

PLANNING DECISION NOTICE

BOLTON COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING PERMISSION

Agent: **Mr Armstrong**
Mosaic Town Planning
Lowry House
17 Marble Street
Manchester
M2 3AW

Applicant: **Persimmon Homes,**
Harcourt Developments,
Peel Investments
(Intermediate) Ltd
c/o Agent

Part 1 - Particulars of the Application

Application Number: **94696/15**
Date of Application: **29/07/2015**
18:34:22

Proposed: **ERECTION OF 300 NO. DWELLINGS INCLUDING PUBLIC OPEN SPACES, LANDSCAPING & PLAY AREAS, TOGETHER WITH CREATION OF NEW INTERNAL ACCESS ROAD WHICH CONNECTS INTO THE EXISTING ROAD NETWORK AT CHEQUERBENT ROUNDABOUT IN THE NORTH AND PLATT LANE IN THE SOUTH**

Location: **LAND NORTH OF PLATT LANE, EAST OF PARK ROAD & SOUTH OF CHEQUERBENT ROUNDABOUT, WESTHOUGHTON, BOLTON**

Part 2 - Particulars of Decision

The Bolton Metropolitan Borough Council hereby give notice in pursuance of the above mentioned Regulations **consent has been refused** for the development referred to in Part 1 hereof in accordance with the application and plans submitted for the following reasons:

- 1 The proposed residential development of the site would represent inappropriate development of 'Other Protected Open Land' in that it would not fall within any of the categories listed within Bolton's Allocations Plan Policy CG6AP. The benefits associated with developing the site for housing would not outweigh the harm that would be caused to the Council's strategic objective of focusing new housing in the existing urban area, contrary to Strategic Objective 15 and Policy OA3.6 of Bolton's Core Strategy and Bolton's Allocations Plan Policy CG6AP.
- 2 The proposed enhanced vehicular access point onto Chequerbent roundabout would, by virtue of an increased traffic volume at this location and the proposed layout and design of the proposal, have a detrimental impact on the operational capacity of the highway network exacerbating existing congestion and likely to be detrimental to highway safety contrary to Core Strategy policy P5 and S1.

- 3 The proposed residential spine road through the development is likely to result in increased traffic using the proposed new residential road through the site to the detriment of road safety contrary to Core Strategy policy P5 and S1.

- 4 The application would represent piecemeal development of a site which forms part of a larger area of safeguarded land that has potential to be considered for housing in the longer term through Local Plan review. The applicant has submitted insufficient information to ensure that the proposed development would not preclude the development of land to the south, contrary to Core Strategy policy P5, S1, SC1 and CG6AP by insufficient land being given over to a future link road.

Date of Decision: **13/11/2015**

signed: 

on behalf of Bolton Council

Important Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

GREATER MANCHESTER ACT 1981

Notice is given in accordance with Section 63, Greater Manchester Act 1981, that consideration will be given to means of access for the fire brigade in appropriate cases where plans are deposited for building regulations approval.

APPEALS TO THE FIRST SECRETARY OF STATE

If you are aggrieved by the decision of your Local Planning Authority to refuse permission or to grant it subject to conditions, then you can appeal to the First Secretary of State, **please note that only the applicant possesses the right of appeal.**

If you want to appeal, then you must do so within six months (8 weeks for advertisements) of the receipt of this notice, using the appropriate form which you can get from Planning Inspectorate, Customer Services, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN Tel: 0303 444 00 00. Appeals can also be made online at www.planningportal.gov.uk/planning/appeals/online/makeanappeal.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him/her that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, The Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him/her.

Copies of Appeal forms for the attention of the Council should be sent to Development and Regeneration, Planning and Buildings Division, 2nd Floor Wellsprings, Howell Croft South, Bolton, BL1 1US or email Planning.Control@bolton.gov.uk.

PURCHASE NOTICES

If either the Local Planning Authority or the First Secretary of State refuse permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council on whose area the land is situated. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1990.

COMPENSATION

In certain circumstances compensation may be claimed for the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him/her.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990.