

10 September 2012

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 4TH SEPTEMBER 2012

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

Addendum (Pages 1 - 8)

Report of the Director of Partnerships, Planning and Policy.

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
Director of Partnerships, Planning and Policy	Development Control Committee	4 September 2012

ADDENDUM

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

The recommendation remains as per the original report.

A total of 7 further letters of objection have been received since the committee agenda was released, the contents of which can be summarised as follows: -

- The physical structure of these turbines is quite offensive to the landscape
- The noise pollution from these two turbines will be considerably offensive for local residents who have for many years enjoyed the open aspect of the local community.
- Does the farm in question require these as a necessity as the return on the investment is not a short one?
- Damage to the wildlife in the area will be caused when the wind turbines are being built
- This land should not be touched and the views of that are Heath Charnock should stay
- If these go ahead, who is to say there will not be more across the field and other areas of Rivington
- The noise and visual impact of proposed turbines would be unacceptable and an imposed intrusion on local residents. In turn this would also have a detrimental effect on the value of properties in the area
- If approved, this would open the floodgates for even more developments of this kind
- Wind turbines are not considered within the special categories of acceptable uses on green belt land and are not, in my opinion, a very special circumstance
- When deciding the outcome of this application the views of the majority of local residents having raised their objections should be given due consideration, taking into account that only a small minority of local residents are in favour of it, as it could have a detrimental effect on their lives for years to come
- The wind turbines will only run at 35% efficiency therefore the applicant would need to erect numerous turbines for his needs, thus further blighting our rural landscape
- The Feed In Tariff is to be reduced meaning the revenue generated will not be as expected

- Government subsidies for wind energy are to be reduced so does this mean their trend is falling and more efficient alternatives are to found
- Is it justifiable that an individual can erect 2 imposing structures, producing energy purely for his own usage, but which will have a massive impact on others
- How accurate is the noise report
- The site visit undertaken could not have given a true reflection of the impact on surrounding properties, some of which are within 500m of the site
- As no plans/data were provided how accurate was the information given to the visiting Members of the committee?
- The wind turbines would be clearly visible for many miles over a wide area of mid Lancashire as well as being a totally unacceptable presence to householders in their immediate environs
- Whilst it appears that the Planning Department followed the Government presumption that wind turbine schemes should receive favourable planning approval, the Council have full power to stop this scheme and must do so
- Has the Environmental Health Officer actually visited the site?
- I have some concerns given the site location and distance to homes and the local terrain, e.g. noise funnelling affects
- There is now a reference in the NPPF to "recognising the intrinsic beauty of the countryside" (para 97) and my concern is that the turbines if approved and turn out to be a white elephant will be left to rust

With regards to the comments on noise and those relating to the Neighbourhood Environmental Health Officers consultation response on the application, the consulting Officer advises that the likely noise impact on the nearest residential property, which is in excess of 300m away, was assessed based on information in the application submission and a site visit to a Gaia wind turbine at Wilcocks Farm, Dean Head Lane, Rivington, which is the same model of wind turbine.

This was observed operating recently from a position on the highway which is estimated to be less than 100m away and the only perceptible noise was a slight hum from the motor housing at the rear of the blades at this distance. There is no tonal element.

The neighbourhood Environmental Health Officer therefore confirms the view that the noise from the two wind turbines, proposed at a 300m distance from the nearest residential property, will not be an issue for occupiers of the nearest properties.

In terms of the comment on the wind turbines being left to rust, a condition is recommended which requires the wind turbines to be removed if their use ceases for more than a continuous six month period

Officers are also aware of an e-mail which has been sent to Members which includes with it a previously submitted objection letter. The issues in the objection letter have been addressed previously in the main report to committee. The e-mail raises the following comments (see below) in relation to the application although these have again been addressed in the main report to committee.

- It is my opinion that the granting of this application will be a negative step for the local area, and not provide one iota of benefit to the local population and wider community

- I believe that we live in a fully democratic society, and as such the views of the local community must have precedence over the minority who will benefit from this unsightly installation
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ITEM 4b - 12/00619/FUL - Sunnyside 4 Common Bank Lane, Chorley

The recommendation remains as per the original report

Item 4c - 12/00712/REM - 4 Rectory Close, Chorley

The recommendation remains as per the original report.

The case officer has received the finished floor levels of the properties and an additional plan showing the levels of the properties on a streetscene plan.

Plot 3 will have the same finished floor level as the existing bungalow to be demolished. The land drops away to the west and Plot 2 will therefore have a floor level 0.6m lower. Plot 1 will have a floor level 1.23m below Plot 2. These are illustrated on the streetscene plan on the Committee PowerPoint presentation. The levels are considered acceptable as they reflect the level of the land as it drops away to the west and will avoid the properties being built up and will therefore be in keeping with the area.

As acceptable level details have been provided an additional condition is proposed specifying the approved plans:

The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Ref.	Title:
2140/PL/01	Site Plan
2140/PL/02/A	Plans and Elevations
2140/PL/03	Streetscene

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

There are two different house types on the site. The site plan does not make it clear which house type is proposed on which plot, therefore an additional condition is proposed to clarify this:

The house types approved on each plot are:

Plot 1: House Type 4BB2350

Plot 2: House Type 4BB2160

Plot 3: House Type 4BB2160

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

ITEM 4d – 12/00742/FUL - Land 75m south east of Highfield, Southport Road, Euxton

The recommendation remains as per the original report.

One further letter has been received querying the extent of neighbour consultation and requesting a copy of the plans. A copy of the plans have therefore been sent to the resident in question.

The following two conditions have been amended as litter bin details and hedgerow details have already been formally discharged pursuant to condition nos. 4 and 5 of the previous permission on the site for a skatepark earlier this year by application no. 12/00423/DIS.

Installation of litter bins and the management regime for litter collection shall only be carried out in accordance with the details received by the Council on 26th April 2012 and approved under application no. 12/00432/DIS in the letter dated 10th May 2012.

Reason: In the interests of the visual amenities of the area and in accordance with Policy GN5 and DC1 of the Adopted Chorley Borough Local Plan Review

The site shall be managed in accordance with the site management details which include the pruning and maintenance schedule in relation to the hedgerows surrounding the site, received by the Council on 26th April 2012 and approved under application no. 12/00432/DIS in the letter dated 10th May 2012,

Reason: To ensure that the site benefits from natural surveillance whilst still providing a landscape buffer. In accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review

The following condition has been amended as this application is to vary the approved plans for the skate park so the original time limit for implementation of the permission (10/00136/FUL) should be attached to this latest application rather than the three year time limit condition originally proposed.

The proposed development must be begun not later than 7th April 2013.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

ITEM 4e - 12/00585/FULMAJ - Pole Green Nurseries, Church Lane, Charnock Richard, Chorley

The recommendation remains as per the original report.

No letters of objection or support have been received since preparation of the original committee report.

Two conditions have been amended. The reason for the amendment to the first condition is that the application is to vary the approved plans condition so the originally imposed time limit for implementation of the permission (11/00783/FULMAJ) needs to be imposed again. The reason for the amendment to the second condition is that the date of receipt of the site plan should be 14th August 2012.

The proposed development must be begun no later than 25th November 2014.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

The approved plans are:

Plan Ref.	Received On:	Title:
506-102 Rev F	14 August 2012	Planning Layout
ASPULL-2/101 A	12 June 2012	Aspull House Type (plots 16-22)
PRESTBURY-4/103 11)	12 June 2012	Prestbury House Type (plots 7 and 11)
DURHAM-4/101	12 June 2012	Durham House Type (plot 6, 8 and 12)
HALE-4/101	12 June 2012	Hale House Type (plot 13)
GRANTHAM-5SA/101	12 June 2012	Grantham House Type (plot 30)
NEWBURY-5/101	12 June 2012	Newbury House Type (plots 1)
NEWBURY-5/102	12 June 2012	Newbury House Type (plots 4, 9 and 29)
NEWBURY-5/103	12 June 2012	Newbury House Type (plots 2 and 5)
WAVERTON-5/102	12 June 2012	Waverton House Type (plot 27)
HAMPTON-3/101	12 June 2012	Hampton House Type (plots 14 and 15)
HARBURY-5/101	12 June 2012	Harbury House Type (plots 3 and 24)
HARBURY-5/102	12 June 2012	Harbury House Type (Plot 23)
HARBURY-5/103	12 June 2012	Harbury House Type (Plot 25 and 28)
PORTLAND-5/101	12 June 2012	Portland House Type (plots 10 and 26)
SG/DETAIL/101	12 June 2012	Single Garage
DG/DETAIL/101	12 June 2012	Double Garage
ESD BT-04	12 June 2012	1800 High Closeboard Fence
ESD BT-05	12 June 2012	1500 High Closeboard Fence with 300mm Trellis
ESD BT-28	12 June 2012	1800 High Brick Wall with Tile Crease
506-104 Rev D	12 June 2012	Planning Site Sections
506-103 Rev E	12 June 2012	Streetscenes
5969/Ph2 A	12 June 2012	Topographical Survey
506-101 A	12 June 2012	Location Plan
506-501 C	12 June 2012	Materials Layout

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

ITEM 4f - 12/00605/FULMAJ - Plot 4700 land to the west of Ordnance Road, Buckshaw Avenue, Buckshaw Village

The recommendation remains as per the original report.

The recommendation is missed off the top of the committee report (although it is detailed at the bottom). To clarify, the recommendation is to permit the application.

LCC Highways have made the following comments of the amended site layout plan:

They feel there is still a lot to be done before the layout will prove acceptable from a highway view point. With regards to the distribution yard (south portion), it is suggested the majority of deliveries will be outside of staff normal arrival/departure times. However neither is this conditioned and nor will it guarantee against all potential vehicle conflict between servicing and staff vehicles. As such the access arrangements are unlikely to prove entirely acceptable. They are still of the opinion a more concerted effort is required to segregate operational and vehicle access space to make access arrangements more acceptable for the long term.

With regards to the north portion, the proposed servicing arrangements are still significantly inadequate. The two servicing bays do not in any way offer efficient and

practical servicing arrangements for the site. The bays as shown will require deliveries being hauled along the road which is not going to happen. The bays will therefore effectively not be used and will give way to on-street serving arrangements leading to significant on-site congestion and hazardous manoeuvring. The bays are also formed across the footpath creating a break in the footpath link and forcing pedestrians onto the road.

They also note each unit will enjoy car parking along the frontage. In most cases this will account for only 2no spaces for both staff and visitor parking which is most likely to prove inadequate given that the starter units will generate visitor/customer parking. This will invariably lead to indiscriminate parking on the site with significant potential for congestion. There is also potential for the parking problems to spill onto the adjacent highway. They feel there is simply too much going on with too many units and insufficient provision for servicing and parking arrangements to adequately cater for the level of traffic to be generated. And this will all give way to a very congested and poorly laid out site. As such I will recommend any such layout is strongly resisted.

Officer Response:

In response to these comments, it is not considered that the proposal could be refused on Highway grounds. The manoeuvring area on the south part of the site has been amended to have a dedicated lane for staff to reach the parking. It is not considered that the access to the site could be moved nearer the parking area as it would then be close to the access for Tesco and would then result in two access points to the site. It is considered therefore that one access point as proposed is a more acceptable. A condition can specifically require the dedicated lane for staff to be marked out before the building comes into use (see below).

In terms of the north part of the site the applicant has amended the plans in response to Highway's earlier comments. Service bays have been added along with bin stores. The inclusion of the service bays has replaced pavement on one side of the road, however pedestrians will still be able to use the pavement on the other side so it will not mean they have no option but to walk in the road. The units are aimed at start-up businesses and therefore it is considered that two dedicated bays for serving large vehicles visiting the site is reasonable. Large vehicles may temporarily pull up outside units to deliver, but as the whole parcel is proposed as industrial start up units it is considered that occupiers will expect this for a short period of time. The dedicated bays do however provided parking if larger vehicles need to park for longer and will prevent them blocking parking and manoeuvring areas. The bins stores have been located next to the service bay to prevent refuse vehicles blocking the road. The amended plans also change the layout to be one way therefore avoiding vehicles making turning manoeuvres.

In terms of parking the committee report goes into detail on this matter and why this is found to be acceptable in terms of the adopted parking standards.

Overall, the layout as now proposed subject to conditions is considered acceptable and will provide starter accommodation for new businesses for which there is demand in the current economic climate.

Condition 8 has been amended to specifically refer to the provision of the dedicated vehicle lane for staff:

8. The development hereby permitted on the south part of the site (defined as Block G as shown on drawing ref: 1968-11 03 Rev B) shall not be occupied until the access, roads and parking as shown on drawing ref: 1968-11 03 Rev B), and

specifically including the 'Staff Vehicles Protected Zone' have been constructed and laid out in accordance with the approved details. The development shall then remain as per the approved layout.

Reason: In the interests of highway safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.

ITEM 4g - 12/00510/OUTMAJ - Duxbury Park Myles, Standish Way, Chorley

The recommendation remains as per the original report.

No letters of objection or support have been received since publication of the original committee report.

ITEM 4h - 12/00750/LBC - Astley Hall, Astley Park, Park Road, Chorley

The recommendation remains as per the original report

No. further letters or comments have been received.

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