

24 May 2011

Dear Councillor

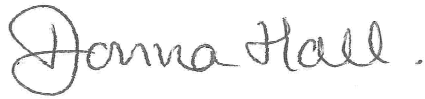
DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 24TH MAY 2011

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

Addendum (Pages 1 - 8)

Report of the Director of Partnerships, Planning and Policy (enclosed).

Yours sincerely



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Chief Executive

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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

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C O M M I T T E E R E P O R T		
REPORT OF	MEETING	DATE
Director of Partnerships, Planning and Policy	Development Control Committee	24 May 2011
ADDENDUM		

ITEM 4a- 11/00028/FULMAJ- Land 150 Metres South Of Filter Beds Cottage Bolton Road Anderton Lancashire

The recommendation remains as per the original report.

One further letter of objection has been received setting out the following issues:

- Even with traffic calming measures, the entrance on such a bend will result in accidents
- The club may revert to more pitches if the application is approved
- The car park will only be able to accommodate a fraction of the traffic resulting in cars parked on Scholes Bank
- Are the Council going to issue double yellow lines
- There have been many accidents on this stretch of road
- The application should be refused on highway safety grounds
- Any reduction in the speed limit would be ignored by many road users
- The football club provide a good service but have chosen the wrong location

The issues raised in the objection letter relate to highway safety which have been addressed in the main report and as set out in the main report, LCC (Highways) do not raise any objections to the application subject to improvement works to the highway and provision of a visibility splay to the east of the access point into the site.

One letter of support has been received setting out the following points:

- The application did not need to be deferred for a site visit and this could impact on the funding available to the football club

Cllr Peter Wilson sent an email as follows:

"I did intend to speak at the DC meeting tonight but unfortunately I am now unable to do so.

I wanted to speak on item 4a planning application 11/00028/FULMAJ land 150 metres south of Filter Beds Cottage, Bolton Road, Anderton.

My principle objection surrounds the proposed car park. This has caused concern amongst residents and I can fully understand their concerns.

As the area is in greenbelt I believe that for approval to be given the car park development has to be deemed as essential. I do not believe that this case has been proven. The football pitches on this site have been in use for over 30 years without any car park. In addition the site is on a

main bus route and can be accessed by public transport. Given this is the greenbelt I do not think that a strong case exists for approving this plan on the basis that it is essential.

In light of the concerns of residents about the car park plus the insufficient evidence to prove that it is essential to the development I believe this should be refused.”

No further consultee responses have been received.

The following conditions (Nos. 2 and 19) have been amended as follows:

2. Notwithstanding the details shown on the approved plans, no part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement, including a Traffic Regulation Order for a reduction in the speed limit along Scholes Bank (if **when acting reasonably, are** deemed necessary by the Highway Authority - Lancashire County Council), has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The site access, off-site works to the highway and reduction in the speed limit (if **when acting reasonably, are** deemed necessary as such by the Highway Authority) shall be completed prior to the first use of the football pitches and car park hereby permitted.

Reason: In order to ensure that the access, visibility splays alignment and width of carriageways is designed to meet the requirements of the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable in highway safety terms before work commences on site and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.

The above condition has been amended so as a reduction in the speed limit along Scholes Bank can be required, if it is deemed to be necessary by the Highway Authority (Lancashire County Council) when the off site highway works are being designed. Whilst the applicant agrees to the condition in principle terms regarding the possible reduction in the speed limit along Scholes Bank, the applicant has amended the condition by inserting the text which has been highlighted. However, it is not considered that this additional text is necessary as the condition already stipulates that the speed limit reduction will only be sought if the Highway Authority deems it to be necessary.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, hedge, tree, shrub or other device above 600mm in height and any fence erected above a height of 600mm shall be of a design that does not impede driver visibility, details of which shall first be submitted to and agreed in writing by the Local Planning Authority in liaison with LCC (Highways). The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of Scholes Bank to points measured 90m in each direction along the nearer edge of the carriageway of Scholes Bank, from the centre line of the access, and shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority.

Reason: To ensure adequate visibility at the street junction or site access and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.

This condition has been amended as a fence may be required next to the watercourse so it would need to be of such a design that does not impede driver visibility.

ITEM 4b- 11/00074/FULMAJ- 47 Clancutt Lane, Coppull, Chorley**The recommendation remains as per the original report**

The following consultee responses have been received:

Consultee:

Environment Agency- following the receipt of the Great Crested Newt information have withdrawn their objection subject to various conditions relating to surface water and foul drainage

Lancashire County Council Ecology have confirmed *I have now received the report of the great crested newt survey. This states that the survey was carried out in accordance with recognised guidelines and, although other species of amphibian are present within the pond off-site, great crested newts were absent. It is therefore reasonably unlikely that great crested newts would be present within the application area, and I am therefore satisfied that the proposals will not impact on a population of great crested newts.* The Ecologist has confirmed that to ensure that the proposals do not result in significant impacts on biodiversity mitigation and compensation should be secured through planning conditions in respect of trees, bats, birds, landscaping and habitat connectivity.

Coppull Parish Council have confirmed that their original objections still apply

The following reason for refusal has been removed as the design of the dormers has been addressed by an amended plan:

In terms of design the proposed dormer window on the 2.5 storey dwellings (plots 1, 7, 9 and 21) is considered to be unacceptable by virtue of the fact that the dormer window will be visually prominent within the street scene, does not sit comfortably within the roof and will not be subordinate to the main roof structure. As such this element of the design is considered to be contrary to Policy GN5 of the Adopted Chorley Borough Local Plan Review, the Council's Design Guidance SPG and advice contained in PPS1: Delivering Sustainable Development

The original report has been amended as follows:

Paragraph 43: Confirmed that the amended dormer details would be addressed on the addendum. An amended plan has been received which proposes 2 smaller dormer windows reducing the massing and prominence of the original proposal. This is considered to be more acceptable than the original proposal in design terms and as such the second reason for refusal has been removed. These amendments do not address the principle of developing the land hence why the application is still recommended for refusal. As such the residents have not been reconsulted on this minor amendment.

ITEM 4c- 11/00168/FULMAJ- Weldbank Plastic Co Ltd, Westhoughton Road, Heath Charnock**The recommendation remains as per the original report**

6 further letters of objection have been received following the notification of the amended layout setting out the following issues:

The original planning application was sympathetic to the residents of Danesway and as such had our support. Having received notification of the amended planning permission incorporating changes to the proposed layout and in particular, the positioning of plot 17, the following objections are raised. The following comments all refer to the amendment to plot 17 and its impact on 21 Danesway:

- Proximity issues: The change of position and aspect of plot 17 now means 21 Danesway has a dwelling within close proximity causing the dwelling and outside family space of no 21 to be severely overshadowed.
- Blocks light: Unusually, due to the aspect of 21 Danesway the main outdoor space the family use to play, eat and relax is the south facing driveway as opposed to the rear garden. Plot 17 now blocks any sunlight that no 21 enjoyed throughout the day and would therefore affect the quality of life for my family.
- Fencing and footings: Construction will now take place next to a dwelling causing further intrusion. The construction of a dwelling next to the border wall of 21 Danesway would likely mean the wall being required to be taken down, footings to be replaced and the wall re-built. As the garage is a substantial building it is unlikely to affect its structure.

Further issues affecting Danesway:

- Access from Danesway to plot 17. Plot 17 would be the only dwelling facing Danesway having no off road parking from Danesway. All residencies on Danesway have parking accessed from Danesway.
- Current visitors often park at entrance to Danesway due to the narrow road. Danesway is a narrow cul-de-sac, any vehicle parked at the front of plot 17 would severely restrict access to Danesway.
- Access issues - Residents and visitors will inevitably park at the front of Plot 17. The width of the road in front of Danesway's properties 3, 4, 5 and 21 varies between 15 feet and 15ft 6 inches and is the narrowest part of the whole close. There are no pavements at this stretch and any vehicle parked will prevent access to No 3.
- Access Issues-To the drive at No 5 along with 2, 3, 4 and 21. The vendor/residents/visitors to plot 17 based on this change will now inevitably park in the front of the property. Furthermore could have consequences should there be any need for emergency vehicles to enter the residential area.
- Demographic – lots of families with young children who visit/walk between different addresses on Danesway. Adding a frontage to Danesway with no parking would put those children at further risk due a possible increase in on road parking.
- Concerns that the orientation will be amended nearer to construction, specifically gated access to the front. This can often happen when a development of this size have been granted planning permission, minor alteration such as a gate can often be easily authorised.
- Aesthetic issues – the new proposed position of PLOT 17 would not aesthetically fit into the look and feel on the Danesway side of this development. The plot would only serve to act as a blemish to Danesway residents as it does not effectively carry on the character of the old part of the estate.
- Overlooking and loss of privacy

Following receipt of these comments the neighbour at 19 Danesway was contacted to query whether they had any concerns about the position of plot 17 reverting back to the original location. They have confirmed verbally that they do not have any concern in this regard and as such an amended layout plan has been submitted to address the concerns raised. It is acknowledged that a formal reconsultation will not take place in respect of this amendment however as it addresses the concerns of the residents immediately effected by this plot and the other neighbour has no concerns it is considered that all the residents have been suitably notified.

The following conditions have been amended as follows:

24, The approved plans are:

Plan Ref.	Received On:	Title:
317-101	1 March 2011	Location Plan
317-102 Rev G	24 May 2011	Planning Layout
317-103 Rev B	5 May 2011	Streetscenes
1055-901 Rev C	13 May 2011	General Arrangements
317-104 Rev A	9 May 2011	Planning Site Sections
5896/01	1 March 2011	Topographical Survey
317-H736-2/101 Rev A	5 May 2011	Aspull 2 Bed House
317-H1207-4/101	1 March 2011	Hale 4 Bed House
317-H1540-4S/101	1 March 2011	Appleton Side Garage (Plot 16)
317-H1589-5/101	1 March 2011	Bowden 5 Bed House (Plot 19)
317-H1589-5/102	1 March 2011	Bowden 5 Bed House (Plots 12)
317-H1589-5/103	10 May 2011	Bowden 5 Bed House (Plot 15)
317-H1641-5F/101	1 March 2011	Grantham Front Aspect (Plots 2 & 3)
317-H1672-5/101	4 May 2011	Newbury B (Plots 11, 14 & 18)
317-H1672-5/102	1 March 2011	Newbury B (Plots 10 & 13)
317-H1836-5/101	1 March 2011	Waverton (Plot 1)
317-H1836-5/102	1 March 2011	Waverton (Plots 17 & 20)
317-H1843-5/101	1 March 2011	Portland (Plot 4)
317-SG/DETAIL/101 Rev A	5 May 2011	Single Garage (Plot 9)
317-DG/DETAIL/101	5 May 2011	Double Garage (Plots 1, 2, 3, 4, 17 & 20)
STD DETAILS- SD-??	1 March 2011	1800 High Closeboard Fence
STD DETAILS- SD-??	1 March 2011	1500 High Closeboard Fence with 300mm trellis
STD DETAILS-SD-15-W01	1 March 2011	1800 High Brick Wall with Tile Crease

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

To include the amended plans.

Condition 12 has been deleted as the gates have been removed.

The original report has been amended as follows:

Paragraph 70: confirmed that the applicants were advised that the gates should be removed. An amended layout plan has been submitted removing the gates.

Concerns have been raised in respect of structural integrity particularly within the north-east corner of the site where there is a land level change. As such the following condition has been added:

Prior to the commencement of the development full details of the proposed retaining wall within the north east corner of the site, including levels and sections, shall be submitted to

and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.

ITEM 4d- 11/00210/FUL- Land Rear Of 187 Town Lane, Whittle-Le-Woods

The recommendation remains as per the original report

The original report has been amended as follows:

Concerns have been raised in respect of the use of 'character' within the Committee report and the reason for refusal. To clarify this issue the character referred to in paragraphs 12 and 16 of the report and the reason for refusal relate to the rural character of the land. It is acknowledged that PD rights could be removed for this piece of land however this forms part of the assessment of the application and it is generally considered that even allowing for the mitigating effect of the removal of permitted development rights, gardens still have to be fenced and have quite different visual characteristics than the open Green Belt. It is established in case law that garden extensions into the green belt can harm the character and appearance of an open area and the appeal Inspector, in respect of an appeal at Dark Lane, Whittle le Woods in 2002, considered that the use of Green Belt land for garden would result in domestic uses which would destroy the open character of the site. As such the reference to character relates to the rural character of the area which forms part of the consideration in respect of the openness of the area. For clarity the following amendments to the reason for refusal are proposed:

The land to which this application relates lies within the Green Belt as defined in the Adopted Chorley Borough Local Plan Review 2003. Within this area it is intended that no new development shall be permitted except for appropriate development/uses. The change of use of such land to the residential curtilage associated with a dwelling house represents inappropriate development, which is by definition harmful to the open and rural character of the Green Belt. The applicant has not demonstrated that there are any special circumstances that are so special so as to outweigh the harm to the openness of the Green Belt and the reasons for including the land within it. As such the proposal is contrary to the provisions and objectives of Policy No. DC1 of the Adopted Chorley Borough Local Plan and the advice at national level within Planning Policy Guidance Note 2 (PPG2) 'Green Belts'.

ITEM 4e- 11/00262/FUL- Woodcock Barn, Runshaw Lane, Euxton

The recommendation remains as per the original report.

However, the agent for the application has requested that in light of the report to Committee [recommending refusal], and the lack of available time to now submit amended details to address the current concerns, their Client wishes the following points to be considered:-

- Unfortunately, the submitted plans were, they thought, agreed in principle with Council Officers, though seemingly this is not the case;
- The submitted plans were conceived as a constructive solution to the Appeal Inspector's observations regarding the incongruous nature of the as-built roof slopes, and it was hoped that the solution hereby submitted would not cause any adverse impact on the neighbouring property whilst proposing a solution which

would ensure roof slopes were in keeping with the remainder of the property. This solution was intended to minimise the impact on the as-built construction, which has a substantial roof truss supporting the majority of the roof structure, and which will prove very expensive to alter at this stage, as well as being very disruptive to the property, now it is being lived in;

- In light of the above situation, their Client is willing to rectify the roof over the porch to bring it in line with the previously approved scheme, even though the cost of this will be substantial;
 - Because of the tight timescales for the application, and the late notice of a negative report to Committee, there is simply insufficient time for Officers to re-consult following amendment of the scheme. They therefore request that the application be deferred to allow amended plans to be prepared and submitted, and for Officers to re-consult in order to resolve the matter once and for all.
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