

# COMMITTEE REPORT

| REPORT OF                        | MEETING                       | DATE     | ITEM NO |
|----------------------------------|-------------------------------|----------|---------|
| Corporate Director<br>(Business) | Development Control Committee | 26/05/09 |         |

## ADDENDUM

**ITEM 1: 09/00137/FUL- Split level extensions (two-storey and basement) to rear of existing restaurant, a single storey extension including link to rear of dining room, both to provide staff accommodation, to include taking down and rebuilding of wall to Shaw Brow. 174 Preston Road, Whittle-Le-Woods, Chorley, PR6 7HE.**

This application was deferred for a site visit at the last Committee on 22<sup>nd</sup> April. The following is transferred from the previous addendum in relation to the application.

It should be noted that there is a mistake in the report under the highways and parking paragraph in the assessment, which states that there are double yellow lines on this part of Preston Road. This is incorrect as there are no double yellow lines but a cycle lane. However, it is not considered that this changes the recommendation of the application to approve. The scheme mainly proposes accommodation for the owner and staff, with the only increase in the public area being in the form of a small function room measuring approximately 38m<sup>2</sup>. This aspect is an internal alteration and could therefore be carried out without planning permission even if the application were refused (which is why it was not included in the description of the development). Given this fallback position, which would result in the restaurant having the same amount of public floor space as proposed by the application, the recommendation remains the same.

Whittle-le-Woods Parish Council object to the application on the following grounds:

- The proposal is overdevelopment of the site, how much of a percentage increase in volume does it create?;
- It will dominate the streetscene and is completely out of character with the surrounding properties which are period cottages;
- The development is opposite the listed almshouses (Hill Top Cottages) and there is concern that this development is inappropriate within the vicinity of a listed building;
- The Parish Council is completely against the removal of the dry stone wall as it is an historic feature of the area and it is felt that it will be impossible to reinstate it to its original design and appearance;
- There are concerns Shaw Brow will be shut to undertake construction;

10 letters of objection have been received to the application. These can be summarised as:

- The surrounding properties will be dominated and overshadowed by the night and scale of the proposal which will result in a loss of privacy and light and provide an unacceptable sense of enclosure to Shaw Brow;

- The bulk and massing would be visually intrusive and a dominant feature in the streetscene when viewed from a number of angles, including Shaw Brow and the A6;
- The construction of the proposal will cause huge disruption to Shaw Brow which will be unsafe;
- The increase in size will result in more traffic and business to the area and parking on the A6 and Shaw Brow;
- The new function room will increase the amount of excessive noise from the car park and bottle bin, especially as screening will be removed so it will be more audible. Currently people leave the restaurant at staggered intervals over the evening, at a function they will leave at the same time, usually late at night;
- There does not appear to be any landscaping or room for it;
- The gable end [facing down Shaw Brow] will look very stark;
- Damage will be done to the grass strip on Shaw Brow and the stone wall between the site and the allotment to the north;
- The proposal will result in overdevelopment of the site as the character of Preston Road is made up of spacious plots with a relatively low percentage of development, well screened by vegetation;
- No details of the new extraction system have been provided. There are concerns this could cause noise and smells for residents;
- The amount of development on the site would increase rainwater run-off;
- There is confusion over the number parking spaces;
- The level of additional activity including outdoor noise and disturbance is likely to harm residential amenity of neighbouring properties;
- The applicant states that there are no trees or hedges on the site whereas the plans show three trees (one of which is a mature evergreen that provides screening) and a conifer hedge to be felled. These are important in terms of landscape character;
- The proposal will only be 8m away and 7.1m high from the kitchen window of no. 24 Shaw Brow that deprive them of outlook, as they will only see roof. As the slab level of their property is elevated above the application site they will need to maintain the screening hedge at its existing height to preserve their privacy therefore losing light, in addition the proposed roof lights look directly towards no. 24 and will give an impression and feeling of overlooking and loss of privacy;
- No details have been provided of quoins or lintels to see if it fits in with the surroundings;
- There is nothing distinctive about the modern proposal which would detract from the locality with its distinctive traditional stone and rendered cottages. The nationally listed and locally important buildings in the vicinity should be protected from the harmful and unsympathetic design;
- The proposed roofscape of the owners accommodation is inappropriate in terms of massing, visual prominence and scale and the large 'step down' to the next dwelling (no. 22) would mean it would tower over Shaw Brow instead of following the contours of the slope. The design has little respect for the historic, attractive surroundings and would dominate views of Waterhouse Green and at the junction with Far Nook;
- The removal and rebuilding of the stonewall on Shaw Brow would not be to the same standard as currently and would alter the character in a detrimental way;
- The staff and owners accommodation could be incorporated into the hotel business changing the residential nature of Shaw Brow;
- The proposal is contrary to a number of policies in the Local Plan and Supplementary Planning Documents and should be refused;

The majority of these points have been addressed in the report however the following comments are made:

The owners accommodation will have a small garden to the south of the site bounding with no. 24 Shaw Brow. It is considered that having a domestic use against the boundary with this property is the most appropriate to preserve the amenities of this property as much as possible, rather than a commercial part of the building. No. 24 Shaw Brow state they will need to maintain the screening hedge at its existing height, however, the hedge is there at present to preserve privacy as the window faces directly towards the application site. The roof lights have been positioned so they do not result in overlooking or loss of privacy.

The trees to be removed as part of the application would not warrant the protection of a Tree Preservation Order. A condition requiring a landscaping scheme to be submitted is proposed.

A condition is proposed requiring details of any new extraction system to be provided to the satisfaction of the LPA, however it is expected that the existing extraction system will be retained and the extension built around it.

The applicant has contacted LCC Highways regarding the construction of the proposal in relation to Shaw Brow.

An additional condition is proposed relating to the window treatment:

Before development commences, details of the treatment of the proposed external windows and doors in the extension hereby permitted shall have been submitted to and been approved in writing by the Local Planning Authority. The submitted details shall include the materials to be used and their external finish including any reveal (recess), surrounds, cills or lintels.

*Reason: In the interest of the character and appearance of the building and in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.*

**ITEM 2: 09/00180/FULMAJ:** Erection of a primary school with associated playing fields, 2.4 metre high boundary fence and car park at Buckshaw Village

Following the comments received from the Highway Engineer at Lancashire County Council the plans were amended. The Highway Engineer raised further concerns with the amendments and the plans have been amended again following a meeting with the agent and the Highway Engineer. The following conditions have been attached to the recommendation to deal with some of the concerns raised:

11. Prior to the occupation of the school hereby permitted, a School Travel Plan shall be submitted to and approved in writing by, the Local Planning Authority. The measures in the agreed Travel Plan shall then thereafter be complied with unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To reduce the number of car borne trips and to encourage the use of public transport and to accord with Policies TR1 and TR4 of the Adopted Chorley Borough Local Plan Review.*

12. The site shall not receive any servicing vehicles prior to 9.15am, between 3pm and 4pm and after 8pm on weekdays, prior to 9am and after 4pm on Saturdays and there shall be no deliveries taken or dispatched on Sundays or Bank Holidays.

*Reason: To safeguard the amenities of local residents and in the interests of highway safety. In accordance with Policy Nos. TR4 and EP20 of the Adopted Chorley Borough Local Plan Review.*

13. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all vehicular barriers to be erected to the vehicular access and egress points (notwithstanding any such detail shown on previously

submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all barriers have been erected in accordance with the approved details. The barriers shall thereafter be retained in accordance with the approved details at all times.

Reason: To ensure a visually satisfactory form of development and in the interests of highway safety. In accordance with Policy Nos. GN5 and TR4 of the Adopted Chorley Borough Local Plan Review.

14. Before the development hereby permitted is first occupied, provision for cycle parking provision, in accordance with details to be first agreed in writing with the Local Planning Authority, shall have been made. The provision shall thereafter be retained in perpetuity.

Reason : To ensure adequate on site provision for cycle parking and in accordance with Policy No. TR18 of the Adopted Chorley Borough Local Plan Review.

The Highway Engineer has confirmed that the amended plans satisfy his concerns and remove his objection.

**ITEM 3: 09/00177/COU:** There is a minor error in the main report on the agenda which incorrectly states that Euxton Parish Council do not raise any objections to the application. In actual fact, Members should note that Euxton Parish Council actually expresses support for the application. The comments made in relation to highways are as reported in the main report.

Lindsay Hoyle MP has e-mailed the Council and expressed support for the application stating that he cannot envisage any situation where the caravan park would have any detrimental impact on the local area and that it has been there for a number of years and has caused no problem. It is stated that the caravan park is not out of keeping with the local area, as the caravans cannot be seen. Lindsay Hoyle also sent in an earlier letter stating that the site has been in operation for 22 years and that his constituent (the applicant) believes that there are very special circumstances.