

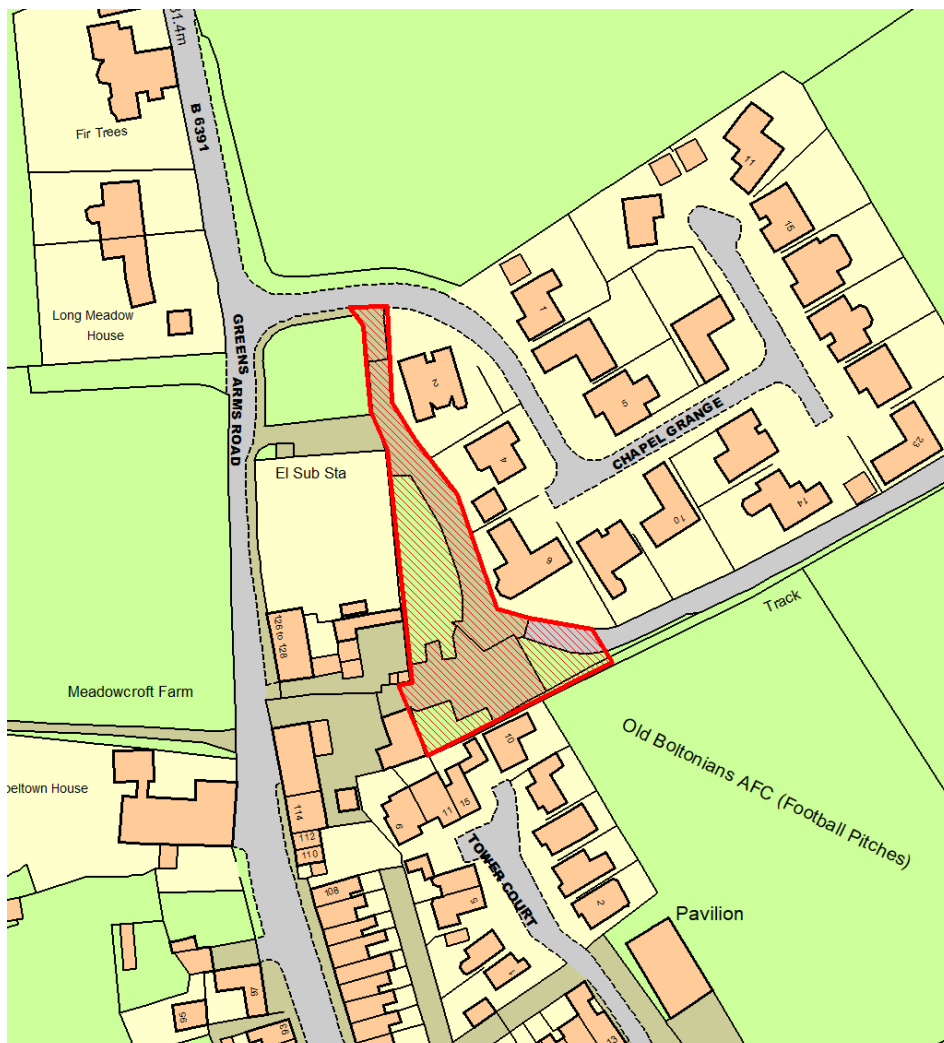
Proposed development: Variation of Condition / Minor Material Amendment for: Variation of Condition No.2 "approved drawings" pursuant to planning application 10/20/0798 "Erection of 4 dwellings with associated access road, landscaping and parking" - amendments to the site layout and house design.

**Site address:
Meadcroft Barns
Chapel Grange
Chapeltown
Bolton
BL7 0EX**

Applicant: Meadowcroft Barns Ltd

Ward: West Pennine

**Councillor Jean Rigby
Councillor Julie Slater
Councillor Neil Slater**



1.0 SUMMARY OF RECOMMENDATION

1.1 APPROVE – Subject to conditions, as set out in paragraph 4.1.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 This planning application is submitted under the provision of section 73 of the Town and Country Planning Act 1990, pursuant to approval of 4 dwellings with integral garages and associated access road, landscaping and parking. The application represents a *minor material amendment* seeking to vary previously approved drawings (set out in condition no.2 of 10/20/0798) to amend the site layout and house types. The application is reported to Committee as a proposed amendment to the original application, which was determined by the Committee in February 2021. This is in accordance with the adopted Scheme of Delegation.
- 2.2 Members are advised that the principle of 4 dwellings with associated access road, landscaping and parking is established by the original grant of planning permission. Assessment of this application is strictly limited to the proposed amendment.
- 2.3 Assessment of the application establishes that the proposal remains consistent with the Borough's strategy for housing growth, in accordance with the Development Plan, subject to repetition of conditions attached to the original permission.

3.0 RATIONALE

3.1 Site and Surroundings

- 3.1.1 The application site (the site) is located within the Chapeltown Village envelope and on the periphery of the Chapeltown Conservation Area. It comprises part of the former farmyard area of Meadowcroft Farm which is redundant since the farming enterprise relocated.
- 3.1.2 The parcel of land is irregular in shape, it historically had farm buildings occupying the southern part which were removed in 2017, and large areas of concrete hardstanding throughout.
- 3.1.3 The site is accessed via an established 'field gate' that links to the adjacent residential cul-de-sac, Chapel Grange. Residential properties close bound the west, east and southern edges of the site.
- 3.1.4 The southern boundary of the site abuts the Chapeltown Conservation Area and the curtilage of the barn attached to 114 High Street. The aforementioned properties, along with 110-112 High Street, are Grade II listed buildings.

3.2 Proposed Development

3.2.1 Variation of Condition No.2 "approved drawings" pursuant to planning application 10/20/0798 "Erection of 4 dwellings with associated access road, landscaping and parking" - amendments to the site layout and house design. Details are set out in the submitted drawings. The proposed layout and elevations for each dwelling are shown below (M K W Architecture, 10/01/2022 (layout), and 07/03/2022 (elevations)).



Plot 1 - Elevations



Plot 2 - Elevations

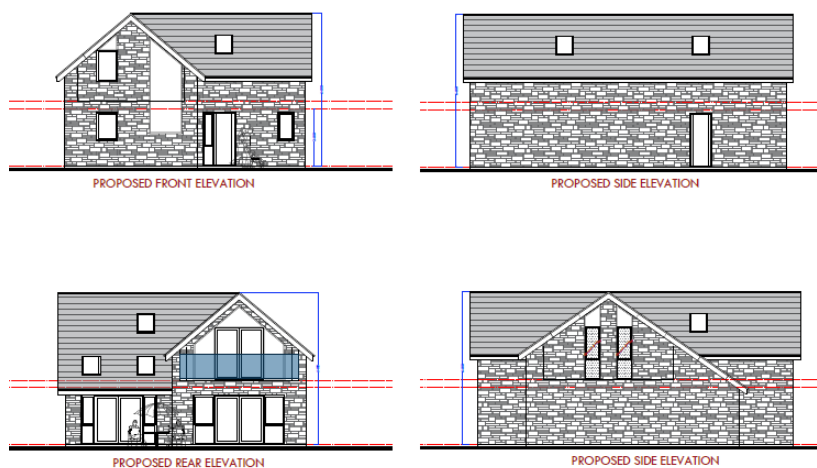


Land to Rear of 116 High Street: Elevations

NB: All boundary and party wall matters to be confirmed by client and subject to necessary boundary surveys

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Plot 3 - Elevations



Land to Rear of 116 High Street: Elevations

NB: All boundary and party wall matters to be confirmed by client and subject to necessary boundary surveys

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NB: All boundary and party wall matters to be confirmed by client and subject to necessary boundary surveys

3.3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise.

3.3.3 Core Strategy

- ### 3.3.4 Local Plan Part 2 (LPP2)

- Policy 6 – Village Boundaries
- Policy 8 – Development and People
- Policy 9 – Development and the Environment
- Policy 10 – Accessibility and Transport
- Policy 11 – Design
- Policy 18 – Housing Mix

- Policy 39 – Heritage

3.4 Other Material Planning Considerations

3.4.1 Residential Design Guide Supplementary Planning Document

3.4.2 National Planning Policy Framework (The Framework)

The area of The Framework especially relevant to this proposal is:

- Achieving well-designed places

3.5 Assessment

3.5.1 In assessing this application is limited to the following matters:

- Amenity impact;
- Environmental impact;
- Highways and access; and
- Design and layout.

3.5.2 Amenity

Policy 8 requires development to make a positive contribution and to secure satisfactory levels of amenity and safety is for surrounding uses and for occupants or users of the development itself; with reference to noise, vibration, odour, light, dust, other pollution or nuisance, privacy / overlooking, and the relationship between buildings.

3.5.3 The proposed amendment involves a reduction in the size of plot 4, arising from an erroneous southern boundary drawn on the original layout which cut through an adjacent building. The amended site layout addresses the issue, clarifying that the land in question falls outside of plot 4 and will not be utilised as domestic garden space.

3.5.4 No additional amenity impacts arise from the amended position of the houses or their design, with particular regard to window orientation and scale; their scale being broadly consistent with those originally approved. This is notwithstanding the objection received from the resident of no. 6 Chapel Grange, in response to the proposed dwelling at plot 3 being positioned circa 800mm closer to the common boundary, as indicated on the extracted site plan below – broken red line being the original position and solid black the proposed (M K W Architecture, 10/01/2022):



It is considered that no greater material impact arises from the proposed amendment on the amenity of the householders at no. 6, than that originally approved, by reason of; the oblique angle of the proposed dwelling relative to habitable windows at no. 6, the circa 2.6m metres maintained between the proposed facing elevation and the boundary, a minor reduction in height of circa 200mm from that originally approved, and the presence of a substantial boundary hedge which will visually screen the overwhelming majority of the development (illustrated below):



View from the garden of no. 6 Chapel Grange in direction of adjacent plot 3.

A satisfactory relationship between the proposed buildings within the site and proposed and existing buildings adjacent to the site will, therefore, be maintained.

3.5.5 Accordingly, the amendment is found to be in accordance with the requirements of Policy 8 and The Framework.

3.5.6 Environment

Policy 9 requires that development will not have an unacceptable impact on environmental assets or interests, including but limited to climate change (including flood risk), green infrastructure, habitats, species, water quality and resources, trees and the efficient use of land.

3.5.7 No additional environmental impacts arise from the proposed amendment.

3.5.8 Highways / Access and Transport

Policy 10 requires that road safety and the safe and efficient and convenient movement of all highway users is not prejudiced and that appropriate provision is made for off street servicing and parking in accordance with the Council's adopted standards.

3.5.9 Access / egress into from Chapel Grange and the provision of in-curtilage parking are unaffected by the proposed amendment. This includes the integral garage size of plot 2 remaining in accordance with the minimum benchmark standard of 6m x 3m.

3.5.10 Accordingly, the amendment is found to be in accordance with the requirements of Policy 10 and The Framework.

3.5.11 Design and Heritage / Character and Appearance

Policy 11 requires a good standard of design and will be expected to enhance and reinforce the established character of the locality and demonstrate an understanding of the wider context towards making a positive contribution to the local area. Policy 39 reflects The Framework in requiring development with the potential to affect designated or non-designated heritage assets to sustain or enhance the significance of the asset.

3.5.12 The scale of the amended house types remain broadly consistent with those previously approved, in terms of floor space and overall height, thereby remaining proportionate to the plot size and existing dwellings adjacent to the site.

3.5.13 One of the main issues identified with dwellings previously approved, which, in part, influences the amendment, is the absence of direct ground floor access into the garden space. This is now remedied by provision of proposed patio doors.

3.5.14 Design of the dwellings remain a contemporary interpretation of traditional dwellings in proximity to the site and a reflection of those on the adjoining cul-de-sacs. Facades will be finished in stone / reconstituted stone, secured via condition no. 8 (at paragraph 4.1).

3.5.15 No additional impacts arise against the Grade II listed buildings and the adjoining Conservation Area, than the original proposal.

3.5.16 Accordingly, the amendment is found to be in accordance with the requirements of Policies 10 and 39, and The Framework.

3.5.17 Summary

Assessment of the relevant material considerations of this proposed minor material amendment finds the proposal to be in accordance with Development Plan and The Framework.

4.0 RECOMMENDATION

4.1 Approve.

Delegated authority is given to the Strategic Director of Place to approve planning permission, subject to:

The following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of the original permission i.e. 18th February 2021.

REASON: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless explicitly required by condition within this permission, the development hereby permitted shall be carried out in accordance with the proposals as detailed on drawings received 4th January 2022 and numbered: *to be added*.

REASON: For the avoidance of doubt and to clarify which plans are relevant to the permission.

3. Demolition, including removal of the existing concrete base(s) of the former agricultural buildings, or construction work shall not begin until a scheme for protecting the surrounding residential premises from noise, vibration and dust from the site during these works has been submitted to and approved in writing by the Local Planning Authority. All measures which form part of the approved scheme shall be adhered to throughout the period of demolition and/or construction.

REASON: To safeguard the amenity of neighbouring properties by reducing the noise/vibration levels emitted from the site, in accordance with Policy 8 of the Blackburn with Darwen Local Plan Part 2.

4. No above ground works shall take place until a scheme for the disposal of foul and surface water from the site has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- i) separate systems for the disposal of foul and surface water;
- ii) details of the rate of surface water discharge from the site to any soakaway, watercourse or surface water sewer for the 1 in 1 year and 1 in 100 year rainfall events (including an appropriate allowance for climate change), which shall not exceed the pre-development rate;
- iii) details of any necessary flow attenuation measures, including the use of SUDS where appropriate;

- iv) evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- v) details of flood exceedance routes (both on and off site);
- vi) details of how surface water will be managed and pollution prevented during the construction phase;
- vii) a timetable for implementation, including details of any phased delivery; and
- viii) details of a management and maintenance plan for the drainage system after completion, including any arrangements for adoption by an appropriate public body or statutory undertaker.

The scheme shall be implemented in accordance with the duly approved details before any of the dwellings hereby approved are first occupied, and maintained as such thereafter.

REASON: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Policy 9 of the Blackburn with Darwen Local Plan Part 2 (2015), and the National Planning Policy Framework.

5. No development shall commence until a Construction Method Statement shall be submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement with associated plan shall provide for:
- I) the parking of vehicles of site operatives and visitors;
 - II) Loading and unloading of plant and materials;
 - III) Storage of plant and materials used in constructing the development;
 - IV) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - V) Wheel washing facilities;
 - VI) Measures to control the emission of dust and dirt during construction;
 - VII) A scheme for recycling/disposing of waste resulting from demolition and construction works; and,
 - VIII) Measures to safeguard the construction site from crime and disorder.

REASON: In order to avoid the possibility of the public highway being affected by the deposit of mud or loose materials which could create a potential hazard to road users, in order to protect the amenity of the occupiers of the adjacent properties, in order to protect the visual amenities of the locality, and in order to safeguard the site from crime and disorder in accordance with Policies 8, 10 and 11 of the Blackburn with Darwen Borough Local Plan Part 2 (2015) and the National Planning Policy Framework.

6. The proposed hours of construction shall be restricted to: Monday to Friday: 8 a.m. - 6 p.m, Saturdays: 8 a.m. - 1 p.m, and not on Sundays or Bank Holidays.

REASON: To safeguard the amenities of the adjacent residential properties in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2 (2015).

7. Notwithstanding the approved plans and prior to any above ground works commencing of the development hereby approved, samples of all external walling, roofing, windows, doors and drainpipe materials, and their colour to be used in the construction of the building work shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

REASON: To ensure that the external appearance of the development is satisfactory and sympathetic to the adjoining Chapeltown Conservation Area and the setting of designated heritage assets, in accordance with Policies 8, 11 and 39 of the Blackburn with Darwen Borough Local Plan Part 2 (2015), the Blackburn with Darwen Residential Design Guide Supplementary Planning Document, and the National Planning Policy Framework.

8. Notwithstanding the approved plans, the proposed dwellings shall be finished in stone/reconstituted stone, unless otherwise agreed in writing by the Local Planning Authority, samples of which shall be submitted to and approved in writing by the Local Planning Authority prior to their use in the proposed development. The approved materials shall be implemented in accordance with the approved details.

REASON: To ensure that the external appearance of the development is satisfactory and sympathetic to the adjoining Chapeltown Conservation Area, and the setting of designated heritage assets, in accordance with Policies 8, 11 and 39 of the Blackburn With Darwen Borough Local Plan Part 2 (2015), the Blackburn With Darwen Residential Design Guide Supplementary Planning Document, and the National Planning Policy Framework.

9. Details of finished floor levels and external ground levels for each plot shall be submitted to and approved in writing by the Local Planning Authority before any development at that plot takes place. The development shall thereafter be implemented in accordance with the duly approved details.

REASON: To ensure a satisfactory relationship between the new dwellings and between the development and surrounding buildings before any ground works take place to establish site levels in the interests of residential and visual amenity in accordance with the requirements of Policies 8 and 11 of the Blackburn with Darwen Borough Local Plan Part 2 (2015), the Blackburn with Darwen Residential Design Guide

Supplementary Planning Document and the National Planning Policy Framework.

10. No clearance of any vegetation in preparation for or during the course of development shall take place during the bird nesting season (March to August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of any vegetation shall take place during the bird nesting season until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

REASON: In order to prevent any habitat disturbance to nesting birds in accordance with the requirements of Policy 9 of the Blackburn with Darwen Local Plan Part 2 (2015) , the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

11. Notwithstanding any details shown on the approved plans and the requirements of condition no. 2 [approved plans] of this permission, within 3 months of development first taking place details of the siting, height, design, materials and finish of boundary treatments for each plot shall be submitted to and approved in writing by the Local Planning Authority. The duly approved boundary treatments shall be constructed in full accordance with the approved details before the dwelling on that plot is first occupied, and shall be retained as such thereafter.

REASON: In the interests of the security of future occupiers, to ensure adequate levels of privacy between neighbouring dwellings/ buildings and in the interests of visual amenity, in accordance with the requirements of Policies 8 and 11 of the Blackburn with Darwen Local Plan Part 2 (2015).

12. Within three months of development first taking place a hard and soft landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, species, siting, planting distances and the programme of planting of trees, hedges and shrubs. The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas that are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

REASON: To ensure an appropriate mitigatory landscaping scheme that is in the interests of visual amenity, and aims to provide suitable habitat compensation, in accordance with the requirements of policies 8 and 11 of

the Blackburn with Darwen Local Plan Part 2 (2015), and the National Planning Policy Framework.

13. Notwithstanding any details contained within the application, a scheme for the installation of any external lighting on the building(s) and the external areas of the site shall be submitted to and approved in writing by the Local Planning Authority before any lighting is installed. The scheme shall include details of the lighting's: (i) position and height on the building(s) and/or site; (ii) spillage, luminance and angle of installation; and (iii) any hoods to be fixed to the lights. Any external lighting shall only be installed in accordance with the duly approved scheme.

REASON: To ensure that any external lighting to be installed at the site does not cause a nuisance to surrounding occupiers or adversely impact commuting and foraging bats, in accordance with the requirements of Policy 9 of the Blackburn with Darwen Local Plan (2015) and the National Planning Policy Framework.

14. All first floor windows shown on the north facing elevation of Plot 1 shall be obscurely glazed to a minimum of level 4 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) before the dwelling hereby approved is first occupied and shall be retained as such thereafter.

REASON: To safeguard the privacy of occupiers of neighbouring dwellings on Chapel Grange and ensure satisfactory levels of amenity, in accordance with the requirements of Policy 8 of the Blackburn with Darwen Local Plan Part 2 (2015) and the National Planning Policy Framework.

15. All first floor windows and rooflights shown in the north-west and south-east facing elevations of Plot 3 shall be obscurely glazed to a minimum of level 4 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) before the dwelling hereby approved is first occupied and shall be retained as such thereafter.

REASON: To safeguard the privacy of occupiers of 6 Chapel Grange and 10 Tower Court to ensure satisfactory levels of amenity, in accordance with the requirements of Policy 8 of the Blackburn with Darwen Local Plan Part 2 (2015) and the National Planning Policy Framework.

16. Notwithstanding the provisions of Classes A to H of Part 1 of the Town and Country Planning (General Permitted Development) Order 2015, or any Order revoking and re-enacting that Order, the dwelling hereby permitted shall not be altered or extended, no new windows shall be inserted, and no buildings or structures shall be erected within the curtilage of the new dwelling unless planning permission has first been granted by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual

amenities of the development and locality and the amenities of nearby residents in accordance with Policies 8, 11 and 41 of the Blackburn with Darwen Local Plan Part 2.

17. Visibility splays shall not at any time be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

REASON: To ensure the safe, efficient and convenient movement of all highway users, for the free flow of traffic, in accordance with Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2 (2015).

5.0 PLANNING HISTORY

Application Number	Description of Development	Decision	Date
10/20/0798	Erection of 4 dwellings with integral garages and associated access road, landscaping and parking	Approved with conditions	18/02/2021
10/19/0299	Demolition of farm buildings and erection of 2 dwellings with integral garages and associated access	Approved with conditions	31/05/2019
10/15/1006	Demolition of farm buildings and erection of 2 dwellings with integral garages and associated access	Approved with conditions	05/04/2016
10/10/0625	Erection of 2 dwellings with integral garages and associated access	Approved with conditions	14/09/2011
10/05/1320	Demolition of existing Animal Stock buildings and erection of 2 No. Detached Houses with Garages and Home/Work space	Approved with conditions	22/03/2006

6.0 CONSULTATIONS

- 6.1 As an application to limited to proposed amendments to the layout and house types, no consultations were carried out other than public consultation.

6.2 Public Consultation

Consultation has taken place, with 24 letters posted to the local community on 14th January 2022. A site notice was also displayed and a press notice was published 14th February 2022. In response, 3 objections were received (see Summary of Representations).

7.0 CONTACT OFFICER: Nick Blackledge - [Principal Planner]

8.0 DATE PREPARED: 4th March 2022

9.0 SUMMARY OF REPRESENTATIONS

Objection – Neil Page. Received 17/01/2022.

As discussed, we have spent a lot of time and effort over recent years debating this development so I'm surprised that we are once again discussing yet further changes to accommodate the developer's needs. Indeed, from the information you shared on the reasons for the changes, I'm flabbergasted as to how the original plans were actually approved by Blackburn Planning in the first instance ? I understand that incorrect drawings has not only meant that Plot 4 has to be totally redesigned, but the fact that no one spotted that there was no ground floor access to rear gardens has now meant the redesign of the rest of the other plots.

It would be good to understand what this now means for the original decision which was obviously based on incorrect information ?

With regards to the new planning application, it's extremely difficult to understand the full impact to my property because of the nature of the information provided. I can however initially see that there is further movement of the properties (especially Plot 3) towards my boundary which is totally unacceptable. This topic was debated at length previously and I do not propose to go around the same issues once again.

I know that you have not yet had time to review the new information in detail, but I would welcome your comments as to how you envisage the proposed changes will be and the impact on the surrounding properties. More than happy to discuss via a site visit when available.

Objection – Andy Lavin, 10 Tower Court, Chapeltown, BL7 0FA. Received 28/01/2022.

I am writing to make an objection to the revised planning application for the building of 4 houses on the 'Land to the rear of Meadowcroft Farm, 114 High Street Chapeltown.

I have copied in Jean and Colin Rigby who took a keen interest in this application in February 2021, to ensure that they are aware of the revised plans that have been submitted.

The building materials on the plans appear to show 20% reconstituted stone (at the most) and over 80% white render which I would like to object to in the strongest possible terms on the basis that this breaches condition number 8 of the planning permission, is not in keeping with the neighbouring properties, and is not sympathetic to the adjoining Chapeltown Conservation Area and the setting of designated heritage assets, in accordance with Policies 8, 11 and 39 of the Blackburn With Darwen Borough Local Plan Part 2 (2015), the Blackburn With Darwen Residential Design Guide Supplementary Planning Document, and the National Planning Policy Framework.

Please see Condition 8 from the planning application approval (dated: 18/02/21):

8. Notwithstanding the approved plans, the proposed dwellings shall be finished in stone/reconstituted stone, unless otherwise agreed in writing by the Local Planning Authority, samples of which shall be submitted to and approved in writing by the Local Planning Authority prior to their use in the proposed development. The approved materials shall be implemented in accordance with the approved details.

REASON: To ensure that the external appearance of the development is satisfactory and sympathetic to the adjoining Chapeltown Conservation Area, and the setting of designated heritage assets, in accordance with Policies 8, 11 and 39 of the Blackburn With Darwen Borough Local Plan Part 2 (2015), the Blackburn With Darwen Residential Design Guide Supplementary Planning Document, and the National Planning Policy Framework.

I would also like to include here Condition 7 which is also relevant to my objection and ask that this is also adhered to:

7. Notwithstanding the approved plans and prior to any above ground works commencing of the development hereby approved, samples of all external walling, roofing, windows, doors and drainpipe materials, and their colour to be used in the construction of the building work shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the duly approved details.

REASON: To ensure that the external appearance of the development is satisfactory and sympathetic to the adjoining Chapeltown Conservation Area and the setting of designated heritage assets, in accordance with Policies 8, 11 and 39 of the Blackburn with Darwen Borough Local Plan Part 2 (2015), the Blackburn with Darwen Residential Design Guide Supplementary Planning Document, and the National Planning Policy Framework.

I would ask that you ensure the houses are built with 100% reconstituted stone in line with condition 8. If this is not possible there should be a minimum of 75% reconstituted stone (for example 3 sides/elevations out of 4 built of stone/reconstituted stone).

Please note that it is my understanding that this is the same developer who built the white 'eco houses' on the site of the old mill at the end of Station Road in Chapeltown. These are an absolute eyesore and are totally out of keeping with the rest of the village and the Chapeltown Conservation Area. They can be seen from across the valley on High Street as you enter the village from the north and stick out like a sore thumb. Please can you ensure that Condition 8 is applied to these new plans to ensure that the houses are built out of real stone or reconstituted stone and not out of white render (or stone cladding).

I would like to include comments from one of my previous communications with you on this matter - please see the excerpt from an email from Gavin Prescott to Andy Lavin dated 17th Feb 2021: "There will be no stone cladding".

At the time of the approval (18th Feb 2021), I discussed with you (Gavin) the need for the finished materials/external walls to be reconstituted stone matching the Chapel Grange and Tower Court developments which you (Gavin) agreed would be the requirement...and that stone cladding panels and white render were not sympathetic to the surrounding properties and adjoining Chapeltown Conservation Area and therefore not acceptable. I hope there will be a satisfactory outcome to these points in line with our previous discussions and the agreed planning conditions.

Please can you confirm that all the planning conditions attached to the planning approval granted 18/02/21 will still apply to the new plans being proposed here (10/22/0006).

I thank you in advance for considering this objection letter and trust you will continue to support and protect local residents, both present and future who would like to see the character of the village and the adjoining Chapeltown Conservation Area preserved for future generations. I would welcome

the opportunity to discuss this with you and invite you to call me at your convenience to discuss further.

Objection – Nick Whittaker & Rose Walker, 126-128 High Street, Chapelton, BL7 0EX. Received 31/01/2022.

With regard to the above planning application, I wish to raise a few points and objection.

I understand that the 4 dwellings have had permission granted already, and I have no issues with the dwellings themselves now, but wish to raise some issues mainly with boundary lines.

Firstly, regarding Plot 4, which I believe is too close in one of its corners. One corner is planned to be so close to the boundary, it will not allow occupants to traverse the boundary of the property. Plot 2 is also very close at one corner. I feel this could lead to future issues over boundary problems, particularly with the existing hedge on my property.

The boundary between the property at 126-128 is delineated by an existing wooden fence (constructed by the previous owners, the Holden farming family) and a stone wall which has stood over 150 years and runs from behind Plot 2, along to Plot 4, then down to the main road (High Street), where it ends next to a newly constructed bin store.

The wooden fence runs from approximately half way up Plot 2 up to the end of the property bought by the current developers at the old Mill Lane. This lane led to the old mill, upon which Chapel Grange was built. The fence finishes at the top corner of the lawn at 126-128, where the old Mill Lane is. This was the extent of the Holden family land, sold to the developers, and has been confirmed by the family.

The fence has fallen into a state of disrepair over the years, and is falling over in places after the disrepair and clearing of ground for the plots (Photos 1).

Also, the stone wall around the old farmyard has also fallen into disrepair in several places, falling down in one place behind Plot 2 (Photos 2). Also, a section of the wall next to Plot 4 is in a dangerous state, having fallen down during the renovation work on the development (Photos 3). This section of wall fell onto a member of my family. This was during renovation while skips were placed alongside the wall, and later diggers were ground scraping around the wall.

This wall continues down to the main road, High Street, where a bin store has been constructed. The end of this wall is unfinished and the stones are loose and prone to fall off if passers by wobble them (eg children or revellers) (Photos 4).

My understanding is that the owner of the property/developer will rectify the fallen wall at the top end of drive where the digger/skips have undermined it, causing a partial collapse and also the bottom road end where there is now a bin store but an unstable wall and lack of supporting feature. We have concerns that the damage to both ends is further deteriorating and also affecting the

integrity of the whole partition wall. We would be grateful to understand what is happening with this

We are also concerned at how close the houses to the rear of the boundary walls, we have established mature trees and note all the trees on the adjacent property have now been removed and that roots will probably be more focused on our side, being an extremely close boundary, trees will naturally overhang and undoubtedly roots will be spread below and it is important for this to be understood.

(continued after photos)



Photos 1 showing disrepair of fence behind Plots 1 and 2.



2. Photos showing collapsed wall behind Plot 2

Photos 3 showing dangerous collapse of stone wall next to Plot 4. This is in danger of further collapse, and is unsafe to go close to.



Photo 6: Showing proposed gate beyond extent of development land, approximately 20 metres.

Finally, the proposal appears to show a drain running from the old farm yard going under the corner of my property at 126-128. After talking with the original owners, I believe this is marked in the wrong position, not going under my land, just purely under the development land. I would like this to be confirmed/amended.

Photos 4 showing unfinished party wall.



Regarding the boundary between 126-128 and the developments next to Plots 1 and 2. This is delineated by a wooden fence (as mentioned) and the purchased land finishes at the old Mill Lane, where this fence stops (Photo 5). The plans appear to show that this is a gated community of 4 plots, indicating the gate approximately 20 metres beyond the end of the property development land (Photo 6). This land is not part of the purchased property, and would block off access to the section of land that was on the Mill Lane, for which I wish to continue access. The gate for the development property should only enclose the actual land where the property is. There will be access over this small section of land to the new properties, but I do not believe it is owned.

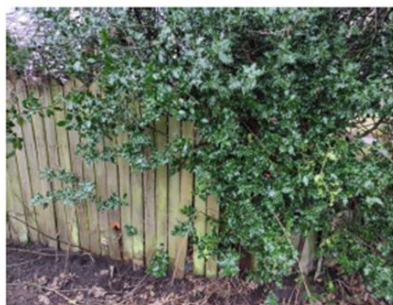


Photo 5: End of fence showing end of development property.