

8 November 2010

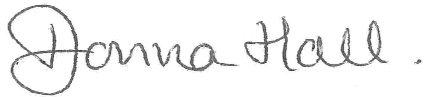
Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 16TH NOVEMBER 2010

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

Agenda No	Item
4	b) <u>10/00456/OUTMAJ - Euxton Mill, Dawbers Lane, Euxton, Chorley</u> (Pages 137 - 152) Report of Director of Partnership, Planning and Policy (enclosed).

Yours sincerely



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Distribution

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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

Item	10/00456/OUTMAJ
Case Officer	Liz Beard
Ward	Euxton South
Proposal	Demolition of the redundant Mill building and construction of 58 apartments and communal facilities together with the erection of 7 two storey cottages and associated surface car parking (Retirement Living)
Location	Euxton Mill Dawbers Lane Euxton Chorley PR7 6EB
Applicant	Xpect Development Limited

Consultation expiry: 4 November 2010

Application expiry: 15 September 2010

Proposal

1. The proposal is for the demolition of the redundant mill building and the construction of 58 no. apartments and communal facilities, and the erection of 7 no. two storey cottages and associated surface car parking. The properties would be for people aged 55 years and over.
2. The application is an outline application where the applicant is seeking approval for access, appearance, layout and scale. Landscaping is a reserved matter for future consideration. The total site area is 0.69ha, with a density of 94 dwellings to the hectare.
3. The proposal has been amended, from the scheme that was first submitted. The original scheme included 81 no. apartments and 9 no. two storey cottages. The amended scheme is broken down into 47 two bedroom apartments and 11 one bedroom apartments (58 in total), and 7 two bedroom cottages.
4. There are two accesses into the site from Dawber's Lane. The main car parking area is at the front of the site, and there is a smaller parking area/service area to the west of the development. The main entrance/lobby to the apartment building is from the car parking area, and the cottages have their main entrances overlooking the road area, with the main living accommodation to the rear taking advantage of the open aspects of the river and countryside beyond. There are lawn areas to the south of the site, and the cottages also have a communal amenity area allocated to them, which both take advantage of the open aspects.

Recommendation

5. It is recommended that this application is refused.

Main Issues

6. The main issues for consideration in respect of this planning application are:
 - Principle of development
 - Design and appearance
 - Impact on the neighbouring property
 - Highways and parking
 - Flood risk
 - Contaminated land
 - Biodiversity
 - Archaeology
 - Affordable housing
 - Public right of way

Representations

7. 6 letters of objection have been received where the following issues are raised:

- It has been possible for many years to access the River Yarrow footpath from Dawbers Lane via the eastern side of the factory. We would wish this amenity to continue. Does the plan allow for this?
- The plans move some of the main building closer to the River Yarrow footpath therefore will be much more obvious to members of the public using the footpath to the detriment of a natural setting.
- 7 flats are nearer the river than the existing building.
- All the cottages are lying outside the existing factory building footprint and are also much closer to the river footpath than the proposed new main building.
- Scale of the development.
- More vehicles and more traffic will be generated with increased risk of accidents on an already dangerous stretch of road.
- We note this is a retirement development for the over 55s. Please confirm how this will be legally enforced in terms of people occupying the flats/cottages?
- Are there plans for the development neighbouring Gledhill Farm to be developed?
- Overdevelopment
- In its current state the road is much too dangerous to consider safe access to and from the site.
- We would welcome the refurbishment of the buildings and site of Euxton Mill, which is rapidly deteriorating, has been the target of vandalism and is becoming an unattractive part of the neighbourhood. However, we feel the proposal put forward for a retirement village of 90 dwellings would appear to be overdevelopment of the site and clearly presents some problems.
- This change of use does not comply with Green Belt policy.
- Should this application be approved, it should be subject to the strict condition that the applicant is required to carry out road improvements incorporating a roundabout.
- The application shows inadequate car park provision.
- There is a very limited bus service on Dawber's Lane and no shops or other facilities nearby, therefore every resident will require a vehicle.
- There is a public right of way through this site between Dawbers Lane and Public Footpath No. 9 along the banks of the River Yarrow.
- Would like reassurance that will remain for over 55s and that residents are not allowed to sublet to people below 55.
- We appreciate the Mill wall will be straightened and moved back to improve sightlines for people coming from the car park. However, this improvement will not improve the curve in the road itself and may well encourage people to think they can take the bend even faster than now.
- Dawber's Lane is an extremely difficult road for a pedestrian to cross in either direction. Pedestrians coming from and going to the development is an older age group and find it more difficult. Residents may want to cross on mobility scooters.
- More should be done to improve pedestrian and vehicle access.
- Consideration should be made as to whether a combination of speed limits, traffic calming, roundabouts and a pedestrian crossing should be included.
- We would like assurances that the excavation for waste storage will not affect the integrity of our property or cause any land slip.
- We would like assurance that there will not be any problems with the main drains and we will not have any 'backing up' or flooding.
- In extreme rain the water from Dawber's Lane flows onto both the existing car parks.
- Hope that amendments to the roof design will mitigate against loss of habitats for bats, swallows and wagtails.
- Japanese Knotweed is present on site.
- Suggest TPOs are placed on certain trees.
- Object to building of cottages on car park as this has never been used for building purposes.
- Concern over proximity of development to the river.

- Concern over balconies overlooking our garden.
 - The walls and windows on the plans do not correspond to each other.
 - Visitor parking should remain on the main car park.
 - Inclusion of parking for visitors on the West side of the Mill would be highly dangerous for drivers unused to the problems of Dawber's Lane traffic.
 - Bin store for all the service facilities and at least half the apartments now sited immediately adjacent to our property.
 - We suggested the inclusion of a 'green roof' to help mitigate the loss of habitat for wildlife and nesting birds. The amendment now includes a 'roof garden' a facility for Humans, not Wildlife!
 - In highways terms the proposed development would lead to unsuitable and unsafe highways conditions on this location along Dawber's Lane and as a result should not be permitted.
 - This area has been known to flood and nay proposals must be carefully arranged and designed to minimise the impact of flooding.
 - The increased footprint and hard standing will accentuate the potential flooding issue by virtue of the additional surface water run-off to the detriment of future occupants.
 - Site was previously in use for employment/industrial purposes and as a result there is potential for ground contamination.
 - In relation to Policy EM9 the information submitted no evidence has been provided to justify this loss of employment premises. In addition no information has been submitted to demonstrate the need for 'retirement' development in this location.
 - Proposed development is contrary to guidance within PPG2 and DC1 and DC6.
8. Euxton Parish Council object to this application over concerns of road safety issues due to the history of accidents and deaths on this stretch, sight lines, speeds of traffic. In light of the highway comments and new drawings for the building the Parish Council would just like to ask if you could remind LCC Highways Engineer of the increased traffic due to begin on this stretch of road due to the new Tarmac Quarry plant for 16 years.

Consultations

9. Lancashire County Council (Ecology) have stated that ecological concerns include potential impacts upon non-statutory sites and protected species. However, it appears that the proposed development would affect the existing developed footprint only. Provide appropriate mitigation and compensation measures can be secured through planning condition, significant impacts upon biodiversity seem reasonably unlikely, and the proposals should therefore be in accordance with the requirements of biodiversity planning policy, guidance and legislation. The following conditions are recommended:
- Measures for the BHS (sections 5.1 and 5.2 of the report 'ERAP Ltd, August 2010. Ecological Survey and Assessment') will be implemented in full.
 - Precautionary measures for the protection of bats (section 5.4 of the report 'ERAP Ltd, August 2010. Ecological Survey and Assessment') will be implemented in full.
 - Tree Felling, vegetation clearance works, demolition work or other works that may affect nesting birds will be avoided between March and July inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections. If there is evidence of active nesting, works must be delayed until nesting is complete.
 - Further details of the incorporation of swallow nesting opportunities shall be submitted to Chorley Borough Council for approval in consultation with specialist advisors. Approved details must be implemented in full.
 - No site clearance, site preparation or development work shall take place until a habitat enhancement and management plan for that part of Yarrow Valley BHS within the ownership of the applicant has been submitted and approved by Chorley Borough Council in consultation with specialist advisors. The approved management plan shall be implemented in full.
 - All trees being retained in or adjacent to the application area will be adequately protected during construction, in accordance with existing guidelines (e.g. *BS5837: 2005 Trees in relation to construction - Recommendations*).

- Further details of the proposed lighting scheme (demonstrating that adjacent habitats will not be artificially illuminated) should be submitted to Chorley Borough Council for approval and subsequent implementation.
 - Japanese knotweed (*Fallopia japonica*) and Himalayan Balsam (*Impatiens glandulifera*) shall be eradicated from the site and working methods shall be adopted to prevent the spread of this species.
10. Lancashire County Council (Archaeology) recommend that an archaeological record, comprising plans, drawings and photographs, should be made of the buildings, and an archaeological watching brief should be undertaken during groundworks which might encounter the remains of a gasometer and the demolished late 19th century structures seen on the 1st Edition OS 1:2500 map. The above work should be secured by means of condition in accordance with PPS5, Policy HE12, where the loss of the whole or a material part of a heritage asset's significance is justified, local planning authorities should require the developer to record and advance understanding of the significance of the heritage asset which is lost, using planning conditions or obligations as appropriate.
 11. The Environment Agency have no objections as there will be no new buildings within 8 metres of the top of the bank of the River Douglas. However, the proposed cottages and the south-east corner of the proposed apartment block are just outside the 8 metre easement. Any amenity space, future extensions will therefore be within this easement and a condition removing permitted development rights for extensions and outbuildings is suggested. A condition is suggested for the removal of Japanese Knotweed and Himalayan Balsam. The site has a previous land use which is potentially contaminating and is located on Secondary A aquifers adjacent to the River Yarrow. Therefore protection of controlled waters should be considered when investigating this site and a condition for a site investigation is recommended.
 12. Planning Policy comments in relation to the policy and design are discussed in the main assessment part of the report.
 13. Director of People and Places states that due to the past activities upon and adjacent to the above site, notably a former cotton mill and infilled ground, there is potential for ground contamination, therefore a condition in relation to further site investigations is requested prior to any development taking place. It is also suggested that the applicant consults Chorley Council's 'Waste Storage and Collection: Guidance for Developments.'
 14. United Utilities state that in accordance with PPS25 surface water should not be allowed to discharge to the combined sewer as stated in the planning application. A condition is therefore requested. A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999. The level of cover to the water mains and sewers must not be compromised either during or after construction. The applicant must undertake a complete soil survey, as and when land proposals have progressed to a scheme design i.e development, and results submitted along with an application for water. This will aid in our design of future pipework and materials to eliminate the risk of contamination to the local water supply.
 15. Lancashire County Council (Highways) have provided the following comments, on the amended scheme. A Transport Assessment is required for an application of this size. There is no explanation how the parking figures have been derived at, 100% parking is required for the residents. There are 13 visitor spaces shown in the service area, which is now not a service area, which was the reason for retaining the two entrances. There is no link between the two parking areas, which could generate unwanted trips. The employees have no parking. The first scheme had tegular paving this has grasscrete. This is the main carpark therefore grass will not survive this level of traffic. This is a retirement village so it is safe to assume that most residents will be of retirement age. On that basis, many will find any walking less easy, yet they are being expected to walk on the very pedestrian unfriendly, mudcrete surfacing. Also no mobility impaired parking is set aside so the disabled are expected to negotiate this unsuitable surface too. I still have reservations about the delivery/HGV use to the service (even without any parking!) area. Large delivery vehicles still cannot turn in the turning head shown, as the side arm is too short. Again, the bin wagon cannot get to the relocated bin store within the

residential parking area on the east side. If the wagon goes in forward it will need a 50m reverse that includes a 90° turn! If the wagon drives to the bottom and then does an umpteenth point turn in the short turning head, it then "only" has a 25m reverse. This is in a residential area where residents have to cross to their cars.

16. Chorley and District Natural History Society objects on the grounds that it will have a detrimental effect on an important wildlife habitat and the River Yarrow, the main wildlife corridor in the Chorley Borough and there is no Environmental Impact Assessment Required. A full EIA should be carried out as the proposed development of such a large number of properties, together with associated vehicles, will obviously cause considerable disturbance to the local wildlife. The proposed development extends beyond the footprint of the original mill. Wildlife along the river will suffer. There are mature trees along the river and these are likely to have to be felled as they will restrict light to the proposed properties. A colony of Swallows currently nests in the derelict mill buildings. An alternative nesting site should be arranged. The buildings have been used by bats and as nesting sites for Grey and Pied Wagtails. Consideration should be given for these species and any other wildlife that uses/have used the mill building and environs. We assume that requirements for surface water drainage attenuation will be addressed as part of the planning process.
17. Central Lancashire Primary Care Trust have not provided comments at the time of writing the report. However, any comments received will be added to the addendum.
18. Lancashire County Council (Planning Contributions) have requested a contribution towards Waste Management based upon their Policy Paper 'Planning Obligations in Lancashire.'

Assessment

Principle of Development

19. The application site is located within Green Belt therefore Planning Policy Guidance (PPG) 2: Green Belts is of relevance. Saved Policy DC1 of the Chorley Local Plan Review reiterates PPG2, and is also of relevance.
20. The proposed use of residential development (Class C3), specifically for people aged 55 and above, is not identified as an appropriate use within Green Belt. In PPG2 there is a presumption against inappropriate development, which by definition is harmful. It is therefore for the applicant to show why permission should be granted, and the very special circumstances to justify inappropriate development.
21. Paragraph 3.7 of PPG2 is concerned with the re-use of buildings and states that the re-use of buildings should not prejudice the openness of Green Belt, since the buildings are already there. The Euxton Mill building is not being re-used but the site is proposed to be redeveloped.
22. In relation to the redevelopment of the site the mill buildings are currently located to the front of the site with tarmac areas surrounding the site. The existing buildings are a mix of single storey and two storey, behind a large wall fronting onto Dawber's Lane. The proposal is for the main apartment building to be moved away from the frontage of the site, and the ground excavated so it steps down towards the River Yarrow. The main area of car parking will therefore be moved to the front of the site and visitor parking will be provided to the east of the site (when looking into the site from Dawber's Lane). The cottages will be located to the corner of the site, where there is currently an area of tarmac and lawn areas will be provided to the rear of the building, with pathways linking these different areas. There are two refuse stores shown on both sides of the site.
23. The proposed amended site plan shows the extent of the Mill buildings in relation to the proposed building. There are two parts of the apartment block, which are nearer to the River Yarrow than the existing Euxton Mill building. Also the cottages are all new buildings in an area which was previously tarmaced, with no buildings on it. The volume and footprint calculations have been provided in the supporting evidence and are shown as:

	Existing Buildings	58 Apartments	7 Cottages
Footprint	3259.4 sqm	1337.7 sqm	317.1 sqm
Maximum Height	14.2m	11.5m	8.7m
Volume	34826.68m ³	15383.5m ³	2758.7m ³

24. The assessment of the proposal has to be looked at as a whole and the consideration of the existing volume and footprint in relation to the proposed scheme is one of those considerations. It is the combination of heights of building, width, design, the levels and landform and surrounding hard and soft landscaping including car parking that all need to be assessed together in relation to what was previously contained within the site.
25. The scheme has been amended, and reduced from what was originally submitted. There has been amendments made to the car park and roof, with the use of landscaping, providing a more 'softer' impression with the surrounding area. The boundary wall is to be replaced with reclaimed materials, therefore lowering it. The building has also been moved further away from the River Yarrow, and reduced in size. Whilst these changes have been made to the scheme it is still considered that the scale, massing, location and layout will still have a detrimental impact on the Green Belt, which is discussed in the design and appearance section below.
26. In relation to the special circumstances to justify this inappropriate development in the Green Belt, the applicant has provided supporting information. They state that the site is currently disused and rapidly deteriorating and has fallen into a bad state of repair. The building has also been extended on numerous occasions, using breeze block, and therefore adds to the already unsightly appearance of the building. The proposed application is engineered to enhance the site and the openness of the Green Belt setting through demolishing the mill building and constructing a well designed, attractive building that compliments the context of the site as a former mill, whilst occupying much less of the site and therefore contributing to the openness of the Green Belt.
27. The applicant then states that although the openness of the Green Belt is of prime concern, it is recognised that the site is not open but screened by well established groups of trees and there is significant site coverage by the existing structure. There will be an opportunity to enhance the context of openness by reducing the amount of built-form and consequently opening up more space and light around the proposed building and its environs.
28. In relation to further justification, the applicants have stated that the buildings have been vandalised over the years.
29. The applicants also go on to state that the building is a major structure , especially in the context of the immediate locality, extending extensively along the Dawber's Lane frontage, which is harmful to the openness. It also compromises road safety for the following reasons:
- Prevents forward visibility along the road in both directions and is an accident 'black spot' with several recorded fatalities.
 - The wall of the mill limits the available width of the pavement, which is reduced down to 325mm before forcing pedestrians into the road.
 - The existing sight-lines from the existing site access points are sub-standard and considered extremely dangerous.
30. The site coverage of the existing building is 40% of the site area and the applicant goes onto state that it is a confrontational structure with no visual or aesthetic relationship with its surroundings. When viewed from the riverside walkway the building is over four storeys in height in places, dominates the vista and is uncomfortable on the eye and does not sit well within the woodland setting.

31. The applicant has provided examples of other similar completed developments in the north west. These include Bradshaw Hall in Bolton, Eagley Mills in Bolton, Biddulph Grange in Staffordshire, including design philosophy and analysis.
32. In relation to the evidence provided it is acknowledges that the building has been extended using incongruous materials, however, the proposed application is not considered to enhance the openness of the Greenbelt. The scale of the proposal is greater than the existing mill building, and the design creates a greater impact.
33. The site is screened but this is by deciduous trees, it is not considered that this proposal will open up more space and light than the existing building.
34. The building had been vandalised over the years but this is not justification in itself to redevelop the site. It is for the owner to secure the site in certain ways to deter vandalism. This is not a material consideration.
35. It is noted that the existing visibility from the site, for both drivers and pedestrians, is restricted, and that the proposal does provide the appropriate visibility splays. However, the accidents are in relation to the existing road layout, and not the site itself. There are no changes proposed to the road layout, and it is the road layout that is the reason for the accidents.
36. The existing building is not over 4 storeys in height. The current building, as viewed from the riverside, is dominant. However, the proposed building is nearer to the riverside and will be higher and therefore more dominant.
37. The applicant provided some information and examples of other schemes. Whilst they are similar in that they are mills, there is not enough information to assess whether there are the same issues. It is likely that the issues are different, to this site, as the primary concern with this site is that the development is inappropriate in the Green Belt. The other schemes involve enabling development and the use of existing buildings provide different issues in planning policy terms. It is considered that there has not been sufficient justification for allowing this proposal in the Green Belt.
38. Due to the site having previously been used for employment, saved Policy EM9 and the Supplementary Planning Guidance (SPG) Proof of Marketing is also of relevance. In Policy EM9 the redevelopment of a site for employment use will be encouraged unless the applicant can demonstrate that employment re-use is not appropriate or economically viable. The SPG Proof of Marketing is relevant where non employment use is put forward that there is no realistic prospect of an employment re-use of the land or premises or redevelopment for an employment use would not be economically viable.
39. The applicants/owners have provided some supporting information in relation to marketing the site over a number of months during a number of years. The site was not included in the Council's Central Lancashire Sites and Premises database during these marketing periods, which is a specific requirement of the SPG. However, the Employment Land Review did pick up evidence of marketing in July/August 2007. Although the information does not provide a clear chronology of the marketing over the years, there has been information provided that the site was marketed, and a sales board has been located on both sides of the building. Although the information indicates that the site could be redeveloped, it does not expand on the type of uses suitable for the site. Housing is highlighted as being the most suitable use. There has also been evidence provided in relation to the economic viability, which highlights that it would not be economically viable to reuse the actual mill building.
40. In relation to the need for this type of housing, 'retirement living' there has not been any information provided to demonstrate such a need.

Design and Appearance

41. The principle of development has been discussed above and this has included some discussion on the design and appearance. However, this section looks at further design issues.

42. The proposal does not contribute to the openness of the Green Belt. The site is not screened all year round as the trees are deciduous. The existing mill building has a visual and aesthetic relationship to its context. It uses the land levels to facilitate a height change and the stone materials 'blend in' with the existing stone wall. A pitched roof and various extensions also break up the massing and perceived scale and bulk.
43. The proposed building is set back, from the road, therefore the building will be seen from its entirety and it becomes a focal point drawing the eye to the built form, away from the open countryside. When viewed from the riverside walkway the building becomes more overbearing than what is currently on the site. Therefore its impact has to be considered to be greater than that it is replacing. The car park does not enhance the Green Belt, but is also has an impact.
44. The inclusion of the green roof has the potential to soften the impact of the building. Given that a key issue at this Green Belt location is the impact on the openness of the Green Belt then further landscape details should be provided to show the mitigation of the impact of this formidable building. However, landscaping has been left as a reserved matter for consideration at a later stage.

Impact on the Neighbouring Property

45. The neighbouring property is located to the east of the site (when looking at the mill building from Dawber's Lane), and is called Mill End. There are windows proposed on the side elevation, these would look towards the garden area, but would be approximately 26 metres away at the nearest point. There is also a proposed roof garden. Taking into consideration the difference in levels and the height of the proposed apartment building there is sufficient distance between the building and the garden area, which complies with the Council's guidelines.
46. There is a refuse store located adjacent to the boundary with Mill End. There are differences in levels, which would mean that the store would not be directly in line with the height of the garden area. However, it is the noise emanating from people using the store at unsociable hours that is of concern to the neighbouring residents. The refuse store is shown as being in the form of a boarded panels with louvre doors. The store could be designed to form a structure, with a roof on it. A condition could be added to ensure that full details are required prior to commencement of development to ensure that any bins are housed in a building to eliminate as much noise as possible. An alternative could be to include them within the apartment building itself. An informative can also be added in relation to bringing to the applicants attention Chorley Council's 'Waste Storage and Collection: Guidance for Developments.'

Highways and Parking

47. Due to the size and nature of the proposal a Transport Assessment is required. The applicant is aware of this, however, it has not been submitted at the time of writing this report. Therefore the comments from the Highways Engineer are in relation to the detailed design only.
48. There is 100% car parking required for the proposed residents, which has not been provided. There are 13 visitor spaces, which is 20%, which is appropriate. However, this has been provided in an area which was originally designed as a service area. This causes concern as it was recommended that only one entrance was provided, as this causes confusion. However, the second access was required for servicing, which has now changed. There is no employee parking provided. Signage can be provided to ensure users know which access to use.
49. The surfacing for the car park is shown as grasscrete, whilst it is acknowledged it being provided to try and soften the large expanse of parking, it will not survive on a car park being used regularly. There are also issues over the type of surface in terms of pedestrian mobility, as this is an uneven surface.
50. The service area/parking area is not large enough for HGVs to turn within the turning head, as the side arm is too short. The refuse vehicle cannot access the refuse storage area, as there is not enough space for it to turn adequately.

51. There are a number of detailed design issues that are required to be addressed. Also Transport Assessment has not been provided therefore the proposal is recommended for refusal on highways grounds.

Flood Risk

52. The Environment Agency have considered the amended plan and are satisfied that there will be no new buildings or structures within 8 metres of the top of the bank of the River Yarrow. However, the proposed cottages and the south-east corner of the proposed apartment block are just outside the Environment Agency's 8 metre easement. Any extensions or enclosure of private amenity space would be within their easement. To prevent any future occupants undertaking any works within the easement under permitted development rights, they recommend that a condition is added removing the permitted development rights for extensions and outbuildings under Classes A, D and E of the Town and Country Planning General Permitted Development Order 1995 (or any Order revoking or re-enacting that Order).

Contaminated Land

53. The site is a former cotton mill, and as previously discussed is located on the banks of the River Yarrow. It is underlain by alluvial and glaciofluvial sand and gravel overlying the solid geology of the Lower Haslingden Flags Sandstone. The drift and solid geology are both classified as Secondary A aquifers.
54. The Environment Agency have one recorded pollution incident on the site from January 2006 when there was a minor incident relating to oils and fuel causing a minor impact to land and water. The site also has a previous use which is potentially contaminating and is located on Secondary A aquifers adjacent to the River Yarrow. Therefore protection of the controlled waters should be considered when investigating this site and a condition is recommended.
55. United Utilities reiterate the issue in relation to ensuring that water is not contaminated, by also requesting that conditions are added in relation to separate drainage systems and a site investigation.
56. The Council's Contaminated Land Officer also states that due to the past activities upon and adjacent to the above site, notably a former cotton mill and infilled ground, there is potential for ground contamination, therefore a condition in relation to further site investigations is requested prior to any development taking place.

Biodiversity

57. There is a Biological Heritage Site (BHS) designation on part of the site, which is in relation to the presence of both semi-natural woodland, which is ancient in character, and swamp and fen. However, no tree survey has been included within the application. The part of the BHS site that lies within the proposed development site comprises former car park, and therefore loss of this area will not result in the loss of biodiversity value from the BHS. The supporting biological report suggests various measures for the protection of the BHS and enhancement. Conditions are suggested in relation to these.
58. The supporting information does not provide any evidence to suggest that there is the presence of a major roost of bats in the area. There is some limited potential for bats to be present and therefore a precautionary approach to site clearance and demolition is suggested, and outlined in the accompanying report. An appropriately worded condition is recommended.
59. There are habitats within the application site that are suitable for nesting birds. It is therefore important to ensure that appropriate mitigation measures are put in place to avoid any adverse impacts on birds or their nests. The existing buildings support the nesting of swallows. It is therefore recommended that replacement nesting opportunities are provided within the site, which can be secured by condition.
60. There is Japanese Knotweed and Himalayan Balsam on the site. The Environment Agency have also raised this as an issue and suggested that a condition is added to ensure that it is removed of and disposed of appropriately.

61. The use of lighting can have an adverse impact upon biodiversity and wildlife, and it can deter species of bats from foraging and flying within this area. The accompanying ecology report recommends that any lighting during construction and operation should be directional and screened where possible to avoid artificial illumination of wildlife habitats. The submission of further details of the proposed lighting scheme should be requested as a condition prior to the commencement of development.
62. It appears that the proposed development would not encroach into the BHS (other than the existing car park area) and that the development would affect the existing buildings and car parking areas only. Therefore providing that appropriate mitigation measures and compensation measures can be secured through planning condition significant impacts upon biodiversity seem reasonable unlikely.

Archaeology

63. Lancashire County Council Archaeology Unit provided information that Euxton Mill is shown on the Ordnance Survey first edition 6" map of 1849 (Lancashire Sheet 77) as a mill complex complete with gasometer and reservoir supplied by a leat from the River Yarrow. The textile mills of the north west are considered to be of great historic significance, shaping the landscape and communities in which they were built and which surround them, whilst evidence for past engineering and manufacture is gradually decreasing throughout the County. Where demolition is proposed Lancashire County Council Archaeology Service would recommend that an archaeological record, comprising plans, drawings and photographs, should be made of the building. An archaeological watching brief should also be carried out, and it is recommended that these should be secured by way of condition. This is in accordance with Planning Policy Statement (PPS) 5 Planning for the Historic Environment, Policy HE12, where the loss of the whole or a material part of the heritage asset's significance is justified local planning authorities should require the developer to record and advance understanding of the significance of the heritage asset before it is lost, using planning conditions or obligations as appropriate.

Affordable Housing

64. Due to the size of the proposal there is a requirement for affordable housing to be provided. However, the site is not considered to be in the most suitable location and the buildings do not lend themselves to provide affordable housing within the scheme itself. It is unlikely that a Registered Social Landlord (RSL) will engage on such a scheme. It is therefore considered appropriate to provide this off-site, but it would be by way of a financial contribution.

Public Right of Way

65. There is a public footpath that runs along the River Yarrow. Some of the residents in the area currently access this footpath through the existing Euxton Mill car park, and are concerned that they will not be able to do this if the site is developed. The proposed site plan shows a network of paths around the site, with four access points onto the footpath along the River Yarrow. There is no gate shown across the site entrance therefore access will still be available for residents to use this pathway. However, further details would be required.

Overall Conclusion

66. The proposal by definition is inappropriate development within the Green Belt and exceptional circumstances have not been justified. The proposal has been amended, and reduced in size from what was originally submitted. However, the proposal is still large in scale and massing than the existing building and therefore has an impact on the openness of the Green Belt. There are also a number of highways issues that need to be addressed and a Transport Assessment is required to support the proposal. The proposal is therefore contrary to PPS2, PPG13 and Saved Policies DC1 and TR4 of the Local Plan Review, and recommended for refusal.

Other Matters

Public Consultation

67. There was no public consultation exercise carried out prior to the submission of this application.

Sustainability

68. A energy efficient/resource conservation statement, code for sustainable homes report and BREEAM Multi-Residential Pre-Assessment report submitted with the application. The applicant has submitted sufficient information at this stage to demonstrate compliance with the requirements of the policy. A condition in relation to sustainable resources is required to be added to comply with Policy SR1: Incorporating Sustainable Resources into New Development within the LDF.
69. There is also the wider issue of sustainability in relation to its location. If the site was assessed against the sustainability indicators used to appraise the sites when appraising the sites for the Site Allocations Development Plan Document, then it would score poorly due to its isolation from a number of services, in particular distance to convenience store, post office, GP surgery and local centre and bus service frequency. It is acknowledged that the proposal includes a convenience store, post office, hair and beauty salon, however, it is still considered an unsustainable location.

Planning PoliciesNational Planning Policies:

PPS1, PPG2, PPS5 and PPS25.

Adopted Chorley Borough Local Plan Review

Saved Policies: DC1, HS4, HS5, EM9, EP2, TR4, HS21

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

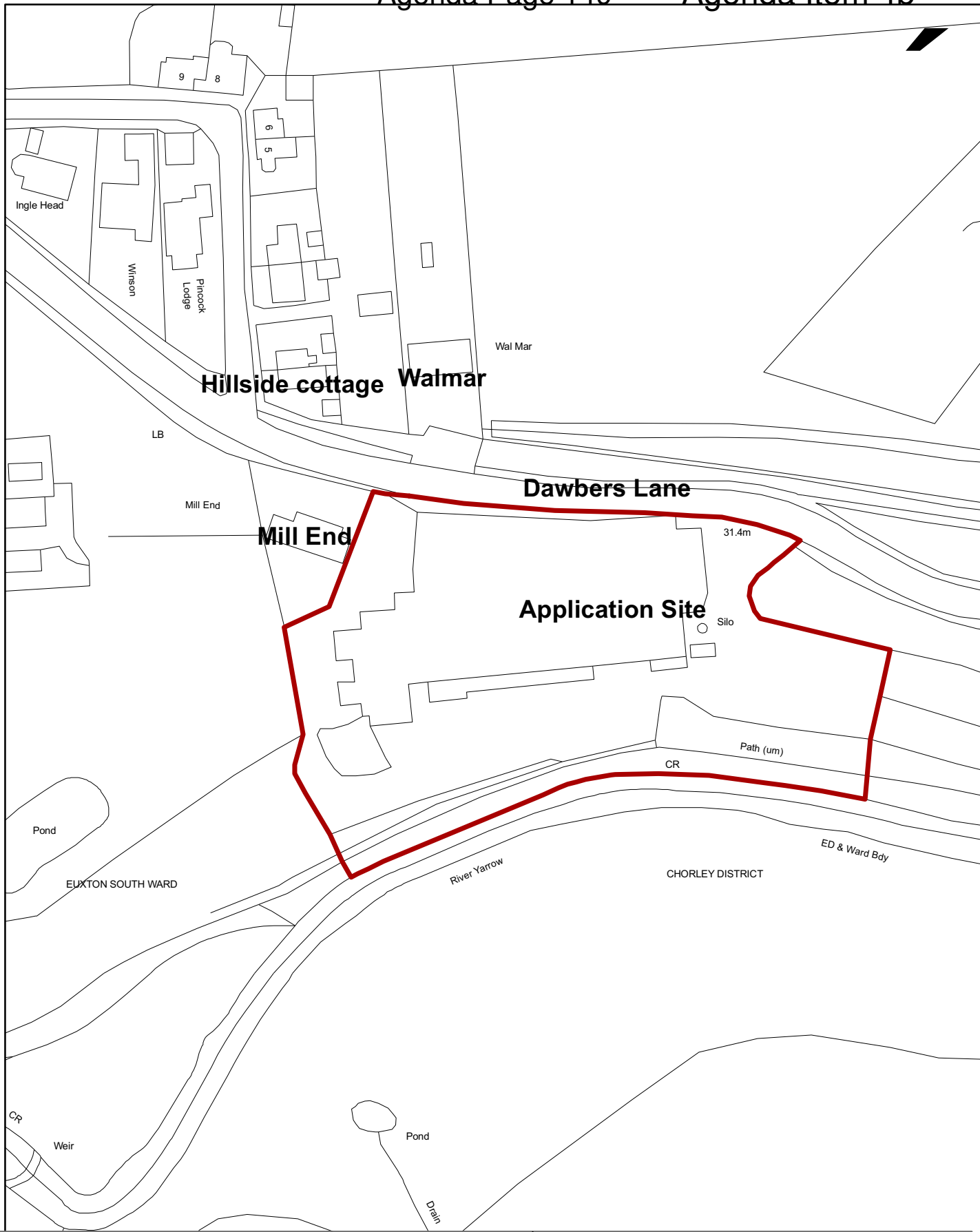
Planning History

98/00239/FUL Side extension and structural repairs. Approved in July 1998.

Recommendation: Refuse Full Planning Permission**Reasons**

1. The proposed development is inappropriate development in the Green Belt, where exceptional circumstances have not been demonstrated, and as such is harmful to the Green Belt. The proposal is therefore contrary to Planning Policy Guidance Note 2: Greenbelts and saved policy DC1 of the Chorley Local Plan Review.
2. Due to the size of the proposed development it is required to be supported by a Transport Assessment. The applicant has failed to provide this information therefore the proposal is contrary to saved Policy TR4 of the Chorley Local Plan Review.
3. The proposed development by virtue of its design, scale, and massing will have a detrimental impact on the openness of the Green Belt. The proposal is therefore contrary to Planning Policy Guidance Note 2: Greenbelt, and saved Policy DC1 of the Chorley Local Plan Review.

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Lesley - Ann Fenton
Director of Partnerships, Planning and Policy

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Application No.

10/00456/OUTMAJ

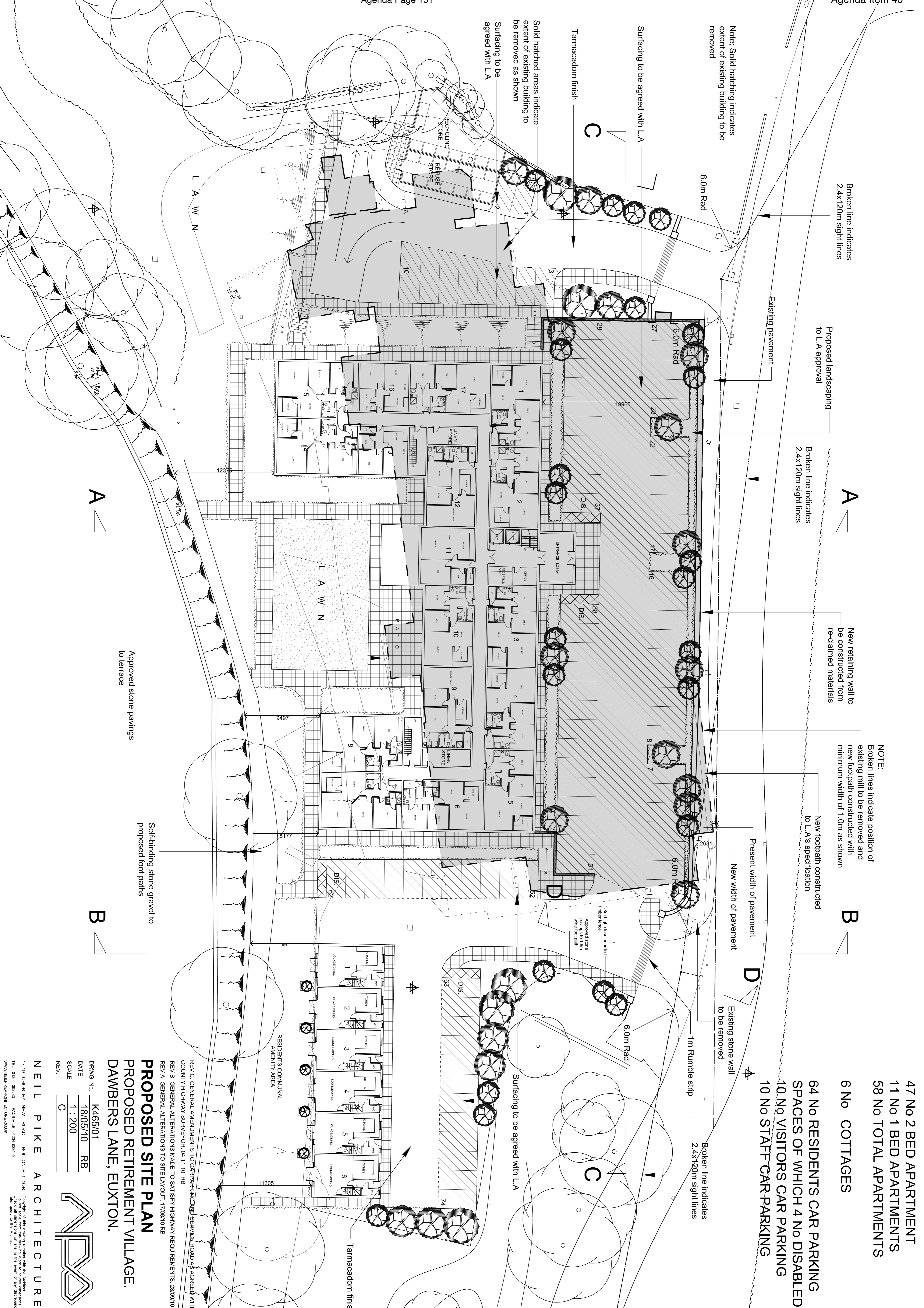
Grid Ref:

E: 354847
 N: 418085

Scale:

1:1,250

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Broken line indicates 2.4x120m sight lines

Proposed landscaping to L.A approval

Broken line indicates 2.4x120m sight lines

New retaining wall to be constructed from re-claimed materials

NOTE: Broken lines indicate position of existing mill to be removed and new footpath constructed with minimum width of 1.0m as shown

New footpath constructed to L.A's specification

Present width of pavement
New width of pavement

Existing stone wall to be removed

- 47 No 2 BED APARTMENT
- 11 No 1 BED APARTMENTS
- 58 No TOTAL APARTMENTS
- 6 No COTTAGES
- 64 No RESIDENTS CAR PARKING SPACES OF WHICH 4 No DISABLED.
- 10 No VISITORS CAR PARKING
- 10 No STAFF CAR PARKING

Note: Solid hatching indicates extent of existing building to be removed

Surfacing to be agreed with L.A

Tarmacodorn finish

Solid hatched areas indicate extent of existing building to be removed as shown

Surfacing to be agreed with L.A

Approved stone pavings to terrace

Self-binding stone gravel to proposed foot paths

DRAWG. No. K465/01
 DATE 18/05/10 RB
 SCALE 1 : 200
 REV. C

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Copyright of this drawing remains with the architect. Check all dimensions on site in the event of any discrepancy refer query to the architect.

REV. C. GENERAL AMENDMENTS TO CARPARKING AND SERVICE ROAD AS AGREED WITH COUNTY HIGHWAY SUPERVISOR. 04.11.10 RB
 REV. B. GENERAL ALTERATIONS MADE TO SATISFY HIGHWAY REQUIREMENTS. 28/09/10 RB
 REV. A. GENERAL ALTERATIONS TO SITE LAYOUT. 17/08/10 RB

PROPOSED SITE PLAN
PROPOSED RETIREMENT VILLAGE.
DAWBERS LANE, EUXTON.

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