

HORWICH TOWN COUNCIL

Minutes of a meeting of the Planning Committee held in the Council Chamber, Public Hall, Lee Lane, Horwich on Thursday, 18 July, 2013 commencing at 7.40 pm.

PRESENT: Councillors: J. Lavin (in the Chair), K. Helsby, J. Kellett, L. McCartin, C. Root, J. Silvester, R. Silvester, K. Thomson.
Town Clerk, C. Hutchinson
Mr Andrew Chalmers, Principal Development Officer Planning Strategy, Bolton Council
Bolton Ward Councillors, A. Cunliffe, K. McKeon
7 members of the public
1 member of the press.

CHAIRPERSON TO OUTLINE FIRE SAFETY PROCEDURE:

PL 3261 Councillor Lavin outlined the procedure.

TO SUBMIT APOLOGIES FOR ABSENCE AND ACCEPT THE REASONS:

PL 3262 Apologies for absence were accepted from Councillors K. Denton, K. Ramamurthy, L. Rock and S. Rock due to ill health and from Councillor Flanigan due to another commitment.

TO REMIND MEMBERS TO MAKE A DECLARATION CONCERNING ANY MATTERS TO BE DISCUSSED DURING THE MEETING OF WHICH THEY HAVE AN INTEREST:

PL 3263 Councillor Kellett declared an interest in application no. 90107/13 Land at Horwich Moor Farm, Matchmoor Lane, as the applicant was known to her.

TO APPROVE THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON 27 JUNE 2013:

PL 3264 Resolved to approve the minutes of the meeting of the Committee held on 27 June 2013.

BOLTON COUNCIL PLANNING CONSULTATION: DRAFT SUPPLEMENTARY PLANNING DOCUMENT: LOCATION OF RESTAURANTS, CAFES, PUBLIC HOUSES, BARS AND HOT FOOD TAKEAWAYS IN URBAN AREAS:

PL 3265 Bolton Council had published this document for consultation, an updated version of existing planning control policy regulations. The most significant change is the introduction of limitations on the locations of new hot food takeaways which stipulates that these should not be sited within 400 metres of any secondary schools. It was also noted that a new applications in town centres would not be granted if there were already two existing hot food takeaways within 50 metres.

It was resolved unanimously to note this consultation document without comment.

BOLTON COUNCIL CONSULTATION: PUBLICATION OF BOLTON'S ALLOCATION PLAN:

PL 3266 Members welcomed Mr Andrew Chalmers, Principal Development Officer Planning Strategy from Bolton Council. It was noted that formal representations to this consultation were being accepted up to 16 August 2013 and after consideration of responses Bolton Council would submit the Allocations Plan to central government for public examination. A planning inspector will assess the soundness of the Plan and report on it and in the light of the report Bolton Council is expected to adopt it in summer 2014.

The main changes affecting the Town Council area were the Greenwood retail/mixed use site, new housing allocation at former British Aerospace site and the removal of Cedar Avenue playing fields from the Plan as a result of its application for Village Green Status.

Members raised concerns about the inclusion of a housing development site on Singleton Avenue. Although it was confirmed by Mr Chalmers that the use of playing fields would not be affected by this development, Members did feel that their objections had been ignored and any decision to grant planning permission for further development would also prove to be unpopular with local residents.

It was agreed that it was imperative that both local people and the Town Council should be involved in consultation, as the proposed plan was expected to meet the requirements of the next 10 – 15 years. However concern was expressed that the website link with which Members had been provided was directed to an explanatory document only, but there were a considerable number of other important documents available for viewing and Mr Chalmers pointed out, the document being actually consulted on was the Allocations Plan and not the explanatory document. It was felt that there were a number of issues to be considered, including sustainability and viability for future generations.

Members expressed concerns about whether plans for affordable housing were workable and requested details of the percentage of affordable housing planned for sites in Horwich, in particular the Loco Works Site. They expressed concern that the rate of CIL to be levied on future residential development also required

clarification, as only last month they had been informed that the rate was to be set at £40 per square metre while the current document quoted a rate of between £85 and £200 per square metre. Further concerns were raised about the viability of non residential use, with both industrial warehousing and office development not seen to be viable, although the Middlebrook development remained viable.

Members were anxious to know how the Plan relates to the Loco Works site and although it was acknowledged that it was to be treated separately from the Plan, Members again expressed their concerns that any planning applications for this site should not be rushed through to avoid compliance with CIL and that careful consideration should be given to the design element of any housing development on the Loco Works site.

Mr Chalmers confirmed that the document accessible by the website link was an explanatory document and that others i.e. housing, mixed use and employment were supporting evidence. It was acknowledged that the sustainability appraisal did not place environmental matters above economic growth and social and economic balance, as these three considerations were important alongside a requirement to use resources wisely. It was acknowledged that viability was the most challenging part of the plan and that there was immense pressure on greenfield sites in built up areas, compared with brownfield sites.

Mr Chalmers confirmed that any developer would have to justify any downward negotiation with regard to viability on these sites. It had been noted that there appeared to be a variation in CIL values, but developers believed that there was very little that was viable in the borough and Bolton Council had decided to exercise caution when setting levy values. It was anticipated that a planning application for the development of the Loco Works site would be expected in September 2013. This would be the most significant development since Middlebrook and the importance that the views of both the Town Council and residents of Horwich should be taken into account before planning permission is granted.

Mr Chalmers was thanked for his attendance and both his explanation and comments which Members had found most helpful.

PLANNING APPLICATIONS

Town & Country Planning Act 1990, Sch 1, Para 8

TO DISCUSS THE PLANNING APPLICATIONS FOR THE PARISH:

PL3267

In order to reserve her right to vote on Bolton Council's Planning Committee where decisions about planning would be made, Councillor Kellett would not take part in either the discussion or voting.

90115/13

Land off Lostock Lane, Lostock

Erection of 135 dwellings (substituting 92 apartments and 79 houses)

Permission had previously been granted on this site but work had stopped due to the economic climate and now permission was required for re-instatement of building. There had been concerns raised about the quality of earlier development, but it was pointed out that this was a matter of enforcement. Loss of playing fields had been another ongoing issue with the developers responsible for providing alternative facilities. Several objections had been received with regard to access and there were concerns that this problem had still not been addressed.

Resolved to move out of committee to allow a member of the public to speak.

Mr Michael Greenhalgh, on behalf of Lostock Residents Association outlined the history of the site and confirmed that, following lengthy and difficult negotiations and with great inconvenience to their members, Lostock Sports Club had now reached an agreement with the developers Persimmon Homes regarding alternative facilities. It was envisaged that delivery of these facilities would be some time away and this should be taken into account when reaching a decision about this application. Mr Greenhalgh also raised the issue of the developers ignoring the conditions set in the previous application and local residents were still awaiting the clean up of massive banks of earth that had been left by the developer.

Resolved to return to Committee.

Following discussion it was resolved by 7 votes to 0 with 1 abstention to support this application with conditions as follows:

1. That a traffic examination take place in order to ensure satisfactory and safe access of vehicles and to ensure highway safety onto the junction with Ox Hey Lane and Chorley New Road
2. Satisfactory delivery of new facility for Lostock Sports Club at an agreed alternative location before work began on house building.

Councillor Kellett left the meeting at this point.

90107/13

Land at Horwich Moor Farm, Matchmoor Lane

Importation of sub-soils and inert materials (to allow future use for agriculture and grazing of livestock)

This was a site with a number applications over the last seven years concerned with restoration, importation of materials and buildings. The current application was concerned with the remediation of the last remaining section of the land. There were a large number of documents associated with this application, including a number of respondents' comments as follows:

1. Greenspace had requested that Gmeu should be consulted for continued advice and the condition of habitat creation and stewardship agreements should also be implemented.
2. Pollution Control had requested a verification plan and validation report of sampling prior to any approval
3. Rights of Way had raised concerns about a footpath crossing this land which was designated as open access as this may affect the public's legal right of way. It was of concern that import of sub soils had already affected access, due to changes in levels altering the line of the footpath.
4. Natural England had been consulted again by the planning department, regarding conservation of the bio diversity on this site. It was apparent that previous advice had not been taken into account when previous decisions had been made by the planning department. This was highlighted in the most recent correspondence from Natural England who had referred to the statutory duty of the planning authority who were responsible for conserving the bio diversity of the site and taking enforcement measures when necessary. The penultimate section of their response stated "we would draw your attention to Section 40 of the Natural Environment and Communities Act 2006 which states that 'Every public authority must, in exercising its functions, have regard to the purpose of conserving biodiversity. Section 40 (3) states 'conserving biodiversity includes restoring or enhancing a habitat'"

Resolved to move out of committee in order to allow a member of the public to speak.

The applicant Mrs Miller replied to the comments made. She stated that the development was not yet finished and guidance from Rights of Way had been followed. An assurance was also given that materials coming on to the site were strictly

controlled by the Environment Agency. The applicant stated that as it was her intention to live on and farm the land, there was no wish to see it contaminated. Members were reminded that the land had previously been quarried and were assured that guidelines from Gmeu and Natural England had been strictly adhered to with monthly soil analyses taking place. It appeared that the planning department had not supervised the correct treatment of the site and the development had been inappropriately handled. The land was not overgrazed. In response to a query it was confirmed that there were only two buildings on site and that the applicant had plans for the setting up of a day centre for people with mental health issues along with a rare breeds farm. Mrs Miller issued an invitation to Members to visit the site.

Resolved to return to Committee.

It was noted that the evidence supplied by the applicant had not been available on the planning website, neither was a full view of the site available. Members' dissatisfaction with the process of planning enforcement was discussed and in response to a query it was confirmed that enforcement officers had failed to respond to requests for their attendance at planning committee meetings.

Resolved by 6 votes to 0 with 2 abstentions to refuse this application on grounds that Members were not satisfied that neither the conditions requested by Rights of Way, the requirements for the protection of biodiversity or requests for validation and verification reports had been fulfilled.

Councillor Kellett returned to the meeting at this point.

90058/13

Slater's Field, Slater Avenue.

Use of part of school playing fields to form school garden, including erection of tool shed/cabin, polytunnel and raised growing beds.

There had been no objections and the Tree and Woodland Officer had commented that the revised siting of the school garden removed any conflict with existing trees and was considered a more appropriate setting

Resolved to support this application by 7 votes to 0 with 1 abstention.

90063/13
8 Fearnhead Avenue
Erection of a conservatory at rear

Members were informed that as the size of the proposed conservatory was more than 3 metres in length, planning permission would be required. There had been no objections.

Resolved to support this application by 6 votes to 0 with 2 abstentions.

90094/13
1 Aspinall Court
Extension to external flue above eaves level to a maximum of 2.5 metres

There had been 2 objections from nearby residents who had complained about the visual impact of the existing flue.

Resolved to support this application by 7 votes to 0 with 1 abstention with a condition that the existing flue and extension should be concealed to mitigate the impact of the structure.

90095/13
Hollybank, Princess Road, Lostock
Erection of two storey extension at side and rear following demolition of conservatory and first floor extension at rear.

There had been no comments and no objections received.

Resolved to support this application by 6 votes to 0 with 2 abstentions.

90138/13
39 Napier Drive
Erection of conservatory

Members were informed that planning permission would be required for this application as permitted development rights were removed from the housing estate. There had been no objections.

Resolved to support this application by 6 votes to 0 with 2 abstentions.

90139/13
Roundabout at Burnden Way/Aspinall Way

Erection of 2 non illuminated pole mounted signs.

Resolved to support this application by 7 votes to 0 with 1 abstention.

90148/13
11 Barncroft Drive
Erection of a detached garage

The Tree and Woodland Officer had recommended that the siting of the garage is moved forward to give required clearance to a mature beech tree and that if additional parking spaces are required that they are placed at the side of the garage clear of the tree root protection zone.

Resolved to support this application by 7 votes to 0 with 1 abstention with the conditions specified by the Tree and Woodland Officer.

90151/13
Highfield, Foxholes Road

Formation of pitched roof to existing flat roof extension at rear

There had been no comments and no objections.

Resolved to support this application by 6 votes to 0 with 2 abstentions.

90170/13
7 Portland Place
Erection of single storey extension at rear.

There had been no objections and no comments.

Resolved to support this application by 6 votes to 0 with 2 abstentions.

CONTRARY PLANNING DECISIONS:

PL 3268 None.

Councillor J Silvester left the meeting at this point.

Correspondence: FOR INFORMATION ONLY:

PL 3269 a. The Planning Inspectorate: Appeal decision re. planning

application ref.89480/13 1 Crompton Road, Lostock.
Retrospective application for a detached timber garden room, decking and fences.

- b. Bolton Council: Town and Country Planning Act 1990 Notice of Appeal against refusal of permission for planning application 88876/12 Douglas Valley Golf Club, A6 Blackrod By-pass, Blackrod for the erection of three bladed 30 metre high wind turbine together with a temporary access road off Grimeford Lane.
- c. Bolton Council: Notice of hearing for planning appeal re Chadwicks Farm, Lostock Lane, Westhoughton on 30 July 2013 in the Lancaster Suite, Bolton Town Hall commencing at 10.00am
- d. Bolton Council: notice of temporary road closure of the Beehive Roundabout (Chorley New Road, Horwich and De Havilland Way) from 20 July 2013 for major carriage way reconstruction works lasting for approximately 1 ½ weeks
- e. Bolton Council: Acknowledgement of response from Horwich Town Council to consultation on the Community Infrastructure Levy Draft Charging Schedule
- f. NALC: Press release from the Woodland Trust re free trees for UK community and youth groups.

Resolved that the correspondence be noted.

TO CONFIRM THE DATE OF THE NEXT MEETING AS THURSDAY 22 AUGUST 2013:

PL 3270 Resolved to confirm the date of the next meeting as Thursday 22 August 2013

OTHER PLANNING MATTERS: FOR INFORMATION ONLY

PL 3271 Information regarding road closures in Horwich on 4 August for the Ironman event had been circulated to all Members.

The Chairperson, thanked everyone for their attendance and declared the meeting closed at 9.32pm.

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Chairperson

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Date

