

Planning Committee

Date: 12th November 2013

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

**LIST OF BACKGROUND PAPERS
FOR PLANNING AND ADVERTISEMENT APPLICATIONS ON THE
AGENDA OF THE PLANNING COMMITTEE**

The Background Papers for the Planning and Advertisement Applications are:

1. The Appropriate Development Information Folder: This is a file with the same reference number as that shown on the Agenda for the Application. It contains the following documents:
 - (a) the application forms;
 - (b) plans of the proposed development;
 - (c) site plans;
 - (d) certificate relating to ownership of the site;
 - (e) consultation letters and replies to and from statutory consultees and bodies;
 - (f) letters and documents from interested parties;
 - (g) memoranda of consultation and replies to and from Departments of the Council.
2. Any previous Development Information Folders referred to in the Schedule or Reports in item 2 on the Agenda for the particular application or in the Development Information Folder specified above.
3. The Core Strategy of the Wigan Local Plan.
4. The Greater Manchester Joint Waste Development Plan Document, part of the Wigan Local Plan.
5. The Greater Manchester Minerals Plan, part of the Wigan Local Plan.
6. The Replacement Unitary Development Plan: Adopted April 2006 minus policies R1, R1A and EM1F which have not been saved as part of the Development Plan, the other policies which have been replaced by the Core Strategy (listed in Appendix A of that document), the waste management policies which have been replaced by the Greater Manchester Joint Waste Plan, and the minerals policies that have been replaced by the Greater Manchester Minerals Plan.
7. Applications with Background Papers additional to those specified in 1 to 6 above are specified in the individual reports.
These documents may be inspected at the Places Directorate: Economy, Waste and Infrastructure, Council Chamber, Library Street, Wigan, Greater Manchester.

Steve Normington
Director Economy and Skills

**CRITERIA FOR SITE VISITS AS AGREED 8 FEBRUARY 1994
AND AMENDED ON 12 SEPTEMBER 2012**

Site visits can be requested by officers, a member representing the relevant ward, or a member of the Planning Committee. One of the following criteria must be established to justify a site visit:

- (a) The impact of the development is particularly difficult to visualise and where plans, drawings or photographs would not provide sufficient clarity;
- (b) The proposal is particularly contentious;
- (c) The proposal is a significant development in the green belt;
- (d) Proposals which relate to new or novel forms of development.

Site visit requests will only usually be appropriate when one of the above factors applies, or where exceptional circumstances apply.

Site visits should not be undertaken to defer difficult decisions on controversial applications, or when applicants, objectors or constituents request them without good planning reasons.

REPORTS

Members are advised to view the plans of planning applications in the Committee Room in the hour before the meeting

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12th November 2013

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A/13/77766 (Aspull New Springs Whelley)	Land and Buildings Rear of Rothwells Farm Sennicar Lane Wigan	One speaker against for 4 minutes One speaker in favour for 4 minutes	B
A/13/77931 Major (Ince)	Vacant Land adjacent to Hemfield Court and Makerfield Way Ince	One speaker against for 4 minutes One speaker in favour for 4 minutes	C
A/13/78383 (Leigh West)	Bickershaw Colliery Site Plank Lane Leigh	One speaker against for 4 minutes One speaker in favour for 4 minutes	D
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Wigan Council

Planning Committee – Summary

12th November 2013

Application No: A/12/77592 Outline/Major/EIA

Location: Open Land South East of 79 Stone Cross Lane North Lowton

Development Proposed: Outline application for residential development on a site of 13.1 hectares (all matters reserved except access details for the Church Lane and Stone Cross Lane North junctions)

Applicant: Wainhomes Developments

Recommendation

Minded to Approve Subject Sec 106 Agreement

Representations:

Andy Burnham MP has made representations as he is concerned about the potential loss of green space in Lowton, the adverse effect on infrastructure, and the need for any planning applications to contain an integrated public transport plan with significant investment. Ward Councillor James Grundy is concerned about the impacts on transport, sewerage and schools infrastructure and that development is excessive and would greatly alter the character of the village. He also considers that should any development take place then any revenue generated must be spent primarily for the people of Lowton East. In addition 509 individual letters of objection and 1,436 circular letters and a petition comprising of 57 signatures have been received.

Assessment:

The site is part of the Golborne and Lowton broad location as identified in the adopted Core Strategy Policy SP4. The policy enables land to be released to enable 1000 new homes to be provided across the broad location Whilst this site remains as land safeguarded for future development, the Core Strategy enables land within the broad location to come forward early in the plan period to deliver housing. A key test is whether there is sufficient capacity in the local infrastructure to enable 1000 houses in the broad location. An infrastructure assessment has been undertaken by the Council. It will be reported to Scrutiny Committee on 20 November and Cabinet on 21 November. Whilst it is still to be approved by Cabinet, the draft shows that 1000 new houses can be accommodated but that certain off site improvements to highways, public transport, health, education and open space will be required. If planning permission is to be granted for this site, there will have to be a S106 agreement for the applicant to make financial contributions towards the provision of these improvements.

The site is in a sustainable location and suitable for housing, subject to those infrastructure improvements being secured.

It is recommended that Committee resolves to grant permission and delegates authority to the Director Economy and Skills to complete the Section 106 agreement to cover those matters detailed in the main report, and issue the consent.

Wigan Council

Report to Planning Committee

12th November 2013

Application No: A/12/77592 Outline/Major/EIA

Speaking arrangements:

One speaker against for 4 minutes One speaker in favour for 4 minutes

Applicant: Wainhomes Developments

Development Proposed: Outline application for residential development on a site of 13.1 hectares (all matters reserved except access details for the Church Lane and Stone Cross Lane North junctions)

Location: Open Land South East Of 79 Stone Cross Lane North Lowton

Ward: Lowton East

Site Description:

The application site extends to 13.1 hectares and is land which has been associated with Stirrups Farm, including the dilapidated farm and its outbuildings. The site extends from Stone Cross Lane North to the west in an easterly direction along the southern boundary of the existing residential properties on Welford Avenue and Upwood Road towards Rutland Avenue, Alderley Avenue and then further east towards Church Lane.

The south western boundary of the site abuts the rear gardens of properties on Heath Lane and Stone Cross Lane North. The site then extends to the north of Little Lowes Farm and Thompsons Farm.

There are two public footpaths which cross the site. Public Footpath 81 links Church Lane to Stone Cross Lane North and Public Footpath 82 which links Church Lane to the East Lancashire Road. There are trees covered by a Tree Preservation Order on land to the south of the site.

Proposals:

This is an outline application for residential development with all detailed matters reserved, except access which will be taken from Church Lane and Stone Cross Lane North.

The application is accompanied by an Environmental Statement and has been subject to extensive consultation in the form of press, site and individual letters to neighbouring property close to the site boundary.

The proposal will comprise entirely residential development and the indicative masterplan demonstrates that the site has the capacity to accommodate up to 400 dwellings. The masterplan indicates mainly detached family dwellings with small elements of terraced

dwellings but it is acknowledged that due to the scale of the proposal and the timeframe for building out the development this could change over the course of time to reflect market demands prevalent at a future date. It is anticipated that the level of affordable housing will be consistent with the requirements of the Wigan Local Plan Core Strategy which requires on site provision at a rate of 25% of the total number of dwellings.

It is proposed to connect the site between Stone Cross Lane North (to the west) and Church Lane (to the east) as a local distributor road with the majority of the dwellings lying to the north.

The land to the south of the application site, between it and the East Lancs Road is also safeguarded land and part of the broad location. It is however not part of this outline planning application or subject to any current application.

Supplementary Documents:

- Crime Impact Statement
- Coal Mining Risk Assessment
- Environmental Statement including a non technical summary
- Design and Access Statement
- Travel Plan
- Topographic Survey
- Statement of Community Involvement

All these documents are available for viewing on the website.

Policy Context
UDP Allocation:

The whole of the site is allocated as Safeguarded Land in the Wigan Local Plan Core Strategy and Unitary Development Plan (UDP) under Policy GB2. The site is within the Golborne and Lowton broad location for new development within Policy SP4 of the Wigan Local Plan Core Strategy where 1000 new dwellings are expected to come forward by 2026.

Relevant Policies/Guidance

National Planning Policy Framework (NPPF)

Wigan Core Strategy Policies:

- SP4 - Broad locations for new development
- CP 1 - Health and well-being
- CP 2 - Open space, sport and recreation
- CP 3 - Community facilities
- CP 4 - Education and learning
- CP 5 - Economy and employment
- CP 6 - Housing
- CP 7 - Accessibility
- CP 8 - Safeguarded land

CP 9 - Strategic landscape and green infrastructure
CP 10 - Design
CP 11 - Historic environment
CP 12 - Wildlife habitats and species
CP 13 - Low-carbon development
CP 14 - Waste
CP 16 - Flooding
CP 17 - Environmental protection
CP 18 - Developer contributions

UDP Policies:

GB2 - Safeguarded Land
R1E - Open Space in New Housing Developments
EV1B - Pollution
A1G - Physical Improvements to the Bus Network
A1S - Parking in New Developments
C1B - Open Space, Sport and Recreation

Previous Relevant Decisions:

None

Consultations:

Engineers Highways - No objections in principle subject to measures to provide off site highway improvement works, to improve footpath links within the site, and to provide improved access to local services and public transport routes. There will also be a requirement for a financial sum to cover the monitoring of any travel plan. These measures will be secured by means of a Section 106 and 278 agreements under the Planning and Highway acts.

Engineers Drainage - No objection in principle subject to the developer ensuring that there will be no overland surface flooding and that an assessment of flood risk is carried out. It is recommended that any approved drainage scheme should incorporate a Sustainable Drainage System, including any necessary surface water attenuation.

Environmental Protection - No objections in principle but require a financial contribution towards air quality mitigation, a noise assessment, and contamination surveys, to inform the reserved matters and a Construction Environment Management Plan (CEMP) to control and monitor development operations.

Environment Agency - No objection in principle subject to conditions regulating surface water run-off to reduce the risk of flooding.

United Utilities - No objection subject to no surface water from this development being discharged either directly or indirectly to the combined sewer network, and that the site must be drained on a separate system, with only foul drainage connected into the foul sewer.

Coal Authority - Consider that the content and conclusions of the Coal Mining Risk Assessment Report are broadly sufficient for the purposes of the planning proposal.

Director for Children and Families - It has been assessed that the development will create a shortage in primary and secondary school places, and therefore, a financial contribution towards such provision is requested.

GM Ecology Unit - The ecological surveys carried out in support of the application have been carried out by suitably qualified consultants and are to an acceptable standard. It is concluded that no further surveys need to be carried out prior to determining the application.

GM Archaeological Advisory Unit - Before the submission of any reserved matters the applicant shall undertake an archaeological desk based assessment, a building assessment and an archaeological evaluation including geophysical and intrusive investigation.

Transport for Greater Manchester - No objections in principle subject to a financial contribution being secured through the Section 106 agreement towards improved bus service provision.

Greater Manchester Police - Confirm that the reserved matters can comply with secure by design principles.

Representations

Representations have been received from Andy Burnham MP, who is concerned at the potential loss of green space in Lowton, and that development in Lowton will have an adverse effect on infrastructure, and therefore any planning applications should contain an integrated public transport plan with significant investment.

Ward Councillor James Grundy is concerned about the impacts on transport, sewerage and schools infrastructure. He considers that the level of development is excessive and would greatly alter the character of the village. He also considers that should any development take place, any revenue generated by the community infrastructure levy (or similar mechanism) must be spent primarily for the people of Lowton East. In addition 509 individual letters of objection and 1,436 circular letters and a petition comprising of 57 signatures have been received.

The grounds of objection relate to:

- traffic and highway safety;
- inadequate infrastructure, local facilities, schools and services;
- loss of safeguarded land and a greenfield site;
- loss of property value;
- concern about anti-social behaviour;
- flooding and pollution;
- impact on ecology and wildlife;
- loss of trees;
- inadequate facilities, such as electricity supply;

- loss of the farmhouse and gardens;
- cumulative impact with other developments;
- other brownfield sites should be developed as a preference;
- sustainability issues;
- disruption caused by excessive hgv and plant movements during construction and closure of highways and footpaths to upgrade facilities; and
- loss of green belt land.

Assessment

The following matters are significant material considerations in the assessment of this application.

Principle of Development
 Highways, Access and Impact on Public Rights of Way
 Impact on Trees, Landscape and Visual Amenity
 Ecological Issues
 Flooding and Drainage
 Impact on Community facilities
 Cumulative Impact with Other Developments
 Environmental Impacts
 Observations on Representations Received

Principle of Development

The proposal needs to be considered in relation to the National Planning Policy Framework (NPPF), the adopted Wigan Local Plan Core Strategy and the saved policies of the Wigan Unitary Development Plan (UDP).

The Core Strategy makes reference to the need to ensure that there is sufficient capacity within the infrastructure provision to accommodate 1000 homes in this area. The modifications also make reference to the relevance in the decision making of a Strategic Infrastructure Assessment which the Council is currently preparing. The application needs to be determined taking into account the findings of that assessment.

The proposed site is designated as land safeguarded for future development in Wigan Core Strategy policy CP8 and UDP policy GB2. However the Wigan Local Plan Core Strategy also designates (Policy SP4) a broad location for new development at Golborne and Lowton and the three areas of safeguarded land in the area are within that broad location. The Wigan Local Plan Core Strategy makes provision for development to come forward in this broad location in advance of the Allocations Plan in order to deliver new housing in the short term.

The Inspector who conducted the examination into the Core Strategy took the view that this site could enable the early delivery of housing and has included it within the 5 year supply of housing land demonstrating that it is needed to meet the housing requirements of the borough in the short term. The Inspector, mindful of the requirement in NPPF for local authorities to maintain a 5 year supply of readily available, developable and deliverable housing land, considered that the site is in a reasonably strong market area and has no significant constraints to it being brought forward. It is included in his housing

trajectory (the expected delivery timetable for the major housing sites) to start delivering houses in 2014/15. Policy SP4 identifies the site within the broad location.

In summary the policy position, as set out in the Core Strategy and within the NPPF, supports the principle of development in the broad location coming forward for housing. The application site is part of one of the three areas within the broad location in Golborne and Lowton.

The site is in a sustainable location close to shops in Golborne and the employment park at Stonecross and has easy access to the wider highway network from the East Lancashire Road (A580). It is suitable for housing and is currently the only planning application submitted within the broad location. Given the need to bring forward early delivery in this broad location in accordance with the Core Strategy, the principle of development on this sustainable site should be accepted if the Council is satisfied that the impact on infrastructure in the local area can be mitigated appropriately.

Given that this is a site within the broad location, the impact of the 1000 dwelling on infrastructure needs to be considered to ensure that a strategic approach is taken and that delivery of other sites which comprise the 1000 figure is not hindered. The Council has undertaken an infrastructure assessment for Golborne and Lowton. It will be reported to Places Scrutiny Committee on 20 November and Cabinet on 21 November. Whilst still in draft and not yet approved, it is clear from the findings that there is no reason not to allow the Stonecross site to come forward. It is sustainable in location and as long as s106 contributions are made to enable improvements to be made to local infrastructure (especially improvements to highway junctions on the A580 East Lancs Road), and then the principle can be established. This will be dealt with in more detail in this report.

All detailed matters of design and layout are reserved for subsequent approval. However the access points are shown at Stonecross Lane North and Church Lane and will be approved as part of this application. There are no constraints to ensuring that the new dwellings will be capable of achieving a satisfactory relationship with existing neighbouring properties to meet the Council's standards as part of any subsequent reserved matters.

Any reserved matters application will need to address a number of important issues, including ensuring that the development is integrated as far as possible with existing adjacent development. In particular, proposed pedestrian and cycle routes should have regard to potential desire routes to the Stonecross employment park and Golborne town centre and provide convenient routes through the site, whilst also achieving a safe and attractive environment for users.

The Planning Statement indicates that affordable housing will be provided on site in accordance with adopted planning policy. Policy CP6 requires an affordable housing contribution of 25%. On a development of 400 houses, this would equate to 100 affordable units.

The development will inevitably lead to the loss of open land within the area, although the site is in private ownership and primarily used for agricultural activities. Policies CP2 and C1B seek to protect open space; in this instance any recreational value is provided by the public footpaths which cross the site. The development will be required to enhance this access facility and maintain and enhance this recreational feature.

Furthermore, the developer will be required to provide appropriate new open space and play facilities within the site which will enhance the recreational offer in the local area.

A Health Impact Assessment will be required in accordance with Policy CP1 of the adopted Wigan Core Strategy. This will be a condition of this approval and will need to be submitted by and approved by the Council and taken into account in the design of the subsequent reserved matters applications.

It is considered that the principle of the development is compliant with national and local policy.

Highways, Access, and Impact on Public Rights of Way

The application is in outline with all matters reserved for subsequent approval save for the access points to serve the site at Church Lane (to the east) and Stone Cross Lane North (to the west). The proposed site access onto Church Lane is a simple priority junction, whilst the access at Stone Cross Lane North will be a priority junction with right turn lane and pedestrian refuges on both Stone Cross Lane North and the new side road. The proposed site accesses have visibility splays to meet the requirements of Manual for Streets. The internal layout will accord with Manual for Streets in terms of visibility splays when reserved matters applications are considered.

A detailed Transport Assessment has been carried out, with a scope agreed with the Council to ensure that an appropriate level of detail of the surrounding highway network is considered. Appropriate levels of traffic data have been collected to inform the Transport Assessment.

The Transport Assessment is based on predicted traffic volumes for 660 units with the current outline application for only 400 dwellings. This is to ensure that additional housing capacity within the area of safeguarded land can be accommodated by the highway network. Journey to Work statistics have been utilised to inform trip distributions from the development, these new trips have been biased so that 60% exit the site onto Stone Cross Lane. This has been accepted given the junction layout at Stone Cross Lane and the proposed improvement at the Stone Cross Lane junction with the A580. The combination of connecting road and junction improvement will draw traffic away from Lane Head and Slag Lane/Church Lane junctions.

Whilst the Slag Lane/Church Lane junction experiences some delays during peak periods, the junction operates with MOVA which offers improvements in terms of constantly adjusted signal times, to more accurately respond to actual traffic volumes. The provision of the internal connecting road through the development site will be able to offer some relief to existing residential streets that experience rat running traffic to avoid the signalised junction.

It is acknowledged that the combination of junctions at Lane Head suffer from some peak period delays and queues. The principal issue with this arrangement is the blocking back of upstream junctions affecting the throughput of the junction. Once exited from this tight network of signalised junctions, there are few delays to traffic on the immediate wider

network. This network of junctions is managed under SCOOT control, to optimise signal timings relevant to traffic volumes at the time.

The developer will be required to improve the junction of Stone Cross Lane and the A580 East Lancashire Road. This improvement will comprise an additional traffic lane to improve the capacity of this junction onto the East Lancashire Road and again draw development traffic onto this strategic route, away from the busy Lane Head junction and other less suitable routes. The development will provide an internal highway connection which will offer some relief to existing residential routes, which experience some degree of rat running. This link will also offer an alternative to the busy Slag Lane/Church Lane junction and will permit bus penetration of the site.

The Council has prepared an Infrastructure Assessment for the Golborne and Lowton Broad Location. This plan is still in draft as it has to be considered by Places Scrutiny on and approved by Cabinet. In respect of transport, modelling has been undertaken by Transport for Greater Manchester on the Council's behalf. This has shown that the 1000 homes can be accommodated on the highway network but that improvements will need to be made which go beyond the scope of which would be required by each development in isolation. This means that works beyond those proposed through the Wain Homes Transport Assessment will be required, particularly in relation to trying to improve traffic flow and reduce the potential for vehicle queuing at the junctions on to the East Lancs Road including the Lane Head junction as set out in the Infrastructure Assessment. The cost of providing these additional works will have to be borne by all of the developments which comprise the 1000 houses in the broad location. All of these developments will have an impact on the junctions on the East Lancs Road. The works required will have to be met through appropriate s106 contributions from the developments.

The applicant has also submitted a Travel Plan which has been considered, amended and accepted by the Council's Travel Plan Officer. This includes a number of elements aimed at encouraging new residents to think about their travel choices and to travel by sustainable modes. Studies into travel plans have indicated that successful travel plans can reduce car borne trips related to new developments; however, a reduced level of trips has not been applied to the traffic predictions for this development, resulting in a more robust approach to the transport submissions.

The site is accessible to a number of bus services, including the high frequency 600 service connecting Leigh, Lowton, Golborne, Ashton in Makerfield and Wigan. Other services serving a wider variety of destinations such as Newton rail station, St. Helens and Warrington are also available on other nearby routes. The internal connecting road and junctions at Stonecross Lane North and Church Lane will be designed to accommodate buses. The provision of diverted or new services to use this additional infrastructure will need to be considered along with appropriate levels of contribution.

Bus stops can be accommodated on the internal connecting road and will be laid out to the requirements of TfGM, as will any stops that require amending with the delivery of the new access point on Church Lane. A significant financial contribution towards public transport provision will be required and this has been agreed with the applicant.

The developer is also committed to the investigation, design and delivery of off site cycle improvements at Nook Lane/Tanners Lane and connections to the primary schools off

Church Lane. These proposals will need to be considered further, designed and consulted upon before being introduced. Similarly, funding will be secured through the Section 106 agreement.

Consequently, it is concluded that the site can be adequately accommodated within the surrounding highway network, subject to the off-site improvements which will be required within the legal agreement.

Impact on Trees, Landscape and Visual Amenity

As part of the application an Environmental Impact Assessment has been carried out which includes a chapter on Landscape and Visual Impact Assessment (LVIA).

The development will have an impact on the landscape character area which is acknowledged in the LVIA. However the retention of existing hedgerows, trees and woodland will lessen the impact of this development as will the provision of new open spaces and landscaping.

Although it is acknowledged that the development will result in some change in the character of the local environment, it is considered that through the retention and enhancement of existing landscape features any adverse impact can be satisfactorily mitigated.

Ecological Issues

The Greater Manchester Ecology Unit has been consulted on the application and confirms that ecological surveys have been carried out by suitably qualified consultants and are to appropriate standards. They do not consider that further surveys need to be conducted prior to determining the application.

It is confirmed that the application site is not designated for its nature conservation value and on the basis of current evidence it would not qualify for such a designation. It is considered to have only low potential to support specially protected species or priority species, comprising as it does predominantly improved arable agricultural land. There are ponds on the site that could qualify as Greater Manchester Biodiversity Action Plan Habitats and it is noted that it is proposed to retain these habitats as part of the development. There are areas of habitat on site that have local biodiversity value; these are ditches, areas of scrub and scattered trees and hedgerows. The proposed development will cause losses to these habitats. Compensation for habitat loss is proposed by including significant tree and other structural planting as part of the development, by creating new areas of public open space and by incorporating garden space for individual houses. This is deemed acceptable provided that the replacement is secured through the imposition of a planning condition.

As part of the Environmental Impact Assessment there is a mitigation strategy for barn owls and this currently proposes a tower close to the East Lancashire Road (A580). This is not deemed an appropriate solution. Alternative means of mitigation will need to be submitted as part of the reserved matters and could for example take the form of tree planting along the edges of the farmland which border the A580. This will be achieved through the imposition of a planning condition.

The use of existing ponds and creation of new water features to form sustainable drainage is welcome and the reserved matters will incorporate such drainage schemes which can have a positive ecological impact.

As the proposed development will not result in any losses to protected nature conservation sites and is considered unlikely to result in harm to specially protected or priority species it is considered that compensation for local habitat loss is possible in this case and there are no objections to the application in principle on nature conservation grounds. The following mitigation measures have been suggested by the GMEU including:

- a comprehensive Landscape and Habitat Creation and Management Plan be submitted at the reserved matters stage. The Plan should include measures to enhance the site for birds (particularly barn owls), bats and amphibians;
- that prior to any development commencing a breeding bird survey be conducted of the site to inform the above Plan;
- that no vegetation clearance or building demolitions required by the scheme be commenced during the optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent by a suitably qualified person;
- Wherever possible trees and hedgerows should be retained at site boundaries and these trees suitably protected during the course of any construction work; and

In conclusion, the site has not been identified as containing any habitats or protected species, and it is considered that appropriate measures can be implemented to protect and enhance the ecological value of the site.

Flooding and Drainage

The application is accompanied by a flood risk assessment. The Environment Agency have been consulted and concludes that provided the surface water run-off is limited to the 1 in 1 yr run off figure then it is considered that the proposal will not give rise to adverse drainage conditions. The application is in outline, and the EA is satisfied that the remaining details in relation to drainage can be considered at reserved matters stage.

This would mean that any development proposals would need to include a scheme to regulate surface water run-off. The scheme would need to be fully implemented and subsequently maintained to ensure no adverse effects from the proposed drainage for the development. This being the case the proposal would comply with national and local policy.

Impact on Community facilities

The proposed development will introduce a potentially large additional population into the local area which may impact on local facilities. The Director for Children and Families has noted that there would be some impact on local school places as the development progresses, and a financial contribution to accommodate this impact is recommended for inclusion in the Section 106 agreement.

The impact of the 1000 houses in the broad location on the need for health service infrastructure provision will need to be mitigated by a financial contribution through the s106 agreement.

In accordance with policy CP10 the developer will be required to make a contribution towards the provision of public art on the site.

Cumulative Impact with other Developments

The development has to be seen as part of the broad location in terms of its impact on infrastructure needs. The infrastructure plan is not yet finalised but has reached a sufficiently advanced stage to indicate that the 1000 houses can be accommodated but that contributions towards improvement to infrastructure will be sought. These will relate to the broad location as a whole and contributions will therefore need to be calculated on a pro rata basis.

Environmental Impacts

The proposal relates to a substantial development which is likely to be implemented over a number of years. It is important to ensure that any effects on the amenity of local residents during this period are alleviated. Therefore, a Construction Environmental Management Plan (CEMP) will be required prior to commencement of development. The CEMP will incorporate measures to control noise, dust and vibration emissions from the site.

An assessment of the potential effect on local air quality from construction activities, and once the development is implemented, has been carried out. In order to reduce any potential adverse impact mitigation measures are proposed such as tree planting, and improved access routes for non-vehicular traffic, upgrading of cycle routes and provision of cycle storage facilities at public transport connection points. This will be secured by means of a Section 106 agreement.

Paragraph 128 of the NPPF requires that an assessment of potential archaeological assets is undertaken before development commences on appropriate sites, and in view of the potential for historical artefacts identified by GMAAS, a condition requiring submission of a full assessment and appropriate mitigation measures is recommended in accordance with the requirements of policy CP11.

Observations on Representations Received

The majority of issues raised in the representations have been addressed in the sections above. In terms of other matters raised by objections these are set out below.

There is no evidence that the proposal will have a negative impact on property values.

GM Police has been consulted and is satisfied that provided that the reserved matters comply with Secure by Design principles there should be no significant elements of anti-social behaviour arising.

The farmhouse and associated outbuildings are not listed buildings or considered to be of architectural interest meriting protection

The proposal does not result in the loss of green belt land. The land is not green belt and the principle of development has been confirmed through the Core Strategy.

Although the Council intends to introduce a Community Infrastructure Levy (CIL), this will not be in place before late 2014. This site will not be subject to CIL in the future as all financial contributions towards infrastructure will be secured through the S106 process and be spent within the terms of that agreement to enable improvements to be made to infrastructure in the local area.

Conclusion:

The adoption of the Core Strategy on 11 September meant that the Golborne and Lowton broad location was confirmed as adopted policy, having gone through a detailed public examination. This site is part of that broad location and the only planning application for new housing submitted to date within it. The Inspector who examined the Core Strategy accepted that the Stonecross site could contribute to the early delivery of new housing in the borough and he included it within the 5 year housing trajectory.

The site is in a sustainable location close to shops, employment and services. The site is suitable for housing.

This application is in outline only, with all matters except access reserved for subsequent applications.

In accordance with the policies in the Core Strategy, the Council must take account of the infrastructure capacity of the local area if sites are to be released in advance of the Allocations Plan being adopted. An infrastructure plan for the Golborne and Lowton broad location is at an advanced stage of preparation. It will be completed shortly, but the work has shown that the 1000 houses can come forward but only if certain strategic improvements are made to local infrastructure. These will be made through appropriate section 106 contributions covering matters such as highway improvements, public transport, health, education and open space. It is recommended that Committee resolves to grant this outline application and delegates authority to the Director Economy and Skills to secure the completion of the s106 agreement taking into account infrastructure assessment for Golborne and Lowton (when approved) and issue the planning consent.

Recommendation:

It is recommended that Committee resolves that it is minded to grant planning permission subject to the conditions specified below, to the satisfactory completion of a Section 106 agreement to provide a contribution towards or obligation to achieve the requirements set out below taking account of the approved Infrastructure Assessment for Golborne and Lowton, and to delegate authority to the Director Economy and Skills to issue the decision notice upon satisfactory completion of the agreement.

- measures for the provision and future management of public open space and play facilities within the site. Precise details of these arrangements are not known at this stage;
 - a financial contribution towards improvements in public transport provision;
 - a financial contribution to off site highway improvement works, footpath and cycle links;
 - affordable housing as required in accordance with the 'Affordable Housing' SPD and Core Strategy Policy CP6;
 - a financial contribution towards education facilities;
 - a financial contribution towards health facilities;
 - a financial contribution towards monitoring of the travel plan;
 - air quality mitigation measures in accordance with the 'Development and Air Quality' SPD;
 - and employment and training Initiatives.
1. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the details shown on plan reference OS Plan, 2013 BR 02B and 2013 BR 03A received 5 December 2012.
 2. Before any part of the development hereby approved is commenced approval shall be obtained from the Local Planning Authority with respect to reserved matters, namely, the appearance, landscaping, layout and scale.
 3. Prior to the first occupation of any phase of the development, a detailed travel plan for that relevant phase including any cumulative impact from earlier phases, which accords with the Travel Plan Framework produced by Royal Haskoning dated October 2012, and includes a named site co-ordinator and contact details for the developers of the site, shall be submitted to and approved in writing by the Local Planning Authority. Each travel plan shall be implemented, maintained and kept up to date at all times.
 4. Any application for the approval of reserved matters shall be accompanied by the following information for that part of the application site:
 - (i) a full site survey showing the datum point used to calibrate the site levels, levels along all external site boundaries, and levels across the site at regular intervals,
 - (ii) full details of the finished floor levels of all buildings and hard surfaces.
 5. No development shall commence until a scheme in the form of a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the methods to be employed to control and monitor noise, dust and vibration impacts. Any identified mitigation measures shall be implemented to the full written satisfaction of the Local Planning Authority before the construction works are commenced, and shall be maintained for the duration of the construction works.
 6. Prior to the commencement of any part of the development, a scheme for the provision and maintenance of public art within the relevant part of the site, including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented fully in accordance with the approved scheme and timetable.
 7. Any application for the approval of reserved matters shall be accompanied by a detailed external lighting scheme for that part of the site. The development shall not be carried out except in complete accordance with the agreed details.

8. Any application for the approval of reserved matters shall be accompanied by a Landscape and Habitat Creation and Management Plan. The plan shall include measures to enhance the site for birds, including a mitigation strategy for barn owls, bats and amphibians (including a breeding bird survey) and shall be approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.
9. No development shall take place within any part of the site until the implementation of a programme of archaeological work for the relevant part of the site has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
10. No development shall be commenced until an investigation and assessment of the nature and extent of any contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The assessment shall identify any remedial measures required to deal with any hazards identified and such measures shall be implemented before the occupation of any of the buildings hereby permitted.
11. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles, and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100yr critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall also include details of how the scheme shall be maintained and managed after completion.
12. Prior to the commencement of the construction of any building hereby approved provision shall be made on the site for:-
the parking of construction workers vehicles
storage of building materials, equipment and plant, and
placement of site cabins, site offices and storage containers
In accordance with details to be submitted to and approved in writing by the Local Planning Authority before the commencement of the development.
The development shall be carried out only in accordance with the approved details.
13. No trees shall be pruned, felled or up-rooted and no shrubs or hedges shall be cut down or destroyed without the approval in writing of the Local Planning Authority, pending the determination of the application for approval of reserved matters. Any pruning which is approved shall be to BS3998.
14. Prior to the commencement of any excavation or construction works or the entry of vehicles or plant into the site, all existing trees, shrubs and hedges on and adjacent to the site to be retained shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause. This shall be achieved by the erection of 2m high galvanised tube and weld mesh infill panel fencing using vertical and horizontal scaffolding poles, upright poles driven into the ground to a minimum 0.6m deep, or other stout fencing to Local Authority approval with the uprights driven well into the ground, erected in accordance with BS5837: 2012, outside the canopy or in accordance with and appearing on the approved plan, The fencing shall be maintained for the duration of the development operations and no operations whatsoever shall take place within it.

Any trees or hedges removed without consent, which are dying or seriously damaged or becoming seriously diseased within 60 months following completion of the development shall be replaced with trees of such size and species and within such a period as may be agreed by the local planning authority.

15. Prior to the commencement of any operations on the site an Operational Method Statement shall be submitted to and approved in writing by the Local Planning Authority. This shall identify the order in which operations will be undertaken, including tree works, erection of protective fencing, location of site compound and material storage, construction, specific tree protection and special procedures and materials where development is within the sphere of influence of trees. It shall identify all tree works to be to BS3998 by an approved contractor, all development to BS5837, including erection of protective fencing, and the method of special tree protection. It shall identify a list of contacts during development and include the planning conditions for this consent.
16. Prior to the first occupation of any of the dwellings hereby approved a link road and detailed junctions (as shown on the approved plans) for Stonecross Lane North through the site to Church Lane shall be constructed to the full satisfaction of the Local Planning Authority.
17. Any application for the approval of reserved matters shall be accompanied by a Health Impact Assessment to demonstrate how the proposals will positively impact on health and well-being.

Reasons:

1. For the avoidance of doubt, and having regard to Policy CP10 of the Wigan Core Strategy.
2. The application is for outline permission only and therefore gives insufficient details of the proposed development. These details will be required as reserved matters, in accordance with Policy CP10 of the Wigan Core Strategy.
3. To reduce the need to travel to and from the site by private transport in accordance with Policy CP7 of the Wigan Core Strategy and the Council's Travel Plans Supplementary Planning Document and in order to promote sustainable modes of travel to and from the site, and to reduce reliance of the private car.
4. To ensure that the details of the development are satisfactory, having regard to Policy CP17 of the Wigan Core Strategy.
5. To safeguard the amenities of the adjoining premises and the area generally, having regard to Policy CP17 of the Wigan Core Strategy.
6. The provision of Public Art is a significant factor in enhancing the environment and can help to make new buildings distinctive having regard to Policy CP10 of the Wigan Core Strategy.
7. To safeguard the amenities of the adjoining premises and the area generally, having regard to Policy CP17 of the Wigan Core Strategy.
8. To ensure that the proposal enhances nature conservation on the site having regard to Policy CP17 of the Wigan Core Strategy.
9. The Local Planning Authority considers the site is of archaeological interest and wishes to secure the satisfactory removal of the archaeological remains and/or recording of the subsequent findings, as required by Policy CP11 of the Wigan Core Strategy.

10. To ensure that any contamination is investigated and treated to the satisfaction of the Local Planning Authority, during the carrying out of the development as required by Policy CP17 of the Wigan Core Strategy
11. To ensure that the site is satisfactorily drained, in accordance with Policy CP16 of the Wigan Core Strategy.
12. To ensure that construction workers vehicles are not parked on the highway and materials and associated facilities are not detrimental to the amenity of the area, having regard to Policy CP7 of the Wigan Core Strategy.
13. The existing trees and shrubs represent a visual amenity which the Local Planning Authority considers should be substantially maintained, in accordance with Policy CP9 of the Wigan Core Strategy.
14. The existing trees and shrubs represent a visual amenity which the Local Planning Authority considers should be substantially maintained, in accordance with Policy CP9 of the Wigan Core Strategy.
15. The existing trees and shrubs represent a visual amenity which the Local Planning Authority considers should be substantially maintained, in accordance with Policy CP9 of the Wigan Core Strategy.
16. To provide for the safety and convenience of users of the highway, for the free flow of traffic, and to safeguard the amenity of neighbouring premises having regard to Policy CP7 of the Wigan Core Strategy.
17. In order to ensure the development has a positive impact on health having regard to Policy CP1 of the Wigan Local Plan Core Strategy.

Plans Attached to Report

Location Plan

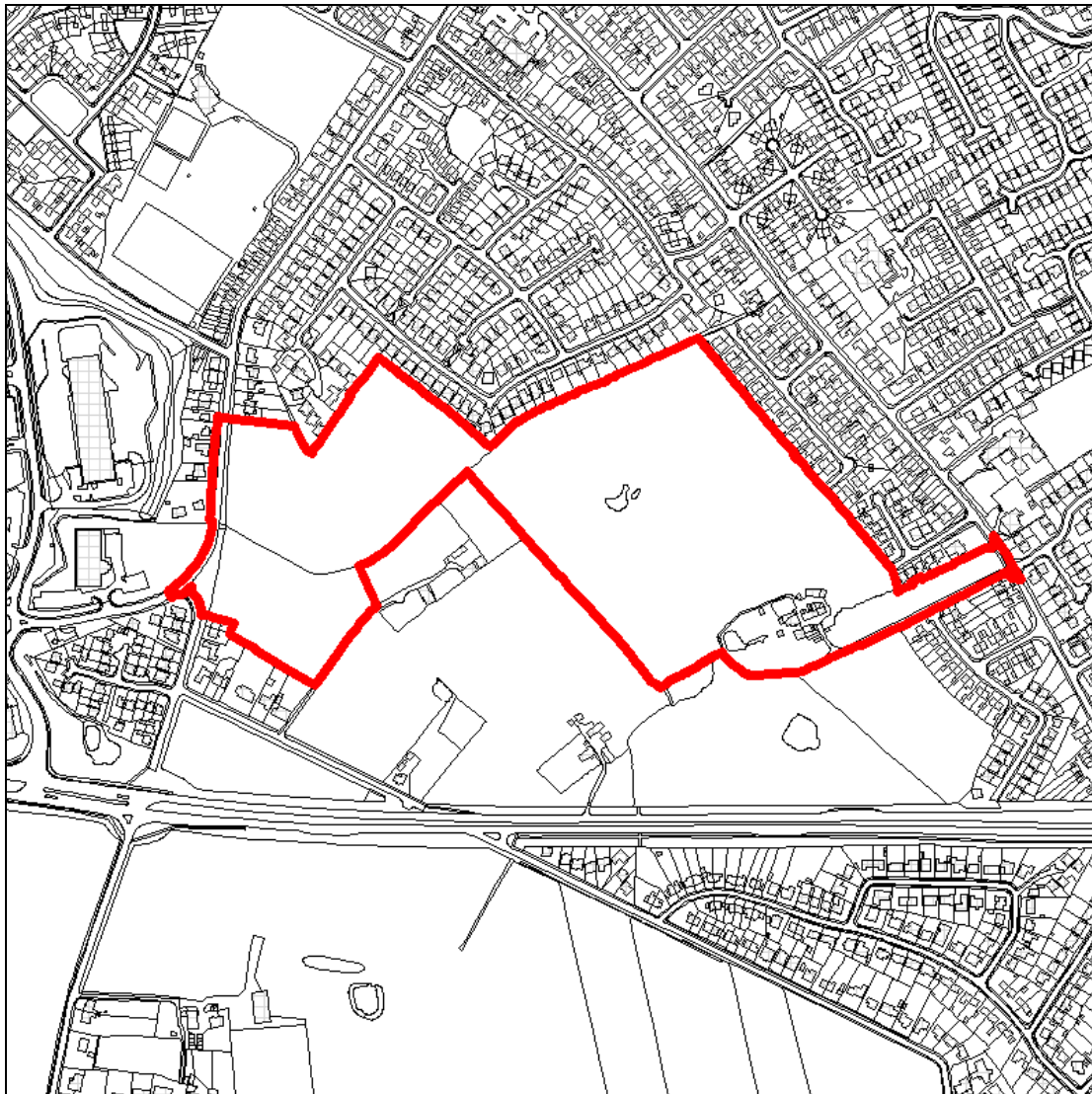
P/DR/A/12/77592

Application No: A/12/77592

Development Proposed: Outline application for residential development on a site of 13.1 hectares (all matters reserved except access details for the Church Lane and Stone Cross Lane North junctions)

Location: Open Land South East of 79 Stone Cross Lane North Lowton

Ward: Lowton East



Site Area 



This plan is representative only, to indicate the site in relation to its surroundings.

Wigan Council

Planning Committee – Summary

12th November 2013

Application No: A/13/77766

Location: Land and Buildings Rear of Rothwells Farm Sennicar Lane Wigan

Development Proposed: To erect temporary dwelling, change of use and extension to existing agricultural building to indoor riding area, stables and tack room together with creation of outdoor sand paddock and retention of access track diversion.

Applicant: Mr Warren Clarke

Agent: ML Planning Ltd

Recommendation

To Approve with Conditions

Representations:

5 individual letters of objection have been received from local residents on the original and the amended plans in addition to a letter of objection which was signed by the occupiers of 12 properties. The grounds of objection predominantly relate to the impact on the openness of the green belt, access and traffic generation, the viability of the business and the need for a permanent dwelling.

Assessment:

This is a full application to erect a temporary dwelling on site, together with a change of use and extension to an agricultural building to provide an indoor riding area, stables and tack room with an outdoor sand paddock and to retain an access track. The proposed development will support the establishment of a new horse breeding business.

The principle issues include whether the site and change of use of the existing agricultural building is appropriate in this green belt location and whether the design of the development is appropriate. Other issues to be addressed include the site access, any impact on amenity, whether there is any effect on ecology.

Whilst representing inappropriate development in the green belt, the provision of the proposed facilities at Rothwells Farm can be considered to be in accordance with the objectives of the NPPF and relevant Wigan Local Plan Core Strategy policies. It would safeguard the openness and visual amenities of the Green Belt and the development is of a layout, design and scale which would not have a materially greater visual impact within the landscape than the existing agricultural building. The development would not have a detrimental impact on the amenities of nearby properties or adversely affect highway safety. It is also considered that the applicant has provided adequate justification that a

temporary dwelling is necessary on this site for the viability of the business. In all respects the proposal is deemed acceptable.

Wigan Council

Report to Planning Committee

12th November 2013

Application No: A/13/77766

Speaking arrangements:

One speaker against for 4 minutes One speaker in favour for 4 minutes

Applicant: Mr Warren Clarke

Agent: ML Planning Ltd

Development Proposed: To erect temporary dwelling, change of use and extension to existing agricultural building to indoor riding area, stables and tack room together with creation of outdoor sand paddock and retention of access track diversion.

Location: Land and Buildings Rear of Rothwells Farm Sennicar Lane Wigan

Ward: Aspull New Springs Whelley

Site Description:

The application site relates to a 90 acre farm situated in the Douglas Valley. The farm consists of a large livestock building which is surrounded by open farmland to the north, south and east which is used for grazing and the production of haylage. The farm is accessed via an existing track from Sennicar Lane. The former farmhouse of Rothwells Farm (now in separate ownership) lies to the west, together with the farmhouse of Haigh Park Farm. The site is located within the Green Belt.

Proposals:

The proposal envisages the establishment of a new horse breeding business/ stud at the site. At present the applicant runs a business from a farm at Charnock Richard, Chorley, and has been breeding horses at Chorley since 2000. The proposed use will focus on the stabling of stallions and the introduction of a business to provide semen by artificial insemination from selected horses.

The associated development to facilitate the use includes the following:

A temporary worker's dwelling for a period of three years to provide on-site presence for animal welfare and security reasons. The dwelling will comprise a temporary portable type building, 3.6m in width by 11.5m in length, and will be sited to the east of the existing agricultural building. The roof will be flat to a height of 2.8m. A parking area to serve the dwelling and business is also included in the curtilage.

Change of use of, and extension to, the existing agricultural building into stables, tack room and indoor riding arena to house and exercise 9 stud horses. The extension to the agricultural building will measure 5.4m by 36.5m and will be sited to the eastern side of

the building. The roof will be mono-pitched to link into the existing roof. The walls will be constructed using concrete stock panels and tanalised Yorkshire boarding, and the roof will be profile cement fibre to match the existing building.

An outdoor sand paddock for exercising the stud horses. The sand paddock will be 20m by 36m and will be surrounded by timber post and rail fencing and gates to a height of 1.5m above ground level. The paddock will be sited to the north of the main building.

Retention of a diverted section of access track on approach to the farm buildings to avoid land belonging to Rothwells Farm. The section of track is approximately 80 metres in length and was completed prior to the submission of the planning application.

The following supplementary documents are available on the website.

Design and Access Statement

Business Plan

Strengths Weaknesses Opportunities Threats (SWOT) Analysis

Policy Context

Green Belt

Relevant Policies/Guidance

National Planning Policy Framework

Wigan Local Plan Core Strategy Policies:

CP8 - Green Belt and safeguarded land

CP10 - Design

CP12 - Wildlife Habitats and Species

CP17 - Environmental Protection

Previous Relevant Decisions:

A/08/71620 - Agricultural Determination: Prior notification to erect agricultural storage building - Approved 31.07.2008. The development has commenced, however, the building has not been completed.

A/10/74796 - Outline application for the erection of 1no. two storey dwellinghouse together with access thereto (seeking approval of access, appearance and scale).
Withdrawn 08.12.2010 on the basis of a failure to demonstrate a functional need for the dwelling.

Consultations:

Engineers Drainage - No objections subject to a standard informatives concerning surface water drainage.

Engineers Highways - No objections.

United Utilities - No objections.

Environmental Protection - No objections subject to conditions requesting the submission and approval of a scheme of insulation for plant and machinery and the details of the proposed washing down facilities.

Representations

5 individual letters of objection have been received from local residents and a request was received from Councillor Hilton, and supported by Councillors Conway and Ready, for the application to be determined by Planning Committee. One letter of objection has been signed by the occupiers of 12 properties, 2 of those have also written an individual letter and are included in the total above.

An additional consultation was undertaken to inform neighbouring properties of amendments to the plans. A further 2 letters of objection were received as a result of this consultation. These were from the occupiers of properties that had previously responded to the original consultation.

The main grounds of objection are:

- Adverse impact on openness of the green belt. The proposal is contrary to green belt policy, and security considerations alone would not justify permission;
- The business plan is insufficient. there is no yardstick to compare the success or otherwise of the venture at the end of the temporary dwelling period, no evidence of market demand, operating costs, viability, current or historical sales figures;
- The land was purchased in the knowledge that no dwelling was present;
- There is concern about potential future development, including new roads and hardstandings, erection of a permanent dwelling, an increase in the size of curtilage, and potential floodlighting;
- The new access track is constructed of contaminated materials;
- A previous permission for a farm manager's cottage was granted 10 - 15 years ago at Sennicar House, constructed, and then sold as a private residence without any form of agricultural tenancy;
- The road is single track with passing places, is maintained by the residents themselves, and is unsuitable for heavy vehicles such as tractors, trailers and large horse boxes;
- Anomalies are noted in the plans, including the location of the temporary dwelling, and the red edge of the site, and access, parking and turning facilities are unclear;
- The land is boggy and rutted, and not suited to a stud farm;
- It is unclear how the straw barn will be accessed once the stables have been erected on the existing hardstanding to the east of livestock building;
- The land has been farmed successfully for many years as a satellite operation with no essential need for a dwelling;
- There are several other properties currently on the market which could fulfil the role;
- No substantial investment at the site that proves a commitment to the area;
- No reason why the labour intensive parts of the business cannot be run from Whittle Green Farm where there is accommodation;
- Accommodation is for one key worker but it has two bedrooms and the garden and parking area for the workers dwelling is too large;

- The temporary dwelling is to be sited in a prominent position, clearly visible from surrounding vantage points such as Haigh Plantations, the canal towpath, Sennicar and Pendlebury Lane and two golf courses;
- Adverse impact on wildlife habitats;
- No new jobs are created as a result of the proposal;

All representations are available on the web site.

Assessment

The following matters are significant material considerations in the assessment of this application.

Principle of Development

Justification for the Proposed Dwelling

Justification for the Change of Use and Extension to the Agricultural Building

Justification for Retention of the Access Track Diversion

Highways and Access

Ecological Impact

Impact on Amenity

Observations on Representations Received

Principle of development

The application site is located within the adopted green belt and therefore the proposal must initially be assessed in the context of the objectives of Policy CP8 of the Wigan Local Plan Core Strategy and Section 9 the National Planning Policy Framework (NPPF).

Policy CP8 states that development within the green belt will only be allowed in accordance with national planning policy.

The NPPF requires that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the green belt, and advises that very special circumstances will not exist unless the potential harm to the green belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The construction of new buildings should be regarded as inappropriate unless it is for agriculture or forestry, it involves appropriate facilities for outdoor sport or recreation, it is for the replacement of a building, is in the same use and is not materially larger, or it comprises limited infilling. In addition, extensions and alterations to a building should not result in disproportionate additions over and above the size of the original building.

This application involves a number of linked proposals for new development which will facilitate the establishment of a new horse breeding business at the site. The proposed use and associated development does not therefore involve appropriate development in the green belt, and it is necessary for very special circumstances to be demonstrated to justify the proposals.

Although not within the scope of appropriate development as defined in NPPF, the proposed use is clearly one which would necessitate a rural location to operate.

Nevertheless, it remains necessary to ensure that any resultant harm to the openness and purposes of including land within the green belt is outweighed by very special circumstances.

The proposed built development comprises four elements and these will be addressed in turn, namely, the erection of a temporary dwelling; the extension to the existing agricultural building, the construction of an external horse riding arena, and the retention of the diverted access track.

Justification for the proposed temporary dwelling.

Guidance on assessing such proposals was formerly provided in Planning Policy Statement 7 (Sustainable Development in Rural Areas). Although that guidance was replaced by the NPPF, Annex A to PPS7 still provides a good basis for consideration of the relevant factors in assessing such applications. This states that if a new dwelling is needed to support a new farming activity, this should normally be provided by a caravan or other temporary accommodation for the first 3 years. The NPPF does not reiterate this advice; however, it states that local planning authorities should avoid permitting new isolated homes in the countryside, unless there are special circumstances, such as the essential need for a rural worker to live permanently at or near their place of work in the countryside.

Where a business is newly established or proposed, there would remain a possibility that any justification for a new dwelling would be reliant on the likely success and longevity of that enterprise. It would not therefore be appropriate to permit a permanent new dwelling, unless it can be demonstrated that the business had been planned on a sound financial basis, with a firm intention and ability to develop the enterprise, and a proven functional need that cannot be met elsewhere. For this reason, the applicant had been advised that an earlier application for a permanent dwelling could not be supported, and withdrew that application.

The present application is accompanied by a business plan which sets out the case for justification of the application for a temporary dwelling at the site. It is stated that the applicant has spent £350,000 purchasing the site and has invested £60,000 in improvements to the land. The business plan and other supporting information indicate that the proposed stables will accommodate 9 stallions with a value between £600 for the younger stallions and £200,000 for the more prestigious stallions. The total value of stock would therefore be very high, and the loss of valuable stock could have a serious impact on the viability of the business. There is consequently a case for overnight occupation on the site for security reasons.

The stallions need to be stabled individually at night and supervised at all times. The applicant has highlighted that due to the length of time they can spend in a box, for instance when taken for show, the stallions are prone to develop colic, which needs to be treated at an early stage, or to become cast, where the animal is unable to readily get to its feet after lying down leading to potential serious injury.

In support of the application, it is stated that the applicant has developed a lucrative market for breeding young stock for dressage and sports, and that he has a positive reputation in the business. The new business would diversify into the supply of semen

from stallions by artificial insemination (AI), which is seen as an increasingly popular approach allowing the selection of the best stallion for a particular mare. At present studs need to be transported individually to a facility in Shropshire where semen is extracted. The new business at Rothwells Farm will be limited to the accommodation of stallions since stabling alongside mares can cause conflict and potential harm to the livestock.

Financial information has been produced which indicates that serving this specialist market would have the potential to produce a healthy return. The range of fees for semen from the horses owned by the applicant are stated as ranging between £600 and £2500 per straw (doses of semen per stallion per week) and it is possible to extract up to 40 doses per week, giving a potential profit of approximately £14000 per week.

Some concerns have been expressed in the objections regarding inadequacies in the business case, however, the case presented produces a suitable justification for why overnight accommodation would be appropriately required, albeit any longer term approval would be subject to the applicant demonstrating the success of the business operations over the 3 year timescale of any permission. The granting of such an approval, for a building which would not be of permanent construction and is capable of being removed should the business not succeed, would not set a precedent or assurance that permission for a permanent dwelling would subsequently be granted.

Similarly, other examples of farm workers' dwellings, such as that quoted at Sennicar House, would not represent a precedent, with each case being determined on its own circumstances and merits.

Whilst the site would have been purchased in the knowledge that no dwelling was present, and it has been farmed successfully for many years as a satellite operation, this does not preclude the submission of an application to reflect the proposed diversification. Other properties have been identified as being available, however, it is clear that the outlay for these would be excessive given the potential uncertainty of the business' long term success, and would not provide the same level of security.

The proposed dwelling will be a flat roofed portable building and will be sited immediately to the east of the main building, providing ready access to the stables and good visibility to any vehicles approaching the site. The curtilage area has been reduced since the initial submission and includes parking provision for the house and visitors to the site. The accommodation is modest and comprises a lounge/kitchenette, bathroom and two rooms indicated as bedrooms, although the smallest measures just 2 metres by 1.2 metres.

The building will similarly have a very limited visual impact being of the type of construction which can readily be seen at rural enterprises and located where it has an intimate relationship with the existing buildings. Whilst the site is visible from distant views, it will be viewed against the backdrop of a much larger agricultural building, therefore, it is not considered that it will result in any significant harm to the visual amenity or openness of the Green Belt.

In this context, the proposal is considered to be of an appropriate type, scale and design and accord with relevant national and local planning policies.

Justification for the change of use and extension to the agricultural building

As stated earlier, although the proposed use would not fall within the categories of appropriate green belt development as listed in the NPPF, it is a use which could not readily be accommodated within an urban setting. Furthermore, NPPF goes on to stress the need to support economic growth in rural areas and for the development and diversification of agricultural and other rural businesses to be promoted.

The proposed extension itself will be of relatively modest proportions. It would be sited on an existing hardstanding to the east of the building, the roof follows the profile of the existing roof, and will be constructed from matching materials. Consequently, its impact on the visual amenity would be limited and would thus comply with the objectives of Core Strategy Policy CP10. Similarly, the design and siting would have a very limited impact on the openness of the green belt.

The proposed outdoor riding paddock will be surfaced with an all-weather sand mix topping and enclosed by a 1.5 metre high post and rail timber fence. It will be sited immediately to the north of the extended indoor arena and stable block. Access to the riding area will be available from the converted building. The feature would be of appropriate design for this setting and will not appear as an incongruous feature in the landscape or have any significant impact on the openness of the Green Belt.

Justification for Retention of the Access Track Diversion.

The site is located to the north of Sennicar Lane, an unadopted highway linking School Lane at Haigh with Wingates Road at Wigan. A private track leaves Sennicar Lane to access the site and is shared with the separately owned Rothwell's Farmhouse. The applicant has recently implemented the creation of a diversion of this track for a length of 80 metres in order to avoid the need to cross the adjacent land ownership. The new track has been constructed using road planning and represents a feature of limited visual or physical impact. Such finishes are not unusual and there is consequently no discernible visual impact on the openness of the green belt.

The new track provided a direct link to the site and there is no indication therefore that it would lead to the need for additional tracks to be provided.

Highways and Access

Concerns have been expressed that Sennicar Lane is unsuitable for heavy vehicles, such as tractors, trailers and horse boxes. However, tractors and trailers already utilise the lane to provide access to existing properties, including in association with the agricultural use. As the road is unadopted, any issues of maintenance would be a private matter to be resolved amongst all regular users of the lane, and is not a matter which can be controlled by planning regulations.

Given the specialist nature of the proposed use and the limited amount of accommodation, it is not considered that the proposed business will generate significant levels of traffic beyond that of a working farm. The proposal has been assessed by the Council's Highway Engineer and no concerns have been raised in respect of the proposed use.

Ecological Impact

The Greater Manchester Ecology Unit has been consulted on the application and has confirmed that there are no concerns regarding the potential impact on bats or nesting bird habitats as a result of the proposed development. The nest of curlews and skylarks could potentially be affected by intensified use of the fields for horse grazing, however, other livestock could utilise the fields for grazing without the need for planning permission. There are no grounds therefore to refuse the application in the context of Core Strategy Policy CP12 or Section 11 of the NPPF.

Impact on Amenity

Although a small group of residential properties are located to the west of the site, they lie adjacent to an existing agricultural building and in a location where the presence of livestock is to be expected. The proposed use is not likely to result in any additional levels of activity or disturbance than could be attributed to the previous use. The proposed built development would be located on the opposite side of the existing building and consequently ensure there is no impact in terms of physical bulk or loss of privacy. The Environmental Protection Officer has raised no objections subject to conditions to control the insulation of any plant and equipment and for details of washing down facilities to be approved.

Observations on Representations Received

The majority of issues raised by objectors have been addressed above. The issues not previously discussed are as follows:

A number of anomalies in the plans have been highlighted and the plans have been amended accordingly to avoid any discrepancies or encroachment onto adjacent land.

Whilst it is claimed that the land is boggy and rutted and not suited to a stud farm, the applicant has responded that this is not an identified problem at the site. Furthermore, the indoor riding arena and sand paddock is to be provided which will provide a safe, flat surface for exercising the horses, particularly during inclement weather.

Conclusion:

Whilst representing inappropriate development in the green belt, the provision of the proposed facilities at Rothwells Farm has been demonstrated to be in accordance with the objectives of the NPPF and relevant Wigan Local Plan Core Strategy policies. It would safeguard the openness and visual amenities of the green belt and the development is of a layout, design and scale which would not have a materially greater visual impact within the landscape than the existing agricultural building. The development would not have a detrimental impact on the amenities of nearby properties or adversely affect highway safety. It is also considered that the applicant has provided adequate justification that a temporary dwelling is necessary on this site for the viability of the business. In all respects the proposal is deemed acceptable.

Recommendation

To Approve with Conditions

1. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the details shown on plan references: red-edged 1:2500 Location Plan and LG/WC/27173 received 09.08.2013, LG/WC/27171 received 01.03.2013 and LG/WC/27172 and LG/WC/2717 received 01.02.2013.
2. The siting of the proposed temporary dwelling shall be for a limited period only expiring 12.11.2016; by which date the use shall cease and the structure shall be removed from the site.
3. The occupation of the temporary dwelling hereby approved shall be limited to an employee of the equestrian business operating from Rothwell's Farm within the site edged red on the approved plan, or by any dependents of such a person residing with him/her, or by a widow or widower of such a person.
4. Prior to its installation, full details, including design and facing materials, of the temporary dwelling shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented fully in accordance with the approved details.
5. Before the development hereby approved is brought into use all plant and machinery shall be enclosed with sound insulating material in accordance with a scheme previously agreed in writing by the Local Planning Authority.
6. Prior to the commencement of the development hereby approved arrangements for the disposal of manure and details of washing down facilities shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved scheme at all times from the commencement of use of the development.
7. Prior to the commencement of any development, details of the surfacing of all hardstandings shall be submitted to and approved in writing by the Local Planning Authority. Any hard surface shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the development site. The duly approved scheme shall be implemented in full prior to first occupation of the dwellings, and shall be retained thereafter.
8. The materials used on the external surfaces of the elevations and roof of the agricultural building extension shall match in colour, size, form and texture those on the existing building.
9. The site shall be treated in accordance with a landscape scheme to be submitted to and approved in writing by the Local Planning Authority before any part of the development is commenced. All works in accordance with the scheme shall be completed within a period of 6 months from the date on which development in accordance with the permission hereby granted is first commenced, or such longer period as may be agreed by the Local Planning Authority, having regard to planting seasons. The landscaping scheme shall include the planting of live trees and the treatment of forecourts, paving and boundary fences. All planting shall be maintained for a period of 5 years from the agreed date of planting.

10. The indoor and outdoor riding arenas hereby approved shall be used solely in connection with the stabling operations at the site, and shall not be used as a riding school, to hold equestrian events or meetings, or for any other commercial purposes.
11. Prior to the commencement of any development hereby approved, details of a scheme for the external lighting of the site shall be submitted to and approved in writing by the Local planning Authority. No floodlighting shall be installed unless the prior written approval of the Local planning Authority has been obtained.

Reasons:

1. For the avoidance of doubt, and having regard to Policy CP10 of the Wigan Local Plan Core Strategy.
2. In view of the special circumstances of the case and the temporary nature of the development, having regard to Policies CP8 and CP10 of the Core Strategy.
3. The site lies within an area where the Local Planning Authority are only prepared to permit the erection of a dwelling required for proven rural needs, and in view of the special circumstances of the case, having regard to Policy CP8 of Core Strategy.
4. To ensure that the details of the development are satisfactory, having regard to Policy CP10 of the Core Strategy.
5. To minimise the noise annoyance on existing development in the vicinity, having regard to Policy CP17 of Core Strategy.
6. To avoid contamination of the surface water system, in accordance with Policy CP17 of the Wigan Local Plan Core Strategy and Policy EV1B of the replacement Wigan UDP.
7. To reduce surface water run-off, in accordance with Policy CP17 of the Core Strategy.
8. To ensure that the external appearance of the buildings is satisfactory, having regard to Policy CP10 of the Core Strategy.
9. To help to assimilate the proposed development into its surroundings, having regard to Policies CP8, CP9 and CP10 of the Wigan Local Plan Core Strategy.
10. In order to protect the amenity of neighbouring properties and to ensure levels of traffic generation associated with the use do not adversely affect the free flow of traffic on Sennicar Lane, having regard to policies CP7 and CP17 of the Wigan Local Plan Core Strategy.
11. In order to ensure a satisfactory appearance and preserve the openness of the green belt, and to protect the amenity of neighbouring properties having regard to policies CP8, CP10 and CP17 of the Wigan Local Plan Core Strategy.

Plans Attached to Report

Location Plan

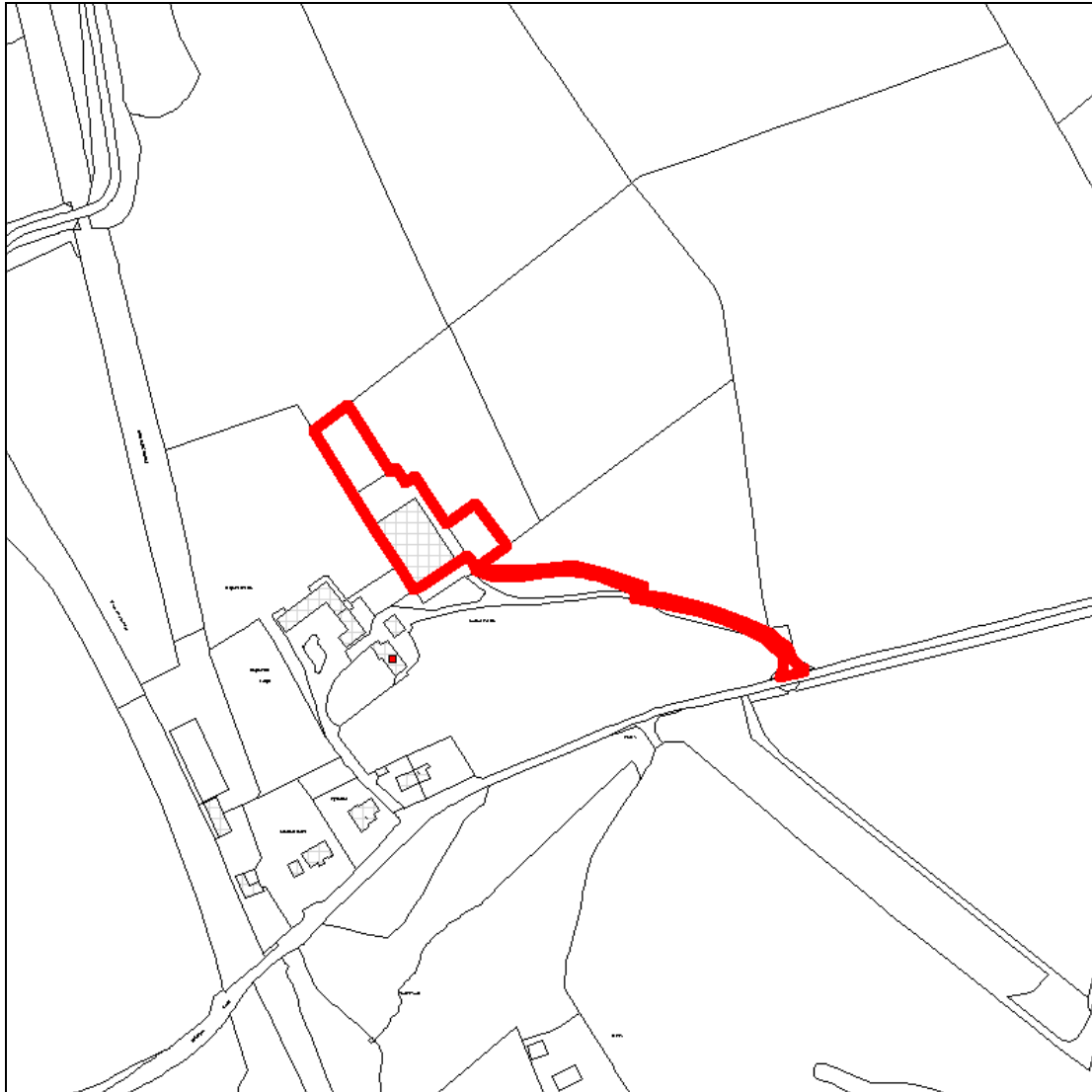
P/GH/A/13/77766

Application No: A/13/77766

Development Proposed: To erect temporary dwelling, change of use and extension to existing agricultural building to indoor riding area, stables and tack room together with creation of outdoor sand paddock and retention of access track diversion.

Location: Land and Buildings Rear of Rothwells Farm Sennicar Lane Wigan

Ward: Aspull New Springs Whelley



Site Area 



This plan is representative only, to indicate the site in relation to its surroundings.

Wigan Council

Planning Committee – Summary

12th November 2013

Application No: A/13/77931 MAJOR

Location: Vacant Land Adjacent To Hemfield Court and Makerfield Way Ince

Development Proposed: Change of Use to dual use steel stockholding (reusable steels) storage site, and metal recycling facility including construction of office, staff amenity building, buying shed, end of life vehicle facility and associated tank farm, 3 weighbridges incorporating boundary treatments and landscaping.

Applicant: European Metal Recycling Ltd

Agent: Jones Lang LaSalle

Recommendation

To Approve with Conditions

Recommendation:

A total of 40 objections have been received. The grounds of objection cover a range of topics, principally relating to conflict with national and local planning policy; traffic generation; drainage and flooding problems; and adverse impact on existing businesses and residents by virtue of noise, air quality, dust, vermin, health, and drainage/ flooding impacts.

Assessment:

The proposal relates to the change of use of the site to a dual use comprising a steel stockholding (reusable steels) storage site and a metal recycling feeder yard. The largest portion of the site on the north-eastern side will be used to store up to 10,000 tonnes per annum of re-usable steel with the remaining part of the site used as a metal recycling facility. Locally collected ferrous and non-ferrous metallic waste would be brought on site, sorted and bulked up into larger quantities, before being transported for further processing elsewhere. The metal recycling facility also includes an End of life Vehicle (ELV) processing and storage facility.

The application has been assessed against the provisions of both national and local planning policy. It is considered that the proposals accord with the objective of securing the provision of sustainably sited waste management facilities through the redevelopment of brownfield land within an established industrial estate.

Following assessment of the proposal and supporting information, along with the responses from consultees, it is considered that the proposals would not adversely affect the amenities of neighbouring residents nor prejudice the operation of nearby business

within the employment area in terms of unacceptable noise, pollution, contamination or traffic generation. The proposed hours of operation and expected levels of activity are therefore compatible with surrounding uses and provide a modern recycling facility which is required to reduce the amount of waste being sent to landfill.

The proposal satisfactorily minimises the visual impact of on-site operations through effective screening by landscaping and boundary treatments. Conditions are recommended to ensure that stockpiles and stacked materials do not exceed the height of the boundary walls which will enclose the site. As a result the proposals would not adversely affect the appearance of the employment area, nor constitute a conspicuous feature when viewed from the green belt.

Following careful assessment, it is concluded that the siting of the proposed facility within the Makerfield Way Primary Employment Area is acceptable.

Wigan Council

Report to Planning Committee

12th November 2013

Application No: A/13/77931 MAJOR

Speaking arrangements:

One speaker against for 4 minutes One speaker in favour for 4 minutes

Applicant: European Metal Recycling Ltd

Agent: Jones Lang LaSalle

Development Proposed: Change of Use to dual use steel stockholding (reusable steels) storage site, and metal recycling facility including construction of office, staff amenity building, buying shed, end of life vehicle facility and associated tank farm, 3 weighbridges incorporating boundary treatments and landscaping.

Location: Vacant Land adjacent to Hemfield Court and Makerfield Way Ince

Ward: Ince

Site Description:

This disused site lies within the Makerfield Way Primary Employment Area and was previously occupied by a large warehouse and associated hard standing. The warehouse was demolished around 2009. The site fronts onto Makerfield Way. Industrial premises occupied by Pasco Herbs and Spices are sited on the opposite (south-western) side of the road, beyond which is the new council depot. A row of industrial units front onto the access road known as Hemfield Court located adjacent to the north-west of the site boundary. The Kirkless Household Waste facility lies just beyond these units.

An industrial unit with surrounding yards adjoins the north eastern site boundary. Hindley Hall Golf Course lies beyond this building. The south-eastern boundary of the site adjoins agricultural land within the green belt.

The nearest residential properties to the site (De Trafford House and De Trafford Cottage) are located approximately 170 metres to the south-west of the site and accessed off Makerfield Way.

Public rights of way pass near to the site. These include the unsurfaced track known as Hemfield Road which runs in a south-easterly direction towards Hindley, and also along Hemfield Court in a north-easterly direction towards Hindley Hall Farm and the golf course.

Proposals:

The proposals relate to the change of use of the site to a dual use comprising a steel stockholding (reusable steels) storage site and a metal recycling feeder yard. The yards will be accessed from Makerfield Way via a single internal access route.

The largest portion of the site on the north-eastern side will be used to store up to 10,000 tonnes per annum of re-usable steel, with approximately 5,000 tonnes stored on site at any one time. This material includes beams and column rods, steel sheets and steel plate and will be received on flat bed HGVs, which will then be unloaded and arranged into stacks not exceeding 3m in height. The reusable steels will then be available for purchase by customers and transported from the site. A 3 metre high steel screen fence will be provided to the external boundaries of the yard with landscaped buffers around the site perimeters.

The remaining part of the site will be used as a metal recycling facility. Locally collected ferrous and non-ferrous metallic waste would be brought on site, sorted and bulked up into larger quantities. A mobile crane will be used to place metals to the relevant stockpile to await onward transfer. This will then be transported by road to a 'main recovery' site at Salford or Liverpool Docks for further processing and onward export or direct to UK based customers. The handling capacity of the metal storage and processing yard is estimated at 35,000 tonnes per annum with approximately 10,000 tonnes being on site at any one time.

End of Life Vehicles (ELVs) will be brought on to the south-west corner of the site which has been identified to process ELVs. The vehicles will be stripped of their components (non-ferrous materials, battery, catalytic converter, etc) within an industrial building and the fluids from the vehicle will be collected and stored in the bunded tanks on the site. The de-polluted vehicles will be stored externally in a separate area close to the western boundary and close to the ELV building, before being graded, stockpiled in the main yard and transported to processing sites elsewhere.

The metal recycling facility, including the ELV processing area and its associated storage areas, will be enclosed by 7 metre high steel screen barriers and belts of landscaping around the site boundary with Makerfield Way, Hemfield Court and the agricultural land to the south-east.

In association with operations within the application site, several modular buildings and storage structures are proposed which include;

- a two storey portable building accommodating office/ staff facilities;
- a single storey building for use as a buying shed for non-ferrous metals;
- installation of three weighbridges;
- a single storey weighbridge office in a portable building; and,
- a single storey, galvanised steel building to accommodate the ELV facility with an adjacent tank farm.

The site will operate from 7am to 7pm on Monday to Friday and 7am to 2pm on Saturdays. It would not be open on Sundays or Bank Holidays.

Supplementary Documents

Design and Access Statement
Planning Statement
Transport Statement
Flood Risk Assessment
Noise Impact Assessment
Arboricultural Survey
Phase One Desk Study Report
Landscape and Visual Assessment
Drainage Proposals

All these documents are available on the website.

Policy Context UDP Allocation:

The site lies within Primary Employment Area EM1A 16 Makerfield Way, Ince

Relevant Policies/Guidance

National Planning Policy Framework

PPS 10 - Planning for Sustainable Waste Management

Greater Manchester Joint Waste Development Plan Document

Wigan Local Plan Core Strategy

CP 5 - Economy and Employment

CP 7 - Accessibility

CP 10 - Design

CP 14 - Waste

CP 16 - Flooding

CP 17 - Environmental Protection

CP 18 - Developer Contributions

Wigan Replacement Unitary Development Plan Saved Policies:

EM1A - Primary Employment Areas

EV1B - Pollution

A1S - Parking in New Development

Supplementary Planning Document - Development and Air Quality

Previous Relevant Decisions:

None relevant

Consultations:

Engineers Highways - No objections on highway capacity or safety grounds having regard to the transport assessment, and various amendments including the provision of a pedestrian footway at the site access. Conditions are recommended to control the numbers of HGV movements generated by the site in a daily basis.

Engineers Drainage - No objections in principle.

Environmental Protection: No objection subject to conditions which restrict noise levels generated by the site, a limitation on operating hours, a requirement for the provision of the proposed boundary treatment scheme and the implementation of any necessary remedial measures to address landfill gas migration. A financial contribution should also be secured to mitigate against the adverse effects on air quality that would arise from the proposal.

United Utilities - No objections, subject to the approval of full drainage details demonstrating that all trade effluent and contaminated rainwater will drain to the existing foul sewer together with the installation of interceptors.

GM Fire Officer - No objections subject to the scheme providing satisfactory access for emergency vehicles, and the provision of fire hydrants

Environment Agency - No objections subject to conditions requiring the approval of details for the drainage system and for the remediation of contamination. The development will also require an Environmental Permit to be issued by the Environment Agency.

GM Minerals and Waste Unit - No objections in principle when assessed against the Waste Plan, provided that there is no adverse impact on sensitive receptors particularly in terms of noise generation.

Greater Manchester Ecology Unit - No objection.

Representations

A total of 40 objections have been received.

The grounds of objection cover a range of topics but in summary relate to the following areas of concern:

- The development is in conflict with national and local planning policy in the UDP and the site is unallocated within the Waste Plan. It is therefore an unsuitable site for the proposed scrap yard given the sensitive land uses in the vicinity;
- there will be an adverse impact on the green belt;
- adverse impact on the Grade II listed Hindley Hall;
- adverse impact on sites of biological importance within 1 km of the site, and on the adjacent wildlife corridor;
- a harmful visual impact of the storage stacks and unacceptable appearance of the scrap facility;

- the existing highway infrastructure is inadequate to safely accommodate the increase in vehicular activity, including movements of HGVs, and it will exacerbate existing problems of congestion of the local highway network, resulting in queuing on Makerfield Way obstructing existing accesses;
- the access is sited on a blind bend and will adversely affect highway safety;
- potential for increased use of the unsurfaced track (Hemfield Road) which runs between Makerfield Way and Highfield Drive as a short cut;
- increased traffic along Makerfield Way will be detrimental to amenities of nearby residential properties in terms of air quality, noise and disturbance;
- there is inadequate on-site parking and servicing;
- there will be detrimental impacts from noise generated by the on site operations, machinery and equipment, along with the generation of dust and odours;
- increased pollution and potential risks to health from the storage of toxic waste and the risk of leakage;
- an increase in vermin;
- litter and metal debris will deposit along Makerfield Way;
- it will exacerbate existing surface water draining and flooding problems;
- the applicant has breached Health and Safety Executive regulations elsewhere;
- adverse impact on existing businesses (including food processing/) within the primary employment area which require a pollution/noise free environment, resulting in businesses relocating elsewhere, job losses, a deterrent to future investment and a reduction in occupancy of units
- a loss of privacy
- an increase in criminal activity and fly tipping;
- inadequate consultation has been carried out; and
- a reduction in property values

One objector suggests that if planning approval is to be granted then conditions should be imposed to restrict operating hours to 9am - 5pm on Monday to Friday; to limit the maximum number of tonnes of scrap to be processed to 10,000 tonnes per annum; and restrict the height of metal storage piles to 7.62m.

Assessment

Material Considerations:

Principle of Development

Traffic and Access

Noise

Air Quality

Visual Intrusion

Ecology

Protection of Water Resources and Flood Risk

Observations on Representation Received

Principle of Development

Whilst the core principles of the National Planning Policy Framework provide a presumption in favour of sustainable development, the NPPF does not contain specific waste policies, which it is intended will be published alongside the National Waste

Management Plan for England. Presently national planning policy on waste is set out in PPS10 'Planning for Sustainable Waste Management'; which states that amongst other things planning has an important role in delivering sustainable waste management facilities of the right type, in the right place and at the right time.

PPS10 goes on to advise that in deciding which sites and areas to identify for waste management facilities, waste planning authorities should assess the extent to which they support the policies in PPS10; the physical and environmental constraints on development, including existing and proposed neighbouring land uses; the cumulative effect of previous waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential; and the capacity of existing and potential transport infrastructure to support the suitable movement of waste and products arising from resource recovery, seeking when practicable and beneficial using modes other than road transport. Priority should be given to the re-use of previously-developed land.

Whilst there may be some overlap in assessing the impacts of the proposed use with those addressed of the Environmental Permitting regime administered by the Environment Agency, and local planning authorities should not replicate such controls, PPS10 states that matters such as hours of operation, landscaping, the timescale of the operations, and impacts such as noise, odour and dust from certain phases of the development, are material planning considerations. Therefore the planning system can play an active role in guiding development to sustainable locations in advance of the applicant seeking approval of a permit under the Environmental Permitting (EP) regulations.

The Greater Manchester Joint Waste Development Plan Document came into force on 1 April 2012 and has been adopted by the Council. It is part of the development plan for Wigan borough. Its aim is to provide a sound spatial planning framework to deliver sustainable waste management in Greater Manchester consistent with national planning policies and the Waste Strategy for England 2007. The purpose is to provide sufficient opportunities for new waste management facilities to come forward within Greater Manchester.

The key objectives of the Waste Plan reflect those of national policy, promoting the movement of waste up the waste hierarchy and reducing greenhouse gas emissions and assisting in adaption/mitigation of climate change, decoupling waste growth from economic growth, being flexible in allowing emerging technologies to come forward; reducing waste movements, whilst ensuring appropriate protection of the quality of life of communities and protecting the sub-region's natural environment, biodiversity and cultural heritage; and

Both PPS10 and the Waste Plan require waste to be managed in a sustainable way in line with the waste hierarchy. The proposed development moves waste up the hierarchy, allowing for the recycling and reuse of materials, and away from landfill, and it therefore supports this objective.

The Waste Plan indicates that there is already sufficient existing capacity for commercial and industrial recycling, such as that proposed by this application, however, the GM Minerals and Waste Unit point out that the assessment was dealt with as a whole, rather than being broken down into specific sub-categories of waste. Therefore, additional

material specific facilities, such as that proposed, can be expected to come forward throughout the Plan period.

The application site has not been specifically allocated within the Waste Plan. However this in itself does not mean that it is unsuitable and would not justify refusing the proposal. As the site is not specifically allocated, the proposal needs to be assessed against Policy 10 of the Waste Plan 'Unallocated Sites' which states that 'Applications for waste management facilities on unallocated sites will be permitted where the applicant can demonstrate that the proposal fits in with the spatial strategy set out in the Waste Plan and contributes to the Waste Plan aims and objectives; and the proposal meets the same assessment criteria as allocated sites'.

Therefore the suitability of this site for the proposal is dependent upon the amenity impacts, including those from noise, traffic and visual intrusion, and whether any negative impacts can be sufficiently mitigated. If significant negative impacts would remain following mitigation, then it is considered that any need for the facility would not be sufficient to outweigh the subsequent harm and the proposal would be in direct conflict with Policy 10 of the Waste Plan.

It is accepted that the principle of commercial redevelopment on this site is in compliance with UDP policy EM1A and Policy CP5 of the Core Strategy, which are permissive of employment uses within Primary Employment Areas provided that they would not give rise to unacceptable environmental, amenity, highway, road safety or other adverse impact.

Objections have been received due to the possible impact on existing businesses and jobs within the employment area. In this respect it is necessary to have regard to the criteria identified in UDP policy EM1A for determining the acceptability or otherwise of a proposal. The policy states that other uses that may be acceptable on a primary employment site other than B1, B2 and B8 include waste transfer depot, waste transfer and recycling facilities, provided that there will be no unacceptable environmental, amenity, highway road safety or other adverse impact. Therefore provided that amenity considerations of this policy are met then in principle any building within the Primary Employment Area could be acceptable for the proposed use.

In respect of the impact of the proposal on sensitive receptors, these factors are considered in more detail below.

Traffic and Access

A detailed Transport Assessment (TA) has been submitted and has been assessed by the Council's Highway Engineer. On the basis of the predicted traffic movements set out within the TA, and the traffic generated by similar sites operated by the applicant elsewhere, the Council's Highway Engineer considers that the impact of the proposals on the highway network will be acceptable and should not result in highway safety or capacity issue. It is however recommended that a condition should be imposed which limits HGV movements to a total of 50 per day, to ensure that there is no unacceptable intensification of HGV activity associated with the operation of the site. In addition the Highway Engineer considers that the trips expected to be generated as a result of the proposed uses are likely to be less than those which resulted from the former warehouse depot which previously occupied the site.

Whilst the site access is located on the corner of Makerfield Way at its junction with Hemfield Road, the Highway Engineer considers visibility of oncoming traffic to be satisfactory. In addition, the layout of the access point onto Makerfield Way has been amended to enable pedestrians using Hemfield Road to safely cross the access.

The Highway Engineer has confirmed that access arrangements and on site parking and manoeuvring areas for large vehicles are acceptable. There is also sufficient space within the site for vehicles waiting to access the yards and weighbridges, and thereby avoid the need for vehicles to queue on Makerfield Way outside the facility.

On this basis, it is considered that the proposal is deemed acceptable when assessed against the transportation policies at both the national and local level, including the policies of the Waste Plan, Core Strategy and the UDP.

Noise

The proposal needs to be assessed against the amenity considerations of the NPPF, and UDP Policy EM1A and Policy CP17 of the Core Strategy, which seek to protect existing and proposed land uses from significant adverse impact on amenity by amongst other things, noise, smell, fumes, light spillage traffic or other nuisance.

The application is accompanied by a Noise Assessment and additional information that has been carefully considered by the Council's Environmental Protection Officers to assess the impacts arising from the proposal and whether the proposal has the potential to cause disturbance to sensitive receptors and business premises close to the site.

Having reviewed all of the submitted information, including the predicted level of noise arising for activities within the site, the Environmental Protection Officer has raised no objection to the development subject to conditions being imposed restricting noise levels generated by operations within the site when measured from nearby noise sensitive properties and restricting the operation of the site to between 7am and 7pm on Monday to Friday, and 7am and 2pm on Saturdays.

A condition is also required to ensure the provision of the proposed boundary treatment scheme for the yard areas which has been determined to be an effective noise barrier for on-site activities. This will satisfactorily protect the adjacent business premises at Hemfield Court and Makerfield Way in terms of noise impact.

It is therefore considered that the proposal would not result in significant noise related amenity problems for surrounding residents or adjacent business premises.

Air Quality

It is necessary to have regard to the NPPF, in particular paragraph 69, UDP Policy EV1B and the Council's Supplementary Planning Document 'Development and Air Quality'. Policy EV1B seeks to protect the environment by 'inter-alia' not permitting development that would result in unacceptable levels of air pollution or which would have an unacceptable effect on air quality, particularly in or adjacent to the Air Quality Management Areas (AQMA).

The development site is not within an AQMA; however, an AQMA is located along Manchester Road (A577) which provides access to Makerfield Way. An Air Quality Assessment has been submitted in support of the application and has been reviewed by the Councils Environmental Protection Officer who has advised that in accordance with the SPD, and to mitigate the impact on local receptors from HGV movements arising from the development, a financial contribution to the Air Quality Action Plan is required. The applicant has completed a Unilateral Undertaking which will secure the payment of this contribution.

Whilst concerns have been raised in respect of dust contamination, the Environmental Protection Officer does not consider this to be significant issue in respect of the proposed metal recycling and storage activities. The applicant has stated that regular road sweeping and water dampening within the yard areas will be carried out on a daily basis, or more often during warmer, dryer weather, to prevent problems of dust generation. In addition, the applicant will be required to obtain a licence from the Environment Agency that will provide controls on activities at the site. It is not therefore necessary to replicate these controls within the planning application.

As the site will solely deal with metals and their derivatives and not with any general refuse or household waste, it is not therefore expected that any significant problems of odours generation will arise from the proposed operations on the site.

Nature Conservation

An Ecological Report has accompanied the application and assessed the impact of the development on protected species and habitats of biodiversity importance within and around the site. This has confirmed that whilst Borstal Wood Local Nature Reserve (LNR), a national statutory site, is located within 1km of the site, it is separated from the site by Hindley Hall Golf Course, and as a result development on site would have no direct or indirect effects on the LNR.

In addition, four non-statutory Sites of Biological Importance (SBI) are located within 1km of the site, however, the report concludes that there will be no residual or indirect effects on any protected species or these sites as a result of the development proposals.

The findings of the Ecological Report have been assessed by Greater Manchester Ecology Unit (GMEU) and are considered satisfactorily. In particular, although the application site is within 25 metres of the Hindley Deep Pits Site of Biological Importance (SBI), it is not considered that the proposed development will have a significant impact on the special interest of the SBI subject to appropriate precautions are taken to ensure that no potentially contaminated surface water or dust from the site reaches the SBI. In addition proposals for new tree and hedge planting within the site are welcomed as it will enhance biodiversity interests, in addition to acting as a landscape screen for site operations.

Therefore having regard to the views of the GMEU, it is considered that the scheme is deemed acceptable in ecological terms.

Visual Intrusion

Whilst the site will principally be used for open storage and metal processing activities, the site will be subject to the provision of the proposed boundary treatment scheme and perimeter landscaping.

To effectively contain on site activities a 7 metre high barrier structure will be constructed to enclose the boundaries of the metal storage and processing yard. 3m high barriers will be provided alongside the external boundaries of the re-usable steels and stockholding yard. The height of the boundary screens will be of similar height to warehouses and industrial buildings nearby. The 7 metre high barrier will be faced in brickwork and metal cladding and is designed to resemble the façade of a modern industrial building. In addition 10 metre wide belts of landscaping, incorporating tree planting, will be provided alongside the frontages of the site with Makerfield Way and Hemfield Court to further reduce the visual impact of the site.

The south-eastern site boundary will be defined from adjoining agricultural land with the green belt by a 10 metre wide landscape buffer incorporating substantial native tree planting and hedgerows. The proposed planting will integrate with adjacent woodland and ensure that the development will not be conspicuous when viewed from vantage points within the green belt.

The applicant has stated that the stacked piles of reusable steels will be maintained under the height of the 3 metre boundary screening to the reusable steel storage and stockholding yard. Similarly, metal stockpiles will be maintained under the height of the 7 metre boundary screen to the metal storage and processing yard.

It is therefore considered that the height and design of the boundary treatments for the yard areas, combined with the depth and extent of perimeter landscaping will effectively contain and screen processing activities, storage uses and new buildings. As a result the proposed uses of the site will not detract from the appearance of the employment area nor constitute an unduly dominant features in the landscape when viewed from the green belt. Conditions are recommended to ensure that the barriers enclosing the yard areas are of a satisfactory appearance, the buffer area landscaping is implemented and a landscape management plan is secured to ensure that areas of perimeter planting are maintained to an acceptable standard.

In terms of visual amenity, it is further considered that the development as proposed would have no greater impact than any alternative industrial development which could readily be accommodated on the site.

Flood Risk and Drainage

The proposal has been assessed against the NPPF, in particular paragraphs 102 to 103, and Policy CP16 of the Core strategy concerning the need to reduce flood risk.

The proposed yard areas will be fully covered by a concrete slab and provided with surface water drainage connected to an appropriate interceptor. The drainage connection will require specific discharge consent from the Environment Agency and United Utilities. Any pollutants will be stored in bunded/secure storage containers/tanks.

The proposals have also been accompanied by a Flood Risk Assessment which concludes that appropriate site drainage can be provided. The findings of the FRA and the proposed drainage details have been assessed independently by the Environment Agency and United Utilities, and neither raise objections. This is however subject to all trade effluent, including all contaminated rainwater from the site draining to the existing foul sewer, and the installation of appropriate interceptors to minimise the risk of solids, oils, grease etc. from entering the sewer. Conditions are therefore recommended requiring the submission and approval of the site drainage arrangements prior to the commencement of development.

It is therefore concluded that there are no reasons why the proposal should be resisted having regard to the submitted information regarding drainage and flood risk and it is considered that any comments raised by the statutory consultees can be adequately dealt with by planning condition..

Observations on Representations Received

Other than the matters set out below, all other issues raised by objectors is addressed in the report above,

Inadequate consultation - The application has been advertised in full accordance with the Council's Code of Conduct relating to the publicising of planning applications.

Impact on existing business and employment area - Concerns has been raised that the proposals would prejudice the operation of nearby commercial premises leading to potential relocation of businesses and job losses. However, there is no evidence to support this view, particularly as the Council's Environmental Protection Officer is satisfied that the proposals can operate without resulting in unacceptable noise generation or air pollution (dust and odour). In addition all site activities will be required to be carried out under the terms of a waste management permit issued and regulated by the Environment Agency. The Permit covers all the required controls, management operations and waste acceptance conditions. Furthermore, it is also considered that the site will be effectively screened and contained by boundary treatments and landscaping, ensuring that its uses would not have unacceptable visual impact on the appearance of the employment area.

Reduction in Property Value - Whilst concerns regarding the siting of the proposed facility and the potential impact on property values are understandable, following assessment of the proposals and their impact, it is considered that there is no evidence to support this assertion, having regard to the existing industrial character of the area.

Increased Risk of Crime - The facility will be secured with a perimeter barrier, a sliding steel gate to the metal storage and processing operations yard and a pair of hinged swing gates to the reusable steels storage and stockholding operations yard. In addition the site will be monitored by CCTV. The unlawful disposal of scrap metal within the facility is controlled under other legislation.

Breaches of Health and Safety Regulations - Although an objector has submitted details alleging various breaches of health and safety regulations on existing sites operated by the applicant, such matters cannot be addressed under planning legislation and are consequently not material considerations relevant to the determination of this application.

Potential Risk to Health - The proposed uses will be required to operate in accordance with permits regulated by the Environment Agency. The permit will incorporate conditions which the site must be operated to, to specifically prevent harm to human health, nuisance or pollution of the environment.

Impact on Hindley Hall (Grade 2 listed) - This listed building is sited over 400m to the north-east of the site. Its historic significance and setting will not be adversely affected by the development given that the application site is screened by an existing industrial building and extensive tree planting within the adjoining golf course.

Increased litter, debris and fly tipping - Whilst there is always a risk of fly tipping outside waste recycling facilities, it is considered that the presence of CCTV security and the requirements for the landscaped perimeters of the site to be maintained, will effectively minimise the impact of such illegal activity. Waste blown from or falling off vehicles transporting material to waste processing facilities is acknowledged, however given the nature of metal waste which will be processed and stored at the application site, it is expected that any occurrences of debris or litter arising from transportation to the facility would be minimal and consequently not have detrimental affect on either the appearance of the locality or highway safety.

A condition is required to limit the annual tonnage of scrap metal being processed at the facility - Given that condition are recommended to restrict vehicles movements to the site, the height of stockpiles and the hours of operation, it is not considered that a further condition to limit the amount of material being processed at the facility is necessary.

Conclusion:

The application has been assessed against the provisions of both national planning policy and the Development Plan. It is considered that the proposals accord with the objective of securing the provision of sustainably sited waste management facilities through the redevelopment of brownfield land within an established industrial estate.

Following careful assessment of the proposal and supporting information, along with the responses from consultees, it is considered that the applicant has demonstrated that the proposals would not adversely affect the amenities of neighbouring residents nor prejudice the operation of nearby business within the employment area in terms of unacceptable noise, pollution, contamination or traffic generation. The proposed hours of operation and expected levels of activity are therefore compatible with surrounding uses and provide a modern recycling facility which is required to reduce the amount of waste being sent to landfill.

In addition, the proposals are of a layout and design which ensures that the visual impact of on-site operations would not adversely affect the appearance of the employment area nor constitute a conspicuous feature when viewed from the green belt.

The siting of the proposed facility is therefore considered to be acceptable when assessed against the provisions of National Planning Policy Framework, PPS10, the Waste Plan, the Wigan Core Strategy and Saved UDP policy EM1A.

Recommendation

To Approve with Conditions

1. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the details shown on plan references;
D3523.103A Layout Proposals
D3523.104B Indicative Cross Sections
D3523.105 Building and Fixed Plant Proposals Sheet 1
D3523.106 Building and Fixed Plant Proposals Sheet 2
D3523.107A Boundary Treatment Details
015-01/GA-01 Rev A Site Access Arrangement
2. The Rating Level (as defined in British Standard 4142: 1997 Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas) shall not exceed the following levels when measured at nearby noise sensitive properties on Hemfield Close, Winscar Road, De-Trafford Drive, Petticoat Lane, Elmlea Gardens, Darby Lane, Hall Lane, Mayfair Drive and Hemfield Road :
Monday to Friday 07:00 to 19:00 40 dB(A)
Saturday 07:00 to 14:00 40 dB(A)
3. The use of the site hereby permitted shall not be carried out except on Monday to Friday between 07:00 and 19:00 hours, on Saturday between 07:00 and 14.00 hours, and at no times on Sundays or Bank or Public Holidays.
4. Prior to the commencement in construction of the boundary treatment scheme specified on drawing ref: D3523.107A, particulars and samples of facing/cladding materials for all structures shall be submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in full before the use hereby permitted first commences, and shall be retained thereafter.
5. No development shall be started until an investigation and assessment of the nature and extent of any contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The assessment shall identify any remedial measures required to deal with any hazards identified and such measures shall be implemented before the occupation of any of the buildings hereby permitted.
6. The proposed development is within 250m of a known landfill site. Before the commencement of the development, all reasonable steps shall be taken to investigate the possibility of gas migration affecting the site. The survey methods for this investigation shall be agreed in advance with the Local Planning Authority and a copy of the results of the survey shall be submitted to the Local Planning Authority as soon as they are available. Where gas migration is confirmed, or there is evidence that migration is likely to occur, development shall not commence until satisfactory remedial measures have been taken to control and manage the gas, to monitor the effectiveness of these measures and, where necessary, to incorporate adequate precautionary measures in the design and construction stages. Such measures shall be agreed in writing by the Local Planning Authority before any implementation commences.

7. During the first available planting season following the expiry of a period of 12 months from the commencement of the development hereby approved, a screen of trees and shrubs shall be planted within the landscape buffer areas as shown on drawing D3523.103A (Layout Proposals) around the perimeter of the site, in accordance with a detailed scheme which shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. The screen planting shall be maintained in accordance with the approved scheme and if any trees or shrubs die or become diseased within the first 5 years following planting, replacements specimens shall be planted accordance with details submitted to and approved in writing by the Local Planning Authority.
8. Prior to the commencement of development, a landscape management plan, including management responsibilities and maintenance schedules for the landscaped buffer around the site perimeter as shown on drawing D3523.103A, and the screen planting of those areas as required under Condition 8, shall be submitted to and approved in writing by the Local Planning Authority. The landscaped areas shall thereafter be managed in full accordance with the approved details.
9. The number of heavy goods vehicles carrying waste or processed materials entering or leaving the site shall not exceed 50 on any day. In this context, a heavy goods vehicle is defined as a goods vehicle over 3500kg design gross weight.
10. Following the first commencement in the use of the site hereby permitted, a record shall be kept of heavy goods vehicles (as defined in condition 10) entering and leaving the site. This record and shall include such detail as is required for the Local Planning authority to monitor vehicular numbers and the times that they enter and leave the site. The record shall be available for inspection on request by the Local Planning Authority.
11. No storage of metals and associated products, including storage containers, shall take place at any time above the heights specified below;
 - 3 metres within the steel stockholding site, and
 - 7 metres within the metal recycling facility site.
12. Prior to the commencement of the development and any use hereby approved, details of the arrangements for the disposal of foul and surface water from the site, including the installation of appropriate interceptors and measures to prevent contamination of groundwaters, shall be submitted to and approved in writing by the Local planning Authority. The development shall be implemented fully in accordance with the approved scheme.

Reasons:

1. For the avoidance of doubt, and having regard to Policy CP10 of the Wigan Local Plan Core Strategy.
2. The predicted level of noise emission from the proposed development would not be acceptable to existing development in the vicinity outside normal working hours, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP.
3. To safeguard the amenities of the adjoining premises and the area generally, having regard to Policy CP17 of the Wigan Local Plan Core Strategy.

4. To minimise the noise annoyance on existing development in the vicinity, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and Policy EV1B of the replacement Wigan UDP and to ensure that the appearance of the site is satisfactory having regard to Policy CP10 of the Wigan Local Plan Core Strategy.
5. To ensure that any contamination is investigated and treated to the satisfaction of the Local Planning Authority, during the carrying out of the development as required by Policy CP17 of the Wigan Local Plan Core Strategy and Policy EV1B of the replacement Wigan UDP.
6. The proposed development is within 250m of a known landfill site which may be contaminated by landfill gas, and development should only be undertaken when adequate safeguards are put in place, as required by Policy CP17 of the Wigan Local Plan Core Strategy and Policy EV1B of the replacement Wigan UDP.
7. To help to assimilate the proposed development into its surroundings, having regard to Policies CP9 and CP10 of the Wigan Local Plan Core Strategy.
8. To ensure landscaped areas are efficiently implemented and subsequently maintained in the interests of the appearance of the proposed development and its surroundings, having regard to Policies CP9 and CP10 of the Wigan Local Plan Core Strategy.
9. To provide for the safety and convenience of users of the highway, for the free flow of traffic, and to safeguard the amenity of neighbouring premises, in accordance with Policies CP7, CP10 and CP17 of the Wigan Local Plan Core Strategy.
10. To provide for the safety and convenience of users of the highway, for the free flow of traffic, and to safeguard the amenity of neighbouring premises, in accordance with Policies CP7, CP10 and CP17 of the Wigan Local Plan Core Strategy.
11. In order to ensure a satisfactory appearance and protect the amenities of the area having regard to Policies CP10 and CP17 of the Wigan Local Plan Core Strategy.
12. To ensure that the site is satisfactorily drained, in accordance with Policy CP17 of the Wigan Local Plan Core Strategy.

Plans Attached to Report

Location Plan

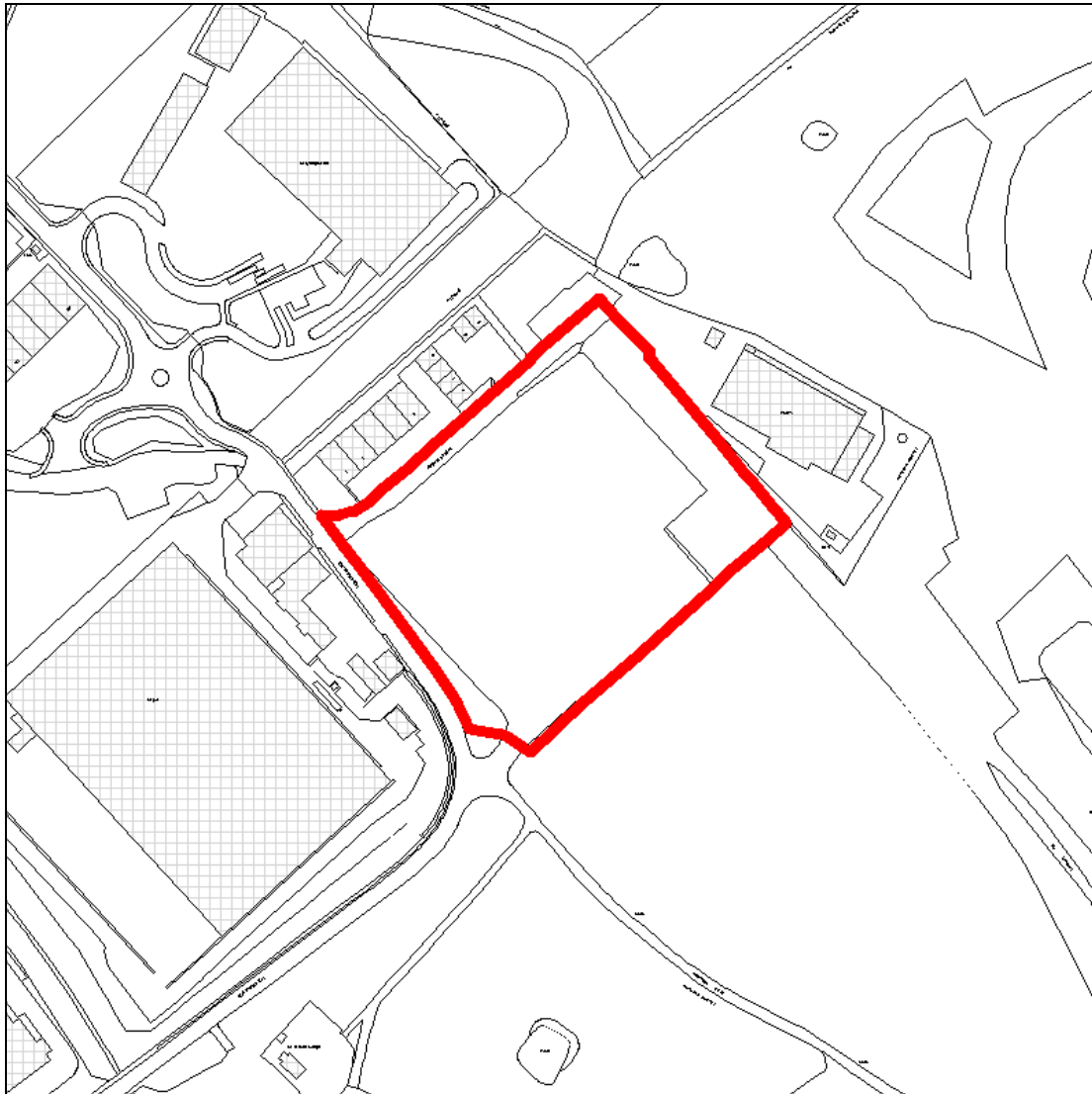
P/TAYLOR/A/13/77931

Application No: A/13/77931

Development Proposed: Change of Use to dual use steel stockholding (reusable steels) storage site, and metal recycling facility including construction of office, staff amenity building, buying shed, end of life vehicle facility and associated tank farm, 3 weighbridges incorporating boundary treatments and landscaping.

Location: Vacant Land adjacent to Hemfield Court and Makerfield Way Ince

Ward: Ince



Site Area 



This plan is representative only, to indicate the site in relation to its surroundings.

Wigan Council

Planning Committee – Summary

12th November 2013

Application No: A/13/78383

Location: Bickershaw Colliery Site Plank Lane Leigh

Development Proposed: Mixed use development comprising 471 residential units (437 dwellings and 34 apartments), 644 square metres of office space, a community centre and cafe, together with associated public open space and landscaping (Reserved Matters of application A/11/76257)

Applicant: Taylor Wimpey Manchester

Agent: HOW Planning

Recommendation

To Approve with Conditions

Representations:

16 letters of objection have been received on the grounds of the increase in traffic adding to congestion in the area, traffic surveys being undertaken at inappropriate times, insufficient school places, flood risk and drainage problems, the loss of open space, the chain pub will affect existing business, and the vacant offices will be a white elephant. The Crankwood, Abram and Lowton Bridleways Association has expressed concerns at the lack of equestrian access provision within the site.

One letter of support has been received on the grounds of job creation and two letters express general support, however, raising concerns at the impact of additional traffic.

Assessment:

The principle of a mixed use development on this site has previously been established and remediation works, including reconfiguration of Plank Lane, has already been undertaken. The present proposal seeks approval for the details of the development comprising 471 residential units, with office space, a community centre and cafe. The scheme includes provision of affordable housing in accordance with the Council's standards and a mix of accommodation.

Issues of highway access and traffic generation have previously been determined and financial contributions towards off-site highway improvements have been received. These include works to create a signal-controlled junction at Atherleigh Way/Twist Lane which is presently under construction and is due to be completed soon.

The proposal incorporates improvements to recreation facilities both on and off-site, and allows adequate integration both to existing neighbouring development and to the surrounding open space.

Recommendation:

It is recommended that Committee resolves to grant planning permission subject to the conditions in the report and to the applicant entering into a supplemental Section 106 agreement in respect of the arrangements for the provision and future maintenance of public open space, public realm, and play facilities within the site, for a financial contribution towards off-site play facilities, for improvements to equestrian routes, and for travel plan monitoring. It is also recommended that authority be granted to the Director Economy and Skills to issue the decision notice upon satisfactory completion of the required Section 106 agreement.

Wigan Council

Report to Planning Committee

12th November 2013

Application No: A/13/78383

Speaking arrangements:

One speaker against for 4 minutes One speaker in favour for 4 minutes

Applicant: Taylor Wimpey Manchester

Agent: HOW Planning

Development Proposed: Mixed use development comprising 471 residential units (437 dwellings and 34 apartments), 644 square metres of office space, a community centre and cafe, together with associated public open space and landscaping (Reserved Matters of application A/11/76257)

Location: Bickershaw Colliery Site Plank Lane Leigh

Ward: Leigh West

Site Description:

The application relates to the site of the former Bickershaw Colliery which closed in 1992. The site was acquired by the North West Development Agency, then transferred to the Homes and Communities Agency, which has overseen the remediation works to date. The applicant, Taylor Wimpey, is acquiring the site.

The overall site covers approximately 18 hectares, and is located 2.5 km to the west of Leigh town centre. The southern boundary of the site adjoins the Leeds-Liverpool Canal, beyond which lies Pennington Flash Country Park. Plank Lane bisects the site running in a north-east to south-west direction, linking Leigh to the east with Lowton/Golborne to the south. There is a lift bridge on Plank Lane where it crosses the canal.

The application site has been cleared of all previous structures and remediation undertaken. Plank Lane has been re-routed in association with a previously approved infrastructure application to allow for the creation of a marina alongside the canal and adjacent to the canal lift-bridge. As a result, the junction with Crankwood Road has been re-sited approximately 180 metres from the canal. Landscaped swales have been provided within the northern portion of the site.

To the east there is a mix of open land and residential development stretching towards Leigh. To the north is an extensive area intended to be reclaimed to form Bickershaw Country Park, an application for which was approved in August 2008 (A/08/70820).

Proposals:

Outline planning permission for mixed use development comprising a maximum of 650 residential units, a maximum of 2750 square metres of commercial space and a canal basin was approved in April 2009. An application to extend the period of time for implementation of the permission was granted in November 2011, allowing reserved matters to be submitted by November 2014.

The present application seeks approval of all the remaining reserved matters for the residential development and associated offices, community centre and cafe (appearance, landscaping, layout and scale); access having been approved under the outline application.

The proposal envisages the erection of 471 residential properties, comprising a mix of 3 and 4 bedroom detached, semi-detached and mews houses, with 24 apartments. 94 of the dwellings will be affordable as agreed with the Council's Housing Strategy team, which will be dispersed throughout the site. This represents 20% of the total dwellings and accords with the requirement of the outline consent.

The outline approval envisages a maximum of 650 dwellings to be accommodated. However, the present scheme for 471 dwellings has been devised by the applicant based on current market trends and demand in order to ensure that development can be brought forward quickly.

Alongside the marina basin will be a 3 storey corner block comprising cafe and community facility on the ground floor with apartments above, and two separate blocks with office accommodation on the ground floor and apartments above.

An area for the erection of a public house/ restaurant and local retail store on the western side of Plank Lane has been allocated and would form part of a later application.

The previous approvals have been subject to a Section 106 agreement covering affordable housing, phasing of the commercial development, community liaison and promotion of local education and training.

A financial payment towards off-site highway improvements has already been received following the earlier outline planning approval.

The following supplementary documents are available for viewing on the website

- Planning Statement
- Design and Access Statement
- Statement of Community Involvement
- Noise Impact Assessment
- Air Quality Assessment
- Flood Risk Assessment
- Framework Travel Plan
- Crime Impact Assessment
- Habitat Management Plan
- Landscaping Plan

Policy Context**UDP Allocation:**

Mixed Use Development

Relevant Policies/Guidance

National Planning Policy Framework

Replacement Unitary Development Plan (UDP)

EM1C - Economic Development Outside Primary Employment Areas

EM1G - Mixed Use Development, Former Bickershaw Colliery Site

R1E - Open Space in New Housing Developments

EV1A - Land Reclamation and Renewal

EV1B - Pollution

EV2C - Features of Major Importance for Nature Conservation and Wildlife Corridors

EV3F - The River Douglas, Canal Network and Other Water Features

A1S - Parking in New Developments

S1E - Small Shops and Services

C1C - Protection of Open Space and Sport and Recreation Provision

C1E - Greenway Network

C1F - The River Douglas, Canal Network and Other Water Features

Wigan Local Plan Core Strategy

CP2 - Open Space, Sport and Recreation

CP3 - Community Facilities

CP5 - Economy and Employment

CP6 - Housing

CP7 - Accessibility

CP8 - Green Belt and Safeguarded Land

CP9 - Strategic Landscape and Green Infrastructure

CP10 - Design

CP11 - Historic Environment

CP12 - Wildlife Habitats and Species

CP13 - Low Carbon Development

CP16 - Flooding

CP17 - Environmental Protection

SP2 - Our Town and Local Centres

SP5 - Greenheart

Previous Relevant Decisions:

A/07/70356 - Mixed use development comprising a maximum of 650 residential units, a maximum of 2750 square metres of commercial space (Use Classes A1, A2, A3, A4, A5, B1, D1, D2) principal highway infrastructure, a 40 berth canal basin, associated public realm and open space. Approved 14.04.2009

A/07/70364 - To construct access infrastructure to serve a mixed use development, comprising the realignment of Plank Lane, a new roads to link Plank Lane with Crankwood Road and further primary estate roads, a 40 berth marina, associated public realm, on street car parking and drainage/service infrastructure. Full remediation including demolition of existing buildings, import/export of fill materials and raising/ re-profiling of ground levels.
Approved 17.06.2008

A/11/76257 - Extension of time for implementation of A/07/70356. Approved 08.11.2011.

Consultations:

Highways Engineer - No objections in principle. The Transport Assessment considered in connection with the outline application was found acceptable for a development of up to 650 residential units, and the required financial contributions towards highway improvements made at that time were based on that figure. The site provides an accessible environment for walking and cycling, with access to bus services along a route with quality bus corridor facilities. There is adequate parking provision, although some communal areas appear congested and require improvement.

Environmental Protection - No objections subject to conditions to require submission of a Construction Environmental Management Plan (to include details of HGV movement times), air quality mitigation, control on the hours of operation and noise, fumes and odour emissions from commercial uses, and measures to provide sound insulation to residential properties from commercial activities and road traffic. Although gas and leachate control measures are known to be in place, it is recommended that a condition be imposed to require an investigation of possible gas migration on the site and the incorporation of any necessary remedial measures.

Environment Agency - It is recommended that the surface water drainage design is clarified before the current application is determined. Attenuation systems and several controls are proposed to restrict the rate of surface water run-off from the site, however, it is not clear what the total discharge rate is from the proposed development and how this relates to the conditions on the previous decisions. It is also not clear what the receptor is for the surface water as the layout plan does not show where the surface water sewer discharges to beyond the site.

United Utilities - No objections in principle subject to the site being drained on separate systems with only foul to the sewer and surface water to the adjacent watercourse. It is also noted that public sewers and water mains cross the site.

Coal Authority - The Coal Authority recommends that the applicant should revise the proposed site layout to avoid constructing a footpath crossing directly over any of the recorded mine entries and provide additional information to confirm what measures are proposed to treat all mine entries.

Canal and Rivers Trust - No objections in principle and is please to note the progress on a significant canal-side development. However, a number of matters should be addressed including: protecting the structural integrity of the canal washwall, clarification of surface water drainage run-off, the design of the apartment blocks, the protection of Ackers

Whitley's Basin, and the provision of parking facilities, and facilities for the storage and disposal of refuse and toilet waste from the marina.

Representations

16 letters of objection have been received. The grounds of objection are: increase in traffic adding to congestion in the area, traffic surveys undertaken at inappropriate times, insufficient school places, flood risk, the loss of open space, chain pub will affect existing business, vacant offices will be a white elephant, existing drainage problems.

One letter of support has been received on the grounds of job creation and two letters express general support, however, raise concerns about the impact of additional traffic.

The Crankwood, Abram and Lowton Bridleways Association has expressed concerns at the lack of access provision within the site. A suitable east-west route is required, even if this involves some use of new roads. The Association says that the north-south link from Plank Lane to Bickershaw north is not shown on the plans, although a stile is in place.

Assessment

Material Considerations:

Principle of Development

Highway and Traffic Issues

Design and Layout

Recreation and Open Space

Impact on Services

Drainage Issues

Ecology and Nature Conservation

Observations on Representations Received

Principle of Development

The NPPF promotes a presumption in favour of sustainable development, and amongst its core principles is the support for economic development to deliver the homes, businesses, infrastructure and thriving local places the country needs.

The principle of the proposed development has been established by virtue of the previous outline approvals, to which the proposed scheme conforms, and the development will allow for an important site within the borough's east-west core to come forward and support the supply of deliverable land to meet the borough's housing demands.

A total of 94 affordable dwellings will be provided on-site following agreement with the Council's housing Strategy team, and include a mix of both affordable rented and sale homes. The affordable homes include a range of sizes, with the majority being 2 bedroom accommodation. This mix is considered suitable to meet local needs, particularly the needs of smaller households as much of the area's current demand is for one and two bedroom accommodation, although it would be preferable for the mix of both affordable and market rent homes to better meet the needs of older households.

The applicant has supplied further details of the location, type and tenure proposed for all the affordable plots within the development and the proposed delivery timetable for Phase 1. Although there is a slightly larger proportion of apartments proposed, it is considered that it is preferable for all units in the block to be disposed of to the proposed Registered Provider.

The developer has carried out pre-application consultation, including advertisement in the local press, flyers to 4231 nearby residents and businesses, and the holding of two community consultation events. The Section 106 agreement in connection with the outline approval also requires the provision of a community liaison officer to be available for the duration of the development to deal with any issues which may arise.

Highway and Traffic Issues

A Transport Assessment (TA) and Supplementary Report accompanied the original outline application and the Council's Highway Engineers were satisfied with its conclusions. The on-site primary infrastructure has been provided, along with a financial contribution towards off-site highway improvements to serve a development of up to 650 dwellings. This funding has assisted in the introduction of MOVA at the Slag Lane/Church Lane junction, and the improvements to the former Atherleigh Way/ Twist Lane roundabout to create a signal- controlled junction which should greatly assist the flow of traffic from the Plan Lane direction onto the strategic network.

A concern had been raised by an objector about local traffic surveys being carried out at inappropriate times. This has been investigated and the surveys have no connection with the application, which was fully supported by a Transport Assessment at the outline stage.

The new development will provide a good cycling environment, with the nearby canal towpath offering a traffic free route to Leigh and Wigan town centres and onward commuting to a variety of destinations. Walking routes are available on good surfaced and lit footways, along with leisure routes on the towpath and within the country park. The development is intended to achieve Code for Sustainable Homes Level 4 with each residential unit having cycle storage in the form of a garage space or external cycle shed for the houses and a covered and secure cycle store for the apartments.

As part of the implemented infrastructure works, bus stops to quality bus corridor standard have been provided on Plank Lane and a number of existing routes serve the site. A framework travel plan has been submitted with the application which envisages the establishment of a travel plan co-ordinator, the undertaking of a residents' travel survey once units are occupied to determine what modes of travel require promotion, and the provision of residents' travel packs to support the objectives of the plan.

The estate road network within the site is considered to be acceptable, and adequate provision for car parking has been made. Amendments have been made within a number of the communal parking areas and waste storage facilities to alleviate congestion and improve circulation.

With regard to the request from the Canals and Rivers Trust for a specific car parking area for users of the marina, it is considered that provision of such an area, amounting to 13-14 spaces, would detract from the visual quality of this space. General access parking is

nevertheless available in close proximity with potential on-street provision, including the lay-bys which have already been provided as a feature along Plank Lane, and within a public car park nearby.

Design and Layout

This is a large development which is envisaged to come forward in a number of phases. The early phases will include development along the Plank Lane corridor in order to increase the profile of the development and provide a visual link to existing neighbouring development, and in the vicinity of the marina.

The new development will incorporate a mix of character types to reflect the setting of the site; including 'local character' properties along Plank Lane to assist in the visual integration with existing houses, with which they will share design features, 'green fringe' properties along the site's open edges reflecting a more semi-rural character, and 'marina character' properties which include a more contemporary style and includes larger three-storey focal buildings and the commercial core of the site.

The vast majority of buildings are envisaged to be two storey, with a smaller number of two-and-a-half and three storey dwellings. Finishes include a mix of brickwork and render, with grey roof tiles. Whilst some concerns have been expressed regarding the design and scale of the office buildings alongside the marina, it is considered that these buildings are appropriate to their setting and their greater scale acts as a focal point to the marina feature.

Visual links have been incorporated through the swales which cross the site in a north-south direction linking Plank Lane and the marina with the proposed country park to the north, with views continuing onto the village green within the southern portion of the site and towards the canal. This has created a number of vistas into and through the site.

During the processing of the application a number of amendments to the layout have been agreed, including the creation of a more intimate canal frontage area alongside Ackers Whitley's Basin, reducing the dominance of long rows of site frontage car parking, and re-siting some larger properties to more visually prominent sites where they can act as focal points when crossing the site.

Whilst noting that some facilities for boaters have been provided within the community building, the Canals and Rivers Trust has commented that no facilities for storage and disposal of refuse and pump out facilities for waste have been incorporated. In response the applicant has indicated that advanced discussions have taken place with a marina operator to whom the marina is likely to be transferred and which has not indicated that the submitted design and layout would undermine the effective operation of the marina.

The revised layout and design concept is therefore considered to satisfy the objectives of NPPF and accord with Core Strategy policies CP6 and CP10.

Recreation and open space

The previous amenity value of the site was limited, being used informally by walkers, cyclists and unauthorised motor vehicle use. Following remediation the site has been

cleared and secured. It is strategically located alongside the Leeds-Liverpool Canal, and between Pennington Flash and the proposed recreational facilities in Bickershaw Country Park to the north.

In accordance with the outline Masterplan, the layout includes green links through and beyond the site connecting the adjacent recreational areas in the form of two greenways/swales which serve as both recreational areas and contribute towards sustainable urban drainage systems (SUDS). The greenways have now been installed and transferred to the Council for future management. A further large area of public realm, in the form of a 'village green' will be provided within the southern portion of the site, and along with the marina area and canalside footpath routes will be maintained through the establishment of a management company to be determined via a Section 106 agreement.

The open space within the site will amount to approximately 2.1 hectares which compares to a requirement for 1.2 hectares for a development of this size, and provides readily accessible space to each part of the larger development site. Provision of play facilities will be accommodated both on and off site, with a toddler/under 8's play area provided within the village green, and a financial contribution provided for a similar facility at Firs Park. In addition, a financial contribution will also be provided towards older children/youth facilities at Pennington Flash Country Park. These contributions will be secured via a Section 106 agreement and will include an appropriate commuted sum for future maintenance. It is therefore considered to be satisfactory having regard to the level of provision and the setting of the development site.

Concerns have been raised by the local Bridleways Group in respect of provision for equestrian access through the site. Provision for equestrian use will be made from existing routes at the northern edge of the site through the existing swale, which will require selective widening of the existing footway to allow joint use. This will entail some use of Plank Lane for part of the route, however, this would be the case at present.

The site has potential for further improvements to be made to equestrian routes into the site in the future, for example, in association with the public house proposal on the western edge of the site, or into the site from the east if land on that side of the site is developed in the future.

The proposals will therefore satisfy UDP Policy R1E and Core Strategy Policy CP2.

Impact on services

In addition to the potential traffic generation, the introduction of a large residential development may impact on local services. In respect of education provision, it has been accepted as part of the outline approval that a financial contribution in addition to those for off-site highway improvements, affordable housing, and play facilities may undermine the viability of a scheme which has the potential to result in significant regeneration benefits for the area. It is noted that the scheme is financed by means of significant public investment via the Homes and Communities Agency in terms of site remediation, with assumptions of a zero or nominal return.

The proposals incorporate provision for a community centre and cafe within one of the marina side buildings, close to which there will also be future provision for a local retail

store and public house. This group of buildings will provide a focus for the development and facilitate a range of services which are easily accessible to the new community. In addition, employment potential will be provided through the provision of office accommodation, and the potential to provide services to users of the marina itself. These proposals represent a mix of employment uses within the range of activities specified as capable of being accommodated within the development on the outline approval. The proposals would accord with the objectives of Core Strategy Policies CP3 and CP5.

Drainage Issues

A Flood Risk Assessment and a drainage layout drawing have been submitted with the application. Conditions were imposed on the outline approval to specify the maximum run-off rates from the site, and the applicant has proposed attenuation systems and several controls to restrict the rate of surface water run-off. However, both the Environment Agency and the Canals and Rivers Trust have sought additional clarification on the details having regard to the revised surface water drainage proposals since the outline approval and of the capacity of the culvert under the canal. On-going discussions are progressing on this aspect between the applicant and the statutory bodies, and therefore, it is recommended that a further condition is imposed to require an updated Flood Risk Assessment to address the outstanding concerns.

Ecology and Nature Conservation

The Environmental Statement considers all aspects of relevant ecological issues in accordance with national guidance, and has been independently assessed in detail by the GM Ecology Unit. Subject to conditions in relation to Great Crested Newt Surveys, biodiversity enhancement and submission of a Landscape and Habitat Management Plan, no objections have been raised.

An area of approximately 2 hectares immediately to the north-west of the development site has been reserved as a protection area for great crested newts. It is presently managed under a licence granted by Natural England under the Conservation of Habitats and Species Regulations 2010 to the Homes and Communities Agency (which undertook the remediation and restoration of the site), which is required to maintain the exclusion fencing and undertake regular monitoring of the great crested newt population. The present applicant, Taylor Wimpey, would take over responsibility for this area once development commences.

With regard to the protection of the canal, a condition is recommended on any approval to require the implementation of protection features alongside the canal boundary during construction works.

Observations on Representations Received

The majority of issues raised in the representations have been considered in the main report. With regard to the remaining issues, these can be addressed as follows.

The proposed public house does not form part of this proposal, but the principle of such use has previously been accepted within the range of uses specified in the outline approval. The development itself will substantially increase the number of potential

customers within the vicinity of the existing businesses and there is no evidence that the development would have an adverse impact on viability.

The office accommodation is an important element of the scheme providing employment opportunities. The buildings themselves are mixed use with residential accommodation on the upper floors. If no commercial interest can be attracted, the buildings are of a design which allows the potential for conversion to alternative uses if necessary.

With regard to protection of the structural integrity of the canal washway, the development has a legal responsibility to ensure works do not cause damage or undermine adjacent property and this is a matter which will need to be addressed by the applicant directly with the canal owner.

Conclusion:

The principle of mixed use development on this site has previously been approved, and the present application seeks approval for the details of that development only.

The Bickershaw site is an important regeneration project which has already led to the remediation of a derelict site. A new marina has been constructed and the application now before the Committee seeks approval for the detail of much of the site, including all of the residential properties. The site will make a significant contribution to the borough's 5 year housing supply and with most of the groundworks already in place, new housing completions can start coming forward in 2014 if detailed consent is given. The scheme will greatly assist the regeneration of the local area and will provide a boost to the Leigh area housing market.

The proposals accord with all the relevant policies of the UDP, and the Core Strategy, as well as national policy. Those matters of concern raised by some local residents have been addressed in this report, but it must be stressed that most of those relate to the principle of development, and that principle has already been established through the granting of the outline consent.

Recommendation:

It is recommended that Committee resolves to grant planning permission subject to the conditions outlined below and to the applicant entering into a Section 106 agreement in respect of the arrangements for the provision and future maintenance of public open space, public realm, and play facilities within the site, for a financial contribution towards off-site play facilities, for improvements to equestrian routes, and for travel plan monitoring.

It is also recommended that authority be granted to the Director Economy and Skills to issue the decision notice upon satisfactory completion of the required Section 106 agreement.

1. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the details shown on the following plan references :

All plans received 08.08.2013 unless otherwise stated

TW/B/LP/01 (Location Plan)

TW/B/SL/01 Rev P (Composite Site Layout) - Received 22.10.2013

Marina House Types - Elevations and Floor Plans

TW/B/HT/11 - Type PT38 Plans and Elevations

TW/BS/HTE/27A - Type H1130 Elevations

TW/B/HT/28 - Type H1130 Plans

Local Character House Types - Elevations and Floor Plans

TW/BS/HT/01 - Type PA30 Plans and Elevations

TW/B/HT/04 - Type PA32 Plans and Elevations

TW/B/HT/07 - Type PT38 Plans and Elevations

TW/B/HT/12 - Type PA34 Plans and Elevations

TW/BS/HT/15 - Type PT35 Plans and Elevations

TW/BS/HTE/23 - Type PA42 Elevations

TW/BS/HTP/24 - Type PA42 Plans

TW/BS/HTE/62A - Type PT21 Elevations

TW/BS/HTP/63A - Type PT21 Plans

TW/BS/HTE/66 - Type AA22 Elevations

TW/BS/HTE/67 - Type AA22 Plans

TW/BS/HTE/70 - Type AA25 Elevations

TW/BS/HTE/71 - Type AA25 Plans

TW/BS/HTE/74 - Type AB31 Elevations

TW/BS/HTE/75 - Type AB31 Plans

Green Fringe and Canal Edge House Types - Elevations and Floor Plans

TW/B/HT/03 - Type PA30 Plans and Elevations

TW/B/HT/06 - Type PA32 Plans and Elevations

TW/BS/HT/10 - Type PT38 Plans and Elevations

TW/B/HT/14 - Type PA34 Plans and Elevations

TW/B/HT/18 - Type PT35 Plans and Elevations

TW/BS/HTE/21 - Type H1089 Elevations

TW/BS/HTP/22 - Type H1089 Plans

TW/BS/HT/31 - Type PE41 Plans and Elevations

TW/BS/HTP/35 - Type PD32 Plans

TW/BS/HTE/34 - Type PD32 Elevations

TW/BS/HTP/39 - Type PD48 Plans

TW/BS/HTP/43 - Type PA42 Plans

TW/BS/HTE/42 - Type PA42 Elevations

TW/BS/HTP/47 - Type PT42 Plans

TW/BS/HTE/46 - Type PT42 Elevations

TW/BS/HTP/51 - Type PA411 Plans
TW/BS/HTE/50 - Type PA411 Elevations
TW/BS/HTP/55 - Type PD410 Plans
TW/BS/HTE/54 - Type PD410 Elevations
TW/BS/HTP/59 - Type D1346 Plans
TW/BS/HTE/58 - Type D1346 Elevations

Village House Types - Elevations and Floor Plans

TW/BS/HT/02 - Type PA30 Plans and Elevations
TW/BS/HT/05 - Type PA32 Plans and Elevations
TW/BS/HT/09 - Type PT38 Plans and Elevations
TW/BS/HT/13 - Type PA34 Plans and Elevations
TW/BS/HTE/16 - Type PT35 Elevations
TW/BS/HTP/17 - Type PT35 Plans
TW/BS/HTE/19 - Type H1089 Elevations
TW/BS/HTP/20 - Type H1089 Plans
TW/BS/HTE/25 - Type PA42 Elevations
TW/BS/HTP/26 - Type PA42 Plans
TW/BS/HTE/29 - Type PE42 Elevations
TW/BS/HTP/30 - Type PE42 Plans
TW/BS/HTE/32 - Type PD32 Elevations
TW/BS/HTP/33 - Type PD32 Plans
TW/BS/HTE/36 - Type PD48 Elevations
TW/BS/HTP/37 - Type PD48 Plans
TW/BS/HTE/40 - Type PA42 Elevations
TW/BS/HTP/41 - Type PA42 Plans
TW/BS/HTE/44 - Type PT42 Elevations
TW/BS/HTP/45 - Type PT42 Plans
TW/BS/HTE/48 - Type PA411 Elevations
TW/BS/HTP/49 - Type PA411 Plans
TW/BS/HTE/52 - Type PD410 Elevations
TW/BS/HTP/53 - Type PD410 Plans
TW/BS/HTE/56 - Type D1346 Elevations
TW/BS/HTP/57 - Type D1346 Plans
TW/BS/HTE/64A - Type PT21 Elevations
TW/BS/HTP/65A - Type PT21 Plans
TW/BS/HTE/68 - Type AA22 Elevations
TW/BS/HTP/69 - Type AA22 Plans
TW/BS/HTE/72 - Type AA25 Elevations
TW/BS/HTP/73 - Type AA25 Plans
TW/BS/HTE/76 - Type AB31 Elevations
TW/BS/HTP/77 - Type AB31 Plans
TW/BS/HTE/78 - Type AB41 Elevations
TW/BS/HTP/79 - Type AB41 Plans

Apartment Blocks

TW/B/CAB/01 - Community Apartment Block Elevations Plots 84-99
TW/B/CAB/02 - Community Apartment Block Floor Plans Plots 84-99

TW/B/ABO.01A - Apartment Block Over Offices Floor Plans and Elevations Plots 100-109

TW/B/ABO.02 - Apartment Block Over Offices Floor Plans and Elevations Plots 149-156

Garages

TW/BS/HT/GAR1/60 - Single Garage Plans and Elevations Brick

TW/BS/HT/GAR2/61 - Double Garage Plans and Elevations Brick

TW/B/BD/7 - Close Boarded Fence

TW/B/BD/01 - 1.8m Fence Detail

TW/B/BD/8 - Front Boundary Wall Detail

TW/BHH/BD/12 - Railing Detail

TW/B/BD/04 - Plot Division Detail

TW/B/BD/02 - Timber Gate Detail

Sales Information Centre Plots 68 and 69 - Elevations, Floor Plans and Landscaping

TO BE UPDATED

TW/B/SL/P1 - Phase 1 Site Layout

TW/B/SL/P2 - Phase 2 Site Layout

TW/B/SL/P3 - Phase 3 Site Layout

TW/B/SL/P4 - Phase 4 Site Layout

TW/B/SL/P5 - Phase 5 Site Layout

TW/B/PSS/01 - Proposed Site Sections

TW/BS/SS/01 - Proposed Street Scenes

TW/BS/SS/02 - Proposed Street Scenes 2

TW/BS/SS/03 - Proposed Street Scenes 3

TW/B/WMP/01 Rev B - Waste Management Plan - Received 25.10.2013

TW/B/BTP/01 -Boundary Treatment Plan

TW/B/CSC/01 - Composite Site Colour Layout

TW/B/CAZP/01 - Character Area Zone Plan

TW/B/ML/01 - Materials Layout

RW/B/SL/01 - Public Housing Layout

TW/B/AP/01 - Adoptions Plan

TW/B/SHP/13 Storey Height Plan

3988/1/1 - Highways and Drainage Layout Phase 1

3988/1/2 - Highways and Drainage Layout Phase 2 and 3

3988/1/3 - Highways and Drainage Layout Phase 4 and 5

3988/100 - Overall Surface Water Drainage Layout - Received 25.10.2013

4401/01 Rev B/ 4401.02 Rev B/ 4401.03 Rev C - Landscape Proposals Phase 1 - Received 25.10.2013

4404 Rev A - Landscape Proposals Phase 2 - Received 25.10.2013

4405 Rev A/ 4406 Rev A - Landscape Proposals Phase 3 - Received 25.10.2013

4407 - Landscape Proposals Phase 4

4408 - Landscape Proposals Phase 5

2. The proposed development is within 250m of a known landfill site. Before the commencement of the development, all reasonable steps shall be taken to investigate the possibility of gas migration affecting the site. The survey methods for this investigation shall be agreed in advance with the Local Planning Authority and a copy of the results of the survey shall be submitted to the Local Planning Authority as soon as they are available. Where gas migration is confirmed, or there is evidence that migration is likely to occur, development shall not commence until satisfactory remedial measures have been taken to control and manage the gas, to monitor the effectiveness of these measures and, where necessary, to incorporate adequate precautionary measures in the design and construction stages. Such measures shall be agreed in writing by the Local Planning Authority before any implementation commences.
3. No development within any individual phase of the development shall commence until details of footpath surfacing materials, street furniture finishes, street lighting, and canal boundary treatments within that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented fully in accordance with the approved details.
4. No development within Phases 4 or 5 shall be commenced until an accessible route to bridleway status between Plank Lane and the western boundary spur of Crankwood Road, including any necessary measures to prevent unauthorised motor vehicle use, has been implemented in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority.
5. Prior to the commencement of any development within Phase 1, details of measures to protect the canal boundary, including around Ackers Whitley's Basin, shall be submitted to and approved in writing by the Local Planning Authority. The duly approved measures shall be implemented in full prior to the commencement of any development within this phase, and shall not be removed from any particular section of the canal frontage unless the prior written approval of the Local Planning Authority has been received.
6. The landscaping indicated on the approved plans shall be implemented as an integral part of the development and shall be completed in full for each phase within 6 months of the substantial completion of development within that phase, and any tree or shrub specimens which die, are removed, or become diseased within 5 years of planting shall be replaced with similar specimens during the next available planting season.
7. Prior to the commencement of any development, a scheme in the form of a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of measures to be employed to control and monitor noise, vibration and dust emissions, and the proposed hours of working, including times of HGV movements. The duly approved measures shall be implemented before any construction work commences and shall be adhered to for the full period of construction activities.

8. Prior to the first occupation of the office and community centre/cafe buildings for any commercial or residential purposes, details of measures for the insulation of floors/ceilings and separating walls between commercial and residential uses, and for plant and machinery associated with the commercial uses, shall be submitted to and approved in writing by the Local Planning Authority. The duly approved measures shall be implemented in full to that building prior to first occupation.
9. No commercial uses hereby approved shall be open for trade or business except on Monday to Sunday between 07:00 and 23.00 hours.
10. Prior to the first occupation of any commercial units hereby approved, a scheme for the extraction of any fumes and odours shall be submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be carried out and completed before the use of the unit commences and shall be retained thereafter.
11. Before the development hereby approved is commenced, a scheme for protecting the proposed development from noise from Plank Lane and Crankwood Road shall be submitted to and approved in writing by the Local Planning Authority. Any works which form part of the scheme shall be completed before any properties affected by highway noise are first occupied.
12. Prior to the commencement of any development, an updated Flood Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority which shall demonstrate how the measures to manage surface water run-off to achieve a maximum rate of discharge of 60 litres/second (3.3/s/ha) are to be achieved. The development shall be implemented fully in accordance with the approved measures.
13. The proposed development is within 250m of a known landfill site. Before the commencement of the development, all reasonable steps shall be taken to investigate the possibility of gas migration affecting the site. The survey methods for this investigation shall be agreed in advance with the Local Planning Authority and a copy of the results of the survey shall be submitted to the Local Planning Authority as soon as they are available. Where gas migration is confirmed, or there is evidence that migration is likely to occur, development shall not commence until satisfactory remedial measures have been taken to control and manage the gas, to monitor the effectiveness of these measures and, where necessary, to incorporate adequate precautionary measures in the design and construction stages. Such measures shall be agreed in writing by the Local Planning Authority before any implementation commences.

Reasons:

1. For the avoidance of doubt, and having regard to Policy CP10 of the Wigan Local Plan Core Strategy.
2. The proposed development is within 250m of a known landfill site which may be contaminated by landfill gas, and development should only be undertaken when adequate safeguards are put in place, as required by Policy CP17 of the Wigan Local Plan Core Strategy and Policy EV1B of the replacement Wigan UDP.
3. In order to ensure the development respects the character of the local area and the sensitive relationship to the canal boundary, having regard to Policy CP10 of the Wigan Local Plan Core Strategy.

4. To ensure a safe and commodious route for recreational users, including equestrians, having regard to Policies CP2 and CP9 of the Wigan Local Plan Core Strategy.
5. In order to protect the adjacent canal and associated ecological features from pollution, having regard to policies CP12 and CP17 of the Wigan Local Plan Core Strategy.
6. To ensure the development is adequately assimilated into its surroundings having regard to Policies CP10 and CP12 of the Wigan Local Plan Core Strategy.
7. In order to safeguard the amenity of existing development in the vicinity, and of new occupiers within the construction site, having regard to Policy CP17 of the Wigan Local Plan Core Strategy.
8. To provide an acceptable level of noise both within the proposed dwellings and the residential area generally, in accordance with Policy CP17 of the Wigan Local Plan Core Strategy.
9. To provide an acceptable level of noise both within the proposed dwellings and the residential area generally, in accordance with Policy CP17 of the Wigan Local Plan Core Strategy.
10. To safeguard the amenities of the adjoining premises and the area generally, having regard to Policy CP17 of the Wigan Local Plan Core Strategy.
11. To provide an acceptable level of noise both within the proposed dwellings in accordance with Policy CP17 of the Wigan Local Plan Core Strategy.
12. In order to ensure that the site is drained satisfactorily having regard to Policies CP9 and CP16 of the Wigan Local Plan Core Strategy.
13. The proposed development is within 250m of a known landfill site which may be contaminated by landfill gas, and development should only be undertaken when adequate safeguards are put in place, as required by Policy CP17 of the Wigan Local Plan Core Strategy and Policy EV1B of the replacement Wigan UDP.

Plans Attached to Report

Location Plan

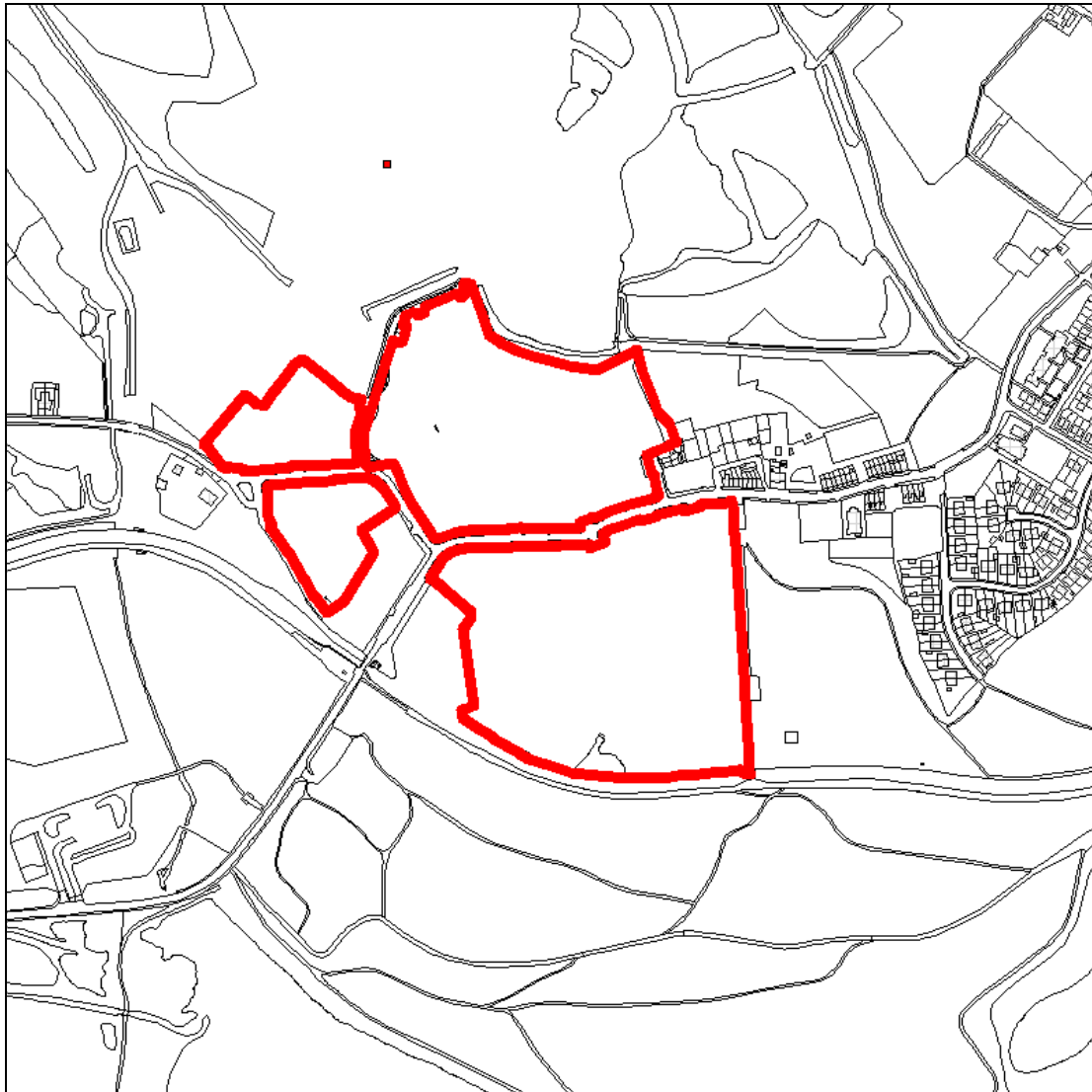
P/GD/A/13/78383

Application No: A/13/78383

Development Proposed: Mixed use development comprising 471 residential units (437 dwellings and 34 apartments), 644 square metres of office space, a community centre and cafe, together with associated public open space and landscaping (Reserved Matters of application A/11/76257)

Location: Bickershaw Colliery Site Plank Lane Leigh

Ward: Leigh West



Site Area 



This plan is representative only, to indicate the site in relation to its surroundings.

Wigan Council

Planning Committee – Summary

12th November 2013

Application No: A/13/78461

Location: 61 Chorley Road Standish

Development Proposed: Erection of detached dwelling together with vehicle access on land to be served from 61 Chorley Road Standish.

Applicant: Mr Mike McDonnell

Agent: Betterplan Design Ltd

Recommendation

To Approve with Conditions

Representations:

Councillor Gareth Fairhurst objects to the application on the grounds that the development represents poor design; would create a hazard and the proposed shared driveway will cause anti-social behaviour. 12 letters of objection have also been received. The grounds of objection relate primarily to the siting and design of the new dwelling on the corner plot site, and its relationship with the surrounding properties.

Assessment:

This is a full planning application for the erection of a detached dwelling located on a corner plot at the junction of Chorley Road and Ridge Avenue. The principle issues include whether the site is within a sustainable location, and whether the proposed dwelling can be accommodated on the site having regard to its size and the relationship with neighbouring properties.

The application site is to be severed from the existing side garden of 61 Chorley Road. The site is located within a sustainable location and an established residential area and is supported by established infrastructure and is served by a public transport service.

The layout of the development would create an acceptable relationship with the surrounding dwellings and is of a design which is appropriate to the area.

It is concluded that the principle of residential development on the site is acceptable and the design of the detached dwelling is in accordance with national and local policy.

Wigan Council

Report to Planning Committee

12th November 2013

Application No: A/13/78461

Speaking arrangements:

One speaker against for 4 minutes One speaker in favour for 4 minutes

Applicant: Mr Mike McDonnell

Agent: Betterplan Design Ltd

Development Proposed: Erection of detached dwelling together with vehicle access on land to be served from 61 Chorley Road Standish.

Location: 61 Chorley Road Standish

Ward: Aspull New Springs Whelley

Site Description:

The application site is currently part of the garden curtilage of 61 Chorley Road. the property is a semi-detached house on the corner of Chorley Road and Ridge Avenue. Ridge Avenue is a small cul-de-sac. the site is in a predominantly residential area with a mix of house types.

61 Chorley Road has a two storey bay window on the front elevation and an extension has been built to the rear. The property has a large side and front garden. The property immediately to the rear (14 Ridge Avenue) has a two storey rear extension.

Proposal:

The proposal is a full planning application to erect a detached dwelling in the garden of 61 Chorley Road. The garden would be severed. The dwelling would be built in line with the neighbouring properties 59 and 61 Chorley Road.

The dwelling would be a stepped rectangle shape, with a recess at the front and rear and would be built 1.1 metre from the gable elevation of 61 Chorley Road. The dwelling would have a maximum length of 12.6 metres, and the main body of the house would have a maximum width of 5.95 metres. The side elevation of the dwelling would be 2 metres from the boundary wall along Ridge Avenue reducing to 1 metre further to the rear due to the shape of the site. The siting of the dwelling would create a garden with a length of over 10 metres, and average width of 6 metres.

The design features of the dwelling include a gable front, with apex roof. Tudor detail is included on the front elevation, which is built over a full bay window with a pitched roof. The remaining roof would incorporate a series of hip ends. The dwelling would have an eaves height of 5 metres and ridge height of 7.2 metres from ground level.

Vehicular access to both the proposed property and the existing dwelling 61 Chorley Road would be gained from Ridge Avenue, via a new shared driveway. The scheme would provide two sets of two car parking spaces, and a driveway. The parking area would be surrounded by new landscaping and the existing boundary wall would continue, and return around to the new access on Ridge Avenue.

A Design and Access Statement is available for inspection on the Council's website.

Policy Context

UDP Allocation:

Adopted Wigan Replacement Unitary Development Plan (UDP) - Unallocated within the defined urban area.

Relevant Policies/Guidance

National Planning Policy Framework (NPPF)

Wigan Local Plan Core Strategy Policies

CP6 - Housing

CP7 - Accessibility

CP9 - Strategic Landscape and Green Infrastructure

CP10 - Design

CP17 - Environmental Protection

Replacement Wigan Unitary Development Plan 'Saved' Policies

R1E - Open Space in New Housing Developments

A1S - Parking in New Development

'Design Guide for Residential Development' Supplementary Planning Document (SPD)

'House Extensions Design Guide' Supplementary Planning Document (SPD)

Previous Relevant Decisions:

A/86/27189 - Proposed double garage. Refused 11.12.1986

A/86/26411 - Double garage. Refused 09.06.1986

A/13/78156 - Erection of 2.5 storey detached dwelling on land to be severed from 61 Chorley Road, Standish. Refused 23.07.2013

Consultations:

Highways - No objections to the principle of development.

Environmental Protection - No objection to the development. Mitigation from noise along Chorley Road should be considered.

United Utilities - No objections in principle.

Drainage - No objections in principle.

Representations

Councillor Gareth Fairhurst has stated that the development represents poor design, creates a hazard and the proposed shared driveway will cause anti social behaviour. He also states that development within existing garden curtilages should be resisted and makes reference to a previous appeal decision for a planning application for the erection of a detached dwelling within the garden curtilage of a property in Winstanley which was dismissed.

12 letters of objection have also been received. The grounds of objection relate to;

- Visibility from the site onto Ridge Avenue and Chorley Road would be compromised by the development.
- The proposed development would be built beyond the existing building lines along Chorley Road and Ridge Avenue.
- The dwelling fails to reflect the design, character and space of existing properties along Chorley Road.
- The development would have a detrimental impact on the living conditions of the surrounding properties, by virtue of loss of privacy, light and create a visual intrusion.
- The submitted Design and Access Statement does not adequately depict or describe the existing properties in the area.
- The development would detract from the character and appearance of the host property 61 Chorley Road.
- The creation of an additional dwelling, with outrigger design would lead to noise pollution on Ridge Avenue.

Copies of the representations are available on the Council's website.

Assessment

The following matters are material considerations in the assessment of this application;

Principle of Development
Design and Amenity Issues
Access and Parking Issues
Observations on Representations Received

Principle of Development

The National Planning Policy Framework states that there is a presumption in favour of sustainable development. Gardens are not classified as previously developed land, but the site is within an established residential area and on a main transport corridor. Development for residential purposes would therefore in principle accord with Policy CP6 of the Wigan Local Plan Core Strategy and meets the housing objectives of the NPPF.

Nevertheless, the impact of the development on the street scene and the effect on the amenity of neighbouring residents are important considerations and these matters are addressed below.

The applicant has completed and signed a Unilateral Undertaking in line with Wigan UDP Policy R1E agreeing to a financial contribution to the capital and commuted maintenance costs of off-site amenity open space and play provision within the borough.

Design and Amenity Issues

The main factors with the proposed development include the design and scale of the dwelling, and the position of the dwelling on the corner plot. It is recognised that this a sensitive plot in terms of its relationship with Ridge Avenue and Chorley Road. The proposed scheme has been revised since the recent refusal and differs in terms of size, shape and design. The footprint of the proposed dwelling is narrower. The front elevation of the dwelling is set off the boundary with Ridge Avenue by approximately 2.2 metres and the front elevation of the dwelling is positioned on the Chorley Road building line.

Policy CP6 (Housing), and Policy CP10 (Design) of the Wigan Local Plan Core Strategy both support the main housing objectives of the National Planning Policy Framework by ensuring that provision is made for an appropriate mix of house types and sizes through quality design. Policy CP10 puts a strong emphasis on good design, which is also enforced within the NPPF. Chorley Road comprises of a variety of house types, which all vary in design. The proposed development seeks to encompass design features of existing properties in the area into the scheme, with the creation of a detached dwelling which makes effective and efficient use of the land.

The dwelling incorporates a full ground floor bay window feature, with a first floor overhang with tudor detail to the facade. The hip ended roofs and recesses to the dwelling reduce the visual bulk, and allow the dwelling to sit comfortably within the application site which creates a view of openness to the front from Chorley Road. The concept behind the design of the property is to create an attractive new build which would be in keeping with the unique character of existing properties along Chorley Road, which is considered to be in accord with local and national planning policy.

The 'Design Guide for New Residential Development' SPD sets out interface distances for residential development and these are met. The 'House Extensions Design Guide' SPD sets out a minimum distance of 7 metres from first floor habitable room windows to neighbouring private gardens. In this case a distance of 10 metres would be created to the common boundary with 14 Ridge Avenue.

The proposed dwelling includes a two storey rear outrigger which projects beyond the rear elevation of the adjacent properties 59 and 61 Chorley Road. 61 Chorley Road has a rear extension, and the closest window within the first floor of the dwelling is to a bathroom. The outrigger, which would be similar to the two storey side extension to 14 Ridge Avenue is considered to have little impact on the amenity of the surrounding dwellings.

There is a window within the gable of 63 Chorley Road, however this is a room which has been extended to the rear. The window is only small, and at ground floor level. The

distance between the window and proposed gable elevation of the development would be approximately 11 metres. The window would not directly face the entire length of the proposed gable elevation due to its design and orientation. As there are no habitable windows proposed within the north facing gable elevation of the proposed dwelling, the development is considered to have little impact on the amenity of this property.

Access and Parking Issues

The development proposes to widen the existing vehicle access off Ridge Avenue into the application site. The access would serve a new parking arrangement for both 61 Chorley Road and the new dwelling. The submitted scheme shows private parking for 2 spaces per dwelling. Policy A1S of the Wigan UDP only requires 1 space per dwelling, however given the location of the properties on Chorley Road, there are no objections to the additional spaces, which would help to reduce congestion along Ridge Avenue. The areas of hardstanding would be constructed from permeable block paving, surrounded by grassed areas. The Council's Highway Engineer has no objection to the proposed vehicle access from Ridge Avenue. The access and parking arrangement is considered to be in accord with Policy CP7 and CP10 of the Wigan Core Strategy, and Policy A1S of the Wigan UDP. A condition is to be included for additional landscaping including tree planting in order to assimilate the overall development into the surrounding area.

Observations on Representations Received

The objections put forward by local residents relating to design, amenity and highway issues, and the location of the site on the corner of Chorley Road and Ridge Avenue have been addressed above in this report.

The content of the submitted Design and Access Statement has been assessed. The document is considered to contain relevant information to the development and application site in order to fully assess the proposed development on the surrounding area, against national and local policy.

The planning appeal referred to by Councillor Gareth Fairhurst has also been assessed. The circumstances of the appeal, and location of the site are considered to vastly differ. That appeal site forms an area of land to the rear of existing residential properties along Pemberton Road. The appeal was dismissed because of the potential mass and bulk the development would have upon the amenity of the surrounding properties. The appeal decision is not considered to set a precedent for the determination of this application, which must be assessed on its own merits.

Conclusion:

The proposed development has been assessed with regard to the saved policies within the Wigan Replacement Unitary Development Plan, the policies within the Wigan Local Plan Core Strategy, the Council's Supplementary Planning Documents and the National Planning Policy Framework, together with other material considerations and the views expressed by objectors to the scheme.

On balance it is considered that the proposed detached dwelling is acceptable in relation to both national and local policy. The proposal is considered to be in a sustainable location

and the design of the dwelling maintains a view of Ridge Avenue, whilst continuing the building line along Chorley Road. The design features incorporated into the dwelling, and its overall appearance would create an attractive new dwelling which would contribute to the unique character and house types to Chorley Road, and Ridge Avenue. The development will not result in a loss of amenity to nearby residents or result in sub-standard amenity for prospective residents. The development would utilise the existing access along Ridge Avenue, and provide sufficient off road car parking.

It is therefore recommended that on balance, the application should be approved subject to conditions.

Recommendation

To Approve with Conditions

1. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the details shown on plan references; Location Plan and Streetscene Plan 385/CRS/SS, 385/CRS/HT1 Rev B, 385/CRS/DLP and 385/CRS/SP Rev B received on 15.08.2013.
2. Before any part of the development hereby approved is commenced, particulars/samples of the materials to be used for the external walls and roof, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved materials.
3. Notwithstanding the boundary detail indicated on the approved plans and prior to the commencement of development, a scheme providing final details of the boundary treatment to the perimeter of the site, including materials, design and style shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in full accordance with the approved details prior to the dwelling being first occupied.
4. Before the development hereby approved is commenced, details of the method of surface water and foul water drainage from the site shall be submitted to and approved in writing by the Local Planning Authority and shall be installed in accordance with the approved details as an integral part of the development. No occupation or use of any building hereby approved shall commence until it has been connected to the approved drainage system.
5. Notwithstanding the details shown on the approved plans, the site shall be treated in accordance with a landscape scheme to be submitted to and approved in writing by the Local Planning Authority before any part of the development is commenced and all works in accordance with the scheme shall be completed within a period of 12 months from the date on which development in accordance with the permission hereby granted is first commenced, or such longer period as may be agreed by the Local Planning Authority, having regard to planting seasons, such landscape scheme to include the planting of live trees, the treatment of the hardstanding areas and paving. All planting shall be maintained for a period of 5 years from the agreed date of planting.

6. The car parking provision both for the new dwelling and existing dwelling detailed on the approved plans shall be constructed in full accordance with the approved details only, and shall be made available for use prior to first occupation of the proposed dwelling, and access thereto shall be retained at all times from Ridge Avenue.

Reasons:

1. For the avoidance of doubt, and having regard to Policy CP10 of the Wigan Local Plan Core Strategy.
2. To ensure that the external appearance of the buildings is satisfactory, having regard to Policy CP10 of the Wigan Local Plan Core Strategy.
3. To assimilate the development into the surrounding area, and to ensure visibility from the site is maintained along Ridge Avenue, having regard to Policies CP10 and CP17 of the Wigan Local Plan Core Strategy.
4. To ensure that the site is satisfactorily drained, in accordance with Policy CP17 of the Wigan Local Plan Core Strategy.
5. To help to assimilate the proposed development into its surroundings, having regard to Policies CP9 and CP10 of the Wigan Local Plan Core Strategy.
6. To provide off road car parking for both the host and new dwelling, and safe vehicle access onto Ridge Avenue and Chorley Road having regard to Policies CP7, CP10 and CP17 of the Wigan Local Plan Core Strategy.

Plans Attached to Report

Location Plan

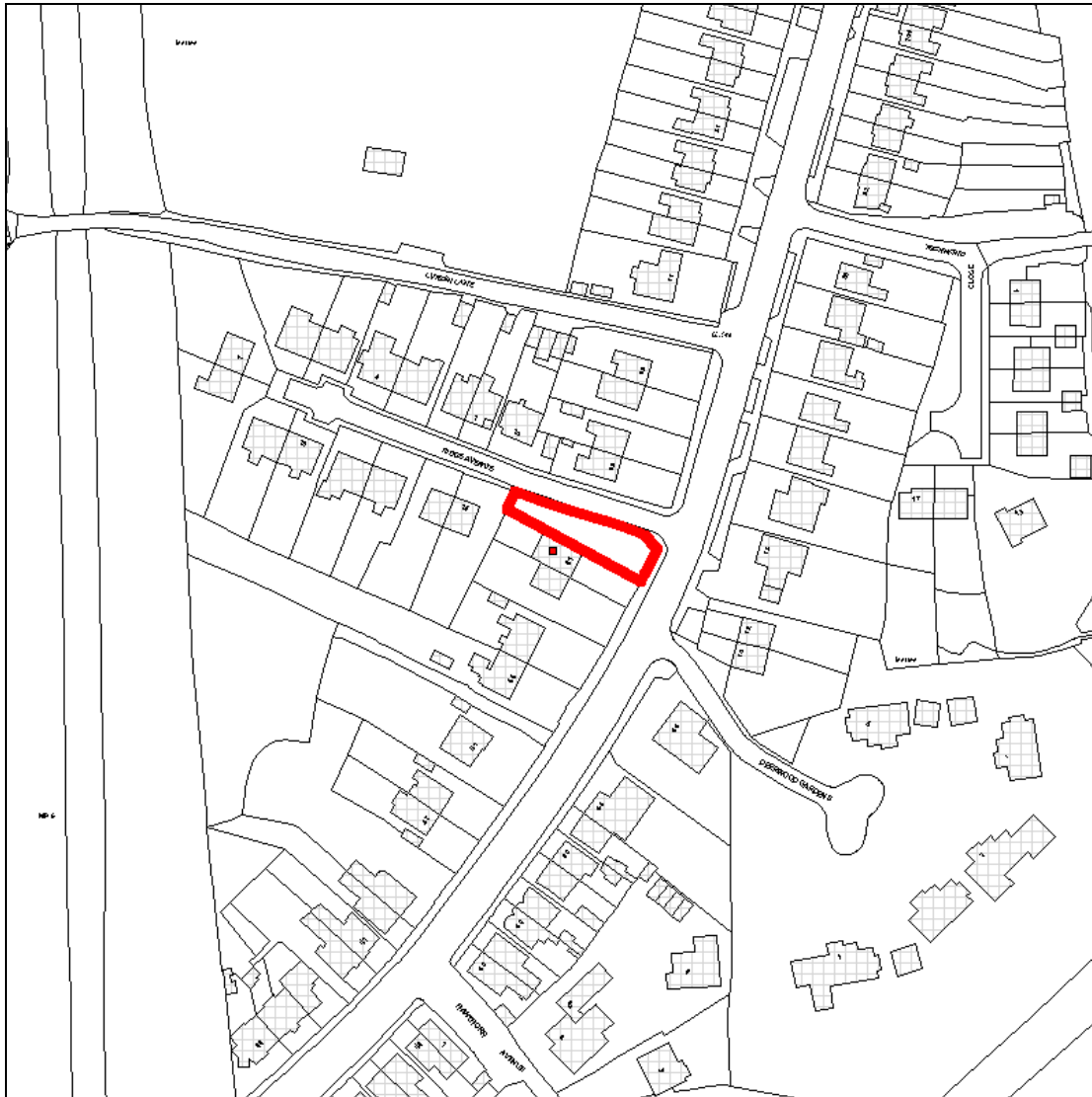
P/MJONES/A/13/78461

Application No: A/13/78461

Development Proposed: Erection of detached dwelling together with vehicle access on land to be served from 61 Chorley Road Standish.

Location: 61 Chorley Road Standish

Ward: Aspull New Springs Whelley



Site Area 



This plan is representative only, to indicate the site in relation to its surroundings.

Wigan Council

Planning Committee – Summary

12th November 2013

Application No: A/13/78547

Location: Isherwood Skip Hire Old Coal Yard Cemetery Road Ince

Development Proposed: To retain chimney stack to be used in conjunction with the combined heating and power plant.

Applicant: Isherwood Skip and Container Hire Ltd

Agent: Joseph Jackson & Sons

Recommendation

To Approve with Conditions

Representations:

7 letters of objection have been received, and objections have also been received from Councillors Eunice and Martyn Smethurst. The points of objection relate to the applicant's poor record of complying with controls; an increase in adverse impacts from the site; the condition of the private road in the ownership of the applicant; and the health implications caused by emissions from the chimney.

Assessment:

Planning permission has already been granted for the use of the site, including the operation of the combined heat and power plant. Consideration of the application must therefore only refer to the specific environmental, amenity and visual impacts of the new chimney.

Controls on emissions from the proposed chimney are regulated by the Environment Agency through the environmental permitting regime, and in such circumstances it is not appropriate for the Local Planning Authority to replicate those controls.

In terms of visual impact, the application has been assessed in the context of the existing industrial character of the area, and the restrictions on views from the extensive tree cover in the locality. The chimney has been assessed from a number of different vantage points and these confirm that given both the distance from nearby residential properties and the presence of the tree cover, the impact will be minimal.

Wigan Council

Report to Planning Committee

12th November 2013

Application No: A/13/78547

Speaking arrangements:

One speaker against for 4 minutes One speaker in favour for 4 minutes

Applicant: Isherwood Skip and Container Hire Ltd

Agent: Joseph Jackson & Sons

Development Proposed: To retain chimney stack to be used in conjunction with the combined heating and power plant.

Location: Isherwood Skip Hire Old Coal Yard Cemetery Road Ince

Ward: Worsley Mesnes

Site Description:

The application site is located within the Ince Moss Industrial Estate and is accessed via Cemetery Road. It is bordered by other industrial premises to the north and west mainly involved in materials recycling. There is presently undeveloped land to the east, beyond which is the main West Coast Railway. The applicant occupies a large industrial building, and the plant associated with the combined heat and power use is housed within a section of this building. Also within this building recycling of uncontaminated construction waste takes place along with offices and associated facilities.

The nearest residential properties are located across the railway line to the east of the site at distances of approximately 250 metres from the site boundary.

Proposals:

The application is for the retention of a chimney stack to be used in conjunction with the combined heating and power (CHP) plant approved under application A/12/76956. The chimney has a height of 26 metres from the ground and 16 metres in height from the ridge of the roof and has already been installed although it is not yet operational.

A Supporting Statement is available on the website.

Policy Context

UDP Allocation:

Unallocated within the urban area.

Relevant Policies/Guidance

National Planning Policy Framework
Planning Policy Statement 10, 'Planning for Sustainable Waste Management'

Development Plan Document
Greater Manchester Joint Waste Development Plan Document

Local Plan Core Strategy Policies

CP10 - Design
CP17 - Environmental Protection

Previous Relevant Decisions:

A/05/63897 - Site Access and use of part of coal yard and associated building as a materials recycling facility for inert construction material and skip waste. Approved 08.06.2005

A/12/76956 - Part change of use of site to provide a combined heat and power plant with ancillary material storage facilities, and retention of existing silos. Approved 13.12.2012.

Consultations:

Environmental Protection - The development will be regulated by the environmental permit issued by the Environment Agency and the proposed chimney is of sufficient height to ensure the effective dispersal of any emissions.

Environment Agency - A formal response is still awaited and will be reported verbally to the Committee. It can be confirmed however that the operation of the combined heat and power (CHP) plant requires a permit from the Environment Agency which will regulate emissions from the development.

Representations

7 letters of objection have been received and objections have also been received from Councillors Eunice and Martyn Smethurst. The points of objection relate to;

- the applicant's previous poor record of complying with controls;
- the site has been operating outside of its permitted hours;
- the proposals would worsen current impacts from the site;
- the private road in ownership of the applicant is in poor condition due to increased vehicle movements;
- health implications caused by emissions from the chimney.

All representations are available on the website.

Assessment

The following matters are significant material considerations in the assessment of this application.

Principle of Development
Environmental and Amenity Impact
Visual Impact
Observation on representations

Principle of Development

The principle of the use of the site has already been established, including the operation of the combined heat and power plant. Consideration of the application must therefore only refer to the specific environmental, amenity and visual impacts of the new chimney having regard to the established use of the site.

Environmental and Amenity Impact

The processes involved in generating electricity consist of fuelling boilers with wood chippings to produce steam used to power an alternator which in turn produces the electricity. This operation has been approved on the site through application A/12/76956. The burning of the wood has the potential to cause emissions and these emissions from the proposed chimney may have an adverse impact on air quality. In the supporting statement the applicant notes that the proposed CHP plant will need to be Waste Incineration Directive (WID) compliant and therefore would require a permit from the Environment Agency in accordance with environmental permitting legislation. Under that procedure the Environment Agency will ensure that emissions are controlled in order to ensure air quality and potential impacts on health remain within permitted limits.

Paragraph 22 of Circular 11/95 (Use of conditions in planning permissions), states that "A condition which duplicates the effect of other controls will normally be unnecessary, and one whose requirements conflict with those of other controls will be ultra vires (a term which means beyond the power) because it is unreasonable. For example, a planning condition would not normally be appropriate to control the level of emissions from a proposed development where they are subject to pollution control, but may be needed to address the impact of the emissions to the extent that they might have land-use implications and are not controlled by the appropriate pollution control authority".

Consequently, it is not necessary for separate controls through the Environmental Permit to be duplicated as part of the planning application process.

Visual Impact

The visual impact of the chimney requires consideration in respect of Core Strategy Policy CP10. This requires new development to be integrated effectively with its surroundings and helps to create attractive places.

The area around the Cemetery Road site is industrial in character and contains a number of structures of various heights such as mobile phone masts and structures along the west

coast mainline. A number of electricity pylons are located in the area at a much greater height than the chimney.

The views of the chimney from various viewpoints and its impact on visual amenity have been assessed. The views from Elizabethan Drive to the east of the site are limited to the top section of the chimney as mature woodland located between the site and the railway screen it from view. Whilst this screening will be reduced when the trees are not in leaf, it is not considered that the chimney represents an unduly prominent feature in the landscape from these vantage points having regard to the extent of visibility and separation distance. Furthermore, as the trees continue to grow, it is likely that in coming years the chimney will be completely screened from view for much of the year from nearby residential properties.

Views of the chimney from the north and west are limited due to the nature of the landscape and the improvements carried out over many years in and around Ince Moss. The most prominent view of the chimney is from the Ince Moss car park, this is directly to the south of the application site, however, the impact is acceptable given the established industrial nature of the site.

The visual impact has also been assessed from a number of other vantage points, including the railway bridge at the end of Taylors Lane, from the end of Hope Street, from various points along Cemetery Road and from Ince Moss. The views of the chimney are very limited from some locations, whilst from some areas it is completely screened by trees.

The chimney as installed has a black and white colour scheme with a union flag at high level. In order to further reduce any visual impact, it is recommended that a condition be imposed requiring re-painting in a grey colour.

It is therefore considered that the chimney does not represent an overly prominent feature on the local landscape and the proposals comply with the requirements of Policy CP10.

Observations on Representations Received

The majority of issues raised in the objections have been addressed in the report. The outstanding matters are addressed below;

In respect of the alleged poor record of the applicant in complying with controls, the Council's assessment must be limited to land use planning considerations and it is not the role of the Local Planning Authority to determine the suitability or otherwise of any applicant. Similarly, any alleged breaches of conditions attached to previous approvals would not justify withholding consent, where the Council can be satisfied that any necessary conditions or other restrictions can be properly enforced.

In respect of the issue raised regarding the condition of the road, the proposal only relates to the installation of the chimney and would not impact on traffic levels.

Conclusion:

The proposed chimney is required to ensure emissions from the approved combined heat and power facility can be maintained at satisfactory levels and is appropriate on a development of this type.

The site is considered to be appropriate for the proposed use within the Greater Manchester Joint Waste Development Plan and is in compliance with the objectives of PPS10 as it assists in moving the treatment of waste up the waste hierarchy.

The visual impact of the chimney is considered to be minimal and the matters raised by objectors have been addressed within the report. Emissions will be subject to control and monitoring through the environmental permit regulated by the Environment Agency.

Recommendation

To Approve with Conditions

1. Within 3 months of the date of this permission, the chimney shall be re-painted in a single grey colour in accordance with a specification to the prior written approval of the Local planning Authority.

Reasons:

1. To ensure that the external appearance of the buildings is satisfactory, having regard to Policy CP10 of the Wigan Local Plan Core Strategy.

Plans Attached to Report

Location Plan

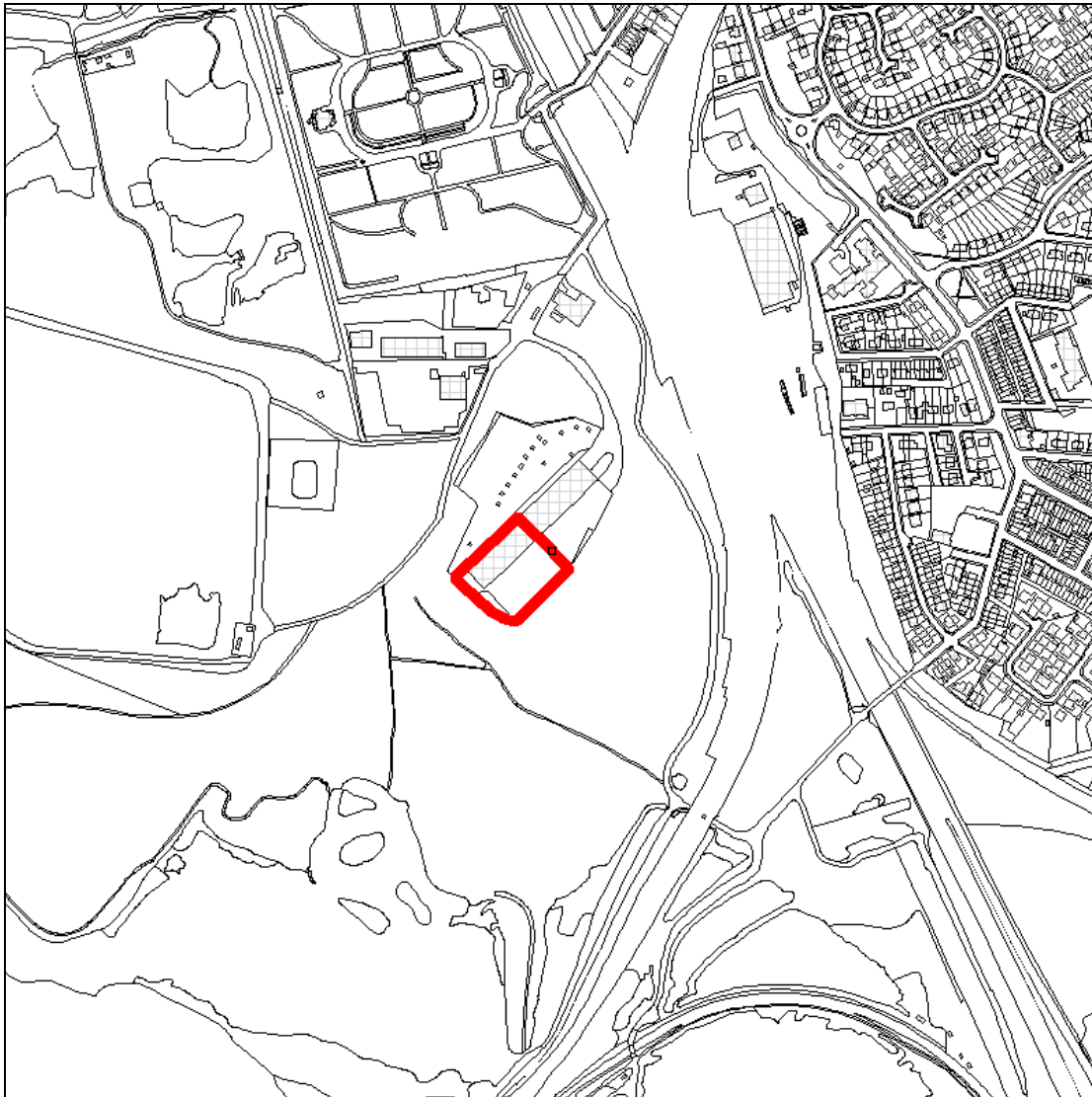
P/FOSTER/A/13/78547

Application No: A/13/78547

Development Proposed: To retain chimney stack to be used in conjunction with the combined heating and power plant.

Location: Isherwood Skip Hire Old Coal Yard Cemetery Road Ince

Ward: Worsley Mesnes



Site Area 



This plan is representative only, to indicate the site in relation to its surroundings.

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Wigan Council

Planning Committee – Summary

12th November 2013

Application No: A/13/78554

Location: 139 Chorley Road Standish

Development Proposed: Erection of detached two storey dwellinghouse with dormer to front, detached double garage and associated landscaping following demolition of bungalow.

Applicant: Mr C Greenall

Agent: Francis Haigh & Associates

Recommendation

To Approve with Conditions

Representations:

Councillor Gareth Fairhurst has objected to the application on the grounds that the development represents poor design; and would be out of keeping with the area due to the height of the dwelling. Councillor Fairhurst has also requested that if the application is recommended for approval, that the decision is taken by Planning Committee. Two letters of objection have also been received on grounds of design, scale, and impact on amenity.

Assessment:

The proposed dwelling would replace the existing bungalow on the site and the principle of the use is therefore acceptable.

Although it is larger in height than the existing property, it has been designed to minimise its visual impact, particularly on the front elevation, and having regard to the existing street scene, it is considered to be acceptable. The relationship to adjacent properties in terms of potential overshadowing and loss of privacy has also been carefully assessed, and the development would accord with Core Strategy Policies CP6 and CP10 and the guidance in the NPPF.

Wigan Council

Report to Planning Committee

12th November 2013

Application No: A/13/78554

Speaking arrangements:

One speaker against for 4 minutes One speaker in favour for 4 minutes

Applicant: Mr C Greenall

Agent: Francis Haigh & Associates

Development Proposed: Erection of detached two storey dwellinghouse with dormer to front, detached double garage and associated landscaping following demolition of bungalow.

Location: 139 Chorley Road Standish

Ward: Aspull New Springs Whelley

Site Description:

The application site is presently occupied by a modest sized bungalow which is set back 17 metres from the footpath along Chorley Road. Along with the neighbouring properties, it is elevated above the street by approximately 3 metres.

The existing building is constructed close to the gable elevation of 137 Chorley Road to the south. Access to the rear is via an existing driveway which runs along the north gable elevation of the bungalow and separates it from 141 Chorley Road. The driveway is on a steep gradient dropping down gradually towards the road, with the remainder of the front garden presently elevated behind a stone retaining wall.

The properties along this stretch of Chorley Road comprise a mix of predominantly single storey buildings with a mix of roof styles and heights, although there are also two storey properties nearby.

Proposal:

This is a full planning application to erect a detached residential dwelling following the demolition of the existing bungalow.

The proposed dwelling would be built in line with the front of the neighbouring properties 137 and 141, respecting the established building line. The dwelling would be 9 metres in depth by 10 metres wide, with a lounge, dining room, kitchen/family room and toilet on the ground floor. The first floor will comprise 4 bedrooms, two of which are fully en-suite, and a separate bathroom. On the front elevation the first floor accommodation is provided within two dormer type features which project from the roof, whilst to the rear the roof has

a shallower pitch allowing for two full storeys to be created. The dwelling would be positioned centrally between both adjoining properties.

The initial 10 metres depth from the footway of the presently elevated front garden will be removed to create an enlarged driveway and install a hipped roof detached garage on the southern side of the new hardstanding. The garage would be sited 4.5 metres from the footpath along Chorley Road. It is intended to retain the existing front boundary wall. This lowering of the garden would reflect the situation which exists in front of properties immediately to the north.

A Design and Access Statement is available for inspection on the Council's website.

Policy Context

UDP Allocation:

Adopted Wigan Replacement Unitary Development Plan (UDP) - Unallocated within the defined urban area.

Relevant Policies/Guidance

National Planning Policy Framework (NPPF)

Wigan Local Plan Core Strategy Policies

CP6 - Housing

CP7 - Accessibility

CP9 - Strategic Landscape and Green Infrastructure

CP10 - Design

CP17 - Environmental Protection

Replacement Wigan Unitary Development Plan 'Saved' Policies

A1S - Parking in New Development

Supplementary Planning Document (SPD) - Design Guide for Residential Development

Previous Relevant Decisions:

None relevant to this property.

Consultations:

Highways - No objections in principle.

Environmental Protection - No objections in principle. It is recommended that the property is insulated to prevent noise nuisance from traffic along Chorley Road.

United Utilities - No objections in principle subject to the site being drained to separate foul and surface water systems.

Representations

Councillor Gareth Fairhurst has commented that the replacement dwelling would be out of keeping with the area, and raises concern at its height. Councillor Fairhurst has also requested that if the application is recommended for approval, that the decision is taken by Planning Committee.

Two letters of objection have also been received. The grounds of objection relate to;

- the introduction of a taller building will have an adverse impact on the street scene and the relationship to the adjacent properties;
- the extension would overshadow and lead to a loss of light to the bedroom and dining room of 141 Chorley Road;
- it would result in overlooking and loss of privacy to a property at the rear;
- it would have a detrimental impact on property values; and
- the plans inaccurately depict the property boundary and do not show the extension on the adjacent bungalow.

Copies of the representations are available on the Council's website.

Assessment

The following matters are material considerations in the assessment of this application;

Principle of Development
Design and Streetscene Impact
Impact on Amenity
Access and Parking Issues
Observations on Representations Received

Principle of Development

The National Planning Policy Framework supports the provision of new housing development in sustainable locations, whilst Core Strategy Policy CP6 encourages a range of new housing where it is consistent in terms of design, standards, and quality to other housing in the locality. The proposal involves the direct replacement of an existing dwelling in an established residential area, and is therefore acceptable in principle. Nevertheless, this is subject to the design, scale, and relationship to neighbouring properties and the wider street scene being satisfactory.

Design and Street Scene Impact

Core Strategy Policy CP6 requires that new housing development should have regard to the appearance of the area and the impact on residential amenity whilst Policy CP10 requires development to respect and acknowledge the character of the locality in terms of materials, siting, size, scale and details.

The application site is located within an area of Chorley Road which contains a mix of dwelling scales and types. Whilst the majority of properties on this side of Chorley Road,

including those to either side of the application site, are single storey, these properties have a mix of designs with a range of roof shapes and eaves and ridge heights. In addition, there are two storey properties within the row both to the north and south of the site.

When viewed from vantage points along Chorley Road there is little consistency in the skyline created by the roofs of the properties and instances where ridge lines rise and fall between adjacent properties are a common feature. In addition, both the existence of boundary walls and landscape screening, and the position of the application site on the inside of a curve in Chorley Road reduces long ranges of visibility. In this context, although it is acknowledged that the roof of the proposed property would exceed the scale of its immediate neighbours, the design, incorporating dormer features on the front elevation, would retain the predominant appearance of a single storey property, and it is considered that this would not have a detrimental impact on the street scene, the character of the area, or the setting of the adjacent properties.

The proposed alterations to the front of the site to create a low level hardstanding and allow the erection of a double garage would significantly alter the exiting character of the property frontage. However, similar and more extensive areas of hardstanding have been created to the front of neighbouring properties. In this instance it is proposed to retain/rebuild a section of the existing front boundary wall and to set the garage structure back 4.5 metres from the site frontage in line with the existing garage to the south. The proposed would therefore reflect existing relationships to the street scene in the area.

The overall design and impact of the proposed development on the Chorley Road street scene and neighbouring properties is therefore considered to be in accordance with local and national policies.

Impact on Amenity

The proposal would result in a larger residential unit on the site than the existing property. Whilst the front of the dwelling would be in line with the existing properties to either side and appear as a dormer style bungalow, the rear elevation of the building would extend to a full two storeys and project into the rear garden relative to the existing main rear elevations of 137 Chorley Road by 3 metres and 141 Chorley Road by 1.5 metres. In both instances, the new dwelling is set off the common boundaries to the adjacent properties by 1 metre.

The two properties on either side of the site have both been extended to the rear. The impact of the replacement dwelling has been carefully considered having particular regard to the relationship with habitable room windows on the side and rear of the neighbouring properties and it is considered that the design is such that it does not unduly affect the residents of these two properties. The depth of the proposed new property has been reduced from that originally proposed in order to reduce the impact on the amenity of the neighbouring properties.

With regard to the impact on the privacy of the property to the rear of the site, although the proposal will introduce habitable room windows at first floor level, the rear garden area of the proposed dwelling would continue to extend to approximately 20 metres and ensure adequate separation to prevent any overlooking or loss of privacy.

Consequently, it is considered that the relationship to the adjacent properties is acceptable in terms of Core Strategy Policies CP6 and CP10 and the NPPF.

Access and Parking Issues

The existing dwelling includes a narrow private driveway with no provision to safely enter and exit the side in a forward gear motion. The proposed development includes the removal of part of the elevated front garden to create the space for a double garage and a parking and manoeuvring area. Whilst visibility for vehicles emerging from the site will remain limited due to the curvature of Chorley Road, the amendment will increase highway safety by providing additional off-street parking and allowing vehicles to turn within the site. The Highway Engineer has raised no objection to the proposal which is considered to be in accordance with Core Strategy Policies CP7 and CP10.

Observations on Representations Received

The main grounds of objection relating to design and amenity issues have been addressed above in this report.

With regard to land ownership, the submitted plan has been amended to exclude the area referred to and the proposed dwelling can be constructed without any intrusion on adjacent land.

In respect of property values, the proposal would not significantly alter the character of the area or result in a loss of amenity to neighbouring properties and there is no evidence to substantiate the view that it will result in a loss of value.

Conclusion:

The proposed development forms a replacement dwelling, which would make effective and efficient use of the land. The design is considered to be in keeping and character with the mixed style of dwellings along Chorley Road and would not appear as an inappropriate feature on the street scene. The relationship to neighbouring properties is also considered acceptable as it does not result in any loss of amenity to those properties. The development is therefore in accordance with local and national policy.

Recommendation

To Approve with Conditions

1. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the details shown on plan references; Location Plan PP/02842743 received on 19.09.2013 and amended plans Drawing Number fha/13/10/01PA Rev B and fha/13/10/02PA Rev B received on 29.10.2013.
2. Before any part of the development hereby approved is commenced, particulars/samples of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved materials.

3. Prior to the commencement of development, full details of the proposed finished floor level of the dwelling, detached garage and hard surfaces relative to an agreed off site datum shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in full accordance with the approved details.
4. Notwithstanding the details shown on the approved plans, the site shall be treated in accordance with a landscape scheme to be submitted to and approved in writing by the Local Planning Authority before any part of the development is commenced and all works in accordance with the scheme shall be completed within a period of 12 months from the date on which development in accordance with the permission hereby granted is first commenced, or such longer period as may be agreed by the Local Planning Authority, having regard to planting seasons, such landscape scheme to include the planting of live trees and the treatment of forecourts, paving and boundary fences (including any retaining wall and structural calculations if required). All planting shall be maintained for a period of 5 years from the agreed date of planting.
5. Before the development hereby approved is commenced, details of the method of surface water and foul water drainage from the site shall be submitted to and approved in writing by the Local Planning Authority and shall be installed in accordance with the approved details as an integral part of the development. No occupation or use of any building hereby approved shall commence until it has been connected to the approved drainage system.

Reasons:

1. For the avoidance of doubt, and having regard to Policy CP10 of the Wigan Local Plan Core Strategy.
2. To ensure that the external appearance of the buildings is satisfactory, having regard to Policy CP10 of the Wigan Local Plan Core Strategy.
3. For the avoidance of doubt, and to protect the amenity and outlook from the adjacent residential properties having regard to Policy CP10 and CP17 of the Wigan Local Plan Core Strategy.
4. To help to assimilate the proposed development into its surroundings, having regard to Policies CP9 and CP10 of the Wigan Local Plan Core Strategy.
5. To ensure that the site is satisfactorily drained, in accordance with Policy CP17 of the Wigan Local Plan Core Strategy.

Plans Attached to Report

Location Plan

P/MJONES/A/13/78554

