

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 16TH JANUARY 2018, 6.30 PM

COUNCIL CHAMBER, TOWN HALL, CHORLEY

I am now able to enclose, for consideration at the above meeting of the Development Control Committee, the following report that provides an update of events that have taken place since the agenda was printed.

| Agenda No | Item |
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| 6 | ADDENDUM |
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GARY HALL
CHIEF EXECUTIVE

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| C O M M I T T E E R E P O R T | | |
|---------------------------------|-------------------------------|-----------------|
| REPORT OF | MEETING | DATE |
| Director (Customer and Digital) | Development Control Committee | 16 January 2018 |

| ADDENDUM |
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ITEM 3a – 17/00464/FULMAJ – Pines Hotel

The recommendation remains as per the original report

The applicant has written in response to the highway matters raised by Mr Boyd and set out in the update report. This states that the use of the TRICS data summarised at Appendix 9 of the Transport Assessment has been restricted solely to a comparison of the rates obtained with those that were actually used in the assessment based on surveys of recent new Lidl stores. Due to the age of a number of the TRICS surveys contained in the database at the time of writing the original TA, the results were that trip rates were much lower than those obtained from the surveys of the eleven new Lidl stores. This was informative background information and no TRICS-derived data was used in any way other than for comparative purposes and so the rates obtained have no bearing on the capacity assessments undertaken.

In the applicant's post-LCC-meeting technical note, new trip rate information based on an updated TRICS database that contained surveys from six new format Lidl stores from various locations around the UK was provided. However, this found that the slightly older Lidl-specific trip rates utilised in the original TA were higher than these and were therefore more than robust.

LCC Highways have reviewed the comments provided by Mr Boyd and confirm that the formal LCC highway response has addressed all aspects of the proposal relevant to assist in the determination of the application and has covered the issues raised by Mr Boyd.

An application was received by Historic England for the listing of the Pines Hotel. This was rejected by Historic England on 16 January 2018.

ITEM 3c – 17/00999/FULMAJ – Chorley Technology And Business Centre

The recommendation remains as per the original report

1 No. further letters of objection have been received setting out the following issues:

- Impact on privacy, and in particular the privacy of children's bedrooms to the rear.
- Section 26 states the existing trees between the site and the residential properties act to filter views. There are no trees. There are no filters.
- Section 26 says that we are 40 metres from the development.
- Any windows facing neighbouring properties should have frosted glass put in place.
- Trees should be replanted.

Officer's update:

The impact on the amenity of local residents by way of privacy is assessed in relation to habitable room windows, which includes bedroom windows regardless of whether these are occupied by children or any other individuals. The proposed development does not include windows to habitable rooms as it is a commercial development, and the Council has no particular privacy standards in relation to this type of development. In the absence of any specific standards that would apply to this situation the Council's standards for parallel facing windows to habitable rooms between residential properties could reasonably be used as a guideline and specify a separation distance of 21m.

The report states at paragraph 26 that the distance to the nearest property is at least 40m. This is to a blank gable end at 56 Whitley Drive. The proposed development would be approximately 60m from 66 Whitley Drive, and there would be no parallel facing windows. This is significantly in excess of the Council's standards applied across housing development and there are no parallel facing windows in any event. It is therefore considered that no unacceptable impact on neighbour amenity would result.

It is noted that since the officers site visit the intervening trees between the application site and residential development at Whitley Drive have been removed. The trees were on Network Rail's operational land and have been removed by Network Rail in connection with the electrification of the Preston to Manchester rail line. Although the trees did provide some filtering and helped to soften the interface between the sites they were in no necessary to provide any form of mitigation between the proposed development and dwellings at Whitley Drive. The removal and replanting cannot be controlled as the trees are on third party land, and are no required to make the development acceptable in any event.

A condition requiring the office windows to be obscurely glazed would not meet the six tests set out in the National Planning Practice Guidance as this would not be necessary to make the development acceptable.

Members carried out a site visit on Wednesday 10th January 2018. It was noted on the site visit that the overspill car park was almost full, and that there are concerns regarding the way in which the use of the car park is managed. It is therefore recommended that a car parking management plan is required by condition, as set out below.

The following condition is recommended in addition to those set out in the report:

Prior to occupation of the development hereby permitted a car parking management plan setting out the way in which on-site parking will be allocated and the methods by which unauthorised parking will be managed shall be submitted to and approved in writing by the Local Planning Authority. The parking across the site shall thereafter be managed in accordance with the approved management plan.

Reason: Car parking across the site is regularly used to capacity and therefore requires proper management to ensure that unauthorised car parking is discouraged and that parking is allocated to an appropriate number of users in consideration of the available capacity in order to ensure adequate parking for the users of the commercial units on site.

ITEM 3e – 17/01010/FUL – Birchall Blackburn With Berry And Son Solicitors

The recommendation remains as per the original report.

The following conditions have been amended:

No development shall commence until details of secured cycle storage have been submitted to and approved in writing by the Local Planning Authority. The details shall accord with the current Chorley Council Parking standard and include a secure covered facility. The scheme shall be implemented in accordance with the approved details before the first occupation/use of the development. The facilities shall be retained at all times thereafter.

Reason: To encourage sustainable transport modes.

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Before the development hereby permitted is first occupied, provision for cycle parking, in accordance with approved details received on 08 January 2018 shall have been provided in all respects and made available for use, and shall thereafter be retained.

Reason: To encourage sustainable transport modes.

The original report has been amended as follows:

ITEM 3f- 17/01014/FUL – Land West Of Town Lane Farm, Town Lane, Heskin

The recommendation remains as per the original report

Members should note that the application has been submitted by Heskin Parish Council.

LCC Highways have made the following comments:

In summary, an objection has been made to the proposal on the grounds of insufficient parking on site and inadequate space for vehicles to pass on Town Lane. A number of conditions have been recommended in relation to:

- Access/egress to be prohibited from Barmskin Lane;
- The siting of one vehicular passing point within the grass verge on Town Lane;
- Full parking provision on site (1 space per allotment);
- Vehicular access widened with visibility splays for a 30mph road and the gates set back within the site to allow a waiting vehicle to stand clear of the highway.

The original report has been amended as follows:

Parking

Since the committee report was published, a consultation response has been received from LCC Highways largely objecting to the use of the land as allotments on the basis of insufficient parking on site and inadequate provision on Town Lane for vehicles to pass. Seven conditions have been recommended to overcome these objections.

The addition of conditions to planning permission must meet six texts, one of which is that the conditions must be relevant to the development. As stated in the main report, the development subject to this planning permission is the laying of pathways and the erection of sheds and fencing. The use of the land as agricultural allotments does not fall within the definition of development as per section 55 of the Town and Country Planning Act 1990. The recommended conditions all relate to the use of the land as allotments and are not considered to be relevant to the development. As such, the Local Planning Authority is unable to add the recommended conditions.

In relation to the level of parking provision on site, it is noted that there are no parking standards for allotments contained within the Chorley Local Plan. However, the usual standards that have been applied at other sites within Chorley, such as Rangletts Recreation Area and Manor Road, required 1 parking space per 5 allotments. If this standard is to be applied here, 3 parking spaces would be required. The site plan provided identifies the parking area which is considered sufficient for 3 vehicles to park and manoeuvre.

Representations

An additional letter of support has been received which welcomes the addition of a new allotment site and highlights the health, economic and ecological benefits of utilising allotments.

ITEM 3g- 17/00945/FUL – The Bungalow, Dawbers Lane, Euxton, Chorley, PR7 6EW

The recommendation remains as per the original report

The following conditions have been amended (*include reason*):

New condition:

No vehicles shall be stored on the site that have a maximum authorised mass (MAM) exceeding 3500kg and with no more than 8 seats.

Reason: In the interests of controlling matters on a site within the Green Belt and in the interests of the amenity of the area and adjoining and nearby residential properties.

ITEM 3h- 17/01006/FULMAJ – Pasquil, Wigan Lane, Chorley, PR7 4BU

The original report has been amended as follows:

The agent has noted that there is a drafting error in the description of the development on the report and that this should be amended to read, 'Demolition of existing unit and construction of new manufacturing and warehousing facility and minor alterations to hard-surfacing'.

ITEM 3j- 17/01123/REM – Group 1, Euxton Lane, Euxton

The recommendation remains as per the original report

The following conditions have been amended:

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

| Title | Plan Ref | Received On |
|---------------------------|--------------------|--------------------|
| ReplanLayout | H1A310 REV A | 22 November 2017 |
| Boundary Treatment Plan | H1A.302 REV D | 22 November 2017 |
| Materials Plan | H1A.308 | 22 November 2017 |
| Clayton Corner House Type | TGDP/GO-M1/CLA-CNR | 16 December 2017 |
| Hanbury House Type | TGDP/GO-M1/HAN | 16 December 2017 |

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

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