

7 August 2012

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 7TH AUGUST 2012

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

Agenda No Item

9. **Addendum** (Pages 1 - 4)

Report of the Director of Partnerships, 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

COMMITTEE REPORT		
REPORT OF	MEETING	DATE
Director of Partnerships, Planning and Policy	Development Control Committee	7 August 2012

ADDENDUM

ITEM 4a- 12/00296/FUL – Hall O’Th Hill Farm, Heath Charnock

The recommendation remains as per the original report.

One further letter of objection has been received, the contents of which can be summarised as follows: -

- The total operating height of some 30 mts (97.50 feet) above the ground is considerably higher than conventional houses in the local area
- When in the operational mode the wind turbines will be plainly visible to all local residents in Heath Charnock
- The ‘open mesh’ design aspect of the columns will become contaminated with growing foliage, whilst the turning propeller will present a considerable danger to the local bird population
- The proposed siting of the masts at the crest of the hill will result in all local residents and area visitors being constantly aware of their presence as will travellers on all the main and local roads along with M61 traffic
- The wind turbines will do terrible damage to the environment
- Noise pollution from the proposed masts will be a major problem in the area, as will associated problems such as interference with TV and electronic transmissions
- Noise levels will vary from these installations contributing to the interference to residents normal lives
- The idea of a wind farm being located in an area of outstanding natural beauty is completely unacceptable
- When we came to live here and raise our family, the local beauty of the village area together with Rivington Pike and all the beauty of the Pennines was our major consideration
- These proposals will be of little or no benefit to the local population and only create major problems for the area which will affect locals and visitors alike for years to come

In terms of addressing some of the points raised in the above comments on the application, each wind turbine will comprise of a single tubular tower, not a lattice mast tower whilst the total height to blade tip will be 25m and not the 30m stated in the comments. With regards to the issue of interference with TV and electronic transmissions, Ofcom have not raised any issues with the application and the applicants Design and Access Statement also refers to guidance on the BBC website in relation to the impact of wind turbines. This states that the assessment tool on the BBC website is only intended to assess the impact of commercial wind farms on TV reception and does not consider small, domestic installations. It also states *“We are not aware of any problems caused to TV reception by small domestic wind turbine installations.”*

In terms of noise pollution, the applicant has submitted a noise performance report with the application for the mast type proposed and the Director of People and Places does not raise

any objections to the wind turbines on this basis. Also, the application site is not a designated Area of Outstanding Natural Beauty (AONB).

No further letters of support have been received.

The following additional consultee response has been received from LCC (Ecology). This additional response has been provided following comments raised by a local resident which stated that there is a long established rookery within the vicinity of the application site, a roost of bats locally, owls, curlews and kestrels amongst other bird types.

In terms of bats, LCC (Ecology) advise that the turbines are located more than 50m from any features likely to be used by foraging or roosting bats and based on Natural England Guidance notes, impacts on bats seem reasonably unlikely.

In terms of Kestrels and Owls, although LCC (Ecology) do not have records for kestrel and owl species in the area, it does not necessarily mean that they are not present within the nearby vicinity of the proposed application. If they are present in the area, it is possible that barn owls and raptors such as kestrels could be vulnerable to the proposed turbines (through collision) and would be a valid concern. However the habitat in the nearby vicinity of the turbine does not appear optimum foraging habitat for such species as it appears to be improved grassland.

LCC (Ecology) advise that from the limited information provided, the size of the turbines and the sub-optimal habitat within the immediate vicinity, it seems reasonably unlikely that there would be significant impacts on sensitive species.

The following condition has been added to ensure the details of any fencing around the base of the wind turbines is approved by the Council prior to installation.

Before the development hereby permitted is first commenced, full details of the position, height and appearance of any fences or walls to be erected around the base of the wind turbines, shall have been submitted to and approved in writing by the Local Planning Authority. Fences and walls erected around the base of the wind turbines shall only be erected in accordance with the approved details and retained and maintained as such at all times thereafter.

Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy Nos. DC1 and GN5 and of the Adopted Chorley Borough Local Plan Review and the NPPF.

ITEM 4b - 12/00586/OUT - Land East of Greenways and South of Rosewood, Parkside Drive, South Whittle-Le-Woods

The recommendation remains as per the original report

One further letter in respect of the application has been received setting out the following issues:

- As the owner of the plot adjacent to this land I am unaware of any boundary dispute between ourselves and the applicants;
- It is stated that the applicants' land is larger than the adjacent one. I face the northern plot measures 840 sq m (0.208 acres) and the applicant's plot measures 836 sq m (0.206 acres)

The original report has been amended as follows:

Paragraph seven should state that four letters of objection have been received (from three respondents).

In light of the additional comments received paragraph 28 is amended to read:

28. The application site comprises a smaller plot in comparison to those already established in the immediate surrounding area, particularly Parkside Drive South itself. Whilst closer in size to the plots at Holly Bank House and Rosewood to the north and the recently erected dwelling to the rear of 105 Preston Road, it would still be the narrowest plot on Parkside Drive South to be developed (it measures 23.37m wide, whereas the plot of land to the north, between the application site and Rosewood is 20.27m wide), although the adjacent plot is slightly larger (840 sq m compared to 836 sq m). The reduction in the proposed number of dwellings from two to one, however, represents an improvement from the previous application and would considerably lessen the impact of the proposal on the character of the area.

ITEM 4c - 12/00664/OUT - Park Road Methodist Church Park Road, Chorley

The recommendation remains as per the original report

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

- Difficulty selling property due to extra houses
- Loss of light due to facing onto side elevation of proposed dwellings
- Noise of children playing in gardens will cause disturbance

The following consultee responses have been received:

Planning Policy – have no objection to the proposed development.

Highways – have no objection to the proposal subject to the following informative being added should the application be approved:

This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act, 1980, section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning the Area Manager South on 01772 538560 or writing to the Area Manager South, Lancashire County Council, Cuerden Way, Bamber Bridge, Preston, PR5 6BS quoting the planning application number.

An informative has also been added informing the applicant that the removal of any burial plots on the site is the responsibility of the developer and will need to comply with Disused Burial Grounds (Amendment) Act, 1981 and that if there are war graves on the site, developers/land owners must contact the Commonwealth War Graves Commission before any removal takes place.

Conditions

Condition 1 has been amended to read:

An application for approval of the reserved matters (namely the external appearance of the dwellings, the landscaping of the site and the means of access thereto) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

An additional condition has been added as follows:

Each dwelling hereby permitted shall be constructed to achieve the relevant Code for Sustainable Homes Level required by Policy 27 of the Central Lancashire Core Strategy, or in accordance with the national standard post dating the Core Strategy in place at the time of construction. The current requirements to be complied with are as follows; Level 3 for all dwellings commenced from 1st January 2010, Level 4 for all dwellings commenced from 15th January 2013 and Level 6 for all dwellings commenced from 1st January 2016.

Reason: To ensure the proper planning of the area. In line with the objectives of the NPPF, Policies EM16 & EM17 of the Regional Spatial Strategy and Policy 27 of the Central Lancashire Core Strategy, 2012.

The original report has been amended to remove any reference to a Section 106 Agreement at Reserved Matters stage as we are satisfied that the proceeds of the sale of the land will be used to fund improvements at the combined church.

ITEM 4d - 12/00463/REMAJ- Land North East of Buckshaw Hall and bounded by Buckshaw Avenue and Ordnance Road, Buckshaw Village, Lancashire

The recommendation remains as per the original report

The following consultee responses have been received:

Park and Open Spaces – have confirmed that the revised play space arrangements and the equipment proposed are acceptable subject to fencing of the drainage pond and signage.

Earlier drawings had shown the pond bounded by a 750mm high knee fence, this has been removed on the most recent boundary treatments plan. It is considered that this boundary treatment is required and as such the following condition has been added:

Notwithstanding any details submitted, prior to the commencement of development a scheme for the fencing of the Surface Water Detention Basin shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of any dwelling approved under this permission the fence shall be erected in accordance with the approved details and shall be maintained thereafter.

Reason: In the interests of safety and amenity of users of the site.

In order to secure the completion of the footpath between Central Avenue and the railway station, which forms an important pedestrian link in this area of Buckshaw Village at the earliest opportunity, the developer has agreed to the following condition:

Within 12 months of the date of issue of this permission, the pedestrian link between Central Avenue and the gate in the railway station boundary fence, shown on plan reference: BSC/DSL/001 Rev H: Detail Site Layout shall be laid out and brought into use and shall be maintained thereafter.

Reason: In accordance with Policy TR4 of the Chorley Local Plan Review, 2003