

DECISION DATE	APPLICATION NO.	PLANNING COMMITTEE:
13 April 2007	07/00202/REM A20	19 March 2007
DEVELOPMENT PROPOSED		SITE ADDRESS
RESUBMISSION OF 06/01197/REM FOR RESERVED MATTERS APPLICATION FOR THE ERECTION OF AN APARTMENT BLOCK COMPRISING OF 36 TWO BEDROOM UNITS WITH ASSOCIATED CAR PARKING AND SERVICING		HALTON MILL MILL LANE HALTON LANCASTER LANCASHIRE LA2 6ND
APPLICANT: Time And Tide Properties Ltd C/o Agent		AGENT: Phillips Planning Services Ltd

REASON FOR DELAY

N/A

PARISH NOTIFICATION

Object to development - copy of views attached.

LAND USE ALLOCATION/DEPARTURE

The site forms part of an area identified as Halton Mills, in Policy EC7 of the Local Plan. This policy identifies the whole site as a rural employment opportunity site and indicates that proposals for a comprehensive, employment-led, mixed-use development including housing and informal recreation will be permitted. This is subject to various criteria including the removal of all dereliction and contamination from the site and ensuring that employment remains the dominant use of any mixed development.

STATUTORY CONSULTATIONS

County Highways - No objection in principle - query level of car parking at 100% - now improved to 133%.

United Utilities - Have withdrawn initial objections to the scheme - accepted they are committed to accepting sewerage from this scheme.

Environment Agency - No objections provided provisions of flood risk study are implemented.

Archaeological Unit - Survey required - see conditions.

Conservation Officer - Has been involved in negotiations re. detailed design - considers amended scheme acceptable subject to conditions.

OTHER OBSERVATIONS RECEIVED

See attached history report for a summary of objections to previous application.

Since the application was re-submitted, 77 letters and e-mails have been received raising various objections and concerns. Many of the letters raise concerns about the development of the site as a whole and the following list can be taken as indicative of the objections to both 07/00202/REM and 07/00037/REM:-

- Design of building is inappropriate to this riverside rural location/"blot on the landscape".
- "Cheap and nasty" more appropriate to urban setting.
- Flood risk.
- Increased highway dangers.
- Planning Department/Committee should not have allowed development. "Parish Council has not been listened to".
- Materials - stark white render inappropriate.
- Does not accord with Parish Plan.
- Strain on infrastructure, roads, school services.
- Will produce too many cars.
- Light pollution.
- Existing businesses have been lost.
- Density too high.
- No proper affordable housing.
- Does not accord with original permission.
- Does not accord with the Local Plan - not employment led.
- Development has been piecemeal - not comprehensive as required.
- Pedestrian crossing needed.
- Threat to local services.
- Council should control development - not be led by developers, whole scheme should be revisited and permissions reviewed/threat to emergency service provision/will lead to increased community/environmental impact and threats to protected species of bats and otters/landscaping must be improved/waste disposal needs to be taken into account/no thought for community facilities especially for youths/proposal does not conform with National or Local policies/concern that no Environmental Impact Assessment required.

REPORT

Background

Members will recall that at the Committee meeting in January they considered two applications for apartment blocks on this developing site at Halton Mills. This followed a Committee site visit a week earlier. There were strong representations against both schemes, both at the site and the Committee meeting from representatives of the Parish Council and local residents.

Following lengthy consideration, Members instructed Officers to arrange a meeting with the developers, Time and Tide and their representatives, representatives of the Parish Council and Planning Committee together with Officers to see if some measure of agreement could be negotiated.

That meeting took place in Palatine Hall on 31st January. Councillors Mrs. Quinton and Mrs. Chapman were present. It was a wide ranging debate which included detailed discussions regarding the current applications as well as on the developers future intentions for the remainder of the site. Agreement was reached that the Parish Council would be involved in discussions regarding future proposals.

In respect of the two current applications, it became clear that there was little common ground, the Parish Council clearly felt the scale of the development was over intensive and inappropriate and the design was out of keeping with the village traditions. The developers argued equally strongly that a modern design and approach was the right one but using traditional materials.

There was less dispute regarding the design of the 33 unit block (application No. 07/00037/REM) and this is fully dealt with in subsequent report Agenda Item 21. With regard to the 36 unit block (application No. 06/01197) the developers announced at the end of the meeting that they intended to appeal with immediate effect against non-determination of this application as it had exceeded the requisite determination time. However, they proposed to re-submit an amended scheme which they hoped would meet some of the Parish Council's concerns. The current application for today's consideration is that re-submitted scheme. The developers have subsequently indicated that they would probably withdraw their appeal if this application was successful. The Parish Council's views on the amended scheme are attached.

The Current Application

Copies of the earlier Committee report are attached in order to ensure Members are fully aware of detailed background to the development proposals and the policy framework. Following the meeting the applicants have also produced a detailed phasing plan for the remainder of the site and this will be referred to at the Committee meeting.

The revised submission is a reworked version of the original and is similar in many respects. Members will recall that this was for a 3 storey apartment block comprising 36 two bedroom units with access road, car parking and landscaping together with the continued provision of a riverside walk. The walls are ashlar stone under a slate roof with a repetitive rhythm of door and window openings in a traditional mill style, although the overall style is uncompromisingly modern in appearance. The building occupies the same footprint and has the same internal and external layout as the earlier submission.

While unprepared to completely redesign the scheme to meet the Parish Council's main criticisms the developers have attempted to reduce the scale and impact by utilising part of the roofspace to accommodate the third floor. Plans will be displayed at Committee to highlight the differences. The overall effect is to reduce the height by some 2 metres, while the introduction of dormer type roof projections "breaks up" the mass of the elevation producing a more interesting visual appearance to the scheme. Members will be able to judge this themselves.

Forty eight car parking spaces are provided to the front and in a separate parking court to the side. The tree and riverside frontage is retained.

Considerations

This is a reserved matters submission and the policy position is already clearly established. Members are already aware of the substantial opposition to the scheme from within parts of the village and this is emphasised by the many letters of objection which have been received since the last meeting. These are summarised at the front of the report. As can be seen, many of these raise objections to the principle of the development and express concern that the development is not 'employment led' as required by the Local Plan allocation. Clearly it is too early to judge these issues at this stage. The applicants phasing plan when implemented indicates that the later phases should produce opportunities for additional job creation. Committee and the Parish Council have long been aware that a proportion of residential development was inevitable to "pump prime" the scheme and a proportion of this would have to be 'the early stages of the scheme to cover the significant development costs'.

It must be emphasised that this is a reserved matters submission which must be determined on the acceptability or otherwise of the layout, elevations, parking provision, landscaping etc. If Members share residents concerns over the detailed design that is quite appropriate but it would be inappropriate to introduce matters of principle at this juncture.

Conclusion

The scheme has been the subject of lengthy discussions with Officers, including the involvement of the Council's Conservation Officer. Both Officers and Committee have in considering earlier schemes accepted that there was scope for a modern approach in this riverside setting, slightly detached from the village. In Officers views, the modest amendments have further improved the appearance of the scheme while reducing its impact. It is therefore considered that this scheme can be supported.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That **PERMISSION BE GRANTED** subject to the following conditions:-

1. Amended plans.
2. Landscaping details including the provision of public open space and a riverside walk to be agreed.
3. Measures for protection of protected trees to be agreed and implemented.
4. Samples of external materials to be agreed.
5. Details of rainwater goods, windows and doors to be agreed.
6. Archaeological survey to be carried out.
7. Car and cycle parking to be provided before any units occupied.
8. Floor and surrounding site levels to be agreed.
9. Details for refuse storage to be agreed and provided.
10. No dwelling to be occupied until new industrial access road completed and Mill Lane upgraded.
11. Overflow visitor car parking to be provided if necessary and subject to management agreement.

Note The applicants attention is drawn to the conditions attached to the 'parent' consent and the provisions of the related Section 106 Agreement.