
Chief Executive's Office

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Date: 28 November 2005

Chorley
Borough Council

Town Hall
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Chorley
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PR7 1DP

Chief Executive:
Jeffrey W Davies MA LLM

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 29TH NOVEMBER, 2005

I am now able to enclose, for consideration at the above meeting of the Development Control Committee, the following reports that were unavailable when the agenda was printed.

Agenda No Item

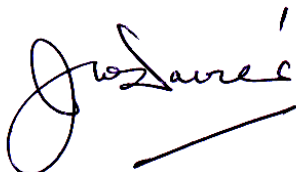
6. **Planning Applications Awaiting Decisions (Pages 1 - 4)**

Report of Head of Development and Regeneration (enclosed).

8. **Site Inspection Sub-Committee (Pages 5 - 10)**

To receive and consider the minutes of the meeting of the Site Inspection Sub-Committee held on the 16 November 2005.

Yours sincerely



Chief Executive

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Distribution

1. Agenda and reports to all Members of the Development Control Committee for attendance

2. Agenda and reports to Head of Development Control, Deputy Director of Legal Services and Development Control Manager for attendance.
3. Agenda to all remaining Councillors and Chief Officers for information.

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આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون

01257 515823

کیجئے:

Item A. 1	05/00556/REMAJ	Approve Reserved Matters
Case Officer	Mrs Wendy Gudger	
Ward	Chorley South West	
Proposal	Reserved Matters Application for the erection of 43 dwellings comprising of 15 houses and 28 apartments,	
Location	Parcel 13 Land South Of Copper Works Wood West Of Gillibrand North And West Of South Clover Road Chorley	
Applicant	Redrow Homes (Lancs) Ltd	
Proposal:	<p>This reserved matters application proposes the construction of 43 units of accommodation on Parcel 13 of the Gillibrands Site. The application has been submitted in duplicate and therefore this report applies equally to both application 9/05/00556/REMAJ and 9/05/00557/REMAJ</p> <p>The units comprise 15 dwellings in two blocks at the east and west ends of the site. These are mostly two storey. Parking is provided in central courtyards with a combination of parking spaces and garaging. In the centre of the site, apartments are provided in three blocks orientated around a central courtyard. These blocks are two storey adjacent to the housing with a central three storey block overlooking the adjacent recreational area.</p> <p>A plan is attached to this report that shows the proposed layout of the site.</p>	
Policy:	<p>This site lies within the urban area of Chorley on part of land allocated in the development plan for housing by Policy H1.6. As the site is allocated, and benefits from outline planning permission, it therefore complies with the requirements of the Windfall Housing SPG.</p>	
Planning History:	<p>This application is a reserved matters application and includes the details of siting, design, means of access, external appearance and landscaping which were omitted from the original outline planning permission 9/96/00727/CB4. That original application was for the residential development and associated facilities on land south of Copper Works Wood, west of Gillibrand Hall and north and west of Southlands School. This original outline application has been renewed on a number of occasions.</p> <p>Two previous applications for reserved matters approval submitted in 2003 for a similar development were withdrawn (references 9/03/01181/REMAJ and 9/03/01217/REMAJ).</p>	
Consultations:	<p>The Councils Head of Environmental Services identifies that the application lies within 250 metres of a former landfill site and that all developments within 50m of the gas venting trench will require landfill gas protection measures as agreed with the developer.</p> <p>The County Archaeologist has not raised any objection to the proposed development.</p>	

The Maps Team have identified the secured by design standards and have highlighted paragraphs relating to apartments including communal areas, car parking, entrance doors, and security lighting

No other comments have been received at the time of drafting the report; if any further responses are received they will be reported in the addendum.

Representations: A single letter of objection has been received from the proprietor of HRT Commercials Ltd, which is located on Clover Road. They are concerned about the traffic impacts of the proposed development. They identify that particularly when there is a school function, or at the start and end of the school day, there are often parents and other vehicles obstructing the road causing difficulties for their staff, customers and potentially to the emergency services. They are concerned that further residential development would increase the volume of traffic and make matters worse.

Assessment: This application, proposes development which accords with the principles established by the outline planning permission with only the details of the proposed development open to consideration. All the conditions and agreements that have previously been imposed on the outline approvals would apply to any consent.

Parcel 13 the subject of this application was originally identified as the potential site for a school within the original development scheme. The agreements between the Council and the developer allowed for the use of this parcel for residential purposes if it came about that the school site was not required for that purpose. The County Council have indicated that this is the case and the land can be released for residential development.

In relation to the traffic generation raised by the objector, this is a matter that relates to the principle of the development rather than the details to be considered at this stage. It was therefore dealt with on the outline application and is not a matter that can be taken into account in respect of the details of design, external appearance, landscaping etc that is currently being considered.

In relation to the Comments from the Maps Team these are either detailed matters of construction, which have been drawn to the applicants attention, or are matters controlled by the outline planning permission and associated agreements.

The design and layout of the properties, generally reflects the characteristics of the site and the previous developments that have been permitted. In overall terms the detailed design of the proposed buildings are acceptable.

The proposal would result in some welcome overlooking of the adjacent recreational and open spaces areas, particularly from the three storey block of apartments. There will be a need to delineate boundaries to deter the use of residents parking by users of the recreational facilities. Details of fencing etc that could achieve this are already the subject of conditions on the original outline planning permission.

The point of access and some of the detailed arrangements within the site have been modified following the comments of the Councils

Highways Officer on the original application. In other respects the applications remain the same. The amended plans have therefore addressed the original concerns.

In conclusion, the revised scheme is considered to result in an acceptable form of development. The application is therefore recommended for approval. All matters to be controlled by condition are suitably covered by conditions attached to the original outline planning permission.

Recommendation: Approve Reserved Matters Conditions

1. This consent relates to the following plans:

Plan Ref.	Received On:	Title:
G-P2-P13-LP	27 May 2005	Location Plan
*****	27 May 2005	Site Plan
SK/GBP13/ENG	27 May 2005	Outline Engineering Proposal
G-P13-MAT	27 May 2005	Materials Schedule
*****	27 May 2005	Landscape Structure Plan
G-P-01 GFP + ELE	27 May 2005	Plots 1 – 9
G-P-01 FFP + SFP	27 May 2005	Plots 1 – 9
G-P-02 FP	27 May 2005	Apartment Block, Plots 10 - 17
G-P-02 ELE	27 May 2005	Apartment Block, Plots 10 - 17 & Plots 30 – 37
G-P-03	27 May 2005	Apartment Block, Plots 18 – 29
G-P-03 ELE	27 May 2005	Apartment Block, Plots 18 – 29
G-P-04 FP + ELE	27 May 2005	Plots 38 – 43
G-P13-SS A	27 May 2005	Street Scene Elevations
G-P13-ED	27 May 2005	Entrance Detail
G-P13-QG	27 May 2005	Quadruple Linked Garage
M-TG1-B1 A	27 May 2005	Triple Garage Detail H2
L4036G1.1 B1	27 May 2005	Linked Pyramid Garage Details
M-SG2-B1 + G1	27 May 2005	Single Garage Details

Reason: To define the consent and to ensure all works are carried out in a satisfactory manner.

2. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

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Site Inspection Sub-Committee

Wednesday, 16 November 2005

Present: Councillor A Lowe (Chair), Councillor (none) (Vice-Chair) and Councillors Bedford, Culshaw, D Dickinson, T Gray, Heaton, Miss Iddon and Whittaker

05.SI.06 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Ball and Parr (Committee Members) and Councillors Mrs D Dickinson and S Smith (Ward Representatives).

05.SI.07 DECLARATIONS OF ANY INTERESTS

There were no declarations of interests declared.

05.SI.08 MINUTES

RESOLVED – That the minutes of the meeting of the Site Inspection Sub-Committee held on August 2005 be confirmed as a correct record and signed by the chair.

05.SI.09 PLANNING APPLICATION 05/00569/FUL

The Sub-Committee visited and inspected the location of the planning application that had been deferred by the Development Control Committee. The application sought approval to demolish an existing bungalow and construct a two storey house with detached double garage and workshop and associated external works at the Croftlands, 34, Grape Lane, Croston.

The Development Control Manager reported that the front elevation of the proposed replacement dwelling would be 2m closer to Grape Lane than the existing dwelling but pointed out that there was no set building line along the lane. There is also no set building design within the area and the application conforms with all the relevant policies and guidelines.

The application was viewed from various aspects, including the garden of one of the objectors, and the views of the Ward Councillor were considered.

RECOMMENDED – That the Development Control Committee grant planning permission for planning application 05/00569/FUL, subject to the following conditions:

1. The approved plans are:

Plan Ref.	Received On:	Title:
2473-05-01	16 May 2005	Existing Plans
2473-05-20	27 July 2005	Proposed Street Scene
2473-05-02F	22 August 2005	Proposed Elevations

Reason: To define the permission and in the interests of the proper development of the site.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwelling(s) hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

3. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed building(s) (notwithstanding any details shown on the previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5, DC8A, HT3, HT7 and HS4 of the Adopted Chorley Borough Local Plan Review.

4. Before the development commences, full details of the treatment of all the proposed windows and doors shall have been submitted to and been approved in writing by the Local Planning Authority. The submitted details shall include the proposed method of construction, the materials to be used, fixing details (including cross sections) and their external finish including any surrounds, cills or lintels.

Reason : In the interests of the character and appearance of the building and in accordance with Policy No. HT7 of the Adopted Chorley Borough Local Plan Review.

5. Before the development commences, full details of the proposed rainwater goods, including the eaves detail, to be used on the building shall have been submitted to and been approved in writing by the Local Planning Authority.

Reason : In the interests of the character and appearance of the building and in accordance with Policy No. HT7 of the Adopted Chorley Borough Local Plan Review.

6. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy Nos. GN5 and HT7 of the Adopted Chorley Borough Local Plan Review.

7. The existing vehicular access shall be widened in accordance with the Lancashire County Council specification for the Construction of Estate Roads, prior to the occupation of the approved dwelling.

Reason: To maintain the proper construction of the highway and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.

8. The garage and workroom hereby permitted shall only be used for purposes incidental to the enjoyment of the dwellinghouse, including the parking of cars. The garage and workroom shall not be used for any trade or business purposes.

Reason: In order to safeguard the residential amenity and character of the area and in accordance with Policy Nos. DC8A and HS4 of the Adopted Chorley Borough Local Plan Review.

9. The doors in the south east elevation of the garage shall be side hung and constructed in timber. Side hung timber doors shall be retained at all times thereafter.

Reason: To ensure a visually satisfactory form of development and to protect the appearance of the locality and in accordance with Policy Nos. GN5 and HT7 of the Adopted Chorley Borough Local Plan Review.

10. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously

submitted plan(s). The development shall only be carried out in conformity with the approved details.

Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

05.SI.10 PLANNING APPLICATION 05/00500/FUL

The Sub-Committee visited and inspected the location of the planning application that had been deferred by the Development Control Committee. The application sought approval for the construction of tennis court and associated walls, fences and works at The Old Rectory, High Street, Mawdesley.

The Development Control Manager reported that this is an application to lay-out a hard surface tennis court on open land, formally in agricultural use, which has the benefit of planning permission for change of use of agricultural land to extended residential curtilage for the Old Rectory (04/983) whose existing garden curtilage adjoins this land. The application site adjoins open land to the west currently used as the graveyard to St. Peter's Church. The earlier planning permission took away permitted development rights for the use of the land and as such planning permission is required for this development. Also incorporated into the development are details of means of enclosure to both the site and the tennis court playing area as well as landscaping proposals for this area of land – both of which were required by planning condition. These details accompanying the application have been amended since its initial submission. A public footpath immediately abuts the application site. Its route was formally diverted prior to the applicant buying the land and obtaining planning permission for its reuse.

Members were concerned as to what effect the development would have on the openness of the Green Belt. The Sub-Committee viewed the proposed site from various aspects and considered the views of the Ward Councillor.

RECOMMENDED – That the Development Control Committee refuse permission to application 05/00500/FUL for the following reasons:

- 1. The proposed development would impact on the openness of the green Belt by virtue of the hardstanding and fencing required for the construction of the tennis courts and as such would be contrary to policy DC1 of the Adopted Chorley Borough Local Plan Review.***
- 2. The proposed development would impact on the amenities of those visiting the adjoining graveyard where quiet contemplation is currently enjoyed and as such would be contrary to policy EP 20 of the Adopted Chorley Borough Local Plan Review.***

05.SI.11 PLANNING APPLICATION 05/00686/FUL

The Sub-Committee visited and inspected the location of the planning application that had been deferred by the Development Control Committee. The application sought approval for the subdivision of an existing dwelling and associated works to form two new dwellings.

The Development Control Manager reported that the application proposes altering the internal layout of the property and dividing the property to create two residential units. The property has an existing two-storey rear extension which was permitted in 1979 (79/00386). The proposal incorporates removing this

extension and rebuilding it on a slightly smaller footprint than the existing extension.

The proposal also incorporates creating parking to the front of the properties for both properties with turning space. The driveway will be covered with Hexapath or similar to create the impression of a grassed area. There is a hedge proposed to the front boundary of the property and hedges at the rear to the rear boundary and dividing the two rear garden areas. It is also proposed to infill the existing pool.

The Chair of the Sub-Committee drew the other Members attention to the fact that the application is located within the Green Belt and the proposal incorporates subdividing the property to create two dwellings. As such the proposal is contrary to Policy DC1 of the Adopted Chorley Local Plan Review 2003 and PPG2: Green Belts. PPG2 states that the use of land (and the re-use of existing buildings) should not harm the purposes and objectives of the Green Belt. It is considered that the intensification of the use would detrimentally impact on the openness and visual amenities of the Green Belt.

The fact that a harm is small is not in itself a positive factor that weighs in favour of the proposal. As such, although the impact of the change of use might not be as significant as other proposals, it still represents inappropriate development that, by its very definition is harmful to the purposes and objectives of the Green Belt.

The Chair also pointed out that the applicant has not put forward any circumstances that are so special that they amount to very special circumstances that outweigh the harm caused by the development and justified change of use and rebuild works. Although the impact of the rebuild is small visually the fact that the harm is small does not make the development appropriate.

The Sub-Committee viewed the application from the front and rear aspects.

RECOMMENDED – That the Development Control Committee approve the application subject to the following conditions:

1. The development hereby approved must be begun within three years of the date of the approval

2. The development hereby permitted shall be carried out in accordance with the revised plans submitted on

Reason: for the avoidance of doubt and in accordance with policy GN5 of the Adopted Chorley Borough Local Plan.

3. Before the development hereby approved is commenced full details of all boundary treatments shall be submitted to and approved by the Local Planning Authority such details as approved shall be implemented in full before the occupation of the dwellings.

Reason: To protect the appearance of the locality and the amenities of adjoining residents and in accordance with policy GN5 of the Adopted Chorley Borough Local Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 1 Classes A to E) or any order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwelling(s) hereby permitted or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality and the amenities of adjoining residents and in accordance with policy GN5 of the Adopted Chorley Borough Local Plan.

5. The car parking layout shall be implemented in full before the occupation of the dwellings.

Reason: To protect the interests of users of the highway and in accordance with policy TR4 of the Adopted Chorley Borough Local Plan.

Chair

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