

Chief Executive's Office

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Date: 14 July 2005

Chorley
Borough Council

Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

Chief Executive:

Jeffrey W Davies MA LLM

Dear Councillor

A meeting of the Site Inspection Sub-Committee is to be held on Tuesday, 23rd August, 2005 commencing at 5.00 pm, for which an agenda is set out below.

The Sub-Committee is requested to meet on the site to be visited at 299 – 305 Eaves Lane, Chorley at 5.00pm.

Members requiring transport should assemble in the car park at the rear of Union Street Civic Offices no later than 4.45pm.

AGENDA

1. **Apologies for absence**
2. **Declarations of Any Interests**

Members of the Sub-Committee are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct. If the personal interest is a prejudicial interest, then the individual Member should not participate in a discussion on the matter and must withdraw from the Council Chamber and not seek to influence a decision on the matter.

3. **Minutes (Pages 1 - 2)**

To confirm as a correct record the minutes of the meeting of the Site Inspection Sub-Committee held on 7 March 2005 (enclosed).

Continued....

4. **Planning Application 05/00472/FUL (Pages 3 - 12)**

The planning application for the conversion of the first floor of 303 – 305 Eaves Lane from storage and office accommodation associated with the ground floor shops to residential accommodation was deferred at the last Development Control Committee to allow the Site Sub-Committee to visit and inspect the site.

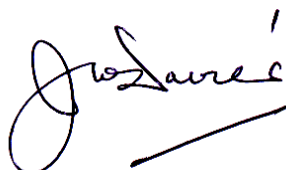
Following its inspection of the site, the Sub-Committee will be requested to make a recommendation on the determination of the application to the Development Control Committee.

A copy of the report of the Head of Planning Services on the planning application that was submitted on 28 June 2005 to the Development Control Committee, together with a copy of an addendum note circulated at the meeting, is attached for information.

The two respective Ward Councillors who are not members of the Site Inspection Sub-Committee are also invited to attend the site inspection and participate in the discussion.

5. **Any other item(s) which the Chair decides is/are urgent**

Yours sincerely

A handwritten signature in black ink, appearing to read 'Joe Lawrence', with a horizontal line underneath.

Chief Executive

Distribution

1. Agenda and reports to all Members of the Site Inspection Sub-Committee (Councillor A Lowe (Chair), Councillor Parr (Vice-Chair), Councillors Ball, Bedford, Culshaw, D Dickinson, T Gray, Heaton, Iddon and Miss Molyneaux) for attendance.
2. Agenda and reports to Head of Planning Services for attendance.
3. Agenda and reports to Ward representatives (Councillors Edgerley and M Lowe) for attendance.
4. Agenda to all remaining Members of the Council and Chief Officers for information.

SITE INSPECTION SUB-COMMITTEE**7 March 2005**

Present: Councillor A Lowe (Chair), Councillor Parr (Vice-Chairman), Councillors Bedford, Culshaw, D Dickinson, Heaton and Miss Iddon.

05.SI.01 MINUTES

RESOLVED – That the minutes of the meeting of the Site Inspection Sub-Committee held on 20 December 2004 be confirmed as a correct record and signed by the Chair.

05.SI.02 PLANNING APPLICATION 05/00015/FUL

The application for planning permission to construct a part single storey and part two storey office, with car parking, on the unused commercial site at the rear of houses fronting Dark Lane/Bradshaw Lane, Mawdesley had been deferred at the last Development Control Committee meeting to allow the Site Inspection Sub-Committee to visit and inspect the site.

The Head of Planning Services pointed out that the site was currently occupied by 3 buildings (a one storey office/workshop building on the northern boundary; a two storey warehouse building on the southern boundary; with a one storey storage building in between). Permission was sought to demolish both of the present one storey buildings and erect a two storey office block immediately adjacent to the warehouse building, with a one storey projection to the north side to house a research workshop.

The Head of Planning Services reminded the Members that the site's location in the Green Belt would need to be taken into account.

The Sub-Committee were also reminded that objections from a number of neighbouring residents had been lodged on the grounds that the proposed development would generate increased traffic, noise and disturbance to residents. The occupants of the bungalow closest to the site were concerned that the two storey building would cause a loss of light and privacy to the bungalow. In addition, residents feared that the prospective number of employees would result in cars being parked on the narrow Dark Lane, causing a traffic hazard.

In response, the Head of Planning Services advised the Sub-Committee that the proposed two storey block would be located 28.5 metres from the closest residential property, a distance that exceeded the normal minimum requirements. The site was already screened by high conifer hedges bounding the adjacent property's rear garden and trees within the application site, but additional landscaping would be required as a condition of any planning permission granted. The officer also clarified that the site was capable of accommodating the cars of all prospective employees without the need for on-street parking on Dark Lane. The applicants envisaged that only cars and transit style vans would visit the site and, in any event, the internal layout of the site would preclude manoeuvring of heavy goods vehicles.

It was the consensus view (4:3) that, if planning permission was to be granted, a condition should be imposed on the permission requiring the installation of obscure glazing in the windows of the two storey building to protect the privacy of neighbouring residents.

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With that proviso, the Sub-Committee **RECOMMENDED** the Development Control Committee to grant planning permission to Application 05/00015/FUL, subject to the following conditions:

1. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The Development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.

2. Before the development hereby permitted is first occupied, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy TR8 of the Adopted Chorley Borough Local Plan Review.

3. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

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

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.

5. The approved plans are:

Plan Ref.

Received On:

Title:

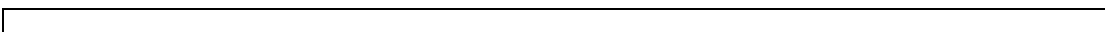
Reason: To define the permission and in the interests of the proper development of the site.

6. All windows to the first floor of the front elevation detailed on the submitted plans should be fitted with obscure glass which shall be retained thereafter.

Reason: In the interests of residential amenity and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan.

Chair

Item B. 4	05/00472/FUL	Permit
Case Officer	Miss Nicola Bisset	
Ward	Chorley North East	
Proposal	Alterations of first floor premises to provide 6 new flats, erection of ground floor rear extension with first floor balconies, formation of railings to rear and creation of 3 residents parking spaces,	
Location	299 - 305 Eaves Lane Chorley Lancashire PR6 0DR	
Applicant	Mr J Hall	
Proposal	<p>The application is for the conversion of the first floor of 303 to 305 Eaves Lane from storage and office accommodation associated with the ground floor shops to residential accommodation. At ground floor level there is an existing Spar shop and bakery.</p> <p>The application also includes ground floor rear extensions to provide a staff room and loading area for the ground floor shops. When the application was first submitted on the 3rd May 2005 the proposal included first floor rear balconies over the extensions. The scheme has now been amended removing two of the three proposed balconies retaining only one which faces the side elevation of number 1 St. Peters Street. The remaining balcony will have a timber pergola above it with galvanised steel handrails and balustrades.</p> <p>As part of the proposal three car parking spaces are to be provided. Two spaces to the rear of 301 Eaves Lane and one to the rear of the property at the boundary with St. Peters Street on an existing paved area.</p> <p>Galvanised steel gates are proposed to be erected to enclose the parking spaces and similar railings will be erected to the rear of the property measuring 1.8 metres high.</p> <p>The application also includes the refurbishment of 301 Eaves Lane which is currently unoccupied.</p>	
Planning Policy	GN1- Settlement Policy- Main Settlements HS6- Housing Windfall Sites HS11- Flats above Retail and Commercial Premises SP6- District, Neighbourhood and Local Shopping Centres TR4- Highway Development Control Criteria TR8- Parking Provision Levels	
Planning History	05/00186/FUL- Alterations of first floor premises to provide 6 new flats, erection of 2 ground floor rear extensions with first floor balconies, formation of railings to rear, and alterations to side road to form parking lay-by. Withdrawn to resolve parking problems 05/00437/FUL- Installation of ATM cash machine to front of store- Under Consideration 95/00800/ADV- Display of illuminated fascia sign- Advert Consent	



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Applicant's Case

The applicant has submitted a supporting statement with the application and raises the following points:

- There is strong support from national, regional, county and local planning policy for residential redevelopment of the site, the principle of which is understood to be accepted.
- With regard to the car parking provision, there is clear guidance within PPG3, PPG13 and an acknowledgement within both the Local Plan and regional planning guidance that car parking standards should be applied flexibly, authorities should not require provision for car parking over and above that which the developer deems necessary, and where sites are sustainably located, a flexible approach to the provision of parking should be adopted.
- With regard to the application site, 3 car parking bays are provided, at a ratio of 50% (i.e. 3 bays relating to the 6 apartments). However the site is sustainably located, being within a defined local centre where there is an appropriate range of local shops and services, it is also within walking distance of the transport interchange facilities of Chorley town centre, and Chorley Railway Station
- Given the site's location, the acknowledgements within policy of the need to apply standards flexibly, the acceptability of the use in principle, and the appropriateness of the level of car parking proposed, the application is supported by planning policy and consent should be forthcoming.

Representations

4 letters of objection have been received from neighbours raising the following points:

- The impact on highway safety and parking will be unacceptable
- There will be an impact on the residential amenity of local residents including overlooking and loss of privacy
- Loss of privacy from the proposed windows
- The development would be inappropriate and of no benefit to the community
- The existing car park at the rear is already full in the evening
- Cars park illegally on the side street

Consultations

Lancashire County Council Highways: have no objection to this proposal

Public Space Services: object to the proposal in terms of parking. 3 parking spaces are unlikely to accommodate the parking and residents parking will be displaced. If someone chooses to walk to work they still need somewhere to park their car. The areas shown as parking on the plans are already used by staff.

United Utilities: The site should be drained on a separate system, with foul drainage only connected into the foul sewer. Surface water should discharge to the watercourse/soakaway/surface water sewer and may require consent of the Environment Agency.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999.

Environmental Services: have no comments to make

Housing Services: the application is supported by the housing needs and housing renewal teams on the grounds that:

1. it increases availability of rented property within the private sector, and
2. it brings an otherwise empty property in to use for housing provision.

Assessment

The site is located within a neighbourhood shopping centre as allocated in the Adopted Chorley Local Plan Review 2003 and includes the conversion of empty space over existing commercial premises.

The provision of new housing in the Borough is tightly controlled in line with Regional Planning Guidance. The proposal however is an exception to the Council's Windfall Housing Policy as it is located within an allocated shopping centre and within 400 metres of a bus route. The conversion of floorspace above shops is identified within PPG3 as an important source of new housing in town centres. The proposal would provide housing within a convenient location which has easy access to local amenities and is therefore contributing towards the aims of sustainability.

To the rear of the site is a predominantly residential area with residential properties on St. Peters Street and Corporation Street. The proposal initially included three balconies at the rear of the properties, it was considered that three balconies would have created a loss of privacy due to overlooking of the rear garden areas of 1-5 St. Peters Street. The scheme has subsequently been amended removing the two balconies which faced those rear garden areas. One balcony has been retained this is however directed at the side wall of number 1 St. Peter's Street, which has a blank side gable wall apart from one first floor side window which does not serve a habitable room. Therefore no loss of privacy will be created from the proposed balcony in this location to the detriment of the occupiers of 1 St. Peter's Street.

There are existing windows at first floor level in the front, rear and side elevations of the property. The proposal includes replacing these with double glazed windows. The original scheme included French doors to facilitate the balconies at the rear. The amendments to remove two of the balconies also include replacing the proposed French doors with smaller windows. The windows at the rear serve a lounge and bedroom. The windows to the rear will have views of the side of number 1 St. Peter's Street and the car park area to the rear. The majority of the windows are relatively small and will be directed at the side elevation of number 1. The windows will be located approximately 5.5 metres from the side boundary with number 1. The position of the window ensures that the views will be limited and are unlikely to create overlooking to the detriment of the residents at 1-5 St. Peters Street.

The windows in the side elevation (north elevation), adjacent with St. Peter's Street, will serve a lounge and various bedrooms. The side windows face across St. Peter's Street directly at 307 Eaves Lane, a residential property. There are no first floor windows in the side elevation of 307 Eaves Lane and therefore the proposal will not create any loss of privacy for the residents of 307 Eaves Lane.

The proposal also includes removing the existing windows in the south elevation and replacing them. The windows will be relatively small bedroom windows which will be located over 13 metres from the side boundary of 297 Eaves Lane. This distance ensures that the windows will not create any loss of privacy to the detriment of the occupiers of 297 Eaves Lane.

The replacement of existing first floor windows at the property will not create any loss of privacy to the detriment of the surrounding neighbouring properties.

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The ground floor use of the properties is unlikely to impact on the amenities of future occupants. The flats will be self-contained with ground floor access at the front of 301 Eaves Lane and will be independent of the ground floor commercial premises. The proposed flats will not adversely impact on the surrounding residential properties through overlooking or loss of privacy. The proposal therefore complies with Policy HS11.

The proposal includes the provision of three parking spaces. A similar planning application was submitted in February 2005 and this application was withdrawn because the proposed parking was not adequate. The scheme has been amended to provide three parking spaces. The Council's Public Space Services Section has again raised concerns that the proposed parking is not adequate for the accommodation that will be provided. They are concerned that the additional cars will displace the existing residents cars and cause further problems in the area. The adopted parking standards are detailed in Appendix 3 of the Adopted Chorley Local Plan Review 2003. The guidance states that for single bedroomed housing there should be 1 car space per dwelling and for family housing there should be 2 car spaces per dwelling. This however is a maximum and not a minimum level in accordance with guidance in PPG13. In addition to the onsite provision there is also a communal car park to the rear of the property which can be used for residents cars.

The car parking provision for this proposal is below adopted standards. Therefore it is likely that the lack of off street parking associated with this proposal will add to the pressure on on-street parking. However, there is an existing car park to the rear of the premises. The fact that there is available parking to the rear will reduce the impact of a lack of on site parking at the site.

Ideally more parking should be provided on site however, the site is located within a convenient area for local amenities and the proposal incorporates the conversion of premises above shops which is identified in PPG3 as a valuable source of housing provision. The proposal is therefore considered acceptable.

Recommendation: Permit

Conditions

1. The approved plans are:

Plan Ref.	Received On:	Title:
A3/0.006	11 th May 2005	Site Location Plan
035507/A2/0.004	3 rd May 2005	Existing Ground Floor Plan
035507/A2/0.005	3 rd May 2005	Existing First Floor Plan
035507/A2/0.010A	3 rd May 2005	Existing Elevations
035507/A2/0.001C	3 rd May 2005	Proposed Ground Floor Plan
035507/A2/0.002B	8 th June 2005	Proposed First Floor Plan
035507/A2/0.003B	8 th June 2005	Proposed elevations

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

2. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 and EM2 of the Adopted Chorley Borough Local Plan Review.

3. All external facing materials shall match in colour, form and texture those on the existing building.

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Reason: In the interests of the visual amenity of the area in general and the existing building in particular and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.

4. Before the works required for the conversion to the residential use proposed are first commenced, full details of a scheme of soundproofing between the proposed flats and ground floor commercial property shall have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved soundproofing scheme shall be completed before any flat is occupied.

Reason: In the interests of the amenity of future occupants of the proposed flats and in accordance with Policy No. EP20 of the Adopted Chorley Borough Local Plan Review.

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ADDENDUM REPORT TO DEVELOPMENT CONTROL COMMITTEE – 28 JUNE 05

Application: 05/00472/FUL

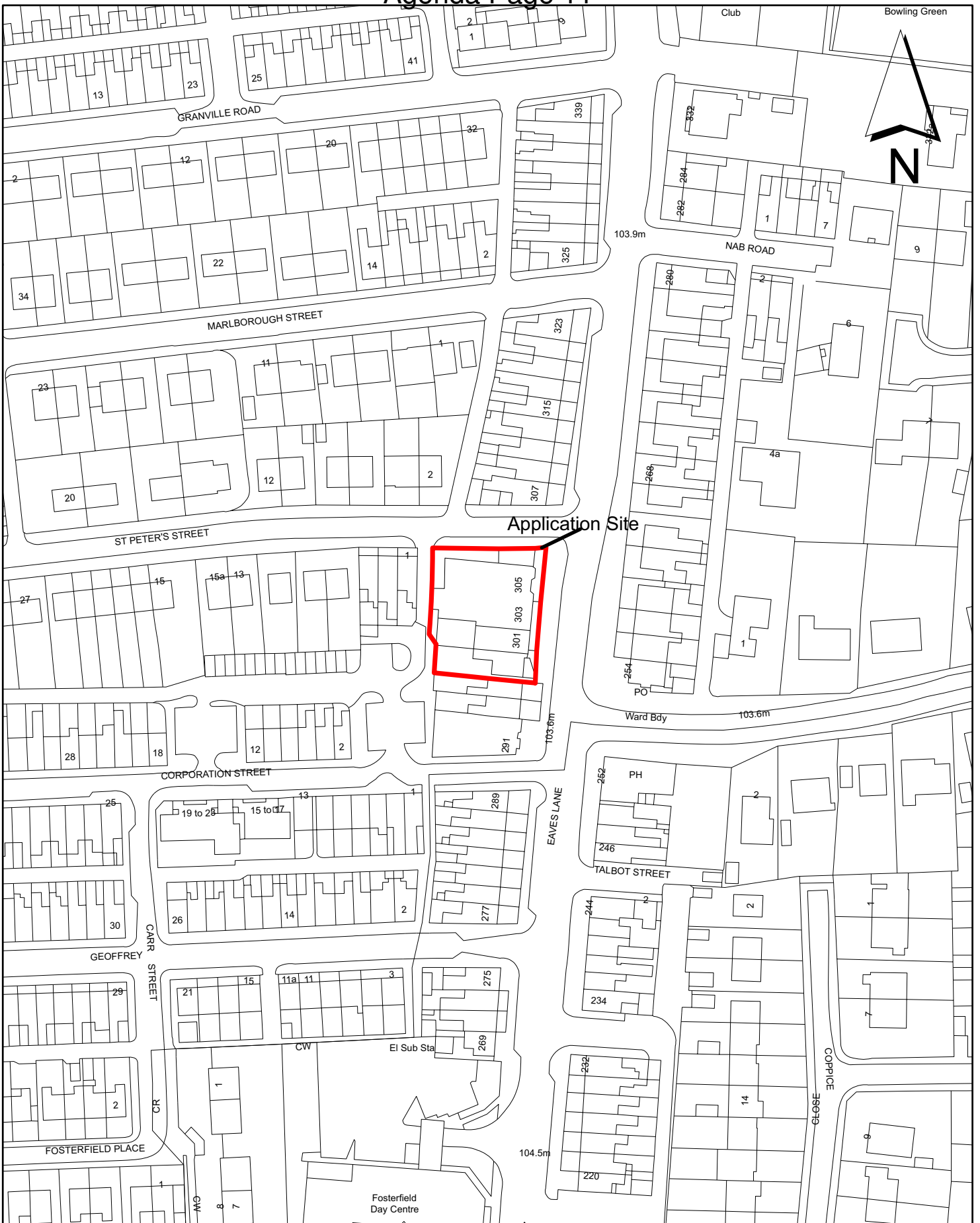
One further letter of objection has been received raising the following points:

- The traffic in the area is very busy from people visiting the popular bakery and Spar shop. The spaces proposed as part of the proposal are insufficient and more parking should be provided.

A further consultation response has been received from the MAPS Team drawing the applicants attention to 'Secured by Design – New Homes'. The following informative has been attached:

The recommendation has changed to permit subject to a 106 Agreement. The agreement will be to cover the Council's policy on additional units of residential accommodation contributing to open space provision financially and maintenance. There is a draft 106 Agreement and the recommendation is to permit the application subject to the final 106 Agreement.

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Alan D Croston BA (Hons) MRTPI MCM
Head of Planning Services
Chorley Borough Council

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Application No.
05/00472/FUL

Grid Ref:
E: 359180
N: 418299

Scale:
1:1,250

Agenda Item No.
B. 4

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