

8 December 2009

Dear Councillor

**DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 8TH DECEMBER
2009**

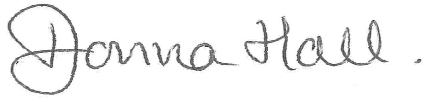
The following reports were tabled the above meeting of the Development Control Committee.

Agenda No Item

11. **Addendum (Pages 1 - 8)**

Report of Corporate Director (Business) circulated at the meeting (enclosed)

Yours sincerely



Donna Hall
Chief Executive

Dianne Scambler
Democratic and Member Services Officer
E-mail: dianne.scambler@chorley.gov.uk
Tel: (01257) 515034
Fax: (01257) 515150

**This information can be made available to you in larger print
or on audio tape, or translated into your own language.
Please telephone 01257 515118 to access this service.**

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 آپکی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون
کیجئے: 01257 515823

COMMITTEE REPORT

REPORT OF	MEETING	DATE	ITEM NO
Corporate Director (Business)	Development Control Committee	08/12/09	

ADDENDUM

ITEM 1: 09/00640/FUL – Demolition of existing bungalow and erection of 7 two storey detached dwellings with associated garages and infrastructure (resubmission of application 09/00541/FUL). 4 Ewell Close, Chorley

Copies of the amended site layout are produced below for Members information.



ITEM 2: 09/00708/FUL- Erection of a detached bungalow (resubmission of application 09/00350/FUL). Land 15m West Of 176A, Wood Lane, Heskin, Lancashire.

Condition 7 is to be removed from the proposal. There is a grass verge immediately in front of the property before the pavement which allows for visibility.

Three letters have been received, one from a planning consultant on behalf of the residents, one from the agent for the application and one from a solicitor on behalf of numbers 1 and 3 The Meadows:

1. A letter has been received from a planning consultant on behalf of a number of residents in the vicinity of the site voicing their objections to the proposal. They consider that the proposal does not compliment the character and setting of the existing buildings and therefore does not comply with criteria (c) of policy DC4 of the Local Plan. The general character of The Meadows is of generous open front gardens with properties a reasonable distance back from the road. The side boundary timber fence does not benefit from planning permission and therefore cannot be said to characterise the area. There is no existing vehicular access to The Meadows as stated.

The proposed property is only 1m away from the pavement unlike the other properties that are between 7-8m and 5-7m back and has window detailing to break up the frontage. The proposal has a largely blank front elevation fronted by hardstanding resulting in a bland and uninspiring appearance, contrary to PPS1.

The relevance of use of the 3m plus 45° rule is questioned as it is in the Householder Design Guidance which relates to extensions not new dwellings. As the building is so close to the road the depth of the parking spaces cannot be achieved in the present layout. The rear garden of the application property is to be reduced considerably from 27m to 9m which is totally out of character with the scale of the existing property in its setting. The private areas of the proposed properties is overlooked by the first floor windows of no. 176 Wood Lane at a distance of only 15-18m. The distance from the proposed property to those opposite is 18m not 21m as per the report. It is not clear as to how the interface distance between a two-storey house and a bungalow at 18m complies with policy.

It is not considered that the proposal complies with policy HS4 or GN5 of the Local Plan or the Council's guidance note 'Interim Planning Statement – Housing Development in Garden Curtilages', in that the layout does not take account of the pattern and arrangement of the surrounding streets, spaces and buildings to ensure integration into the streetscene.

2. The agent for the application has also written in. They question how many residents the Planning Consultant represents as 3 attended the [previous] Committee meeting and the same three the site inspection, which is hardly representative of the number of residents in the area.

The proposal includes replacing the timber fence with a hedge, which adds to the openness of the road, and is less formal in character. LCC Highways do not object to the access and the car parking space provided is more than adequate safe and sufficient parking. The distance to the back of the footpath is 6.1m.

The dwelling will be constructed in traditional materials of brickwork and tiles matching those of the surrounding dwellings. It has a pitched roof, bargeboards and fascias and standard casement windows. The building is a typical modest style single storey dwelling not unlike no. 1 The Meadows that also has a blank brick wall facing the road.

The proposed siting of the dwelling would mean a minor alteration to the existing drainage layout, continuity of flow would not be affected. The garden size [of the property in which the proposal is to be built] will be reduced but the remaining garden of 9m x 16m is more than adequate amenity space for a dwelling of this size. In terms of overlooking the situation with no. 176a is exactly the same as that between 176 and 178 and is not an issue. 18m between one house opposite the site and a small bedroom window to a single storey dwelling sited behind a hedge is not a major overlooking consideration. The 21m related to first floor level windows as per the design guide. The proposed removal of Permitted Development Rights is common practice and is not site specific.

The dwelling was marked out for the site inspection which proved the small single storey dwelling does fit on the site, prevents overlooking and does provide sufficient amenity space. It will provide both economical and desirable accommodation. They ask that the application be assessed purely on planning policy.

3. A letter has been received from a solicitor on behalf of number 1 and 3 The Meadows. They are concerned because there will be another household draining into existing drains which they feel were not designed to cope with the additional service. They are also concerned that the developer may move a manhole (point 'C' on the plan). If it is moved it will inevitably result in a 'dog leg' in the drain which they are concerned will affect the flow and future maintenance (rodding). The Easement in favour of the land refers to drainage along specific lines and the developer may not therefore be able to move the drains wherever he likes, even within his boundary. Regard will obviously have to be had to the intention of the grant which was for an Easement giving a clear flow for drainage.

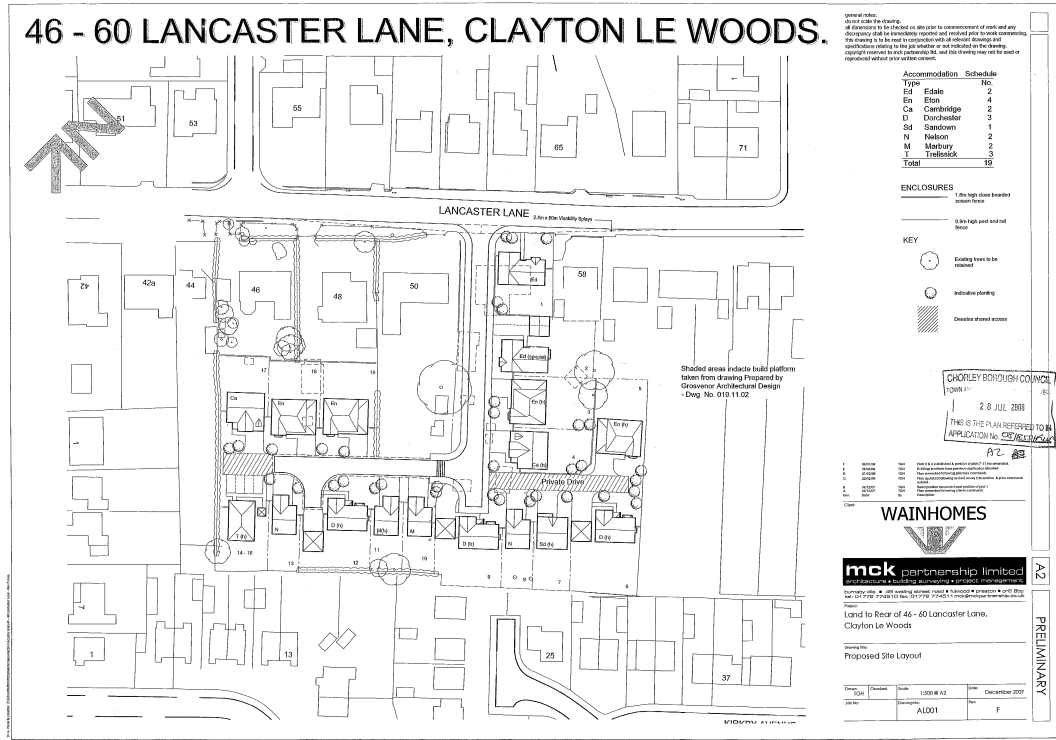
ITEM 3: 09/00780/FUL- Erection of 3 detached dwellings and associated infrastructure on land to rear of 54 to 64 Lancaster Lane (extension of previously permitted scheme, utilising access road approved by 09/00354/FULMAJ). Land 50m South Of 54 To 64, Lancaster Lane, Clayton-Le-Woods, Lancashire

Three letters of objection have been received. The planning reasons they raise can be summarised as:

- No more housing is needed;
- There is insufficient infrastructure to cope with the extra properties;
- There is overbuilding in Clayton-le-Woods;
- The area is tightly packed with housings and these gardens are some of the last pockets of traditional gardens in the neighbourhood;
- Detached ¾ bed houses are out of keeping with the older single storey bungalows;
- Allowing the application would create a precedent for more development;
- The proposal will result in the loss of identity of the area. Modern houses are out of keeping;
- The open land should be left to offset the pollution from the nearby motorways;
- Eventually Clayton-le-Woods will become a suburb of Preston;
- Another access point onto Lancashire Lane would be dangerous for all road users. The fact all the homes would have to take their rubbish to the main road for collection will be a nightmare;
- Congestion is already ban and will be exacerbated- what about emergency access;
- Open areas prevent flooding by allowing water to soak in;
- The development will impact on wildlife;
- The proposal will result in overlooking and increases noise to their property.

LCC Highways state that although there does seem to make rather a lot of dwellings served from a private road they do not however raise a highway objection to it.

Sheet showing previous applications to rear of 46-50 Lancaster Lane, Clayton-le-Woods



Application 08/00855/FULMAJ – Withdrawn, two other applications refused.



Application 07/00951/OUT – Withdrawn

ITEM 4: 09/00873/FUL- Replacement agricultural workers dwelling, re-use and relocation of former dwelling as fishing training centre (re-submission of planning application 09/00678/FUL) at Orcheton House Farm, Wood Lane, Heskin, Lancashire, PR7 5PA

An issue has been raised by interest parties that the blue edge shown on the location plan accompanying the application may not be correct. In addition, the consultation period has not yet expired. It is therefore recommended that the application is removed from the agenda and the consideration of the application be deferred until the next Committee.

A letter of no objection has been received from a resident of Wood Lane.

Royal Scot Angling Club in Coppull state they have been established for over 20 years and their members are fully behind the plans for a learning facility for youngsters. They believe that such a centre that could be used by clubs such as theirs would be a valuable asset in the area. It would provide somewhere youngsters can safely learn the skills of angling and also gain knowledge about fish management and environmental issues.

Coppull Anglers have also written in support. There is no where at present for anyone who wants to learn to go to be taught properly.

ITEM 7: 09/00797/FULMAJ- Erection of 37 dwellings (amendment to layout, design, landscaping and external appearance approval as part of planning approval 02/00680/REMMAJ) at Parcel I, Buckshaw Village

Chorley Ramblers have commented that this development will affect footpaths 19 and 4 and as such a diversion will be required

The applicants are aware of this requirement.

Chorley Planning Policy have commented that Condition 14 of the recommendation requires information to be submitted on how energy efficiency is being addressed and how carbon emissions will be reduced in line with Policy SR1 of the Sustainable Resources DPD. The submitted sustainability statement does not propose the installation of any renewable/low carbon energy technologies therefore it does not comply with Policy SR1.

However, the site already has planning permission, granted in 2002, which enables the development to be built to 2002 Building Regs. If we enforce Policy SR1 then it is likely that the developer would revert back to this planning permission and build dwellings that are far less energy efficient than those proposed in the more recent planning application. Although no renewable/low carbon energy technologies are proposed, a number of energy efficiency measures are proposed such as high efficiency condensing boilers and improved insulation which would significantly reduce the predicted carbon emissions of the development

ITEM 8: 09/00714/FULMAJ- Erection of 37 affordable dwellings with external amenity space and off street parking at Fairview Farm, Adlington

It is recommended that this application is deferred due to residents consultation period and concerns raised over the proximity of the dwellings and surface water drainage

1 letter was submitted on 7th October however this was not received within the Planning Department. This letter has been resent and raises the following concerns:

- Problems with drainage
- The 'as-built' levels of Fairview Farm have not been taken into account as part of this application.
- The impact on trees and wildlife
- Properties not in character

1 further letter has been received raising the following points:

- Were not consulted on the original application although the property borders the site
- Concerns that the levels as shown are incorrect and the proposed slab levels will result in loss of privacy
- The properties on plots 2, 3 and 7 are too close to the existing dwellings.
- Suggest additional planting to act as a screen
- Concerns with run-off surface water/ ground water, in particular as it affects the north west corner of the affordable housing site.

The Council mapping system was incorrect, which is due to the Developers providing incorrect numbering to the Council, which resulting in the neighbour on Meadow View, which borders the application site, not being consulted directly. This issue has now been rectified and the correct neighbours notified directly. Additionally the Development Control Team Leader has visited the two neighbours immediately adjacent to the site to discuss the proposals and their concerns.

The main concerns raised include drainage on the site and in particular flooding to the adjacent garden areas, the levels differences between the existing houses and the proposed development and the proximity of the proposed dwellings to the existing dwellings.

In respect of the concern over the levels the agent for the application has confirmed that 'following the Council's request for detailed level information to establish the floor levels of adjacent properties Places for People commissioned Survey Systems Ltd to carry out a survey. Their survey drawing showing the threshold level of all adjacent properties was submitted as part of the planning application. The levels of all the properties around the site have been checked recently by Survey Systems Ltd, a reputable survey company, and we have no reason to doubt the accuracy of that survey and have included that information on our submitted drawings. There is a 3.16m difference in level between 6 Meadow View and our plots 6 and 7. 6 Meadow View presents a blank gable / secondary windows towards the rear windows of plots 6 and 7 so overlooking windows are not an issue. The level of plots 6 and 7 is the lowest level possible to make a foul drainage connection into the existing sewer at the entrance to the site'

There is a 3.16 metre land level difference between 6 Meadow View and Plot 7 of the proposed development, 14 metres is retained between these properties. The neighbours are concerned that 22 metres should be retained between the properties, this is due to the fact that this relationship involves a rear elevation facing a side gable which requires a standard 12 metre separation distance increased by 10 metres to take into account the level difference in accordance with the Council's Design Guidance. As set out with the main Committee report it is acknowledged that the spacing distances are below the guidelines and a further meeting is being arranged to discuss alternative solutions

In respect of surface water issues raised a meeting is being arranged with the Developers and United Utilities to address this issue.

Chorley Ramblers have commented that this will affect footpath no 6 in Adlington and as such a diversion will be required.

The applicants are aware of this requirement and have applied for the relevant diversion

This page is intentionally left blank