

# COMMITTEE REPORT

REPORT OF	MEETING	DATE	ITEM NO
Corporate Director (Business)	Development Control Committee	05/02/2008	

## ADDENDUM

### **ITEM A1- 07/01332/FULMAJ- Erection of 24 Dwellings. Parcel 9 Gillibrands**

Following the receipt of the amended layout plan the originally submitted plans have been amended to incorporate the revised layout. Additionally further sectional plans have been submitted detailing the view from the properties on Ash Wood Court.

2 further e-mails and 1 letter have been received raising the following points:

- The property on Plot 1 will not incorporate a similar building line as number 76 it will be at an angle to the new road, not parallel to it.
- The property on plot 1 will be 1 metre higher than number 76 and will dwarf it
- It is the scale and position of plot 1 which is of great concern
- The dwelling type on plot 1 should be amended to a two storey unit
- Few changes to the previously refused application- developers have not overcome the reasons for refusal
- Density is too high
- Three storey dwellings out of scale with the surrounding units
- The sale of the land should not come at the expense of the neighbours amenities.
- Residents concerns on Ash Wood Court have been ignored
- Loss of light
- Loss of outlook
- Risk of flooding
- Increase in traffic, noise and pollution

Although the property on Plot 1 will not occupy an identical building line to number 76, it will be at an angle to the property, the property will face onto the highway into the site and will be a similar width to number 76. The proposed property on plot 1 will be higher than number 76 and will be at a slightly higher land level it is not considered that due to the siting and design of this property that the proposal will adversely impact on the neighbours amenities.

### **ITEM B1- 07/01384/FUL – Conversion of former Methodist Chapel building to residential property.**

#### LCC Archaeology

English Heritage has recently commented on the proposals, which although not objecting to the principle of conversion to residential use, have raised concerns over the treatment of the interior. As far as Lancashire County Archaeology Service (LCAS) is concerned, the internal

features specifically mentioned in the listing description should be seen as items that are intrinsic to the listed status of this building and therefore merit serious attempts to ensure their retention in an unaltered form. Consequently LCAS would wish to see the applicants submit further information in the form of a detailed justification statement as to why the building should be converted, which would include an assessment of the building's importance within the stock of buildings currently held by the Methodist Church nationally, as well as at a more local District and County level, and would address such questions as; Is this building an early example? Is the building's surviving internal arrangement a rare or common survival? Is the building a particularly fine or well-preserved example?

The continued use of the graveyard as a burial ground, with memorials present for historic for historic, modern and future burial, also raises the question of whether residential use can be considered appropriate given the need for continued access to the site, and to show respect for the dead. Care will need to be taken to ensure that the open areas outside the buildings do not start to show the typical domestic features/facilities that most people would expect to see with a house. LCAS are therefore currently of the opinion that the current proposals fail to adequately address Local Plan Policy HT2 and determination for the application be deferred until such a time as the further information outlines above is supplied, in order that a reasoned and informed decision can be made. However, should the Local Planning Authority be minded to grant permission for this or any other scheme, LCAS would recommend that a recording condition be applied.

*Response: The principle of the conversion has been discussed in the main report. The loss of internal features that the conversion would result in has been taken into account as part of the application. Amended plans have been received retaining examples of some of the pews within the Chapel as part of the conversion. However, as discussed in the main report the loss of features has to be weighed against the safeguarding of the buildings future in a sustainable use as supported in PPG15, as does the issue of continues use of the graveyard. The concerns raised by LCAS are likely to arise with the any alternative use of the chapel.*

*With regards to domestic features in the amenity areas surrounding the building, a condition is proposed removing Permitted Development Rights for the erection of extensions, porches, outbuildings, hardsurfaces, and satellite dishes i.e. the aspects that can be controlled by the planning system. A recording condition is already proposed as suggested by LCAS.*

#### LCC Ecology

A bat survey has been carried out during the application process. A dead bat was found in the Chapel building so it may be used as a bat roost. The Bat Survey Report advised further work be carried out on the site in relation to bats and a condition is proposed requiring this to be implemented prior to the commencement of any conversion work, along with a method statement detailing how any detrimental impact on the conservation status of the bat population will be avoided during and after development.

#### Neighbours

Additional comments have been received from neighbouring properties in response to notification on the amended plans. The planning issues they raise can be summarised as:

- Extension of the paved area will impact on the Listed Building;
- No affordable housing has been provided;
- The amenity area proposed is insufficient and unsuitable for a dwelling;
- Planning conditions cannot control aspects such as e.g. playing and the frying of washing in the amenity area;
- Fencing to the amenity area will be intrusive to the cemetery.

*Response: A condition is proposed with regards to hard ground surfacing materials being agreed with the Council, to ensure they are suitable for the setting of the building. Policy does not require the property to be an affordable unit. The negative aspects of providing an amenity area to the dwelling must be weighed against the positive aspects of ensuring the building is brought back into an alternative use.*

Additional conditions are proposed:

This consent relates to the following plans:

Title:	Date:
Site Plan	Received 11 <sup>th</sup> January 2008
Plan Showing Amenity Area	Stamp dated 28 <sup>th</sup> January 2008
Proposed Plans and Elevations	Stamp dated 28 <sup>th</sup> January 2008

*Reason: To define the consent and to ensure all works are carried out in a satisfactory manner.*

Before the development hereby permitted is first commenced, full details of the height and appearance of the railings to be erected (notwithstanding any such detail shown on previously submitted plan(s)) around the amenity area shall have been submitted to and approved in writing by the Local Planning Authority. The dwelling hereby permitted shall not be occupied until the railings have been erected in conformity with the approved details.

*Reason: To ensure a visually satisfactory form of development and in accordance with Policy No. HT3 of the Adopted Chorley Borough Local Plan Review.*

Before development commences, and notwithstanding the details already submitted, a scheme for the retention of at least two pews to be retained in the building shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include which pews are to be retained and their position within the building. The pews shall thereafter be retained in the position agreed unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To safeguard examples of the history of the building and in accordance with policy HT2 of the Adopted Chorley Borough Local Plan Review.*

The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials to the proposed amenity area (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HT2 of the Adopted Chorley Borough Local Plan Review.*

Before development commences, the recommendations in the Bat Survey Report undertaken by Ecology Services UK Ltd dated 24<sup>th</sup> January 2008 (detailed at paragraphs 8.2.1 and 8.2.2 of the report) should be carried out and then submitted to and agreed to in writing by the Local Planning Authority. Following this, a Method Statement for detailing how any detrimental impacts on the conservation status of the bat population will be avoided during and after the development (including a programme of monitoring) shall be submitted to and approved in writing by the Local Planning Authority. The approved Method Statement shall be then implemented in full as laid out in the document, unless otherwise agreed in writing with the Local Planning Authority.

*Reason: To protect the conservation status of the bat population and in accordance with policy EP4 of the adopted Chorley Borough Local Plan Review.*

## **ITEM B2- 07/01385/LBC – Listed Building Consent for the conversion of former Methodist Chapel building to residential property.**

### LCC Archaeology

English Heritage has recently commented on the proposals, which although not objecting to the principle of conversion to residential use, have raised concerns over the treatment of the interior. As far as Lancashire County Archaeology Service (LCAS) is concerned, the internal features specifically mentioned in the listing description should be seen as items that are intrinsic to the listed status of this building and therefore merit serious attempts to ensure their retention in an unaltered form. Consequently LCAS would wish to see the applicants submit further information in the form of a detailed justification statement as to why the building should be converted, which would include an assessment of the building's importance within the stock of buildings currently held by the Methodist Church nationally, as well as at a more local District and County level, and would address such questions as; Is this building an early

example? Is the building's surviving internal arrangement a rare or common survival? Is the building a particularly fine or well-preserved example?

The continued use of the graveyard as a burial ground, with memorials present for historic for historic, modern and future burial, also raises the question of whether residential use can be considered appropriate given the need for continued access to the site, and to show respect for the dead. Care will need to be taken to ensure that the open areas outside the buildings do not start to show the typical domestic features/facilities that most people would expect to see with a house. LCAS are therefore currently of the opinion that the current proposals fail to adequately address Local Plan Policy HT2 and determination for the application be deferred until such a time as the further information outlines above is supplied, in order that a reasoned and informed decision can be made. However, should the Local Planning Authority are minded to grant permission for this or any other scheme, LCAS would recommend that a recording condition be applied.

*Response: The principle of the conversion has been discussed in the main report. The loss of internal features that the conversion would result in has been taken into account as part of the application. Amended plans have been received retaining examples of some of the pews within the Chapel as part of the conversion. However, as discussed in the main report the loss of features has to be weighed against the safeguarding of the buildings future in a sustainable use as supported in PPG15, as does the issue of continued use of the graveyard. The concerns raised by LCAS are likely to arise with the any alternative use of the chapel.*

*With regards to domestic features in the amenity areas surrounding the building, a condition is proposed removing Permitted Development Rights for the erection of extensions, porches, outbuildings, hardsurfaces, and satellite dishes i.e. the aspects that can be controlled by the planning system. A recording condition is already proposed as suggested by LCAS.*

#### LCC Ecology

A bat survey has been carried out during the application process. A dead bat was found in the Chapel building so it may be used as a bat roost. The Bat Survey Report advised further work be carried out on the site in relation to bats and a condition is proposed requiring this to be implemented prior to the commencement of any conversion work, along with a method statement detailing how any detrimental impact on the conservation status of the bat population will be avoided during and after development.

#### Neighbours

Additional comments have been received from neighbouring properties in response to notification on the amended plans. The planning issues they raise can be summarised as:

- Extension of the paved area will impact on the Listed Building;
- No affordable housing has been provided;
- The amenity area proposed is insufficient for a dwelling;
- Planning conditions cannot control aspects such as e.g. playing and the frying of washing in the amenity area;
- Fencing to the amenity area will be intrusive to the cemetery.

*Response: A condition is proposed with regards to hard ground surfacing materials being agreed with the Council, to ensure they are suitable for the setting of the building. Policy does not require the property to be an affordable unit. The negative aspects of providing an amenity area to the dwelling must be weighed against the positive aspects of ensuring the building is brought back into an alternative use.*

#### Additional conditions are proposed:

This consent relates to the following plans:

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*Reason: To define the consent and to ensure all works are carried out in a satisfactory manner.*

Before the development hereby permitted is first commenced, full details of the height and appearance of the railings to be erected (notwithstanding any such detail shown on previously submitted plan(s)) around the amenity area shall have been submitted to and approved in writing by the Local Planning Authority. The dwelling hereby permitted shall not be occupied until the railings have been erected in conformity with the approved details.

*Reason: To ensure a visually satisfactory form of development and in accordance with Policy No. HT3 of the Adopted Chorley Borough Local Plan Review.*

Before development commences, and notwithstanding the details already submitted, a scheme for the retention of at least two pews to be retained in the building shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include which pews are to be retained and their position within the building. The pews shall thereafter be retained in the position agreed unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To safeguard examples of the history of the building and in accordance with policy HT2 of the Adopted Chorley Borough Local Plan Review.*

The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials to the proposed amenity area (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HT2 of the Adopted Chorley Borough Local Plan Review.*

Before development commences, the recommendations in the Bat Survey Report undertaken by Ecology Services UK Ltd dated 24<sup>th</sup> January 2008 (detailed at paragraphs 8.2.1 and 8.2.2 of the report) should be carried out and then submitted to and agreed to in writing by the Local Planning Authority. Following this, a Method Statement for detailing how any detrimental impacts on the conservation status of the bat population will be avoided during and after the development (including a programme of monitoring) shall be submitted to and approved in writing by the Local Planning Authority. The approved Method Statement shall be then implemented in full as laid out in the document, unless otherwise agreed in writing with the Local Planning Authority.

*Reason: To protect the conservation status of the bat population and in accordance with policy EP4 of the adopted Chorley Borough Local Plan Review.*

### **ITEM B3- 07/01386/FUL – Conversion of former Sunday School building to residential property.**

#### LCC Archaeology

As with the proposals to convert the Chapel, the continued use of the graveyard as a burial ground, with memorials present for historic, modern and future burials, also raises the question of whether residential use can be considered appropriate given the need for continued access to the site, and to show respect for the dead. Care will need to be taken to ensure that the open areas outside the buildings do not start to show the typical domestic features/facilities that most people would expect to see with a house. If permission is granted LCAS would recommend a recording condition.

*Response: Amended plans have been received showing a small amenity area for the converted buildings, separated from the wider graveyard. With regards to domestic features in the amenity areas surrounding the building, a condition is proposed removing Permitted Development Rights for the erection of extensions, porches, outbuildings, hardsurfaces, and satellite dishes i.e. the aspects that can be controlled by the planning system. The issue of continued use of the graveyard is likely to arise with the any alternative use of the Sunday School and must be weighed against finding an alternative use for the building in line with PPG15. A recording condition is already proposed as suggested by LCAS.*

### LCC Ecology

A bat survey has been carried out during the application process. A dead bat was found in the Chapel building so it may be used as a bat roost. The Bat Survey Report advised further work be carried out on the site in relation to bats and a condition is proposed requiring this to be implemented prior to the commencement of any conversion work, along with a method statement detailing how any detrimental impact on the conservation status of the bat population will be avoided during and after development.

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- No affordable housing has been provided;
- The amenity area proposed is insufficient for a dwelling;
- Planning conditions cannot control aspects such as e.g. playing and the frying of washing in the amenity area;
- Fencing to the amenity area will be intrusive to the cemetery and Green Belt and overlook the garden/ patio area of no. 101.

*Response: A condition is proposed with regards to hard ground surfacing materials being agreed with the Council, to ensure they are suitable for the setting of the building. Policy does not require the property to be an affordable unit. The negative aspects of providing an amenity area to the dwelling must be weighed against the positive aspects of ensuring the building is brought back into an alternative use.*

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*Reason: To protect the conservation status of the bat population and in accordance with policy EP4 of the adopted Chorley Borough Local Plan Review.*

#### **ITEM B4- 07/01387/LBC – Listed Building Consent for the conversion of former Sunday School building to residential property.**

##### LCC Archaeology

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