

COMMITTEE REPORT

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF PLANNING SERVICES	DEVELOPMENT CONTROL COMMITTEE	27/03/06	

ADDENDUM

Item 5 Planning Applications Awaiting Decision.

Since preparation of the agenda, I have received the following additional representations, which require to be taken into account.

Item A2: 06/00133/FULMAJ- Friday Street Depot

The proposal is actually contrary to Policy EM9 but it is considered that the significant employment potential of the proposed use there is no conflict with the proposed use.

Since writing the report amended plans have been received in response to the comments raised by the Architectural Liaison Office, Public Space Services and the Urban Design and Conservation Officer.

The amended plans incorporate vertical windows at first floor level. The amendments to the windows seeks to satisfy some of the concerns originally raised by the Urban Designer. The proposal still incorporates a hipped roof, render panels and the eaves height remains the same as previously submitted. However it is considered that the applicant has come a long way with regards to the design and the amended plans represent a substantial improvement on what was previously submitted. Whilst it is considered that there are still some issues regarding the design of the windows, the boundary treatments and the appearance of an illuminated sign however these issues can be dealt with through conditions.

In relation to the concerns raised by the Architectural Liaison Officer the amended plans incorporate a sliding gate at the staff entrance which the Architectural Liaison Officer considers will provide the necessary protection. The amended plans incorporate sliding gates at the entrance to the public car park. These gates will be held open during the building opening hours and closed the rest of the time. The amended site plan incorporates at 0.6 metres high wall with 1.2 metre high steel railings on top to the front boundary of the site. The design of this boundary wall will incorporate 2.1 metre high brickwork piers every 4 metres along the length of the wall. This wall is detailed on the site layout plan however more plans will be submitted detailing this wall. The motorcycle and bicycle parking has been relocated to a more central location within the public car park. This provision will incorporate bicycle and motorcycle shelters.

However, the Architectural Liaison Officer considers that more can be done to improve the proposal. The amended scheme does incorporate an adequate barrier at the entrance to the staff parking area however the amendments have only incorporated a simple barrier at the exit

point. This simple barrier will not provide the necessary protection and gates similar to those proposed at the entrance point could be erected at the building line at the NE corner. The Architectural Liaison Officer raises the question again of lighting and CCTV coverage of this area as there is nothing indicated on the submitted plans. Lighting in this area is absolutely essential.

The Architectural Liaison Officer also once again asks that the design of the entrance to the Doctors Surgery is reconsidered. The building can currently be accessed without observation, in particular the toilets and the first floor can be accessed without being seen from the reception areas. This would offer the opportunity to loiter unchallenged in this area and would allow access to the toilet areas which could be used for anti social acts. The area is further isolated from the natural surveillance offered from Friday Street as it is hidden by both the building line of the Pharmacy and the proposed trees. An open plan design is recommended, this has already been achieved within the reception area of the health centre.

The amended plans also incorporate a reduction in the width of the public car park access point to 5.5 metre, the barrier to the staff parking area has been set 10metres back from the kerb line and the layout of the public car park has been amended to reduce the potential for conflicting traffic movements. The amendments to the car park layout results in the loss of 3 car parking spaces. These amendments seek to satisfy the concerns raised by Public Space Services.

The PCT Operational Policy has also been submitted which confirms the proposed opening hours of the facility. The building will be open from 8am to 10pm Monday to Friday, these hours take into account specific clinic sessions, such as physiotherapy and family planning, which will operate outside normal opening hours. The facility will also be open 8am to 4pm on a Saturday.

Comments have been received from Lancashire County Council's Archaeology Service stating that railway buildings such as the existing building on site are becoming increasingly rare. They are being lost to demolition and redevelopment losing important physical evidence of the functioning of the railway system in the 19th and early 20th Century. They recommend that an archaeological record is undertaken prior to development on site.

The following conditions should be attached to accommodate the additional information:

- The use hereby permitted shall be restricted to the hours between 8am and 10pm on weekdays, between 8am and 4pm on Saturdays and there shall be no operation on Sundays or Bank Holidays.

Reason: To safeguard the amenities of local residents and in accordance with Policies EM2 and EP20 of the Adopted Chorley Local Plan Review.

- Before the development hereby permitted is first commenced, full details of the position, height and appearance of all the proposed barriers to be erected (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 the 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, in accordance with Policy GN5 and EM2 of the adopted Chorley Local Plan Review.

- No works shall take place on the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site.

- The approved plans are:

Plan Ref:	Received On:	Title:
24.32/PL/13G	21 st March 2006	Proposed Roof Plan
24.32/PL/15G	21 st March 2006	Contextual Elevations and Sections
24.32/PL/14G	21 st March 2006	Proposed Elevations
24.32/PL/11G	21 st March 2006	Proposed 1 st and 2 nd Floor Plans
24.32/PL/10G	21 st March 2006	Proposed Ground Floor Plan
24.32/PL/12G	21 st March 2006	Proposed Site Layout

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

The following Informative shall also be added:

- The planning permission hereby granted does not grant or imply consent for the advertisements indicated on the submitted plans. A separate application under the Town and Country Planning (Control of Advertisements) Regulations 1992 is required.

Item B1 06/00099/FUL Church of the Blessed Mary

Since writing the report 3 further representations have been received and a response from the agent acting for the Church.

The first is from Cllr Whittaker who states his displeasure at the way the Parochial Church Council et al are financing the venture by selling off the Church Hall and therefore blighting the site for some years to come. However, he states this has been done and there is nothing that can be done at this stage, although he has some serious planning reasons for concern regarding the current proposals:

Firstly, the Church is an 11th Century listed building and any extension or alternation should be treated with the utmost care. He states Committee will be aware of his concerns about country churchyards (eg Mawdesley) and members will recall St Lawrence's extension, which took many cycles to resolve. He states members must tread very carefully here before giving approval.

Regarding materials Cllr Whittaker asks if they will match the existing: slates, windows, flagstones, doors, etc. and if samples have been viewed, as he states this is so important samples should be viewed before permission is given.

An arboricultural study has been done but the Church has cut down several trees before the application was submitted.

Cllr Whittaker asks if there are alternatives to this extension, which because of its isolated location from the village will do little for the community at large and not very much for the ever

decreasing congregation, as he feels sure they could have made the provision within the existing church building.

The construction must have an impact on the Church Yard environment. Materials will have to be imported and exported. He questions if gravestones will have to be moved and/or ashes or a memorial disturbed and if any assessment has been done of the distress this will cause to residents?

For these reasons Cllr Whittaker would urge caution and if he had been able to attend committee would have been requesting a site visit. Cllr Whittaker hopes other members may share his concerns and also ask for a site visit.

The two other representations received are:

One representation from a member of Eccleston Village Hall Trust states that The Lancashire Evening Post's article reported that the relationship between the Parochial Church Council and the community of Eccleston was amenable and that they were happy with the Church's proposed development. However, this is not the case and the information in the planning application is not, in their opinion, entirely true. The meeting referred to in their planning application did not happen as they indicated. A hand full of people from the church were invited to a meeting with the architects to discuss the proposals, however this did not include the community at large and the potential user groups that they describe are in fact only themselves, the Church. The objector is of the opinion that the Local Planning Authority is being misled to believe that the development is for the community of Eccleston when it is in fact only for Church use.

In the interest of the village and the fact that the Church is a Grade II listed building on consecrated ground in green belt land they are of the opinion that the application should be deferred until greater clarity is sought about not only the impact on the community at large, but the impact on the Church building and Church grounds, including the landscape, graves, foliage, trees and the proposed access that would be used by any machinery, as vehicular access is very limited and also ensure that any materials that the development proposes will be used are sympathetic to the original Church construction and won't detract from the beautiful building.

A second representation has been received from a parishioner of Eccleston who is also the chair of Eccleston Village Hall Trust. They make the following comments:

They also express their concern over the article in the Lancashire Evening Post and believe it to be misleading as the meeting that was held at the church was not for potential user's of the facility but for church groups only. No one else from Eccleston who could be a potential user was invited including Eccleston Village Hall Trust. The church was not full as reported in the paper but 20 or so members of Church groups were present, to discuss minor aspects with the architect.

They have also been told that the hall is for Church users only. They state the proposals are much larger than the first plans that was sent in and they are concerned they will encroach on peoples resting places (graves). In addition if the facilities are used for other functions and people have too much to drink they will end up in the churchyard. The site is in the Green Belt so is inappropriate development and totally unsuitable for a village room.

They are also concerned about the cost of the proposals, as if the money being used is from the sale of the old hall, which totalled £275,000, it would not be enough to build the new facility and this money should belong to the village as a whole not just the Church. If this development

goes a head the village will not be united but be divided further specifically because of how it will be run.

The agent acting for the Church has responded to these comments as follows:

The recent meeting held at church was an opportunity for potential user groups to have an input into the internal design of the building, particularly with regard to storage space, fixtures and fitting etc. The meeting had been advertised in the church bulletin and was well attended.

There is of course no distinction between church groups and community groups as church people are members of the community and vice versa. Many of the people who attended the meeting ran groups that served both church and community. It is cause for concern when a distinction made between church groups and the wider community.

As previously stated the money raised from the sale of the Church Hall will fully fund this new facility. The building plan is not much larger than the original drawings, some minor modifications have been made to assist disabled access.

During the 4 year consultation process with the Planning Authorities, great care has been taken to ensure no graves will be disturbed and respect for its setting is maintained. They are obviously aware that the proposed building is in the Green Belt next to a listed building, that is why the consultation period has taken so long, because of all the various groups that have to be consulted. St Mary's is the only church in Eccleston not to have its own church/community facilities, surely it is not unreasonable to ask for permission to build such modest facilities close to the church where they will be used.

Item B2 06/00147 Site of Howard Arms

Since writing the report the following comments have been received:

Head of Public Spaces:

Trees in the vicinity of the site appear in good condition ranging from very young to semi-mature. The trees nearest the building are self seeded Sycamore and would need to be removed. The footprint of the building would be smaller taking the new shape further away from the larger trees. If done sympathetically the works would not bring undue harm to the more mature specimens.

Head of Development and Regeneration (Economic Regeneration and Conservation Manager):

Reached from Dark Lane by at a flight of steps, the building stands at the former entrance to a Spa and pleasure gardens, constructed around alkaline springs in the mid-19th Century. The site featured Hey's Hotel (later the Howard Arms and now restored as apartments) and a well house (also now restored), as well as the 'Wap' building. The building itself served as a porter's lodge, overseeing entrance to the Spa and, later, as a source of refreshment for barge's passing along the nearby canal* and for visitors to the grounds. The Wap is therefore of historical significance both as part of the Spa complex and in its own right. *(*Interestingly, on this point, there is to be a special initiative to promote the unique heritage of Liverpool and Leeds canal in 2007 – and this building is part of that story.)*

Architecturally, the style of the sandstone building complements that of the former hotel and is again of significant interest – hopefully research will shortly confirm the architect responsible.

Surprisingly, despite clear architectural and historic interest, none of the three former Spa buildings is, as yet, listed. However, a recent report on the Wap by a well respected consultant

(Nigel Morgan) suggests that all three buildings could warrant listing. In my view, local listing is certainly justifiable and inclusion in the national list should be tested. A proposal that the buildings should be added to the national list is therefore being prepared. If this fails, local listing will be recommended.

The Wap building has been unoccupied and neglected for many years. It is now in a state of dereliction but, despite having lost its roof and an external wall on its north side, a significant proportion of the structure remains standing (cf Bank Hall!). Importantly, the most intact elements form part of the boundary enclosure of the site, forming an angle in the substantial stone wall along the Dark Lane frontage.

PPG15 notes that active use is generally the best way of securing the upkeep of historic buildings and says that planning controls should be exercised sympathetically where this would enable a historic building to be given a new lease of life. As Part 1 of PPG15 confirms the importance the government attaches to all aspects of the historic environment, this is not irrelevant to the present case.

To my mind, this building is an important feature of the wider site and part of its most 'public' face as well as having links to the canal. On this basis, it should be preserved. Restoration of the building (based upon photographic evidence and excluding a later extension) to allow some form of viable use, related to the apartments, would seem to be the most likely, if not only, way to secure this end.

Any planning permission should be made subject to stringent conditions to secure accurate details (a number of conditions are suggested).

Lancashire County Council Highways: No objection to the principle of the development subject to a satisfactory access and parking scheme off Dark Lane. An acceptable parking and access layout is enclosed.

Chorley And District Historical and Archaeological Society: The proposal would be a huge benefit to the heritage of the area and ensure that some of the Whittle Springs former splendour is preserved and available for public view.

Two further letters of support have been received from residents of Dark Lane and Hill Top Lane.

The applicant's have provided an amended car parking layout to reflect the suggestions of the LCC County Highways Engineer.

In light of the comments made by the Council's Economic Regeneration and Conservation Manager Members should consider if they wish to attach greater weight to the historic value and importance of the building as a very special circumstance.

However, a number of concerns remain regarding the provision of the adjacent car parking area. Although the layout of the parking area is acceptable from a highway safety perspective, the impact of the car parking area on the historical character of the building and the Green Belt is still of concern. The introduction of features such as bollards is considered to be urbanising and overly fussy. The applicant has indicated that they are willing to explore alternative methods of landscaping and providing the car parking area, but no amended plans have been received.

The provision of car parking and areas of hardstanding amounts to inappropriate development in the Green Belt. The Council's Economic Regeneration and Conservation Manager has also expressed concerns about the impact that the car parking area would have on the historic

character and setting of the building. The number of spaces being provided (4) is in excess of the maximum number of parking spaces recommended by the Lancashire County Council Adopted Parking Standards (for a building of this size in class B1 Office Use the maximum number of parking spaces recommended is 1). A total of 27 parking spaces for 10 dwellings has already been provided for occupants of Heys Lodge.

Item B3 06/00176/FUL Euxton CoE Primary School

Since writing the report the applicant has provided amended plans, removing the proposed access gate from the proposals and changing the colour of the fence to green. Nine additional letters of objection have been received (from four households), however these were received prior to the amended plans being received. No further comments have been made on the amended plans.

The Community Safety Partnership has responded that they have no comments to make on this application.

The recommendation accordingly remains approve, with the addition of the following condition:

The approved plans are:

Plan Ref.	Received on:	Title:
SAO 1166B	17 March 2006	Fence layout and elevation
PG/BS/DM	10 February 2006	Location Plan

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