

DECISION DATE 9 April 2007	APPLICATION NO. 07/00037/REM A21	PLANNING COMMITTEE: 19 March 2007
DEVELOPMENT PROPOSED RESUBMISSION OF APPLICATION NUMBER 06/01196/REM FOR RESERVED MATTERS FOR THE ERECTION OF AN APARTMENT BLOCK COMPRISING OF 31 TWO AND 2 ONE BEDROOM UNITS (33 TOTAL) WITH ASSOCIATED PARKING AND SERVICING		SITE ADDRESS HALTON MILL MILL LANE HALTON LANCASTER LANCASHIRE LA5 8EU
APPLICANT: Time And Tide Properties Ltd The Forge Mill Lane Halton Lancaster LA2 6ND		AGENT: Phillips Planning Services Ltd

REASON FOR DELAY

N/A

PARISH NOTIFICATION

Object to the scheme - a copy of their views is appended to the report.

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 objections but query level of car parking - now increased to 130%.

United Utilities - Have withdrawn objection - accept that they are committed to accepting sewerage from this scheme.

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

Archaeological Unit - Investigation required.

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

OTHER OBSERVATIONS

See list included in previous report.

REPORT

Background

This report needs to be considered in conjunction with the report on the preceding item (Agenda Item A20) as this proposal deals with the apartment block development for the other part of the Halton Mills site referred to in that report. Although the applicants had withdrawn the earlier application on this part of the site (06/01196 recommended for refusal at the December meeting), they have subsequently replaced it with the current submission and Committee made it clear at the January meeting that they wished for the proposals for both parts of the site to be the subject of the Working Group discussions. A copy of the report for the original application (06/01196) is appended for Members fuller information.

As mentioned in the previous report, the proposals for this part of the site occupied a relatively small part Working Group considerations. Although it was clear that the Parish Council did have concerns regarding the scale of the development and the modern design approach adopted, it did not raise the same level of objections as the other block and the overall concern at the sites development. The final views of the Parish Council had not been received at the time of this report was drafted but it is hoped they can be appended before it is issued.

The Current Application

This re-designed re-submission takes account of many of your Officers earlier objections to the original withdrawn scheme.

The proposed new building occupies that part of the site previously occupied by the Great Lakes Chemical Works, it comprises a 2/2½ storey block containing 31 two bedroomed and 2 one bedroomed apartments with ashlar stone walls all under a slate roof. Again a modern approach is taken to the overall design, especially in terms of fenestration details, balconies and door and window openings. The corner block is 2½ storeys reducing to 2 storeys along the Mill Lane frontage, closer to the village centre and within the Conservation Area. On the riverside frontage an understorey of car parking is provided together with a small residents car park. This is mounded and screened from the riverside. As before provision is made for the continuation of the open space and the riverside walkway originally envisaged. Overall if the modern design approach to the development of this site is accepted, it is considered this development complements the other buildings, both existing and proposed at the site.

Consideration

As with the previous application, a considerable number of objections have been received from local residents. These are detailed in the previous report and raise many issues regarding the existing approved development, the principle of allowing development in this location in addition to design and amenity issues. Members are reminded again that this is a reserved matters submission whereby it is quite appropriate to consider detailed matter of design, scale, layout and landscaping but not to introduce objections based on matters of principle.

Your Officers consider that the scheme has been significantly amended and improved since the original submission was recommended for refusal and a conditional approval is now appropriate.

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. Permission relates to approved plans.
2. Landscaping details, including provision of public open space and riverside walkway to be agreed and provided.
3. Measures for protection of protected trees to be agreed and implemented.
4. Samples of external materials to be agreed.
5. Car and cycle parking to be provided before any units occupied.
6. Floor and surrounding site levels to be agreed.
7. Details for refuse storage to be agreed and provided.
8. No dwelling to be occupied until new industrial access road completed and Mill Lane upgraded.
9. As required by consultees (if any).

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