

28 May 2012

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 22ND MAY 2012

The enclosed report provides an update on any events that have taken place since the agenda was published.

Agenda No	Item
7.	<u>Addendum</u> (Pages 1 - 6) Report of the Director of Partnerships, Planning and Policy.

Yours sincerely



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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

C O M M I T T E E R E P O R T		
REPORT OF	MEETING	DATE
Director of Partnerships, Planning & Policy	Development Control Committee	22 May 2012

ADDENDUM

ITEM 4a- 12/00102/FULMAJ – Land between From Street and Crosse Hall Lane, Chorley

The recommendation remains as per the original report.

In terms of the objection received which is summarised in paragraph 7 of the main report, in addition to concerns expressed about plots 166 and 167, the objection also referred to plot 93 but it should be noted that this plot is not actually part of the current planning application.

An additional plan has also been received which provides further levels details through the plots adjacent to From Street. This plan is included in the presentation.

Further to paragraph 42 of the main report, **LCC (Education)** have also provided a revised figure based on there being an increase of 4 dwellings across the site as a result of this latest re-plan. The new figure relates to the provision of 1 no. primary school place and seeks a commuted sum payment of £11,638. This will be included in the supplemental S106 agreement.

Further to paragraph 46 of the main report, an amended site plan submitted clarifies that the dedicated bin storage area to the rear of the car ports will serve plots 76-81 and plot 165 whilst the bin store in the underpass below the apartment (plot 171) will serve plots 166-169. Plot 171 will have its own dedicated bin storage space accessed from the underpass. All other properties will have rear garden bin storage areas.

The following condition is also modified to include the reference to the additional section plan submitted: -

The approved plans are:

Plan Ref.	Received On:	Title:
N/155/P/LP01	2 February 2012	Location Plan
GR2-1	2 February 2012	Detached Garage Details Gable Roof
02054//PH4/SK3	2 February 2012	Sections Through Phase 4
N155/P/CRT/02	2 February 2012	Proposed Carport Plans & Elevations
F1-1	2 February 2012	Standard Screen Fence Details 1
1950.10 Rev B	2 February 2012	Landscape Structure Plan
N155/P/HTDID/01	2 February 2012	Didsbury House Type Elevations
N155/P/HTDID/02	2 February 2012	Didsbury House Type Floor Plans
N155/P/HTDAL/01	2 February 2012	Dalton House Type Elevations
N155/P/HTDAL/02	2 February 2012	Dalton House Type Floor Plans
N155/P/BD/01	2 February 2012	Budworth House Type Elevations
N155/P/BD/02	2 February 2012	Budworth House Type Floor Plans
N155/P/HTROS/01 Rev A	17 April 2012	Roseberry House Type Elevations
N155/P/HTROS/02 Rev A	17 April 2012	Roseberry House Type Floor Plans
N155/P/HTRIV/04	9 February 2012	Rivington House Type Floor Plans

N155/P/BD/03	9 February 2012	Budworth House Type Elevations
N155/P/BD/04	9 February 2012	Budworth House Type Floor Plans
N155/P/SS02	12 April 2012	Streetscene Elevations
HB163/P/HTEDG/01 Rev A	12 April 2012	Edgware House Type Elevations
HB163/P/HTEDG/02 Rev A	12 April 2012	Edgware House Type Floor Plans
HB155/PL02 Rev TT	17 April 2012	Planning Layout 02
02054/PH4/SK4	17 May 2012	Sections Through Phase 4 Plots 166 to 176

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

ITEM 4b-12/00084/FULMAJ – Chimney And Building Withnell Fold Mill Withnell Fold Withnell Lancashire

The recommendation remains as per the original report

English Heritage has commented further, verbally, that they maintain their objections to the proposed development. They considered invoking an Article 14 Direction to remove the decision making rights from the Council and transfer that responsibility to the Secretary of State. However, subsequently, English Heritage has verbally withdrawn from using the Article 14 Direction in this case. Their concern remains that the applicant has not demonstrated that all possible re-use solutions have been tested. Members have been made aware through presentations and the report on the agenda of the long standing attempts to establish a solution to the re-use of the buildings including the assessment undertaken by the Council in 2004, at a more buoyant time in the property market.

Paragraph 54, Section 106 Agreement, of the report has been amended as follows. The second bullet point shall now read:

To secure the delivery of these affordable units the developer shall have:

- Within 12 months of the grant of planning permission (12/00084/FULMAJ) the developer shall have submitted sufficient full planning applications for the delivery of the requisite number of affordable housing units (8) within any of the following areas: Withnell, Higher Wheelton, Wheelton, Brindle or Brinscall to the Local Planning Authority(the number of units could be split over more than one site).
- If those applications are granted permission, within 6months of the date of grant of full planning permission the developer shall commence construction of the affordable housing units.
- Within 6 months of the grant of the full planning applications for the affordable units, construction of those units shall be completed.
- If within 18 months of the date of grant of planning permission (12/00084/FULMAJ) the developer has not submitted planning applications for full planning permission for the required number of affordable housing units, or has submitted applications and these have not been successful, the developer shall pay to the Council the commuted sum of £xxxxxxx(to be calculated) commensurate with the shortfall in delivery of affordable housing units.

The following conditions have been amended:

Condition 14 has been amended to include the following additional text:

The submitted details shall also include signage to indicate that the 12 car parking spaces to the east of Plots 34 to 37 shall only be used by visitors to the Leeds and Liverpool Canal. The signage shall be erected prior to first occupation of Plots 34 to 37 in accordance with the approved details, and shall be maintained in a condition satisfactory to the Local Planning Authority at all times thereafter.

Reason: In order to ensure that access to the canal is improved and to encourage its use as a leisure and recreation resource for pedestrians and cyclists.

ITEM 4c-12/00085/CON – Chimney And Building Withnell Fold Mill Withnell Fold Withnell Lancashire

The recommendation remains as per the original report

English Heritage has commented further, verbally, that they maintain their objections to the proposed demolition. They considered invoking an Article 14 Direction to remove the decision making rights from the Council and transfer that responsibility to the Secretary of State. However, subsequently, English Heritage has verbally withdrawn from using the Article 14 Direction in this case. Their concern remains that the applicant has not demonstrated that all possible re-use solutions have been tested. Members have been made aware through presentations and the report on the agenda of the long standing attempts to establish a solution to the re-use of the buildings including the assessment undertaken by the Council in 2004, at a more buoyant time in the property market.

ITEM 4d-10/01065/FUL – Land 30M North West Of 79 Railway Road Brinscall Lancashire

The recommendation remains as per the original report.

A further letter of objection has been received from a neighbouring resident setting out the following issues:

- The applicant's supporting statement and submitted plans are misleading and Derby Street is not tarmacked;
- The site is within 20m of Brinscall Goit;
- The proposed materials are not in keeping with the character of the area;
- The application site has always until recently the application site has been used as a garden until approximately 2005. It was also used as a cattery and the existing summer house is where cats were kept;
- Describing the area as a storage yard is farcical;
- The business at No. 77 Derby Street takes up parking space which is a narrow, rough, gravel, typical un-adopted village road.

As outlined in the Officer's Committee report, the application was approved by members at the Development Control Planning Committee on the 29 March 2011 and therefore the principle of the development has already been accepted. The issues raised by this neighbour were considered as part of the application taken to the Committee meeting on 29th March 2011 and were not considered so significant to warrant refusal of the application.

This application is being brought back before Members as alterations are now proposed to the Section 106 Agreement to remove the POS obligation. Failure to remove this obligation would render the scheme financially unviable.

As such, having accepted the principle of the development, the main issue for Members to consider is whether a variation of the Section 106 Agreement, to not include the POS contribution, would warrant a recommendation other than approval.

ITEM 4e-12/00297/FUL – Land North Of 272 Preston Road Coppull Lancashire

The recommendation remains as per the original report.

Members will note that part of the site is in use as a commercial workshop. Policy EM9 protects sites and premises currently in employment use which are proposed for new development. It requires sites to be assessed to determine whether they are particularly suitable to be re-used for employment purposes and if they are then requires then to be reserved for such use unless a number of criteria are met. Considering the site against the criteria within policy EM9 is it not considered that it particularly suitable to be re-used for employment purposes and therefore it has not been requested that the site be appropriately marketed.

Notwithstanding the above it is not considered that the proposal is acceptable and the recommendation remains to refuse the application in terms of Green Belt and the amenity of occupiers in terms of smells.

ITEM 4g-12/00325/FUL – Inland Revenue Lingmell House Water Street Chorley Lancashire

The recommendation remains as per the original report

The following conditions have been amended:

The approved plans are:

Plan Ref.	Received On:	Title:
046 S 01	26 March 2012	Site Location Plan
046 S 02	26 March 2012	Existing Site Plan
046 S 04	26 March 2012	Proposed Site Plan
046 GA 00	26 March 2012	Proposed Ground Plan
046 GA 01	11 May 2012	Proposed Level 1 Plan
046 GA 02	26 March 2012	Proposed Level 2 Plan
046 EX 00	26 March 2012	Existing Ground Plan
046 EX 01	26 March 2012	Existing Level 1 Plan
046 EX 02	26 March 2012	Existing Level 2 Plan

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

This is to incorporate a minor amendment to the internal first floor layout

The original report has been amended as follows:

Paragraph 42 confirms that the premises have been on the market. In respect of the marketing the agent for the application has confirmed that the application site has been on the market and vacant since November 2011.

ITEM 4h-12/00350/OUTMAJ – Friday Street Depot Friday Street Chorley Lancashire

The recommendation remains as per the original report

The original report has been amended as follows:

Paragraph 27 states that the suggested sustainable transport improvements will be reported on the addendum and included within the S106 Agreement. Lancashire County Council have confirmed that

the sustainable transport contribution secured from this scheme will be utilised to ensure that access between the site and public transport hubs are improved through improvements to footway and signage along the routes which would be beneficial for customers coming into the railway or bus station wanting to attend the Health Centre. Additionally the contribution could be used towards a zebra crossing on Stump Lane between Briercliffe Rd and Friday to provide a safe crossing point for the residential catchment area north of the site. This will be secured via the S106 Agreement.

ITEM 4i-12/00185/FULMAJ – Group 4N Land 150 Metres West Of Sibbering's Farm Dawson Lane Whittle-Le-Woods Lancashire

The recommendation remains as per the original report

The following conditions have been amended:

2) The approved plans are:

Plan Ref.	Received On:	Title:
BVG4N-PLAN01 Rev Z	26 March 2012	Detail Site Layout
1172-G4N-WLW-MP01 Rev I	23 February 2012	Materials Plan
	23 February 2012	Location Plan
D4H161	23 February 2012	The Westminster Floor Plans
D4H161	23 February 2012	The Westminster Elevations
D5H189	23 February 2012	The Marlborough Elevations
D5H189	23 February 2012	The Marlborough Floor Plans
D5H186	23 February 2012	The Hampstead 5
D5H223	23 February 2012	The Blenheim Elevations
D5H223	23 February 2012	The Blenheim Floor Plans
C-SD0808 Rev A	23 February 2012	Free Standing Brick Walls
C-SD0906	23 February 2012	Close Boarded Fencing
C-SD0902 Rev A	23 February 2012	Knee Rail Fencing
3804.05 Rev C	14 May 2012	Landscape Plan Sheet 3 of 4
3804.06 Rev D	14 May 2012	Landscape Plan Sheet 4 of 4
3804.03 Rev B	26 March 2012	Landscape Plan Sheet 1 of 4
3804.04 Rev C	14 May 2012	Landscape Plan Sheet 2 of 4
4240-DG2	26 March 2012	Double Garage
BVG4N-PLAN01 Rev Z.2	3 May 2012	Boundary Treatments

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

Amended landscaping plans were received to accommodate the proposed plot substitutions.

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