

# COMMITTEE REPORT

REPORT OF	MEETING	DATE	ITEM NO
DIRECTOR OF DEVELOPMENT AND REGENERATION	DEVELOPMENT CONTROL COMMITTEE	20/06/06	

## ADDENDUM

### **ITEM A1- 06/00423/MAJ – 1 & 3 SOUTHPORT ROAD, CHORLEY**

A further letter has been received since writing the committee report. It states that there are issues regarding security and supervision during the night and at weekends as well as possible nuisance caused by parking on the forecourt on 10 Ashfield Road. Local residents cannot be assured that the hostel will not in the future be used for accommodating people who would will constitute an even higher risk.

### **ITEM B1- 06/00216/FUL- LAND 100M SOUTH EAST OF BACK HOUSE FARM, HALL LANE, MAWDESLEY**

A further condition is proposed:

'The building hereby permitted shall only be used by horses and ponies in the care of a horse related charity operating from the site. It shall not be used by any private individual or for commercial purposes'

*Reason: The permission was granted having regard to the special circumstances advanced in support of the application, however the use would be inappropriate to the area unless only carried on by the applicant in the manner specified on the application.*

The committee report states that the openings of the isolation building face away from the property into the application site. However, this is incorrect as there are two openings in the elevation of the building that would face towards Brookmere Farm. However, it is not considered that this would have an unacceptable impact on neighbour amenity as there will be landscaping between the building and this property.

A letter has been received from Hillcrest Animal Hospital stating that the company has no financial stake in the venture.

A letter has been received from the RSPCA, supporting the need for the facilities. Their equine veterinary officer states that it is good practice to isolate rescue horses from permanent residents until it has been ascertained if they have suffered any physical or mental traumas which make them unsuitable for a place on a normally run equine yard. It is also likely that they may need significant veterinary attention in the early stages of their stay often involving heavy sedation or anaesthesia. The provision of a suitable examination and procedures would facilitate this, with minimal

stress to the animals. The provision of these facilities would significantly improve the organisations ability to take in rescue animals as required, thus fulfilling increasing need.

The National Equine Welfare Council state that facilities such as that proposed are in great demand throughout the country, as other equine welfare charities at times struggle to cope. Jigsaw as well as caring for horses, are able to provide some comfort and support towards those people who are disadvantaged who wish to volunteer. Such interaction with the local community is to be commended. On reading the supporting documents the proposals seem entirely consistent and proportionate to the activities of an operation of this nature.

The West Lancashire County Branch of the Pony Club support the application.

Six further letters of support have been received since writing the committee report. Their comments can be summarised as:

- The decline of agriculture within and around Mawdesley Parish in recent years has necessitated significant changes in the area. Many of these changes have been related to rural activities which have helped to preserve the nature of the surrounding as well as providing some measure of employment and underpinning of the local economy, which should be encouraged.
- There has been misplaced concern over the proposals centred on the belief that there would be a commercial element involved. The application should be supported providing conditions are applied preventing any commercial undertaking.
- The proposal is not detrimental to the scattered neighbours or community in general, being so far into the fields. Refusal of the application would impede the help given to disadvantaged horses as well as mentally and physically handicapped children who pay regular visits to help out.
- Jigsaw has charitable status and has a legal objection to ensure that it is always meeting its objectives.

Four further letters of objection have been received in response to the amended plans. New comments not stated in their previous correspondence can be summarised as:

- This is the first step in creating a veterinary hospital on the site.
- Events are held at the site.
- The sand paddock is now located in a less intrusive location, however why does it need to be so large for rescue horses?
- The isolation unit has been moved nearer the existing stables and nearer Brook mere Farm. The proposed landscaping would be insufficient in winter; the existing earth bund should be extended to screen the proposals.
- True isolation is not being achieved due to the proximity to the horses that graze on the land near Brookmere Farm. The isolation unit would be within 10m of horses owned by nearby properties, short of the 50m distance mentioned by the applicants as the distance being determined by guidelines regarding the potential for cross infection. The supporting statement accompanying the application actually states that 'isolation in this case is not intended *purely* to prevent cross contamination by airborne diseases, although allowance for this has been made in the proposed layout'. Due to passing horses and visitors the isolation unit would be better sited between the existing stables and proposed sand paddock.

- The charity already has a veterinary treatment area on site.
- The charities web site is advertising children's parties and use of facilities.
- There is no way of controlling the volume of traffic to the site.
- Could the Council impose a condition restricting use to horses referred through horse welfare societies?

**ITEM B2- 06/00385/FUL- 89 HIGHWAYS AVENUE, EUXTON.**

The applicant has submitted information in support of the application after the committee report was written. The comments can be summarised as follows:

1. Prior to the wall being built, the boundary treatment comprised 4 metre high conifers, which were damaging the pavement, an eyesore, and an obstruction to drivers;
2. The Highways Department have instructed the property owners to remove the 3 metre high conifers on the neighbouring boundary;
3. Had the wall been constructed at 1 metre all along the boundary, there would be an issue of overlooking into neighbouring properties to the south;
4. Two properties on the estate which also occupy a corner position have 2 metre high walls/fencing along the side of the boundary for privacy;
5. The applicant has planted two trees to the front of the property and is encouraging other plants to grow up and over the height of the wall;
6. The applicant has received positive comments from neighbours since the wall was built, in that it is more aesthetically pleasing than the previous boundary hedge.

In will respond to each point in turn. The previous sylvan boundary treatment would have been more in keeping with the area, and the trees could have been reduced in height to alleviate their visual impact. It is accepted that problems may have arisen which required their removal, although any replacement boundary treatment should complement the area. The council would normally encourage the replanting of the hedge with a more appropriate species which would protect the sylvan character, but address the reasons advanced by the applicant in support of their application. This would overcome any arguments to accept a wall in this location, which is out of character with its environs. Should the conifers be removed at neighbouring property no. 59, any replacement boundary treatment requiring planning permission will be assessed on its individual merits. Should these trees be removed, the open and sylvan character of the area would still remain.

Neighbouring properties to the south are approximately 15 metres away from the nearest part of the application site, and separated by a road, so it is not considered there would be any adverse levels of overlooking.

With regards to similar boundary treatments being incorporated elsewhere on the estate, the two properties in question are not within the immediate vicinity, being some 170 metres away. These two properties are adjacent to each other, and it is not thought that the wall at 110 Bredon Avenue had planning permission. Existing boundary treatments in this area reflect a more enclosed and private character, unlike the area within which the application site is located. Whilst the vegetation planted by the applicant will soften the impact of the wall, this cannot be controlled by planning legislation, and would not significantly enhance the visual impact. Despite neighbours commenting on the appearance of the wall, it is still considered that it is out of character with the area.

The proposed wall will be out of character and form a prominent feature in the street scene, contrary to policies in the development plan. After taking into account the above points, this submission does not alter the recommendation on either the planning application or enforcement reports.

**ITEM B3- 06/00469/FUL- 57 LANCASTER LANE, CLAYTON-LE-WOODS.**

The applicant has submitted information in support of the application after the committee report was written. The comments can be summarised as follows:

1. The property benefits from a private, secluded location and is not easily seen by neighbouring houses and passers by;
2. Unlike the original flat roof dormer, the pitched roof, which is only 0.6 metres higher than the ridge, reflects the design features of the original property. It is in keeping with two front bay windows in terms of the pitch and materials, and creates less roof lines;
3. The property is not clearly seen from the street scene and is sited within an area of properties that vary in size, style, age and character. Two neighbouring properties incorporate dormer windows;
4. Neighbours and estate agents feel the property is visually better;
5. To remove the pitch would subject the applicant to possible problems associated with flat roofs and have financial implications;
6. No additional roof/floor space has been gained, as the primary aim is to improve the visual look of the property. The applicant does not feel that the pitched roof has caused a detrimental effect to the street scene and the area.

Photographs have also been submitted showing the property with its previously approved flat roof dormer, as it is now with the pitched roof, and the street scene.

I have previously addressed points 1, 2 and 3 in the main report. In response to points 4 and 6, whilst it is acknowledged that the existing flat roof dormer window is not aesthetically pleasing, it is not considered that the addition of a pitched roof enhances the visual impact of the property, by reason of its bulk, scale and siting above the ridgeline. The feature is not subordinate to the dwelling, would be visible from the street, is not reflected on nearby properties, and would have an adverse impact on the area. Point 5 does not justify approval, given the visual impact, and bearing in mind that modern materials and construction techniques have reduced the maintenance liabilities of flat roofs. Whilst sympathy can be given to the applicant in terms of the cost implications for removing the pitch, this is the inevitable risk for any proposal which is undertaken without planning permission. All retrospective applications are considered in the same manner as applications for proposed works, and therefore the financial outlay of the applicant should not influence the decision.

The proposal will be out of character and form an unsightly feature in the street scene, contrary to policies in the development plan. After taking into account the above points, this submission does not alter the recommendation on either the planning application or enforcement reports.

**ITEM B4- 06/00547/FUL- 77 WATER STREET, CHORLEY.**

Following an inspection of the extension to the rear of the property this element of the proposal will not adversely impact on the amenities of the neighbours. The properties on Congress Street are located to the rear of the property in close proximity, there is however a large boundary wall which screens the rear extension from the properties on Congress Street. The only element of the rear extension visible from the

properties to the side on Commercial Road is the south elevation, which comprises of a doorway into the extension. The proposal does not adversely impact on the neighbours amenities and the extension creates a degree of privacy for the neighbours on Commercial Road.

**ITEM B5- 06/00563/FUL- Land to the rear of 243 Chapel Lane, Coppull**

Coppull Parish Council have objected on the grounds of limited access