and 30 Leinster Road, it must be noted that the windows do not directly face and are offset enough to justify a reduction in the normally acceptable interface distances. Furthermore, the distances between the proposal and these dwellings roughly reflects the

distances between the juxtaposition of existing residential dwellings along Dorset Close and the dwellings on Leinster Road.

Loss of Light/Overbearing.

Whilst this is not an extension to a residential dwelling, the principles of the adopted House Extension SPD can be applied in this case. The House Extension SPD considers that a distance of 13.5m should normally be maintained between a principal ground floor habitable room window and a two storey extension and 9m between a neighbouring elevation which contains a principal habitable room window and a facing wall of a single storey extension.

Balmoral Road

As stated above the design of the proposal has been amended to reduce the bulk and massing along the southern boundary of the site and facing the residential dwellings along Balmoral Road. This has resulted in a 'stepped' design with the proposed apartment block now being part two/part three storey and which has reduced the height of the proposal on the southern elevation from approximately 9.1m to 7m (a reduction of approximately 2.1m in height).

In respect of the dwellings located along Balmoral Road, only No.58 would directly face the proposal. No.58 Balmoral Road has principal habitable room windows at both ground and first floor level which would directly face the proposal. Notwithstanding the above, the habitable room window at ground floor level directly faces their rear yard brick wall which is approximately 2.4m in height. As such it is considered that the outlook from this window is already severely restricted and the proposal would not exaggerate this to any further unacceptable degree. At first floor level, and due to the amended design, an interface distance of approximately 14.6m would be maintained between the proposal (at first floor level) and the first floor habitable room windows. Using the principles of the House Extensions SPD, a distance of 14.6m is considered more than acceptable at first floor level.

An interface distance of approximately 17m would be maintained between the other dwellings along this section of Balmoral Road and the rear two storey element, which is also considered acceptable.

Leinster Road

Nos 28 to 36 Leinster Road would face the three storey front elevation of the proposal. Due to the juxtaposition of these dwellings in relation to the proposal, interface distances ranging between 15m and 20m would be maintained to the main two storey rear elevations of these dwellings which is considered acceptable to prevent any unacceptable loss of light and outlook to these dwellings.

Dorset Close

As stated above the proposed development comprises a three storey main building and two storey rear extension. The height of the main building is approximately 9.1m, whilst the adjacent dwelling at No.3 Dorset Close is approximately 7.8m.

No.3 Dorset Close has a single storey rear extension which projects approximately 2.5m beyond the main rear elevation. The proposed three storey element would not project beyond the single storey rear extension and would not project beyond a 45 degree line taken from the midpoint of the nearest principal habitable room window at first floor level of No.3 Dorset Close. In addition, the proposal would be set in approximately 0.7m to the side/rear common boundary and approximately 2m from the side elevation of the dwelling itself. It is considered therefore that this element of the proposal would not result in an unacceptable impact in terms of loss of light or overbearing on the occupiers of No.3 Dorset Close.

In respect of the two storey rear element this would be approximately 6.2m in height and would be

set in 4.2m from the side/rear common boundary. It is considered therefore that this element of the proposal would not result in an unacceptable impact in terms of loss of light or overbearing on the occupiers of No.3 Dorset Close.

As such, it is not considered that the proposal would result in an unacceptable impact upon the residential amenity of neighbouring occupiers in accordance with policy CG4 of the Councils Core Strategy.

Furthermore the current proposal would, if built, remove an unsightly number of derelict garages in a highly sustainable location adjacent to existing residential properties.

Impact on the existing highway network and car parking

Core Strategy policies P5 and S1.2 and Appendix 3 seek to ensure that new development proposals make adequate provision for pedestrians, cyclists, servicing and access arrangements and car parking.

The proposal provides for 7 two bedroom apartments and would be accessed via either Balmoral Road or Dorset Close and then via a new entrance into the site from the access road to the rear of the dwellings along Balmoral Road. The Councils Highway Engineers have assessed the amended site layout and have advised that accessing the site off Back Balmoral Street is acceptable in principle subject to following roads being improved to adoptable standards:

- Back Balmoral Street along the site frontage at its existing width.
- Dorset Close along the site frontage widened to 6m.
- Dorset Close from Balmoral Road to Back Balmoral Road at its existing width.

The above improvement to the highway will have a cost implication to the applicant; the case officer has discussed this with the applicant's agent and the funding of these improvements.

Whilst these improvements would bring Dorset Close up to adoptable standards, it must be noted that it is not the Councils intention to adopt Dorset Close but to bring about improvements to the surrounding roads.

In respect of the car parking provision nine spaces would be provided. The proposed spaces equate to 1.3 per unit which is considered acceptable for a development of this nature. In addition, the site is located within an accessible location which is served by good public transport links allowing for trips on foot and public transport. The Councils Highway Engineers have been consulted and have no objections to the proposal, subject to a number of conditions. Consequently, the Local Planning Authority find no substantive evidence that the proposal would lead to a significant increase in on-street parking or have any consequential impact upon highway safety in accordance with policies S1 of the adopted Core Strategy.

Impact on Crime and the Fear of Crime

All the flats would be accessed via a door on the rear elevation. Whilst not entirely desirable to have an access from the rear of the building with restricted natural surveillance, there is activity in the immediate area due to the properties along Dorset Close and also the fact that the car park for the proposal is located in this area. The proposed plans do not show any external lighting. A condition has been attached requiring further details of external lighting to ensure it is fit for purpose. In respect of the access to the car park a condition will be attached to ensure that the access to the site is gated and can only be accessed by and via the future occupiers of the proposal.

Given the above and subject to appropriate conditions requiring the lighting and security measures to be incorporated in the proposal, it is considered that the proposal is in accordance with policy S1 of

adopted Core Strategy.

Environmental

Core Strategy policy CG2 seeks to ensure that new residential development proposals of 5 or more residential units are built to (a) achieve a Level 3 of the Code for Sustainable Homes, (b) reduce carbon dioxide emissions from the dwellings and (c) a reduction in surface water run-off from the development.

Drainage

The application site is not located within a critical drainage area or Flood Risk 2 or 3 areas. Policy CG2 states amongst other things that proposal for 5 or more residential units that development should aim for a minimum reduction in surface water runoff rates of 50% for brownfield sites. The applicants in the submitted documents has submitted a proposed drainage plan, however whilst the Council's Drainage Engineer has been consulted no response has been received to date. Therefore a condition has recommended requiring a reduction in surface water flows as required by policy CG2 of the adopted Core Strategy. United Utilities have advised however that the drainage of the site would need to meet the requirements of planning and building regulations.

It is considered that with the imposition of conditions that the development would accord with policy CG2 of the adopted Core Strategy.

Noise and Air Quality

As stated earlier the application site adjoins a scrap/vehicle dismantling yard to the east with the remainder of surrounding properties being in residential use. Due to the sensitive end use proposed and its close proximity to the scrap yard, conditions have been attached to ensure the above issues are address prior to the commencement of development.

Contaminated Land

A desktop study has been submitted in support of the application. The Council's Environmental Health Team has assessed the report and have found that it is unsatisfactory. The report assessed the risk from the current use of the site and not for the proposed redevelopment. A preliminary risk assessment needs to assess the contamination risks associated with the proposed redevelopment. As such a condition has been attached to ensure this carried out prior to the commencement of development.

Sustainability

The application has not been supported by a Sustainability Report. The applicants have in their design and access statement stated only that the developer "has accepted their responsibilities and will adopt the 'Considerate Contractor' scheme, and retain an element of recycling and recovery of reusable materials as part of its management and sustainable policy.

The applicant's submission makes no reference to achieving Level 3 of the BREEAM code for sustainable home or incorporating decentralised, renewable or low carbon energy sources to reduce CO2 emissions of predicated regulated and unregulated energy use by 10%. As such it is considered necessary and appropriate to condition these elements to ensure policy compliance.

Japanese Knotweed

It has been noted that there may be the presence of Japanese knotweed within the site. Therefore an informative has been attached to ensure if any Japanese Knotweed is found the matter is reported to the Local Planning Authority and any mitigation measures implemented.

Subject to the necessary planning conditions it is considered that the proposal would comply with policy.

Conclusion

The proposal would result in the removal of a number of vacant and derelict garages and the re-use of a brownfield site within a predominantly residential area with a new contemporary residential apartment block which is sensitive to the location within which it is set whilst providing adequate car parking. It is considered that the proposal complies with policy and is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters:-

Representations have been received from 8 individual addresses (a number of which have written in on a more than one occasion) in response to the planning application publicity and who have raised the following concerns:-

Loss of privacy/overlooking,

Loss of light/overbearing,

Light pollution,

Japanese Knotweed,

Drainage,

Development out of character with surrounding area,

What alterations are being made to the surrounding roads?

Will Dorset Close remain unadopted?

The above issues have been addressed in the appraisal.

What is secured by design? *Response* – Secured by Design is the official UK Police initiative combining the principles of designing out crime with physical security.

Noise from future residents. *Response* - The development would provide residential units and as such it is considered there would be no excessive increases in noise

Additional noise and disturbance during the construction phase. *Response* - With any development there will be an element of noise and general disturbance during the construction phase. Whilst this is a material planning consideration it is not a reason to refuse planning permission as this would be for a temporary period.

The proposal would restrict access to the rear of No.1 to 3 Dorset Close – *Response* - The applicant would be able to gain access to his rear garden area through the existing dwelling. This set up is not uncommon and similar situations exist at terraced properties. In respect of access to the garage at No.3 Dorset Close the applicant is under no obligation to set the proposal in from the side common

boundary. The current application will be assessed on its own planning merits. In addition the applicant has signed Certificate A (owner of all the land) and one cannot rely on entering another's land for access purposes.

How will the water supply be connected to the new development? – *Response* - This proposal would be the subject of building regulations who would ensure the suitable utilities are suitably installed.

The development could result in the road being used as cut through by speeding vehicles. *Response* – There is no evidence to suggest that the proposal would result in an increase in speeding vehicles. In any event the issues of potential speeding vehicles would not fall within the jurisdiction of the Local Planning Authority.

Bin Wagons and Emergency Service Vehicles will not be able to pass freely along Dorset Close. *Response* – The existing waste serving arrangements would not be affected by the proposal. Any issues in relation to restricted access already exist and the proposed development would not exaggerate this to any unacceptable degree.

Right to Light . *Response* - Prescription Act 1832 - The Right to Light - Consideration to the impact of the development on the light of neighbouring occupiers is detailed within this report taking account of council separation distances which seek to protect neighbouring amenity. Right to Light legislation is not a material planning consideration and is a civil matter.

Loss of property value. *Response* - The loss of property value is not a material planning consideration.

A previous development was blocked due to lack of parking. *Response* – The application site has been subject to any recent planning applications. Therefore, this application and any future applications for the surrounding area will be assessed on their own planning merits

Inadequate neighbour notification. *Response* - The Local Planning Authority is satisfied the statutory neighbour notifications requirements for development of this nature has been undertaken.

Potential damage to existing dwellings during construction. *Response* – Should any damage be caused to surrounding dwellings or property during the construction phase, this would be a civil matter and would not fall within the jurisdiction of the Local Planning Authority.

What is the history of the developer? *Response* – The history of any developer is not a material planning consideration. Planning decisions are taken in the broader public interest, in the light of policies in development plan documents and of any other factor relevant to land-use planning.

Who will occupy the apartments? *Response* – The Local Planning Authority has no information on the type of tenure the development will offer.

Have the garages been condemned and what will happen to them if the application is refused? – The Local Planning Authority has no information on whether the existing garages have been condemned or what will happen to them if the application is refused. The maintenance of the site and any potential future redevelopment would be solely down to the owner of the site.

Has any other development been considered for this site. *Response* – The Local Planning Authority is not aware if any other development has been considered for this site.

The description in section 4 of the application form differs from the submitted plans. *Response* – The description in section 4 of the planning application is an error by the applicant. The correct description is given in section 3 of the application form. The case officer has assessed this and is satisfied that the description accurately reflects the proposal.

Consultations

Advice was sought from the following consultees: Environmental Health, Strategic Development Unit, Economic Strategy, Drainage, United Utilities, the Council's Highways Engineers and Design for Security.

Planning History

None relevant.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of development the details of the type and colour of materials to be used for the external walls, roof, windows and doors are to be agreed with the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

To ensure the development reflects local distinctiveness.

3. Prior to the construction of development hereby approved above slab level the developer shall submit to the Local Planning Authority for written approval an assessment of noise likely to affect the application site. The assessment methodology to be used, including measurement positions, shall be agreed with the Local Planning Authority prior to the commencement of noise measurements.

The assessment shall provide details of noise attenuation measures required to ensure that the following standards are attained with respect to residential accommodation on the site as stipulated in BS8233:2014 - Guidance on Sound Insulation and Noise Reduction for Buildings:

(i) internal noise levels of less than 30 dB LAeq,8hour within bedrooms between 23.00 hours and 07.00 hours

(ii) internal noise levels of less than 35 dB LAeq,16 hour within living rooms between 07.00 hours and 23:00 hours

(iii) internal noise levels of less than 40 dB LAeq,16hour within dining rooms between 07.00 and 23.00 hours

(iv) external noise levels of less than 55 dB LAeq,16 hour in gardens, patios and private communal gardens between 07.00 and 23.00 hours

The use of ventilation measures which removes the need for future residents to open windows for summer cooling and rapid ventilation shall be identified and incorporated into the noise assessment report. The ventilation measures identified shall ensure the above standards are not compromised. The mitigation measures shall be approved in writing by the Local Planning Authority and installed prior to the occupation of the development. Prior to occupation of the development a Site Completion Report shall be submitted to the Local Planning Authority for approval. The Site Completion Report shall validate that all works undertaken on site were completed in accordance with those agreed by the Local Planning Authority. All mitigation measures shall thereafter be retained.

Reason: To safeguard the amenity of the future occupants of the development

4. Prior to the commencement of the development, a Preliminary Risk Assessment report, including a conceptual model and a site walk over, to assess the potential risk of land contamination, shall be submitted to and approved in writing by the Local Planning Authority. Should a potential risk be identified then:
 1. A Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health and the wider environment; and
 2. The details of any proposed Remedial Works shall be submitted to, and approved in writing by the Local Planning Authority. Such Remedial Works shall be incorporated into the development during the course of construction and completed prior to occupation of the development; and
 3. A Verification Report shall be submitted to, and approved in writing by, the Local Planning Authority. The Verification Report shall validate that all remedial works undertaken on site were completed in accordance with those agreed by the LPA.

Reason: In the interests of public safety in accordance with National Planning Policy Framework

5. Prior to the construction of any development hereby approved above slab level the site shall be treated in accordance with a landscape scheme, which shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall include full details of shrubs to be planted, walls, fences, boundary (including height) and surface treatment together with an implementation plan. Any shrubs dying within five years of planting shall be replaced with the same species within twelve months. The development hereby approved shall be carried out in accordance with the approved details.

Reason: To safeguard the amenity of the area

6. Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. No building shall be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details. This development shall be completed maintained and managed in accordance with the approved details.

Reason: To ensure foul water from the site is adequately drained.

7. Prior to the development being first brought into use surface water drainage works should be implemented in full in accordance with details that have been submitted to and approved in writing with the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in 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

Reason

To ensure the site provides satisfactory means of surface water drainage.

8. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of tackling climate change.

9. Notwithstanding the approved plans and prior to the commencement of development full details of the highway works at Dorset Close from Balmoral Road (upto and including Back Balmoral Road) comprising of improvements upto adoptable standards 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.

10. Notwithstanding the approved plans and prior to the commencement of development full details of the highway works at Dorset Close along the site frontage comprising of widening to 6m and improvement to adoptable standards 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.

11. Notwithstanding the approved plans and prior to the commencement of development full details of the highway works at Back Balmoral Street along the site frontage comprising improving it to adoptable standards 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.

12. Prior to first occupation a scheme for the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include full details of the locations, design, luminance levels, light spillage and hours of use of, and columns for, all external lighting within the site and the approved scheme shall be implemented in full prior to the occupation of development.

Reason:- In the interest of crime and design.

13. Notwithstanding the approved plans and prior to the development hereby approved being first occupied, a scheme detailing how parts of the site to be used by vehicles are to be laid out, constructed, surfaced, drained and lit shall be submitted to and approved in writing by the Local

Planning Authority. The approved scheme shall be implemented in full and thereafter made available for the use of vehicles at all times the development is in use.

Reason

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

14. Before the approved development is first brought into use no less than 9 car parking spaces with minimum dimensions of 2.5 metres by 5 metres shall be marked out provided within the curtilage of the site, in accordance with Drawing Ref: 1434.P.12.B (proposed site plan). Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

15. Before the first occupation any residential use hereby permitted all the windows in the northern and southern elevations (at all levels) shall be fitted with obscure glazing whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely obscure) and shall be permanently retained in that condition thereafter.

Reason

To protect the privacy, outlook and living conditions of neighbouring occupiers.

16. Prior to first occupation a scheme for the provision of a secure vehicular access to the site from Back Balmoral Road shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include full details of the location, design, and full specification within the site and the approved scheme shall be implemented in full prior to the occupation of development.

Reason:- In the interest of crime and design.

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

1434.P10 - Location Plan

1434.P12.5 - Proposed Site Plan

1434.P.20.B - Proposed Elevations Sheet 1 of 2 (received 01.04.2016)

1434.P.21.B - Proposed Elevations Sheet 2 of 2 (received 01.04.2016)

1434.P.14.B - Proposed Floor Plans (received 01.04.2016)

1434.P.15.B - Drainage Plan

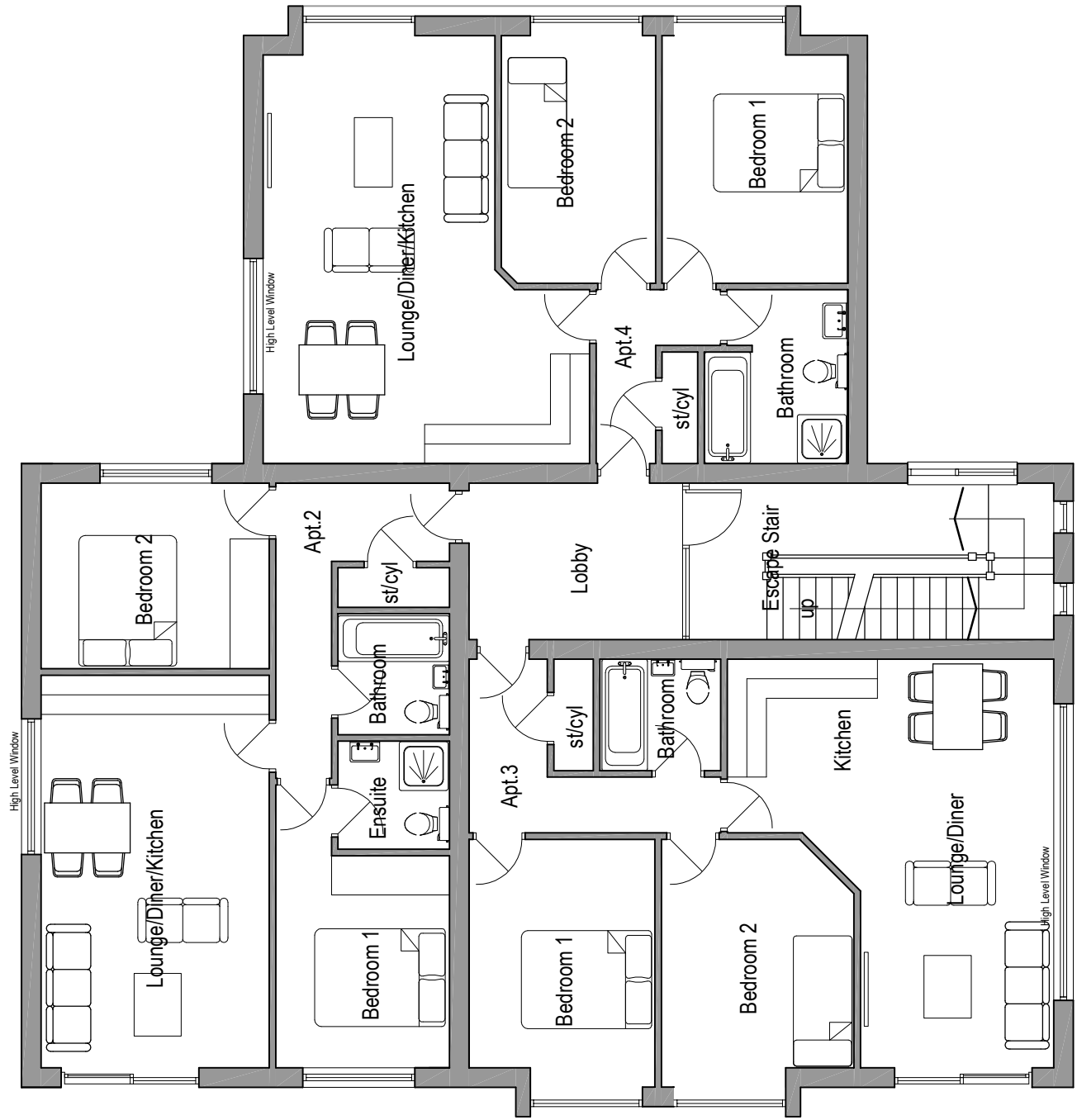
Reason

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

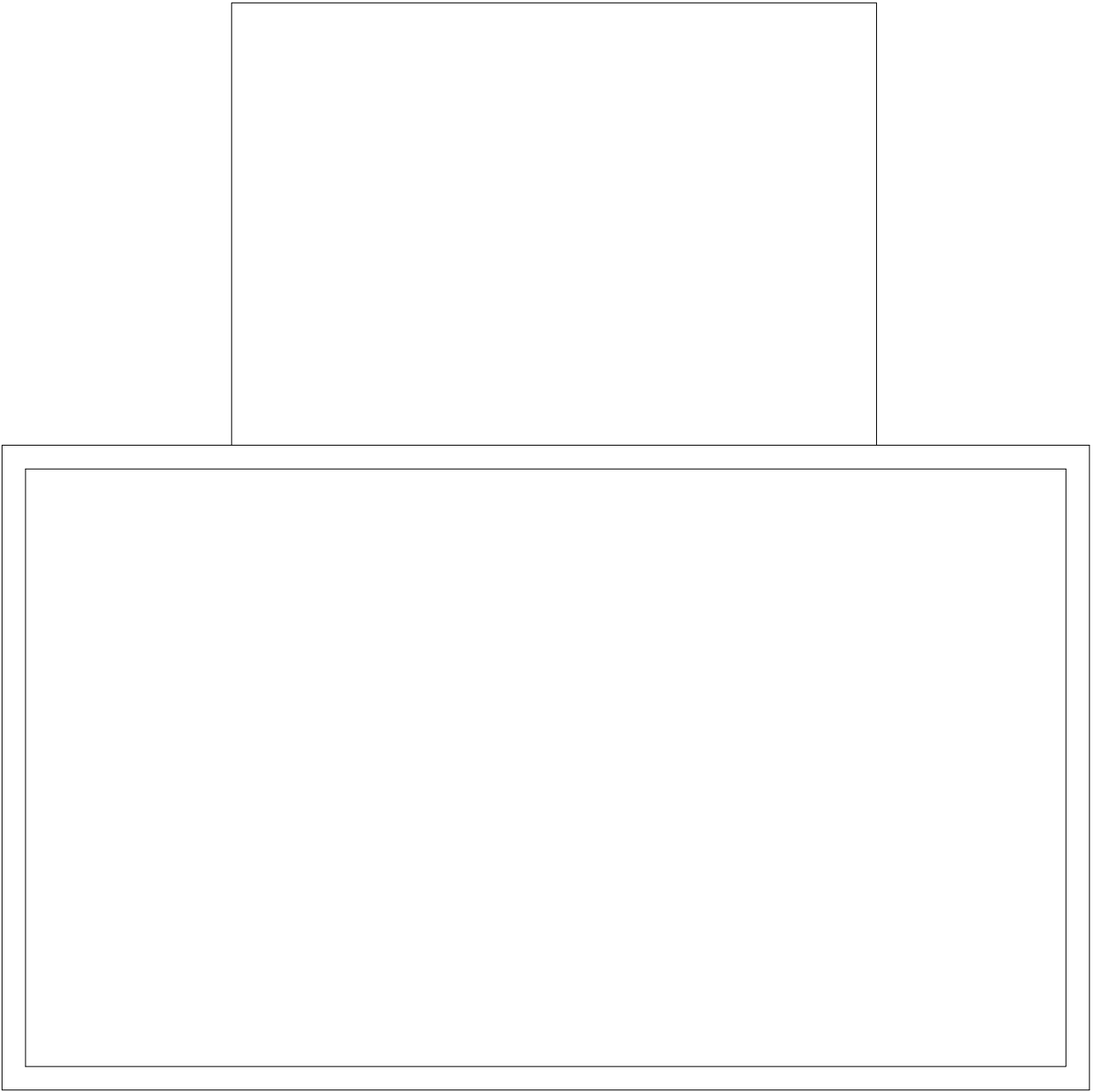
18. No dwelling shall be occupied until the access roads, footways and footpaths leading thereto have been constructed and completed in accordance with a scheme which shall be submitted and improved in writing by the Local Planning Authority prior to the commencement of development. .

Reason

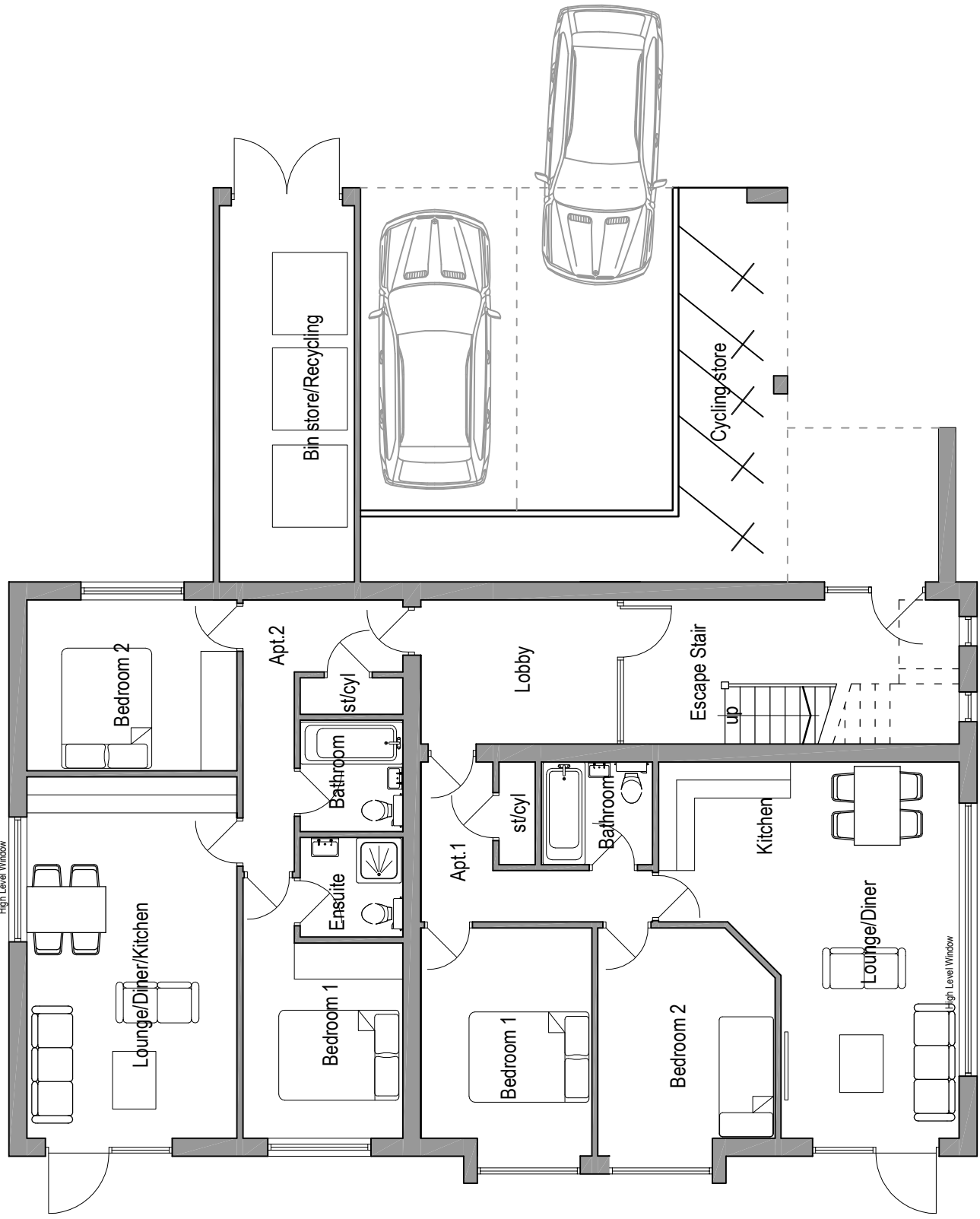
In the interests of highway safety.



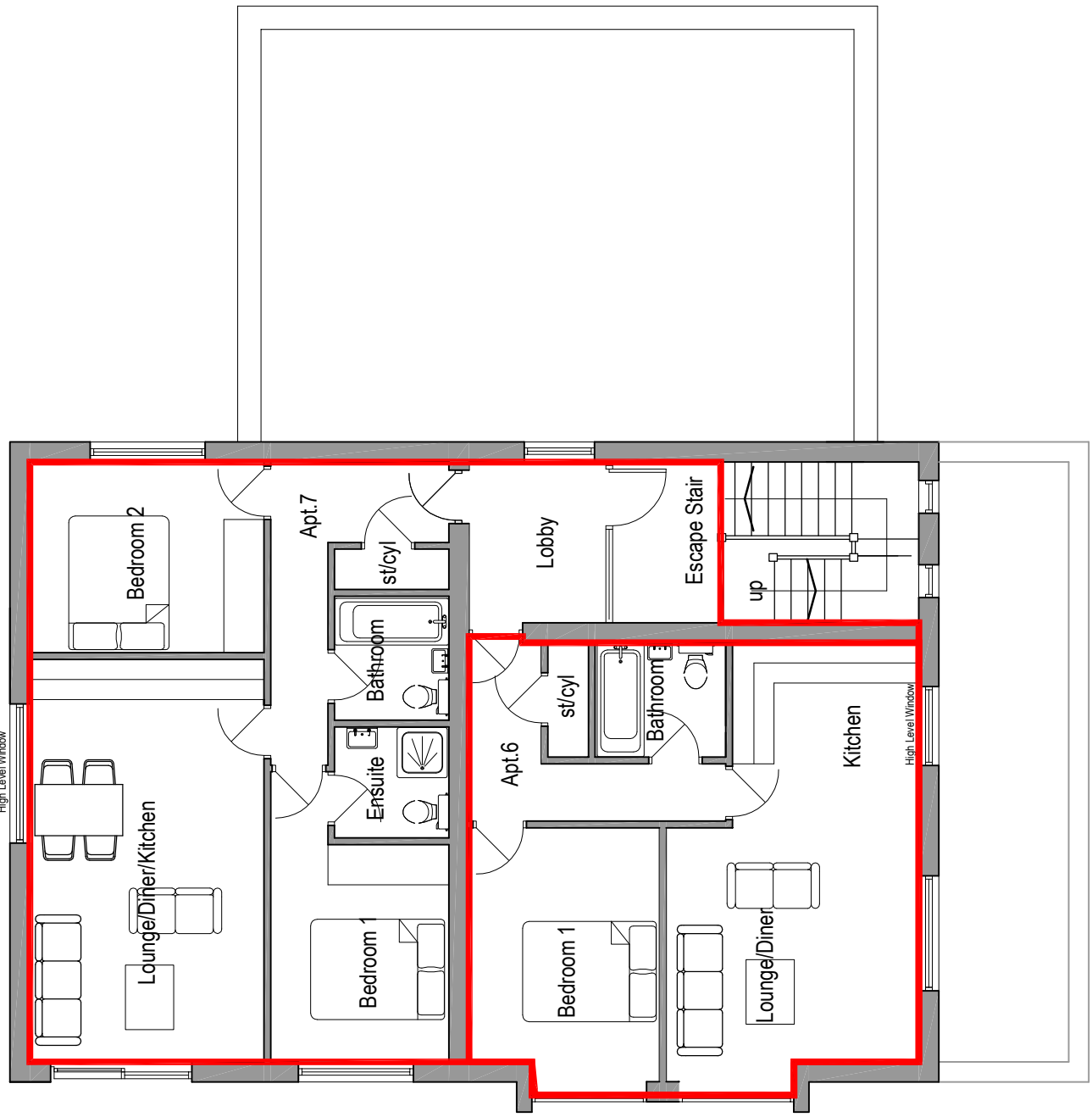
PROPOSED FIRST FLOOR PLAN
Gross Floor Area: 198m² = 2130sqft
Gross Floor Area Apartment 3: 58m² = 624sqft
Gross Floor Area Apartment 4: 58m² = 624sqft
Gross Floor Area Apartment 3: 53.4m² = 574sqft



PROPOSED ROOF PLAN

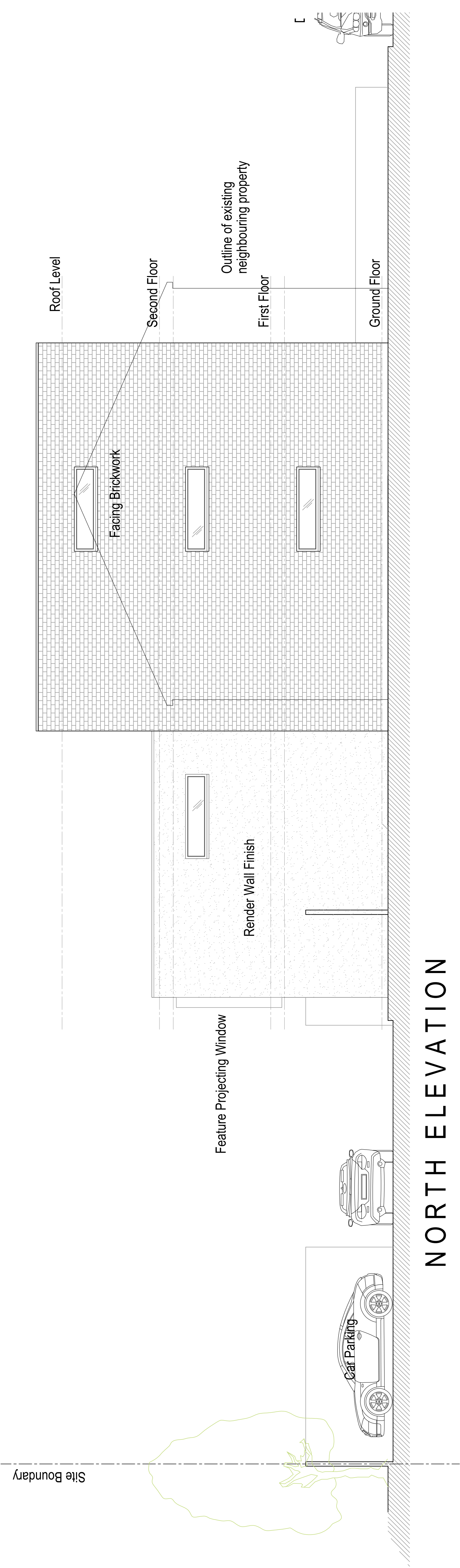
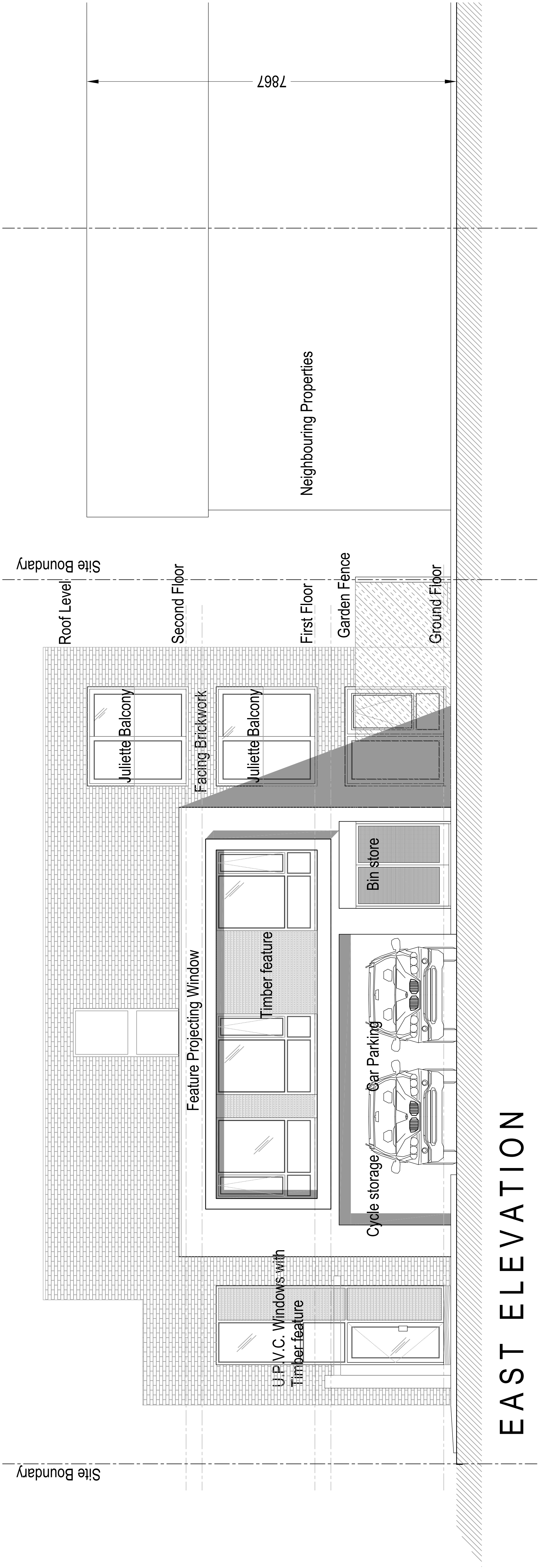


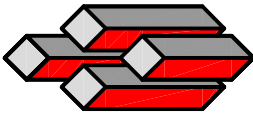
PROPOSED GROUND FLOOR PLAN
Gross Floor Area: 140m² = 1506sqft
Gross Floor Area Apartment 1: 58m² = 624sqft
Gross Floor Area Apartment 2: 55m² = 602sqft

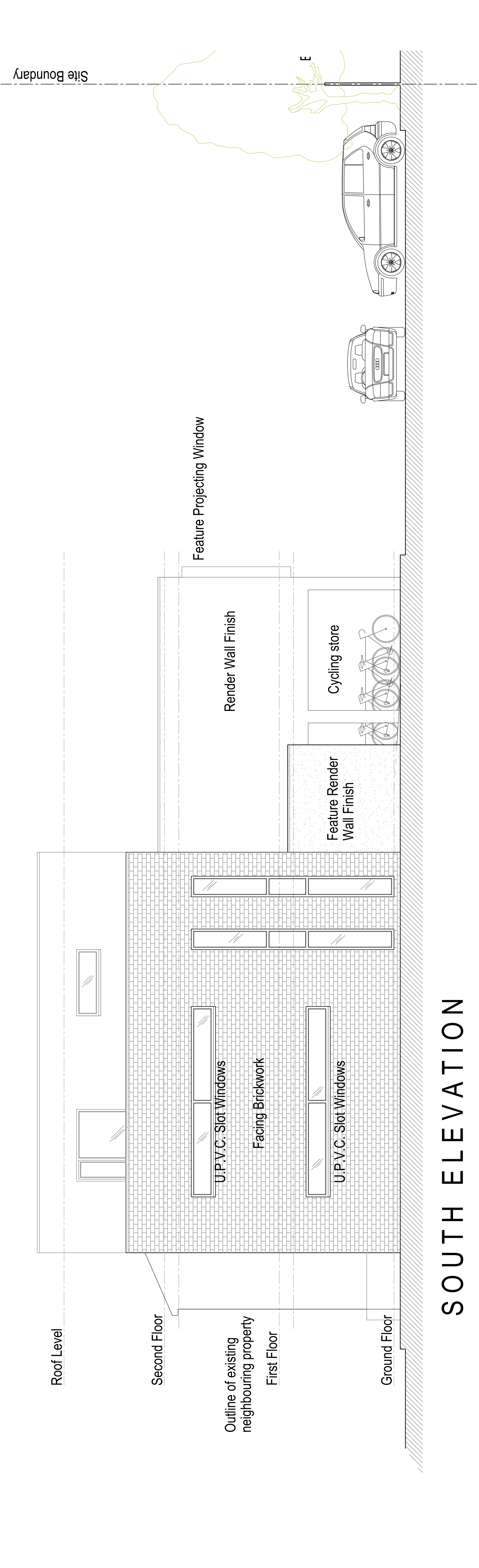
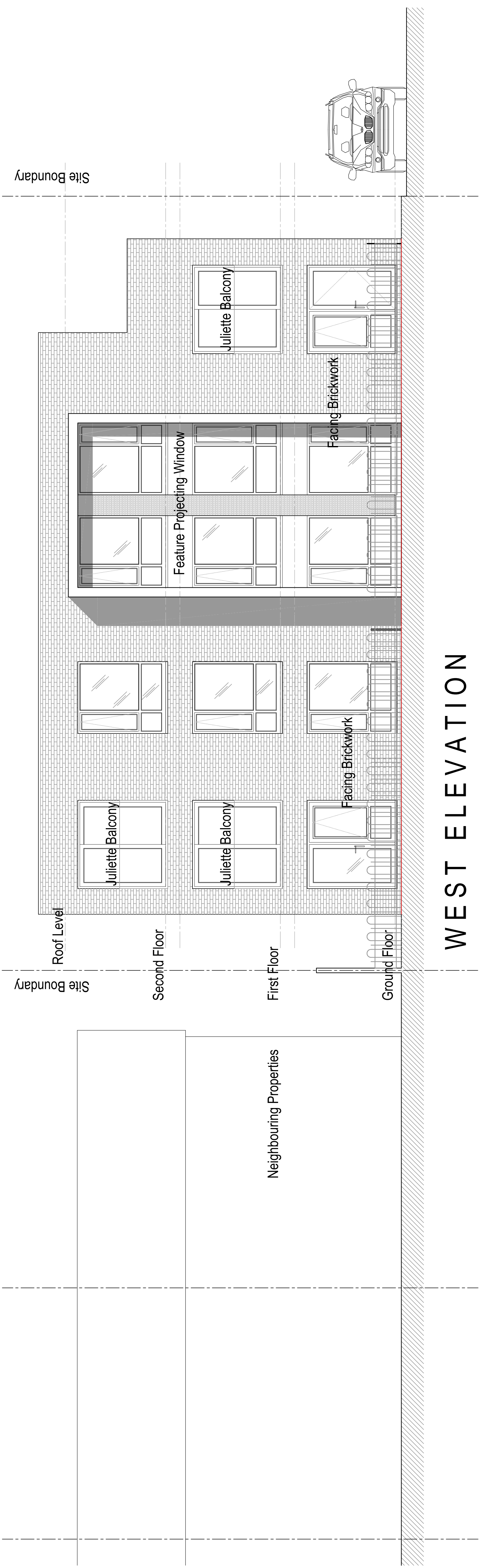


PROPOSED SECOND FLOOR PLAN
Gross Floor Area: 140m² = 1506sqft
Gross Floor Area Apartment 7: 53.4m² = 574sqft
Gross Floor Area Apartment 6: 44m² = 473sqft

MB FREEHOLDS LIMITED	DORSET CLOSE FARNWORTH BOLTON	A PROPOSED FLOOR PLANS	1 434.P.14.B	1 : 100	PJO	
CLIENT	PROJECT	TITLE	DRAWING NO.	SCALE@A1	DRAWN	
<div>WALKER DESIGN</div> <div>UNIT 8, FIRST FLOOR, LOFTGARD OFFICE PARK, LIVERPOOL WAY, BOLTON, BL6 4SG</div> <div>TELEPHONE: 01204 357822 EMAIL: INFO@WALKERDESIGN.NET</div>						

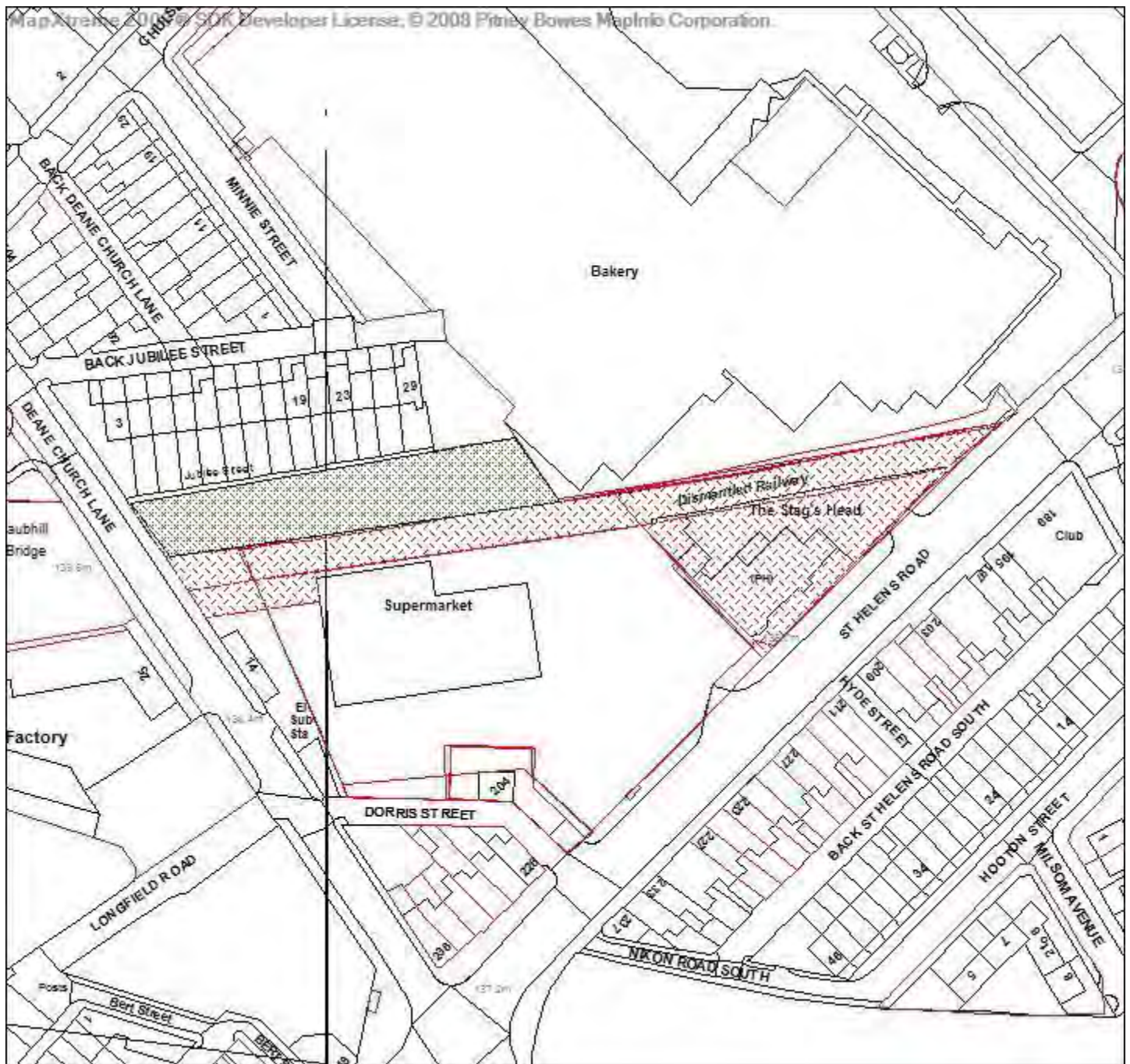


MB FREEHOLDS LIMITED	DORSET CLOSE FARNWORTH BOLTON	A PROPOSED FLOOR PLANS SHEET 1 OFF 2	1 434.P.20.B	1:50	PJO	
CLIENT	PROJECT	TITLE	DRAWING NO.	SCALE@A1	DRAWN	UNIT B, FIRST FLOOR, LANTERN OFFICE PARK, LANTERN WAY, BOLTON, BL6 4GB TELEPHONE: 01204 357822 EMAIL: INFO@WALKERDESIGN.NET



MB FREEHOLDS LIMITED	DORSET CLOSE FARNWORTH BOLTON	A PROPOSED FLOOR PLANS SHEET 2 OFF 2	1 434.P.21.B	PJO	
CLIENT	PROJECT	TITLE	DRAWING NO.	SCALE@A1	DRAWN
<div><div>WALKER DESIGN</div><div>UNIT B, FIRST FLOOR, LOTTINGDALE OFFICE PARK, LIVERPOOL WAY, BOLTON, BL6 4SG</div><div>TELEPHONE: 01204 357822 EMAIL: INFO@WALKERDESIGN.NET</div></div>					

Application number 95030/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 12/05/2016

Application Reference: 95030/15

Type of Application: Full Planning Application
Registration Date: 24/11/2015
Decision Due By: 18/01/2016
Responsible Officer: Jeanette Isherwood

Location: 200 ST HELENS ROAD, BOLTON, BL3 4EB

Proposal: CHANGE OF USE FROM PUBLIC HOUSE TO A FUNCTION AND CONFERENCE FACILITY ON GROUND FLOOR AND OFFICES ON FIRST FLOOR TOGETHER WITH DORMER AT REAR, SINGLE STOREY REAR EXTENSION AND CAR PARKING TO LAND AT REAR INCLUDING ERECTION OF LIGHTING

Ward: Rumworth

Applicant: Mr Ali
Agent : Smusa1

Officers Report

Recommendation: Refuse

Background

This proposal was deferred from the Committee of 10th March for a site visit.

The proposal is a resubmission of an almost identical scheme that was refused under delegated powers on 6th July 2015 under reference 93685/15. The application was refused for the following reasons:-

- The proposed development will increase noise and activity in and around the premises, along with increased light pollution from the floodlights, to the detriment of the living conditions of nearby residents and is contrary to Policy CG4 of Bolton's Core Strategy and Planning Control Policy Note No.16 - Floodlighting.
- The proposal makes insufficient provision for car parking in connection with the proposed development which is likely to result in on-street traffic and parking problems, to the detriment of highway safety, and is thus contrary to Policies S1 and P5 of Bolton's Core Strategy.
- The proposed development would be contrary to Policy CG1.2 of Bolton's Core Strategy in that it would be likely to result in damage to and ultimately the unacceptable loss of trees from the site, to the detriment of the character, appearance and amenity of the application site and the area in which it is set.

Enforcement History

The Council first received complaints regarding the change of use of the premises - and the formation of a car park with floodlighting - in June 2014. The complaints centred around noise disturbance from the venue, traffic noise from the unauthorised car park together with light disturbance with the introduction of floodlighting to the rear and the unauthorised removal of trees. All the works were unauthorised and without the benefit of planning permission. A planning application to regularise the breach was not submitted and, therefore, on 6th November 2014 the Council served an Enforcement Notice. The Notice became effective on 11th December 2014 and required the owner to take the following steps:

- i. Permanently cease to use the premises (marked "A" on the attached site plan) as a functions and conference venue.
- ii. Permanently cease to use the land (within the hatched area on the attached site plan) for the parking of motor vehicles.
- iii. Permanently dismantle and remove from the land, to an authorised place of disposal, all lighting columns and floodlights shown for identification purposes on photograph 1 marked "B", "C", "D" and "E" and within the hatched area on the attached plan.
- iv. Remove all the deposited aggregate material which forms the hardstanding, to an authorised place of disposal, shown for identification purposes on photograph 2 marked "F" and within the hatched area in the attached plan, to a maximum depth of 300mm.
- v. Replace the removed aggregate material with 200mm of subsoil to be rotovated to a depth of 150mm to break up compaction and to remove stones larger than 50mm including rubble contaminants, top off with 100mm of top soil and re-seed it with grass. All removed contaminants to be taken to an authorised place of disposal.

Steps (i) and (ii) should have been complied with within 24 hours after the notice took effect; step (iii) within 30 days; step (iv) within 3 months; step (v) within 6 months. The Notice should have been fully complied with by 11th June 2015. However the owners have failed to comply with any of the requirements of the Notice.

In the interim period, the Council accepted two planning applications from the owner in an attempt to regularise the situation. The first application was withdrawn whilst the second application was refused, as per the above details.

Enforcement Officers have advised the owners that they should appeal against the decision to refuse the second planning application (93685/15) or the Council would begin preparing papers for prosecution for non-compliance with the Enforcement Notice. However, the owners did not appeal against the decision. Papers for prosecution have been prepared and it would be usual practice for the Council to now lodge those papers in the magistrates court. However, this process has been held in abeyance whilst this planning application is determined.

It is a criminal offence to contravene the requirements of a valid Enforcement Notice. The maximum penalty is a fine up to £20,000. Furthermore, as the owner has been operating the business since 11th June 2015, in contravention of the Enforcement Notice, Officers believe that the Council would stand a reasonable chance of gaining substantial costs from the owner by virtue of the Proceeds of Crime Act (POCA) as it is highly likely that the owner has benefited financially from the criminal offence.

Proposal

The application proposes to retain a change of use from a public house (A4) to a wedding

hall/conference facility (D2) on the ground floor and offices (B1) on the first floor, together with 1 no. dormer at the rear, a single storey rear extension and car parking to land at the rear. The repositioning of 5 metre high floodlighting is also proposed.

The proposed car park is in situ and the floodlighting already in use.

The application proposes an increase in staff from 2 part time employees to 22 full time employees.

The hours of opening for the offices are proposed at 9:00am - 5:00 pm Monday to Saturday

The hours of opening of the venue are 5:00pm to 11:30pm Monday to Sunday including bank holidays.

Site Characteristics

The Manor is located on St Helens Road and was formerly The Stags Head Public House. A small car park is to the side of the property; it is accessed directly from St Helens Road. The area contains a multitude of uses some commercial, some residential. Asda supermarket adjoins the site to the south west. A parking area separates the respective buildings. Opposite is a row of terraces containing a number of retail uses interspersed with residential occupations. To the north is an industrial unit together with a row of terraced properties on Jubilee Street. These properties are sited behind the disused railway embankment and are therefore set at a higher level.

To the west is a traffic light controlled junction at Deane Church Lane and Hudson Road. Regular bus services run along St Helen's Road providing links into and out of Bolton town centre.

Policy

National Policy Framework

Bolton Core Strategy Policies: CG1 Green Bolton; CG3 Design and the Built Environment; CG4 Compatible Uses; RA1 Inner Bolton; P5 Accessibility; S1 Safe Bolton.

SPD General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

The main impacts of the proposal are:-

* principle of converting a public house

- * impact on the character and appearance of the area
- * impact on residential amenity
- * impact on parking provision
- * impact on protected trees.

Principle of Converting a Public House

There are no planning restrictions which require the property to remain as a public house, therefore its use needs to satisfy the relevant national and local policies.

Impact on the Character and Appearance of the Area

The National Planning Policy Framework states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Core Strategy Policy CG3 seeks to ensure that development proposals display innovative, sustainable design that contributes to good urban design, respects and enhances local distinctiveness, and has regard to the overall built character and landscape quality of the area. Proposals should also be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment including hard and soft landscaping and boundary treatment. Historical associations should be retained where possible. Policy RA1 relates to Inner Bolton and states that the Council will ensure that development has particular regard to massing and materials used.

The proposed rear extension is of irregular, triangular shape, 12.378 metres wide and 13.569 metres long incorporating a flat roof. Although large in size the proposal is relative to the size of the plot and sited to the rear, not particularly visible from any public vantage point. The property has a distinct 'Tudor style' design using a beam effect and render with the new extension continuing this.

The proposed dormer is situated to the rear and does not overlook any residential accommodation. The style of the dormer is one small individual, dual pitched dormer of the same material and design as the existing building.

The proposed extension and dormer are not considered to have a detrimental impact on the character and appearance of the area and are considered to comply with policies CG3 and RA1 of Bolton's Core Strategy.

Impact on Residential Amenity

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.

Section 6 of SPD "General Design Principles" provides policy guidance regarding the siting and operation of floodlights. The floodlights are sited approximately 30 metres from the fronts of properties on Jubilee Street. Although there is a ground level difference, the height and angle of the lights are on a level with the ground floor windows of these properties. The Council's recommended guidelines for use at this distance (20 to 34 metres) are as follows:-

- 09.00 and 21.00 Monday to Friday,
- 09.00 and 18.00 Saturdays and

- 09.00 and 17.00 Sundays for a temporary period of one year in order to monitor the impact upon residential properties nearby.

The positioning of the current floodlighting has been amended and detailed as 'facing away' from the properties on Jubilee Street (however this is not yet apparent on site). However the use of the lights remains contrary to section 6 of the SPD and the new position of the floodlighting brings it closer to the properties to the rear on Jubilee Street.

The Council's Pollution Control Officers were consulted and had no objections subject to conditions regarding the following:-

- Possible ground contamination
- Lighting Lux levels
- Filtration methods for cooking odours
- Restrictions to opening hours and deliveries

Notwithstanding the above, the Environmental Health Officer commented further that the applicant had submitted insufficient information to demonstrate if the specifics of the proposed lighting condition could actually be met. There has been no detailed information submitted as to the new position of the lighting (only that it will be closer to residential properties) to fully assess if the current issues can actually be addressed in the new location with redirection.

The wedding venue is to be in use until 23:30, 7 days a week.

The new proposal was to address the issues of disturbance to the residents of Jubilee Street. As such the rear parking area has now been suggested as an 'informal' parking area for staff. However, if staff were to use this car park area to the rear this would still result in disturbance to the neighbours when leaving the venue upon its closure.

Officers do not consider that the amendments to the previous application have successfully addressed previous issues with regard to impacts on nearby residents and it therefore remains contrary to CG4 of Bolton's Core Strategy.

Impact on Parking Provision

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

The site is situated on St Helens Road, a busy thoroughfare between Bolton and Westhoughton. The proposal details an increase in parking from 6 spaces to 22 and includes the provision of an informal staff parking area to the rear, adjacent to the embankment.

The Highways and Engineers Officers were consulted with their comments as follows:-

As with the previous application 93685/15, there would be insufficient turning space at the end of the informal staff parking area to allow vehicles to turn. This would result in inconvenience and possible underuse of the spaces, which would be exacerbated by the lack of formal car park space markings. In addition, as with the previous application, it is considered that the amount of parking for visitors would be insufficient to cater for the numbers of visitors to the large venue.

On the basis that the venue is marketed as a 'Modern Marriage Venue' and described as such in paragraph 6.1 of the applicant's Design and Access Statement. Highways Engineers offered the

further following comments:-

For the B1 office space a calculation of 8 spaces is required.

For the D2 use, the Council's parking standards fail to address the issue of modern wedding venues. The comparison with cinema, bingo hall or concert hall is the closest that the D2 standards allow and equates to 13 spaces based on a maximum of 100 people. If recommended for approval a condition should be imposed to limit the maximum number of people to 100.

However, in terms of traffic generation, a wedding venue could be more accurately compared to an A3 restaurant use, which would equate to 29 spaces based on a maximum of 200 sq m of public floor area, modern wedding venues often attract vehicle numbers far in excess of the Council's maximum parking standards and as a result, overspill on-street parking occurs to the detriment of highway safety and residential amenity.

It is noted that Highways have stated that conditioning the number of attendees to the venue could dispel parking issues. However a condition such as this would be unenforceable and therefore difficult to control, possibly leading to over capacity of the venue and therefore this does not outweigh the initial concerns.

In view of the historical residential complaints with regards to traffic disturbance it is clear that the applicants statement that, *"the current venue has operated at this site for a number of years without any known detriment to residential amenity"* is not correct as the change of use was brought to the attention of the Council whilst investigations of a number of complaints were ongoing.

It is considered that the available parking, due to problems highlighted, would be insufficient to cater for the numbers of visitors to the large venue and it is therefore considered that the proposal does not comply with policies P5 and S1 of the Core Strategy.

impact on Trees

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

The Council's Tree and Woodlands Officers have highlighted a number of issues. These include the following:-

- A complaint was received during the summer that trees and soil were being removed from the linear car parking area to the rear of the supermarket. I visited the site and spoke to the owner who advised that they were clearing the area of rubbish. I advised that excavation works should not occur next to the protected trees. They advised that they would not excavate further than they had at the time of the meeting. Visiting the site today it is clear that excavation works have continued cutting into the embankment where the trees stand. It is recommended that this embankment is reinstated to protect the long term health of the trees.
- Directly to the rear of Manor House there was a high hedge of Privet bushes which provided a valuable screen to the large industrial unit/offices to the rear. Attempts had been made to remove this in 2010 and along with the dumping of hard core on the site. This was the subject of an investigation by planning enforcement officers. It is understood that the owner agreed to retain the hedge and not to remove it. This hedge has now been removed. It is recommended

that a landscape strip of trees/shrubs is provided along the back boundary line to replace this lost landscaping.

- The submitted landscape plan for the current application is not appropriate for the area.

It is therefore considered that due to the number of issues highlighted the proposal does not comply with Policy CG1.2 of Bolton's Core Strategy

Conclusion

Officers conclude that the amendments to the previous application are not sufficient to address the previous reasons for refusal and therefore the proposal is considered to be contrary to Bolton Core Strategy Policies CG4, S1, P5 and CG1 and the guidance within section 6 of SPD General Design Principles.

Members are therefore recommended to refuse the application.

Representation and Consultation Annex

Representations

Letters:- Four letters of objection have been submitted with concerns being as follows:-

- Noise disturbance - Banging car doors and people shouting
- Loss of trees
- Light disturbance
- Loud music at unsociable hours
- Flouting of Planning Laws
- Lack of parking
- Highway safety issues due to increased traffic
- Light pollution

Elected Members:- The Ward Members for Rumworth have requested that the final determination of this planning application is made by the Planning Committee.

Consultations

Advice was sought from the following consultees; Highways Engineers, Pollution Control Officers, Coal Authority, Trees and Woodlands Officers.

Planning History

Permission refused for an almost identical scheme under reference 93685/15

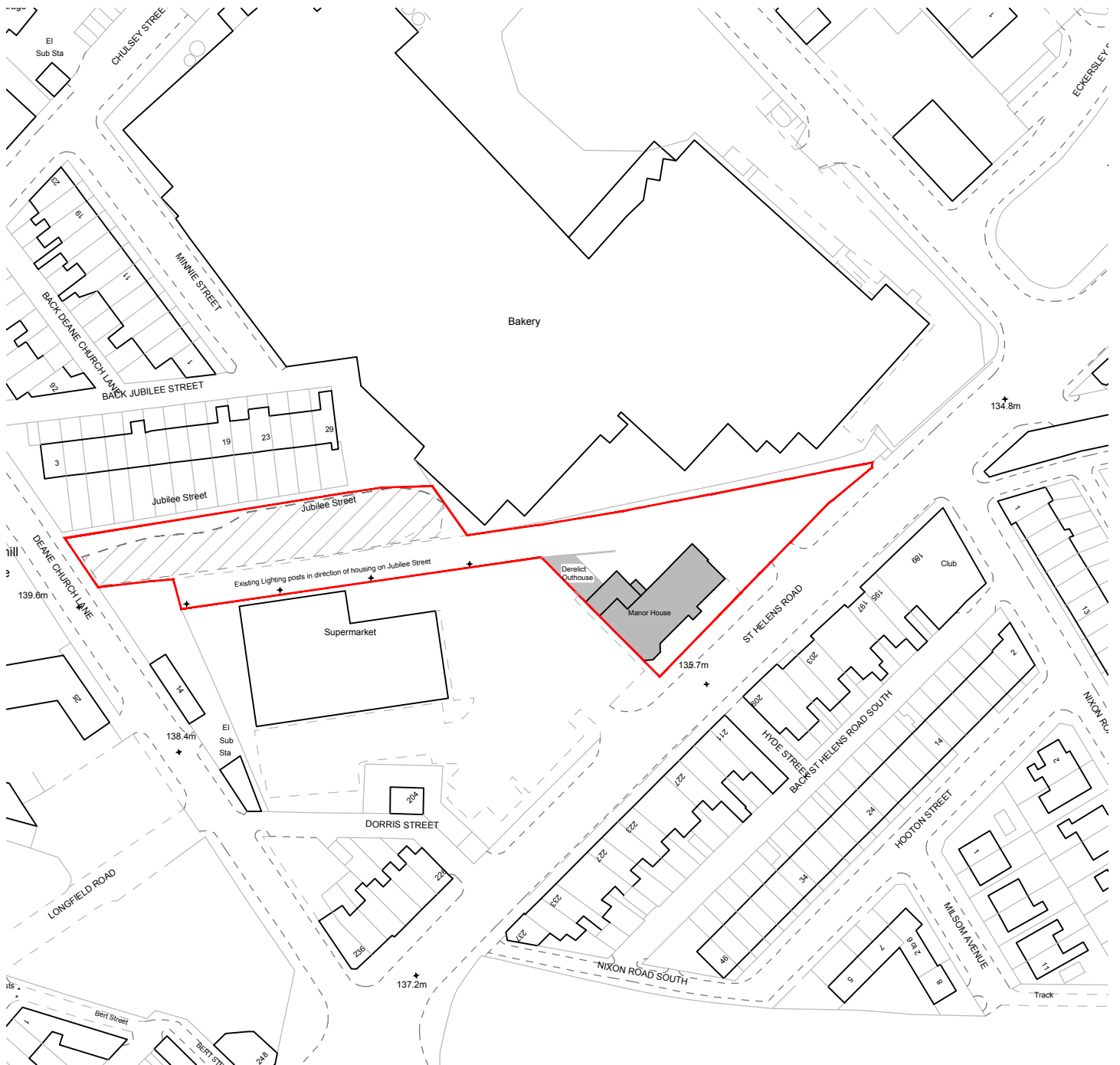
Permission was granted for a two storey rear extension and 2m boundary fence/wall under reference 83849/10

Permission was granted to change the use of the property to Offices (B1) under reference 82463/09

Recommendation: Refuse

Recommended Conditions and/or Reasons

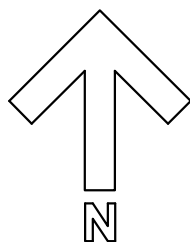
1. The proposed development will increase noise and activity in and around the premises, along with increased light pollution from the floodlights, to the detriment of the living conditions of nearby residents and is contrary to Policy CG4 of Bolton's Core Strategy and the guidance within section 6 of SPD "General Design Principles".
2. The proposal makes insufficient provision for car parking in connection with the proposed development which is likely to result in on-street traffic and parking problems, to the detriment of highway safety, and is thus contrary to Policies S1 and P5 of Bolton's Core Strategy.
3. The proposed development would be contrary to Policy CG1.2 of Bolton's Core Strategy in that it would be likely to result in damage to and ultimately the unacceptable loss of trees from the site, to the detriment of the character, appearance and amenity of the application site and the area in which it is set.



Site Location

Scale 1:1250 @ A3

Site Boundary —
Existing Building



NOTES:

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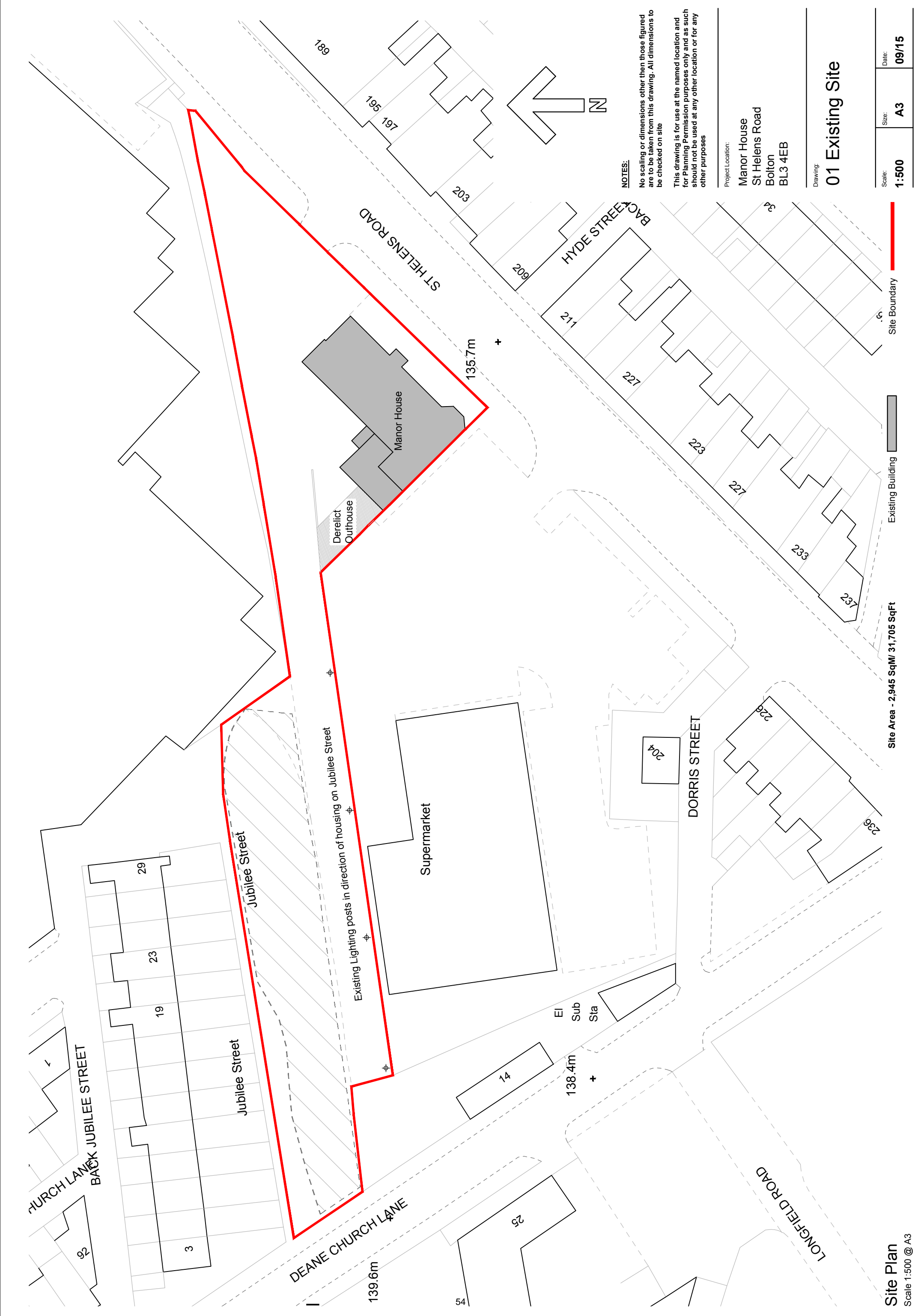
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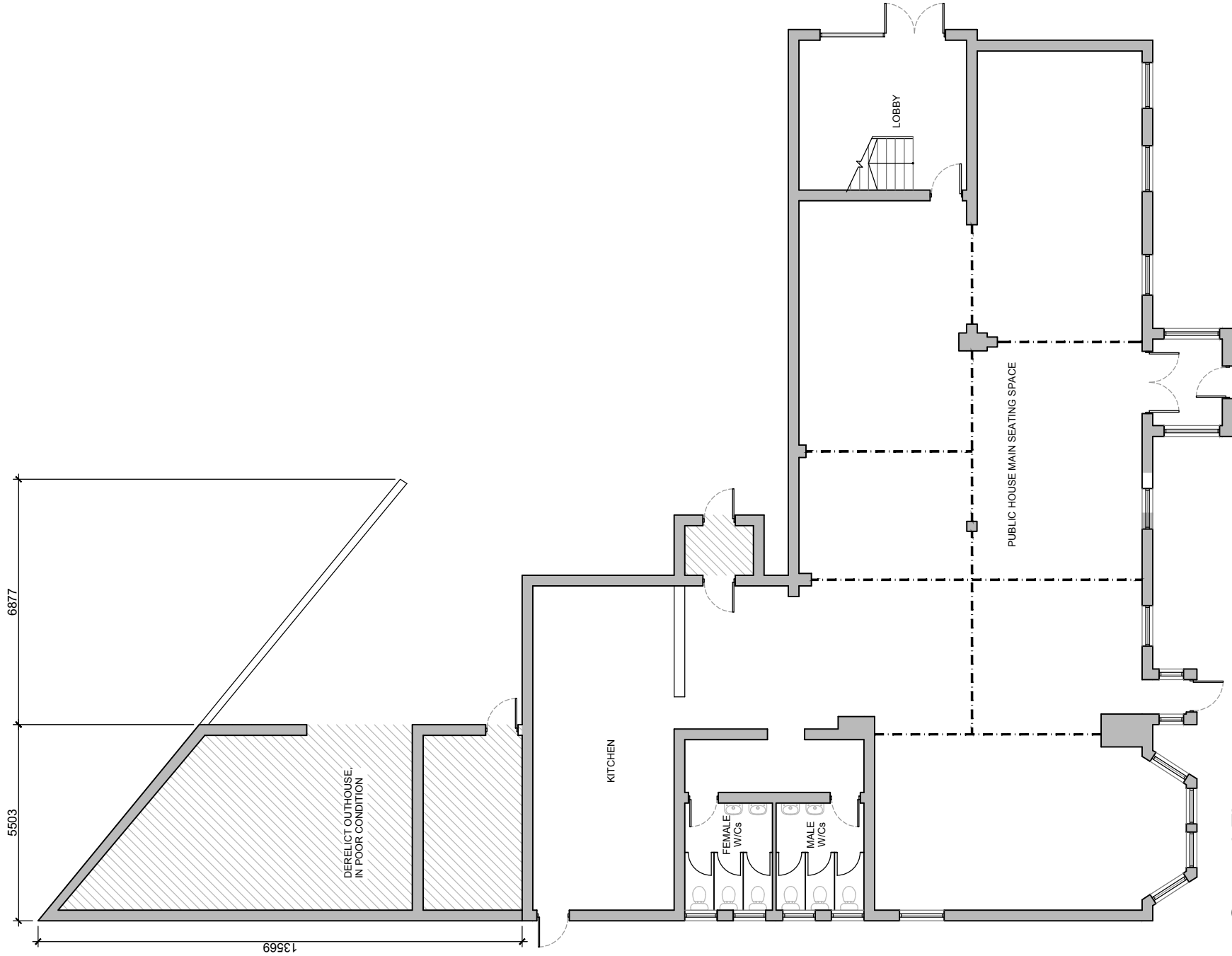
Manor House
St Helens Road
Bolton
BL3 4EB

Drawing:

00 Site Location

Scale:	Size:	Date:
1:1250	A3	09/15





Ground Floor

Area to be demolished

Existing

NOTES:

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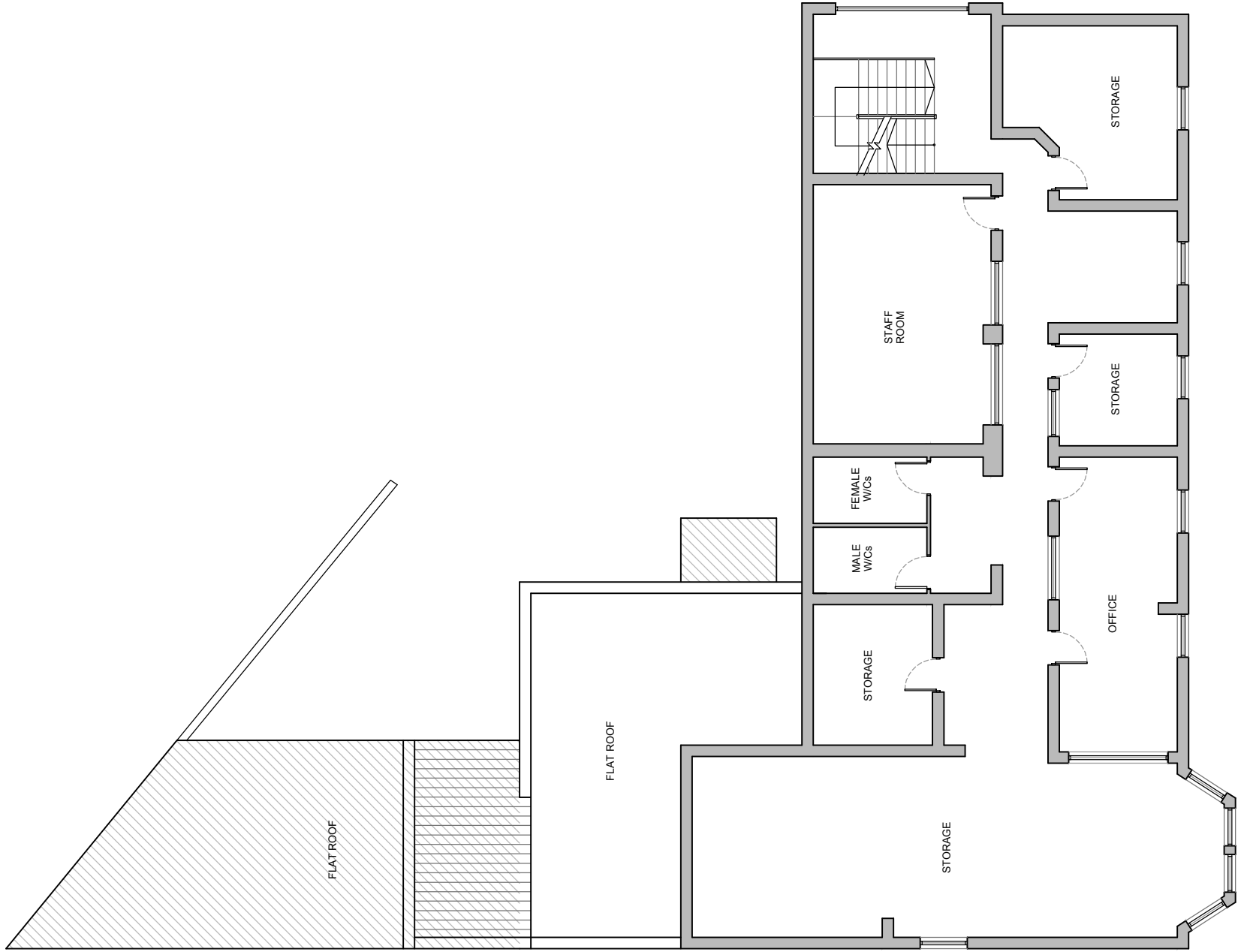
Project Location:

Manor House
St Helens Road
Bolton
BL3 4EB

Drawing:

02 Existing Ground Floor

Scale:	Size:	Date:
1:150	A3	09/15



First Floor

Area to be demolished

Existing

NOTES:

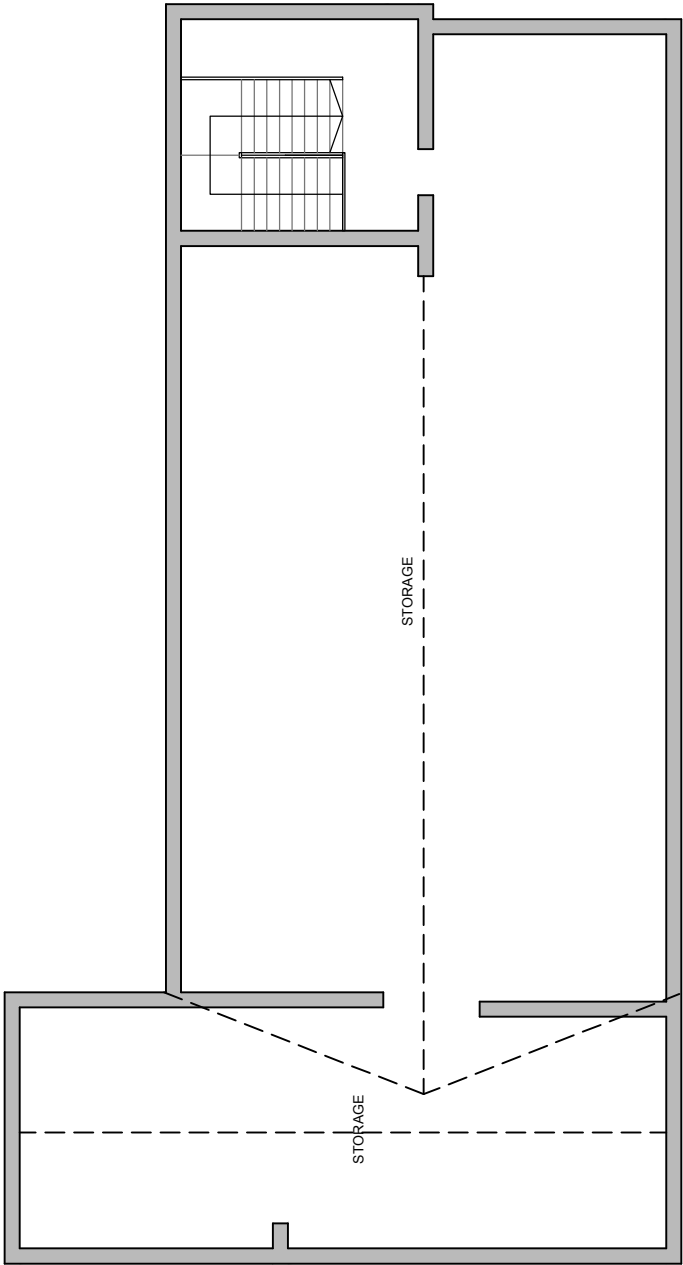
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Project Location:
Manor House
St Helens Road
Bolton
BL3 4EB

Drawing:
03 Existing First Floor

Scale:	Size:	Date:
1:150	A3	09/15



Second Floor

NOTES:

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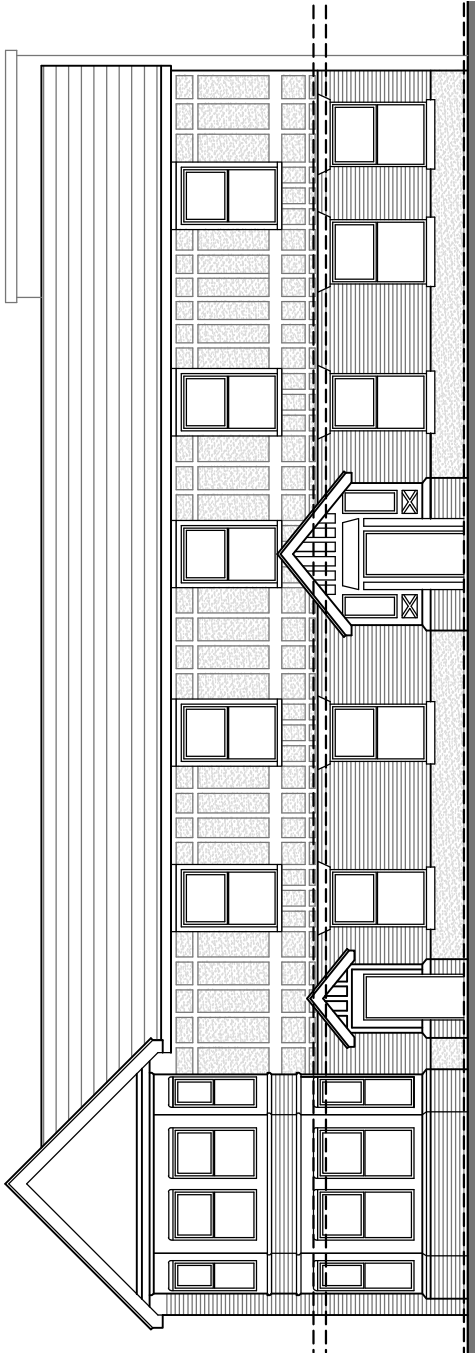
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St Helens Road
Bolton
BL3 4EB

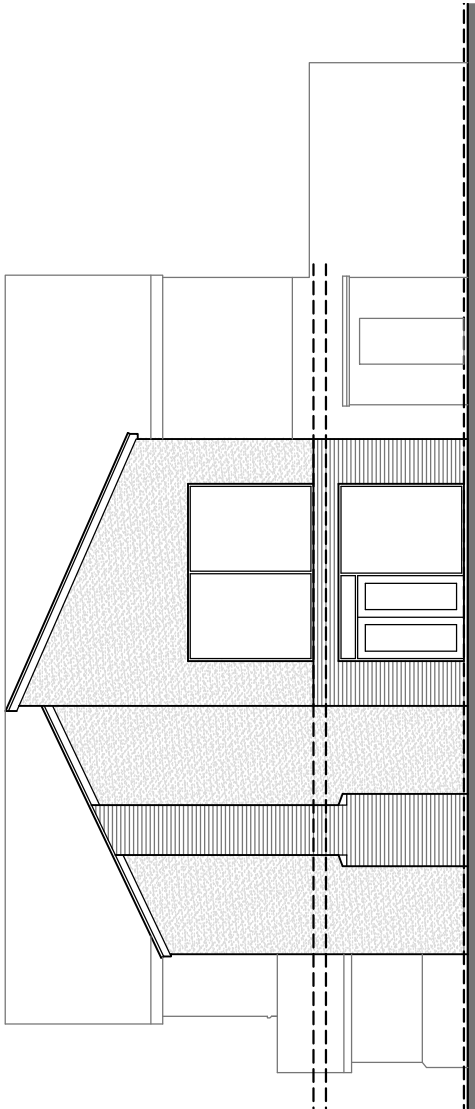
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04 Existing Second Floor

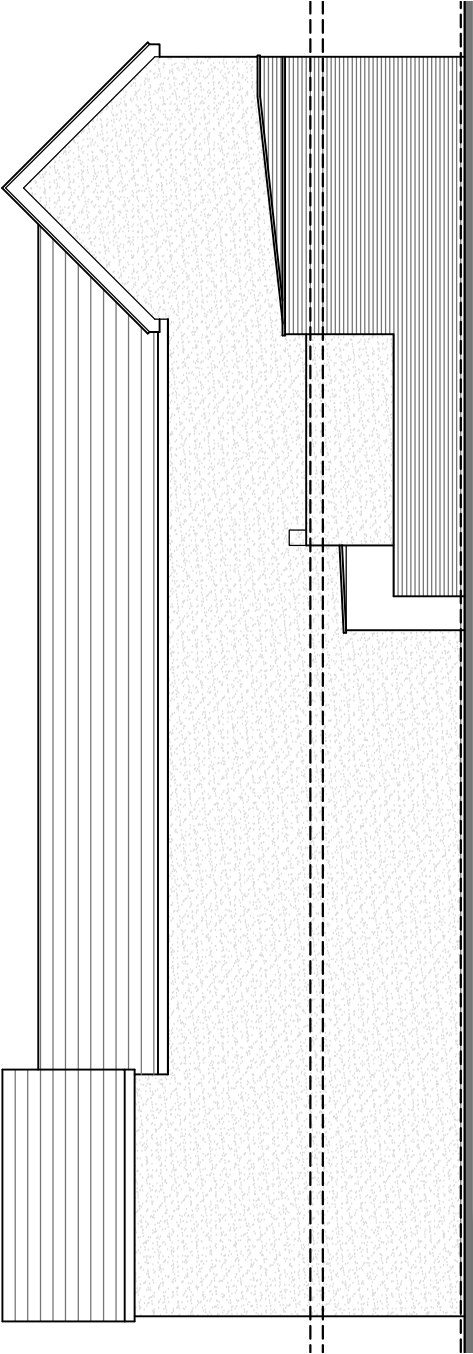
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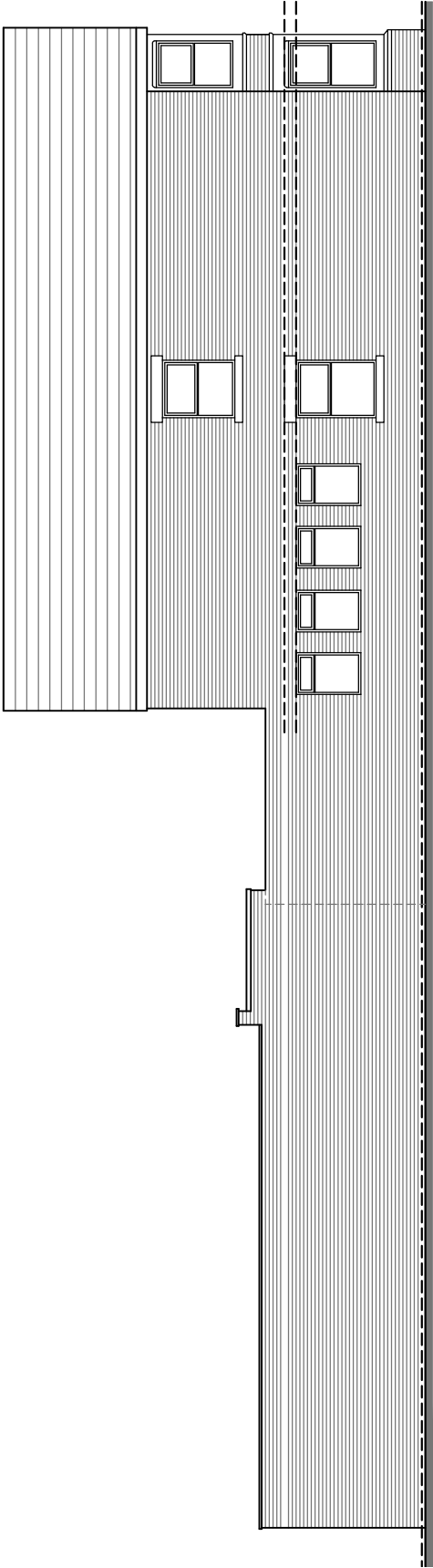
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

NOTES:

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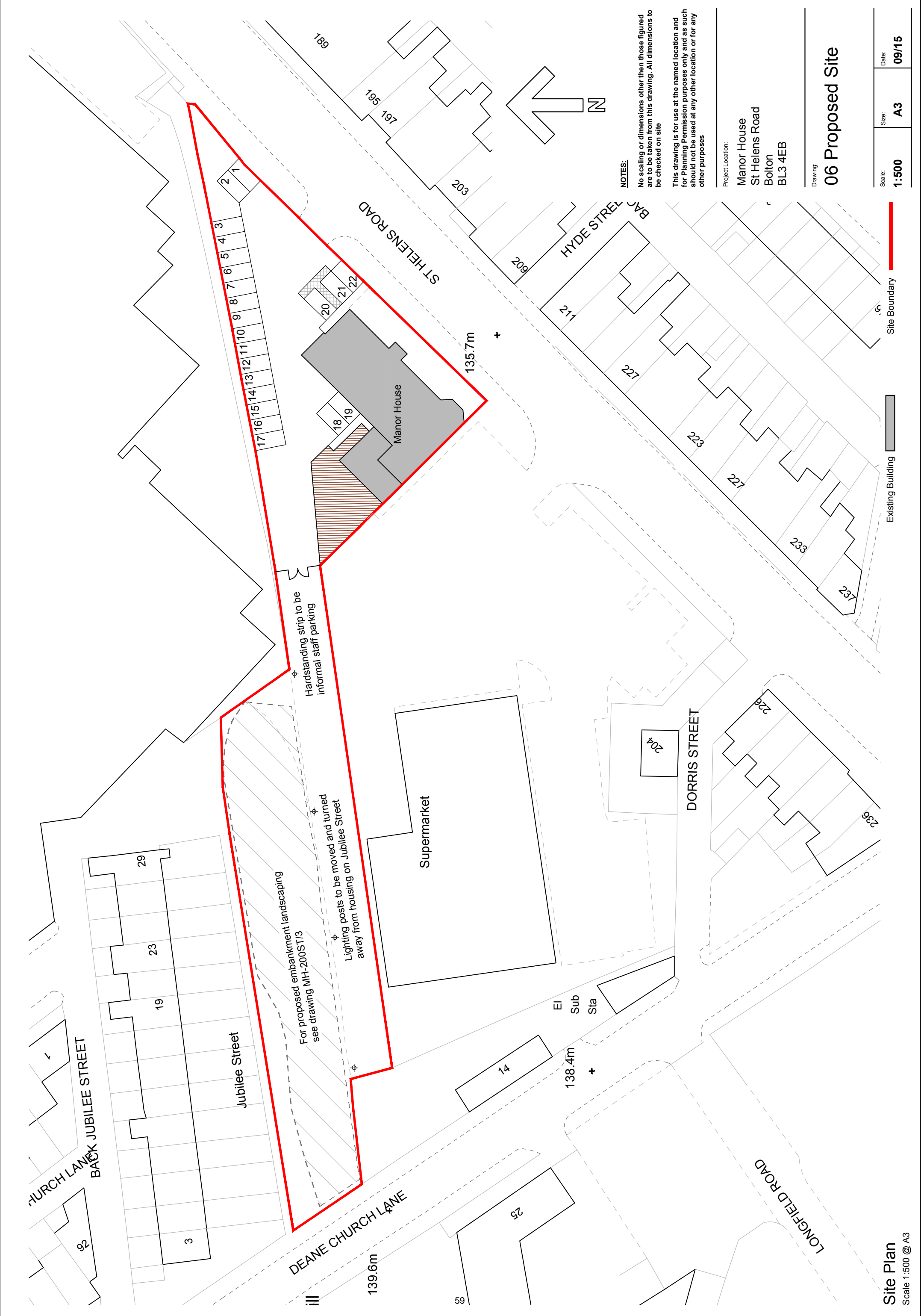
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Manor House
St Helens Road
Bolton
BL3 4EB

Drawing:

05 Existing Elevations

Scale:	Size:	Date:
1:150	A3	09/15



NOTES:

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Project Location:

Manor House
St Helens Road
Bolton
BL3 4EB

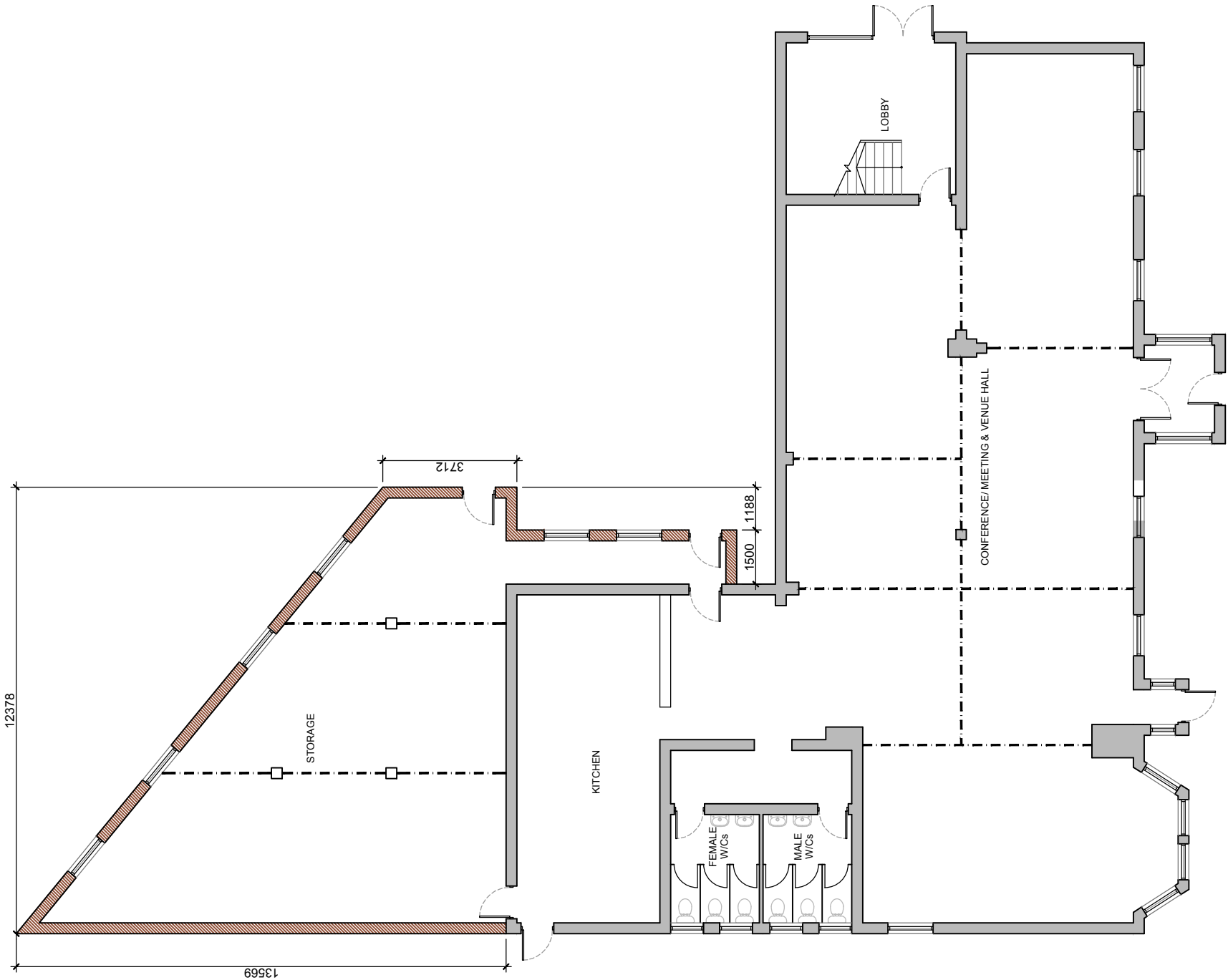
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06 Proposed Site

Scale:	Size:	Date:
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Existing Building

Site Boundary



Ground Floor

Proposed

Existing

NOTES:

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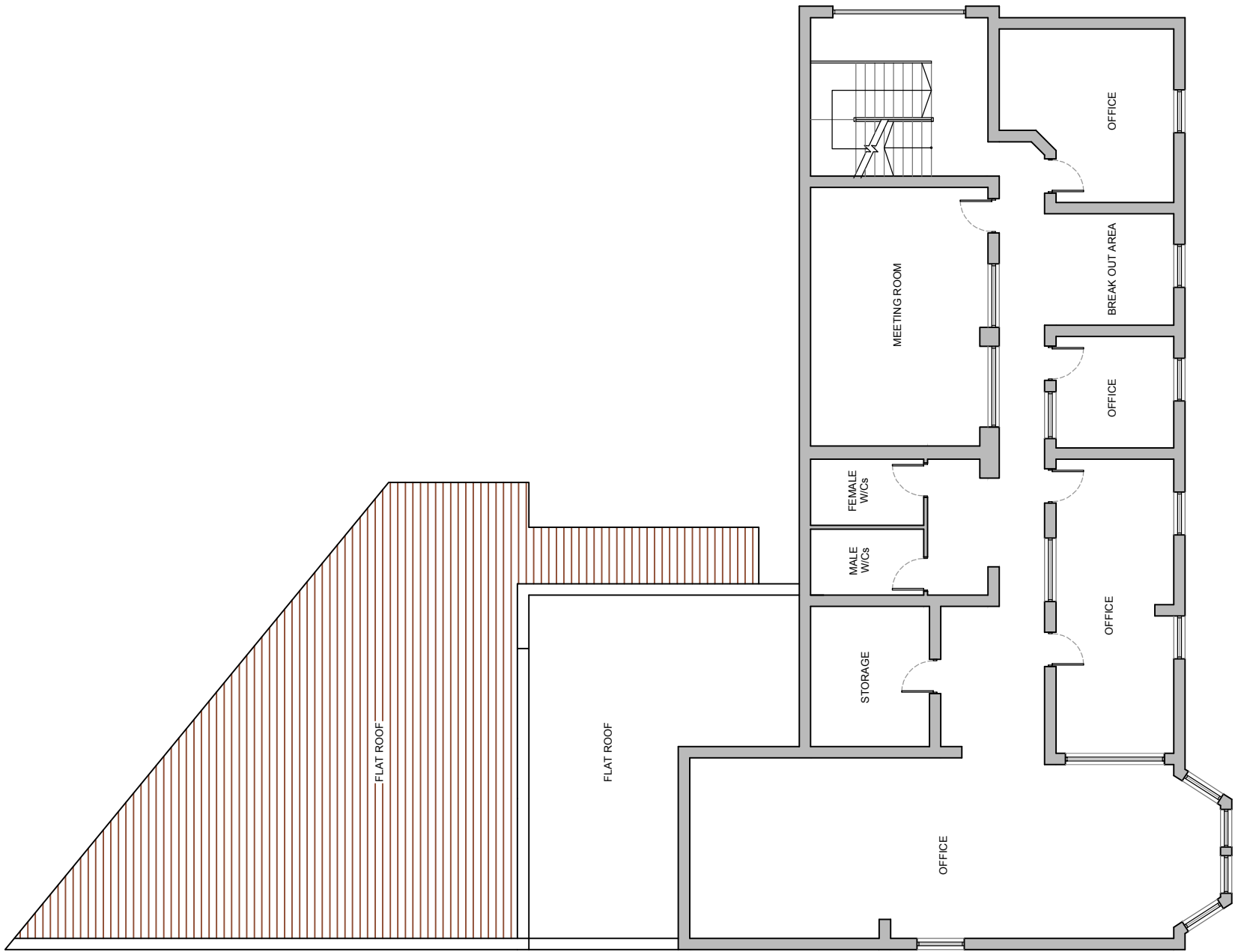
Project Location:

Manor House
St Helens Road
Bolton
BL3 4EB

Drawing:

07 Proposed Ground Floor

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First Floor

Proposed

Existing

NOTES:

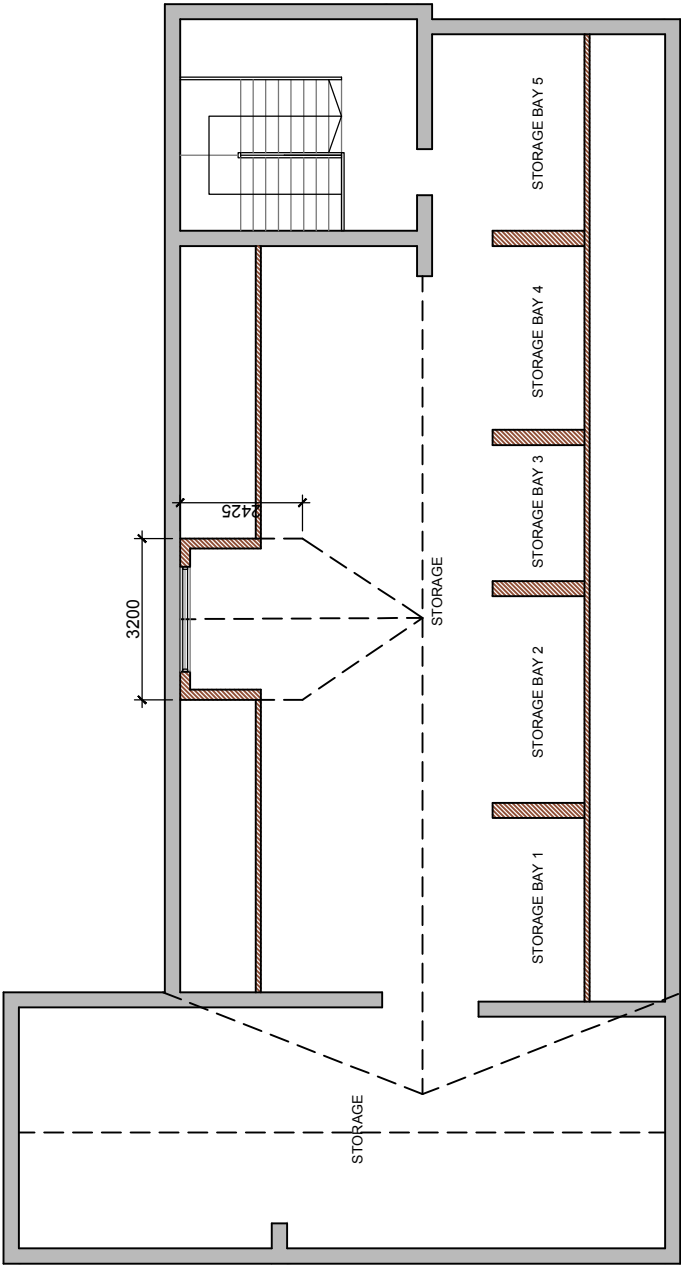
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Project Location:
Manor House
St Helens Road
Bolton
BL3 4EB

Drawing:
08 Proposed First Floor

Scale:	Size:	Date:
1:150	A3	09/15



Second Floor

Proposed

Existing

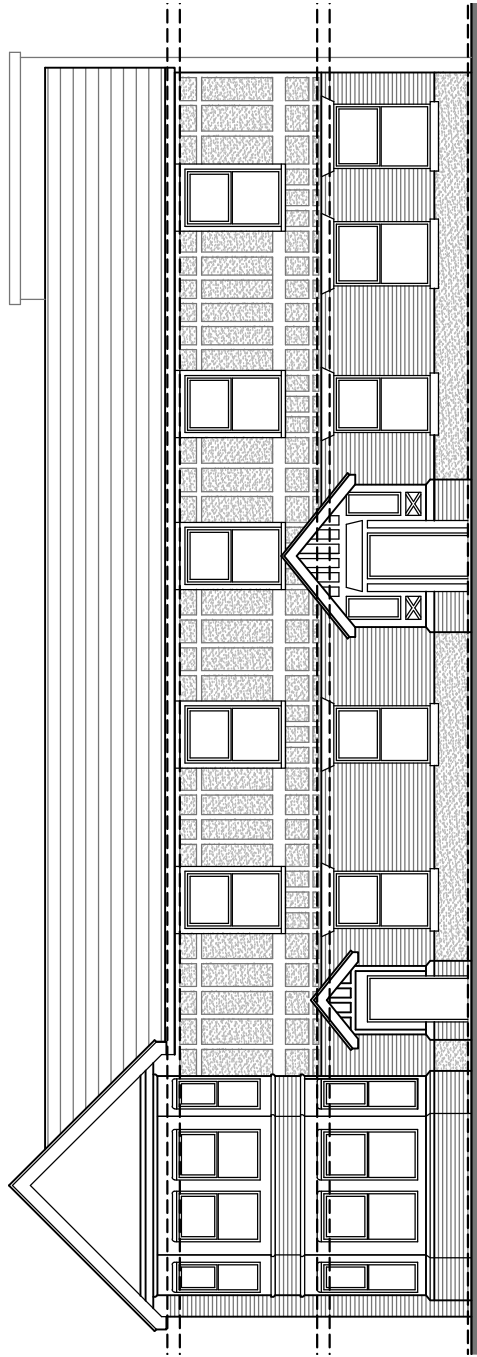
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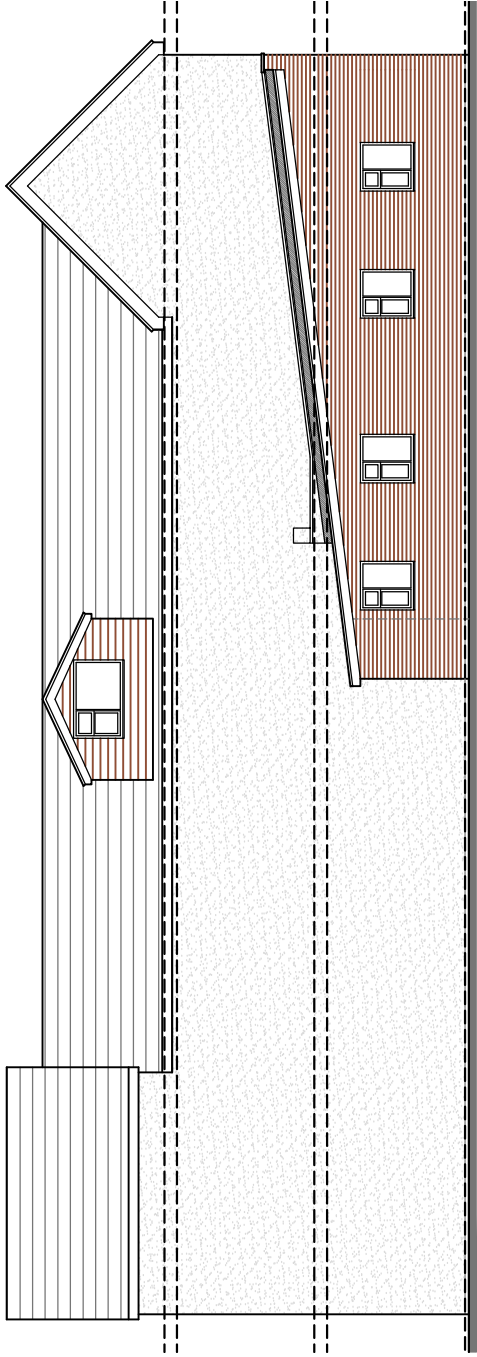
Project Location:
Manor House
St Helens Road
Bolton
BL3 4EB

Drawing:
09 Proposed Second Floor

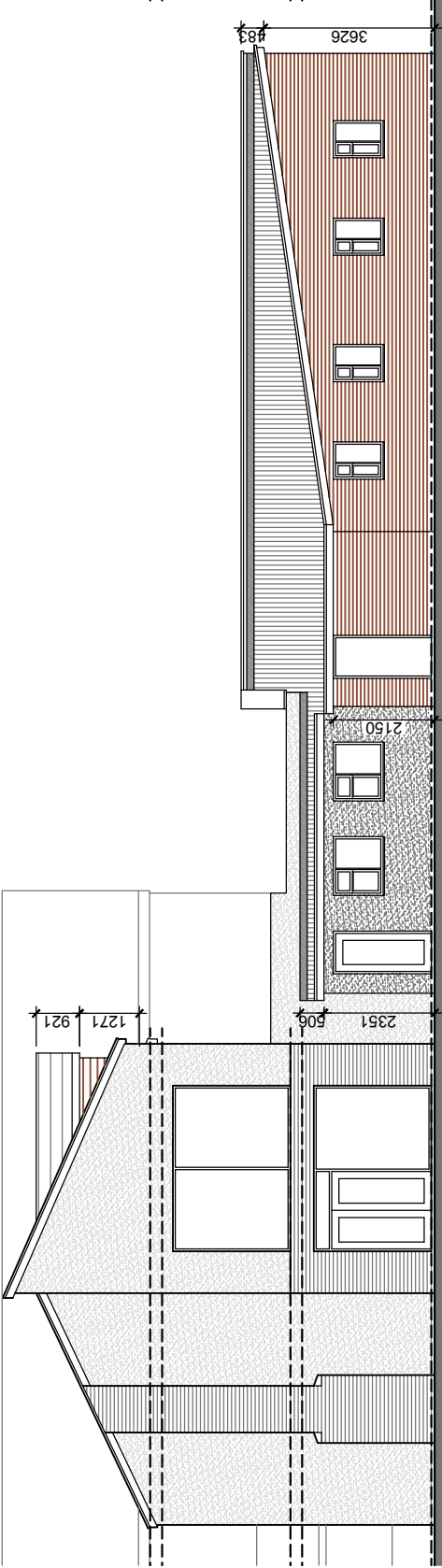
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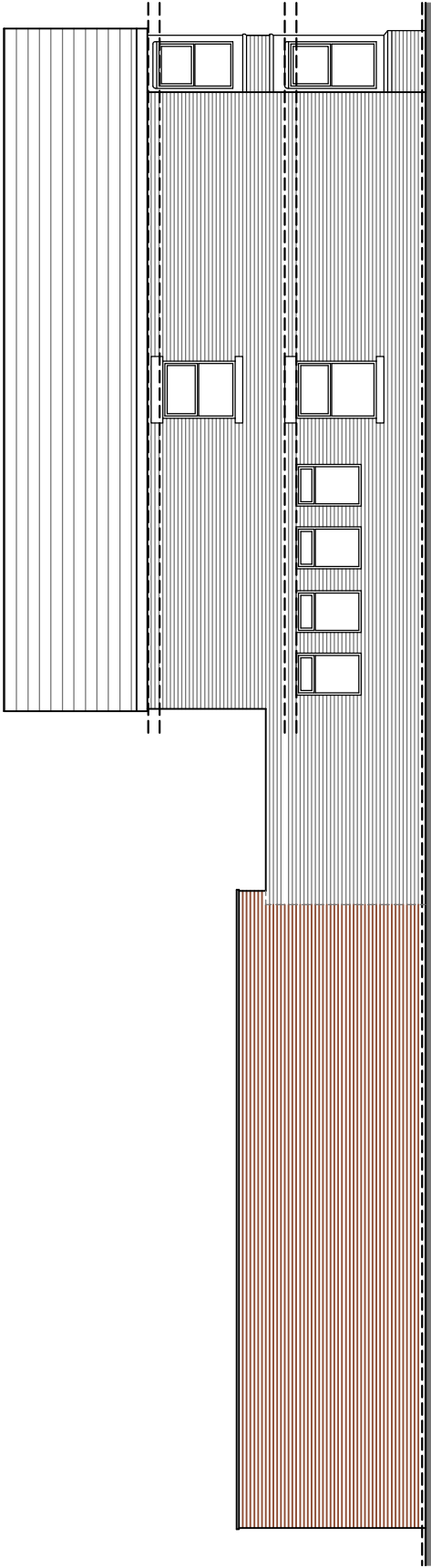
Front Elevation



Rear Elevation



Side Elevation



Side Elevation

NOTES:

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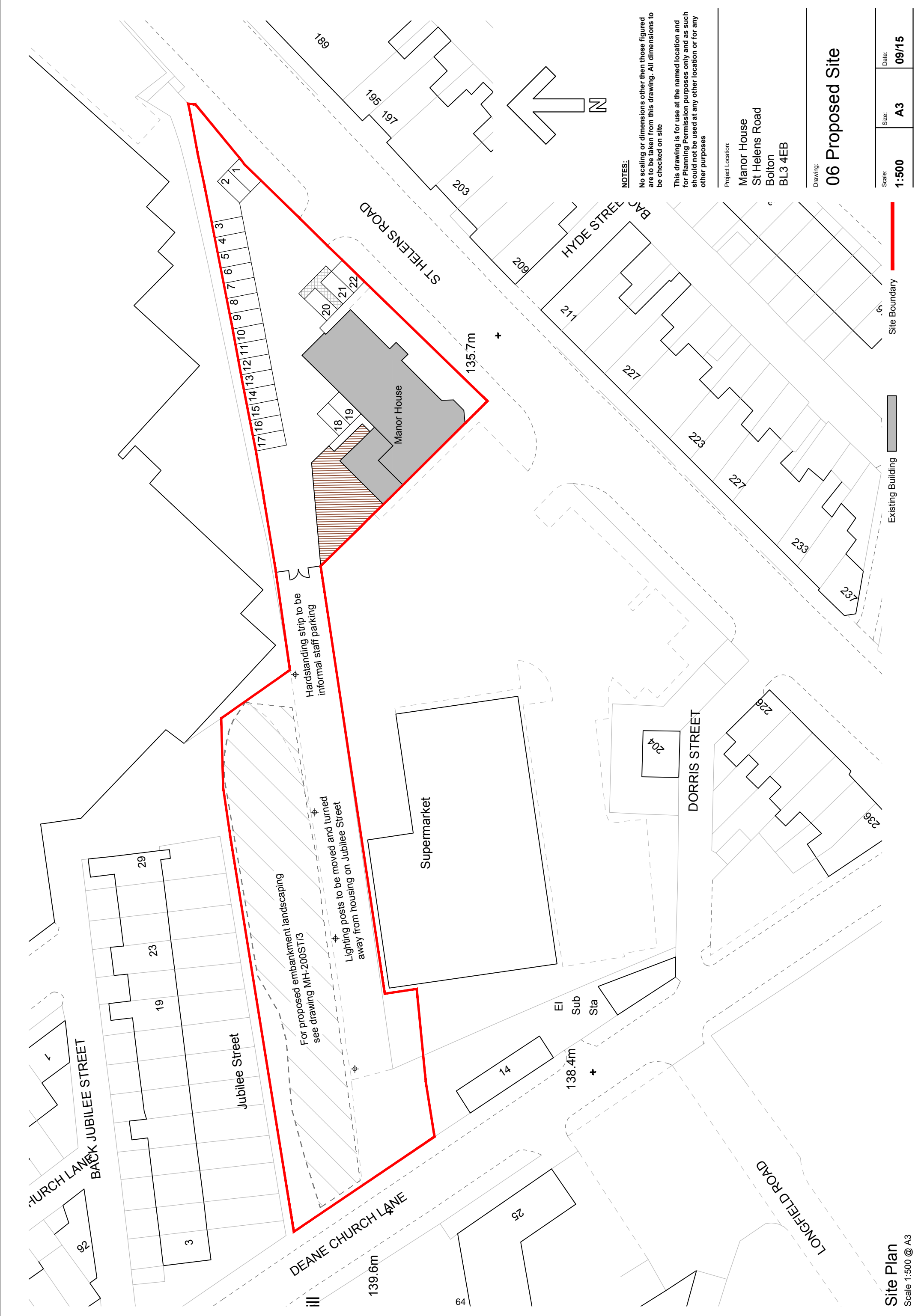
Project Location:

Manor House
St Helens Road
Bolton
BL3 4EB

Drawing:

10 Proposed
Elevations

Scale:	Size:	Date:
1:150	A3	09/15



NOTES:

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Project Location:

Manor House
St Helens Road
Bolton
BL3 4EB

Drawing:

06 Proposed Site

Application number 95151/15



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 12/05/2016

Application Reference: 95151/15

Type of Application: Full Planning Application

Registration Date: 21/10/2015

Decision Due By: 19/01/2016

Responsible Officer: Jon Berry

**Location: LAND BOUNDED BY WELLINGTON STREET, CHURCH STREET
AND JAMES STREET, WESTHOUGHTON, BOLTON**

**Proposal: ERECTION OF 28No DWELLINGS WITH ASSOCIATED ACCESS
AND LANDSCAPING.**

Ward: Westhoughton North

Applicant: Cuerden Developments Limited

Agent : Good & Tillotson

Officers Report

Recommendation: Approve subject to conditions

Proposal

The Applicant is seeking full planning permission for the redevelopment of the site for the erection of 28 dwellings. The development mix would consist of 12 two storey semi-detached properties, one two storey detached property, 7 two storey mews/terraced properties and 6 two bedroomed apartments. Each of the new houses would have either 3 / 4 bedrooms. The three storey apartments would be located in the north east and south east corners of the site.

Vehicular access to the properties would be via Wellington Street which was established on the 2013 outline planning permission. The overall design and siting of the proposed dwellings replicates, in the main, the siting of properties approved under the 2013 permission, in that the proposed layout maintains an active street scene along both Church Street and Wellington Street, with the proposed scale of the dwellings being in the main two storey, with only two 3 storey elements, one located at the corner of Church Street and Wellington Street and one located at the corner of Church Street with James Street. This seeks to replicate the design of the relatively new estate which has been built to the north at Anderby Walk.

All parking would be sited to the rear of the properties. A 3.5 metre high acoustic fence would be provided along part of the western boundary adjacent to Westhoughton Industrial Estate.

The majority of units are located along the northern and eastern side of the site with only 3 units located along the western boundary (Plots 1, 2 and 28).

Site Characteristics

The site is a rhombus shaped area of land which was up to recently covered by grass but has recently been stripped in preparation for development. The site was formerly residential development

in the 20th Century. The land has residential development to the north (Anderby Walk), industrial premises to the west (Westhoughton Industrial Estate), residential properties opposite the site on James Street and commercial and residential development on the opposite side of Church Street which also includes an established garden centre and taxi office.

Policy

National Planning Policy Framework

Core Strategy: P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing, OA3 Westhoughton and IPC1 Infrastructure and Planning Contributions.

Planning Control Policy Notes:

No. 1 - Health, Well Being and Quality of Life, No. 2 - Space Around Dwellings, No. 8 Provision for Children's Play within new residential developments, No. 10 Planning Out Crime, No. 17 Nature Conservation, No. 22 Provision of public art and No. 30 Education.

Supplementary Planning Documents: Affordable Housing (February 2013) and Accessibility, Transport and Road Safety (October 2013).

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * principle of residential development;
- * impact on surrounding land uses and occupiers;
- * impact on the character and appearance of the area;
- * impact on highway safety;
- * impact on ecology;
- * impact on infrastructure.

Principle of residential development

Guidance contained within the National Planning Policy Framework seeks to encourage new well designed residential development to meet housing requirements. Councils should aim:

'...to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities...'

The site is allocated for residential development within the Council's Core Strategy Allocations plan and is greenfield. The proposal is well located in relation to public transport provision e.g.

Westhoughton railway station is located c. 80 metres to the south off Church Street, local schools and local shops located on Church Street and within Westhoughton town centre.

At the Planning Committee in November 2013 Members granted outline planning permission for the erection of 21 dwellings on the site. This also established that the principle of residential development on the site was appropriate.

The proposal complies with policy.

Impact on surrounding land uses and occupiers

Core Strategy policy CG4 seeks to ensure that new development proposals are compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. Interface guidelines contained within the General Design Principles SPD provides guidance for conventional housing layouts, where houses face each other to provide for 21 metres between principal room elevations overlook each other. Where principal/main room elevations overlook a blank gable this distance can be reduced to 13.5 metres.

The application site is adjacent to a number of different uses, industrial to the west and south west, residential to the north, east and west and other commercial uses to the east (e.g. garden centre). In addition, the relationship between existing land uses, in particular the industrial uses on the western boundary of the site and the proposed residential afteruse is also important in any considerations.

Impact of residential development on existing residential properties

A number of local residents have objected to the proposal and consider that the proposed new dwellings are too close to their properties e.g. on Anderby Walk resulting in a loss of privacy. The properties which are located on Anderby Walk (No's 1, 2 and 3) and properties on Church Street (No's 266 and 268) would be the closest properties to any existing dwellings.

- Plot 1 would be located c. 21.55 metres away from the front elevations of No's 1 and 3 Anderby Walk this is in excess of the guidelines in s. 3 of the General Design Principles SPD;
- Plot No. 3 would face north - there would be c.18.7 metres to the gable of No. 2 Anderby Walk - this is in excess of the guidelines in s. 3 of the General Design Principles SPD;
- Plot Nos. 6 and 7 do not directly overlook properties;
- Plots 8 to 10 (3 storey apartments) would be sited between 20.67 and 21.32 metres away from the front elevations of No's 266 to 268 Church Street and some 26 metres away from the front elevation of apartments on Anderby Place. The apartments relationship with the two houses on Church Street would have the same relationship as the existing 3 storey apartments (Anderby Place) have with existing houses on Church Street. Furthermore in urban design terms the proposal complements / replicates the existing situation to the north. Whilst there is a shortfall of just under three metres, it is considered that the modest shortfall is not likely to result in significant harm to the residents of Nos. 266 and 268 Church Street whilst the benefits of the design of the scheme outweigh the negative elements of the scheme. It is also noted that on representations have been received from residents residing in these two properties;
- Plot 22 would have front/front relationship with 16 James Street of some 20.86 metres. This modest shortfall of 14cm is not considered to negatively impact on the living conditions of the existing property.

With reference to any loss of light or general intrusiveness it is considered that whilst the properties surrounding the site have the benefit of an open site, the proposed layout which would not be detrimental to their living conditions and is one which could be expected within any new residential development.

Impact on residential development of existing industrial units

A key consideration in the assessment of this application is the relationship between the proposed layout and existing industrial properties located on Westhoughton Industrial Estate and on other adjoining sites. The applicant has undertaken a detailed noise survey which included survey locations in the three adjoining industrial properties (B D Structures, Absolute Concrete Ltd and J Phillips and Sons Ltd). The acoustic consultant has recommended the following mitigation measures to ensure the living conditions of the proposed new residents would be acceptable in planning terms:

Provision of a 3.5 metre high acoustic screen along the southern end of the western site boundary to alleviate noise from Absolute Concrete Ltd site.

The proposed mitigation measures have been incorporated into the latest layout which is attached to this report. Subject to all mitigation measures being conditioned upon any approval, the Council's Pollution Control officers have no objections to the proposal as originally submitted.

However, in order to enhance the viability of the scheme the applicant has added an additional dwelling (Plot 28) to the proposed layout. This property would be sited to the south of Plots 1 and 2 and adjacent to BD Structures to the west. The Council's Pollution Control Officers consider that the siting of the additional dwelling at Plot 28 would not be appropriate due to the level of noise that would affect residents both internally and externally. This would result in a rating level of upto 60dB in Plot 28's garden area and as such would not meet the criterion to safeguard the living conditions of this resident.

Further information on this matter will be reported at the meeting

Dust issues - the Council's Pollution Control officers have commented that there is no known problem of dust affecting residential properties.

Impact on the character and appearance of the area

Guidance contained within the NPPF and Core Strategy policies CG3 and OA3 seek to ensure that new development proposals respect the character of the area in which they are located, requiring development to be compatible with the surrounding area ensuring development contributes to good urban design.

The proposal has been designed to respect the existing surrounding streets and the urban grain of established residential development in the local area. Properties front the key roads i.e. Church Street and Wellington Street. The proposed layout has broad similarities with the Anderby Place development to the north, with a 3 storey property located at the key junctions of Wellington Street/Church Street and James Street/Church Street, stepping down to 2 storey development elsewhere within the site. The proposal offers the opportunity for a partially retained landscape buffer along the western boundary together with adequate space elsewhere within the site.

The proposal layout would be compatible with the wider area and would comply with policy.

Impact on highway safety

Core Strategy policies P5 and S1 and the maximum car parking standards provided in Appendix 3 of the Core Strategy seek to provide adequate off road car parking and to promote road safety in the design of new development. Each new property would have the ability to park two cars off road which is in accordance with the maximum car parking standards outlined in Appendix 3 of the Core Strategy.

The Council's Highways Engineers has raised no objections to the proposal. They consider that the proposal is located in a highly sustainable location. In addition, they also consider that the traffic generation from the proposed development would be minimal and would have negligible impact on the current traffic on the existing highway network. The proposal provides adequate off road car parking.

The Highways Engineer has recommended that Traffic Regulation Orders need to be reviewed in and around the site. This can be conditioned upon any approval.

The proposal complies with policy.

Impact on ecology/biodiversity

Core Strategy policy CG1 seeks to safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows.

The proposed development would provide a landscape buffer which has the potential to offer benefits to local biodiversity once planted with additional trees and shrubs where appropriate.

Details of landscaping would be conditional upon any approval.

The proposal would comply with policy.

Impact on infrastructure

Core Strategy policy IPC1 seeks to ensure that where new development proposals which propose 15 dwellings or more, make reasonable provision for affordable housing, public open space, education, public health and public art contributions.

The applicant has submitted a viability assessment which concludes that a development of 27 dwellings (i.e. the original submission) would achieve a profit margin of 13.11%. The Council's surveyors have concluded that the scheme as proposed and based on the abnormal costs associated with the development would not be viable to provide any on/off site contributions.

Notwithstanding the above, with the addition of one extra unit, the applicant has agreed to provide an off site contribution of £10,000. Based on the revised scheme it is estimated that the development would be able to achieve a net development value / profit margin of 13.1%, still technically a scheme which would not be viable for development.

On balance, it is considered that the applicant has sought to provide an off site contribution which takes account of the constraints on site.

Impact on surface water run-off / drainage

Core Strategy policy CG1.5 seeks to ensure that new development proposals reduce the risk of flooding in Bolton minimising water run-off from new development. Policy CG2(c) seeks to demonstrate the sustainable management of surface water run-off from developments. As the application site is greenfield in character the rate of run-off from the site would need to be no worse than the original conditions before development.

The applicant has submitted a Flood Risk Assessment for the site. The Council's Drainage/Flood Risk team have commented that the submission is deficient in a number of areas including lack of infiltration tests provided, the lack of a detailed drainage scheme for the site and no confirmation from United Utilities that they would accept surface water flows from the site. It is considered that the level of detail required by the Council's Flood Risk team is excessive and that a detailed drainage

scheme should be submitted prior to commencement.

It is also noted that United Utilities raise no objections to the development of the site subject to conditions regarding the separate drainage of foul and surface water and that a drainage scheme for the site be submitted to the LPA prior to commencement of development.

In the light of the above it is considered that the proposal would meet the policy and UU requirements for the site and complies with policy.

Impact on land stability

Core Strategy policy CG4.3 seeks to ensure that new development proposals affected by contamination or ground instability include an assessment of the extent of the issues.

The applicant has submitted both a coal report and a detailed Phase II Remediation Strategy which details that the site is capable of being safely developed for residential purposes. The Council's Pollution Control officers have no objections to the submission. Comments from the Coal Authority are awaited.

It is considered that a comprehensive remediation strategy has been submitted and the proposal would comply with policy.

Conclusion

The proposed site is allocated for residential development in the Allocations Plan and would assist in meeting the Council's strategic requirement to provide sufficient new dwellings located in a highly sustainable location. The proposal would respect the living conditions of existing residents and the working conditions/business operations of adjoining businesses whilst resulting in a high quality form of development which has the ability to be developed in a safe manner without compromising flood risk or highway safety.

The proposal would comply with policy and is recommended to delegate the decision to the Director of Place subject to the signing of a s.106 agreement to secure the off site contribution.

Representation and Consultation Annex

Representations

Letters:- a total of six objection letters have been received, 5 letters from local residents (from 3 separate addresses) and one letter from an adjoining business. The concerns raised within the letters are as follows:

- Why has the development changed from 21 units to 28 units;
- No recreational areas are provided within the site - ***none required;***
- The developer has commenced work - ***preparatory work has commenced;***
- Loss of privacy/increase in overlooking - ***addressed within the report;***
- Proximity of development to (noisy) businesses to the west - joinery business and steel fabricators and resultant potential issues for future home owners - ***addressed within the report;***
- Increase in units represents an overdevelopment of the site - ***the site remains a relatively low density due to the owner having to take into account of constraints on site;***
- Increase in traffic is unacceptable - ***addressed within the report;***
- Reference to Back James Street North needing to be closed - ***this is a historical legacy of the previous housing on the site and is a simple procedural requirement which lies outside the planning regime;***
- No requirement for a review of TRO's in and around the site is made - ***Highways Engineers have confirmed this is still a requirement;***
- The use of Sat naves by HGV drivers frequently results in lorries having to enter and turn in and around Wellington Street - ***this is not a planning requirement. Highways Engineers consider that the access is satisfactory.***

Petitions:- no petitions have been received.

Town Council:- raise objection to the proposal as the current application is for 28 houses rather than the previously approved 21 dwellings therefore represents an overdevelopment, loss of privacy for No's 1 and 3 Anderby Walk and will result in an increase in traffic.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: Westhoughton Town Council, the Council's Flood Risk / Drainage team, Highways Engineers, Pollution Control officers, Economic Strategy, Strategic Development Unit, Strategic Housing, Corporate Property Services and Greater Manchester Police.

Planning History

Outline planning permission (access, layout and scale details only) was granted at Planning Committee in November 2013 (Ref: 90142/13) for the erection of 21 dwellings.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

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

3. Prior to commencement of development a site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority, to assess the nature and extent of any contamination on the site. The investigation and risk assessment must be undertaken in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced.

The written report shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to human health, property or the environment;
- (iii) an appraisal of remedial options and proposal for a preferred option. This should include details of testing methodology for any soil or soil forming materials to be brought onto site.

Prior to first use/occupation of the development hereby approved:

(iv) A Verification Report shall be submitted to, and approved in writing by, the Local Planning Authority. The Verification Report shall validate that all remedial works undertaken on site were completed in accordance with those agreed by the LPA.

Reason

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

4. Prior to the commencement of development full details of the highway works at Wellington Street (site side) comprising of widening of the footway to 1.8 metres 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.

5. Prior to the commencement of development full details of the highway works at Wellington Street/Church Street and James Street comprising of a full review of traffic regulation orders 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.

6. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved details shall be

implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of tackling climate change.

7. Prior to the development being first brought into use surface water drainage works should be implemented in full in accordance with details that have been submitted to and approved in writing with the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in 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

Reason

To ensure the site provides satisfactory means of surface water drainage.

8. Development shall not commence until a scheme for the eradication of Japanese knotweed has been submitted to and approved in writing by the Local Planning Authority. This shall include a timetable for its implementation. The scheme shall be carried out as approved. Should there be a delay of more than one year between the approval of the scheme and its implementation or the commencement of development then a new site survey and, if necessary, further remedial measures shall be submitted for the further approval of the Local Planning Authority.

Reason

To ensure the safe development of the site and eradication of an invasive species.

9. The development hereby approved shall not be brought into use unless and until the means of vehicular access from Wellington Street has been constructed and laid out entirely in accordance with the approved plans.

Reason

In the interests of highway safety.

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

Reason

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

11. Prior to the occupation of the dwelling house(s) hereby permitted provision shall be made for the parking or garaging of (a) motor vehicle(s) adjacent to (the (each of the) dwelling house(s)) in the area identified for that purpose on the approved plan. Garage driveways shall be a minimum of 6.0 metres long. The (those) area(s) shall thereafter be retained at all times for that purpose. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)

Order 1995 (or any Order amending or replacing that Order) other than (a) garage(s), no extensions, porches, outbuildings, sheds, greenhouses, oil tanks, wind turbines or satellite antennae shall be erected within that area.

Reason

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

12. Within 3 months of commencement of development a detailed specification for the proposed 3.5 metre high acoustic fence shown on Drawing No. 2008-008 Rev C shall be submitted to and approved in writing by the Local Planning Authority. The approved fencing shall be implemented in full prior to the first occupation of any of Plots 5, 6, 7 or 8.

Reason

To minimise the impact of noise on residential amenity.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, sheds, dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed within the approved development.

Reason

To safeguard the character and appearance of the dwelling/land and the plot size is limited and any extension would result in an unsatisfactory scheme.

14. No dwelling shall be occupied until the access road(s), footway(s) and footpath(s) leading thereto have been constructed and completed in accordance with the 2000-008 Revision C.

Reason

In the interests of highway safety.

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

Drawing No. 1520 01 - Topographical Survey, scanned to file 19/10/15.

Drawing No. 1520-02 Rev E - Proposed Site Layout, received 15/04/16;

Drawing No. 1520 03 Rev. B - Plot 1 and 2 Floor Plans, scanned to file 19/10/15

Drawing No. 1520 04 Rev. B - Plot 1 and 2 Elevations, scanned to file 19/10/15

Drawing No. 1520 05 Rev. B - Plots 3, 4 and 5 - Floor Plans, scanned to file 19/10/15;

Drawing No. 1520 06 Rev. A - Plots 3, 4 and 5 Front elevation and 2nd floor Plans, scanned to file 19/10/15;

Drawing No. 1520 07 Rev. B - Plot 3, 4 and 5 - Rear and side elevations, scanned to file 19/10/15;

Drawing No. 1520 08 Rev. A - Plots 6 and 7 Floor Plans, scanned to file 19/10/15;

Drawing No. 1520 09 Rev. B - Plots 6 and 7 Elevations, scanned to file 19/10/15;

Drawing No. 1520 10 Rev. A - Plots 8, 9, 10, 11 and 12 Floor Plans, scanned to file 19/10/15;

Drawing No. 1520 11 A - Sheet 2 of 2 - Plots 8, 9, 10, 11 and 12 Front elevation and second floor plan, scanned to file 19/10/15;

Drawing No. 1520 12 Rev. B - Plots 8, 9, 10, 11 and 12 Rear and side elevations, scanned to file 19/10/15;

Drawing No. 1520 13 Rev. B - Plot 26 and 27 - Floor Plans, scanned to file 19/10/15

Drawing No. 1520 14 Rev. A - Plot 26 and 27 - Elevations and 2nd Floor plan, scanned to file 19/10/15;

Drawing No. 1520 15 Rev. B - Plot 26 and 27 - Rear and side elevations, scanned to file 19/10/15;

Drawing No. 1520-18 Rev. A - Plot 28 Floor Plans Sheet 1 of 2, received 15/04/16; and

Drawing No. 1520-19 Rev. A - Proposed Elevations, Sheet 2 of 2, received 15/04/16.

Reason

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

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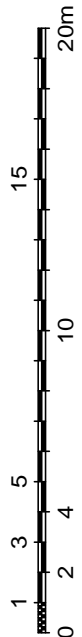
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All component sizes and references to be checked prior to ordering of materials.

Positions and designation (i.e. combined, surface water or foul) of existing drains run on site are to be checked / confirmed by the building surveyor. Any additional connections to be made, are also to be checked as necessary to ensure that they are suitable to accommodate additional capacity and the type of effluent being connected.

All relevant boundary positions to be checked prior to proceeding.



Plot 28 Added	J.L.C.	15.04.16
Roof To Plot 2 And 27 Updated	J.L.C.	23.10.15
Notes Added For Planning Application	J.L.C.	13.10.15
Garage Block Repositioned	J.L.C.	12.10.15
House Types Updated	J.L.C.	01.10.15

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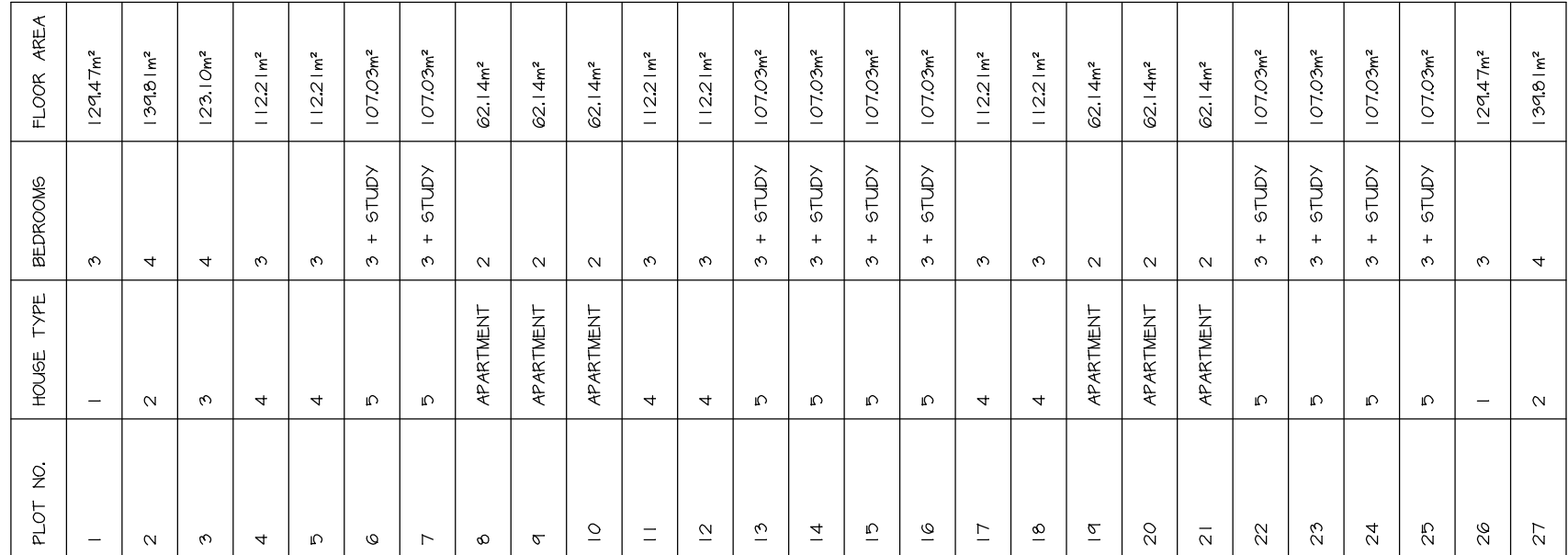
E-mail : info@goodandtillotson.co.uk
Web : www.goodandtillotson.co.uk

Proposed Housing Development at:
Wellington Street / Church Street
Westoughton
Bolton

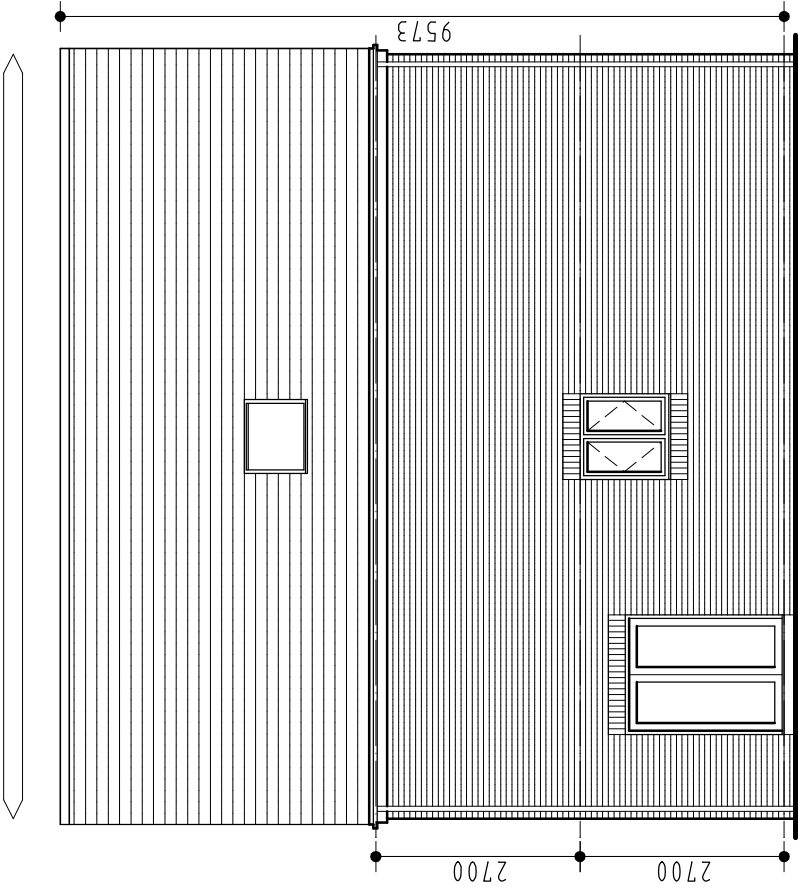
RIBA 
Chartered Practice

Drawing :	Date :
Proposed Site Layout	08th April 2015

Planning Application Drawing		Scale : 1 : 250 @ A1 / 1 : 500 @ A3
Project No. :	Drawing Number :	Drawing Revision :

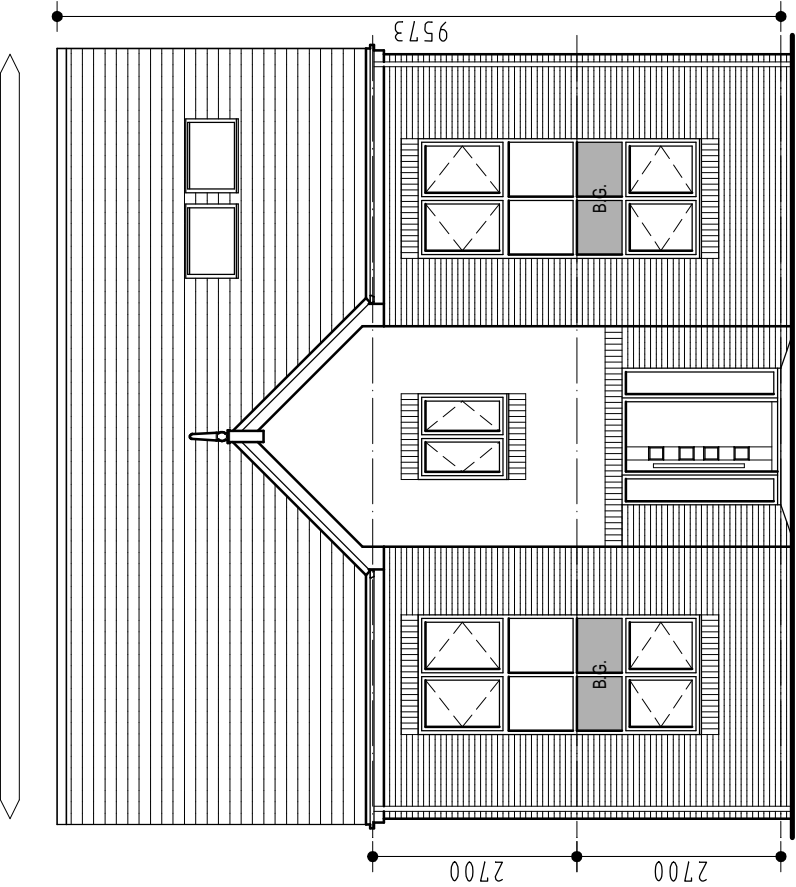


Plot 28

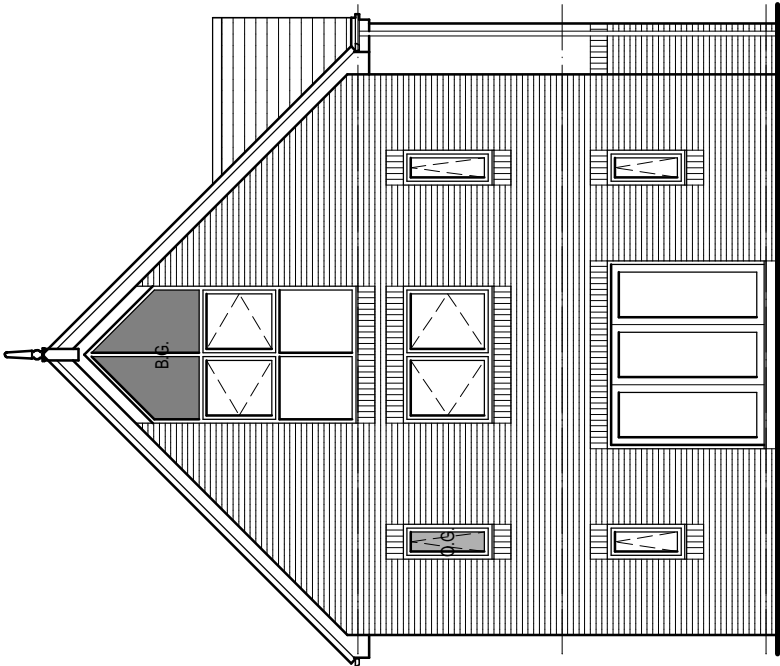


Rear Elevation (West)

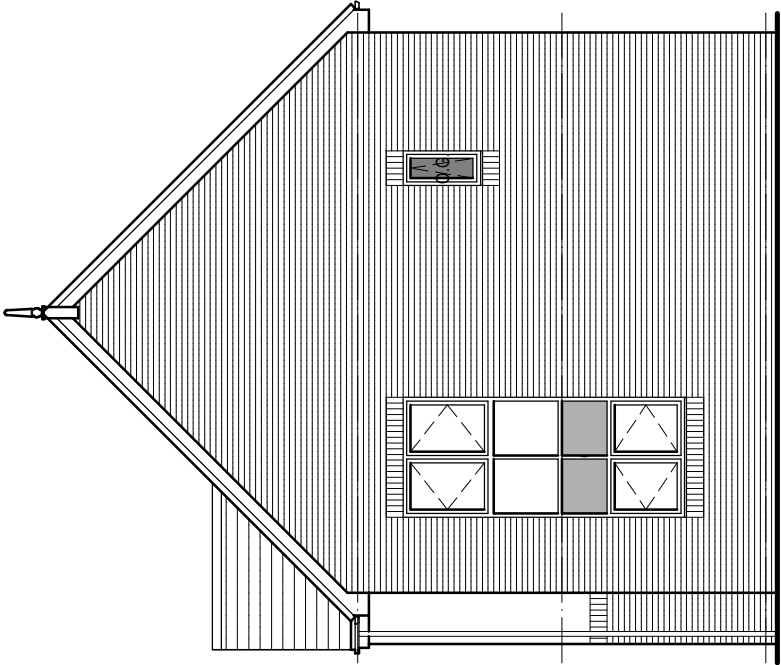
Plot 28



Front Elevation To New Vehicular Access (East)



Gable Elevation (South)



Gable Elevation (North)

NOTES :

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All component sizes and references to be checked prior to ordering of materials.

Positions and designation (i.e. combined, surface water or foul) of existing drain runs on site are to be checked / confirmed by the building contractor prior to commencement of any drainage works. Any existing drains, to which additional connections are to be made, are also to be checked as necessary to ensure that they are suitable to accommodate additional capacity and the type of effluent being connected.

All relevant boundary positions to be checked prior to proceeding.

ELEMENT	FINISH
EXTERNAL WALLS	BRICKWORK (HATCHED) WITH SELF COLOURED RENDER PANELS
CHIMNEYS / LINTELS	BRICKWORK SOLDIERS OR ARTSTONE (AS SHOWN)
ROOFS	INTERLOCKING CONCRETE TILES
WINDOWS / DOORS	PVCU FRAMES
RAINWATER GOODS	PVCU
O.G.	OPESQUE GLAZING
B.G.	'BLACK' GLAZING

A	French Doors Added	J.L.C.	15.04.16
Rev.	Revision	Inl.	Date



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Client :
Cuerden Developments Limited

Project :
Proposed Residential Development At:
Wellington Street / Church Street
Westhoughton
Bolton

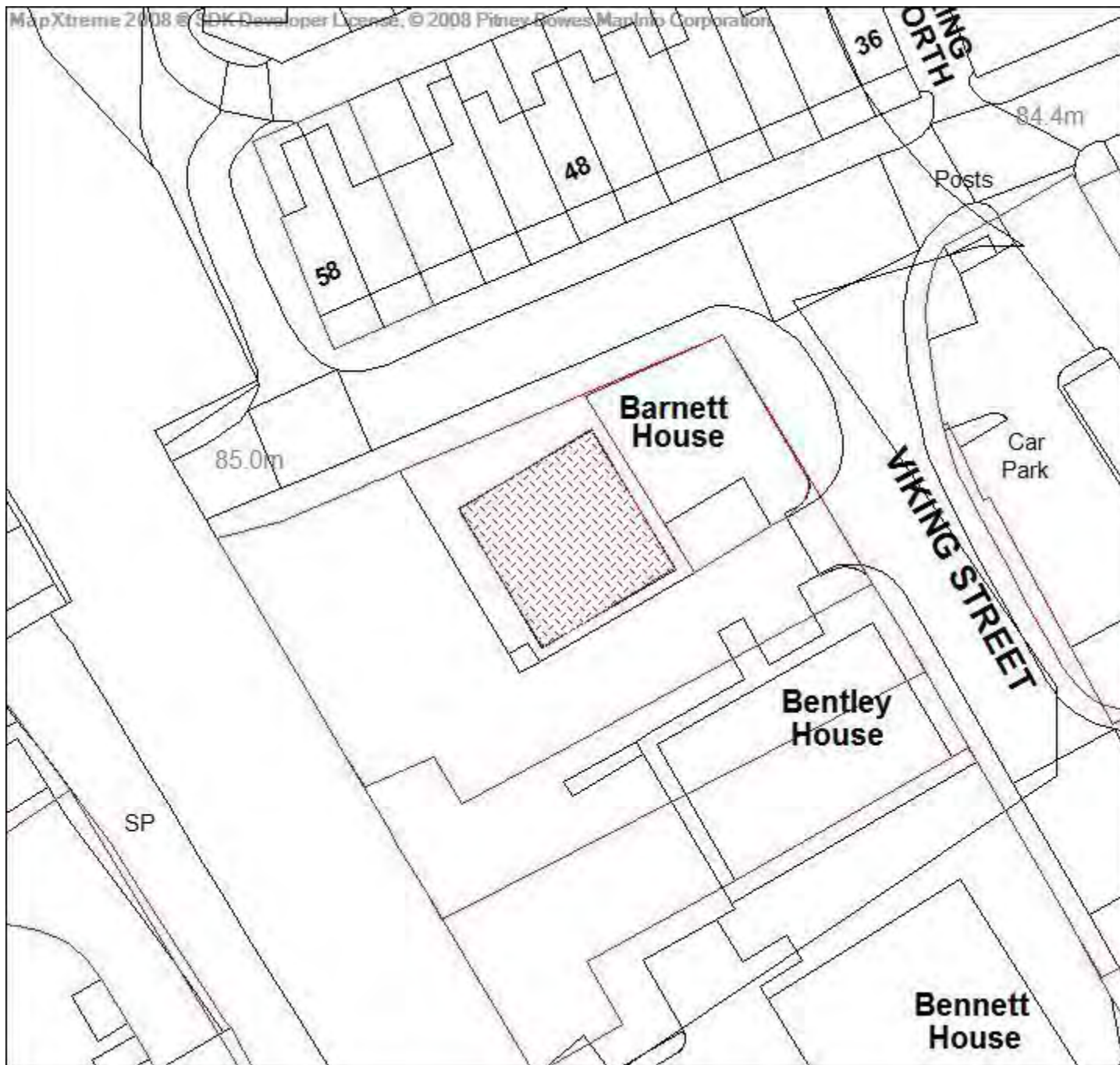
Date :
April 2016
Drawn :
J.L.C.
Scale :
1 :100 @ A3
Drawing Revision :
19

Date :
April 2016
Drawn :
J.L.C.
Scale :
1 :100 @ A3
Drawing Revision :
A

Plot 28
(Sheet 2 Of 2)

Planning Application Drawing

Application number
95540/15



Development & Regeneration Dept
Development Management Section

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

Bolton
Council

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Date of Meeting: 12/05/2016

Application Reference: 95540/15

Type of Application: Full Planning Application

Registration Date: 22/12/2015

Decision Due By: 15/02/2016

Responsible Officer: Martin Mansell

Location: BARNETT HOUSE, VIKING STREET, BOLTON, BL3 2RR

Proposal: CHANGE OF USE FROM (B1) BUSINESS TO OUT PATIENTS DEPARTMENT FOR BOLTON HOSPITAL (D1).

Ward: Great Lever

Applicant: Greater Manchester West Mental Health NHS Foundation Trust

Agent : Day Architectural

Officers Report

Recommendation: Approve subject to conditions

Proposal

Consent is sought to change the use of this three storey office building from office use (Class B1) to a mental health outpatients clinic serving outpatients, administration staff, clinical consultants and mental and medical healthcare professionals. Under the development proposals the Community Consultants and Medical Teams currently based at Royal Bolton Hospital would relocate to Barnett House - the site would therefore be used as a "touchdown" base by staff operating home visits in the Borough.

The Applicant has provided the following information to describe the proposed use:-

It is proposed that a total of 110 members of staff would officially be based at Barnett House, however the majority of these staff members would 'hot-desk' at other locations or be transient within the local community. The breakdown of staff who would be based at Barnett House is as follows:

- 6 administration staff
- 9 clinical consultant staff, who would have a sessional attendance based on a weekly rota
- 30 mental healthcare professionals
- 65 medical healthcare professionals

Whilst the mental healthcare professionals would officially be based at Barnett House, their working locations would be transient within the community or at other Greater Manchester West Mental Health NHS Foundation Trust sites. Similarly, the 65 medical healthcare professionals who are based at Barnett House would only 'hot desk' at this facility, therefore on an average day the workstations are expected to be utilised at two thirds of their capacity. It is therefore expected that 43 medical healthcare professionals would be based at Barnett House on an average day. The staff members who would be based at Barnett House are existing employees who are currently based at a

department in Royal Bolton Hospital. The staff and patient numbers are therefore not expected to change if the facility moves to Barnett House under the development proposals.

Bentley House is located adjacent to Barnett House and is already operational. It is the base of the Bolton District Adult Services Community Mental Health Teams (North and South), along with the Early Intervention Service. The breakdown of existing staff who are currently based at the operational Bentley House facility is as follows:

- 11 administration staff
- 9 clinical consultant staff
- 45 mental healthcare professionals
- 65 medical healthcare professionals

The proposed development would operate in conjunction with Bentley House in order to maximise the effective use of space across both buildings and to promote the sharing of best practice and joint learning opportunities for the staff. Bentley House is already operational, and functions under the working arrangements that are proposed for Barnett House.

Site Characteristics

Barnett House comprises three storeys with a total floor area of 642 square metres. It is currently used as office space by an insurance brokers, though it is understood that there are currently only 10 members of staff.

Barnett House is adjacent to Bentley House, which is occupied by the Bolton District Adult Services Community Mental Health Teams, as well as the Early Intervention Service. Bentley House is larger, at approximately 864sqm, and both buildings utilise the same access. The surfaced car park currently has parking bays marked out at the front and rear of the building. At present there are a total of 19 designated parking spaces to the rear of the building, including one disabled space. A further 9 spaces, including one disabled space, are located at the front of building. This equates to a provision of 26 designated parking bays and two designated disabled spaces associated with Barnett House.

Barnett House is part of a development of four small office blocks, constructed approximately 15 years ago and accessed from Weston Street via Viking Street. The area is mixed in character but is predominately residential with some small scale industrial and commercial uses. The Bolton to Manchester railway line runs immediately to the west of the site.

Policy

National Planning Policy Framework - building a strong and competitive economy, ensuring the vitality of town centres, promoting sustainable transport, promoting healthy communities

Core Strategy Objectives

SO1 Access to Health, SO3 Economic Opportunities of Bolton Town Centre and the M61, SO4 Transforming Bolton Town Centre, SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO9 Crime and Road Safety, SO16 Community Cohesion and Access

Core Strategy Policies

H1 Health Facilities, P1 Employment, P5 Transport, S1 Crime and Road Safety, CG2 Sustainable Development, CG3 Design and the Built Environment, CG4 Compatible Uses, SC2 Cultural and Community Facilities, RA1 Inner Bolton

Analysis

Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be

determined in accordance with policies in the Development Plan unless material considerations indicate otherwise.

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

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

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

The main impacts of the proposal are:-

- * impact on the road network
- * impact on community provision and healthcare
- * impact on living conditions

Impact on the Road Network

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

The case officer has visited the site twice during normal office hours and has noted significant demands being placed on the on- and off-road parking provision at the site and its surrounding area. The curtilage parking appeared to be at capacity and vehicles were parked on Viking Street and Weston Street. Clearly, it is not possible to say for certain that these vehicle are connected to the office development of which the application site forms a part, but the likelihood is considered to be high. The site is more than reasonably well served by public transport along Manchester Road and Crescent Road / Bradford Road but it does seem that workers choose instead to use the private motor car. Planning Officers agree to a significant degree with the position described in the neighbour representation below.

The Applicant has provided a Transport Statement by a traffic/highway consultant which seeks to demonstrate that the highway impact will be little different than the existing office situation. The Council's Highway Engineers agree that the proposed development would not generate a substantial number of additional trips on the wider highway network in the morning and evening peak periods. However, they are concerned that the Statement actually demonstrates that on-street parking would be likely to be exacerbated. In response to these concerns the authors of the statement have modified its basic principles in a recent email - they now state that it will not be the case that additional 110 workers will use the site as hot-desking base but it will instead be only 25 due to staff from Bentley House adjacent being transferred to Barnett House.

Even in cases where a Transport Statement has been produced for standard uses, it is often difficult to predict the highway impact of a development in terms of parking demands as this relies on predicting the individual decisions of a number of individual people. However, Officers take the view that the existing problematic parking situation is likely to be exacerbated by the proposed use as it involves members of the public and field officers visiting and leaving at numerous and unpredictable times - though the degree of the exacerbation is difficult to predict. The Council's parking standards assume the provision of treatment rooms rather than bases for visitors to people's homes and are therefore of little use in this instance.

The Applicant has offered to undertake a travel plan to encourage staff to use more sustainable methods of transport and also to contribute £5,000 towards the carrying out of a car parking review and promoting waiting / loading restrictions in the area.

The proposal is considered to have the potential to be in conflict with Core Strategy Policies SO9, P5 and S1, due to the existing parking demands in the area and transient nature of the staff accommodated here. However, the mitigation in the form of the travel plan and the financial contribution to a car parking review should also be taken into account.

Impact on Community Provision

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs. It goes on to state that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see.

"Healthy" is one of the six themes of Bolton's Sustainable Community Strategy, the other five being Achieving, Prosperous, Safe, Cleaner & Greener and Strong & Confident. Policy SO1 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, maximise access to health facilities. Policy H1 states that the Council and its partners will support the development of new health facilities in accessible town centre locations, and in renewal areas.

Policy SO16 seeks to develop mixed communities which encourage community cohesion and ensure access for all to community and cultural facilities. Policy SC2 of the Core Strategy states that the Council will ensure that community facilities are located in the neighbourhoods that they serve.

Officers conclude that the proposal would make a significant contribution towards the continuation and provision of mental healthcare in Bolton.

Impact on Living Conditions

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

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

The use is considered appropriate for this area, given the generally mixed residential, industrial and commercial context. The proposed use is not considered to be likely to give rise to land use conflicts over and above the existing lawful use as offices. It is noted that none of the nearby residential properties have objected to the proposal.

The proposal is considered to comply with Policy CG4 of Bolton's Core Strategy

Value Added to the Development

Officers required the Applicant to submit a Transport Statement.

Conclusion

It would be preferable for this facility to be located within the boundaries of Bolton town centre due to the higher level of accessibility (for workers and service users) and also the higher car parking provision. However, Core Strategy Policy H1 does state that locating healthcare facilities in Renewal Areas such as this is acceptable, if not as beneficial as within the town centre. It does also make clear operational sense for the proposed use to be located immediately adjacent to the existing base of the Adult Services Community Mental Health Teams at Bentley House. The impact on parking demand is difficult to predict but is likely to be greater than the existing problematic situation. However, the Applicant has done what they can to mitigate this by offering to accept conditions for a travel plan and a car parking review.

The benefits to mental healthcare provision are in this instance considered to outweigh the harm caused by increased parking stress and therefore the application is recommended for approval.

Representation and Consultation Annex

Representations

Letters:- one representation has been received from a nearby business. The issues raised include:-

- the car parking facilities do not at this time reflect the number of spaces needed for the building occupants
- there are no restrictions on parking on Weston Street or Viking street at present which causes major problems at busy times
- there is a restriction of a narrow road due to the railway bridge at one side and problems exiting Weston Street onto the very busy Manchester Road at the other end
- the other three buildings on Viking Street also have insufficient parking and overspill onto Viking Street and Weston street every day causing tailbacks and dangerous negotiation of the roads
- road safety should be reviewed as a matter of importance

Consultations

Advice was sought from the following consultees: Highway Engineers

Planning History

Planning permission was granted in 2001 for the erection of a three-storey office building (60597/01)

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of development 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 mitigate the likely impact of the development.

Reason

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

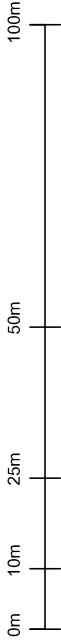
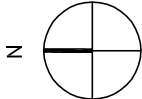
3. Within 6 months of the development being brought into use, a new or revised School Travel Plan shall be submitted to and approved by the Local Planning Authority.

Reason

In the interests of sustainability and encouraging reduced car travel to the site and to comply with policy P5 of Bolton's Core Strategy.



Application
Site Boundary



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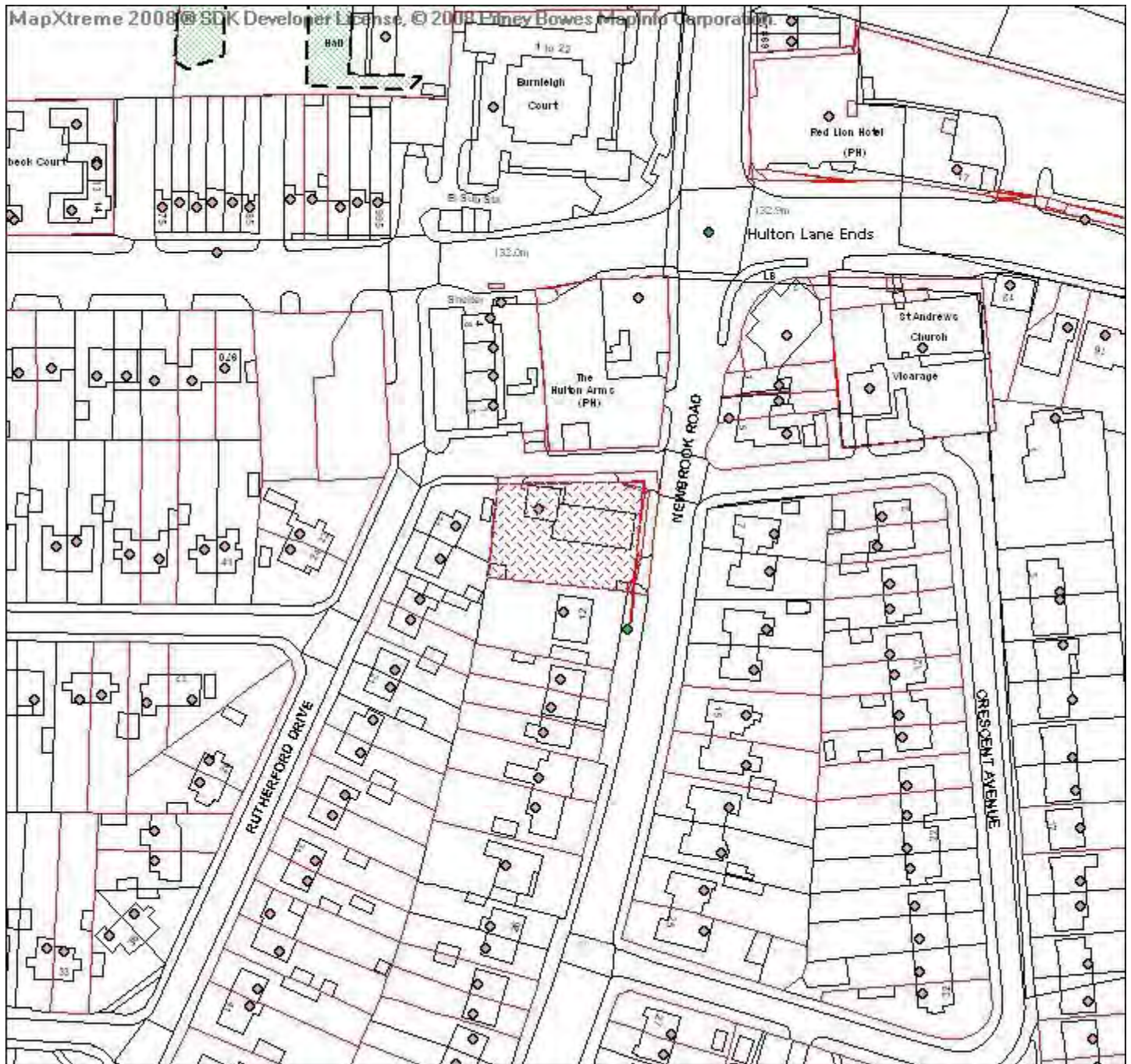
DRAWING NOTES:

REV	DATE	ISSUED FOR PLANNING	MY	GR
P1	18.12.15	Issued for planning		
REV	DATE	REVISION NOTES	DRN	CHKD

CLIENT	Greater Manchester West Mental Health NHS
PROJECT	Barnett & Bentley House

DRAWING				Site Location Plan			
SCALE 1:1250		PAPER SIZE A3					
DATE 18.12.2015		DRAWN BY MY		CHECKED BY GR			
PROJECT No. 340-15		DWG No. 340-15 AL-01-201		REVISION P1			
DRAWING STATUS				Planning			
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Application number 95542/15



Development & Regeneration Dept
Development Management Section

Town Hall, Bolton, Lancashire, BL1 1RU
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Date of Meeting: 12/05/2016

Application Reference: 95542/15

Type of Application: Full Planning Application
Registration Date: 09/02/2016
Decision Due By: 04/04/2016
Responsible Officer: Jeanette Isherwood

Location: NEWBROOK SELF SERVE FILLING STATION, NEWBROOK ROAD, BOLTON, BL5 1EL

Proposal: REMOVAL OF EXISTING CAR WASH AND CONTAINER AND ERECTION OF EXTENSION TO SIDE AND REAR OF EXISTING SHOP INCLUDING RELOCATION OF ATM (AUTOMATED TELLER MACHINE) ROOM, TOGETHER WITH NEW PARKING ARRANGEMENTS

Ward: Hulton

Applicant: Synergie Holdings Ltd
Agent : ADS Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

This proposal is a resubmission of a previously refused scheme. Planning application 93966/15 was refused on the grounds detailed below:-

- The proposed ATM installation would, by virtue of its location, fail to create a safe and secure environment which minimizes the possibility of crime and would therefore be contrary to Core Strategy policy S1 and Supplementary Planning Document "General Design Principles".
- Insufficient information has been provided by the applicant particularly with regard to parking and servicing to enable the proposal to be properly judged against policies S1 and P5 of Bolton's Core Strategy.
- The proposed extension would, by virtue of its design, siting and use be detrimental to the outlook and living conditions, in terms of impact on noise and general amenity, of neighbouring residents at 12 Newbrook Road and 11-13 Rutherford Drive and is contrary to Policy CG4 of Bolton's Core Strategy.

The previous proposed rear element left a secured corridor space to the rear of the building and was detailed for use as bin storage. This space was thought to result in a detrimental impact on the properties to the rear by means of noise and general disturbance due to the siting of the bins. Similarly the previous position of the ATM was considered to be insecure and would result in noise disturbance to the neighbouring adjacent properties.

The applicant seeks full planning permission to remove the existing hand car wash operation and associated steel containers to allow the existing shop to be extended to the side and rear. The relocation of the existing ATM room is also proposed with its new siting being within the shop. The existing building is to be refurbished and the height of the forecourt canopy raised.

Changes have been made to alleviate the previous issues outlined above in terms of the following:-

- The rear extension has been increased to within 1 metre of the rear boundary and the bin storage area has been removed. The area infill between the rear boundary wall and the rear elevation of the extension is now to be secured.
- The ATM has been relocated away from the adjacent property and is now to be sited inside the shop.
- Agreement has been reached with Highways Officers with regards to the parking and vehicle movement at the site.

Site Characteristics

The site is part of an existing Petrol Filling Station (PFS) with shop located a short distance south of the busy road junction of Newbrook Road and Manchester Road/Salford Road. The PFS is a long established development on this site. A high wall/fence forms the boundary between the site and neighbouring residential property at 12 Newbrook Road. A wall and fence form the boundary with 11 and 13 Rutherford Drive. There is a drop in levels between the filling station and 11-13 Rutherford Drive.

The surrounding area is predominantly residential in character, with the exception of public houses. The nearest neighbouring properties are to the south and west (12 Newbrook Road and 11-15 Rutherford Drive).

Policy

National Planning Policy Framework 2012

Core Strategy Policies CG3 The Built Environment; CG4.1 Compatible Uses; OA4 West Bolton; P5 Accessibility; S1 Safe

SPD General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * Impact on Character and Appearance of the Filling Station
- * Impact on Residential Amenity
- * Impact on Highways
- * Impact on Crime

Impact on Character and Appearance of the Filling Station

Core Strategy policy CG3.2 requires development proposals to conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area. Policy CG3.3 requires proposals to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment including hard and soft landscaping and boundary treatment.

Policy OA4.4 seeks to conserve and enhance the character of the existing physical environment, especially the conservation areas at Deane and Chorley New Road, and the historic registered Hulton Park. Policy OA4.5 ensures that development in West Bolton has particular regard to the overall density, plot sizes, massing and materials of the surroundings – these features should be retained where possible.

The proposed main bulk of the extension will be sited to the rear of the existing shop which is not considered to be an obtrusive position. The side element will continue the design of the original building, both elements utilising matching materials, mirroring the existing appearance.

The proposal, in terms of design is not considered to be detrimental to the street scene or the character and appearance of the area and this element is therefore considered to be compliant with Policy CG3 of Bolton's Core Strategy.

Impact on Residential Amenity

Policy CG4.1 preserves the privacy and amenity of neighbouring occupiers stating that developments should not generate an adverse effect in terms of noise and general disturbance.

The proposed ATM is to be relocated to the front elevation with access for maintenance and replenishment to be within the shop. The new location will alleviate the previous issue of noise and disturbance with regards to the adjacent properties at 12 Newbrook Road.

The increase in length of the extension to the rear will bring the proposed flat roofed building within a metre of the rear boundary. Previous issues with regards to waste storage and collection resulting in disturbance to the houses at the rear on Rutherford Drive have therefore also been alleviated.

One objection has been received with respect of the rear element with the concern being that the remaining space to the rear could be used for criminal activity and as gathering place for teenagers promoting unsociable behaviour to the detriment of the residents on Rutherford Drive. However, the extension has been sited to comply with present interface distance guidelines contained within SPD General Design Principles. This states that an interface distance of 9 metres should be maintained between main windows and single storey buildings. The siting of the extension maintains this distance. To alleviate these issues the plans include the erection of a 1.8 metre high fence with access gate to the elevation that was previously open on to Fletcher Street. The rear boundary is also to be increased in height as a further security feature.

An objector has stated that there is no need for a larger shop as there are other outlets in the immediate vicinity and there will be an increase in traffic and disturbance due to larger premises. However, the overall use of the shop will remain the same with no increase in hours of trade and a 40 sqm increase in retail floor space. The shop will remain ancillary to the main activity of fuel sale.

The extension to the premises is not thought to directly result in an increase in trade or traffic with the use remaining as existing for small day to day groceries rather than large shopping expeditions.

The applicant has readdressed previous issues with regard to impact on the amenity of neighbouring properties and is therefore considered to comply with Policy CG4 of Bolton's Core Strategy.

Impact on Highways

Policy S1 of the Bolton Core Strategy promotes road safety in the design of new development. Core Strategy policy P5 and guidance contained within SPD Accessibility, Transport and Road Safety seeks to provide adequate off road car parking spaces to maintain highway safety.

The applicant has detailed the provision of 10 parking bays at the site.

The applicant has worked closely with the Council's Highways Engineers and have submitted amended parking details together with a swept path analysis detailing how vehicles that will service the site can enter and leave in forward gear and manoeuvre within the site curtilage into the loading bay area near the store-room.

The parking space details submitted are thought to comply with the Council's current standards contained within Appendix 3 of the Core Strategy.

Highways Officers have no objections to the scheme subject to conditions.

The proposal is therefore considered to comply to Core Strategy Policies S1 and P5.

Impact on Crime

The National Planning Policy Framework states that planning decisions should aim to ensure that developments should create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Policy S1 of the Bolton Core Strategy ensures that the design of new development will take into account the need to reduce crime and the fear of crime.

The proposal also involves the relocation of the existing ATM. This will now remain to the front elevation of the building towards the northern elevation rather than the more southerly position it presently occupies. This new position satisfies the previous concerns of GM Police due to the natural surveillance afforded to the front elevation. The ATM is now accessible for maintenance and refilling from inside the shop.

It is considered that sufficient consideration has now been given to the important issue of crime reduction in this location.

Conclusion

For the reasons discussed above the proposal is now considered to be compliant with Core Strategy policies CG3, CG4, S1, P5, OA4 and Appendix 3.

Members are recommended to approve the proposal subject to conditions.

Representation and Consultation Annex

Representations

Letters:- two letters of objection has been submitted their objections based on:

- Increase in present noise disturbance
- Insufficient need for a larger store as the area is well serviced by supermarkets
- Inappropriate development in close proximity to residential properties
- Unusable space remaining to the rear leading to an increase in unsociable behaviour.

Consultations

Advice was sought from the following consultees: Highway Engineer, Pollution Control, Design for Security GMP

Planning History

Permission refused for the extension of the shop and relocation of the ATM. Ref 93966/15

Approval granted for the siting of portacabins for a temporary period of 2 years. Ref 89813/13

Approval granted for the additional use of the service station to include a hand car wash facility. Ref: 82712/09

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of the development hereby approved, details of security measures for the ATM shall be submitted to and approved by the Local Planning Authority, details shall include the employment of a defensible space with ground markings (e.g. 1m² painted area, change in surface texture, metal studs within paving etc.) at the front of the ATM to indicate that only one user at a time may enter the space, security lighting and anti-ram bollards. The approved details shall be implemented in full and retained thereafter.

Reason

In the interests of reducing crime and the fear of crime and to comply with policy S1.1 of Bolton's Core Strategy.

3. Prior to the development hereby approved/permitted being first occupied or brought into use the existing vehicular access onto Fletcher Street shall be closed to vehicles and the existing highway (kerbing and footway) made good to adoptable footway standards. There shall thereafter be no means of vehicular access to or from Fletcher Street .

Reason

In the interests of highway safety.

4. Before the approved/permitted development is first brought into use no less than 11 car parking spaces with minimum dimensions of 2.4 metres by 4.8 metres shall be provided within the curtilage

of the site, in accordance with Drawing Ref: 1266/13 approved by the Local Planning Authority. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

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

Proposed Plans - 1266/13 - dated September 2016
Swept Path Analysis - scanned to Council system on 29th March 2016

Reason

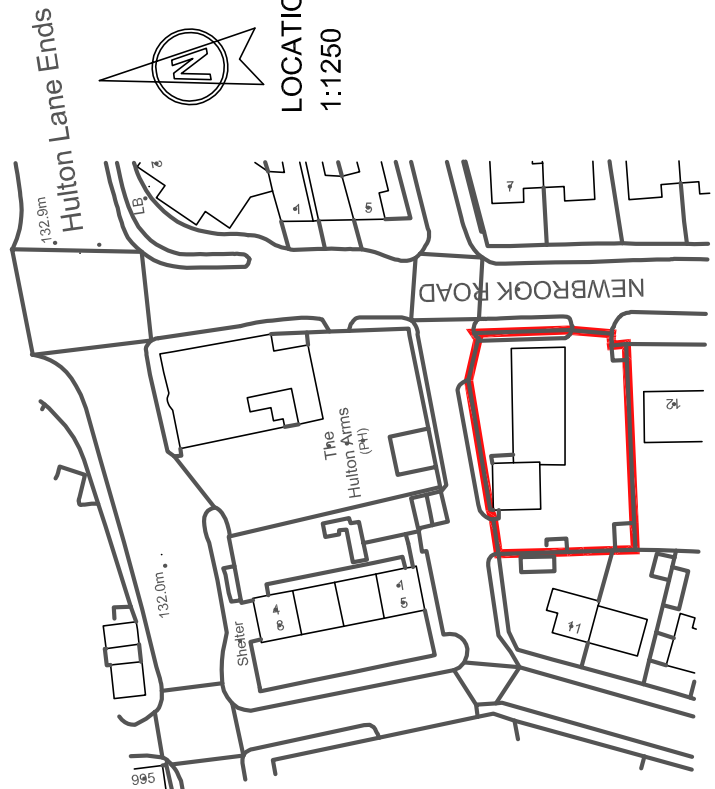
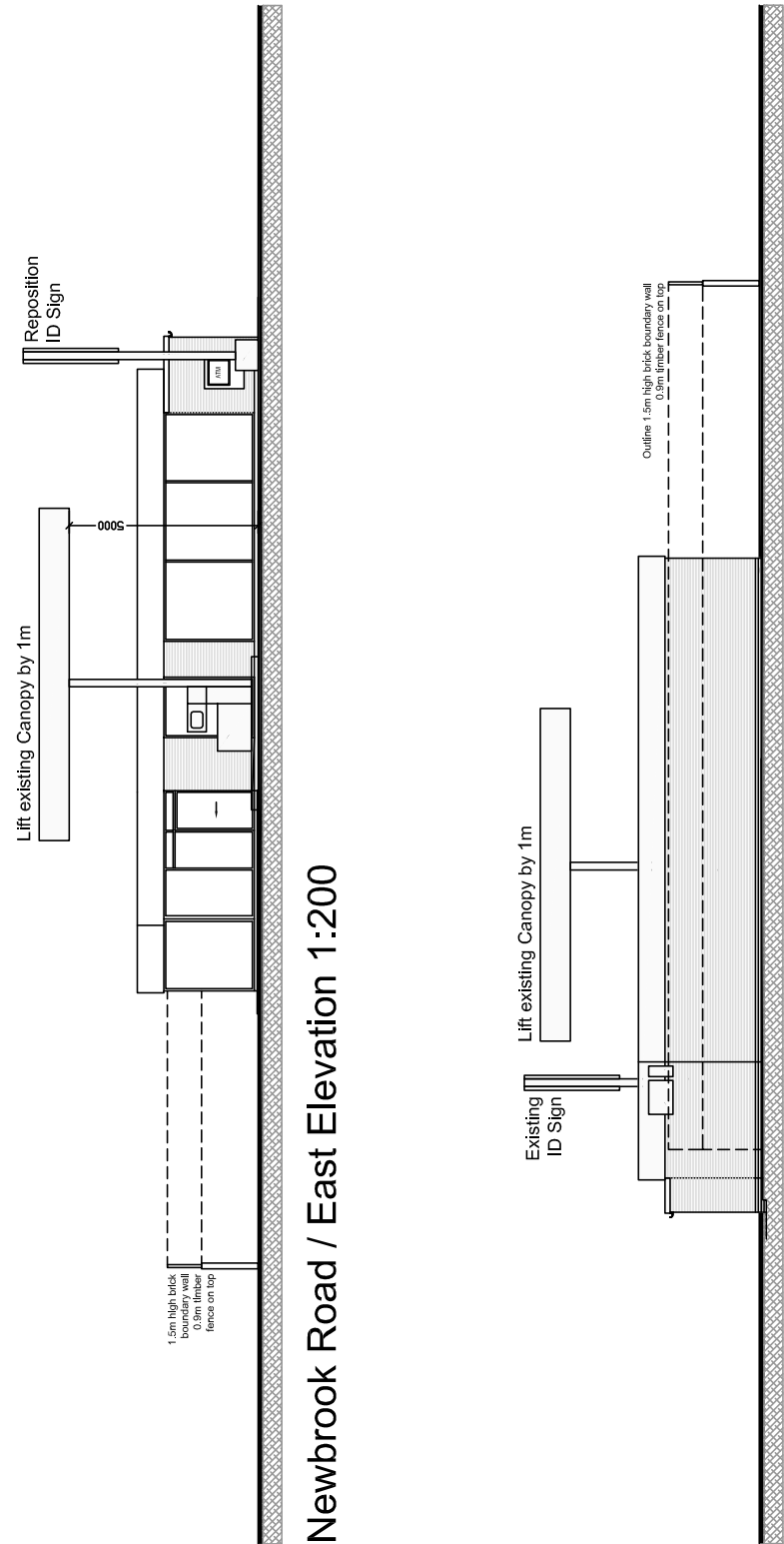
For the avoidance of doubt and in the interests of proper planning.

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

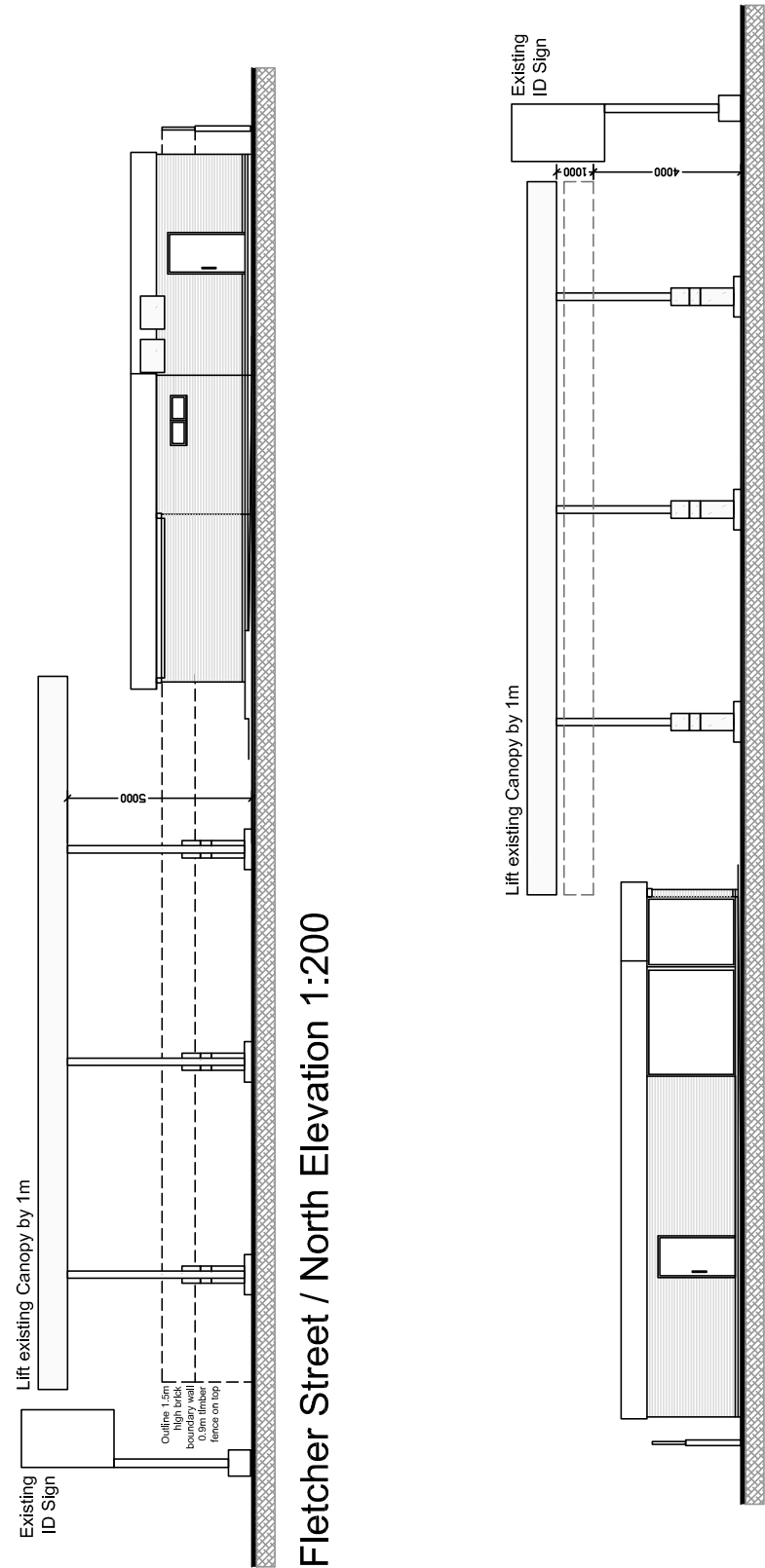
Reason

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

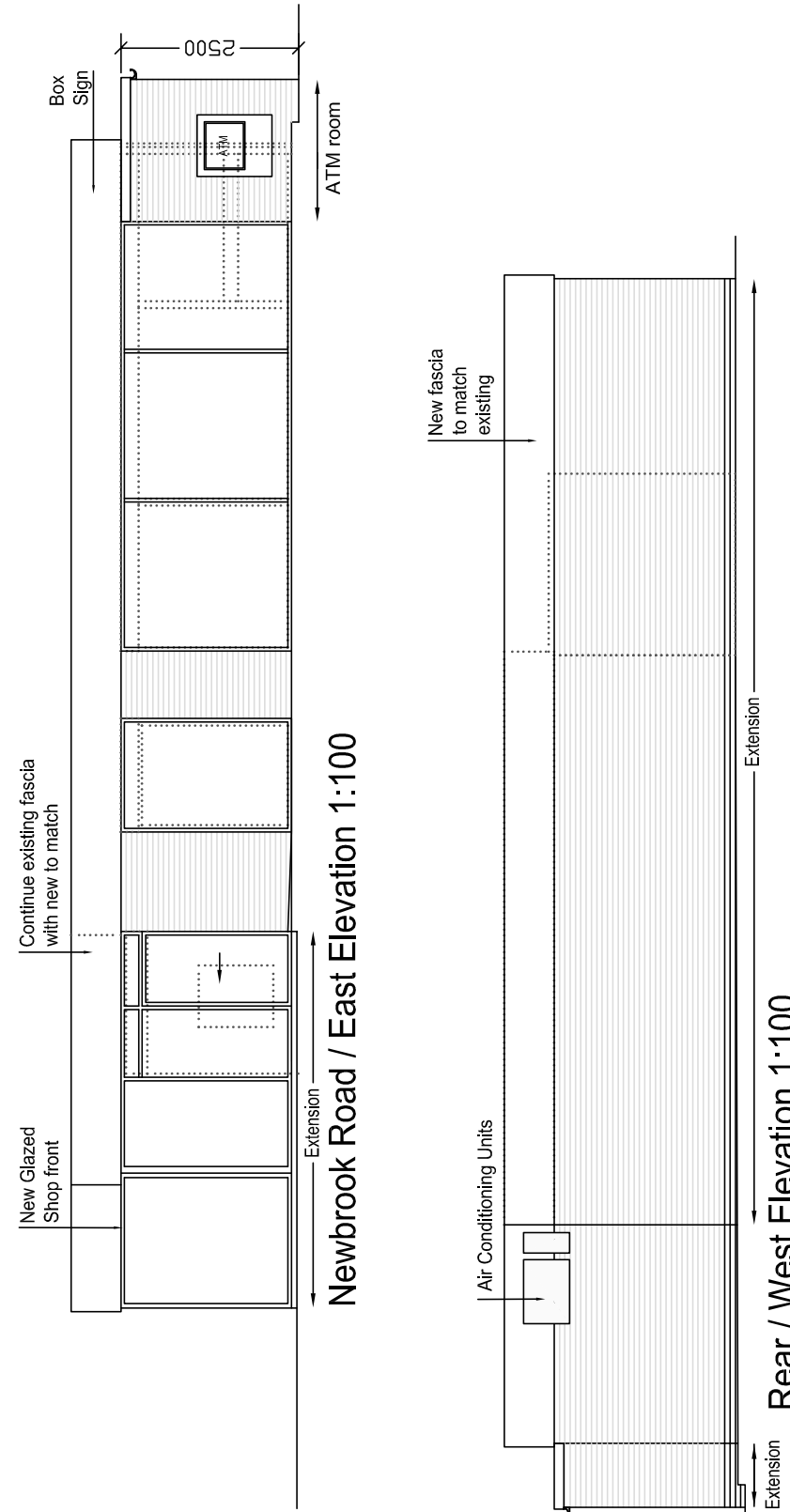
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LOCATION PLAN
1:1250

Newbrook Road / East Elevation 1:200

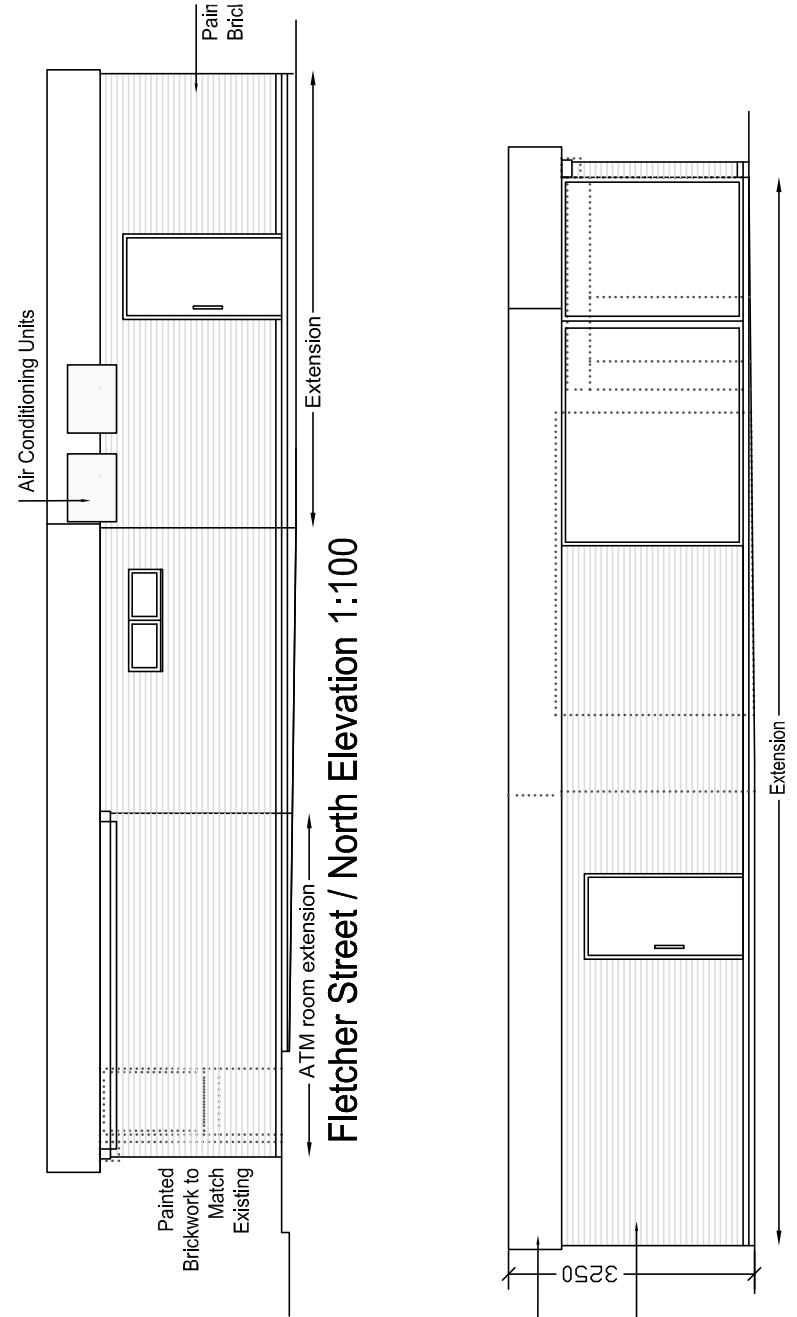


Fletcher Street / North Elevation 1:200

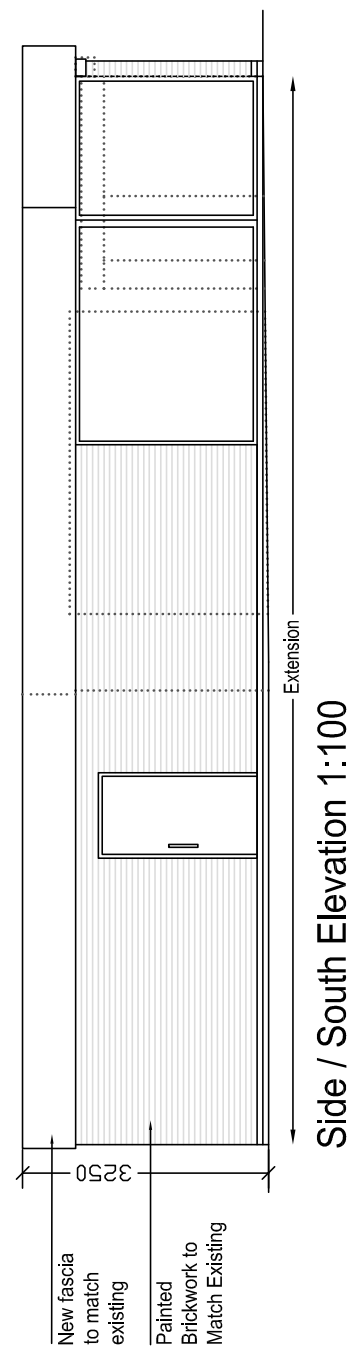


↔ Extension ↔
Newbrook Road / East Elevation 1:100

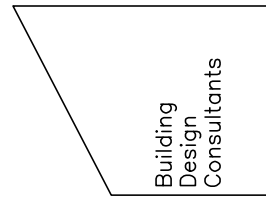
Rear / West Elevation 1:100



Fletcher Street / North Elevation 1:100



Side / South Elevation 1:100



Architectural
Design
Services

46 High Street
Skipton
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BD23 1JR
Tel: 01756 700364
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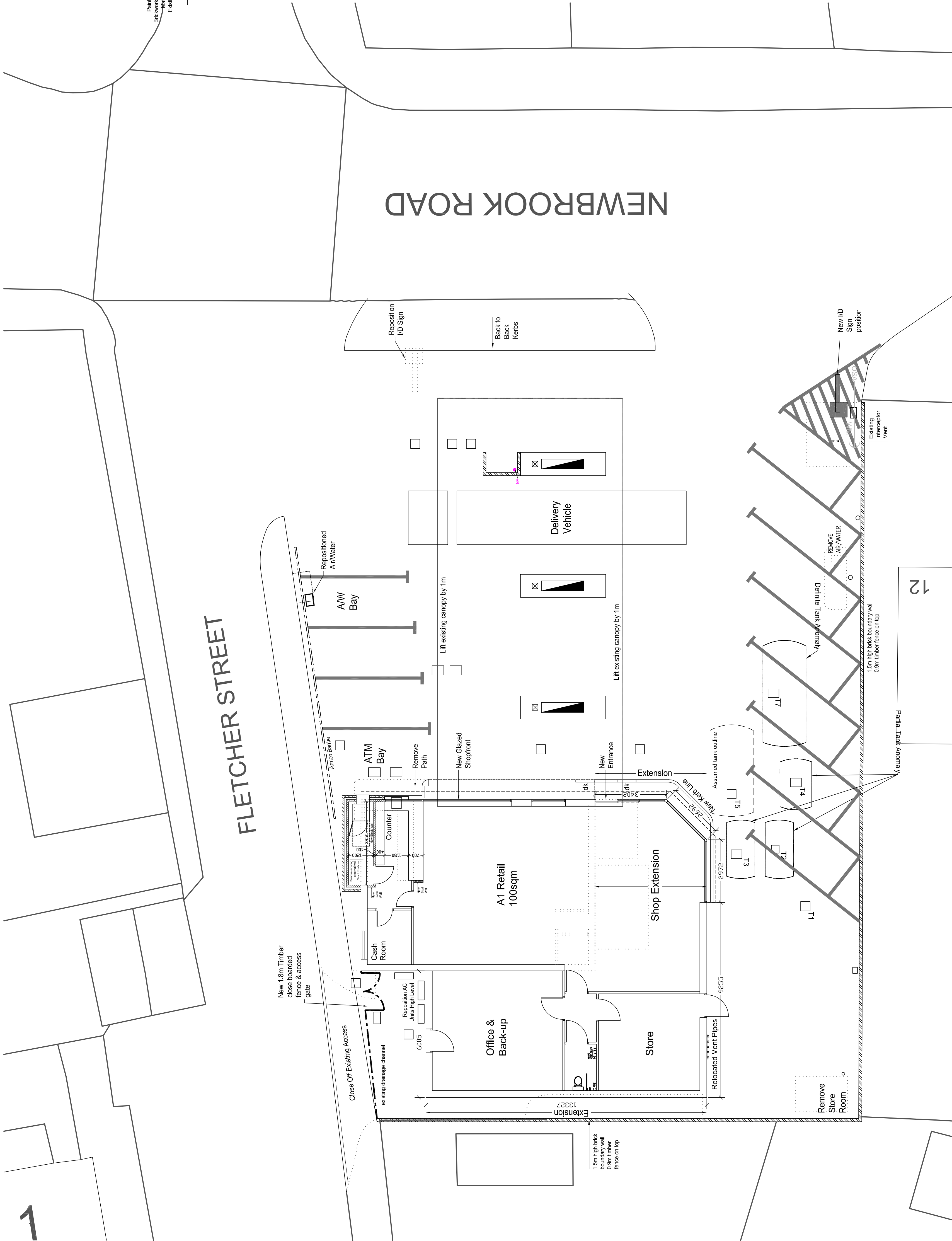
NEWBROOK SERVICE
STATION, BOLTON

PLANNING
DRAWING

SYNERGY

SEP 2015
1:200 @A1
1:100

1266 13



Application number
95699/16



Development & Regeneration Dept
Development Management Section

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

Bolton
Council

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Date of Meeting: 12/05/2016

Application Reference: 95699/16

Type of Application: Full Planning Application

Registration Date: 22/01/2016

Decision Due By: 17/03/2016

**Responsible
Officer: Lauren Kaye**

Location: 16 LANGSIDE DRIVE, BOLTON, BL3 4US

Proposal: DEMOLITION OF GARAGE AND CONSERVATORY. ALONG WITH
ERECTION OF PART SINGLE STOREY PART TWO STOREY
EXTENSION TO FRONT, SIDE AND REAR.

Ward: Heaton and Lostock

Applicant: Mrs PATEL

Agent : Y A ARCHITECTURAL SERVICES

Officers Report

Recommendation: Refuse

Proposal

This is a resubmission of application ref 93883/15 which was approved and application ref 95413/15 which was refused.

The approved application was for the demolition of the single attached garage at the north side of the property and the erection of a part single part two storey extension which would wrap around the north west corner of the property projection 1.013 metres from the side elevation and 6.367 metres from the rear elevation at ground floor level and 3.6 metres at first floor level. The original proposal included raising the height of the roof by 0.467 metres and the erection of a single storey extension which would project 1.125 metres from the front elevation. The approved extensions would provide a kitchen/dining area, a utility and a WC at ground floor level and an additional bedroom and a study/bedroom at first floor level. The existing ground floor would be reconfigured to provide two large living rooms.

The refused application is partly erected. A complaint has been submitted as to the rear two storey element not being built according to the approved plans. The application included increasing the length of the rear two storey element by 1.223 metres. increasing the width of the rear ground floor element towards the north elevation by 0.225 metres and increasing the length of the proposed ground floor lounge on the north elevation by 0.774 metres.

The new proposal is the same as previously refused (under application 95413/15) with an alteration to a hipped roof on the two storey rear extension.

Site Characteristics

This is a three bedroomed detached house similar to others in the row as was originally built with a

flat roofed garage at the side and a porch at the front. Some have been extended by the addition of extensions above the garage to the side and at the rear. There are gardens to the front and rear and parking to the front of the single garage for two cars. There was formerly a conservatory sited at the rear.

The extensions proposed within this application have been constructed in part.

The adjacent property at no. 18 to the south has an extension on the side at first floor level above the existing garage, a pitched roof has been added above the porch and garage and a single storey extension is sited at the rear projecting approximately 3.0 metres.

The adjacent property at no. 14 to the north has an extension on the side at first floor level above the existing garage and a pitched roof has been added above the porch and garage.

To the rear of the property is a detached dwelling at 11 Birchfield Grove.

The character of the area is detached properties in a row with a straight building line and detached properties to the front of a different design.

Policy

National Planning Policy Framework (NPPF)

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

SPD House Extensions
SPD General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

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

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of

scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment.

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

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

The two storey rear element is the same height as originally approved. Proposed external materials are to match the existing.

The original proposal for a six panel bi-fold door to the ground floor rear elevation would be reduced to a four panel bi-fold door.

The refused proposal had changed the direction of the pitched roof to the single storey rear element to slope northwards and two roof lights are proposed. Three long and narrow obscure windows would feature in the north elevation of the single storey rear element replacing the originally approved large obscure window situated close to the rear corner of the north elevation which was requested by Planning Officers to reduce the impact of loss of light for the neighbouring property at no.14 to the north.

The new proposal has changed the gable roof on the two storey extension to a hipped roof which is 5.4 metres to the eaves and 7.3 metres to the ridge. An amended plan was also submitted replacing the three long and narrow obscure windows for two large obscure windows to resemble a conservatory.

The proposed and partly built extension has increased in proportion at the rear and to the north of the site, there are no design changes proposed to the front elevation. It is considered that there would be no detrimental impact to the visual appearance of the street scene and the character and appearance of the area, complying with policy.

Impact on the Amenity of Neighbouring Residents

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

SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on neighbouring properties, particularly in relation to natural light, privacy and overlooking. Section 3 (1) of SPD General Design Principles sets out recommended interface distances between dwellings.

The proposal impinges upon a 45 degree line drawn from the centre of the ground floor main room window at the rear of the neighbouring property at no.14. Whilst the previous conservatory impinged upon a 45 degree line it is considered that the new proposal would result in greater harm to the neighbouring resident. In the original proposal Planning Officers requested that an obscure window be situated close to the rear corner of the north elevation at ground floor level to reduce the impact of loss of light for the neighbouring property at no.14 to the north; the previously refused proposal and the new proposal has removed this window and extended the width of the rear ground floor element closer towards no.14 whilst reducing and resiting the bi-fold doors on the rear elevation

away from no.14. An amended plan has been submitted replacing the three long and narrow obscure windows for two large obscure windows to resemble a conservatory in order to reduce the impact on the neighbouring property at no.14, however it is considered that the extension here unduly impacts upon the amenity of the neighbours at no.14.

There would be an interface distance of 15.777 metres between main room windows of the property at the rear at 11 Birchfield Grove and the proposed rear elevation of the extension, which contains no main room windows (amended plan shows no main room windows on the rear), which does not comply with policy SPD General Design Principles which recommends a minimum interface distance of 17.0 metres.

It is therefore considered that the proposal would affect the outlook and living conditions of the residents of the neighbouring properties (at 14 Langside Drive and 11 Birchfield Grove) and does not comply with policy CG4 of the Core Strategy and the guidance contained within SPD House Extensions.

Impact on Parking

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

SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on highway safety.

The extensions will increase the number of bedrooms from three to four and Highways Engineers have advised that three parking spaces are required to comply with SPD House Extensions and located so that pedestrian access to the front door is not impeded. In this instance the existing two parking spaces are considered satisfactory as the property is located within close proximity to a frequent bus route.

Conclusion

The proposal would affect the outlook and living conditions of the residents of neighbouring properties at no.11 Birchfield Grove and no.14 Langside Drive and does not comply with policy CG4 of the Core Strategy and Supplementary Planning Document - House Extensions.

Therefore Members are recommended to refuse the application.

Representation and Consultation Annex

Representations

Letters:- Two letters of objection have been received, objecting on the following grounds:

- the interface distance to the property at the rear is less than recommended policy of 17m (*Officer comment: addressed in the report.*)
- extension is too big - not in keeping with other properties in the near vicinity
- amendments to roof does not overcome harmful impact on neighbouring properties
- impinges upon 45 degree line drawn from no.14 (*Officer comment: addressed in the report.*)

One general comment made: 'applicant has allowed their builder to flout the approved application...this seem to be a flagrant attempt to disregard a system designed to protect the Community and the neighbouring environment...I hope my Council will ensure on my behalf that such disregard for limits set for the good of all, are not rewarded by success.'

Consultations

Advice was sought from the following consultees: Highways

Planning History

93883/15 - PROPOSED DEMOLITION OF EXISTING GARAGE AND ERECTION OF A PART SINGLE AND DOUBLE STOREY SIDE AND REAR EXTENSIONS, INCLUDING RAISING OF ROOF AND SINGLE STOREY FRONT EXTENSION - Approved

95413/15 - DEMOLITION OF GARAGE AND CONSERVATORY ALONG WITH ERECTION OF PART SINGLE STOREY PART TWO STOREY EXTENSION TO FRONT, SIDE AND REAR INCLUDING RAISING HEIGHT OF ROOF AT RIDGE - Refused

Recommendation: **Refuse**

Recommended Conditions and/or Reasons

1. The proposed extension would, by virtue of its design, height and siting, be detrimental to the character and appearance of the area and in particular would impact detrimentally on the outlook and living conditions of neighbouring residents at 14 Langside Drive and 11 Birchfield Grove and is contrary to Policies CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

GENERAL NOTES:

1. The drawings are prepared by Y A Architectural Services, who will not be responsible for any errors or omissions. The drawings are to be used for planning purposes only and are not to be used for construction purposes. The drawings are to be used for planning purposes only and are not to be used for construction purposes.

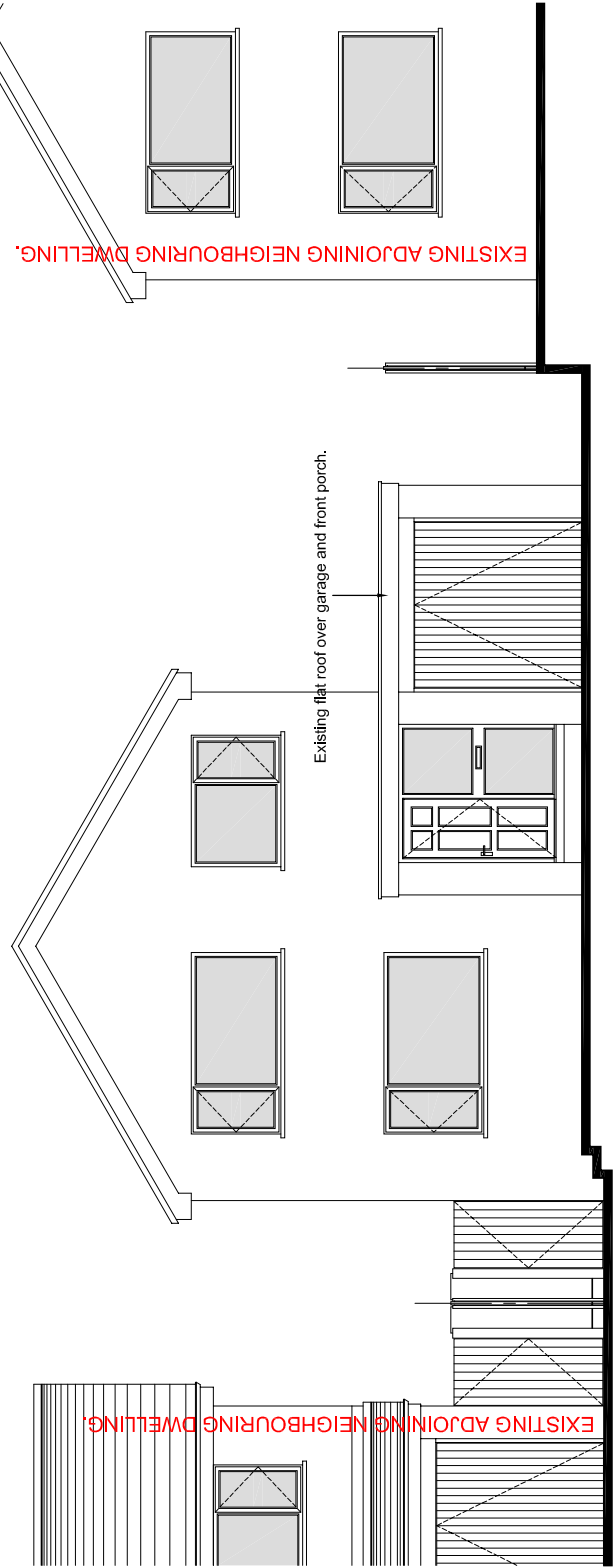
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3. The drawings are to be used for planning purposes only and are not to be used for construction purposes. The drawings are to be used for planning purposes only and are not to be used for construction purposes.

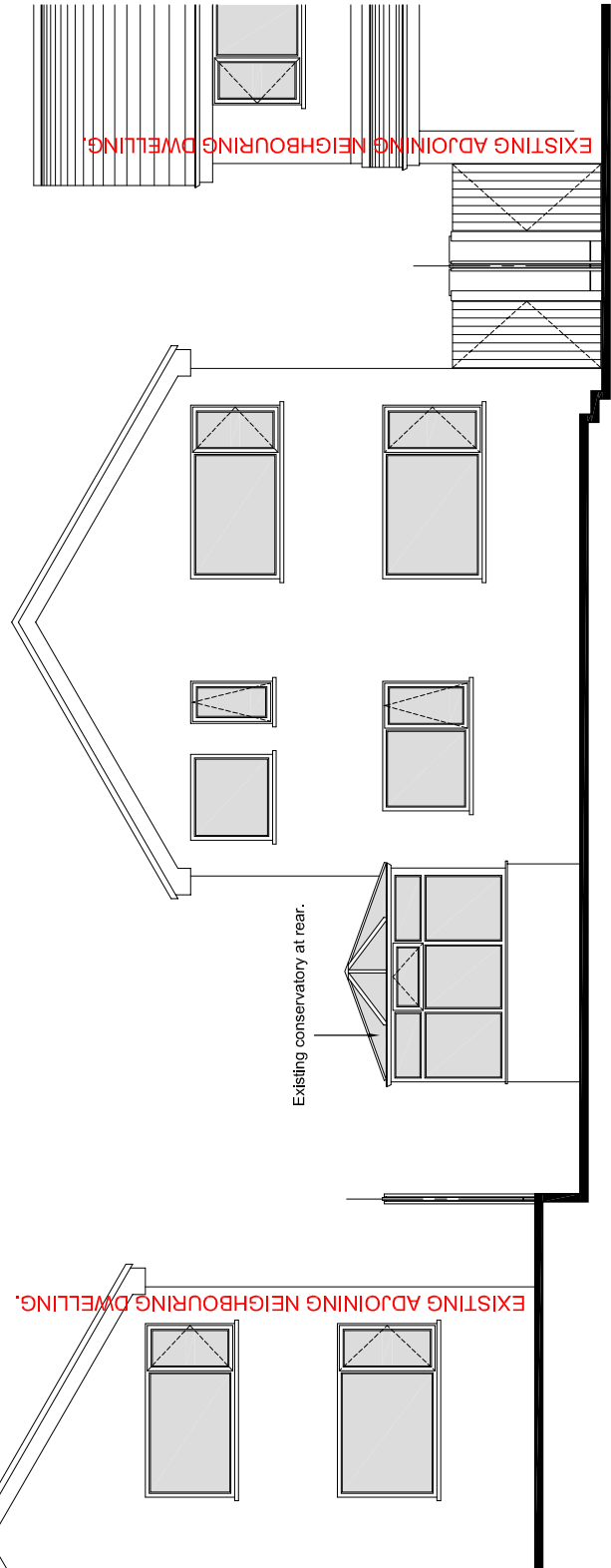
4. All new works to be built, altered and listed to the satisfaction of the Local Planning Authority.

5. All work to comply with current Building Regulations and subsequent revisions.

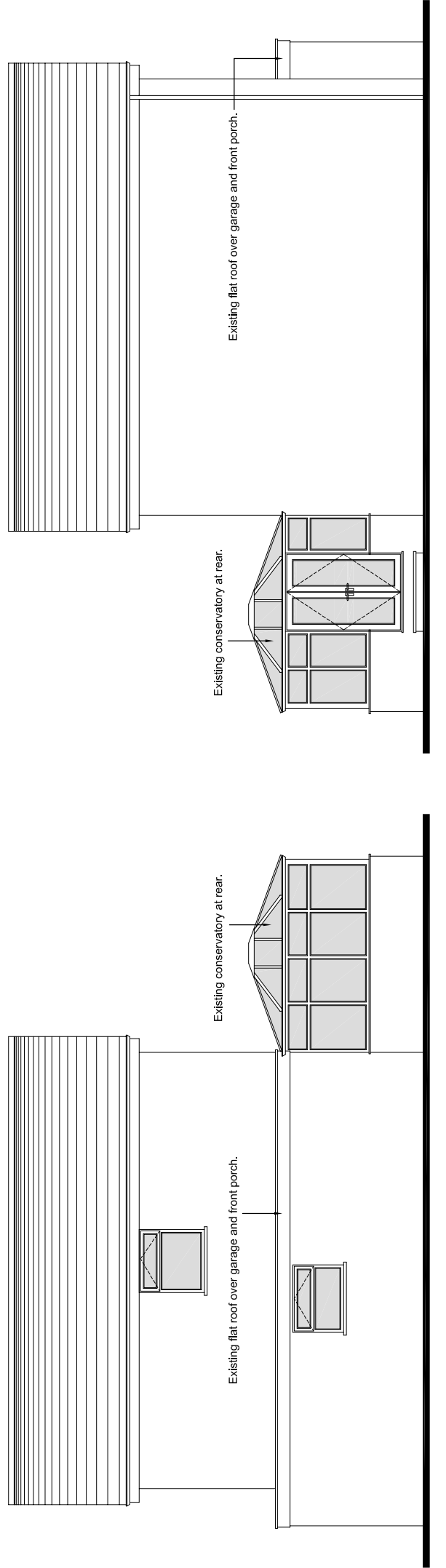
6. Foundations not to encroach over boundaries.



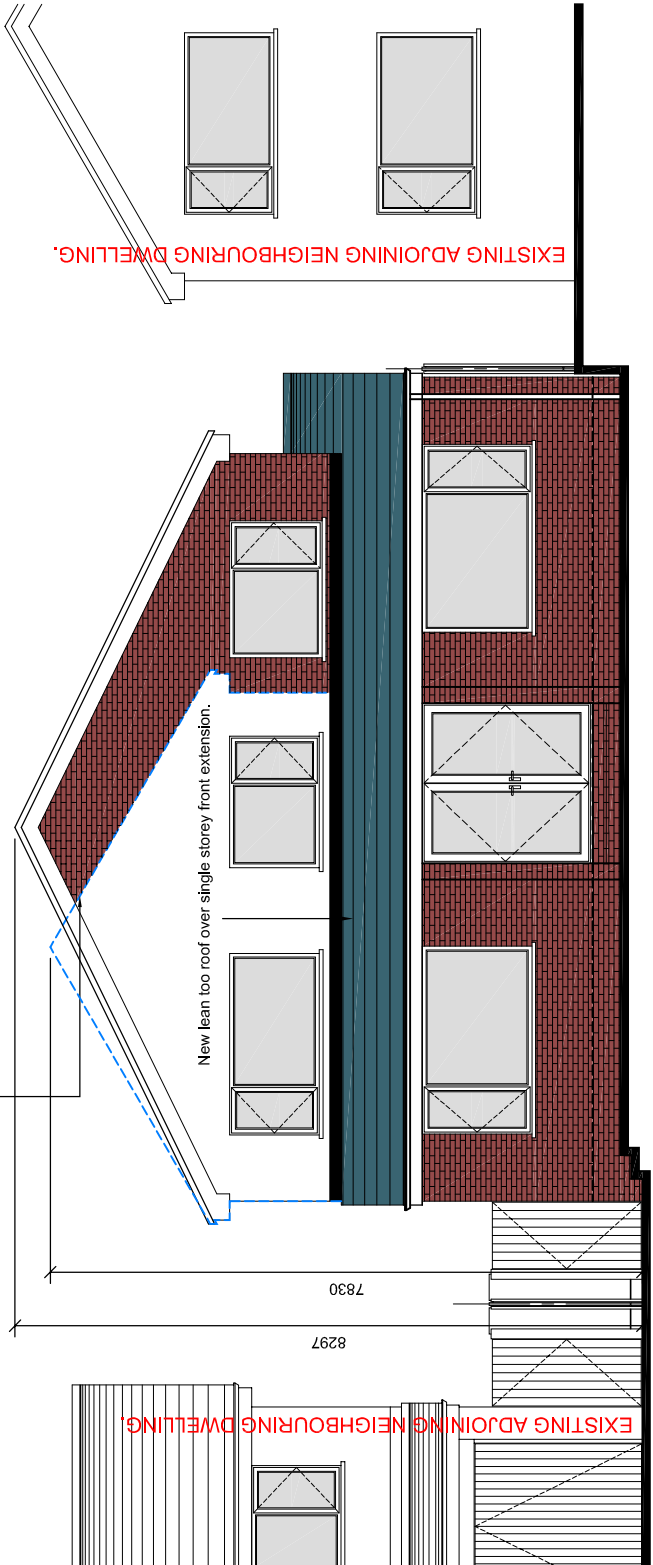
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SCALE: 1:100



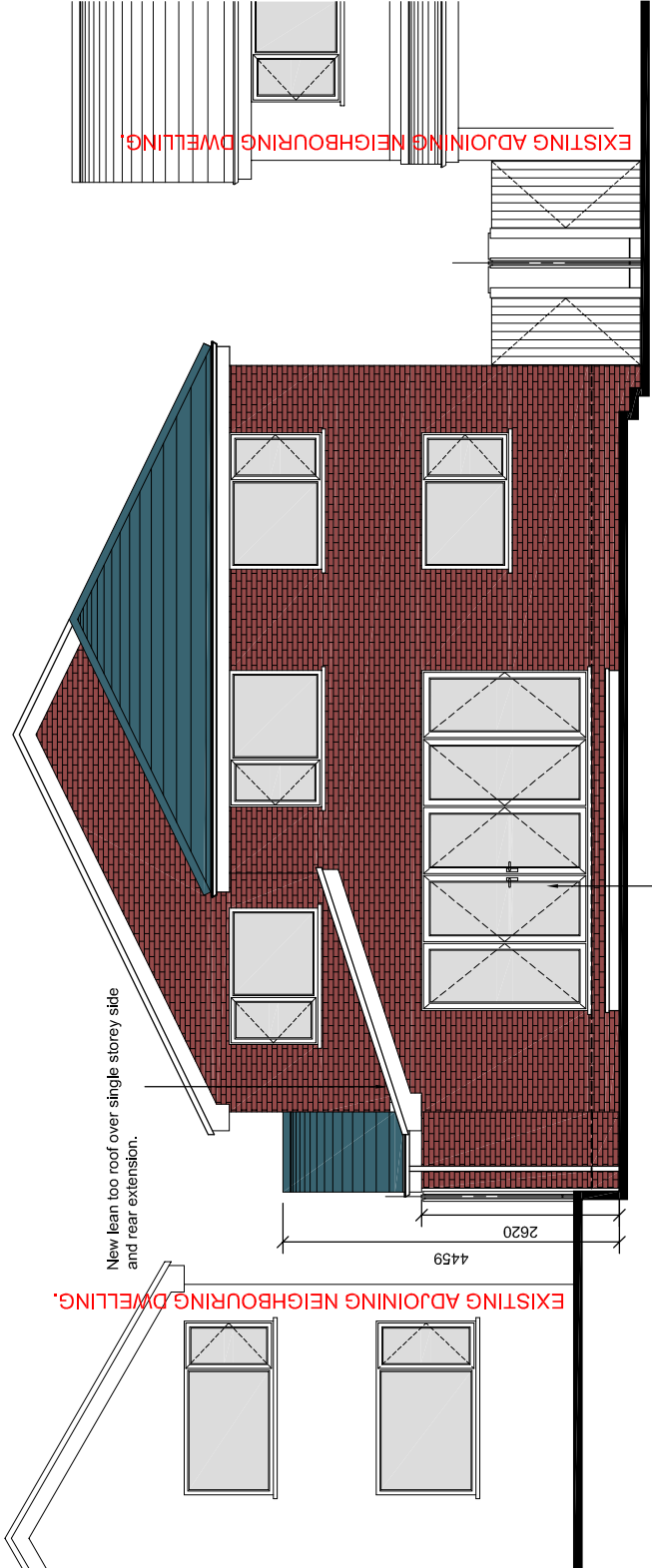
EXISTING REAR ELEVATION
SCALE: 1:100



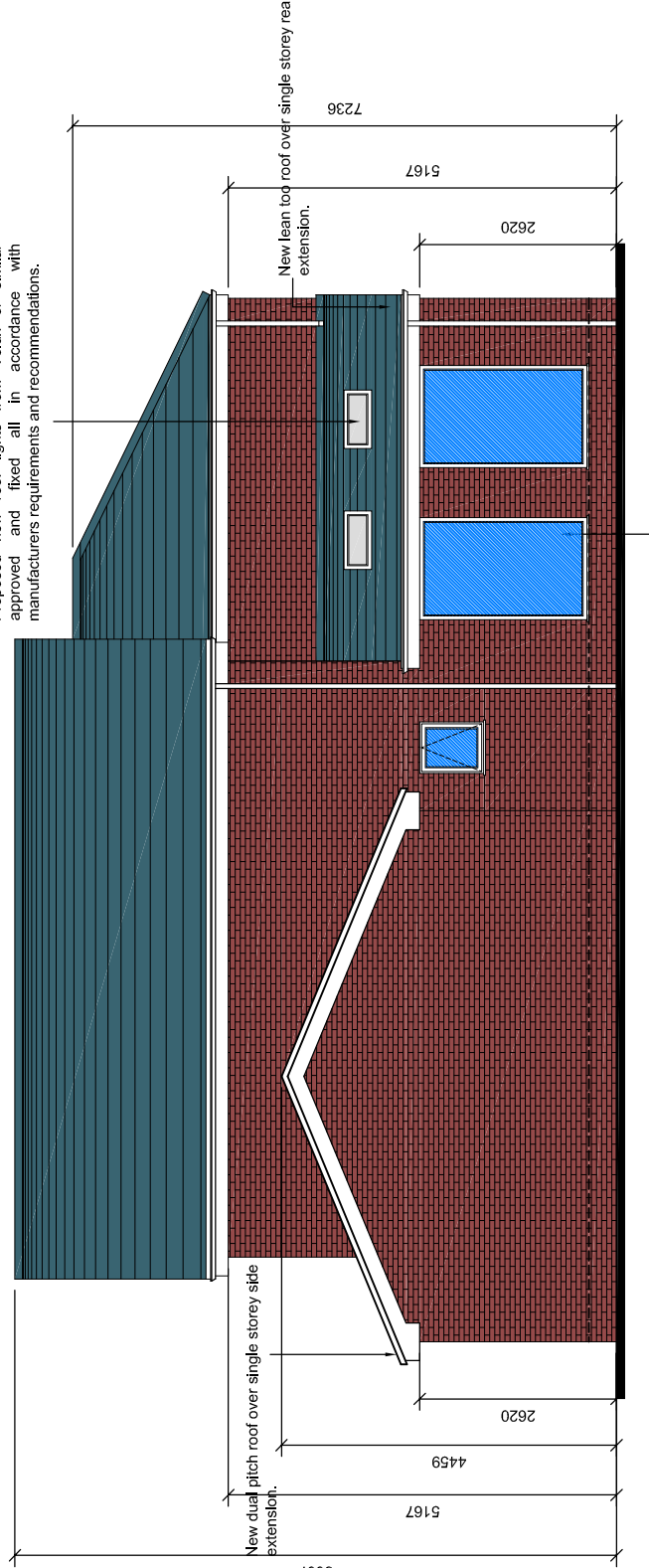
EXISTING SIDE ELEVATION
SCALE: 1:100



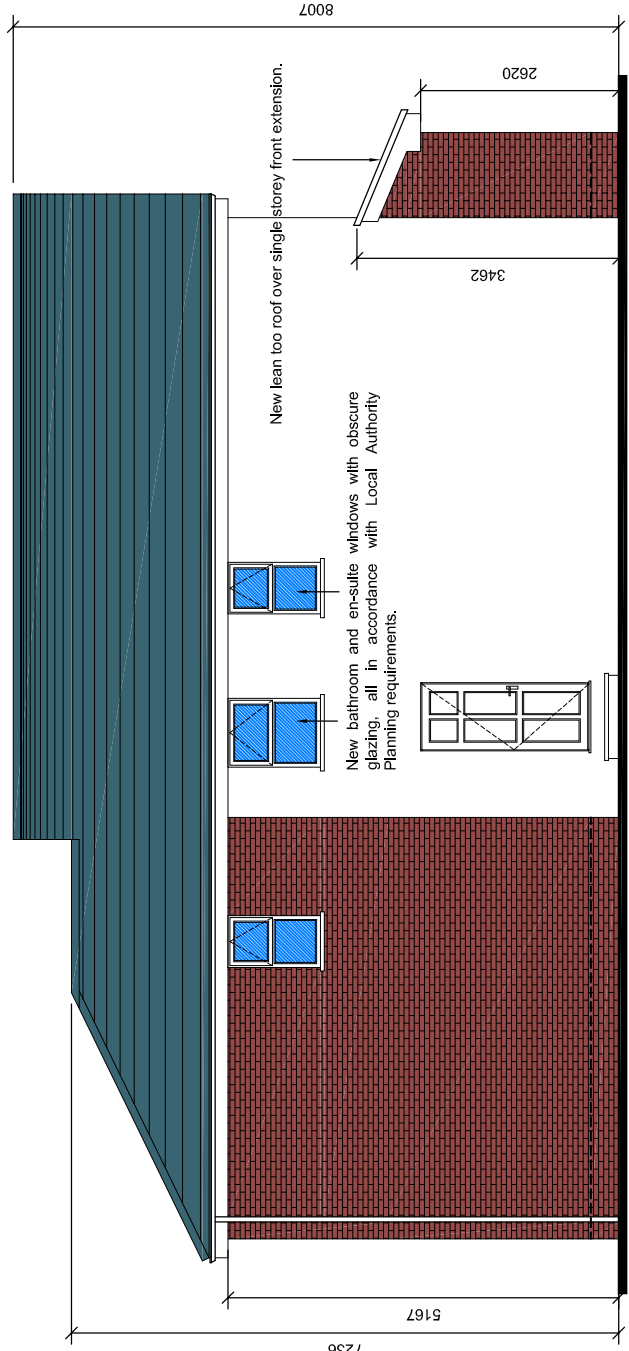
PROPOSED FRONT ELEVATION
SCALE: 1:100



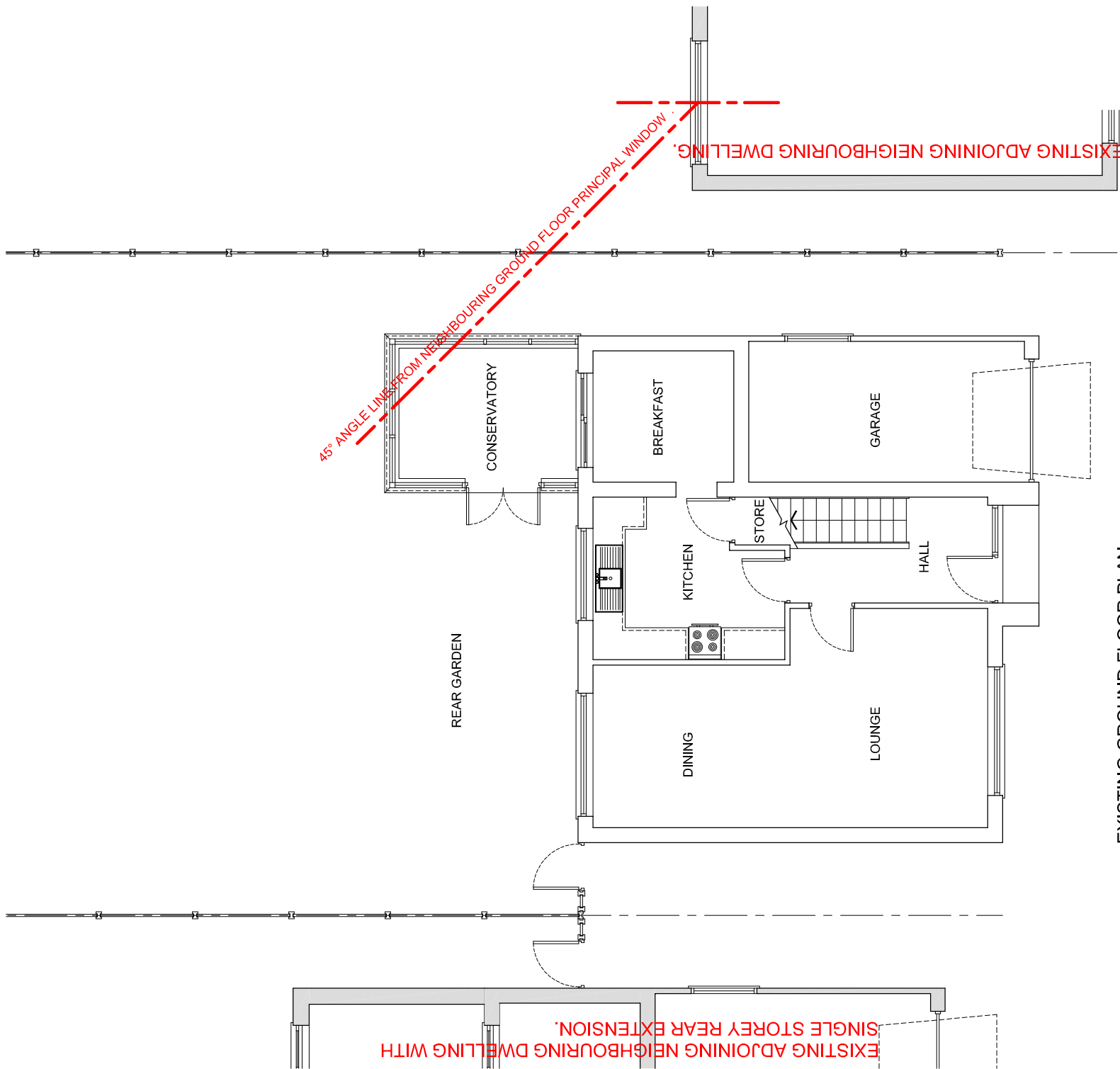
PROPOSED REAR ELEVATION
SCALE: 1:100



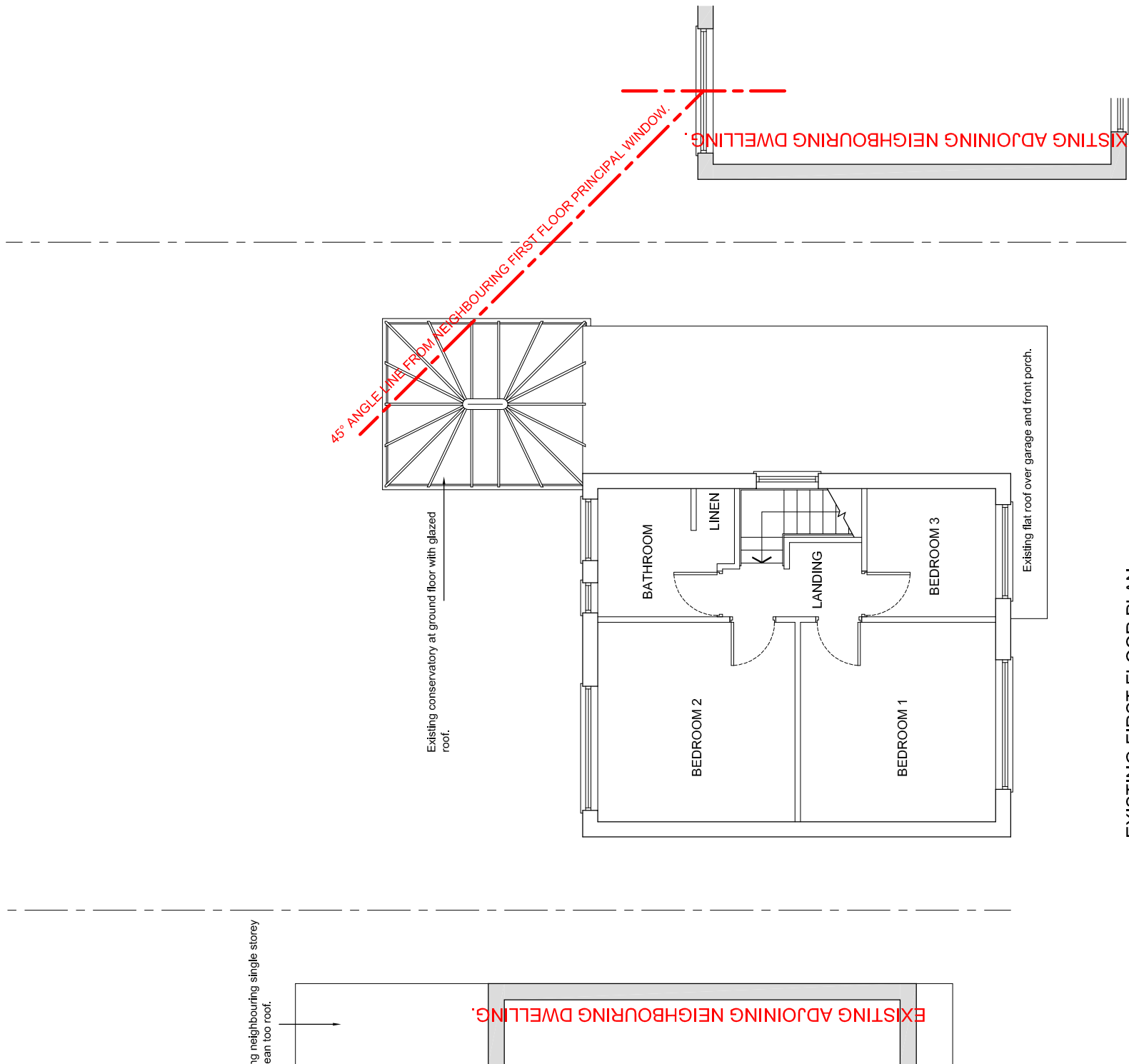
PROPOSED SIDE ELEVATION
SCALE: 1:100



PROPOSED SIDE ELEVATION
SCALE: 1:100



EXISTING GROUND FLOOR PLAN
SCALE: 1:100



EXISTING FIRST FLOOR PLAN
SCALE: 1:100

B GENERAL PLANNING REVISIONS FIRST FLOOR REARRANGED AND GROUND FLOOR WINDOWS ENLARGED.		07/03/18
A GENERAL PLANNING REVISIONS REAR FLOOR REARRANGED TO HIP AND APPLICATION RESUBMITTED.		20/01/18
REVISIONS	DATE	
Y A Architectural Services		
Unity House, Hatching Street, Bolton, Lancs, BL3 6AE		
Tel: 01204 345678 Fax: 01204 345679 Email: info@yasa.co.uk		
DRAWN: Y.AHMED. DATE: 28/11/18		
CHECKED: SCALE: 1:100		
PROJECT: PROPOSED DEMOLITION OF EXISTING GARAGE AND ERECTION OF A PART DOUBLE AND PART SINGLE STOREY REAR AND SIDE EXTENSION INCLUDING LANDSCAPING AND DRIVEWAY LANSIDE DRIVE.		
CLIENT: MRS YASMIN PATEL.		
JOB TITLE: EXISTING AND PROPOSED PLANS AND ELEVATIONS.		
JOB No: 1422-P01B		

PLANNING ISSUE

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2. All work shall be done in accordance with the City and State Building Codes and shall be checked on site by contractor and any subcontractors. Any discrepancies shall be reported prior to commencement of work.

3. Do not scale from this drawing, only work to written dimensions.

4. All new drains to be laid, joined and tested to the entire satisfaction of the Local Authority.

5. All work to comply with current Building Regulations and subsequent revisions.

6. Foundations not to encroach over boundaries.



PLANNING ISSUE

Application number 95777/16



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 12/05/2016

Application Reference: 95777/16

Type of Application: Full Planning Application
Registration Date: 03/02/2016
Decision Due By: 29/03/2016
Responsible Officer: Martin Mansell

Location: ASHTON HOUSE, WATERLOO STREET, BOLTON, BL1 8HT

Proposal: CHANGE OF USE FROM OFFICES TO HOTEL TOGETHER WITH EXTERNAL ALTERATIONS.

Ward: Crompton

Applicant: Tom Ashton (Bolton) Ltd
Agent : Sedgwick Associates

Officers Report

Recommendation: Refuse

Proposal

Consent is sought to change the use of this vacant office building into an 80-bed hotel. Changes to the external appearance of the building are proposed to facilitate this. The existing parking provision of 95 spaces would be slightly reduced to 91 in order to accommodate a space for a coach or lorry.

The application is accompanied by a sequential assessment that seeks to demonstrate that this town centre use cannot be accommodated within the boundaries of Bolton town centre.

Site Characteristics

The site is a three storey purpose-built office block on a roughly triangular island site bounded by Kay Street, Waterloo Street and Croasdale Street. It is located approximately 0.3km north of the north-east extremity of the boundary of Bolton town centre (Topp Way, St Peters Way, Turton Street, Kay Street junction) in an area generally characterised by large scale commercial uses such as a retail park, a DIY superstore and some vehicle scrapyards. It is considered that the area is dominated by the major highway infrastructure that forms this section of the A666.

The site has an area of 0.8ha and the building has total floorspace of 2,323 square metres.

The site is considered to be "edge of centre".

Policy

National Planning Policy Framework - building a strong and competitive economy, ensuring the vitality of town centres, promoting sustainable transport, requiring good design, promoting healthy communities, meeting the challenge of climate change, flood and coastal change

Core Strategy Objectives

SO3 Economic Opportunities of Bolton Town Centre, SO4 Transforming Bolton Town Centre, SO5 Bolton's Economy, SO6 Accessibility and Infrastructure, SO10 Climate Change

Core Strategy Policies

P5 Transport

S1 Crime and Road Safety

CG2 Sustainable Development, CG3 Design and the Built Environment, CG4 Compatible Uses

SC1 Housing Targets, SC2 Cultural and Community Facilities

RA1 Inner Bolton

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the area
- * impact on the road network
- * impact on economic development and employment
- * impact on Bolton town centre

Impact on the Character and Appearance of the Area

Section 39 of the Planning and Compulsory Purchase Act 2004 places a general duty on Local Planning Authorities that in the exercise of their powers they have regard to the desirability of achieving good design.

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

Policy SO11 of Bolton's Core Strategy is a strategic policy and seeks to conserve and enhance the best of Bolton's built heritage and landscapes, and improve the quality of open spaces and the design of new buildings. Core Strategy Policy CG3 seeks to ensure that development proposals display innovative, sustainable design that contributes to good urban design, respects and enhances local distinctiveness, and has regard to the overall built character and landscape quality of the area. Proposals should also be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment including hard and soft

landscaping and boundary treatment. Policy RA1 relates specifically to Inner Bolton and states that the Council will conserve and enhance the distinctive character of the existing physical and natural environment.

The proposed changes to the external appearance of the site are considered to be acceptable. The occupancy of buildings is generally considered to be preferable in terms of impact on the character and appearance of an area - however; in this instance there is little evidence of harm in such terms caused by vacancy and it must be borne in mind that Local Planning Authorities retain powers under S215 of the Act to require the proper maintenance of land and buildings. Furthermore, despite the location on the A666, the site actually lacks visual prominence - there is little in the way of pedestrian foot traffic and passing motorists are concentrating on navigating the complex highway infrastructure in this location. This is a functional highway location.

The proposed use would deliver some limited benefits in terms of the character and appearance of the area.

Impact on the Road Network

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

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

Impact on Economic Development and Employment

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should proactively drive and support sustainable economic development to deliver the infrastructure, business and industrial units and thriving local places that the country needs. In the section "Building a Strong, Competitive Economy" it states that significant weight should be placed on the need to support economic growth through the planning system.

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

Policy RA1 relates specifically to Inner Bolton and states that the Council will continue to focus jobs in modern employment areas in The Valley, locate new employment-related development on undeveloped sites in The Valley and surrounding area, regenerate mills and other older industrial premises in the area with a mixture of new build and refurbishment for primarily employment uses, with supporting residential and mixed uses.

The application anticipates that the use would deliver 4 full time and 5 part time jobs. The benefits of hotel uses to tourism and the economy are also noted.

The proposed use is likely to have a materially beneficial impact on economic development and employment - certainly when set against the current situation of an unused building and site.

Impact on Bolton Town Centre

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should promote the vitality of our main urban areas.

The Core Strategy notes that Bolton town centre is the principal location for employment in the whole borough with an emphasis on retailing, offices and leisure; it is subject to considerable development pressure, and its role within the borough is a vital one. It goes on to state as an aim that Bolton town centre will continue to be a vibrant mix of uses and will be the principal location for retailing, leisure, cultural and civic activities. It will make a significant contribution to the new jobs to be located in the borough over the plan period years, will be a main location for education, especially for those over 16 years old and will be one of the main locations for new housing development and a focus for transport infrastructure. Office developments will be concentrated in Bolton town centre, especially in the Bolton Innovation Zone, Merchant's Quarter and Church Wharf. The town centre will be the principal location for financial and professional services, and the Innovation Zone will be the location for knowledge-based employment, benefiting from the location of the university and colleges. The Core Strategy proposes to increase the quantity of retail floor space in the borough, concentrated mostly in Bolton town centre. A transformed and vibrant Bolton town centre is essential to Bolton's prosperity. Tourism and leisure attractions will be concentrated in Bolton town centre, making the most of the existing visitor attraction at Bolton Museum and Aquarium, and there is the potential for new visitor attractions.

Policies SO3, SO4 and SO5 of Bolton's Core Strategy are strategic objectives within the "Prosperous Bolton" theme and seek to take advantage of the economic opportunities presented by Bolton town centre and ensure that these opportunities benefit everybody in Bolton, including those people living in the most deprived areas, together with creating a transformed and vibrant Bolton town centre and ensuring that Bolton takes full economic advantage of its location in the Greater Manchester City Region.

Bolton's Core Strategy is consistent with the National Planning Policy Framework in that both require a "town centre first approach". Paragraph 24 of the NPPF is considered to be particularly relevant to the application:-

"Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale".

Hotel uses are defined in the NPPF as "town centre uses". Paragraph 24 of the NPPF therefore requires them to be located within the boundaries of town centres unless it can be demonstrated that no suitable sites are available. To this end, the Applicant has provided a sequential assessment that seeks to demonstrate that no suitable site exists within Bolton town centre to accommodate an 80-bed budget hotel. This assessment will be analysed in some detail - for each site, the Applicant's view as to why this site is not suitable has been provided, together with the comments of the Council's Planning Policy and Strategic Development Officers.

Ashton House is not considered to be well linked to Bolton town centre. NPPF para 24 requires that when considering edge of centre sites, preference should be given to accessible sites that are well connected to the town centre. The site is accessible by the private motor car but is poorly located for

sustainable methods of transport. It is located approximately 0.8km from the main features of Bolton town centre and the route would require the use of the extremely poor pedestrian environments of either Kay Street / Topp Way or Higher Bridge Street. These locations are dominated by major highway infrastructure and require pedestrians to negotiate major junctions - the general character is one where pedestrians are considered to be very much secondary to road users. The public transport situation is similar - due the major junctions nearby, the bus stops are located significantly to the south close to the Aldi store or significantly to the north on Blackburn Road proper, close to the junction with Prospect Street. It is considered that the vast majority of users of a hotel at this site would make use of the private motor car and not walk or use public transport at all. Furthermore, the general character of the area is poor - Waterloo Street contains the Metro Salvage scrap yard and there are other industrial, commercial and noise generating uses nearby.

The Applicant has considered the following town centre sites and discounted them for the reason given below. The comments of Officers follow each site, or group of sites.

Travel House, Capitol House, Newspaper House, Stone Cross House (Churchgate), Huntingdon House (Princess Street)

These are all vacant or underused office buildings on or to the rear of Churchgate. Streets serving the buildings are narrow and not suitable for coaches or HGVs. Additionally, parking provision on the sites is restricted. This location is discounted as unsuitable for budget hotel development and no assessment has therefore been made as to whether the individual buildings could be practically converted.

Officers consider that these sites could be relatively easily converted to a hotel use. Churchgate is not narrow and vehicles already serve the existing nearby uses of offices, shops, public houses and the parish church without too much difficulty. All these sites have some parking available and as parking standards can be relaxed within the town centre, planning permission would be unlikely to be refused on these particular grounds. Furthermore, significant amounts of parking exist in the town centre and it is not unknown for hotel operators to make deals with parking providers.

Caroline House, Bradshawgate

These are the buildings to the south of the Picture House apartment development. They are too small with inadequate parking and servicing, no ground floor accommodation, an unattractive and noisy night-time environment, no drop-off area and are for leasehold only.

Officers accept that the buildings are small but both the Picture House and the Cube student apartments provide examples where buildings have been developed or extended much higher - this is not unacceptable in principle on a major road such as Bradshawgate. Parking standards can be relaxed within the town centre, planning permission would be unlikely to be refused on these particular grounds. Furthermore, significant amounts of parking exist in the town centre and it is not unknown for hotel operators to enter into arrangements with parking providers. Examples exist where hotels do not require ground floor accommodation. The area is actually a reasonable distance from the main focus of the evening economy, which is generally around Nelson Square and in any case conditions can often be protected by improved glazing. Many hotels are located in busy evening economy areas.

Sun Alliance House, Bradshawgate

This is the vacant office block above the Downtown Bar (former Tiggis restaurant). Adequate size at 2,353 square metres but inadequate parking and servicing, no ground floor accommodation, no drop-off, ground floor bar/club, unattractive and noisy night-time environment.

Officers consider that this represents the site with the best potential for conversion. The size is

adequate and it does have parking to the rear. The relationship to the evening economy uses need not preclude this site provided that acoustic provisions are made.

Swan Hotel, Churchgate / Bradshawgate

Listed building, too small, a failed hotel, no parking or servicing provision, no drop off. Unattractive and noisy night-time environment including adjacent clubs.

Officers note that hotels can often be accommodated in Listed Buildings, provided that heritage value is maintained. The area is not unattractive and certainly more attractive than the area of the application site. The relationship to the evening economy uses need not preclude this site provided that acoustic provisions are made. Parking standards can be relaxed within the town centre, planning permission would be unlikely to be refused on these particular grounds. Furthermore, significant amounts of parking exist in the town centre and it is not unknown for hotel operators to make deals with parking providers. The failure of one use does not mean that better management cannot result in a successful use.

Clive Street Car Park

Backland site, no visual prominence, very poor access, new development only

Officers accept that this is one of the poorest sites in terms of visual prominence. However, the access is perfectly adequate for the existing car parking use and a hotel use would likely result in less vehicle movements. There is nothing in the guidance for sequential tests that suggests that the need for new construction need rule out a site.

4-14 Great Moor Street (former Gregory and Porritts site)

Small site, 0.11 ha, no parking or servicing provision available, no drop-off, consent for student accommodation, site owned by student accommodation developer, and noisy night-time environment.

Officers accept that this site is relatively small. However, there is no evidence of the student development coming forward and it is not clear why the lack of a drop-off facility need prevent a hotel development - many hotels manage without one. The site is actually on the periphery of the evening economy area, located around the corner from the focus of Bradshawgate.

Central Street / Bark Street / Blundell Street development opportunity

Multiple ownerships, identified CS Policy TC2 for retail led development and in Design Brief for comprehensive redevelopment, backland location with poor access, in current car parking use, not on market. Isolated hotel development would impose a further constraint on regeneration.

Officers do not see why a hotel operator could not work with the Council, any landowners and other partners to deliver a hotel as part of a wider development here.

Asons / Clarence Street site

Current implemented consent for offices, stalled site not on market, foundations of office building in place, prominent location, poor access, no drop-off, inadequate parking.

Officers do not see why a hotel operator could not work with the Council, any landowners and other partners to tackle the above problems to deliver a hotel at this site. The prominent location should be seen as a positive factor. The access via All Saints Street was considered to be acceptable for the approved five storey office development with 54 car parking spaces. It is not clear why the lack of a drop-off facility need prevent a hotel development - many hotels manage without one. The site is clearly large enough to provide adequate parking

Merchant's Quarter and land fronting Bradshawgate

This is the area bounded by Brightmet Street, River Street, Bridgeman Place and Bradshawgate. Land on River Street dominated by Travelodge, no access on Bridgeman Place frontage, mixed ownership, Copyplan corner part cleared but inadequate size/ parking/ servicing/ drop-off, elsewhere still in mixed commercial and industrial uses and fragmented plots.

Officers understand that much of this area is in the ownership of the Tophams development group. The site does include the Travelodge but it is not clear why a site fronting Bradshawgate could not be viable for this reason. The all the buildings adjacent to the former Copyplan site are vacant. As with other sites, it is not clear why the lack of a drop-off facility need prevent a hotel development - many hotels manage without one.

Vacant buildings fronting Bradshawgate, between The Alma and Union Buildings

Very small site, no parking/servicing drop-off. Significant amounts of parking exist in the town centre and it is not unknown for hotel operators to make deals with parking providers. Two hotels on Bradshawgate, the Swan and the Pack Horse, have failed in recent years.

Officers accept that this site is relatively small, but one or more smaller sites are still capable of contributing to the overall hotel provision of hotel accommodation in the town centre. As with other sites, it is not clear why the lack of a drop-off facility need prevent a hotel development - many hotels manage without one. This also a highly sustainable site, close to the railway station / transport interchange. No evidence has been provided to demonstrate that nearby hotels have failed for locational reasons.

Former Gypsy's Tent and other buildings at corner of Spa Road and Marsden Road

Very small site, no parking/servicing drop-off, access non-existent, severe change in levels to river.

Officers accept that this site is relatively small, but one or more smaller sites are still capable of contributing to the overall hotel provision of hotel accommodation in the town centre. As with other sites, it is not clear why the lack of a drop-off facility need prevent a hotel development - many hotels manage without one. This site would be in good proximity to the existing University and its future expansion. However, it is accepted that the levels at the rear present engineering difficulties.

Bow Street car park

Reasonably prominent site but major site preparation costs, including demolition and disposal of multi-storey car park. Poor access and setting.

Officers note the recent announcement of the potential to convert this building to a range of uses and do not see why a hotel operator could not be part of this. The access arrangements are perfectly adequate for a large multi-storey car park. It is accepted that the setting is currently poor but the national and local planning policy solution for this is to take a "town centre first" approach, focusing town centre uses in town centres.

Bridge Street / St Georges Street, former Ikon and land at the corner to the east

Prominent sites but very small, no coach or service provision, public car park nearby, poor access given junction location

Officers accept that this site is relatively small, but one or more smaller sites are still capable of contributing to the overall hotel provision of hotel accommodation in the town centre. As with other sites, it is not clear why the lack of a drop-off facility need prevent a hotel development - many hotels manage without one. Significant amounts of parking exist in the town centre and it is not unknown for hotel operators to make deals with parking providers.

Bank Street Church Wharf development opportunity

Policy TC8 seeks employment led redevelopment, design brief states comprehensive redevelopment required, currently very unattractive mixed use area, mainly in Flood Zone 2.

Officers note that the Design Brief states comprehensive regeneration required, but new development could stimulate comprehensive regeneration. Policy TC8 seeks employment led redevelopment but also has an emphasis on leisure development which a hotel may help stimulate. It is currently an unattractive area but the national and local planning policy solution for this is to take a "town centre first" approach, focusing town centre uses in town centres. It could also be argued that the setting of the application site is unattractive.

For the reasons given above, Officers take the view that a number of potential town centre sites exist and therefore conclude that the sequential test has not been met. The development of a hotel at this site would not be in accordance with the "town centre first" approach of national and local planning policy and would have the potential to discourage further investment and development within the town centre.

Value Added to the Development

Pre-application discussions took place between Officers and the Applicant's representatives to determine the scope of the sequential assessment.

Conclusion

It is accepted that each of the sites considered by the sequential test have a degree of difficulty, not least among these difficulties being that none of them are within the ownership of the Applicant. However, the vast majority of these difficulties are not insurmountable - they are simply the perfectly ordinary difficulties that present themselves for any development project of this scale and development professionals solve problems such as this with regularity.

The use of the site for a hotel would deliver benefits in terms of employment, service provision and the occupancy of a vacant building. However, national and local planning policies adopt a "town centre first" approach and it is considered that the Applicant has failed to demonstrate that a use such as the one proposed could not be reasonably accommodated within the boundaries of Bolton town centre.

Representation and Consultation Annex

Representations

None

Consultations

Advice was sought from the following consultees: Highway Engineers, Planning Policy, Strategic Development

Planning History

Planning permission was refused in December 2015 for the change of use to a hotel, on the basis that a sequential assessment had not been carried out (95301/15)

Planning permission was granted in June 1989 for the erection of a three-storey office block (33675/89)

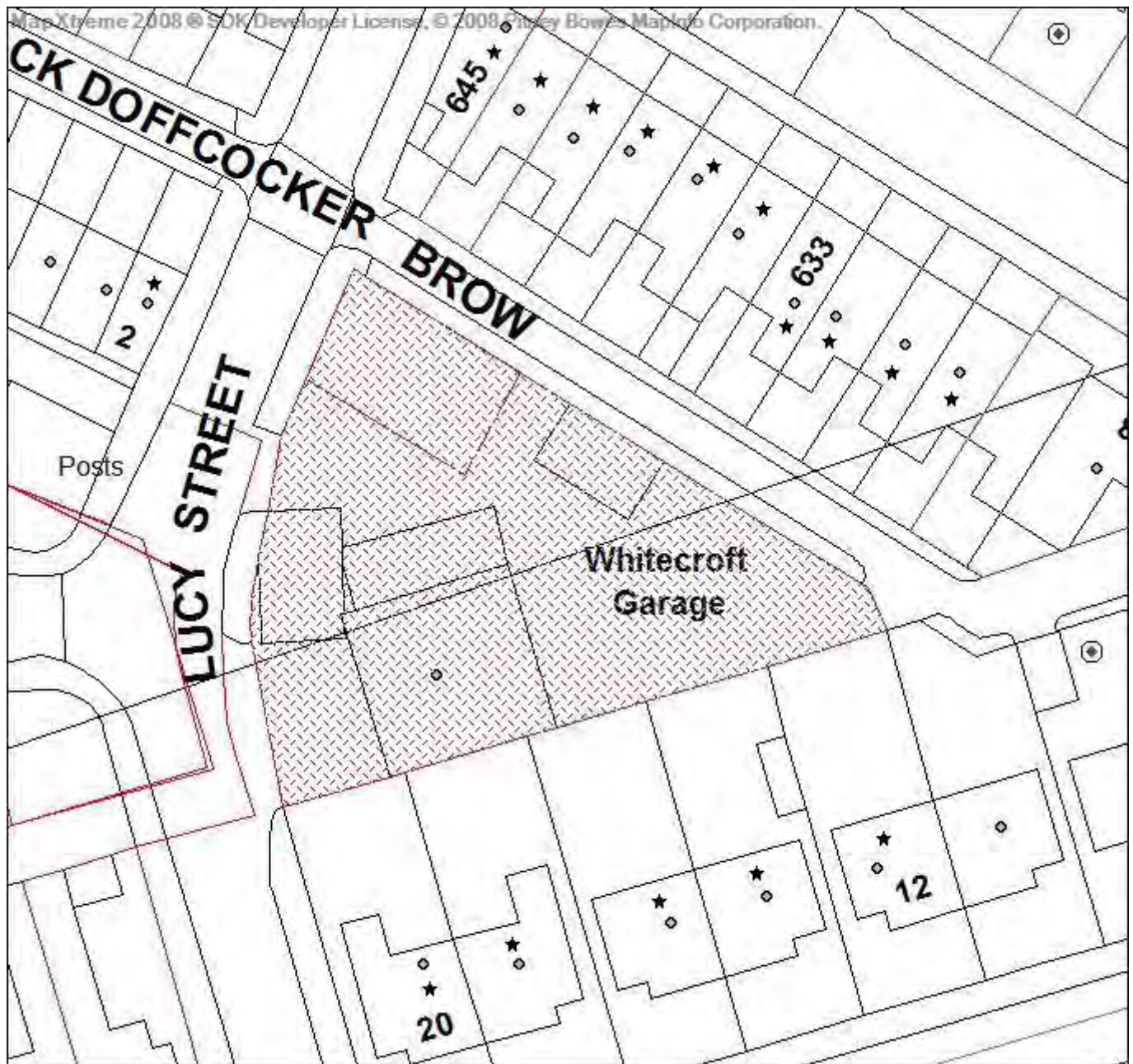
Planning permission was granted in July 1987 for the erection of a three-storey office block (29518/87)

Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The Applicant has failed to demonstrate that the development cannot be accommodated in a sequentially preferable location and therefore the requirements of paragraph 24 of the National Planning Policy Framework have not been met. By not adopting a "town centre first" approach, the proposal would not be consistent with the aims of strategic objectives SO3, SO4 and SO5 of Bolton's Core Strategy.

Application number
95804/16



Development & Regeneration Dept
Development Management Section

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

**Bolton
Council**

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Date of Meeting: 12/05/2016

Application Reference: 95804/16

Type of Application: Full Planning Application
Registration Date: 05/02/2016
Decision Due By: 31/03/2016
Responsible Officer: Martin Mansell

Location: WHITECROFT GARAGE, LUCY STREET, BOLTON, BL1 5PU

**Proposal: DEMOLITION OF TYRE WORKSHOP TOGETHER WITH
ERECTION OF EXTENSION TO GARAGE.**

Ward: Smithills

Applicant: Whitecroft Garage
Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

Consent is sought for the demolition of an existing single storey detached tyre workshop at the rear of the site and the construction of an extension to the main garage workshop.

The proposed extension would have a monopitch roof and would be 4.2 metres to the eaves and 5 metres at the point where it would attach to the main building. The extension would have 76 square metres of floor space - though as the existing tyre workshop (41 square metres) would be demolished this equates to an overall increase of 29 square metres across the site. Materials would be render and paint to match the existing building.

The Applicant states that whilst the existing MOT workshop is legal to use it does not meet all the standards expected by the Ministry for new testing facilities. Access to the site would remain as existing though the internal layout would be simplified with the existing 13 spaces reconfigured to 14.

Site Characteristics

The site is that of Whitecroft Garage, a long-standing vehicle repair use located in West Bolton in the triangle created by Lucy Street, Back Doffcocker Brow and the rear of residential properties fronting Whitecroft Road. With the exception of the application site and the nearby health centre, the area is almost entirely residential and suburban in character. The site is surrounded on all sides by residential properties.

Policy

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

Core Strategy Objectives

SO5 Bolton's Economy, SO6 Accessibility, SO9 Crime and Road Safety

Core Strategy Policies

P1 Employment, P5 Transport, S1 Crime and Road Safety, CG3 Design and the Built Environment, CG4 Compatible Uses, OA4 West Bolton

Supplementary Planning Documents

General Design Principles

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the area
- * impact on living conditions
- * impact on economic development
- * impact on the road network

Impact on the Character and Appearance of the Area

Section 39 of the Planning and Compulsory Purchase Act 2004 places a general duty on Local Planning Authorities that in the exercise of their powers they have regard to the desirability of achieving good design. The National Planning Policy Framework recognises the role of the planning system in creating a high quality built environment and notes that well-designed buildings and places can improve the lives of people and communities.

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

Policy OA4 relates specifically to West Bolton and states that the Council will conserve and enhance the character of the existing physical environment, ensure that development in West Bolton has particular regard to the overall density, plot sizes, massing, open space, lower density and materials of the surroundings.

The proposal represents a relatively minor extension to an existing building and would be constructed from matching materials. Whilst the area is very much predominantly residential, this is not a proposal for a new use and at 29 square metres the extension is relatively small. The impact on the character and appearance of the area will be both limited and acceptable in policy terms.

Impact on Living Conditions

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

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

No new use is proposed - the proposal is for an existing building and use to be extended by a total of 29 square metres of floorspace. However, the extension is small and subservient and therefore it is considered that the increase in scale is not of such a degree that nearby uses would be affected. The closest principal elevation of a residential property would be 15 metres away, comfortably within the 9 metres required for a single storey extension with no overlooking or privacy issues. Whilst the main the building would be extended slightly closer to the residential property, the much closer tyre workshop would be demolished.

It is true that an application for an extension to form an MOT testing station was refused in 2004. However, this was for an extension to the existing tyre workshop which abuts the boundary with Back Doffcocker Brow, much closer to the residential properties to the east. It is the this workshop that is now proposed to be demolished, with the main garage workshop proposed to be extended.

The impact on living conditions is likely to be little different than the existing situation. The proposal is considered to comply with Policy CG4 of Bolton's Core Strategy

Impact on Economic Development

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should proactively drive and support sustainable economic development to deliver the infrastructure, business and industrial units and thriving local places that the country needs. In the section "Building a Strong, Competitive Economy" it states that significant weight should be placed on the need to support economic growth through the planning system.

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

The proposal represents minor but beneficial economic development.

Impact on the Road Network

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

At 29 square metres, the proposed use is not considered to be likely to give rise to significant changes in the nature of vehicular or other movements over and above the existing lawful use. Notwithstanding the concerns of the objector, the proposal actually increases the number of parking spaces by one. It is also noted that the Council's Highway Engineers do not raise objection.

The proposal is considered to comply with Core Strategy Policies SO9, P5 and S1.

Conclusion

Despite the suburban residential context, this is a relatively minor development - the new floorspace minus the floorspace lost to demolition results in a net increase of just 29 square metres. The development complies with the Council's interfaces from principal windows and there are no concerns from the Council's Highway Engineers. As the proposal represents beneficial (though minor) economic development and no harm has been identified to outweigh this, the application is recommended for approval.

Representation and Consultation Annex

Representations

Letters:- one objection has been received from a residential property to the east of the site. The grounds of objection are:-

- an application was refused in the past
- noise pollution, moving the premises even nearer to our property when the noise levels are already very loud at times
- it will also reduce light to the rear of our property
- increased levels of traffic, it has become really hard to park near our property
- I am registered disabled our access and parking has already become compromised, I fear this application would only make it worse
- it is supposed to be a residential area not an industrial park

Consultations

Advice was sought from the following consultees: Highway Engineers

Planning History

Permission was granted in April 2010 for a single storey extension to form a customer waiting area (83644/10)

Permission was refused in July 2004 for an extension to the tyre workshop (68134/04)

Permission was granted in March 1999 for a single storey front extension to form a reception and waiting area (54221/99)

Outline consent was granted in June 1996 for the demolition of the existing building and the erection of a two storey block of 8 flats (48534/96)

A Certificate of Lawfulness was granted in February 1991 for the use of the premises for vehicle sales, hire repairs, MOT testing, petrol station, vehicle storage, recovery & valeting together with sales of liquid petroleum gas (37936/90)

Permission was granted in December 1980 for the erection of a concrete panel fence along the eastern boundary (15587/80)

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. Before the approved development is first brought into use no less than 15 car parking spaces shall be marked out and provided within the curtilage of the site, in accordance with details to be submitted to and approved by the Local Planning Authority. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

3. The approved development shall not be brought into use unless and until the existing tyre workshop adjacent to Back Doffcocker Brow has been completely demolished.

Reason

To prevent harm to amenity by way of an unacceptable increase in the intensity of the use of the site.

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

Reason

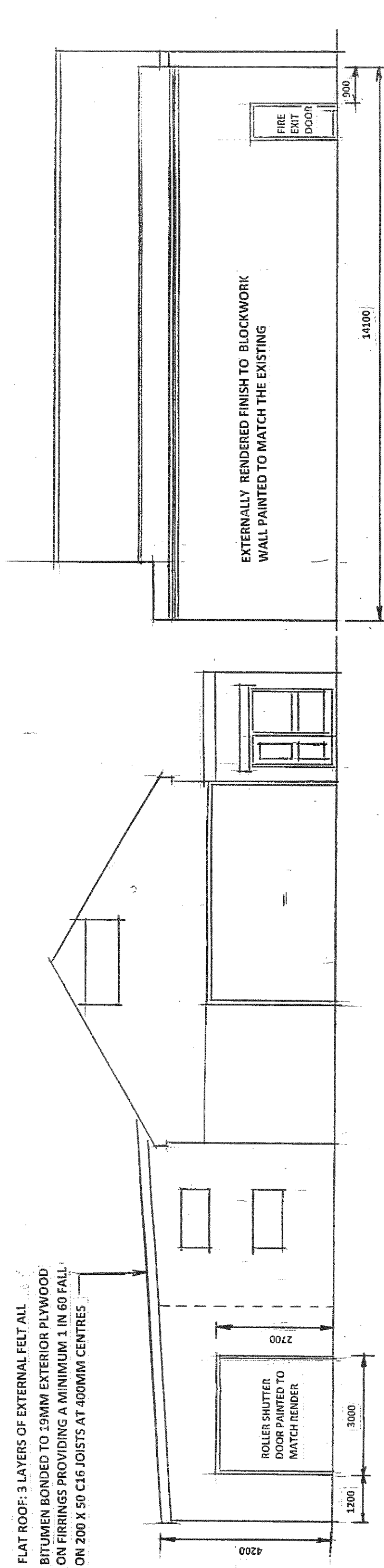
To ensure the development visually reflects the existing building and to comply with policy CG3 of Bolton's Core Strategy.

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

Drawings 1/4, 2/4, 3/4, 4/4, stamped 5th February 2016.

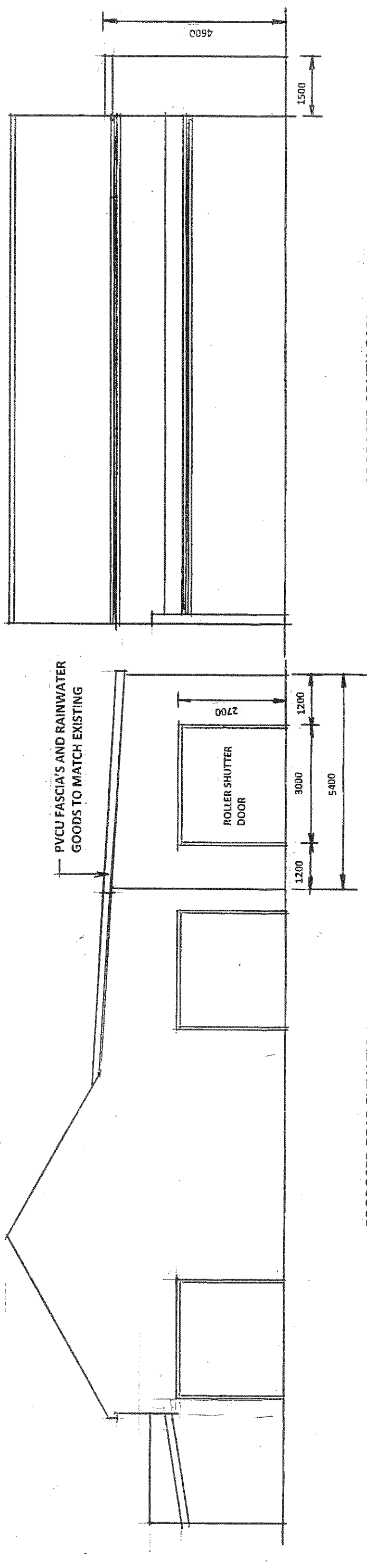
Reason

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



PROPOSED FRONT ELEVATION

PROPOSED NORTH GABLE ELEVATION



PROPOSED REAR ELEVATION

PROPOSED SOUTH GABLE ELEVATION

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DRAINS TO DISCHARGE TO THE EXISTING VIA 100MM DIA PVCU PIPEWORK LAID TO 1 IN 40 MINIMUM FALLS AND SURROUNDED IN 150MM OF CONCRETE WITH EXPANSION JOINTS AS MANUFACTURERS RECOMMENDATIONS

SCALE 1:100

EXTENSION TO GARAGE WORKSHOP TO FORM M.O.T. BAY AT:
WHITECROFT GARAGE, LUCY STREET, BOLTON BL1 5PU.

ALL DIMENSIONS IN MILLIMETRES ALL DIMENSIONS IN MILLIMETRES

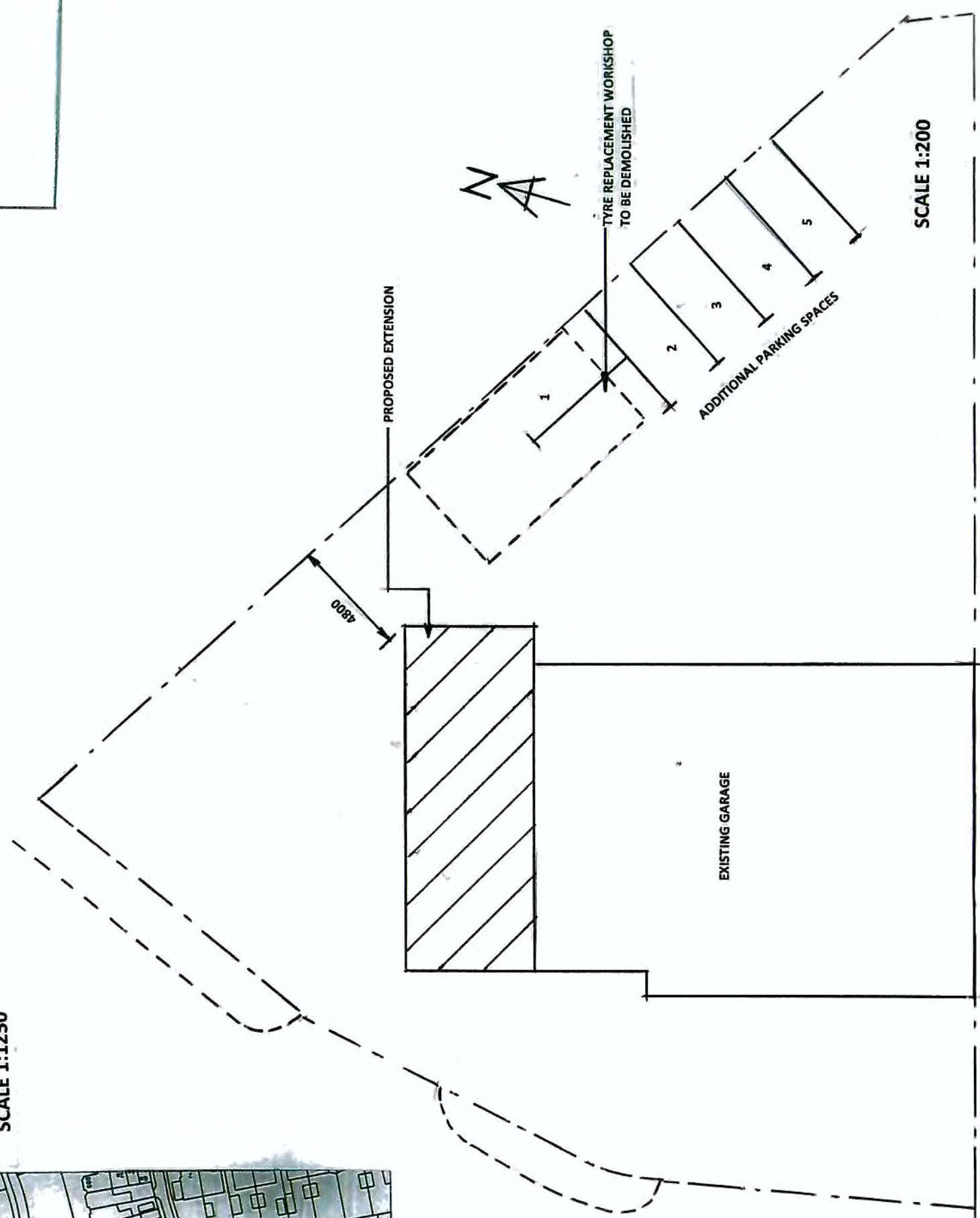
DRAWING 3 OF 4

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SCALE 1:1250

LOCATION PLAN



SITE LAYOUT

ALL DIMENSIONS IN MILLIMETRES ALL DIMENSIONS IN MILLIMETRES

EXTENSION TO GARAGE WORKSHOP TO FORM M.O.T. BAY AT:
WHITECROFT GARAGE, LUCY STREET, BOLTON BL1 5PU.