

17 November 2010

Dear Councillor

**DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 16TH NOVEMBER
2010**

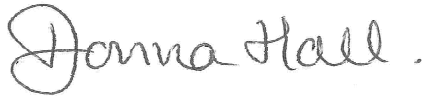
The following report was tabled at the above meeting of the Development Control Committee.

Item

Addendum (Pages 1 - 8)

Report of Director of Partnership, Planning and Policy (enclosed).

Yours sincerely



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

C O M M I T T E E R E P O R T			
REPORT OF	MEETING	DATE	ITEM NO
Director of Partnerships, Planning and Policy	Development Control Committee	16th November 2010	
ADDENDUM			

Item no. 4b 10/00456/OUTMAJ Demolition of the redundant Mill building and construction of 58 apartments and communal facilities together with the erection of 7 no. two storey cottages and associated surface car parking (Retirement Living)

An amended plan was received on 5 November 2010 to address the issues raised in the officer report in relation to highways. It has also reduced the number of cottages by one. Although an amended plan has been submitted the proposal is still inappropriate development in Green Belt, where exceptional circumstances have not been demonstrated. The proposed development still has a detrimental impact on the openness of the Green Belt. A Transport Statement is also required.

Central Lancashire Primary Care Trust have provided the following comments:

As you are aware NHS Central Lancashire has been working closely with the Local Authority planning departments to ensure that we are informed and involved in the arrangements linked to the Local Development Framework and are able to plan for the future healthcare implications of any major residential developments across the Central Lancashire area.

We have undertaken a detailed exercise to understand the impact that a significant increase in the population will have on the local health infrastructure and the arrangements that need to be put in place to ensure that the health needs of the local population are catered for.

The existing medical centre in Euxton village is split between community and GP occupied areas. The GP area is occupied by two General Practitioners, Drs Lord and Letch. Both doctors are in agreement that they are unable to take on additional patients at the present time owing to the present workload and the limited clinical accommodation that the existing practice accommodation provides.

A number of estate infrastructure requirements will need to be implemented if we are to realistically address the potential increase in demand as a consequence of the increased housing growth in Euxton village in future years. These have been discussed in detail with the town planners and the requirement for financial section 106 contributions to support new builds and/or property upgrades has been highlighted.

Euxton Medical Centre offers limited scope to cope with an increase in patient demand of scale envisaged now and in future and it is proposed that the most practical way of providing the additional physical capacity required would be to

extend the existing building. This would prove less expensive than procuring a new building.

We would therefore like to request that the housing developer is asked to make a financial contribution towards the cost of an extension to Euxton Medical Centre under planning obligations. It is appreciated that any such obligation needs to be specifically related to the scale and nature of this particular development and the impact this would have. However, it is hoped that account will be taken by the Planning Authority of the impact that the other proposed housing developments in the area will have. The cost of the work is estimated to be in the region of £150,000.

In comment to the above whilst it is acknowledged that there is a shortfall in places and this is being considered through the Local Development Framework (LDF) process, it is not appropriate for a request to be made through the Section 106 process. Under Circular 5/05 the planning contribution it is not considered necessary to make the development acceptable in planning terms, however, it does show that there are issues in relation to sustainability and the services that exist in the area. This will continue to be looked at through the LDF process.

A letter has been received from Mr J.G Smith, President and Founder of the Chorley and District Archaeological Society.

Mr Smith is compiling information for a book which will be published in due course titled 'Industrial History of Chorley Borough'. Mr Smith has some details of this mill but would like to access it again to record further details.

In relation to the scheme itself Mr Smith states that it should be considered that an official path to the riverside walkway should be included. The proposal is in one of Chorley's most dangerous locations. The 'S' bend here, is right on where the access to the new premises is to be sited, even if the buildings are a little further back from the present roadway. Dawber's Lane would have to be radically altered here to ensure a safe access to the new site.

Mr Smith provides some further historical information about the complex and would be prepared to do a watching brief, to record the historical details.

In relation to the design it is in the wrong position. The design of the complex is worthy of comment in that it looks like it would improve the site. The front and rear aspects are quite pleasing to look at on paper. If the planning is approved, it would fit in nicely, however the new buildings seem to cover more area than the present area occupied by the footprint of the mill.

Other than recording architectural/historical details etc. and photographing the outside and inside. I find the drawings and general arrangement of the new complex to be pleasant enough, despite its sprawl. But I have concerns for the former mill pond areas and traffic hazards. These are my comments for the structural side of the complex. My other concerns are for official access to record the present mill before any work begins, should planning permission be granted.

Item No.4c 10/00518/OUT Outline application for residential development with all matters reserved, except for access. Back Lane Reservoir, Back Lane, Clayton-Le-Woods.

An update to the Lancashire County Council (Highways) comments are as follows:

The consultants for this site have been in constant touch from the beginning when they put forward their first ideas. I had reservations on some aspects and these were then addressed. There was still a matter of sightlines and visibility for some driveways and as a result of a traffic survey was undertaken. This confirmed that traffic travels at sub-30mph speeds, as we would hope, on this traffic calmed road. As per Manual for Streets this means that driveways that caused concern do easily meet the required standard for this location. I therefore confirm that we have no remaining concerns about a development at this site as per the lines indicated.

Condition 10 is amended to include for either relocating the acid grassland off site, or for retaining it on site. The amended condition is:

'There shall be no vegetation clearance, site preparation or any other development work carried out until a detailed habitat creation/enhancement scheme and management plan is provided and agreed in writing by the Local Planning Authority. The management plan shall show that 0.1 ha of the acid grassland can be retained on site or relocated off site, within the vicinity of the application. The development shall not be occupied until such a scheme has been implemented and thereafter the acid grassland shall be maintained in accordance with the habitat management plan.

Reason: To ensure that it can be demonstrated that sufficient habitat will be retained and/or re-established to ensure that there is no loss in biodiversity value and to comply with Policy EP4 of the Chorley Local Plan Review.'

The applicant has stated that whilst they appreciate that a request for an archaeological condition has been made to keep the archaeological condition for the covered reservoir, they consider that it is not necessary and therefore does not meet the tests for conditions as set out in Circular 11/95. They state that there is a good record of the reservoir that already exists (including the submitted topographical plans, which accurately record its location), which has been circulated by residents of which the Councillors have been made aware. Therefore the condition will result in a duplication of information.

In answer to the above the Council's Conservation Officer considers the reservoir to be an undesignated heritage asset and as such consider that an archaeological record is necessary before development of the site takes place. This may be as simple as pulling together all the available data and photographs in a coherent report. This would be a level 2 record as defined by English Heritage (formerly the RCHM(E) Guidance). Planning Policy Statement (PPS) 5 Planning for the Historic Environment HE12 refers specifically to Recording of Information Related to Heritage Assets i.e Designated and non-designated, in particular Policy HE12.2 which states:

"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 before it is lost, using planning conditions or obligations as appropriate. The extent of the requirement should be proportionate to the level and nature of the asset's significance. Developers should publish this evidence and deposit copies of the reports with the relevant historic environment record. Local planning authorities should require any archive generated to be deposited with a local museum or other public depository willing to receive it. Local planning authorities should impose planning conditions or obligations to ensure such work is carried out in a timely manner and that the completion of the exercise is properly secured."

It is considered that the condition is considered to be necessary and appropriate in relation to this site.

An additional comment has been received as follows:
There seems to be one last desperate hope remaining ie. BATS!

In order to ascertain that bats actually roost in the reservoir, there needs to be an official survey done. It is roosting bats that matter! This survey can only take place between May and August when the bats will actually be there. Bats have been viewed by many residents in Carlton Avenue at dusk during these months over the past few years. [say five or six] They have not been noted before and we have often wondered if they have managed to find a way into the reservoir. Perhaps one of the vents has rusted?

United Utilities on their own admission have not had an official survey done. They say that they have looked inside and can see no trace of bats! A survey needs to be done by an official bat survey team. It is unacceptable to say that they have just looked! I wonder if we can get a stay of execution on this point?

The applicants undertook an ecological study and subsequently dealt with local concerns about bat roosts and the use of the site by bats, the LCC Ecological response does address the issue of bats and concludes :
"On the basis of the habitat survey and addendum, it seems reasonably unlikely that the proposed works would affect roosting bats."

A Clarification of Bat Roosting Potential Assessment has been submitted by the applicant's Ecologists, Bowland Ecology. The assessment states that in this instance the professional opinion of Bowland Ecology was that the reservoir was not considered to provide suitable bat roosting habitat.

The assessment goes on to state that in the unlikely event that bat presence should become apparent at a later stage in the process the legal protection afforded to bats and their roosts overrides any planning permission. Therefore a licence from Natural England which details a comprehensive mitigation strategy to ensure that bats would be protected at a favourable conservation status would be required.

In response to the comment from the local resident Officers view is that there is no evidence that what is being alleged is accurate and this issue has been considered by the Councils advisor who has not asked for clarification and has reached a conclusion on this matter. The recommendation has not changed as a result of this information.

Item no.4d 10/00740/FUL Application for 4 no. dwellings amendment to previously approved layout (10/00418/FULMAJ) at 605 Preston Road, Clayton-Le-Woods, Chorley, PR6 7EB

The red line plan for the application, includes an area of land owned by Lancashire County Council, and a Notice No.1 has not been served on them. Therefore the application is invalid, and cannot be considered at this Committee. The applicant is also sending in amended plans to address the reasons for refusal in the officer report. Once the information is received then the neighbours and consultees will be consulted with a full 21 day consultation and the application will be brought back to Committee for consideration.

Item no.4f 10/00770/FUL Application for the erection of five 3-bedroom houses and four 2-bedroom apartments and associated works on land bounded by Acresfield and Park Road, Adlington, Chorley

An additional letter of objection has been received signed by 46 local residents. The standard letter states that the application site is used for children's games, dog walking, BBQ's, looking at wildlife and in the past community bonfires and parties. Each letter also contains additional individual comments from residents to state what they specifically use the field for. The majority of responses cite use of the field for walking dogs and children's games.

The use of the application site has previously been considered and forms part of the assessment already made in the officers report.

Since publication of the committee report local residents have also spoken with planning officers to raise concerns over the applicant's Loss of Open Space Assessment, stating that some of the informal pockets of open space included in the report are inaccessible, privately owned, or are designated 'no ball games'. **The officers' report at paragraphs 32 and 33 concludes that the local community is well served by both formal and informal play areas, which is based on information produced as part of the Central Lancashire Local Development Framework. This represents the most up to date and accurate assessment of open space.**

Finally, a local resident has also contacted planning officers to raise concern over the possibility that a water supply crosses the application site, however no certainty can be given to it's whereabouts either by the local resident or United Utilities. Whilst the local resident has asked for a pre-commencement condition to be added to the recommendation it is not considered that this is necessary in this instance. This is a private matter between landowners and the applicant would be liable to any damage caused to infrastructure as a direct result of development.

In summary, there is nothing in the additional letters that would alter the recommendation.

Item No. 4 (h) 10/00820/FULAJ Amendment to siting, design, landscaping and external appearance of planning consents 09/00749/FULMAJ and 02/00680/REMAJ for residential development of site on Land Between From Street And Crosse Hall Lane, Chorley

The following additional condition is recommended: -

Before the development hereby permitted is first commenced there shall have been submitted to and approved in writing by the Local Planning Authority, a method statement for providing protection to protected species during the course of the development and a ten year plan (including provision for protecting all protected species and their habitats) for the maintenance and management of all areas other than garden curtilages and highways. Thereafter, the approved method statement and ten year maintenance and management plan shall be fully complied with and implemented in full.

Reason: In the interests of the visual amenities of the development, the amenities of future residents and nature conservation and in accordance with Policies GN5 and EP4 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS9.

The applicant has also submitted swept vehicle path analysis plans demonstrating that a refuse vehicle and a fire vehicle can turn around in the cul-de-sacs serving the eastern and western parts of the site on either side of Black Brook.

LCC (Highways) have also provided the following comments: -

- The relocation of plots 92/93/94 has met the required criteria, however now Plot 93 is over 40m from the Bin Collection point which may now need relocating such that it is no more than 30metres walking distance.
- The turning circle plan demonstrates that a refuse vehicle would actually have to over hang the kerb at the cycleway. This is not ideal but is considered to be acceptable.
- Some of the driveways do not meet normal standards

With regards to the comment on the distance of plot 93 from the Bin Collection Point, the distance from the rear garden access points is actually just over 30m. Manual For Streets requires this distance to be 30m so anything just over 30m is considered to be acceptable as the overall objectives of Manual For Streets are still met.

With regards to the driveway dimensions of some of the properties, whilst they are slightly below 4.8m wide, they will still accommodate 2 vehicles parked side by side. Moreover, to increase the width of the driveways would lessen the amount of landscaping and therefore reduce the overall quality of the development. On this basis, the driveways are considered to be acceptable.

On the basis of the above, there are no highways or parking concerns with the amended layout plan.

Item no. 4(i) 10/00823/FULMAJ Erection of 13 dwellings and associated infrastructure following the demolition of no.202 Chorley Old Road (resubmission of previous application 10/00417/FULMAJ) at 202 Chorley Old Road, Whittle-Le-Woods.

In addition to the initial letters of objection raised to this application, a further neighbour objection has been received. The issues raised in this letter can be summarised as follows:

- Increased volume in traffic and poor visibility will increase the risk of accidents;
- Damage will be caused both immediate and in the future to No. 204 Chorley Old Road by the erection of an adjacent pavement and planting;
- Privacy to the rear of No. 204 will be invaded by pedestrians walking to and from the site;
- The erection of two storey dwellings will cause overlooking to the rear garden of No. 204 Chorley Old Road;
- The erection of dwellings and garages will have a detrimental impact on the TPO'd trees at the bottom of the garden of No; 204 Chorley Old Road and;
- The proposed development will cause drainage and flooding issues.

With reference to the issues raised above, it must be noted that when the application 09/00392/FULMAJ was dismissed at Public Enquiry, the Inspector's decision letter then became a material consideration in determining any future applications.

Therefore, it is considered that the current application will be assessed against the Inspectors comments from the application 09/00392/FULMAJ as the issues have already been considered at a public enquiry.

With reference to the additional neighbour comments and the Inspector's decision letter, it is considered that the issues raised above could be adequately controlled by planning condition or are not so significant as to warrant refusal of the application.

Consequently, it is not considered that the issues raised above would warrant a different recommendation to that originally concluded with this application. This application is therefore still recommended for approval subject to conditions.

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