



Planning Validation Consultation 2024

Report by Consultation & Research Team

October 2024

1. Background & Methodology

Between 19th August and 30th September 2024, the Council ran a 6-week public consultation, seeking to engage residents and stakeholders on providing feedback on the draft Planning Validation Checklist (2024). Residents and stakeholders were advised that a Planning Validation Checklist is an important document, which details the information required when submitting an application for planning permission. Therefore, the authority was keen to seek the opinion of residents and stakeholders that may use it.

During the consultation period key stakeholders were made aware of the consultation and were invited to make comment. Supporting documentation was also made accessible on the Council's consultation webpage and social media was utilised throughout the period to share key messages about the consultation with residents.

2. Consultation responses

Throughout the consultation period 18 formal responses from residents and stakeholders were received. Of those that responded, 15 were from local and national stakeholders; two were from internal departments within Bolton Council; and one was from NHS, Greater Manchester.

Formal responses were received from the following organisations, with their responses located in Appendix A:

- Bolton Council: Commissioning and Quality Assurance and Community Safety Teams
- Bolton Council: Highways and Engineering Division
- Bolton and District Civic Trust
- Bolton Ramblers Society and ROW Liaison Committee (Member)
- Campaign for Real Ale
- Canal and River Trust
- Coal Authority
- Friends of Longsight Park
- Greater Manchester Ecology Unit
- Historic England
- Lancashire Wildlife Trust
- National Highways
- National Rail
- NHS Greater Manchester
- Plan Red
- Ramblers Society
- Rose Consulting
- Sport England

Appendix A: Organisational Responses

1. Bolton Council Commissioning and Quality Assurance and Community Safety Teams

The Commissioning and Quality Assurance and Community Safety Teams are submitting a joint response to this consultation, following a number of concerns with recent planning applications for social care related services and accommodation. These applications have been granted approval despite their potential to bring significant negative impacts for Bolton communities and for the individuals living in these developments, who are often looked after children or adults who have care and support needs.

We believe there is further relevant legislation that should be given consideration as part of the Planning Verification Checklist when applications are being considered with any relevant Planning change. Greater prominence must be given to need for prospective care providers to liaise with the council's Commissioning and Quality Assurance team. This is with the aim of promoting the development of high quality provision in the borough of Bolton in safe, appropriate places, that will serve the needs of the local population, as required as part of the council's market shaping duties under the Care Act 2014 and the council's overall vision for Bolton.

We understand that Planning departments in nearby local authority areas are able to use approaches outlined below to refuse planning applications that are not needed or where concerns are identified. If Bolton does not take a strong approach with Planning applications, it may leave the borough open to approaches from unsuitable providers who are unlikely to support Bolton's sufficiency needs and work in the local interest.

The fact that Bolton has relatively cheap property compared to other locations (usually older housing conversions) means that it has the potential to be vulnerable to speculative care provision, it is often the case that these providers aim to meet need from local authorities with very high demand from distant, more expensive, locations. This means that there is perfunctory oversight by the placing authority. Due to the prevalence of these developments in buildings in unsuitable locations, which are poorly adapted for their purpose. Bolton Council and its partners pick up additional duties and costs i.e. finding school placements, health care, managing associated complaints as well as safeguarding concerns and increased criminal activity.

We can provide recent examples where social care services have been granted Planning permission to develop services that have caused significant risk to the people they were commissioned to support. We strongly wish to prevent further development of services for vulnerable people in locations which are completely unsuitable and unsafe for the cohort they are intended for.

Item	Criteria	Policy or Legal Driver	Notes for Consultation
Any social care and support services (this includes: children's homes, supported accommodation for young people, supported living for adults, residential homes and nursing homes for people aged both under and over 65, and day care services for children and adults)	All new Major development and Minor development, including conversions, mixed use development, houses in multiple occupancy and student accommodation	The Care Act 2014, sections 5 (2) (a), (d), (e) and (f) place a requirement on local authorities to have oversight of care and support services for adults operating within the local authority area. The Commissioning and Quality Assurance Team must be informed of new providers seeking to operate within the area, particularly with regard to: • Ensuring sustainability of local provision • Driving continuous improvement of services • Ensuring that providers support development of a high quality workforce. Adult social care market shaping - GOV.UK (www.gov.uk) Supporting Provider Sustainability (Source: legal guidance provided by Belinda Schwehr, to the authority in 2015) Under the Care Act 2014 the local authority has a duty to work to develop markets for care and support that – whilst recognising that individual providers may exit the market from time to time – ensure the overall provision of services remains healthy in terms of the sufficiency of adequate provision of high quality care and support needed to meet expected needs. This will ensure that	We believe that there should be an overarching requirement that any care and support provider, should formally contact Bolton Council's Commissioning and Quality Assurance Team (Commissioning@bolton.gov.uk) before they submit a planning application. This includes providers that must be registered with the Care Quality Commission (CQC) or Ofsted and those that do not. This aims to ensure the sustainability of service providers as well as the wider safety of the community. As part of the verification checklist the applicant should be asked to confirm: • They have made met with the Commissioning and Quality Assurance Team to discuss their application. • If the application is in accordance with the Market Position Statement or Looked After Children Sufficiency Strategy.

		there are a range of appropriate and high quality providers and services for people to choose from. The legislation states that local authorities should seek to understand the business environment of the providers offering services in their area and seek to work with providers facing challenges and understand their risks. Where needed based on expected trends local authorities should consider encouraging service providers to adjust the extent and types of service provision. This could include signalling to the market as-a-whole the likely need to extend or expand services, encourage new entrants to the market in their area, or if appropriate signal a likely decrease in needs. The Market Position Statements and Looked After Children Sufficiency Strategy are central to this (these are published on our website here: Commissioning services for children and adults – Bolton Council).	The Commissioning and Quality Assurance Team should be asked: • If the Commissioning Team supports the application, in accordance with the authority's requirement to shape the development of the care market under the Care Act 2014, and if it does not support the application why it is not supported. Where services are not supported by the Commissioning and Quality Assurance Team there is the potential for significant impact upon other public services within Bolton, specifically: • The Safeguarding service • Local health services including GPs, mental health including the Child and Adolescent Mental Health Service (CAMHS) • The police • Community safety • Local schools. There is also the likelihood of an impact on wider community cohesion when unsupported developments are allowed to proceed.
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Crime and Disorder Act 1998 – Section 17 prevention of crime and disorder

Section 17 of the CDA requires local authorities to consider the crime and disorder implications of all their activities and functions and do all that they reasonably can to reduce these problems. A recent children's home development placed vulnerable children within a locality where there were significant concerns relating to Child Sexual Exploitation, the provider and placing out-of-area authority had not considered the location of the property with regard to the vulnerability of the children they were supporting.

The Community Safety Team works with police and place based partners for the development of NACRO CAS 2 properties development of NACRO CAS 2 properties in terms of informing the suitability assessment of the location, based on a local understanding of the area – for low to medium risk offenders. A similar approach is needed, particularly for children's homes given concerns related to the risk of harm given issues such as "county lines" and child sexual exploitation.

From a Community Safety perspective, the Community Safety Team would also be keen to provide comment on any application relating to a HMO, where unsupported developments could potentially lead to community tension.

Following serious failings in provision the Winterbourn View Hospital Review identified the need to transform services. The aim of the programme was to work with local areas to make sure services are personalised, safe and local. This particularly emphasised the need for local authorities to

		Winterbourne View Hospital: Department of Health review and response Winterbourne View Hospital: Department of Health review and response - GOV.UK (www.gov.uk) Vision and Values for Bolton Council: Start Well - Our children get the best possible start in life, so that they have every chance to succeed and be happy. Live Well - The happiness and wellbeing of our residents is improved, so that they can live healthy, fulfilling lives for longer. Age Well - Older people in Bolton stay healthier for longer and feel more connected with their communities. Home – Bolton Vision	place with local providers to ensure oversight, rather than at distance. Greater oversight of planning applications for new social care services is necessary to ensure delivery of the council's vision for Bolton.
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2. Bolton Council Highways and Engineering Division

I note that the Public Rights of Way element has been moved to the general requirement. Reason' to provide sufficient contextual information on the plans.'

It's not clear what the general requirement is and how it fits into the decision-making process. Public Rights of Way are a matter which it is reasonable to say will be a material, that being relevant consideration in the determination of the application. It is extremely important that all existing and any potential Public Rights of Way on or adjacent the development are identified and considered at an early stage in the development process.

There doesn't appear to be any link to the general requirement section, and I cannot reasonably comment if sufficient information is being requested to ensure that Public Rights of Way will be considered at an early stage in the planning process. It is crucial that all Public Rights of Way crossing or adjoining a proposed development site are marked on the site plan submitted with the full planning application. This is so that it can be validated with the planning application. Will the applicant be made aware of the following within the general requirements having been moved from the validation check list?

Have regard for:

Circular 1/09 Rights of Way

Allocations Plan Policy P8AP

Bolton Council's Rights of Way Improvement Plan 2018 – 2028

Bolton's Accessibility, Transport and Highway Safety SPD paragraph 7.5

Core Strategy Policies P5 and S1

NPPF 2023 paragraph 104.

All Public Rights of Way crossing or adjoining a proposed development site must be marked on the site plan submitted with the full planning application. Government Circular 1/09, Rights of Way, paragraph 7.4.
<https://www.gov.uk/government/publications/rights-of-way-circular-1-09>

Local Plan:

Core strategy policy P5: New development proposals will ensure that developments must take into account accessibility by a range of means including cycling and pedestrians.

Further Information:

The Council's Allocations Plan (2014) Policy P8AP states that the council and its partners will permit development proposals affecting public rights of way, provided that the integrity of the right of way is retained.



Bolton Council Guidance - Development & Public Rights of Way:

<https://www.bolton.gov.uk/downloads/file/3170/public-rights-of-way-info-for-developers>

I hope you find these comments helpful and happy to discuss.

Regards,

Public Rights of Way Officer

Highways & Engineering Division

Bolton Council

3rd Floor, Paderborn House, Le Mans Crescent, Bolton BL1 1UA

3. Bolton and District Civic Trust

Key Headings

- General Strategic Comment concerning Bolton Town Centre [Core Area circa 70ha]
 - Applications for Housing Developments exceeding 10 units
 - Need for Development Briefs for Significant Residential & Town Centre Developments
-

General Strategic Comment concerning Bolton Town Centre [Core Area circa 70ha]

Regeneration of Bolton Town Centre for the Borough

Bolton & District Civic Trust (B&DCT) recognise the importance of regenerative development within Bolton Town Centre and the benefits it could bring to refocusing civic life for all inhabitants of the borough. In the 21st century, the town centre needs to become remodelled to accommodate people who want to live and work there, which requires a high-quality built environment that is green and pedestrian friendly. Re-working the urban fabric of several designated zones within the centre will be a challenge, particularly because it needs to be informed by a unifying vision of how viable communities can be created within the centre: the B&DCT finds difficulty in discovering that vision.

Creating conditions for communities within Bolton Town Centre

Only if regeneration work achieves a well-interconnected urban core, with spatial diversity and a high quality built environment, will there be conditions under which communities can thrive. Ensuring demographic diversity will also be essential for a successful outcome but, again, it will depend upon the quality of the built environment as well as enabling green infrastructure to become an organic part of the character of the townscape. Rehabilitation of the River Croal corridor and integrating green infrastructure,



such as living walls, into building developments will be essential, as indeed will be giving encouragement to urban food growing, where possible.

Building to create communities within Bolton Town Centre

Creating town centre communities depends upon a well-interconnected urban core, with spatial diversity and a high-quality built environment relevant to the human scale. Appropriate development on the Crompton Place has a role in these Bolton's aspirations. However, there is no specific strategic BMBC document that articulates and draws together all the principles and tactical needs for creating town centre communities.

Applications for Housing Developments Exceeding 10 units

General

The accelerating 'Climate Change & Ecological Emergency' is now THE lens through which all development and principal actions of the Council needs to be viewed. With the very real threats from climate change, it is now essential to minimise embodied energy and greenhouse gas emissions of construction and building systems. Only sustainable developments are consistent with creating a high quality built environment: this is the expectation

For housing developments this includes the fundamental examination of how new residential areas will contribute to greater community resilience through the design of their built landscape and provided habitation.

In the planning and architecture for housing, design needs to be demonstrably for the whole environment in order to create amenity conducive to community interaction.

Housing should be part of the town, the settlement. Any evidence of a monothetic design concept treating a housing development simply as an annexe, or series of annexes to the town points towards a fundamentally wrong approach to housing.

Far too many residential developments had failed to yield quality place-making, which helps serves community interaction. Instead, the trend has been isolated 'boxes' of homes, typically ranked along linear roads, with little attempt to create shared community spaces.

Spatial Design within Housing Developments

Most modern housing estates suffer from poor spatial design, often simply because optimising housing unit numbers to a convenient pattern is seen as the main challenge and, typically, one simply addressed in two-dimensional plan terms.



A major factor in good residential environment is layout design achieved through optimisation of units' coupling and grouping arrangement, which calls for bespoke designed units and avoidance of the 'cookie-cutter', house unit of anywhere approach.

The priority in layout design is the creation of multi-purpose space but for which the perfunctory provision of roads and utilities must be subservient. While the placing of buildings defines space, the 'built landscape' must be both functional and afford amenity; the latter including opportunity for experience of vistas. Spaces should be significant for residents, provided for shared areas and afford convenient access. In multi-storey developments, specific allocation must be made for communal areas for meetings and other amenity gatherings.

Green Infrastructure (GI)

The higher the densities for housing developments the greater the attention needed in design of perceived space, and where green infrastructure is increasingly relevant. There should be no tacked onto the design process of the 'soft furnishings of nature'.

GI, along with urban horticulture opportunities, can be also crucial to affording quality place-making and stimulating community interaction. Yet, recent Bolton town centre developments failed in that important focus; including such as the Bark St. development. UK food security will become an increasing concern in the context of UK's need for climate adaptation and improving local community resilience.

It should be noted that in 2022 the UK Green Building Council (UKGBC) issued a detailed report giving budget costs on GI elements, which stressed the affordability of elements including green walls.

Need for Development Briefs for Significant Residential & Town Centre Developments

ALL major sites for development, including significant residential developments should have development briefs, which are transparently available unlike the situation that transpired in the case of Moor Lane development. Development briefs should be subject to public consultation.

4. Bolton Ramblers Member and the ROW Liaison Committee

I am writing this response because I was, until last November, the Footpath Secretary for Bolton Ramblers and I was the Consultee on Planning Applications involving PROWs on behalf of Bolton Ramblers. I am now an ordinary member of Bolton Ramblers but also a member of the Bolton Council's ROW Liaison Committee.

I cannot remember if I have already responded nor can I find a copy of any response I might have made. Being invited to make a comment in "The last chance for comment" email recently received by Bolton Ramblers, I have read the document again and do have a particular concern about this proposal. My



concern centres around the comment that "PROWs have been removed from the validation process" and replaced by some rather vague, perhaps meaningless, text not in the validation document. I presume PROWs will get no mention whatsoever in the validation document.

The Council has a responsibility for PROWs in Bolton and it seems important to me that the planning process continues to play its part in executing this responsibility. It is also important that applicants to the planning process are aware of PROWs through or very close to the site of their application and consider the impact of any proposal on such PROWs. It seems to me very important that such applicants make it clear that they are aware of PROWs possibly affected by their application. In my opinion, by far the best way to be certain the applicants are aware of PROWs is to have them displayed and properly identified on the site plan. So it seems to me that removal of PROWs from the validation process is a retrograde step. So I hope you will reconsider the removal of this item from the validation list. And at the same time, make it clear what applicants are supposed to do with regard to PROWs. (I should add that I do not know what the validation document currently says about PROWs but so many applications arrived on my desk in which reference to PROWs was completely absent.)

I hope you find this response helpful.

Former Footpath Secretary, Bolton Ramblers

Member of Bolton Ramblers and of the ROW Liaison Committee

5. Bolton Branch of the Campaign for Real Ale (CAMRA)

I am responding to this consultation on behalf of the Bolton Branch of the Campaign for Real Ale (CAMRA). Clearly the Planning Validation Checklist is a useful document and it is essential that it is updated from time to time. It is, however, what is absent from the checklist which concerns CAMRA. There are requirements for documents such as a Crime Impact Assessment or an Odour and Fume Assessment where permission is sought for conversion of premises to licensed premises, but there is no requirement for anything where permission is sought for conversion from licensed premises.

You will have seen recent figures in the press showing that 50 pubs are closing each month. During the preparation of the Places for Everyone plan, CAMRA made representations at a borough and Greater Manchester level for protection for pubs as community amenities, providing places for people to socialise and providing venues for sports and local societies to meet. It became clear during the Covid pandemic how pubs provided a community resource and helped combat loneliness, particularly among some of the more vulnerable in society such as the elderly. Some pubs also have a significant heritage value within their communities which can be lost forever.



Unfortunately, these representations did not result in any significant changes to the Greater Manchester plan, however, this does not stop Bolton MBC having its own pub protection policies. CAMRA considers that all Local Planning Authorities should include a pub protection policy in their Local Plans, and I'd like to highlight Policy HC7 from the London Plan, which seeks to protect not just pubs but also their operation. Policy HC7 - Protecting public houses.

- a) In Development Plan Documents, town centre strategies, and planning decisions, boroughs should:
- Protect public houses where they have a heritage, economic, social or cultural value to local communities, or where they contribute to wider policy objectives for town centres, night-time economy areas, Cultural Quarters and Creative Enterprise Zones
 - support proposals for new public houses where they would stimulate town centres, Cultural Quarters, the night-time economy and mixed-use development, taking into account potential negative impacts.
- b) Applications that propose the loss of public houses with heritage, cultural, economic or social value should be refused unless there is authoritative marketing evidence that demonstrates that there is no realistic prospect of the building being used as a pub in the foreseeable future.
- c) Development proposals for redevelopment of associated accommodation, facilities or development within the curtilage of the public house that would compromise the operation or viability of the public house use should be resisted.

This policy offers a groundbreaking level of protection for pubs, and associated facilities such as licensee accommodation or curtilage that impact the viable operation of the venue but might also be appealing for unscrupulous developers looking for quick cash. CAMRA believes this level of protection should become the norm across the UK.

Whether or not such a policy is adopted by Bolton MBC, at the least, applicants for permission to change the use of, or demolish, a pub should be required to provide the evidence set out above with regard to the loss of the heritage, economic, social or cultural value to local communities, or the contribution to wider policy objectives for town centres, night-time economy areas. Similarly, authoritative marketing evidence that demonstrates that there is no realistic prospect of the building being used as a pub in the foreseeable future should be submitted. For the purposes of the current consultation, this evidence should be required to allow validation of the application and therefore included in the Planning Validation Checklist.

CAMRA has significant expertise on planning issues within its membership and we would be happy to engage with the Council to develop pub protection policies if required. With regard to evidence of the

viability of pubs, CAMRA has its own Pub Viability Test which can be used. A copy of the document can be found [here](#).

Kind Regards,
Chair - Bolton CAMRA

6. Canal and River Trust

Thank you for your consultation on the updated Bolton Planning Validation Checklist. We have reviewed the document, and we have no comments to make.

Kind regards,
Senior Planner – Major Projects & Infrastructure
Canal & River Trust / Glandwr Cymru

7. The Coal Authority



200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG
T: 01623 637 119 (Planning Enquiries)
E: planningconsultation@coal.gov.uk
W: www.gov.uk/coalauthority

For the attention of: Consultation & Research Team
Bolton Metropolitan Borough Council

[By email: consultation@bolton.gov.uk]

20th September 2024

Dear Consultation & Research Team

RE: Bolton Validation Requirements for Planning Applications (Update to the Planning Validation Checklist)

Thank you for your notification of the 19th August 2024 seeking the views of the Coal Authority on the above.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

Our records indicate that within the Bolton area there are recorded coal mining features present at surface and shallow depth including; mine entries, coal workings and reported surface hazards. These features may pose a potential risk to surface stability and public safety.

The Coal Authority are pleased to see, and support, the inclusion within the Bolton Validation List of the requirement to provide a Coal Mining Risk Assessment for those developments within the Development High Risk Area which do not fall on our published exemptions list.

Yours faithfully

Melanie Lindsley

Melanie Lindsley BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI

Principal Planning & Development Manager

8. Greater Manchester Ecology Unit

I have the following comments

Biodiversity Net Gain: Under the Item column it does not state what the item actually required is. I would regard the Item that is need for validation as a minimum is a biodiversity net gain assessment including a UK Hab map and a copy of latest version defra excel metric.

Ecological Assessments: More guidance could be provided on the protected species in the criteria column and in particular bats. Whilst agreeing that difficult to cover all eventualities, reference could be made to any working relating to buildings and demolitions.

I would also add that certain householder and prior notifications such as type Q may require bat assessments.

Ecologist

Greater Manchester Ecology Unit

9. Friends of Longsight Park

- Accessibility (for disability): Very welcome. Over approach to new buildings, we are dismayed in Harwood that Longsight Mews build a couple of years ago meant tarmac of a PROW and yet no cycle, wheelchair or pedestrian provision so that users now share a road with fast moving traffic and no segregation. As a GP of 35 years, retired 2024, I have been upset hearing how people who have lost mobility have also had to either substantially alter their homes or move to allow rollator or wheelchairs to be used so this is great.
- Air pollution aspects are welcome, but it isn't clear to me how they would be measured, where and when

- Archeology and heritage: agree.
- BNG agree must justify exemption from BNG prior to application
- Crime impact assessment seems complex and thorough
- In Harwood we have a planning application being objected to on ecological grounds as part of our objections and dismayed at the initial quality of planning ecology documents so suggest this is strengthened so that where trees over 50 years old or other arbitrary figure for maturity are present there is a bat survey and certainly any site where there are veteran notable or ancient trees on the Woodland Trust Ancient tree map within x meters eg 400m.
- Within Harwood we have three instances of builds resulting in flooding to peoples gardens or houses in last 10 years. The flooding risks seem to pertain to the build but can you please be sure the flooding risk is also considered to surrounding infrastructure, houses, gardens, foot[paths, roads, recreational areas etc, the lot. In addition rain run off appears to be discharged into local waterways and can there be consideration of pollution of that water eg tyre particles etc.
- Agree to need a justification for green belt build
- Health Impact Assessment. In Harwood we have a planning proposal that suggests distances people could travel to bus stops and schools but this should have been in preplanning. The distances were also as the crow flies so walking through houses and not accurate but shortened. Can the active travel assessment be clear in preplanning and accurate
- Heritage statement. All preplanning should have a heritage statement, not just those stated so that the design is considered to the history of the area
- I would like to have a planning statement for all plans in place
- Public art tends not to be maintained, a few wooden sculptures trotting after a few years is worthless so plans to renew over 100 years or forget this , in my view. It has been the same with footpaths after builds, they are not maintained after 10 years.
- I would also like to see routine play equipment installed in a communal outdoor area for all builds in which under 10 year olds might live and maintained over 100 years.
- Lastly, there should be a limit on how many documents developers can supply before the development is thrown out. Coping with over 100 documents and waiting for more is hopeless for the public and if the plan wasn't correct and isn't after the first amendment can you reject and ask for resubmission to keep the burden manageable for locals?

Thankyou

Chair friends of Harwood & Longsight Park

10. Historic England



Consultation & Research Team
Bolton Council
2nd Floor
Town Hall
Bolton
BL1 1RU

Your ref: Planning
Validation 2024

Date: 29 August 2024

Dear Sir/Madam,

Validation Requirements for Planning Applications (Update to the Planning Validation Checklist)

Historic England is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.

Thank you for consulting Historic England on the above document. At this stage we have no comments to make on its content.

If you have any queries or would like to discuss anything further, please do not hesitate to contact me.

Yours faithfully,

E. Hrycan

Emily Hrycan

Historic Environment Planning Adviser (North West)
Historic England
Telephone: 0161 242 1423 Mobile: 07768 944123
Email: emily.hrycan@HistoricEngland.org.uk

11. Lancashire Wildlife Trust



The Barn, Berkeley Drive, Bamber Bridge, Preston, Lancashire, PR5 6BY
T: 01772 324129 E: info@lancswt.org.uk W: www.lancswt.org.uk

Consultation and Research Team
2nd Floor
Town Hall
Victoria Square
Bolton
BL1 1RU

30th September 2024

Dear Consultation and Research Team

RE: VALIDATION REQUIREMENTS FOR PLANNING APPLICATIONS (UPDATE TO THE PLANNING VALIDATION CHECKLIST)

The Lancashire Wildlife Trust has had the opportunity to view the checklist and would like to make the following comments.

Air Quality Assessment

Given the potential adverse impacts of decreased air quality on sensitive habitats such as mosslands, air quality assessments should be undertaken where there is potential to impact on Red Moss SSSI.

Biodiversity Net Gain/Justification for Exemption

Whilst accepting that the minimum legal requirement for an application to be validated only requires the pre-BNG metric, the Trust believes that this limited information is inadequate to determine an application and that further information needs to be provided as part of the planning process for determination. This might be especially important when considering the case of outline applications / phased development / master plans where separate applications are expected to be submitted either as reserved matters or separate detailed / full applications, often by different applicants and at different times. In such cases there are normally insufficient details provided to determine whether the outline proposal will achieve a 10% biodiversity net gain. These application need to be accompanied by an interim BNG strategy, followed up in a later more detailed application. However, there must be sufficient information at the initial stage for the local planning authority to be satisfied that BNG of at least 10% will be achieved

We recommend that the following should be included in order for the local authority to determine planning applications.

- The Statutory Biodiversity Metric with completed pre and post-development biodiversity values.
- Completed pre and post-development habitat map **(based on latest landscape masterplan)**.

- A BNG statement or draft Biodiversity Gain Plan setting out the BNG strategy. If there are red flags within the metric, clear justification needs to be provided within submitted documentation, either by - explanation of the proposed BNG strategy for achieving **all metric rules and principles** to discharge the future BNG condition within submitted documentation. This should include details of complying with the BNG hierarchy.
- If there is a watercourse present onsite or within 10m of the red line boundary, the feature needs to be assessed by an accredited surveyor?
- If off-site provision is required, the applicant needs to provide evidence of liaison with the third party, including written documentation and an agreement in principle that the necessary biodiversity units are available to purchase.
- If the developer plans to use statutory biodiversity credits, the LPA/GMEU may suggest local alternative sites (if known) to provide the necessary offsetting BNG. Further detail is then required from the applicant.

Ecological Assessment/Bat Survey (or other Protected Species)

Habitats of Principle Importance (Section 41 Habitats) should be highlighted as being a trigger for Ecological Assessments. Given the acute decline of many of our native species, we would recommend that reference also be made here to assessing the potential impacts on Section 41 species (Species of Principle Importance) and that impacts on such species should also trigger an Ecological Assessment.

Section d) should also reference that *'development should make provision for long-term management of habitats **and species** and geological features'*.

I hope these comments prove useful. If you require any further information or clarification, please do contact me at the email address below.

Green Belt Justification

I would like to see reference to Paragraph 147 of the NPPF 2023 that states that; *'Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport. They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.'*

Whilst in general agreement to the list of acceptable enhancements to the green belt, we recommend that there be a requirement to protect, existing nature conservation interest and that increased accessibility should not lead to unacceptable increased disturbance to sensitive habitats or species.

Sustainability – Carbon & Energy Statement

We feel that it will be difficult if not impossible for Bolton to meet their commitment of carbon neutrality without taking into account the districts peat soils. When dry and degraded, peat soils emit greenhouse gases, but when rewetted they act as a sink. Locking up the carbon in the ground. Providing avenues for peatland restoration and better management of peat soils is therefore essential in meeting the carbon neutrality commitment.

I hope that the above comments prove useful. If you have any queries or require clarification, please do not hesitate to contact me on the email address below.

Yours Faithfully

MC Walker (Signed Electronically)

Martyn Walker

Conservation Officer for Greater Manchester

[Tel:07894386671](tel:07894386671)

Email:mwalker@lancswt.org.uk

12. National Highways

Thank you for consulting National Highways on Bolton's updated Validation Requirements for Planning Applications.

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015. National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) in England, in accordance with the Licence issued by the Secretary of State for Transport (April 2015) and Government policies and objectives.

Our approach to engaging with the planning system is governed by the advice and guidance set out in: Planning for the Future - A guide to working with National Highways on planning matters (2023).

In response to this consultation, we have the following observations and comments to make:

- All planning applications which may have a traffic impact on the SRN should include either a vision-led Transport Assessment or Transport Statement in line with DfT Circular 01/2022. Any applications for developments in close proximity to the network should also consider the structural, geotechnical and drainage implications of their sites, as well as the form of boundary treatment to be implemented. These matters, along with any highway mitigation measures which might be required as part of the development, would need to adhere to the standards set out in the Design Manual for Roads and Bridges (DMRB).



o The aim of the above is to maintain a safe and reliable network, encouraging sustainability through the promotion of a vision-led approach to planning that focusses first on the delivery of active travel and public transport requirements ahead of highway mitigation. The DMRB provides standards in all aspects of road construction, including road safety, highway design, geotechnical considerations, drainage design and the approvals of structures, such as advertising hoardings and environmental barriers.

- We encourage all applicants whose developments may impact the SRN to enter into pre-application discussions in advance of the production of any of these documents. This helps to avoid delays once a planning application has been submitted, and reduces the likelihood that we would need to recommend applications be placed on hold through use of The Town and Country Planning (Development Affecting Trunk Roads) Direction 2018.

- Although the aim of this response is not to go into specific detail about all application types, special consideration should be given to Battery Energy Storage Systems (BESS) in close proximity to the SRN. We have seen a significant increase in the number of applications for BESS sites that look to make use of the land between other developments and the SRN. It is important that applicants are aware that National Highways will be looking for the following information for these sites:

- o A Road Restraint Risk Assessment (RRRAP) to determine whether additional safety equipment is required to stop errant vehicles entering the BESS site.
- o A Road Safety Audit in compliance with DMRB GG119, where alterations to the network might be required.
- o A Safety Risk Assessment compliant with DMRB GG104, where risks outside the network might endanger road users.
- o Confirmation that the sites adhere to guidance set out by the National Fire Chiefs Council (NFCC).

- The above requirements are necessary to give National Highways the confidence that these sites using novel technologies would not cause a safety issue to users of the SRN in the event of an unexpected incident, and that access for fire services would not need to be taken directly from the SRN.

If you would like to discuss any of the above further, please let me know directly or via our inbox PlanningNW@nationalhighways.co.uk. Thank you again for consulting National Highways.

Kind regards

Spatial Planner

Cheshire | Merseyside | Greater Manchester

13. National Rail

Network Rail is a statutory consultee for any planning applications within 10 metres of relevant railway land (as the Rail Infrastructure Managers for the railway, set out in Article 16 of the Development Management Procedure Order) and for any development likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway (as the Rail Network Operators, set out in Schedule 4 (J) of the Development Management Procedure Order).

Network Rail is also a statutory undertaker responsible for maintaining and operating the railway infrastructure and associated estate. It owns, operates and develops the main rail network. Network Rail aims to protect and enhance the railway infrastructure, therefore any proposed development which is in close proximity to the railway line or could potentially affect Network Rail's specific land interests will need to be carefully considered.

Asset Protection Comments: Developments in the policy area should be notified to Network Rail to ensure that:

- (a) Access points / rights of way belonging to Network Rail are not impacted by developments within the area.
- (b) That any proposal does not impact upon the railway infrastructure / Network Rail land e.g.
 - Drainage works / water features
 - Encroachment of land or air-space
 - Excavation works
 - Siting of structures/buildings less than 2m from the Network Rail boundary / Party Wall Act issues
 - Lighting impacting upon train drivers' ability to perceive signals
 - Landscaping that could impact upon overhead lines or Network Rail boundary treatments
 - Any piling works
 - Any scaffolding works
 - Any public open spaces and proposals where minors and young children may be likely to use a site which could result in trespass upon the railway (which we would remind the council is a criminal offence under s55 British Transport Commission Act 1949)
 - Any use of crane or plant

- Any fencing works
- Any demolition works
- Any hard standing areas

For any proposal adjacent to the railway, Network Rail would request that a developer constructs (at their own expense) a suitable steel palisade trespass proof fence of at least 1.8m in height.

All initial proposals and plans should be flagged up to the Network Rail Town Planning at the following address: TownPlanningLNW@networkrail.co.uk.

Railway Station: Consideration should be given in Transport Assessments to the potential for increased footfall at Railway Stations as a result of proposals for residential development / employment areas within the neighbourhood area. Location of the proposal, accessibility and density of the development, trip generation data should be considered in relation to the station. Where proposals are likely to increase footfall and the need for car parking, the council should include developer contributions (either via CIL, S106) to provide funding for enhancements as part of planning decisions.

Level Crossings: Developments within the neighbourhood area should be accompanied by a TS/TA which includes consideration of the impact of proposals upon any level crossings with mitigation implemented as required. We would encourage the Council to adopt specific policy wording to ensure that the impact of proposed new development (including cumulative impact) on the risk at existing level crossings is assessed by the developer(s), and suitable mitigation incorporated within the development proposals and funded by the developer(s). TS/TAs should be undertaken in conjunction with the local highways authority with advice from Network Rail. Contributions will be sought where proposals impact on level crossings to mitigate the impacts of those developments. Where level crossing closure is the only option, the applicant is advised that closure would be via s257 of the T&CPA, and that closure would be required before the occupation of any dwellings.

From

Town Planning Technician NW&C

AssocRTPI

Network Rail

Email: TownPlanningNWC@networkrail.co.uk

14. NHS, Greater Manchester



Dear Sir/Madam

Bolton Planning Validation Checklist Consultation NHS GM Response

- PfE Policy JP-P6 includes a requirement for the provision of new or improved health facilities as part of new developments and this should be recognised in the additional guidance on HIA requirements. While the NHS and Local Authorities are placing a greater emphasis on prevention, it is important to caveat that an increased focus on the wider determinants of health should not be seen as reducing the importance of healthcare infrastructure.
- There will be a continued requirement to invest in healthcare infrastructure - reducing health inequalities and promoting healthy communities can only be achieved by a concurrent focus on provision of essential healthcare infrastructure and addressing the wider determinants of health.
- The use of HIAs to demonstrate positive outcomes for health is supported, however the Checklist should be explicit that HIAs must also consider health infrastructure requirements. The NHS Long Term Plan is focused on delivery of population-based healthcare, and the planning system needs to ensure that healthcare services are available and delivered in a way that promotes this objective.
- Applicants will need to engage with the Integrated Care Board (ICB), either directly or via relevant Public Health officers, as the stakeholder with the relevant knowledge to define health infrastructure needs and identify necessary mitigation measures to support new housing as part of the HIA process.
- It would be helpful for the HIA guidance to reference the adopted Infrastructure and Planning Contributions SPD (July 2016) as setting out the general process for assessing the impact on primary care facilities within an HIA. Although the ICB has replaced NHSE/CCGs as the relevant stakeholder and the S106 pooling restriction has been lifted since the SPD was adopted, the process set out in paragraph 4.20 of the adopted SPD remains valid.
- The 'Guidance' documents listed in the Appendix relating to HIA requirements should include relevant ICS/ICB strategies to be referenced as part of preparing HIAs, as follows:
 - the NHS GM Infrastructure Strategy 2025-2035 taking account of annual updates.

- ☐ relevant clinical/estate strategies at Primary Care Network/Health Neighbourhood level (known as the PCN Toolkit).
- ☐ Greater Manchester Integrated Care Partnership strategy and any future clinical strategies/clinical transformation programmes.

- Recommend that the Council develop locally specific guidance on HIAs to provide clarity to applicants about the appropriate form and content of HIAs, for example whether a comprehensive, rapid or desktop HIA is expected. The Public Health England guidance on HIA in Spatial Planning is targeted at local authority public health and planning teams, and therefore may not provide sufficient detailed guidance for applicants to prepare an HIA that effectively informs planning decisions.

Yours faithfully

Estates Business Partner
NHS Greater Manchester

15. Plan Red



We think it is a sensible change. The only thing we would amend is the Green Belt Statement so that where it is a major application it can be incorporated into the Planning Statement if wanted by the applicant / agent. If you are going to have to make a case for very special circumstances you don't want to have to extract and write it twice, and I'm sure the authority doesn't want to read it twice. But I can see the point in minor applications where the policy issue is still alive but a planning statement may not be the best way to do it or practical for the applicant.

Regards,
Director
11th Floor, 3 Piccadilly Place, Manchester M1 3BN

16. Ramblers Association (Bolton)

As footpath officer for Bolton Ramblers I have been asked for comments on the Planning Validation checklist

As regular users of footpaths across the whole of Bolton we have concern around the comment that "PROWs have been removed from the validation process" and replaced by some a rather vague statement. Will PROWs get no mention whatsoever in the validation document.

The Council has a responsibility for PROWs in Bolton and it is that the planning process continues to play its part in executing this responsibility. It is also important that applicants to the planning process are aware of PROWs through or very close to the site of their application and consider the impact of any proposal on such PROWs. It is important that such applicants make it clear that they are aware of PROWs possibly affected by their application. In my opinion, by far the best way to be certain the applicants are aware of PROWs is to have them displayed and properly identified on the site plan. So it seems to me that removal of PROWs from the validation process is a retrograde step. So I hope you will reconsider the removal of this item from the validation list. And at the same time, make it clear what applicants are supposed to do with regard to PROWs.

Footpaths Officer
Bolton Ramblers

17. Rose Consulting

Just one comment.

Lawful development applications involving just a potential change of use and no physical development, should not be required to submit scaled floor plans or elevations.

Kind regards

www.roseconsulting.co.uk

18. Sport England



Checklist of Recommended Information Requirements

In addition to the national validation requirements set out within the Government's [Planning Practice Guidance](#), Sport England recommends that planning applications affecting playing field land should provide sport specific information in line with the below checklist. This information will enable Sport England to provide a substantive response to applications on which it is consulted. It will also aid the LPA to assess an application in light of [P.103 of the NPPF](#) and relevant Local Plan policies.

The checklist presents the recommended requirements for all applications. It also indicates the information that Sport England recommends should be submitted where an applicant feels their development may meet with one of the exceptions to Sport England's [Playing Fields Policy](#).

Document	Presenting details on.....	
Required for all applications		
Consultation Notice	1. The development proposed (description), timescales, case officer contact details and how information can be viewed.	
Existing site plan	2. Extent of the playing field as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015	
	3. Location and nature of existing buildings.	
	4. Location and nature of existing sports facilities (including the layout of summer and winter playing pitches).	
	5. Significant features (e.g. trees, slopes, paths, fences, sewers) ¹ .	
	6. Existing levels across the site ¹ .	
Proposed site plan	7. Location and nature of the proposed development.	
	8. Extent of playing field area to be lost (including the area covered by the proposed development and any associated works e.g. landscaping).	
	9. Location and nature of all existing sports facilities (clearly showing any revised locations from the existing plan).	
	10. Any changes to existing features and levels ¹ .	
Supporting Statements	11. Extent of playing field area to be lost (area in hectares and see point 8 above).	
	12. Reason for the chosen location and alternatives considered.	
	13. Any proposed changes in the provision of indoor and outdoor sports facilities on the site (including ancillary facilities).	
Drawings	14. Internal layouts and elevations for proposed new, extended or enhanced sports facilities (including relevant ancillary facilities) ¹ .	2, 4 & 5
Supporting Statements	15. Current and recent users of the playing field and the nature and extent of their use.	1,4 & 5
	16. How the development fits with the findings of any relevant assessment of need and/or sports related strategy (a copy of, or a web link to, the assessment or strategy should be provided) ^{1 2} .	1, 4 & 5
	17. How the development will be of benefit to sport (including benefit to existing and potential users) ² .	2, 4 & 5
	18. The specification of any ancillary facilities e.g. floodlights ¹ .	2, 4 & 5
	19. The specification of any Artificial Grass Pitch and reason for the chosen surface type ² .	4 & 5
	20. How any replacement area of playing field and ancillary facilities will be delivered (including to what timescale).	4
	21. How, for any replacement area of playing field, equivalent or better quality will be achieved and maintained, including ³ : a. An assessment of the performance of the existing area; b. The programme of works (including pitch construction) for the creation of the proposed replacement area; c. A management and monitoring plan for the replacement area.	4

¹. Level of detail to be proportionate to the nature of the development and its impact on the playing field.

². Relevant for Exception 4 where the loss of an area of playing field with a natural grass surface is proposed to be replaced elsewhere by a new area of playing field with an artificial surface.

³. All details should be undertaken and developed by a suitably qualified and experienced sports turf consultant, satisfy appropriate Sport England and NGB design guidance, and have regard to Sport England's 'Equivalent Quality Assessment of Natural Turf Playing Fields' briefing note.

Note: As set out within the Government's Planning Practice Guidance any plans or drawings must be drawn to an identified scale, and in the case of plans, must show the direction of north. Although not a requirement of legislation, the inclusion of a linear scale bar is also useful, particularly in the case of electronic submissions.