

# Development Control Committee

Agenda and Reports

For consideration on

**Tuesday, 12th July 2011**

In the Council Chamber, Town Hall, Chorley

At 6.30 pm



## **PROCEDURE FOR PUBLIC SPEAKING AT MEETINGS OF THE DEVELOPMENT CONTROL COMMITTEE**

- Persons must give notice of their wish to address the Committee, to the Democratic Services Section by no later than midday, two working days before the day of the meeting. (12 Noon on the Friday prior to the meeting)
- One person to be allowed to address the Committee in favour of the officers recommendations on respective planning applications and one person to be allowed to speak against the officer's recommendations.
- In the event of several people wishing to speak either in favour or against the recommendation, the respective group/s will be requested by the Chair of the Committee to select one spokesperson to address the Committee.
- If a person wishes to speak either in favour or against an application without anyone wishing to present an opposing argument that person will be allowed to address the Committee.
- Each person/group addressing the Committee will be allowed a maximum of three minutes to speak.
- The Committees debate and consideration of the planning applications awaiting decision will only commence after all of the public addresses.

## **ORDER OF SPEAKING AT THE MEETINGS**

1. The Director Partnership, Planning and Policy or her representative will describe the proposed development and recommend a decision to the Committee. A presentation on the proposal may also be made.
2. An objector/supporter will be asked to speak, normally for a maximum of three minutes. There will be no second chance to address Committee.
3. A local Councillor who is not a member of the Committee may speak on the proposed development for a maximum of five minutes.
4. The applicant or her/his representative will be invited to respond, for a maximum of three minutes. As with the objector/supporter, there will be no second chance to address Committee.
5. The Development Control Committee, sometimes with further advice from Officers, will then discuss and come to a decision on the application.

There will be no questioning of speakers by Councillors or Officers, and no questioning of Councillors or Offices by speakers.

01 July 2011

Dear Councillor

## **DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 12TH JULY 2011**

You are invited to attend a meeting of the Development Control Committee is to be held in the Council Chamber, Town Hall, Chorley on Tuesday, 12th July 2011 at 6.30 pm.

### **A G E N D A**

1. **Apologies for absence**

2. **Minutes (Pages 1 - 26)**

To confirm the minutes of the Development Control Committee meeting on 14 June 2011 (enclosed).

3. **Declarations of Any Interests**

Members are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda. If the interest arises **only** as result of your membership of another public body or one to which you have been appointed by the Council then you only need to declare it if you intend to speak.

If the personal interest is a prejudicial interest, you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

4. **Planning applications to be determined (Pages 27 - 28)**

A table of planning applications to be determined is enclosed.

Please note that copies of the location and layout plans are in a separate pack (where applicable) that has come with your agenda. Plans to be considered will be displayed at the meeting or may be viewed in advance by following the links to the current planning application on our website.

[http://planning.chorley.gov.uk/PublicAccess/TDC/tdc\\_home.aspx](http://planning.chorley.gov.uk/PublicAccess/TDC/tdc_home.aspx)

- (a) **11/00420/REMAJ - Bill Beaumont, Textiles Park Mills, Deighton Road, Chorley**  
(Pages 29 - 40)

Report of the Director of Partnerships, Planning and Policy (enclosed).

- (b) 11/00490/CB3 - Land 200 metres North of Shepherds Cottage, The Common, Adlington (Pages 41 - 50)

Report of the Director of Partnerships, Planning and Policy (enclosed).

- (c) 11/00410/FUL - The Dog Inn, Chorley Old Road, Clayton-le-Woods, Chorley (Pages 51 - 60)

Report of the Director of Partnerships, Planning and Policy (enclosed).

- (d) 11/00318/REM - Building 15m North of 246-248 Spendmore Lane, Coppull (Pages 61 - 64)

Report of the Director of Partnerships, Planning and Policy (enclosed).

- (e) 11/00403/OUTMAJ - Group 1, Euxton Lane, Euxton (Pages 65 - 78)

Report of the Director of Partnerships, Planning and Policy (enclosed).

5. **Enforcement Item - The Hillocks Mawdesley** (Pages 79 - 84)

Report of the Director of Partnerships, Planning and Policy (enclosed).

6. **Enforcement Item - Go Ape Rivington** (Pages 85 - 90)

Report of the Director of Partnerships, Planning and Policy (enclosed).

7. **Proposed Confirmation of Tree Preservation Order No:1 (Mawdesley) 2011 without modification** (Pages 91 - 92)

Report of the Director of Transformation (enclosed).

8. **Objections to Tree Preservation Order No:3 (Eccleston) 2011** (Pages 93 - 94)

Report of the Director of Partnerships, Planning and Policy (enclosed).

9. **Planning Appeals and Notifications** (Pages 95 - 98)

Report of the Director of Partnerships, Planning and Policy (enclosed)

10. **Delegated decisions determined by the Director of Partnerships Planning and Policy in consultation with the Chair and Vice Chair of the Committee**

- (a) 14 June 2011 (schedule enclosed) (Pages 99 - 100)

- (b) 29 June 2011 (schedule enclosed) (Pages 101 - 102)

11. **Planning applications determined by the Director of Partnerships, Planning and Policy** (Pages 103 - 114)

Schedule of the Director of Partnerships, Planning and Policy (enclosed).

12. **Any other item(s) that the Chair decides is/are urgent**

Yours sincerely

*Donna Hall*

Donna Hall CBE  
Chief Executive

Cathryn Filbin  
Democratic and Member Services Officer  
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**Distribution**

1. Agenda and reports to all members of the Development Control Committee, (Councillor Harold Heaton (Chair), Councillor Geoffrey Russell (Vice-Chair) and Councillors Ken Ball, Henry Counce, Matthew Crow, David Dickinson, Dennis Edgerley, Christopher France, Marie Gray, Alison Hansford, Hasina Khan, Paul Leadbetter, Roy Lees, June Molyneaux and Mick Muncaster) for attendance.
2. Agenda and reports to Lesley-Ann Fenton (Director of Partnerships, Planning and Policy), Jennifer Moore (Head of Planning), Chris Moister (Head of Governance), Paul Whittingham (Development Control Team Leader), Cathryn Filbin (Democratic and Member Services Officer) and Alex Jackson (Senior Lawyer) for attendance.
3. Agenda and reports to Development Control Committee reserves, (Councillors Alistair Bradley and Simon Moulton) for information.

**This information can be made available to you in larger print  
or on audio tape, or translated into your own language.  
Please telephone 01257 515118 to access this service.**

આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون

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**Development Control Committee****Tuesday, 14 June 2011**

**Present:** Councillor Harold Heaton (Chair), and Councillors Ken Ball, Henry Counce, Matthew Crow, David Dickinson, Dennis Edgerley, Christopher France, Marie Gray, Alison Hansford, Hasina Khan, Paul Leadbetter, Roy Lees, June Molyneaux and Mick Muncaster

**Also in attendance:** Jennifer Moore (Head of Planning), Paul Whittingham (Development Control Team Leader), David Stirzaker (Planning Officer), Alex Jackson (Senior Lawyer) and Cathryn Filbin (Democratic and Member Services Officer)

**11.DC.59 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Geoffrey Russell.

**11.DC.60 MINUTES**

**RESOLVED – That the minutes of the Development Control Committee meeting held on 24 May 2011 be confirmed as a correct record and signed by the Chair.**

**11.DC.61 DECLARATIONS OF ANY INTERESTS**

There were no declarations of interests.

**11.DC.62 INDEX OF APPLICATIONS**

The Director of Partnerships, Planning and Policy submitted reports on five applications for planning permissions to be determined.

**(a) 11/00210/FUL - 187 Town Lane Whittle-Le-Woods**

Application No: 11/00210/FUL  
Proposal: Change of use of land from former agricultural land to residential cartilage  
Location: Land rear of 187 Town Lane, Whittle-le-Woods  
Decision:

It was proposed by Councillor Marie Gray, seconded by Councillor David Dickinson to approve planning permission.

A second motion was put forward which was proposed by Councillor Dennis Edgerley, seconded by Councillor Roy Lees to refuse planning permission. When the second motion was put to the vote it was lost 5:8.

An amendment to the first motion including removal of permitted development rights and conditions to the planning permission should the planning permission be granted was proposed by Councillor Harold Heaton, seconded by Councillor Dennis Edgerley and subsequently **RESOLVED (8:4) – That Members were minded to approve planning permission for the reason to be agreed by the**

**Chair and conditions delegated to officers in consultation with the Chair and Vice Chair.**

**(b) 11/00290/REMMAJ - Sagar House Ecclestone**

Application No: 11/00290/REMMAJ/1  
Proposal: Section 73 application to vary conditions 6 (boundary treatments), 7 (Code for Sustainable Homes), and 16 (approved plans) attached to planning approval 10/00866/FEMMAJ  
Location: Sagar House, Langton Brow, Ecclestone, Chorley  
Decision:

It was proposed by Councillor Dennis Edgerley, seconded by Councillor David Dickinson and subsequently unanimously **RESOLVED – To grant planning permission subject to a Section 106 Agreement, the following conditions and to delegate to officers in consultation with the Chair and Vice Chair to agree the wording of Conditions Seven.**

1. **The proposed development must be begun not later than two years from the date of planning approval reference 10/00866/REMMAJ (17 January 2011).**  
*Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.*
2. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order amending or revoking and re-enacting that Order, no other windows than shown on the approved plans shall be implemented on Plots 3, 40, 41, 42, 43, 44, 45, 68 69, 70 unless otherwise agreed in writing by the Local Planning Authority.**  
*Reason: To protect the amenity of the existing residents and in accordance with saved Policy HS4 of the Adopted Chorley Local Plan Review.*
3. **The development hereby permitted shall only be carried out in conformity with the approved ground and building slab levels as discharged as part of application 11/00291/DIS.**  
*Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*
4. **The development hereby permitted shall be carried out in accordance with the approved details of the fences and walls to be erected as discharged by application 11/00291/DIS. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.**  
*Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

5. Within 3 months of this planning approval or prior to the construction of plots 40-45 and 67-70 (whichever is the earliest) all details for the boundary treatment that bounds the properties between those on 7-11 (odds) Shelly Drive and the proposed development and the boundary of the rear of those properties on Langton Brow (southern edge) shall be formally submitted, as a discharge of condition application, to the Local Planning Authority. This shall include providing details of the level of the fence in relation to the existing ground level and full details of the consultation with neighbours and copies of any exchanges of correspondence in this regard. The Local Planning Authority will then consult with residents on the discharge of condition application and if there are objections then the discharge application should be referred to the Chair and Vice Chair of the Development Control Committee for a decision about reference to committee. The agreed scheme shall be maintained at all times to the satisfaction of the Local Planning Authority.

*Reason: To protect the amenities of the neighbouring properties and in accordance with saved policies GN5 and HS4 of the Adopted Chorley Local Plan Review.*

6. No phase or sub-phase of the development shall begin until details of a 'Design Stage' assessment and related certification have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out entirely in accordance with the approved assessment and certification.

*Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change-Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*

7. No dwelling shall be occupied until a letter of assurance, detailing how the dwelling in question will meet the necessary code level, has been issued, to the Local Planning Authority, by an approved code assessor. The development thereafter shall be completed in accordance with the approved measures for achieving the required code level. Within 6 months of completion of that dwelling a Final Code Certificate shall be submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change-Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*

8. Prior to the commencement of the development full details of the on-site measures to reduce the carbon emissions of the development (related to predicted energy use) by 30% (Code for Sustainable Homes Level 3 plus 5%) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be completed in accordance with the approved details

*Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change-Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable*

***Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.***

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.  
*Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.*
10. The development hereby permitted shall be carried out in accordance with the approved external facing materials as discharged by application 11/00291/DIS.  
*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan*
11. The development hereby permitted shall be carried out in accordance with the approved hard ground- surfacing materials as discharged by application 11/00291/DIS.  
*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*
12. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.  
*Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.*
13. The development hereby permitted shall be completed in accordance with the approved surface water drainage arrangements. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented.  
*Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS25: Development and Flood Risk.*
14. No dwelling shall be occupied until works for the drainage/disposal of foul water from the development have been completed in accordance with the approved plans.  
*Reason: To ensure proper drainage of the development and in accordance with Policy No. EP17 of the Adopted Chorley Borough Local Plan Review.*
15. The details as outlined in the 'The Former Sagar House Site, Langton Brow, Ecclestone: Outline/Summary Mitigation Method Statement-ultimately to support an application for a licence under Regulation 44(2)(e) in respect of Great Crested Newts Triturus cristanus' (ERAP Ltd October 2010) shall be implemented and any changes required by

Natural England at the European Protected Species licensing stage, shall be implemented accordingly.

*Reason: To ensure the continued protection and enhancement of Great Crested Newts in accordance with PPS9 and saved Policy EP4 of the Adopted Chorley Borough Local Plan Review.*

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwelling(s) hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission), without prior written consent from the Local Planning Authority.

*Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

17. The approved plans are:

Plan Ref.	Received On:	Title:
406/OS01	28 September 2010	Existing Ordnance Survey Plan (Site edged in red)
SDL 1763/1	28 September 2010	Existing Topographical Survey
406/ED01 Rev J	30 March 2011	Engineering Layout
406/PL01 Rev E	30 March 2011	Planning Layout
406/PL02 Rev C	14 April 2011	Materials Layout
406/PL03 Rev B	30 March 2011	Storey Heights Layout
406/PL04 Rev B	30 March 2011	Boundary Treatments Layout
406/PL06 Rev A	30 March 2011	Boundary Treatments Layout (Colour)
406/PL05 Rev B	30 March 2011	Refuse Strategy Layout
C-715 01 Rev A	30 March 2011	Landscape Proposals Sheet 1 of 2
C-715 02 Rev A	30 March 2011	Landscape Proposals Sheet 2 of 2
406/T/Saw/01	28 September 2010	House Type Dwg-Severn/Washington
406/T/Was/01	28 September 2010	House Type Dwg-Washington
406/T/Pal/01	28 September 2010	House Type Dwg-Palmerston (End Terraced)
406/T/Pal/02	28 September 2010	House Type Dwg-Palmerston (Semi/Terraced)
406/T/M1/01	28 September 2010	House Type Dwg-M1 Bungalow
406/T/M2/01	28 September 2010	House Type Dwg-M2 Bungalow
406/T/Rip/02	28 September 2010	House Type Dwg-Ripley
406/T/Asc/01	28 September 2010	House Type Dwg-Ascot
406/T/Will/01	28 September 2010	House Type Dwg-Willerby
406/T/Bra/01	28 September 2010	House Type Dwg-Braemar
2010/YOR/A/01	15 November 2010	York House Type
2010/FAR/A/01	15 November 2010	Farringdon House Type
2010/HAR/A/01	15 November 2010	Harborough House Type
2010/WAR/A/01	15 November 2010	Warwick House Type

2010/STR/A/01	15 November 2010	Stratford House Type (1of2)
2010/STR/A/02	15 November 2010	Stratford House Type (2of2)
406/SS01	28 September 2010	Proposed Street Scenes
406/SS02	28 September 2010	Proposed Site Sections
406/G01	28 September 2010	Single Garage Details
406/G02	28 September 2010	Twin Garage Details
406/G03	28 September 2010	Double Garage Details
406/G04	28 September 2010	Triple Garage Details
406/WF01	28 September 2010	Wall and Fence Details.

*Reason: To define the permission and in the interests of the proper development of the site.*

18. The development hereby permitted shall be completed in accordance with the approved Neighbour Consultation Document as discharged as part of application 11/00291/DIS.

*Reason: To ensure that the existing residents are kept fully aware of the progress of the development.*

(c) 11/00312/FUL - 202 Chorley Old Road Whittle-Le-Woods

Application No: 11/00312/FUL  
 Proposal: Application to vary/part remove condition 14 (sustainable resources) of planning approval 10/00823/FULMAJ  
 Location: 202 Chorley Old Road, Whittle-le-Woods  
 Decision:

It was proposed by Councillor Dennis Edgerley, seconded by Councillor David Dickinson and subsequently unanimously **RESOLVED – To grant full planning permission subject to the following conditions:**

1. The development hereby permitted shall only be carried out in accordance with the table (stamp-dated 27 May 2011) demonstrating that the Dwelling Emission Rates (DER) of the proposed dwellings will achieve more than a 10% improvement against the Target Emission Rate (TER), thereby reducing the carbon emissions' of the development. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

*Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and is in line with the policy objectives of Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*

2. The approved plans are:

Stamp-dated on:	DWG No:	Title:
13 September 2010	1000	
13 September 2010	1100	
13 September 2010	1101	
13 September 2010	1010	
13 September 2010	SF/01	
13 September 2010	SF/03	
13 September 2010	GA-02	
13 September 2010	4.203/P/B/L	
13 September 2010	4.309/P/B/L	

13 September 2010	4.208/P/B/L
13 September 2010	4.212/P/B/L
13 September 2010	5.133/P/B/L
13 September 2010	4.134/P/B/L
13 September 2010	3.311/P/B/L
13 September 2010	S09/116
13 September 2010	
13 September 2010	

Richmond Sheet 1 of 2  
Double Garage (Gable  
Roof) Plan and  
Elevations

*Reason: To define the permission and in the interests of the proper development of the site.*

3. Before the development hereby permitted is first commenced, a scheme (including plans) shall be submitted to make good the gable end of No. 200 Chorley Old Road following the demolition of No. 202 Chorley Old Road (notwithstanding any such detail shown on previously submitted plan(s)). No development shall commence until such a scheme is approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved scheme.

*Reason: To ensure a visually satisfactory form of development and to protect the amenities of the occupiers of nearby properties and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

4. The integral/attached garage shall be kept freely available for the parking of cars and shall not be converted to living accommodation, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

*Reason: To ensure adequate off street parking provision is maintained and thereby avoid hazards caused by on-street parking and to ensure a high quality visual environment is maintained and in accordance with North West Plan Partial Review (NWPPR) to Policy RT2 of the Regional Spatial Strategy and Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

5. No development shall take place until:
- a methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2001 'Investigation of potentially contaminated site - Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;
  - all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;
  - the Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works a validation report containing

any validation sampling results shall be submitted to the Local Authority.

Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals.

Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.

*Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use, in accordance with PPS23 given the size and sensitive end-use of the proposed development, and the potential for ground contamination to exist as a result of past processes and activities adjacent to the above site.*

6. No development shall take place until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented.

*Reason: To secure proper drainage and to prevent flooding and in accordance with PPS25 and Policy No. EP18 of the Adopted Chorley Borough Local Plan Review.*

7. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

*Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

8. Before the dwellings hereby permitted are first occupied, the driveways as shown on the approved plans shall be provided for the use of the properties.

*Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with North West Plan Partial Review (NWPPR) to Policy RT2 of the Regional Spatial Strategy and Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

9. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate

the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

*Reason: In the interests of the amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

*Reason: In the interest of the appearance of the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwellings hereby permitted on plots 1, 2, 5, 11 and 12, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

*Reason: To protect the amenities of the surrounding properties on Chorley Old Road and St Helens Road and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

12. The development hereby permitted shall only be carried out in conformity with the proposed finished floor levels shown on the approved plan(s).

*Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

13. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.

*Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.*

14. Notwithstanding the details shown on the submitted plans, the proposed driveway/hardsurfacing to the front of the property shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the

property (rather than to the highway), unless otherwise agreed to in writing by the Local Planning Authority.

*Reason: In the interests of highway safety and to prevent flooding, in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.*

15. All windows in the first floor of the north elevation of the Stephenson house type hereby permitted on Plot 5 shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.

*Reason: In the interests of the privacy of occupiers of neighbouring property and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without modification), no windows other than those expressly authorised by this permission, shall be inserted or constructed at any time at first floor level or above in the north elevation of the of the Stephenson house on Plot 5 type hereby permitted.

*Reason: To protect the amenities and privacy of the adjoining property and in accordance with policy HS4 of the Adopted Chorley Borough Local Plan Review.*

17. All windows in the first floor of the south elevation of the Montgomery house type hereby permitted on Plot 11 shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.

*Reason: In the interests of the privacy of occupiers of neighbouring property and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without modification), no windows other than those expressly authorised by this permission, shall be inserted or constructed at any time at first floor level or above in the south elevation of the of the Montgomery house on Plot 11 type hereby permitted.

*Reason: To protect the amenities and privacy of the adjoining property and in accordance with policy HS4 of the Adopted Chorley Borough Local Plan Review.*

19. Before the dwellings hereby permitted are first occupied, the properties hereby permitted on plots 5,6,7,8 and 9 shall incorporate the following specifications of 'Secured by Design':

- All windows at ground floor level shall conform to the 'improved security' window standard BS7950 and shall be fitted with double glazed panels with laminated glass to the exterior set in BS7950 Secured by Design certified frames;
- The ground floor entrance doors shall comprise 'Secured by Design' enhanced security doors BSI PAS 24-1999;

- Security lights shall be fitted to the front entrance door and on the rear of these properties.  
*Reason: To reduce crime and make the properties a safer place to live in.*
20. Before the dwellings hereby permitted are first occupied, all properties shall be fitted with an intruder alarm with PIR covering the ground floor to comply with BS4737 of 'Secured by Design' guidelines.  
*Reasons: To reduce crime and make the properties a safer place to live in.*
21. The proposed development must be begun not later than three years from the date of this permission.  
*Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.*
22. The development shall only be carried out in accordance with the approved plans, except as may otherwise be specifically required by any other condition of this permission or unless otherwise first agreed to in writing by the Local Planning Authority.  
*Reason: To define the permission and in the interests of the proper development of the site*
23. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.  
*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 & HS4 of the Adopted Chorley Borough Local Plan Review.*
24. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.  
*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

**(d) 11/00327/FUL - 5/7 Chorley Old Road Whittle-Le-Woods**

Application No: 11/00327/FUL  
 Proposal: Demolition of 7 Chorley Old Road, together with associated outbuildings and construction of 8 residential dwellings (some with detached garages) and associated works, including amendments to the access to 5 Chorley Old Road and erection of a single detached garage to serve this property  
 Location: 5-7 Chorley Old Road, Whittle-le-Woods  
 Decision:

It was proposed by Councillor David Dickinson, seconded by Councillor Hasina Khan and subsequently **RESOLVED (10:1) – To grant planning permission subject to a Section 106 Agreement and the following conditions:**

1. The development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. The report should include an initial desk study, site walkover and risk assessment and if the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with the Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.  
*Reason: In the interests of safety and in accordance with the guidance set out in PPS23 – Planning and Pollution Control 2004.*
2. The proposed development must be begun not later than three years from the date of this permission.  
*Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.*
3. The development hereby permitted shall not commence until an updated bat survey of the existing buildings, along with any mitigation measures deemed necessary, has been submitted to and approved in writing by the Local Planning Authority in liaison with Lancashire County Council (Ecology). The development shall only thereafter be carried out in accordance with the mitigation measures proposed, if any are deemed to be necessary.  
*Reasons: To safeguard protected species and in accordance with Policy No. EP4 of the Chorley Borough Local Plan Review.*
4. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.  
*Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.*
5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

*Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.*

6. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

*Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

7. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings (notwithstanding any details shown on the previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

8. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

9. During the construction period, all trees to be retained shall be protected, including specifically the silver birch on the boundary with Jardine House, by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the areas so fenced. All excavations within the area so fenced shall be carried out by hand.

*Reason: To safeguard the trees to be retained and in accordance with Policy No. EP9 of the Adopted Chorley Borough Local Plan Review.*

10. Notwithstanding the details of the submitted plans, the proposed driveways shall be constructed using permeable materials on a permeable base, the details of which shall be submitted to and

approved by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials and shall be retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run off. In accordance with Policy No. GN5 and EP18 of the adopted Chorley Borough Local Plan Review.*

11. Before the properties hereby permitted are first occupied, the driveways shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The driveways shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

*Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.*

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 1, Class A to D) or any Order revoking or re-enacting the Order, no alterations or extensions shall be undertaken to any dwelling hereby permitted.

*Reason: The dwellings are situated on a private road which would not fall within the definition of a highway for the purposes of the Town and Country Planning (General Permitted Development) Order 1995. The extent of development that could be undertaken, particularly at the front of the properties, without planning permission could be extensive and could have a detrimental impact on the streetscene, the amenities of neighbouring residents and reduce the available parking at the properties, and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

13. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

*Reason: To secure proper drainage and in accordance with Policy Nos. EP17 and EM2 of the Adopted Chorley Borough Local Plan Review.*

14. The development hereby permitted shall only be carried out in conformity with the proposed finished floor levels shown on the approved plan(s).

*Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

15. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no windows other than those shown on the approved plans shall be inserted in any first floor elevation of the dwellings hereby permitted.

*Reason: To protect the amenities of neighbours and in accordance with Policy No. HS6 of the Chorley Borough Local Plan Review.*

16. The development hereby permitted shall not commence until a scheme for the provision and implementation, of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans prior to the first occupation of any dwelling on the site.

***Reason: To mitigate flooding and in accordance with Policy No. EP18 of the Chorley Borough Local Plan Review.***

**17. The approved plans are:**

<b>Plan Ref.</b>	<b>Stamp Dated:</b>	<b>Title:</b>
DGL/1168/WHD/WLW-LP01	11 April 2011	Location Plan
DGL/1168WHD/WLW-SL01 Rev L	14 June 2011	Proposed Site Plan
DGL/1168WHD/WLW-SE01 Rev E	14 June 2011	Sectional Elevations
-----	11 April 2011	Topographical Plan
SF/01	11 April 2011	1.8m Screen Fence
SF/02	11 April 2011	1.8m Timber Post & Panel Fence
DG/8.0/1/B	11 April 2011	Double 2 Door Garage
DG/2.0/1/B	11 April 2011	Single Garage
DG/2.0/2/B	11 April 2011	Single Garage
DG/4.0/1/B	11 April 2011	Paired Single Garage
DG/4.0/2/B	11 April 2011	Paired Single Garage
DG/3.0/1/B	11 April 2011	Paired Single Garage
DG/3.0/2/B	11 April 2011	Paired Single Garage
5.3133/P/B/L	11 April 2011	Montgomery
4.309/P/B/L	11 April 2011	Oxford
3&4/3.318/P/B/L	11 April 2011	Milton
5.238/P/B/L	27 April 2011	Cambridge Plot 2
4.309/P/B/L	27 April 2011	Oxford Plot 6

***Reason: To define the permission and in the interests of the proper development of the site.***

**18. The development hereby permitted shall not be commenced until a scheme for the disposal of foul and surface waters has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans prior to the first occupation of any dwelling on the site.**

***Reason: To mitigate flooding and in accordance with Policy No. EP18 of the Chorley Borough Local Plan Review.***

**19. Each dwelling hereby permitted shall be constructed to achieve the relevant Code for Sustainable Homes Level required by Policy SR1 of the Sustainable Resources DPD (Level 3 for all dwellings commenced from 1 January 2010, Level 4 for all dwellings commenced from 1<sup>st</sup> January 2013 and Level 6 for all dwellings commenced from 1<sup>st</sup> January 2016).**

***Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.***

**20. No phase or sub-phase of the development shall begin until details of a 'Design Stage' assessment and related certification have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out entirely in accordance with the approved assessment and certification.**

***Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted***

***Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.***

21. No dwelling shall be occupied until a letter of assurance, detailing how each plot will meet the necessary code level, has been issued by an approved code assessor and approved in writing by the Local Planning Authority. The development thereafter shall be completed in accordance with the approved measures for achieving the required code level. Prior to the completion of the development a Final Code Certificate shall be submitted to and approved in writing by the Local Planning Authority.  
*Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*
22. Prior to the commencement of the development full details of the on site measures to reduce the carbon emissions of the development, through the use of renewable or low carbon energy sources/ technologies, by 15% shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be completed in accordance with the approved details.  
*Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*
23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, there shall not be at any time in connection with the development hereby permitted be erected or planted or allowed to remain on the land hereinafter defined, any building wall fence hedge shrub tree or other device. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed road from the continuation of the near edge of carriageway of Chorley Old Road to a point measured 32m in a southerly direction and 37m in a northerly direction along the near edge of carriageway of Chorley Old Road and shall be constructed and maintained at footway level in accordance with a scheme to be first agreed in writing with the Local Planning Authority in conjunction with the Highway Authority (Lancashire County Council).  
*Reasons: To ensure adequate visibility at the road junction, in the interest of highway safety and in accordance with Policy TR4 of the Chorley Borough Local Plan Review.*
24. The proposed access from the development to Chorley Old Road shall be constructed to a width of 5.5m and this width shall be maintained for a distance of 10m measured from the continuation of the near edge of carriageway. Radii between Chorley Old Road and the proposed road shall be 6m.  
*Reason: To enable vehicles to enter or leave the development in a safe manner without causing a hazard to other road users, in the interest of highway safety and in accordance with Policy TR4 of the Chorley*

*Borough Local Plan Review.*

25. Before the construction of the site hereby permitted is commenced facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.  
*Reasons: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose material thus creating a hazard for road users and in accordance with Policy No. TR4 of the Chorley Borough Local Plan Review.*
26. No planting, structures, fences, gates or walls within the front garden area of plot 6 shall exceed a height of 600mm above the level of the adjacent driveway.  
*Reasons: In the interests of highway and pedestrian safety and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.*
27. The development hereby permitted shall not commence until full details of the root protection fencing and its positioning have been submitted to and approved in writing by the Local Planning Authority. During the construction period, all retained trees shall be protected by the approved fencing which shall be positioned in accordance with the approved plan and no construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the areas so fenced.  
*Reason: To safeguard the trees to be retained and in accordance with Policy No. EP9 of the Adopted Chorley Borough Local Plan Review.*

**(e) 11/00238/FULMAJ - Washington Hall Euxton**

Application No: 11/00238/FULMAJ  
 Proposal: Proposed redevelopment of Washington Hall Fire Training Centre (part outline and part full application). Outline for the redevelopment of the whole site including long term master plan and full application for proposed road widening, construction of a new urban search and rescue (USAR) building and fleet garage and stores facility.  
 Location: International Fire Training Centre, Washington Hall, West Way, Euxton, Chorley  
 Decision:

It was proposed by Councillor Ken Ball, seconded by Councillor David Dickinson and subsequently unanimously **RESOLVED – To grant planning permission subject to a 10 year condition relating to the outline part of the application in which reserved matters application must be submitted and the following condition:**

1. The development hereby permitted shall not commence until full details of the junction between the proposed service road and the highway have been submitted to and approved in writing by the Local Planning Authority. No part of the development hereby permitted shall be occupied or used until that junction has been constructed in accordance with the approved details.  
*Reason: In the interests of highway safety and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan.*
2. Applications for approval of the reserved matters (namely external appearance of the buildings, scale and landscaping of the site) must

be made to the Council for the part of the proposed development hereby permitted in outline (as identified on drawing no. C-0115-38 Rev A: Scope of Application) before the expiration of 10 years from the date of this permission and the development hereby permitted must be begun three years from the date of approval of the last of the reserved matters to be approved.

*Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.*

3. The part of the proposed development hereby permitted in full (as identified on drawing no. C-0115-38 Rev A: Scope of Application) must be begun no later than three years from the date of this permission.

*Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.*

4. Any application for the approval of reserved matters for any phase or sub-phase shall be made in accordance with the scope of the approved indicative Masterplan (reference C-0115-29 Rev D: Proposed Masterplan) in relation to the scale, including building heights, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure an acceptable form of development for the site within the parameters of the outline permission.*

5. The development hereby permitted shall be carried out in accordance with the following phasing plans:

Phase 1: C-0115-17 Rev A

Phase 2-A: C-0115-18 Rev B

Phase 2-B: C-0115-19 Rev A

Phase 3: C-0115-20 Rev B

Phase 4: C-0115-21 Rev B

Phase 5: C-0115-22 Rev B

Phase 6: C-0115-29 Rev C

*Reason: To ensure the buildings are not retained in the Green Belt after the need for them has gone and to ensure proper long term planning of the site and in accordance with PPG2 and Policies DC1 and DC6 of the Adopted Chorley Borough Local Plan Review.*

6. The development hereby permitted shall be carried out in accordance with the Phasing of Demolition plan (reference C-0115-16 Rev B: Phasing of Demolition). The buildings on the site to be removed shall be demolished in line with this plan and the last building to be demolished as shown on this plan shall be removed within 15 years of the date of this permission.

*Reason: To ensure the buildings are not retained in the Green Belt after the need for them has gone and to ensure proper long term planning of the site and in accordance with PPG2 and Policies DC1 and DC6 of the Adopted Chorley Borough Local Plan Review.*

7. Upon completion of the remediation set out in the Method Statements report(s) shall be submitted to the local planning authority in accordance with the timing set out in the approved Framework Site Investigation that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report(s) to demonstrate

that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

*Reason: To enable a risk assessment to be undertaken, refinement of the conceptual model, the development of a Method Statement and Remediation Strategy and to ensure that the proposed site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off the site and in accordance with PPS23.*

8. No phase of the development approved by this permission shall be commenced until a scheme for the dispersal of foul and surface waters has been approved in writing by the local planning authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

*Reason: To ensure a satisfactory means of drainage and in accordance with PPS25.*

9. All planting, seeding or turfing comprised in the approved details of landscaping for the Fleet Garage and Stores hereby permitted in full (shown on part of drawing no. 3944.02 Rev B) shall be carried out in the first planting and seeding seasons following the occupation or completion of this building, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

*Reason: In the interest of the appearance of the locality and in accordance with Policy Nos. GN5 and EP9 of the Adopted Chorley Borough Local Plan Review.*

10. All planting, seeding or turfing comprised in the approved details of landscaping for the car park hereby permitted in full (shown on part of drawing no. 3944.02 Rev B) shall be carried out in the first planting and seeding seasons following the use or the completion of the car park, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

*Reason: In the interest of the appearance of the locality and in accordance with Policy Nos. GN5 and EP9 of the Adopted Chorley Borough Local Plan Review.*

11. All planting, seeding or turfing comprised in the approved details of landscaping for the Urban Search and Rescue (USAR) building hereby permitted in full (shown drawing no. 3944.03 Rev A) shall be carried out in the first planting and seeding seasons following the occupation or completion of this building, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

*Reason: In the interest of the appearance of the locality and in accordance with Policy Nos. GN5 and EP9 of the Adopted Chorley Borough Local Plan Review.*

- 12. Any application for the approval of reserved matters for any phase or sub-phase submitted pursuant to the outline permission hereby permitted (as identified on drawing no. C-0115-38 Rev A: Scope of Application) shall be accompanied by a scheme of landscaping. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform. Any area of the site included in the red edge of the original permission (11/00238/FULMAJ) that has not formed part of a subsequent reserved matters application shall have a landscaping scheme submitted for it as part of the last reserved matters application. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.**

*Reason: In the interests of the amenity of the area and in accordance with Policy Nos. GN5 and EP9 of the Adopted Chorley Borough Local Plan Review.*
- 13. The part of the proposed development hereby permitted in full (as identified on drawing no. C-0115-38 Rev A: Scope of Application) shall only be carried out in conformity with the proposed Finished Floor Levels shown on the following approved plan(s):**

**C-0115-35 Rev C – Proposed USAR Building**  
**C-0115-36 Rev D – Proposed Fleet Garage and Main Stores**

*Reason: To protect the appearance of the locality and in accordance with Policy Nos. GN5 and DC6 of the Adopted Chorley Borough Local Plan Review.*
- 14. Any application for the approval of reserved matters for any phase or sub-phase submitted pursuant to the outline permission hereby permitted (as identified on drawing no. C-0115-38 Rev A: Scope of Application) shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plan(s). The development shall only be carried out in conformity with the approved details.**

*Reason: To protect the appearance of the locality and in accordance with Policy Nos. GN5 and DC6 of the Adopted Chorley Borough Local Plan Review.*
- 15. Foul drainage from the development of this site must be drained to the foul sewer. Surface water from any areas likely to be contaminated must be connected to the foul sewer.**

*Reason: To secure proper drainage and in accordance with Policy Nos. EP17 and EM2 of the Adopted Chorley Borough Local Plan Review.*
- 16. No individual part of the development hereby permitted in full (as identified on drawing no. C-0115-38 Rev A: Scope of Application) shall**

commence until full details of all external facing materials to that building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and DC6 of the Adopted Chorley Borough Local Plan Review.*

17. Any application for the approval of reserved matters for any phase or sub-phase submitted pursuant to the outline permission hereby permitted (as identified on drawing no. C-0115-38 Rev A: Scope of Application) shall be accompanied by full details of the colour, form and texture of all external facing materials to the proposed building(s). The development shall only be carried out using the approved external facing materials.

*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and DC6 of the Adopted Chorley Borough Local Plan Review.*

18. The part of the development hereby permitted in full (as identified on drawing no. C-0115-38 Rev A: Scope of Application) shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and DC6 the Adopted Chorley Borough Local Plan Review.*

19. Any application for the approval of reserved matters for any phase or sub-phase submitted pursuant to the outline permission hereby permitted (as identified on drawing no. C-0115-38 Rev A: Scope of Application) shall be accompanied by details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification). The development shall only be carried out in conformity with the approved details.

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and DC6 the Adopted Chorley Borough Local Plan Review.*

20. The Urban Search and Rescue (USAR) building hereby permitted shall not be brought into use until the site junction with West Way has been constructed in accordance with drawing no. SCP/10290/SK002/C (Proposed Option 2 – Access Arrangement with Ghost Island Right Turn Lane).

*Reason: In the interests of highway safety to provide a dedicated land for emergency vehicles and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.*

21. The existing access onto Washington Lane shall remain as an emergency access only.

*Reason: Washington Lane is a rural land and is not suitable for large vehicles and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.*

22. Any application for the approval of reserved matters for any phase or sub-phase submitted pursuant to the outline permission hereby permitted (as identified on drawing no. C-0115-38 Rev A: Scope of Application) shall be accompanied by full details of the number of parking spaces to be provided in that phase (if they are to be provided) including details of disabled parking provision, motorcycle parking and bicycle parking.  
*Reason: To allow the authority to assess that the site is adequately served by parking and disabled parking and that motorcycle and bicycle parking is sufficiently provided and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.*
23. The staff car park hereby approved in full (as identified on drawing no. C-0115-38 Rev A: Scope of Application) shall be implemented as part of Phase 2-B and be surfaced or paved, drained and marked out all in accordance with the approved plan before the USAR building is brought into use. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.  
*Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.*
24. Prior to the commencement of construction of any part of the development hereby permitted is commenced a Framework Travel Plan shall be produced and provided to the local planning authority and approved in writing by them. This shall detail how a Travel Plan(s) will be will produced for the site (possible in phases) and detail the timescales in which they will be produced and implemented in relation to the phasing of the site. Following approval of the Framework Travel Plan a Travel Plan shall be produced (possibly in phases) in line with the approved Framework Travel Plan and shall include as a minimum:
- Appointment of a named Travel Plan Co-ordinator
  - Travel survey;
  - Details of cycling, pedestrian and public transport links to the site;
  - Details of cycle parking;
  - SMART Targets for non-car modes of travel;
  - Action plan of measures to be introduced;
  - Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years from the date of occupation of the last building hereby permitted by a reserved matters application.
- Reason: To ensure the delivery of sustainable transport objectives, including reductions in car usage, increased use of public transport and walking and cycling and in accordance with Policy TR4 of the Adopted Local Plan Review and PPG13.*
25. Any application for the approval of reserved matters for any phase or sub-phase submitted pursuant to the outline permission hereby permitted (as identified on drawing no. C-0115-38 Rev A: Scope of Application) shall be accompanied by a Sustainable Resources Statement demonstrating how that phase or sub-phase will comply with national and/or local planning policies in place at the date of submission with regard to Sustainable Resources. The development shall only be carried out in accordance with the approved details.

***Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD and any future policies at the time of submission.***

26. The Urban Search and Rescue (USAR) building and Fleet Garage and Stores hereby granted full planning permission shall be built to BREEAM 'very good' standard. In addition, before the construction of each of these buildings is commenced a Sustainable Resources Statement shall be submitted and approved in writing by the local planning authority demonstrating how that building will comply with criterion (b) of policy SR1 of the Sustainable Resources Development Plan Document. The buildings shall then only be constructed in accordance with these details.

***Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD.***

27. The 'mitigation & compensation proposals' included in the report 'Bat Emergency Survey' (Arbtech Consulting Ltd, 2011) shall be implemented in full.

***Reason: To ensure the protection a European Protected Species and in accordance with PPS9.***

28. Tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds must be avoided between March and July inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections that have been submitted to and approved in writing by the local planning authority.

***Reason: To ensure that detrimental impacts on breeding birds are avoided and in accordance with PPS9.***

29. Rhododendron is present on the site, under the Wildlife and Countryside Act 1981 (as amended) it is an offence to cause the spread of this species. Therefore a programme for the control/eradication of this species shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The programme shall accord with Environment Agency Guidelines. The programme shall be implemented in accordance with the approved details.

***Reason: To ensure the eradication of Rhododendron in accordance and PPS9.***

30. Before any individual part of the proposed development hereby permitted in full (as identified on drawing no. C-0115-38 Rev A: Scope of Application) is commenced, details of measures to be undertaken during site works to protect the diversity of local amphibian populations from harm shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the approved details. Any amphibians discovered during site works should be translocated to a suitable area in the fire training centre grounds such as the fenced vegetated area

adjacent to Pond 1 or Pond 3 as shown in the report ' Great Crested Newt Survey Report (ENVIRON UK Ltd) June 2010'.

*Reason: To protect the diversity of local amphibian populations from harm and in accordance with PPS9.*

31. Any application for the approval of reserved matters for any phase or sub-phase submitted pursuant to the outline permission hereby permitted (as identified on drawing no. C-0115-38 Rev A: Scope of Application) shall be accompanied by details of measures to be undertaken during site works to protect the diversity of local amphibian populations from harm shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the approved details. Any amphibians discovered during site works should be translocated to a suitable area in the fire training centre grounds such as the fenced vegetated area adjacent to Pond 1 or Pond 3 as shown in the report ' Great Crested Newt Survey Report (ENVIRON UK Ltd) June 2010'.
- Reason: To protect the diversity of local amphibian populations from harm and in accordance with PPS9.*

32. Before the 3 storey office building is brought into use (as identified on approved plan C-0115-29 Rev D) the existing footway (south of the site access with West Way) from the roundabout up to the site entrance shall be improved to provide a 3.0m wide shared cycle/pedestrian route, and the route along the north side of the access up to Chancery Road shall also be improved to provide a 3.0m wide shared cycle/pedestrian route.

*Reason: To allow cyclists to continue their travel along the route without having to join West Way before turning into the site access and the latter to concur with the shared pedestrian cycle/pedestrian route on the opposite side of the road and improve alternative methods of getting to the site other than the car and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.*

33. The approved plans are:

Title:	Drawing Number	Date Received:
Existing Location Plan	C-0115-331	All drawings received 18 March 2011
Proposed Location Plan	C-0115-34	
Proposed Masterplan	C-0115-29 Rev D	
Phasing of Development Demolition	C-0115-16 Rev B	
Phase 1:	C-0115-17 Rev A	
Phase 2-A:	C-0115-18 Rev B	
Phase 2-B:	C-0115-19 Rev A	
Phase 3:	C-0115-20 Rev B	
Phase 4:	C-0115-21 Rev B	
Phase 5:	C-0115-22 Rev B	
Phase 6:	C-0115-29 Rev C	
Scope of Application	C-0115-38 Rev A	
Proposed Fleet Garage & Main Stores Building – Proposed Elevations	C-0115-31 Rev D	
Proposed Fleet Garage & Main Stores Building – Proposed Ground Floor Plan	C-0115-05 Rev F	
Proposed Fleet Garage & Main Stores Building – Proposed Site Plan	C-0115-36 Rev C	
Proposed Fleet Garage & Main Stores Building – Proposed Site Plan (including FFLs)	C-0115-36 Rev D	

**Proposed Staff Car park** C-0115-41  
**Proposed USAR Building – Proposed Elevations** C-0115-30 Rev E  
**Proposed USAR Building – Proposed Floorplan** C-0115-04 Rev D  
**Proposed USAR Building – Proposed Site Layout** C-0115-35 Rev B  
**Proposed USAR Building – Proposed Site** C-0115-35 Rev C  
**Layout (including FFLs)**  
**Landscape Proposals – USAR Building** 3944.03 Rev A  
**Landscape Proposals – Fleet Garage & Car Park** 3944.02 Rev B  
**Tree Survey and Root Protection Area** 3944.01  
**Proposed Option 2 – Access Arrangement with Ghost**  
**SCP/10290/SK002/C**  
**Island Right Turn Lane**

**11.DC.63 PLANNING APPEALS NOTIFICATION REPORT**

The Director of Partnerships, Planning and Policy submitted a report giving notification of two appeals lodged against the refusal of planning permission and one application granted by Lancashire County Council.

**RESOLVED - That the report be noted.**

**11.DC.64 DELEGATED DECISIONS DETERMINED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY IN CONSULTATION WITH THE CHAIR AND VICE CHAIR OF COMMITTEE**

The Committee received, for information, two schedules listing seven applications for Category 'B' development proposals which had been determined by the Chair and Vice Chair of the Committee at meetings held on 24 May 2011 and 2 June 2011.

**RESOLVED – That the schedules be noted.**

**11.DC.65 PLANNING APPLICATIONS DETERMINED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY**

The Committee received, for information, a schedule listing planning applications determined by the Director of Partnerships, Planning and Policy under delegated powers between 13 May 2011 – 2 June 2011.

**RESOLVED – That the report be noted.**

**11.DC.66 ANY OTHER ITEM(S) THAT THE CHAIR DECIDES IS/ARE URGENT**

The Chair informed the Committee that a Local Development Framework document had been placed in Members pigeon holes for collection.

Chair

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# Report

Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	12 Jul 2011

## Planning Applications Awaiting Decision

Item No.	Application No.	Recommendation	Location	Proposal
4a	11/00420/REMAJ	Permit (Subject to Legal Agreement)	Bill Beaumont Textiles Park Mills Deighton Road Chorley Lancashire	Reserved Matters application for no. 63 two-storey dwellings (including 7 affordable units) and associated infrastructure (related to outline permission ref: 09/00665/OUTMAJ)
4b	11/00490/CB3	Permit Full Planning Permission	Land 200 Metres North Of Shepherds Cottage The Common Adlington Lancashire	Formation of car park and haulage accessway to serve 54 allotment plots at The Common including the erection of a 1.2 metre high post and wire fence and compost/ wood chip bays.
4c	11/00410/FUL	Permit Full Planning Permission	The Dog Inn Chorley Old Road Clayton-Le-Woods Chorley Lancashire	Proposed construction of 3 No detached dwellings on land to the side of the Dog Inn Public House including associated infrastructure and new access road (alternative scheme to previously approved application ref: 10/00743/FUL)
4d	11/00318/REM	Approve Reserved Matters	Building 15M North Of 246 - 248 Spendmore Lane Coppull	Reserved matters application for details of appearance and landscaping
4e	11/00403/OUTMAJ	Permit (Subject to Legal Agreement)	Group 1 Euxton Lane Euxton Lancashire	Section 73 application to vary condition 29 (access on the A49) attached to outline planning approval 08/00910/OUTMAJ

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<b>Item</b>	<b>11/00420/REMAJ</b>
<b>Case Officer</b>	<b>Caron Taylor</b>
<b>Ward</b>	<b>Chorley South West</b>
<b>Proposal</b>	<b>Reserved Matters application for no. 63 two-storey dwellings (including 7 affordable units) and associated infrastructure (related to outline permission ref: 09/00665/OUTMAJ)</b>
<b>Location</b>	<b>Bill Beaumont Textiles Park Mills Deighton Road Chorley Lancashire</b>
<b>Applicant</b>	<b>Jones Homes Fylde</b>
<b>Consultation expiry: 4 July 2011</b>	
<b>Application expiry: 18 August 2011</b>	
<b>Consultation expiry date: 4 July 2011</b>	
<b>Decision date: 18 August 2011</b>	

#### **Proposal**

1. The proposal is a reserved matters application for no. 63 two-storey dwellings (including 7 affordable units) and associated infrastructure (related to outline permission ref: 09/00665/OUTMAJ).
2. The site was granted outline planning permission (specifying access) for residential development in November 2009. The area of this outline application also included numbers 1 and 3 Deighton Road, however the current application excludes them from the site and proposes to keep these properties.
3. Although the outline application was approved with the parameters that some three storey properties were permitted within the site, however the current application proposes all the properties to be two-storey.

#### **Recommendation**

4. It is recommended that this application is granted planning approval subject to conditions and a Section 106 Agreement.

#### **Main Issues**

5. The main issues for consideration in respect of this planning application are:
  - Principle of the development
  - Housing Development
  - Density
  - Levels
  - Impact on the neighbours
  - Design
  - Open Space
  - Trees and Landscape
  - Ecology
  - Traffic and Transport

**Representations**

6. 6 letters of objection have been received and 1 letter of concern, on the following grounds:

- There will be additional traffic on Oakwood Road and Letchworth Grove. It is already difficult to cross Claremont Avenue corner and Collingwood Road, especially for elderly, young, disabled and partially sighted people at busy times;
- Commercial vehicles currently find it difficult to turn into Deighton Road. A pedestrian footway access to the estate will force vehicles to park fully on Deighton Road and make it difficult for emergency services and commercial vehicles to access Deighton Road;
- They are concerned the junction with Oakwood Road and Ventnor Road would become hazardous at peak times, 63 units will significantly increase the volume of traffic in this residential area;
- Parking – the terraced houses on Letchworth Drive have no driveways which necessitates parking on road and therefore it is single width; Deighton Road is double parked every night because of the overspill of cars;
- Plots 1 -3 seem to have only 4 parking spaces which does not seem sufficient to avoid parking on the road and/or pavement;
- Although there are two access points shown, Deighton Road will serve the vast majority of traffic;
- Access should be provided to the new development from Maud Street, Longworth Street, and Walletts Road, the latter to give easy access to Tootell Street. Letchworth drive should be avoided. Emergency Services would have difficulties if Deighton Road access was agreed;
- Please ensure the proposal would not create problems with drainage and sewerage disposal in the area;
- Bats are living in the old chimney;
- Houses are not selling so why do we need them;
- Another development in the area will smother them and diminish their feeling of well-being.
- The houses in Letchworth Drive have very small gardens which mean their property will be feet away from the development. The will be disturbance and noise from 63 dwellings with people and vehicles coming and going at all hours;
- No. 1 Deighton state they currently have a single storey office building to the rear of their property which is only used Monday to Friday 8.30am until 5pm. To replace this with two, two-storey, three bed units will make a big impact in terms of an increase of noise, disturbance and loss of privacy in comparison;
- One of the units will look directly into the garden of no. 1 Deighton Road;
- To place 7 affordable units on the estate will be out of character with the area. The Chorley Guardian recently report that another scheme was refused because there was enough affordable housing in Chorley for the next 5 years.
- Plot 45 will reduce light to their garden and the room facing it, it is too close. They are also concerned that plot 45 will have a side window in the side that would overlook them;
- They are concerned that there is no reference to an ecology or wildlife survey. The proposal may affect bats which are a protected species. The Council is obliged by law to fully assess the impact of a proposed development. Under a recent High court judgement the Council has a legal duty to determine whether the three 'degradation' tests of the Habitats Directive have been met when determining whether to grant planning permission for a development which could harm a European Protected Species;

- They are concerned that the site plan does not include trees adjacent to the site. There is a mature oak tree at the electrical substation on the corner of Oakwood Road/Ventnor Road approximately 12m from plots 52 and 53 that has not been included. There is also a young oak tree at the junction of the site with Oakwood Road which is approximately 10m from plot 45 which has not been identified. Both trees could influence the development due to their proximity. A tree survey should incorporate a tree constraints plan, tree retention and root protection plan.
- The number of sycamore trees being felled is a cause for concern;
- There is no Transport Statement, Transport Assessment or Travel Plan.

## **Consultations**

### **The Environment Agency**

7. Have no further comments to make than those made on the outline planning permission when they requested a condition in relation to ground contamination which was placed on the outline permission.

### **The Architectural Design and Crime Reduction Advisor**

8. Has nothing further to add since the outline application when they stated they have searched the crime data and crime and anti-social behaviour in the area of the proposed site and it is not to be of particular concern. However, the alleyway at the rear of the development causes concern as a potential for future crime and disorder. However, this alleyway exists at present and is not in the ownership or control of the applicant.

### **Lancashire County Council (Archaeology)**

9. Draw the Council's attention to information received by them since the submission of the original 2009 application to develop the site. Following the completion of the Lancashire Textile Mills Survey Stage 1, completed by Oxford Archaeology North in 2010, Park Mills is now recorded on the Lancashire Historic Environment Record as a non-designated heritage asset, PRN 34949. The textile mills of the North West are of great historical significance, shaping the landscape and communities in which they were built and which surrounded them, whilst evidence for past engineering and manufacturing is gradually decreasing throughout the County. Where demolition is proposed Lancashire County Archaeology Service would recommend that an archaeological record, comprising plans, drawings and photographs, should be made of the buildings. Lancashire County Archaeology Service would therefore recommend that the above work be secured by means of a condition.

### **Chorley's Conservation Officer**

10. Advises that they are aware of the mills survey work undertaken by Oxford Archaeology (North), sponsored by LCC and English Heritage which, although undertaken over a period of years, was only completed relatively recently – which is probably why no such condition was suggested at the outline stage. At that time LCC would simply have not been aware of the existence of the mill as a potential heritage asset.
11. Mill buildings are a vital part of our industrial heritage, and are very under-represented on either national, regional or local historic environment records. Indeed Chorley, a town once full of mills and associated buildings, has seen many of these iconic structures demolished in increasing numbers since the latter quarter of the 20<sup>th</sup> Century. The result is that very few of these mill complexes remain in Chorley. They are the focus of this years English Heritage 'Heritage at Risk' programme. The Conservation Officer reports that the building is in largely its original condition with even the mill chimney being intact. The characteristic north-light roof, a typical feature of these buildings was designed to allow for the best and most even

natural light by which to work to be used is still in place. The need to record the historic environment is supported by Policy HE12 of PPS5, which particularly stresses the need where demolition is proposed and the heritage asset is to be lost forever.

12. The Conservation Officer therefore supports the request by Lancashire County Council for an Archaeological Record to be made of the building before it is demolished. He suggests a Level 3 record is required in accordance with English Heritage Guidance, 'Understanding Historic Buildings: A guide to good recording practice' to include a measured survey, photographic record and written account based upon historical research.

#### **United Utilities**

13. Have no objection to the proposal provided that the site is drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.

#### **Lancashire County Council (Highways)**

14. See traffic and transport section of this report.

#### **Chorley's Waste & Contaminated Land Officer**

15. Notes that the outline planning permission contained a condition in relation to a ground contamination and state that they will review the information submitted as part of a discharge of conditions application.

#### **Chorley's Arboricultural Officer**

16. States that the supplied tree report seems to be at odds with the proposed layout. The report suggests that the majority of the trees under the TPO are worth retention (a conclusion they agree with) while the layout plan shows almost all of them being removed.
17. They can see no arboricultural reason for this and it seems in direct contradiction of item 15 of the Planning Statement for the development, which states that all the trees along the Southern boundary are to be protected by fencing. This suggests retention.
18. The only reason they can think of for the developer to desire removal of these trees is that as they are on the South side there will be shading of the gardens and properties. If the works proposed by the arboricultural report of Mr Tavendale were to be undertaken, this could be alleviated considerably due to the removal of the poor specimens and the pruning of the remaining ones to give a better shape.
19. However, in its present form they have grave concerns regarding the future of the trees surrounding this site (see tree section of this report for an update).

#### **Chorley Strategic Housing**

20. The site is in a popular residential area .The proposed house types are attractive externally and each type has a good internal layout. According to the draft s.106 agreement the affordable units are to be split , in terms of house type, as follows – 5 x 2 bed houses and 2 x 3 bed houses. In terms of tenure the proposed split is 5 x social rented homes and 2 x 'intermediate' i.e affordable sale/shared ownership. The need for this type of accommodation is supported by the Strategic Housing Market Assessment 2009.

## Assessment

### Principle of the development

21. The principle of the site for residential development has already been established by the outline permission which also approved the two access points. This application is therefore only concerned with the remaining matters of appearance, landscaping, layout and scale.

### Density

22. The site area is approximately 1.4 hectares and so the development equates to approximately 43 dwellings per hectare. The density of the site is considered in keeping with the surrounding area, which is made up of a variety of properties but includes terraced properties, notably on Letchworth Drive, Ventnor Road and Walleys Road.

### Layout and Design

23. The main entrance to the site will be via Deighton Road and the layout has been designed so that the internal road splits on entering the site with properties positioned at the head of the vista created, with plots 1, 2 and 61 facing onto Deighton Road as the site is approached. Within the site once the entrance road has split, one spur will continue through to the second access onto Oakwood Road (with a cul-de-sac off it) and the other will create a cul-de-sac with turning head. The properties will all face onto the main street frontages with parking provided in either side driveways or parking spaces in front of the properties, apart from plots 57 to 60 and plots 62 and 63 that will have two spaces each in a rear parking courtyard.
24. The properties will be a mixture of semi-detached and terraced blocks, all two-storey, some with front canopies, others with porches and bay windows.
25. Although many of the properties are terraced in layout, they have access ways to allow bins to be brought to the front of the property on collection day to avoid bins needing to be stored at the front of properties or the need for the creation of rear alley ways.
26. The design and layout is considered acceptable in relation to Policy HS4. There are a wide range of properties in the area, including the newer properties (permitted in the early 1990s) on Oakwood Close. In addition the layout of the properties ensures that as the site is entered an attractive entrance feature is created.

### Levels

27. The site is relatively flat but there is a general slope from east to west with the lowest part of the site being in the north corner to the rear of the properties Letchworth Drive (numbers 43 – 55). The highest and lowest parts of the site have a difference of approximately 2.75m.

### Impact on the neighbours

28. The site is surrounded by residential properties.
29. The properties on Letchworth Drive and some of those on Collingwood Road are at a slightly lower level than the site, however cross-sections have been received by the case officer and there will not be more than 0.35m difference in the levels of the existing and proposed properties so the Council's normal interface distances do not need to be increased. These properties are also separated from the site by an existing alleyway. The proposed layout meets the interface distances for the all the properties (numbers 31 to 55) on Letchworth Drive and Collingwood Road (numbers 48 to 34). Number 30 Collingwood Road is one of a

pair of two-storey semi-detached properties. Although there will only be 11m between the rear windows of this property and the side wall of the property proposed on plot 9 of the development (as opposed to 12m required by the Council's interface distances) this property currently faces the wall of the existing textile mill and its north light roof which has an interface distance of only 7m with this property. Therefore it is considered that the proposal will improve the outlook from this property and increase the interface distance from what currently exists.

30. The properties on Pembroke Place are also semi-detached two-storey houses. The rear wall of the mill forms the rear boundary of number 24 Pembroke Place and number 28 Collingwood Road. The proposed properties on plots 9 to 12 meet the guideline of 10m to the boundary, but fall slightly short of 21m between facing window guideline at 18m with numbers 22 and 24 Pembroke Place. However, it is also considered that removal of the mill building will improve the amenities of these properties above what exists even though it falls slightly short of the guideline. The applicant advises that they have spoken to neighbours who's property boundary is the mill wall and agreed that they will retain the wall but lower it in height so that it is the same as the wall which runs behind nos. 22-16 Pembroke Place (the rear boundary wall behind these houses is freestanding and does not form part of the Mill so it can be left untouched). The gable wall of lot 13 meets the interface distance with number 18 Pembroke Place.
31. The properties at the end of the cul-de-sac on Pembroke Place are at an angle with the proposed properties plots (28 – 33) and therefore although the existing properties have relatively short gardens the windows will not directly face each other. The interface guideline of 10m between the first floor windows and the boundary with the existing properties is met.
32. The properties on Walleys Road do not directly back onto the application site as they have garden areas separated by a rear alley way from the properties themselves. The interface distances with all these properties is therefore met or exceeded.
33. The properties on Oakwood Road that will back onto the site are newer semi-detached properties, some of which have garages in their rear gardens. They are at an angle with the site boundary. Amended plans have been received by the case officer changing the layout of the proposed site in this area as it was considered the original proposal would not comply with the interface guidelines, particularly in relation to number 28 Oakwood Road. Number 28 now looks towards a rear gable the distance of which exceeds the interface distance of 12m at 14m. Numbers 24/26 Oakwood Close look onto a parking area and 20/22 onto rear gardens. Plots 43 and 44 face towards these properties and meet the interface distance of 10m to a boundary. Although the facing window distance of 21m is not met (at the closest point being 17m) as the properties on Oakwood Close are at an angle with the site boundary the windows of the properties will not directly face each other and this relationship is therefore considered acceptable. Plots 52 and 53 will face onto and be accessed from Oakwood Road but will face towards an existing electricity substation rather than another property.
34. Number 18 Oakwood Close is a detached property and is at an angle with the site boundary. This property will face towards the side gable of the proposed property on plot 45 of the development. Although it has a rear conservatory its main habitable room windows (serving a dining room at ground floor and bedroom at first floor) are on its the side elevation (facing northwest) rather than on the rear elevation. At first floor on the rear elevation are only two obscure glazed bathroom windows. There is a rear kitchen window at ground floor and the conservatory, however given the angle of the property with the proposed property on plot 45

this relationship is considered acceptable, subject to a condition preventing the insertion of windows in its gable end.

35. Plots 54 to 56 will face towards no. 16 Oakwood Close but meet the 10m to a boundary interface distance. Plots 57 to 60 bound with their parking area to the rear and no. 60 meets the interface distance to the side boundary with no. 3 Deighton Road. The property on plot 61 is orientated so its main elevation faces onto Deighton Road and the applicants have confirmed the house type will be handed on this plot so that there is only a bathroom window in the side elevation facing towards the side boundary of number 3 Deighton Road.
36. Plots 62 and 63 are to be a pair of semi-detached properties situated in a small rear court off the main road running through the development to the rear of plots 56 to 61. They meet the interface distance with the properties on Letchworth Drive. They will be served by two tandem spaces to the side of the pair which allow the interface distance of 12m between a window and a gable wall to be met in relation to number 3 Deighton Road. The properties will be at right angles to number 1 Deighton Road and therefore this relationship is considered acceptable.
37. Overall the relationship of the site with the neighbouring properties is considered acceptable in terms of policy HS4 subject to conditions controlling the insertion of additional windows and obscure glazing.

#### Open Space

38. The outline permission secured payments for open space through a section 106 legal agreement, however at that time the payments were reduced proportionally as the developed proposed to provide 303m<sup>2</sup> on site amenity open space and this was also written into the s106 agreement. The 303m<sup>2</sup> required to be provided has been secured in the reserved matters layout to the rear of plots 50 and 51. The rear boundary of these properties is proposed as a part brick, part close boarded fence with landscaping in front to improve the visual amenity of this area but also to discourage children kicking balls against people's boundaries causing damage to them.

#### Trees and Landscape

39. There are a number of protected trees on the site covered by Tree Preservation Order 7 (Chorley) 2009. They are all on the southern boundary with the site apart from a Hawthorn on Oakwood Road adjacent to number 16.
40. A tree report accompanies the application. Initially the developer proposed to fell all the protected trees apart from four in the southern corner, however this did not match the recommendations of the tree report. The Council's tree officer advised that he could see no arboricultural reason for removing them, other than that they are on the South side there will be shading of the gardens and properties. He advised that if the works proposed by the tree report submitted with the were to be undertaken, the amount of shading could be alleviated considerably due to the removal of the poor specimens and the pruning of the remaining ones to give a better shape.
41. Discussions were entered into with the applicants and amended plans have now been received showing which trees are to be retained in line with the recommendations of the tree report (this report did recommend felling of a number of trees which is accepted by the Council's tree officer). The tree officer has reviewed the amended scheme and advises that it is good to see that the plan is being re-jigged to allow for the retention, [especially] of trees TS3 and TS4.

42. Of the group of trees by the access to Oakwood road only one is covered the Tree Preservation Order which the tree officer advises is because they have been topped in the past. The Hawthorn has also been cut but has recovered well and has developed a nice canopy and therefore this was protected. The tree officer advises Hawthorns are incredibly tough and they would like to see it be given a chance if possible, even if it means going into the Root Protection Area to fit everything in the corner. The amended plans show the Hawthorn to be retained.
43. A neighbour has expressed concerns for the Oaks across the road by the substation, however the tree officer has been consulted on that and advises they should be unaffected by the development as any Root Protection Areas for these trees would stop in the middle of the road, well before the site.
44. The proposal is therefore considered acceptable in relation to trees with regard to Policy EP9 Although some are to be felled the Council's tree officer agrees with reasons for this.

#### Ecology

45. The issue of protected species was considered at the outline stage as the proposal would involve demolition of the existing mill building. The outline application was accompanied by a bat survey report, which the County Ecologist reviewed and did not object to the scheme subject to appropriate conditions. As this is a reserved matters application (rather than a full application) the developer will still be tied to the conditions of the outline permission in relation to ecology.

#### Traffic and Transport

46. The principle of the development and the access points have already been approved by the outline permission. The reserved matters application is therefore concerned with the internal layout of the site in terms of traffic and transport.
47. The outline application secured funding through the S106 Agreement for a Puffin Crossing at Collingwood Road and its junction with Letchworth Drive.
48. Lancashire County Council Highways initially made a number of comments on the original plans for this application. Although they considered the main access road linking Deighton Road with Oakwood Road and the corner radii at Oakwood Rd and the two new access roads to be satisfactory, they commented that the two internal access roads had been designed as shared vehicle and pedestrian access with services strips on both side and no formal footways, however there was no physical definition of the change in character of the space. The surface of an access road should normally have a varying width to aid informality. In addition they commented that it must be 4.5m wide at the entrance, with wider areas arranged in suitable positions to accommodate the occasional waiting/passing large vehicle (refuge wagon etc) and there should also be widening of the road at bends, or the whole access road made 4.8m width throughout. In addition there should also be rumble area (change of surface material) at the entrance. Amended plans have been received providing a rumble strip at the entrance both access roads and they have both been widened to 4.8m throughout.
49. LCC Highways also stated that a 2.0m wide service strip should normally be provided on both sides of the road but this may be reduced to 0.5m wide on only one side of the road providing there is no development or 0.8m wide if street lighting columns are present. The amended plans now show the 2m service strip where required.

50. Highways also commented that the 'alley' type of access arrangement between plots 58 and 59 adjacent should be discouraged unless supported by a separate footway as they provide poor access for pedestrians and also put pedestrians in direct conflict with vehicles. They state that ideally they would like to see 2.0m wide footways on both sides of the drive however they are not unsure how much they can insist on this. Otherwise the access drive should be widened to 6m, and the two gates with direct access onto the drive relocating away from this area. The amended plans although not widened the access way to 6m now show a footway along the 'alley' type access for pedestrians. The gates have been relocated so pedestrians will not step straight into the path of a vehicle. A raised table has also been added at the junction with the access between plots 58 and 59 to slow vehicles as there may be cars coming out of this access and it is now considered acceptable.
51. In terms of parking, objectors raise this as an issue in the area, as many existing properties have no off road parking and therefore currently park on Deighton Road. The applications scheme cannot be made to solve the existing parking issues, but it should not add to those issues and therefore it is considered that although the site is in a sustainable location to the Council's normal parking standards of two spaces for a two and three bedroom property should be applied to the site with no relaxation. LCC Highways also advise that each dwelling should have two parking spaces each to discourage on-street parking and any garages should be sized 6m long by 3m wide internally. They also comment on the required sizes of driveways.
52. All the proposed properties will have either two or three bedrooms apart from the two detached dwellings on plots 62 and 63 which will have four bedrooms. The original plans only showed ten parking spaces for the six dwellings on plots 57-60 and plots 62 and 63 and this is a slight under provision of car parking. In addition, Plots 57 and 60 did not have rear garden gates enabling direct access to the dwellings from the parking area. Highways were concerned that the inconvenience of parking to the rear with no direct access via the back garden area together with a shortfall in the number of parking spaces would inevitably lead to and encourage on-street parking on the main road outside and this would be likely to obstruct access in and out at the private drive, and obstruct ease of manoeuvring at parking spaces to Plots 20 & 21.
53. The amended plans now provide the required two parking spaces for every dwelling, except the two, four bed properties that have two spaces and in addition a single garage. This is in line with the Council's parking standards. Rear access gates have also been provided for those properties that will have spaces in the rear parking court to encourage people to park there rather than on the road in front of their properties.
54. To conclude traffic and transport, the principle of the site for residential development has already been established by the outline permission as have the two access points on Deighton Road and Oakwood Close. It is considered that the amended plans have overcome the concerns of Lancashire County Highways in terms of the internal layout and parking at the site.

#### Section 106 Agreement

55. The outline application had a s106 agreement attached to secure the affordable housing on the site, the commuted sum towards open space, the required 303m<sup>2</sup> of open space to be provided on site and the cost of a puffin crossing. This reserved matters application would still be bound by the original s106 however a number of typographical errors were found in

the document and therefore a new s106 has been drawn up, still securing the same items as above but a clean version. The application is recommended subject to this being signed.

### Other Matters

56. To respond to some of the objections raised that have not already been covered by the report:
57. An objector states that access should be provided to the new development from Maud Street, Longworth Street, and Walleys Road, the latter to give easy access to Tootell Street and Letchworth drive should be avoided. Emergency Services would have difficulties if Deighton Road access was agreed. The two access points to the site via Deighton Road and Oakwood Road have been approved by the outline permission.
58. In terms of drainage and sewerage disposal in the area, United Utilities and the Environment Agency were consulted on the residential development of this site at the outline stage and had no objection to it. They were reconsulted on this application and the Environment Agency makes no further comments and United Utilities requests that the site be drained on a separate system, a condition to this effect was applied at the outline stage.
59. In relation to affordable units, the developer is required as part of the s106 for the outline to provide affordable units on this site.
60. To further respond to the matter of ecology raised by a neighbour, ecology was considered at outline stage. The neighbour refers to a High Court judgement, but the latest case is the Morge case that went to the Supreme Court. Before the Morge case the Council had to consider the three tests in determining all planning application, however the Morge case has subtly changed this. Although the Council still have to have regard to the three tests, an application shouldn't be refused unless it is considered that the scheme would not be licensable by Natural England. The County Ecologist did not object to that application subject to mitigation measures being secured via condition, which they were at outline stage and therefore the Council have no reason to believe it wouldn't get a licence.

### **Other Matters**

#### Sustainability

61. Conditions in relation to the Council's Sustainable Resources Policy SR1 were applied to the outline permission. The applicant states that the dwellings will be built to Code Level 3 as required by policy SR1 which will be conditioned as part of this application.
62. Policy SR1 also requires developments to achieve a 15% reduction in carbon emissions via decentralised, renewable or low carbon energy sources. However, the applicant states that they can achieve a 25% reduction in carbon emissions without the need for any renewable energy sources. As a greater saving is being achieved than the 15% required, then this may be a material consideration that would outweigh the normal policy as a greater saving than the policy requires is being achieved. The applicant has been asked for further information on the way this 25% reduction will be achieved, so that if it is acceptable it can be conditioned. Sustainable resources will therefore be covered on the addendum.

#### Archaeology

63. The applicant has been advised of the comments of LCC Archaeology and the Council's Conservation Officer and advises an archaeological survey is to be undertaken before committee. This will be covered on the addendum.

**Overall Conclusion**

64. The reserved matters application is considered acceptable and is recommended for approval subject to conditions and a s106 agreement.

**Planning Policies**National Planning Policies:

PPS1, PPS3, PPS9, PPG13, PPS23.

Adopted Chorley Borough Local Plan Review

Policies: GN1, GN5, GN9, EP4, EP9, HS4, HS5, HS21, TR4

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

**Planning History**

**09/00665/OUTMAJ-** Outline application for residential development (specifying access). Permitted. November 2009.

**Recommendation: Permit (Subject to Legal Agreement)****Conditions**

1. The proposed development must be begun not later than two years from the date of this permission.

*Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.*

2. The development hereby permitted shall only be carried out in conformity with the proposed ground and finished floor levels shown on approved plan (10-011 AL001 Rev L).

*Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing ref:	Title:	Date:
10-011 AL01 Rev L	Proposed Site Layout	27 June 2011
10-011 HT01	Calder Proposed Floor Plans & Elevations	16 May 2011
10-011 HT02	Langley 3 Proposed Floor Plans & Elevations	16 May 2011
10-011 HT03 Rev A	Langley Proposed Floor Plans & Elevations	16 May 2011
10-011 HT04	Sutton Proposed Floor Plans & Elevations	16 May 2011
10-011 HT05	Marton Proposed Floor Plans & Elevations	16 May 2011
10-011 HT07 Rev A	Birch/Cedar/Maple/Birch Proposed Elevations	16 May 2011
10-011 HT06 Rev A	Birch/Cedar/Maple/Birch Proposed Floor Plans	16 May 2011
10-011 SC01	Proposed Street Scenes Plots 1-3	16 May 2011
10-011 SC02	Proposed Street Scenes Plots 4-6 & Plots 7-8	16 May 2011
10-011 SC03	Proposed Street Scenes Plots 9-12	16 May 2011

10-011 SC04	Proposed Street Scenes Plots 13-16	16 May 2011
10-011 SC05	Proposed Street Scenes Plots 17-18, 54-55, Plots 19-20, 29-30	16 May 2011
10-011 SC06	Proposed Street Scenes Plots 31-33	16 May 2011
10-011 SC07	Proposed Street Scenes Plots 34-37	16 May 2011
10-011 SC08	Proposed Street Scenes Plots 45-50	16 May 2011
10-011 SC9	Proposed Street Scenes Plot 51	16 May 2011
10-011 SC10	Proposed Street Scenes Plots 56-58, 59-61	16 May 2011
10-011 SC11	Proposed Street Scenes Plots 62-63	16 May 2011
10-011 SS01	Proposed Site Section	8 June 2011
OS01	OS Plan	16 May 2011

Survey Details for Trees at Deighton Road, Chorley Dated 18 April 2011

*Reason: For the avoidance of doubt and in the interests of proper planning.*

<b>Item</b>	<b>11/00490/CB3</b>
<b>Case Officer</b>	<b>Mrs Nicola Hopkins</b>
<b>Ward</b>	<b>Adlington &amp; Anderton</b>
<b>Proposal</b>	<b>Formation of car park and haulage access way to serve 54 allotment plots at The Common including the erection of a 1.2 metre high post and wire fence and compost/ wood chip bays.</b>
<b>Location</b>	<b>Land 200 Metres North Of Shepherds Cottage The Common Adlington Lancashire</b>
<b>Applicant</b>	<b>Mrs L Ralston</b>

**Consultation expiry: 12 July 2011**

**Application expiry: 2 August 2011**

### **Proposal**

1. The application relates to the formation of a car park, haulage access way, the erection of a fence and compost/ wood chip bays to serve 54 allotment plots and a Community Food Growing Area at The Common.
2. The Council's Parks and Open Space Team have submitted the application as they intend to provide 54 allotment plots and a Community Food Growing Area on the site. The creation of allotment plots does not require planning permission however the creation of the car park and haulage road and the erection of a fence adjacent to the highway does. As such this application wholly relates to these elements of the scheme which will serve the allotments.

### **Recommendation**

3. It is recommended that this application is granted conditional planning approval.

### **Main Issues**

4. The main issues for consideration in respect of this planning application are:
  - Principle of the development
  - Proposed Car Park and Haul Road
  - Highway Safety
  - Proposed Structures
  - Impact on Neighbours
  - Levels
  - Ecology

### **Representations**

5. 3 letters of objection have been received in respect of the allotments raising the following concerns:
  - The impacts of the extra traffic- cause disruption, noise pollution and will upset the natural atmosphere.
  - It will bring unwanted attention to the area.
  - The Common is a 'cul-de-sac' and therefore the no-through route will cause further congestion with the added cars etc travelling to the area.
  - The area is well used locally for dog walking and the allotments would cause disruption to the locals and children.
  - The area is used to walk, cycle and ride horses. These activities would become unsafe given the proposed plans.

- Children play in the area, due to the small amount of traffic currently, this would change and this would impact the lives of the children.
- The area has several old aged pensioners who have chosen the area because of its quietness and solitariness. The attention of these allotments and the visitors would severely impact this.
- The local wildlife would be further disrupted.
- The value of the properties would suffer as a result of the allotments being placed here.
- The area is naturally beautiful, this would suffer.
- Not been consulted on about these plans
- A previous planning application at The Common (Harrisons Farm) was rejected due to the hazards from increased traffic.
- There is suitable land for allotments at Harrison Road
- The choice of the site is flawed from a highway safety point of view- a full detailed risk assessment is required.
- Insufficient car parking proposed- will create on street parking

6. 2 letters of support has been received stating the following:

- The provision of allotments in the Borough are poor and this site will help address this
- The Policy of the Council to allocate to local people should minimise traffic
- Evidence from other sites is that traffic flow will be minimal
- Interest in allotments sites is growing and the Council needs to provide more sites.

### Consultations

7. **Lancashire County Council (Highways)** has no overriding highway objections to the proposed development in principle. The comments are discussed further below.
8. **Adlington Town Council** fully supports the provision of allotments in the village. However it would like to express concern that the proposed site is in an area with poor vehicle access, and would like to know if any other sites in the area have been considered, for example land accessed via Harrison Road.

### Applicants Case

9. The following points have been submitted in support of the application:
- The Small Holdings and Allotments Act (1908) places a duty on local authorities to provide sufficient allotments according to demand.
  - Key areas have been identified for allotment creation and one of these areas was Adlington
  - The current waiting list stands at 348 and there are currently 30 people on the waiting list from the vicinity of the application site.
  - The proposal incorporates 20 parking spaces for approximately 54 plots. This provides one parking space to every 3 plots. This essentially provides enough capacity to avoid anyone from the site parking on the road.

### Assessment

#### Principle of the development

10. The main proposed use of the application site is for 54 allotment plots and a community growing area. It has been established in case law (Crowborough Parish Council v Secretary of State for the Environment and Wealden District Council [1981]) that the use of land as an allotment (including growing food, flowers, fruit, seeds and for the breeding and keeping of livestock) is an agricultural use. The existing use of the land is agricultural land and as such planning permission is not required to use the land for allotments and a community growing area.
11. Although the use of the land does not require planning permission this does not apply to the erection of fencing (above a certain height), sheds or polytunnels on the site nor does it relate to the formation of a car park and haulage road. As such this planning application purely relates to these elements of the proposal.

12. The site is located within an area designated as Green Belt where there is a presumption against inappropriate development. Policy DC1 of the Local Plan (which is derived from national guidance in PPG2) sets out appropriate development and includes:
- agriculture and forestry;
  - essential facilities for outdoor sport and outdoor recreation, for cemeteries or other uses of land which preserve the openness of the Green Belt and do not conflict with its purposes;
  - limited extension, alteration or replacement of existing dwellings providing it is in accordance with Policy DC8A;
  - the re-use of existing buildings providing it is in accordance with Policy DC7A;
  - limited infilling in accordance with Policy DC4;
  - to provide affordable housing for local needs in accordance with Policy DC5;
  - the re-use, infilling or redevelopment of Major Developed Sites in accordance with policy DC6.

#### Proposed Car Park and Haul Road

13. The proposed development includes the formation of a car park to accommodate 20 vehicles, the formation of a haul road to serve the allotment plots and the formation of 5 pedestrian access ways to access the allotment plots.
14. Vehicular access to the car park and haulage road will be via The Common in the form of a 2.4 metre wide access gate. There will also be a 1.2 metre wide pedestrian access gate next to the vehicular access gate. The proposed car park will be constructed using MOT type 1 (which is crushed concrete often used in the construction of car parks) topped with gritstone. The proposed haulage way will be constructed from GrassMesh Flex (which is a polyethylene mesh used to improve wear resistance and reinforce grass areas which are used by vehicles and/or pedestrians, whilst maintaining their appearance). The proposed access paths will be surfaced using bark chip
15. The application site is located within the Green Belt as set out above. The formation of a car park, haulage way and accessways would not fall within the definition of appropriate development within the Green Belt unless they are considered to be essential facilities which are genuinely required for uses of land which preserve the openness of the Green Belt.
16. It is noted that the use of the land for allotments falls within the definition of agriculture which is considered to be appropriate development within the Green Belt. The Council's Corporate Strategy (2011/ 12) identified the 'Deliver the Allotment project' as a key project. There are currently 348 people on the waiting list for allotments 30 of which are in the vicinity of this site. The allotments will assist in meeting the Council's Corporate Strategy, provide a valuable resource to the residents of Chorley and reduce the number of people waiting for allotments.
17. However in order for the allotments to be successful they need to be accessible by vehicles and pedestrians. It is considered that allotments, by virtue of their character and appearance and the fact that they are appropriate development, preserve the openness of the Green Belt. In accordance with guidance set out within PPG2 essential facilities also fall to be considered appropriate development. PPG2 states that *essential facilities should be genuinely required for uses of land which preserve the openness of the Green Belt* (PPG2, para 3.5). As such it is considered that the proposed car park, haul road and pedestrian access way are genuinely required to support the allotments and as such are considered essential facilities within this Green Belt location in accordance with PPG2 and Policy DC1 of the Local Plan.

#### Highway Safety

18. The application site is currently a vacant agricultural field which is part of a larger agricultural holding. The formation of allotments on this site will inevitably result in an increase in vehicle movements in the area. However it should be noted that without the car park and haul road the site could be used for allotments without requiring planning permission which would still generate traffic without parking provision. The inclusion of a car park will ensure that the traffic generated by the allotments can be accommodated off the highway.

19. Access to the site is via Park Road, which is a primarily residential terraced road with on street parking, and The Common, which is a single track road which serves approximately 11 residential properties.
20. The proposed development incorporates the formation of a 20 space car park to serve the 54 allotment plots which equates to approximately 1 space per 3 plots. The Council currently manages other allotment sites within the Borough the largest being at Crosse Hall which has 70 allotment plots and only 11 car parking spaces (equating to approx 1 space per 6 plots). From previous experience in managing allotments within the Borough it is considered that 20 spaces for this site is sufficient to avoid anyone from the site parking on the road, a fact which is confirmed by the highway engineer below.
21. Additionally as the majority of the allotments will be let to local people it is considered that the tenants will chose to access the site by various modes of transport (i.e. walking) other than the car.
22. To further avoid people parking on the road at the time the tenancy agreement is signed it will be explained that parking on the road will not be permitted.
23. As set out above the Highway Engineer has no objection to the proposed scheme. The Engineer was made aware of the specific concerns raised and has made the following comments to explain why he has no objection:

#### Park Road – traffic.

- The level of traffic to be generated by the development will not have any significant highway impact. The main concern is in relation to existing congestion on Park Road however the allotments will provide for up to 20 car parking spaces and this should normally equate to no more than 6-7 vehicle trips at any peak hour which will not have any material highway impact. At other times of the day the allotments will not generate any vehicle trips whatsoever. It should also be noted the allotments are likely to be at their busiest at weekends, will be seasonal, very likely to involve single daily trips i.e. visit am and leave pm and are local therefore will also encourage and promote foot trips.
- There is little guidance within parking standards covering allotment use however based up on level of car parking provision at other allotment sites in Chorley the 20 no spaces would seem to be more than adequate.
- The congestion on Park Rd is owing to a general reliance on on-street car parking for terraced dwellings between the road bridge and Windsor Av however Park Road is a bus route and through access is maintained at all times by sensible parking arrangements. Dwellings from Windsor Av onwards have garden frontage with off-street parking therefore the level of congestion and on-street parking is reduced further along the road.
- Park Rd is traffic clamed with road humps and therefore together with the presence parked cars, the vehicular speeds on Park Road are much reduced. An investigation of injury recorded accidents record would show there have been only 2 minor incidents in the area in the past 5 years therefore neither is there an underlying accident problem in the area.

#### The Common – proposed car park

- The Common is a local access road and is maintained by the local authority. In terms of the access and the car park, the carriageway along The Common varies between 4.5 m wide at Park Road and 4.2m wide at the proposed entrance and is therefore sufficient for 2 way cars to pass each other slowly.
- There are no footways but there is a soft grass verge adjacent to the access road with hedgerow at the back on either side. It is a long straight road and owing to the wide soft grass verge the proposed access will enjoy good visibility sightlines in both directions. The hedgerow is approx 5m back of the edge of carriageway therefore there will also be

sufficient standing space for cars to pull on/off the road and stops in order to open/close the field gate without overhanging into the carriageway and obstruct pedestrians and vehicles.

- The Engineer does not deem that congestion will be a problem at the site owing to the single gate and access as visitors will be able to give way to each other by either waiting on The Common or within the car park area.
- The proposed car parking layout would comply with design standards and is acceptable in terms of both car parking size and vehicle turning space.

#### Temporary works – construction

- The level of construction works proposed are unclear i.e. how much work will need to be done in terms of materials to be brought/taken on/off to site and type of plant in which case I would ask to ensure that suitable provisions are made for:
  - appropriate traffic management during construction including Advance road warning signs & leaflet drop etc to inform residents on movement of construction traffic,
  - there is adequate provision for a road sweeper on a regular basis to ensure roads are clear of mud etc,
  - any temporary access formed to facilitate construction works is suitable for the anticipated level of construction traffic.

24. The Engineers specific requests can be dealt with by condition.

25. It is noted that the objections received largely relate to traffic congestion in the area and the implications the allotments will create from a highway safety and traffic generation perspective however as set out above the allotments do not require planning permission and as such these concerns are not material to the consideration of this planning application.

#### Proposed Structures

26. The site is a relatively flat field bordered on 3 sides by mature hedge rows with the southern boundary open. It is proposed to retain the hedgerows and infill any gaps were necessary and erect of 1.2 metre high post and wire fence around the site with rabbit proofing. The only part of this fence which requires planning permission is the section adjacent to the road due to its height. The proposed fence will be erected behind the existing hedge line and is of a design which is typical to rural locations. As such it is not considered that the fence will detrimentally impact on the openness or rural character of the area.

27. The proposals also include the erection of compost/wood chip bays which will be constructed from sleepers held into position by iron girders. They will be approximately 1.5 metres high, 5 metres deep and 7 metres wide. This feature will be located in the car park. Generally it is not considered that the placing of a compost bin on allotments constitutes development which requires planning permission however as this feature will be permanently fixed to the ground planning permission is required for this feature. The 2 bays will be located within the car park and will be a visible feature however this feature is considered to be genuinely required for the allotments and as such is not considered to be unacceptable within this Green Belt location.

28. Sheds and polytunnels are usual structures associated with allotments. Under Class A, Part 12 of Schedule 2 of the GPDO Local Authorities have permitted development rights to erect small ancillary buildings of less than 200 cubic metres and less than 4 metres high on land belonging to or maintained by them. Although such structures are not included as part of this application, as it is not known what future tenants may require, the applicants consider that such structures will be required on site and as such the Design and Access Statement sets out the tenancy requirements in this regard.

29. The current Council allotment tenancy agreement states that 'No building or structure can be built on the allotment without the consent of the Corporate Director and in accordance with the provisions of the Code of Conduct. On determination of the tenancy, the tenant is

responsible, at his or her expense, for the removal of any structure that has been erected unless arrangements have been made to transfer to the next tenant.'

30. This will be further expanded on new allotment sites to say "the Council may grant permission for a single shed and greenhouse on all full, or half size plots, on the following conditions":
1. The siting of sheds and greenhouses on individual plots is to be considered carefully so as to avoid causing any nuisance or disturbance to adjoining residential properties and to ensure that access ways are not blocked or made more difficult to use.
  2. No trees are to be lopped or removed in order to accommodate a shed or greenhouse.
  3. If the Council receives any complaints regarding the position or use of a shed or greenhouse, it may, after making an inspection and discussing the matter with all interested parties, require the shed or greenhouse to be removed.
  4. Sheds and/or greenhouses shall:
    - a. sheds must not exceed 1.85m x 1.25m x 2m high (6 feet by 4 feet by 6 feet 6 inches high) and greenhouses/polytunnels must not exceed 1.85m x 2.50m x 2m high (6 feet x 8 feet x 6 feet 6 inches high) and should be sited so they do not cause shadows on adjacent allotments.
    - b. be of a pitched roof type for greenhouses, and of a pitched roof or pent roof type for sheds;
    - c. be erected in a workmanlike manner using new, good and sound materials;
    - d. be generally in accordance with the following:
      - (i) sheds to be timber framed, the external covering to be weather boarding or tongued and grooved boarding securely fixed to the framework and laid on a suitable foundation of slabs, floated concrete is not permitted, the roof to be similarly framed with adequate boarding securely fixed and covered with appropriately fixed roofing felt;  
The use of the following materials is specifically prohibited;  
Bricks or blocks  
Asbestos  
Hardboard  
Sheet metal  
Corrugated iron
      - (ii) greenhouses to be constructed of timber or aluminium, of a proprietary brand, laid on a suitable foundation, appropriately glazed and with doors fitted with a suitable lock;
      - (iii) be kept in good repair and condition.
      - (iv) colour to be a natural colour as approved by the Council.
      - (v) Any building erected which is found upon inspection to be unsatisfactory or unsightly will be required to be removed.
      - (vi) Shed may only be used to store tools, materials and other items which are directly related to the use of the allotment plot. The final decision as to what is appropriate lies with the Council.
31. Additionally the tenancy agreement goes on to say: 'No building or structure (such as polytunnels, fruit cages, chicken coops) may be erected until an application has been made to Chorley Council and permission has been granted. Structures must not exceed a total floor space of 80 square foot or 7.4 square metres.'
32. The tenancy agreement makes it clear what may be permitted on the site. The permitted development rights for such structures only applies to local authorities and do not extend to allotment holders. As such, notwithstanding the contents of the tenancy agreement, any structure erected by the allotment tenant will require planning permission. An informative will be added to the recommendation in this regard.

#### Impact on Neighbours

33. The nearest neighbour to the application site is 33 The Common which is approximately 15 metres from the application site on the opposite side of The Common. 30 The Common, on the same side of the road as the application site, is approximately 80 metres from the application site and Shepherds Cottage is approximately 160 metres from the application site.

34. Although it is acknowledged above that the allotments will generate additional traffic movements it is not considered that the proposed car park, haul road and fencing, which is the subject of this planning application, will adversely impact on the neighbours amenities.
35. As set out above the deadline for neighbour comments is 12<sup>th</sup> July which is the same day as the Development Control Committee. The neighbours were originally consulted on 14<sup>th</sup> June and a site notice was erected on 16<sup>th</sup> June however additional neighbour letters were sent to ensure more residents than would normally be consulted were directly consulted on the application and to make it clear which parts of the scheme require planning permission. Any comments received after this report has been completed will be included on the addendum.

#### Levels

36. The site is a relatively flat site and the car park and haul road will be formed to create level access to the highway. As such it is not considered that levels are an issue in respect of this application.

#### Ecology

37. The site is bordered on three sides by a mature hedgerow and trees and there is an existing pond located to the west of the application site. As such the ecological implications of the development are a consideration.
38. Following a high court decision (R (on the application of Simon Woolley) v Cheshire East Borough Council, June 2009) the Local Planning Authority have a legal duty to determine whether the three 'derogation tests' of the Habitats Directive implemented by the Conservation (Natural Habitats &c.) Regulations 1994 have been met when determining whether to grant planning permission for a development which could harm a European Protected Species. The three tests include:
  - a. the activity must be for imperative reasons of overriding public interest or for public health and safety;
  - b. there must be no satisfactory alternative and
  - c. favourable conservation status of the species must be maintained.
39. It is not considered that the proposals will adversely impact on protected species however Lancashire County Council Ecology have been consulted in this regard and their comments will be reported on the addendum.

#### **Overall Conclusion**

40. It is established that the proposed use of the site for allotments does not require planning permission. The elements of this scheme which require planning permission are the formation of the car park and haul road, the erection of the fence along the highway boundary and the compost/ wood chip bays. It is considered that these features are genuinely required to serve the main use of the site and as such are considered to be acceptable within this Green Belt location.

#### **Other Matters**

##### Non- material planning considerations

41. One concern raised is why this location was chosen for allotments and an alternative site at the end of Harrison Road has been suggested. The use of the land for allotments does not form part of the consideration of this application however the question has been forwarded to the Council's Parks and Open Space Team who has confirmed that the Harrison Road site was considered a number of years ago however it was dismissed as it was considered that the bridge was too narrow and access was restricted. The applicant has assessed the site which is overgrown and a vast area of land. Developing this site for allotments would require ecological surveys to be carried out, the site is too large taking into account the budgetary limitations and some of it is allocated as cemetery extension. As such this site was discounted.
42. Reference has been made to the refusal of a planning application at Harrisons Farm. This reference actually relates to the 1997 Local Plan Inspectors Report (dated 1995). At this time

there were 2 site suggestions to allocate the land as green belt and to allocate part of the land for housing. The Inspector recommended that part of the land should be allocated as An Area of Special Restraint (now known as safeguarded land) and part should be allocated as housing land. Access issues were raised with the Inspector however the Inspector considered at the time that there was a need for more housing and the access issues could be addressed. However before the adoption of the Local Plan there was a Modifications Stage which deleted the housing allocation and the site reverted back to An Area of Special Restraint. This was due to the fact that the Replacement Structure Plan was published which determined that there was no need for further housing. Additionally an objection was received from Lancashire County Council Surveyors in terms of the access and it was not considered that the access constraints could be overcome within the plan period. As such all of the land was allocated as An Area of Special Restraint within the 1997 Local Plan which was carried over into the 2003 Local Plan which designates the land as safeguarded. This notwithstanding as set out above the allotments do not require planning permission and as such the additional traffic generated by the allotments is not a material consideration of this planning application.

43. One concern has been raised about whether the allotments will actually be allocated to the residents in the local area as if the allocation is based on a 'first come first served' basis the 30 residents within the immediate area, who are on the waiting list, may not be allocated an allotment. Although this is not a material planning consideration in respect of this application this query has been passed onto the applicant and their response will be reported on the addendum.

#### **Planning Policies**

##### **National Planning Policies**

PPS1, PPG2, PPG13, PPG17

##### **North West Regional Spatial Strategy:**

Policy DP1, Policy ER5

##### **Chorley Borough Local Plan Review 2003:**

DC1, EP4, EP9, EP10, TR4

##### Joint Core Strategy

Policy 25: Community Facilities

#### **Recommendation: Permit Full Planning Permission Conditions**

1. The proposed development must be begun not later than three years from the date of this permission.  
*Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.*
  
2. The approved plans are:
 

Plan Ref.	Received On:	Title:
	6 June 2011	Site Location Plan
	6 June 2011	Detailed Layout Plan

  
*Reason: To define the permission and in the interests of the proper development of the site.*
  
3. The car park, haulage way and compost/wood chip bays hereby approved shall only be used in connection with the allotments. In the event that the allotment plots are not created and/ or are no longer required the car park, haulage way and compost/wood chip bays shall be removed from the field and the land restored to its former condition.  
*Reason: The proposals are only considered appropriate development within the Green Belt in association with the allotments. To remove inappropriate development in the Green Belt in accordance with Policy DC1 and advice contained in PPG2: Green Belts.*

4. The materials specified on the application forms for the car park and haulage access way shall be used and no others substituted.

*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and DC1 of the Adopted Chorley Borough Local Plan Review.*

5. Prior to the commencement of the development a scheme and programme for the construction phase of the development shall be submitted to and approved by the Local Planning Authority. The scheme and programme shall cover:

1. Site compound and contractor parking and management of contractors parking to ensure parking does not overspill onto surrounding roads.
2. Construction operating hours including deliveries and site construction staff.
3. Full details of traffic management measures during construction, including advanced road warning signs, details of how the residents will be updated in respect of the construction phase and measures for cleaning the roads.

The approved scheme and programme shall be implemented.

*Reason: To ensure that noise and disturbance resulting from hours of operation, delivery and construction traffic does not adversely impact on the amenity of existing residents and to keep the roads clear of mud.*

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**Item** 11/00410/FUL

**Case Officer** Caron Taylor

**Ward** Clayton-le-Woods And Whittle-le-Woods

**Proposal** Proposed construction of 3 No detached dwellings on land to the side of the Dog Inn Public House including associated infrastructure and new access road (alternative scheme to previously approved application ref: 10/00743/FUL)

**Location** The Dog Inn Chorley Old Road Clayton-Le-Woods  
Chorley Lancashire

**Applicant** Primrose Holdings Ltd

**Consultation expiry:** 24 June 2011

**Application expiry:** 18 July 2011

**Consultation expiry date:** 24 June 2011

**Decision date:** 18 July 2011

**Proposal**

1. The application is for the proposed construction of 3 No detached dwellings on land to the side of the Dog Inn Public House including associated infrastructure and new access road (an alternative scheme to previously approved application ref: 10/00743/FUL).
2. The previously approved proposal was also for three dwellings but was made by a different applicant and proposed more traditionally designed houses.

**Recommendation**

3. It is recommended that this application is granted conditional planning approval subject to an associated Section 106 Agreement for public open space.

**Main Issues**

4. The main issues for consideration in respect of this planning application are:
  - Principle of the development
  - Background information
  - Housing Development
  - Density
  - Levels
  - Impact on the neighbours
  - Design
  - Open Space
  - Trees and Landscape
  - Ecology

- Traffic and Transport
- Drainage, Sewers and Flood Risk

### **Representations**

5. One letter has been received from number 221 Chorley Old Road. They ask whether the properties will overlook and where the will entrance/drive will be positioned in relation to their house.
6. Clayton-le-Woods Parish Council have no comments to make on the application.

### **Consultations**

7. **The Environment Agency**  
Has no comments to make
8. **The Architectural Design and Crime Reduction Advisor**  
State they have looked at the plans and considered the crime levels in the area, which appear to be low. Under the circumstances the only comment that I would make is that consideration be given to the properties being fitted with a BS alarm system to both reduce crime and the fear of crime.
9. **United Utilities**  
Have no objection to the proposed development. Their drainage engineer has reviewed the proposed drainage and confirms that the drainage proposals submitted are acceptable in principle to them.
10. **Lancashire County Council (Highways)**  
The geometry of the access has changed since the previous application however the principle has already been agreed.
11. The proposed car parking arrangements are also acceptable, in which case there is no highways objection.
12. I would have been minded to ask for a footway along the north frontage of the site and returning in to the private drive however if this was something that was not requested at the initial stage then they are happy to leave it as it is.
13. **Chorley's Waste & Contaminated Land Officer**  
Asks for a condition to be applied in relation to ground contamination.

### **Assessment**

#### Principle of the development

14. The application site is an 'L'-shaped piece of land within the settlement of Clayton-le-Woods, adjacent to The Dog Inn Public House, it is covered by policy GN1 of the Local Plan. The site is overgrown and was previously owned by Thwaites Brewery.
15. The principle of housing on the site has already been established by the previously approved application for three dwellings ref: 10/00743/FUL.

#### Housing Development

16. The proposal is for three dwellings, the same number as previously approved and the application is considered acceptable in principle.

#### Density

17. The site area is 0.12 hectares in area so the scheme would result in a density on the site equivalent to 25 dwellings per hectare.

Levels

18. The site rises up from Chorley Old Road to the northwest corner of the site and has a retained wall to the car park to The Dog Inn Public House. The proposed properties will take advantage of these levels being split level in their design and also use retaining walls.

Impact on the neighbours

19. To the south is The Dog Inn Public House and there is a path running between the two sites, although this is not a definitive public right of way. The rear of the proposed property on plot 3 will be angled towards the side/rear of the public house however this relationship is considered acceptable as the pub has a single storey element on the rear and there will be over 10m to the boundary.
20. Plot 2 will be angled towards St Helen's Cottage to the north of the site. It will take advantage of the level differences on site being three-storey at the front but only two-storey to the rear. The proposed property will not have any windows above ground level in its northwest elevation and at ground floor the window will only be small serving a study. The first floor rear window nearest to St Helen's Cottage will serve a bedroom and there will be 10m from this window to the boundary when looking straight out of the window, which complies with the interface distance, although there will only be 5.8m to the boundary at the nearest point. However the window will not directly face the boundary with St Helen's but will be angled away from it. The relationship of plots 2 is therefore considered acceptable.
21. Plot 1 will also take advantage of the levels being three-storey at the front and two-storey at the rear. It will be side on to Chorley Old Road and therefore the rear windows of this proposed property will face towards the front garden and driveway of St Helen's Cottage. There will be approximately 7.5m between the rear windows and the boundary with St Helen's Cottage. Although this is less than the Council's interface distance of 10m and the driveway is at a lower level, this area is already open to views from the street. This relationship is therefore considered acceptable. The boundary of St Helen's Cottage is unusual as its side garden projects into the site, the Cottage has a raised summer house in the corner on this boundary, however the windows in the rear elevation of plot 1 nearest this corner all serve non-habitable rooms being to an en-suite and staircase at ground floor and a landing at first floor.
22. The relationship of plots 1 and 2 with St Helen's Cottage is therefore considered acceptable.
23. There are no properties directly to the rear of the site (east) that will be affected by the proposal. The nearest properties in this direction are 32 and 33 Wilderswood Close which although at a higher level than the site are separated from it by an area of open space. In addition they are both side on to the proposed development (with no habitable room windows in the side) and are approximately 23m from the site boundary. This exceeds the Council's interface distance and the relationship with these properties is considered acceptable.
24. Opposite the site on the other side of Chorley Old Road is a large dormer bungalow (no. 221 Chorley Old Road). This property is at a lower level than the application site. The property proposed on plot 1 will therefore be at a higher level and although side on to the road will have a balcony facing Chorley Old Road and this property. However, number 221 Chorley Old Road is set back significantly from the road (approximately 18m) and in addition there will be approximately a further 12m across Chorley old Road to the balcony. The normal interface distance is 10m to a boundary but due to

the difference in levels this would normally be extended to 17.6m. In this case there will be approximately 12m between the balcony and the front boundary with number 221 which is less than would normally be required. However, the relationship will be to a front garden area, rather than to a more private rear garden. There will be 30m between the balcony and the house itself which is considered sufficient to safeguard the amenities of the this property in terms of its front (east facing windows). In addition, number 221 has planting along its front boundary further mitigating any overlooking from the balcony. The proposal is therefore considered acceptable in relation to this property.

25. Number 79 Swansey Lane is a semi-detached property situated on the west side of Chorley Old Road. This is set at a significantly lower level, its first floor being approximately level with Chorley Old Road and side on to the road. There will be approximately 27m between the balcony and the dwelling itself which is considered sufficient and approximately 17m between the balcony and the boundary with its garden. The view from the balcony towards the rear garden of this property is also restricted by the frontage boundary planting at 221 Chorley Old Road.

#### Design

26. The design of the properties is contemporary with an asymmetric roof used on all the plots and plots 2 and 3 also having a central light well. The designs on plots 1 and 2 make use of the level differences on the site, being three-storey at the front and two-storey at the rear. Balconies are proposed on the side of plot 1 facing Chorley Old Road and on the front elevation of plot 2 facing into the site. There will be retaining walls between all three plots.
27. The properties will be rendered with timber boarding above with a slate grey membrane roof with lead roll detailing. The windows and doors will be anthracite coloured uPVC.
28. The design and materials of the properties are modern, but there is a wide range of properties in the area, including the older public house, a stone built property known as The Orchard to the south of it and St Helen's Cottage, which sit along side the modern estate on Swansey Lane opposite constructed in the early 1990s and the adjacent dormer bungalow. Therefore it is considered that the modern design of the properties will add to the mosaic of different ages and styles of property that make up the immediate area. The contemporary design allows the levels of the site to be used to their full advantage.
29. The properties will be prominent in the streetscene, particularly plot 1 as they will be viewed across the existing pub car park and in front of St Helen's Cottage at an elevated level. However it is considered that they will add visual interest to the street and that there is enough detailing on the rear elevation of plot 1 to ensure that it will not be viewed as a bland facade as the property is approached. This is helped by the balcony on the side of plot 1 facing towards Chorley Old Road.
30. The design is therefore looked upon favourably subject to conditions controlling external materials, hard surfacing materials etc.

#### Open Space

31. As the proposal is for three dwellings the scheme is required to contribute towards public open space which will be secured by a s106 agreement.

#### Trees and Landscape

32. The site is overgrown however any trees on the site that would warrant attention are

on the boundary of the site, on the open space to the east and on the boundary of the garden of proposed plot 1 and St Helen's Cottage and it is proposed to retain them. The landscaping of the frontage area will be particularly important, however a condition requiring a landscaping scheme to be submitted and implemented is proposed to ensure sufficiently mature planting is provided. The scheme is considered acceptable in this respect subject to this condition.

#### Traffic and Transport

33. Each property has four bedrooms and all have sufficient of road parking for at least three vehicles in line with the Council's parking standards. The garages are all 6m x 3m and so are also able to be counted as a parking space.
34. The application is therefore considered acceptable in this respect and accords with policy TR4.

#### Drainage, Sewers and Flood Risk

35. The Environment Agency has no objection to the proposal. United Utilities initially stated that if possible this site should be drained on a separate system, with only foul drainage connected into the foul sewer. The plan however showed a combined drainage run to the existing drainage combined drainage run. United Utilities were therefore sent this plan and asked for fresh comments. Their drainage engineer reviewed the plans and now confirm that the drainage proposals submitted are acceptable in principle to them.

#### Section 106 Agreement

36. As the proposal is for three dwellings, a s106 legal agreement is required for £4,137 towards the provision of equipped play areas, casual/informal play space and playing fields.

#### Sustainability

37. The application is for three dwellings and therefore only the first part of policy SR1 of the Council's Sustainable Resources Development Plan Document is relevant in that the dwellings will be required to meet level 3 of the Code for Sustainable Homes by 2010. It is appropriate to secure this by condition.

#### Other matters

38. The agent has advised that the dwellings may be sold and therefore built on a plot by plot basis and the applicant will only put the access and infrastructure for the site in. Therefore it will be important to ensure any conditions imposed do not prevent this.
39. The Architectural Liaison Officer has requested that the properties are fitted with a BS alarm system. However, this request has been tested at appeal at another site and a Planning Inspector said that such a request is not enforceable. It is not therefore proposed to impose such a condition. In addition he has commented that the crime levels in the area are low, so it is not considered there is sufficient justification.

#### Permitted Development Rights

40. As the design of the proposed dwellings is contemporary and any extensions and outbuildings would need to be carefully designed, and also as some of the plots (particularly plot 1) will be prominent in the streetscene, as well as the changes in levels across the site and the relationship with St Helen's Cottage, it is considered necessary and reasonable to removed permitted development rights from the properties for outbuildings and extensions (classes A to E), therefore giving the Council control over them in the future.

**Overall Conclusion**

41. The application site is not a garden site and the Council are satisfied that it is brownfield land and therefore the proposal is considered acceptable in principle. The design, appearance and layout are also considered acceptable along with the impact on neighbour amenity in line with HS4 and the Council's adopted Design Guidance SPG. Highways do not object to the application and the parking at the site is considered acceptable, the proposal is therefore considered acceptable in relation to policy TR4.

**Planning Policies**National Planning Policies:

PPS1, PPS3

Manual for Streets

Adopted Chorley Borough Local Plan Review

Policies: GN1, GN5, HS4, HS6, TR4

Supplementary Planning Guidance:

- Design Guide

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

**Planning History****Application Number- Description. Decision. Decision Date****01/00463/FUL** Replacement entrance porch. Permitted 25 July 2001**07/00185/FUL** Formation of external covered drinking area with timber screen and gate to existing opening. Withdrawn 23 April 2007**07/00554/FUL** Formation of external covered drinking area with timber screen and gate to existing opening. Permitted 14 June 2007**09/00986/FUL** Erection of 3 four bedroom detached dwellings on land to the side of the Dog Inn Public House including new access road. Withdrawn 4 February 2010**10/00553/FUL** Timber decking to front of public house. Permitted 6 September 2010**10/00743/FUL** Erection of 3 no. detached dwellings on land to the side of the Dog Inn Public House including associated infrastructure and new access road (resubmission of previously withdrawn application 09/00986/FUL). Permitted 24 January 2011**Recommendation: Permit Full Planning Permission Conditions**

1. The proposed development must be begun not later than three years from the date of this permission.  
*Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.*
2. The development hereby permitted shall be carried out in accordance with the

following approved plans:

Drawing	Ref:Title:	Date Received:
1102 02 Rev A	Proposed Site Layout	27 June 2011
1102 03	Proposed Layouts	16 May 2011
1102 04	Proposed Elevations	16 May 2011
	Location Plan	16 May 2011

*Reason: For the avoidance of doubt and in the interests of proper planning.*

3. None of the dwellings hereby permitted shall commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. These shall include samples of the roofing material, render (including colour) and timber boarding to be used and also include a typical section through the tender/timber and the corner detailing to show their construction and materials. Details of the colour, materials and design of the garage doors shall also be provided. The three dwellings shall only be constructed using the approved external facing materials.  
*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*
4. The windows of the dwellings hereby permitted shall be anthracite grey uPVC.  
*Reason : In the interests of the character and appearance of the building and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*
5. The development hereby permitted shall only be carried out in conformity with the proposed ground and finished floor levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.  
*Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*
6. Before each plot is commenced a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority (for the area each plot is responsible as listed below), notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform. The individual plots shall be responsible for submitting landscaping details for the following areas (as shown on the approved site layout plan):
  - Plot 1: Landscaping to frontage with Chorley Old Road, landscaping on both sides of access road opposite plot and landscaping in front of plot 1;
  - Plot 2: Landscaping in front of plot 2 and on north boundary of turning head adjacent plot 2;
  - Plot 3: Landscaping in front of plot 3.*Reason: In the interests of the amenity of the area and to ensure landscaping is implemented within the scheme and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.*
7. All planting, seeding or turfing comprised in the approved details of landscaping that plot is responsible for shall be carried out in the first planting and seeding seasons

following the occupation of that plot or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

The individual plots shall be responsible for implementing the approved landscaping details for the following areas (as shown on the approved site layout plan):

Plot 1: Landscaping to frontage with Chorley Old Road, landscaping on both sides of access road opposite plot and landscaping in front of plot 1;

Plot 2: Landscaping in front of plot 2 and on north boundary of turning head adjacent plot 2;

Plot 3: Landscaping in front of plot 3.

*Reason: In the interest of the appearance of the locality and to ensure appropriate landscaping is implemented on the site and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.*

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without modification), no windows, dormer windows or rooflights other than those expressly authorised by this permission, shall be inserted or constructed at any time in the dwellings hereby permitted.

*Reason: To protect the amenities and privacy of the adjoining properties and to ensure the design of the dwellings is respected and in accordance with policy HS9 of the Adopted Chorley Borough Local Plan Review.*

9. The following windows shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority:

Plot 1: Ground floor and first floor windows in northwest elevation serving the following rooms (as shown on the approved floor plans): stair case at ground and first floor, WC at ground floor and bathroom at first floor;

Plot 3: Ground floor windows serving WC and utility room and first floor window serving bathroom.

*Reason: In the interests of the privacy of occupiers of neighbouring properties, on and off the site and in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.*

10. No dwelling hereby permitted shall be occupied until the parking spaces and garaging for that plot have been constructed in accordance with the approved plans.

*Reason: To avoid on street parking and In the interests of highway safety and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.*

11. No development shall take place until a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. The report should include an initial desk study, site walkover and risk assessment and if the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with the Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report. Only if the report demonstrates that any necessary remediation measures can safely be undertaken on a plot-by-plot basis shall it be undertaken in this way, otherwise any necessary remediation shall be undertaken for the site as a whole.

*Reason: In the interests of safety and in accordance with Planning Policy Statement 23: Planning and Pollution Control.*

12. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls/retaining walls to be erected/constructed (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority for all three plots. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

*Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and to ensure the boundary treatments are consistent throughout the development, and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

13. The foul and surface water drainage system as shown on the approved plan shall be implemented prior to erection of any of the dwellings hereby permitted.

*Reason: To ensure an adequate drainage system is implement for all the plots and in accordance with Policy EP18 of the Adopted Chorley Borough Local Plan Review.*

14. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. Notwithstanding the details shown on the submitted plans, the details shall include information on how the proposed driveway/hardsurfacing to the front of the properties shall be constructed using permeable materials on a permeable base, or how provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway). Each plot shall only be carried out in conformity with the approved details.

*Reason: In the interests of highway safety and to prevent flooding, in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.*

15. No dwelling hereby permitted shall be occupied until the road that provides access for the properties to the public highway has been constructed in accordance with the approved plans.

*Reason: In the interests of highway safety and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.*

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<b>Item</b>	<b>11/00318/REM</b>
<b>Case Officer</b>	<b>Mr Matthew Birkinshaw</b>
<b>Ward</b>	<b>Coppull</b>
<b>Proposal</b>	<b>Reserved matters application for details of appearance and landscaping</b>
<b>Location</b>	<b>Building 15M North Of 246 - 248 Spendmore Lane Coppull</b>
<b>Applicant</b>	<b>Mr Dean Horrocks</b>

**Consultation expiry: 13 June 2011**

**Application expiry: 6 June 2011**

**Consultation expiry date: 30 May 2011**

**Decision date: 6 June 2011**

### **Proposal**

1. This application seeks approval for the appearance and landscaping pursuant to planning permission 08/00507/OUT. This permission gave consent for the redevelopment of the site for 6no. apartments spread across two 2-storey buildings.
2. The appearance would be fairly typical constructed from red brick with grey concrete tiles. Due to the constrained nature of the site only a small hard landscaped yard is proposed.
3. The application site is currently vacant, previously used for bakery and storage/distribution uses to the rear of 246-248 Spendmore Lane and opposite the side of terraced houses on John Street. The buildings were predominantly single with some 2-storey elements to the established B2 use.

### **Recommendation**

4. It is recommended that reserved matters application is granted conditional planning approval.

### **Main Issues**

5. The main issues for consideration in respect of this planning application are:
  - Character and Appearance
  - Impact on Residential Amenity

### **Representations**

6. **Coppull Parish Council** raised no objection.

### **Consultations**

7. Peter McAnespie - Design Advice - No comments received
8. The Coal Authority - Standard comments

### **Assessment**

#### Character and appearance

9. The character of the immediate area is dominated by 2-storey, red brick terraced properties of varying ages. Properties along Spendmore Lane are mainly commercial at ground floor although retain the same 2-storey, red brick character with a mix of older slate and modern concrete tile roofing.

10. The appearance of the apartments would follow this context and the applicant has proposed a modern red brick with grey concrete roof tile to this 2-storey building. This would match both the older properties and more modern buildings directly to the south, in accordance with Local Plan Policy GN5. Whilst the rear would introduce a blank facade which could potentially be quite dominant this would be largely screened from view from anywhere on Spendmore Lane.

#### Impact on residential amenity

11. Whilst the layout and number of properties has been approved the appearance of the buildings is not, and with it requires a determination of the window positioning. Notwithstanding this the same plans were submitted as per the outline application whereby the officer considered the impact on neighbouring residential amenity by virtue of overlooking.
12. Conditions were proposed preventing rear windows (serving kitchens) from being anything other than obscure. This condition could be repeated and would protect those residents to the rear. The siting and scale of the buildings in such close proximity could be overbearing however this has already been approved.
13. In terms of the front no properties from John Street have objected to either the outline or reserved matters, even though it would appear there would be some form of overlooking to their rear yard – albeit fairly restricted. The overlooking to 2 John Street was considered at the outline stage where it was concluded that this would not give rise to a detrimental impact on residential amenity, with bedroom windows facing the blank side elevation and yard wall.
14. The proposal appears somewhat constricted and with 6no. apartments proposed would represent a significant 60 dph density with no parking. Notwithstanding this the number of apartments, and layout and siting of the building are again already approved and whilst the arrangement proposed is not considered the best, there is no scope to substantiate a reason for refusal in respect of these considerations.
15. The applicant has chosen to amend the north-east elevation removing the Juliet balcony in favour of two traditional windows. Whilst no neighbouring properties have objected this will have a positive impact and remove any potential for future overlooking / noise and disturbance.

#### **Overall Conclusion**

16. This application seeks approval for the appearance and landscaping alone. Whilst the appearance of the building would add first floor bedroom windows facing the side of 2 Johns Street this was considered to be acceptable at the outline stage where the impact was assessed. Due to the constraints of the site and quantum of development already approved this leaves very little scope to improve this relationship which would largely face a blank gable end wall. Given no immediate neighbours have objected to either application on grounds of amenity and the applicant has removed the proposed Juliet balcony it is therefore recommended that the appearance and landscaping are approved.

#### **Planning Policies**

##### National Planning Policies:

##### Adopted Chorley Borough Local Plan Review

Policies: HS4, GN5

##### Supplementary Planning Guidance:

- Design Guide

#### **Planning History**

08/00507/OUT - Demolition of existing building and erection of six no. 1 bed apartments – Approved 28/7/08

09/00117/FUL - Demolition of derelict former bakery and erection of 6 No one bedroom maisonettes – Withdrawn 7/8/09

**Recommendation: Approve Reserved Matters  
Conditions**

1. This consent relates to the amended plan(s), received on 16 June 2011 (Reference 086/10 2/2).  
*Reason: To define the consent and to ensure all works are carried out in a satisfactory manner.*
2. All windows in the first floor of both building's south elevation shall be fitted with obscure glass to Pilkington Level 5 (or similar level of obscurity from other manufacturer) and obscure glazing shall be retained at all times thereafter.  
*Reason: In the interests of the privacy of occupiers of neighbouring property and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*
3. This consent relates to the following plans:

Plan Ref.	Received On:	Title:
086/10 P1	11 April 2011	Proposed Floor Plans
086/10 P2	11 April 2011	Proposed Elevations

*Reason: To define the consent and to ensure all works are carried out in a satisfactory manner.*
4. The external facing materials detailed on the approved plan(s) shall be used and no others substituted without the prior written approval of the Local Planning Authority. For the avoidance of doubt the brick to be used shall be a 'Terca 65mm Crofters Medley' and roof tile a Grey 'Marley Modern'.  
*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

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<b>Item</b>	<b>11/00403/OUTMAJ</b>
<b>Case Officer</b>	<b>Mrs Nicola Hopkins</b>
<b>Ward</b>	<b>Astley And Buckshaw</b>
<b>Proposal</b>	<b>Section 73 application to vary condition 29 (access on the A49) attached to outline planning approval 08/00910/OUTMAJ</b>
<b>Location</b>	<b>Group 1 Euxton Lane Euxton Lancashire</b>
<b>Applicant</b>	<b>BAE Systems</b>

**Consultation expiry: 15 June 2011**

**Application expiry: 10 August 2011**

### **Proposal**

1. This application is a section 73 application to vary condition 29 attached to planning approval 08/00910/OUTMAJ.
2. Outline planning permission was granted in December 2009 to redevelop the land known as Group 1, Buckshaw Village for mixed use development comprising housing and commercial uses and associated landscape treatment and highway works.
3. 47 conditions were attached to the outline planning approval a few of which have now been discharged. The site crosses the Borough boundary with South Ribble and they issued an identical planning approval for the site.

### **Recommendation**

4. It is recommended that this application is granted subject to the associated supplemental Section 106 Agreement

### **Main Issues**

5. The main issues for consideration in respect of this planning application are:
  - Principle of the development
  - Condition 29
  - Other conditions

### **Assessment**

#### Principle of the development

6. The principle of redeveloping the site was established by the grant of outline planning permission. This application purely proposes amendments to the detail of the approval which is addressed below.

#### Condition 29

7. Condition 29 of the planning approval stated:  
No part of the development which is accessed from the A49, indicated on the approved Masterplan reference 895/97A, shall be commenced until the A49 access has been constructed in accordance with approved plan reference SCP/06047/SK005 received 28th August 2009 unless otherwise agreed in writing by the Local Planning Authority.  
*Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.*
8. As consideration of the details of the site have progressed further consideration has been given to the precise technical details of the access junction at the A49 along with the first stretch of road serving the site, to which this condition relates.

9. South Ribble Borough Council dealt with a full planning application for the access junction and first stretch of road into the site in December 2010 (07/2010/0406/FUL). This application was submitted for two reasons: (1) to enable the pursuit of a newt licence on the basis of a full planning permission and (2) to enable the developer to enter into discussions on the residential development of Parcel H5 on the understanding that there would be a full planning approval in place to access this parcel. This application was approved.
10. The purpose of varying condition 29 of the original outline consent is due to the fact that the condition specifically referred to plan reference SCP/06047/SK005. The plan which has been approved by South Ribble as part of their full application in 2010 amends some of the details of the access junction, in liaison with Lancashire County Council and as such the applicants are applying to vary the condition to refer to the new plan.
11. Lancashire County Council were satisfied with the detail submitted as part of the South Ribble planning application and as such it is considered acceptable to vary the condition to refer to the amended plan. As such it is proposed to vary the condition as follows:

#### **Condition**

No part of the development which is accessed from the A49, indicated on the approved Masterplan reference 895/97A, shall be commenced until the A49 access has been constructed in accordance with approved plan reference SCP/09287/SK009 Rev G, received 11 May 2011.

*Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review*

#### Other conditions

12. As set out below, with the Planning History section, several of the prior commencement conditions have been discharged in respect of the original outline planning approval. This fact is reflected within the suggested conditions which will be compliance conditions as opposed to prior commencement conditions.
13. The approved plans submitted with the original outline application were attached as an informative to the decision notice. Following further consideration of the whole site the phasing of the development changed and the amended plan was approved via letter on 27th January 2011. Additionally condition 4 required the development to be carried out in accordance with the approved Masterplan (reference 895/97A received 28th August 2009) unless otherwise agreed in writing by the Local Planning Authority. The approved Masterplan had the indicative phasing overlaid and as such an amended Masterplan has been submitted detailing the amended approved phasing of the site. To ensure consistency conditions 4, 29, 30 and 44, which refer to the Masterplan, have been amended to refer to the amended Masterplan.
14. A number of the conditions attached to the original outline approval included the phrase '*unless otherwise agreed in writing by the Local Planning Authority*'. As it is no longer possible to agree amendments via letter this phrase has been removed from conditions 4, 13, 14, 15, 16, 17, 19, 20, 21, 24, 25, 36, 37 and 45.

#### Section 106 Agreement

15. As the approval of this application results in the issuing of a new planning approval a short supplemental S106 Agreement is required tying this application into the original obligations.

#### **Overall Conclusion**

16. The submission of this application is purely for clarity purposes to ensure that the relevant condition relates to what will actually be constructed on the ground. The details were considered in full by the Highways Authority as part of the full planning application in South Ribble and considered to be acceptable. As such it is recommended that the variation is approved.

**Planning Policies**National Planning Policies:

PPS1, PPS3, PPS9, PPS22, PPS23, PPS25, PPG2, PPG13, PPG16, PPG17, PPG24

North West Regional Spatial Strategy (RSS):

Policy DP1, Policy DP4, Policy DP5, Policy DP7, Policy RDF1, Policy RDF4, Policy W4, Policy W3, Policy L4, Policy L5, Policy RT9, Policy EM1, Policy EM2, Policy EM3, Policy EM5, Policy EM15, Policy EM16, Policy EM17

Adopted Chorley Borough Local Plan Review

Policies: GN2, GN5, GN9, DC1, EP2, EP3, EP4, EP5, EP9, EP17, EP18, EP20, EP21, HS4, HS5, HS6, HS21, EM2, EM9, TR1, TR4, TR18

## Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

South Ribble Local Plan Policies

D1, QD1, QD4, QD6, QD7, QD10, ENV3, ENV4, ENV6, ENV7, ENV8, ENV9, ENV20, ENV22, ENV24, T7, T8, T9, RT10, T11. Interim Planning Policies: HP2R, HP6R, HP4R, H1R, H5R, OS1

Joint Core StrategySites for Chorley- Issues and Options Discussion Paper December 2010**Planning History****Chorley Council:**

**97/00509/OUT:** Outline application for mixed use development (granted in 1999)

**97/00660/CTY-** Erection of a landfill containment facility for the storage of contaminated soils and demolition material and associated land forming.  
Approved February 1998

**02/00748/OUT:** Modification of conditions on outline permission for mixed use Development

**05/00017/CTY-** Variation of conditions 1, 3 and 4 of planning permission 9/97/660 to allow the importation of hazardous waste and to amend the phasing of landfilling and restoration at the existing landfill containment facility. Approved April 2005

**07/01108/CTY:** Variation of condition 1 of planning permission 09/05/0017, extending the period of operations of the contained landfill facility by 3 yrs from 1/03/08 to 1/03/11. Approved by LCC January 2008

**09/00058/CTY:** Construction of a landscape mound for recreational and nature conservation use, utilising surplus excavation soils from the restoration of the site. Approved by LCC April 2009

**08/00645/FUL:** Erection of a bat house at Group One, Buckshaw Village.  
Approved

**08/00910/OUTMAJ:** Outline planning application for the redevelopment of land at Group One (Site Area 54.34 Hectares), Royal Ordnance Site, Chorley for mixed use development comprising housing and commercial uses (including uses A1, A2, A3, B1, B2, C1, C2 and C3 of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2006) and associated landscape treatment and highway works. Approved December 2009

**08/01002/FUL:** Erection of a bat house at group one Buckshaw Village. Approved

**09/00084/FUL:** Erection of a bat house at group one, Buckshaw Village. Approved

**09/00095/FULMAJ:** Land reclamation and remediation earthworks to create a development platform at Group 1, Buckshaw Village (site area 54.34 hectares). Approved December 2009

**10/00153/DIS:** Application to discharge conditions 4, 9, 10, 11, 12, 14, 16, 17, & 18 attached to planning approval 09/00095/FULMAJ. Discharged April 2010

**10/00247/DIS:** Application to discharge condition 32 of planning approval 08/00910/OUTMAJ. Discharged April 2010

**10/00309/DIS:** Application to discharge condition 14 attached to planning approval 09/00095/FULMAJ (discharge of phase 1 only). Discharged July 2010

**10/00339/DIS:** Application to discharge conditions 7, 8 and 23 of planning approval 09/00095/FUL. Discharged June 2010

**10/00608/NLA:** Neighbouring local authority application for construction of an access road onto the A49. No objection

**10/00693/DIS:** Application to discharge condition 14 attached to planning approval 09/00095/FULMAJ (further phase relating to more information on tree removal/tree retention in the high and medium risk remediation zones). Discharged September 2010

**10/00940/DIS:** Application to discharge conditions 7, 10, 12, 22 & 28 attached to planning approval 08/00910/OUTMAJ. Discharged December 2010

**10/01061/DIS:** Application to discharge condition 47 attached to planning approval 08/00910/OUTMAJ. Discharged January 2011-06-03

**10/01062/DIS:** Application to discharge condition 13 attached to planning approval 09/00095/FULMAJ. Discharged January 2011

**11/00080/DIS:** Application to discharge conditions 5, 6, 8, 9, 11, 29, 30 and 46 attached to planning approval 08/00910/OUTMAJ. Discharged March 2011-06-03

**11/00099/DIS:** Application to discharge condition 14 attached to planning approval 09/00095/FULMAJ. (Phase 2 of the tree removal/tree retention and amendments to Phase 1 previously approved as part of 10/00309/DIS and 10/00693/DIS). Discharged February 2011

**11/00361/NLA:** Neighbouring Local Authority consultation on a reserved matters application for the construction of an access road, foul water pumping station and layout of the NEAP/ open space (site 0.9ha) at Group 1, Buckshaw Village. No objection

#### **South Ribble Council:**

**07/2008/0641/OUT:** Outline planning application for the re-development of the land at Group One (site area 54.34ha), Royal Ordnance, site Chorley for a mixed use development comprising housing and commercial uses (including uses within Classes A1, A2, B1, B2, C1, C2 and C3 of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2006) and associated landscape treatment and highway works. Approved

**07/2009/0062/FUL:** Land reclamation and remediation earthworks to create a development platform. Approved

**07/2010/0134/DIS:** Application to discharge planning conditions 4, 9, 10, 11, 12, 16, 17 and 18 on planning permission 07/2009/0062/FUL. Conditions discharged

**07/2010/0232/DIS:** Application to Discharge Condition No. 32 on planning permission 07/2008/0641/OUT relating to a programme of archaeological work. Condition discharged

**07/2010/0312/DIS:** Discharge of Condition Nos. 7, 8 and 23 on planning approval 07/2009/0062/FUL. Conditions discharged

**07/2010/0283/DIS:** Discharge of Conditions. Conditions discharged

**07/2010/0406/FUL:** Construction of an access road onto the A49. Approved

**07/2010/0729/DIS:** Application to Discharge Condition Nos 7 (Travel Plan) 10 (Footpath/Cycle link) 12 (Dust) 22 (Remediation) & 28 (Temporary access road) of planning permission 07/2008/0641/OUT. Conditions discharged

**07/2010/0830/DIS:** Discharge of Condition 47 (07/2008/0641/OUT) Land reclamation and remediation to create a development platform. Conditions discharged

**07/2010/0829/DIS:** Discharge of Condition 13 (07/2009/0062/FUL). Condition discharged

**07/2011/0073/DIS:** Application to discharge conditions No.5 (Design Code) 6 (Framework details - part of design code) 8 (Movement Strategy) 9 (Landscape Strategy) 11 (Surface water drainage Strategy) 29 (Masterplan reference 895/97A) 30 (Full details of Main Road) 46 (Long term impacts). Conditions discharged

**07/2011/0087/DIS:** Application to discharge condition 14 (Tree Survey Phase 2) of planning permission 07/2009/0062/FUL. Condition discharged

**07/2011/0251/REM:** Construction of access road, foul water pumping station and layout of the NEAP/open space (site 0.9ha). Pending consideration

**07/2011/0336/VAR:** Variation of planning condition No 29 on planning approval 07/2008/0641/OUT- Construction of access. Pending consideration

**07/2011/0334/DIS:** Application to discharge condition Nos 7 (Noise Assessment) & 8 ( Dust Management Plan) of planning permission 07/2010/0406/FUL. Pending consideration.

**Recommendation: Permit (Subject to Legal Agreement)  
Conditions**

1. Any application for approval of reserved matters (as defined in Condition 2 below) for all Phases identified on the approved Masterplan reference 895/97A must be made to the Council not later than the expiration of ten years beginning with the date of outline planning approval reference 08/00910/OUTMAJ (22<sup>nd</sup> December 2009). Each Phase or Sub-Phase (as defined in Condition 3 below) of the development shall be begun within two years of the date of the Reserved Matters Approval relating to that Phase or Sub-Phase or in the case of approval of reserved matters on different dates the date of the final approval of the last of such matters to be approved.

*Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.*

2. Subject to Condition 3 (below) before any Phase of the development (as identified on the approved Masterplan reference 895/97A) or a Sub-Phase of a Phase (as defined by Condition 3 (below)) hereby permitted is first commenced, full details of all reserved matters relating to that Phase or Sub-Phase (namely the appearance, layout, scale and landscaping

of the site) shall be submitted to and approved in writing by the Local Planning Authority. Approval of the reserved matters shall be obtained from the Local Planning Authority in writing for each Phase or Sub-Phase of the development before each respective Phase or Sub-Phase of the development (excluding works of demolition, site remediation and archaeological investigation) is commenced, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004*

3. Any application for approval of reserved matters of a Sub-Phase of a Phase shall not be submitted for approval pursuant to Condition 2 (above) unless there has first been submitted to and approved in writing by the Local Planning Authority a plan showing the extent of the proposed Sub-Phase for which reserved matters are to be submitted. For the purposes of this planning permission, all references to a Sub-Phase or Sub-Phases shall be to a Sub-Phase or Sub-Phases as shown on a plan approved by the Local Planning Authority pursuant to this Condition 3.
4. The development hereby permitted shall be carried out in accordance with the approved Masterplan (reference 895/97D received 22<sup>nd</sup> June 2011), the approved Building Density plan (reference 895/94 received 28<sup>th</sup> August 2009), the approved Building Heights plan (reference 895/98 received 28<sup>th</sup> August 2009), the approved Phasing Plan (reference 895/93C received 18<sup>th</sup> January 2011) and the approved Land Use Plan (reference 895/89A received 28<sup>th</sup> August 2009). Additionally the development shall be carried out in accordance with the approved Development Profile by Phase dated 28<sup>th</sup> August 2009.  
*Reason: To ensure an acceptable form of development for the site within the parameters of the Environmental Impact Assessment which accompanied the application.*
5. The development hereby permitted shall be carried out in accordance with design principles for the whole of the site as set out within the approved Design Code (submitted as part of discharge of condition application 11/00080/DIS). Each application for reserved matters shall be submitted in accordance with the Approved Design Code.  
*Reason: To ensure a comprehensive approach to the development of this site is achieved and in the interests of the proper planning of the site. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review*
6. The development hereby permitted shall be carried out in accordance with the approved Framework Details (submitted as part of discharge of condition application 11/00080/DIS) in respect of Foul and surface water drainage, Surface water strategy, Nature conservation and enhancement, public open space, footpath and cycle links, existing and proposed levels, tree works and tree protection measures. Each and every reserved matters application shall be submitted in accordance with the approved details.  
*Reason: In the interests of the proper and comprehensive planning of the site to create a high quality sustainable development. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review.*
7. The development hereby permitted shall adhere to the measures set out within the Residential Travel Plan dated August 2010 and the Interim Commercial Travel Plan dated November 2010 (submitted as part of discharge of condition application 11/00940/DIS).  
*Reason: To reduce the number of car borne trips and to encourage the use of public transport and to accord with Policies TR1 and TR4 of the Adopted Chorley Borough Local Plan Review.*
8. The development hereby permitted shall be carried out in accordance with the approved movement strategy (discharged as part of application 11/00080/DIS). All reserved matters applications shall be submitted in accordance with the approved movement strategy.  
*Reason: In the interests of the proper development of the site and to promote connectivity through the site and with the adjacent/ nearby existing Villages. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review*

9. The development hereby permitted shall be carried out in accordance with the approved landscape strategy (submitted as part of application 11/00080/DIS). All reserved matters applications shall be submitted in accordance with the approved landscape strategy.  
*Reason: In the interests of the proper development of the site. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review*
10. The development hereby permitted shall incorporate the approved footpath/cycle link underneath the bridge at the south-east corner of the site in accordance with the approved details, plans reference SCP/09287/D200 (General Arrangement), SCP/09287/D202 (Footpath/ Cycleway Link Under Central Avenue (Cross sections 1 of 4)), SCP/09287/D203 (Footpath/ Cycleway Link Under Central Avenue (Cross sections 2 of 4)), SCP/09287/D204 (Footpath/ Cycleway Link Under Central Avenue (Cross sections 3 of 4)) and SCP/09287/D205 (Footpath/ Cycleway Link Under Central Avenue (Cross sections 4 of 4)), all received 24<sup>th</sup> November 2010 (submitted as part of discharge of condition application 10/00940/DIS). No dwelling constructed on parcels M1 or H1 shall be occupied until the footpath/ cycle link has been provided in accordance with the approved details.  
*Reason: In the interests of the proper development of the site and to promote connectivity through the site and with the adjacent Buckshaw Village. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review*
11. The drainage of the site shall be fully implemented and completed in accordance with the approved surface water drainage strategy (submitted as part of discharge of condition application 11/00080/DIS). All reserved matters applications shall be submitted in accordance with the approved surface water drainage strategy.  
*Reason: To enable the Local Authority to assess the effects of the proposed development on flood defence/ land drainage. In accordance with Policy EP18 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS25: Development and Flood Risk*
12. The development hereby permitted shall incorporate the mitigation measures in respect of dust and particulate matter set out within the Dust Impact Assessment (dated February 2009) submitted as part of discharge of condition application 10/00940/DIS. All reserved matters applications shall be submitted in accordance with the approved mitigation measures.  
*Reason: To reduce the amount of dust and particulate matter created as a part of the development of the site, in order to minimise the air quality impacts and to provide adequate mitigation measures to reduce dust production. In accordance with Policy EP21 of the Adopted Chorley Borough Local Plan Review*
13. Before the development of any Phase or Sub-Phase hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected for that Phase or Sub-Phase (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building/ dwelling for that Phase or Sub-Phase shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.  
*Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy Nos. GN5, HS4 and EM2 of the Adopted Chorley Borough Local Plan Review*
14. Samples of all external facing materials to the proposed buildings (notwithstanding any details shown on previously submitted plans and specification) for each Phase or Sub-Phase shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development of that Phase or Sub-Phase. The development of each Phase or Sub-Phase shall only be carried out using the external facing materials for that Phase or Sub-Phase approved pursuant to this Condition.  
*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review*

15. Full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) for each Phase or Sub-Phase shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that Phase or Sub-Phase of development. The development of that Phase or Sub-Phase shall only be carried out using the approved materials. The development shall only be carried out in conformity with the approved details.  
*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*
16. No Phase or Sub-Phase of the development shall commence until a scheme detailing the on-site measures to be installed and implemented so as to reduce carbon emissions, by the figure set out in policy SR1 of the Sustainable Resources DPD at the time of commencement of each individual plot, by means of low carbon sources has been submitted to and approved in writing by the Local Planning Authority for that Phase or Sub-Phase. The submitted scheme shall also include full details of the predicted energy use of the development expressed in terms of carbon emissions (If no data specific to the application is available benchmark data will be acceptable) and how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. The approved details shall be fully implemented and retained in perpetuity unless.  
*Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policies EM16 and EM17 of the North West Regional Spatial Strategy and Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*
17. Each and every application for approval of Reserved Matters pursuant to Condition 2 shall demonstrate and provide full details of how the design and layout of the buildings will withstand climate change. The details shall include details of the proposed Code for Sustainable Homes Level, how the proposals minimise energy use and maximise energy efficiency. All dwellings commenced after 1<sup>st</sup> January 2010 will be required to meet Code Level 3, all dwellings commenced after 1<sup>st</sup> January 2013 will be required to meet Code Level 4 and all dwellings commenced after 1<sup>st</sup> January 2016 will be required to meet Code Level 6 of the Codes for Sustainable Homes. No Phase or Sub-Phase of the development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented and retained in perpetuity.  
*Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policies EM16 and EM17 of the North West Regional Spatial Strategy and Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*
18. Each application for approval of reserved matters pursuant to Condition 2 shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plans. Each Phase or Sub-Phase of the development shall only be carried out in conformity with the approved level details.  
*Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5, EM2 and HS4 of the Adopted Chorley Borough Local Plan Review*
19. Each application for approval of Reserved Matters for the commercial premises shall be accompanied by full details of any fixed mechanical plant being used on the premises. The plant shall be enclosed with sound insulating material and mounted in a way which will minimise transmission of structure and air borne sound. The agreed measures shall be, thereafter, retained and maintained for the duration of the approved use.

*Reason: To ensure that noise generation is minimised on the site, to protect the amenities of the future and existing residents and in accordance with Policy EP20 of the Adopted Chorley Borough Local Plan Review.*

20. Each application for approval of Reserved Matters for the B1 office accommodation shall be accompanied by a scheme to demonstrate that the following internal noise levels will not be exceeded within any proposed open plan offices: LAeq,T 45-50 dB. No part of the offices shall be occupied until the scheme has been implemented in accordance with the approved details and shall be maintained in perpetuity.

*Reason: To ensure that noise generation is minimised on the site and in accordance with Policy EP20 of the Adopted Chorley Borough Local Plan Review.*

21. Any application for approval of reserved matters of a Phase or Sub-Phase pursuant to Condition 2 (above) shall include the submission for approval of a Tree Constraints Plan which gives full details of all existing trees within that Phase or Sub-Phase which are proposed to be retained in accordance with the tree survey approved pursuant to planning approval reference 09/00095/FULMAJ and the measures which will be implemented in order to secure their protection during the course of the development and retention thereafter. No development in any phase or sub-phase shall commence until the approved tree protection measures have been put in place and the development of the relevant Phase or Sub-Phase shall thereafter proceed in full accordance with the approved Tree Constraints Plan for that Phase or Sub-Phase.

*Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review*

22. The remediation and reclamation of the site shall be carried out in accordance with the approved Remediation Phasing Plan (reference 895/310 received 19th October 2010), the planning permission reference 09/00095/FULMAJ and in accordance with the submitted remediation strategy (Report Ref: B0031-02-R9-B).

*Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control*

23. If, during development, contamination not previously identified is found to be present at the site then development shall immediately cease and no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement which forms part of Report Ref: B0031-02-R9-B detailing how this unsuspected contamination shall be dealt with. The development thereafter shall be carried out in accordance with the approved method statement.

*Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control*

24. No Phase or Sub-Phase of the development shall be commenced until a validation report, pursuant to condition 22 above, containing any validation sampling results for that Phase or Sub-Phase have been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It should also include any plan (a long term management and maintenance plan) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The development thereafter shall be carried out in accordance with the approved management and maintenance of the plan.

*Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control*

25. No Phase or Sub-Phase of the development shall be commenced until details of the proposed site compound and cabin locations for that relevant Phase or Sub-Phase of the development have been submitted to and approved in writing by the Local Planning

Authority. Site compounds and cabins shall be located in accordance with the approved details.

*Reason: In the interests of the visual amenities of the site and to ensure the sitings do not adversely impacts on the assets of the site. In accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.*

26. Prior to the importation or use of any recycled subsoil and/or topsoil material on the proposed development site, a report detailing the sampling regime and laboratory analysis results of the material shall be submitted to and approved in writing by the Local Planning Authority.  
*Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control*
27. Before the development of any Phase or Sub-Phase hereby permitted is first commenced full details and technical specifications of the ground gas protection measures to be incorporated into the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The details and specifications must follow best practice guidance such as that presented in CIRIA Report C665 (2007) *Assessing risks posed by hazardous ground gases to buildings*.  
*Reason: To protect future occupiers from the ingress of landfill gas and in accordance with Government advice contained in PPS23: Planning and Pollution Control*
28. The first part of the new junction on Central Avenue (plan reference SCP/06047/SK13 Rev B) will be constructed to access the development. Prior to the occupation of 330 dwellings or 14,300 square metres of commercial floorspace, whichever occurs first, the junction with Central Avenue (shown on plan reference SCP/06047/SK006 received 28th August 2009) shall be completed in accordance with the approved plan SCP/06047/SK006 and open to public traffic.  
*Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review*
29. No part of the development which is accessed from the A49, indicated on the approved Masterplan reference 895/97D, shall be commenced until the A49 access has been constructed in accordance with approved plan reference SCP/09287/SK009 Rev G, received 11 May 2011.  
*Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review*
30. The main access road through the site shall be constructed and open to public traffic in accordance with plan reference SCP/09287/SK008 Rev B, received 23rd February 2011, (submitted as part of application 11/00080/DIS) prior to the commencement of phase 2 of the development, as shown on the Masterplan (reference 895/97D received 22nd June 2011).  
*Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.*
31. No more than 330 dwellings or 14,300 square metres of commercial floorspace, whichever occurs first, shall be occupied until the improvements to Dawson Lane/ Central Avenue Junction shown on plan reference SCP/06047/SK008 received 20th March 2009, and the Hayrick Lane Marking Improvements, plan reference SCP/06047/SK007 received 20th March 2009, have been completed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.  
*Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review*
32. No work in the area defined on plan reference 895/99, received on 2<sup>nd</sup> September 2009, shall take place until the approved archaeological scheme of investigation set out within the Archaeological Evaluation Project Design dated 9th February 2010 undertaken by AOC Archaeology Group (submitted as part of application 10/00247/DIS) has been completed. On completion of the investigation the final report shall be submitted to and approved in writing by the Local Planning Authority.

*Reason: The site is situated within an area of known archaeological interest and, as such, the site should be appropriately excavated and the remains recorded and in accordance with Policy Nos. HT11 and HT12 of the Adopted Chorley Borough Local Plan Review.*

33. A scheme of landscaping for each Phase or Sub-Phase shall be submitted and agreed in writing prior to the commencement of that Phase or Sub-Phase of development. The scheme shall indicate the types and numbers of trees and shrubs to be planted, their distribution on the site, those areas to be seeded, paved or hard landscaped, detail any changes of ground level and shall be in accordance with the approved landscape strategy pursuant to conditions four and five. Landscaping and restoration schemes should aim to protect, enhance, expand and connect existing habitats and Biological Heritage Sites and re-establish habitats between the Biological Heritage Sites and the development site. Landscaping and restoration schemes should also aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area.  
*Reason: In the interests of the amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review*
34. All planting, seeding or turfing comprised in the approved details of landscaping pursuant to Condition 33 above shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development within the relevant Phase or Sub-Phase, whichever is the earlier, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.  
*Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review*
35. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.  
*Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.*
36. All vehicles, plant, equipment and other machinery used in connection with the construction phase of the site shall be equipped with effective silencing or soundproofing equipment to the standard of design set out in the manufacturer's original specification and to a standard which has previously been agreed in writing by the Local Planning Authority. The vehicles, plant, equipment and other machinery shall be maintained in accordance with the approved details at all times.  
*Reason: To safeguard the amenities of local residents, to protect nearby noise sensitive buildings and in accordance with Policy Nos. EP20 of the Adopted Chorley Borough Local Plan Review.*
37. Prior to the occupation of the dwellinghouses hereby permitted a scheme demonstrating that the following internal noise levels will not be exceeded within any of the dwellinghouses: LAeq 2300-0700hrs = 35dB, LAmx 2300-0700 hrs = 45dB, shall be submitted to and approved in writing by the Local Planning Authority. The dwellinghouses shall not be occupied until the approved scheme has been implemented in accordance with the approved details. The approved measures shall be maintained in perpetuity.  
*Reason: To safeguard the amenities of the future residents and in accordance with Policy Nos. EP20 of the Adopted Chorley Borough Local Plan Review.*
38. The construction works associated with the development hereby permitted shall not take place except between the hours of:
- 0800 hrs to 1800 hrs Monday to Friday

- 0800 hrs to 1300 hrs on Saturdays.

No construction activities shall take place on Sundays or Bank Holidays. These construction hours shall be adhered to during the development of the whole site.

*Reason: To safeguard the amenities of local residents, to protect nearby noise sensitive buildings and in accordance with Policy Nos. EP20 of the Adopted Chorley Borough Local Plan Review.*

39. The B2 use hereby permitted shall be restricted to the hours between 8am and 6pm on weekdays, between 8am and 1pm on Saturdays and there shall be no operation on Sundays or Bank Holidays.  
*Reason: To safeguard the amenities of local residents and in accordance with Policy Nos. EM2 of the Adopted Chorley Borough Local Plan Review.*
40. The Class A1 retail floorspace hereby permitted shall not exceed 1,000 square metres/ 10,765 square feet gross.  
*Reason: To enable the provision of the needs of the development to be met on the site in the interests of sustainability without adverse effects on nearby centres.*
41. Notwithstanding the provisions of Town and Country Planning (Use Classes) Order 1987 or any provision in any statutory instrument revoking and re-enacting that Order with or without modification) no part of the Use Class A2 (Financial Institution) floorspace shall be permitted to be used for Use Class A1 (retail) unless otherwise agreed in writing by the Local Planning Authority.  
*Reason: To control the extent of retail development on the site in the interests of protecting nearby local centres.*
42. No dwellings shall be occupied with 25 metres of the two Neighbourhood Equipped Areas for Play (as identified on the Masterplan reference 895/97A received 28<sup>th</sup> August 2009) until the play area has been constructed and completed in accordance with plans which have previously been submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority  
*Reason: To ensure the provision of equipped play space to benefit the future occupiers of the site and in accordance with Policy HS19 of the Adopted Chorley Borough Local Plan Review.*
43. Surface water must drain separately from the foul sewerage system and no surface water will be permitted to discharge to the foul sewerage system.  
*Reason: To secure proper drainage and in accordance with Policy Nos. EM2 of the Adopted Chorley Borough Local Plan Review.*
44. No development of Phase 2, detailed on Masterplan reference 895/97D received 22nd June 2011, shall commence until the works to the landfill zone adjacent to the site have been completed in accordance with planning permission 09/00058/CTY.  
*Reason: To ensure that adequate ecological mitigation is provided in a specified time scale for the ecological impacts of the remediation and redevelopment of the site. In accordance with Government advice contained in PPS9: Biodiversity and Geological Conservation and in accordance with Policies EP4 and EP9 of the Adopted Chorley Borough Local Plan Review.*
45. Prior to the commencement of any phase or sub phase of development, proposed measures to prevent long-term impacts on adjacent Biological Heritage Sites and other habitats shall be submitted for approval by the planning authority. This shall include measures to prevent the establishment of informal access routes into sensitive habitats, measures to prevent trampling or other recreational pressures on sensitive habitats, prevention of garden waste tipping or extension of gardens into sensitive habitats, measures to prevent colonization of Biological Heritage Sites and other habitats by exotic/non-native species, measures to reduce the likely impacts of domestic pets on sensitive habitats and associated species and measures to reduce negative impacts of edge effects on semi-natural habitats. The development thereafter shall be carried out in accordance with the approved details.  
*Reason: to provide long-term protection to Biological Heritage Sites and semi-natural habitats and to ensure compliance with Government advice contained in PPS9 and Policies EM1 and DP7 of the Regional Spatial Strategy*

46. The 1.2 hectare piece of land safeguarded for the provision of a primary school, in accordance with the associated Section 106 Agreement, will be grassed and maintained in accordance with the submitted plan reference 895/329, received 31st January 2011 (submitted as part of application 11/00080/DIS). This includes grassing the site and erecting a 0.6 metre high timber post and rail fence at the boundary. This area of land will be maintained in accordance with the approved details until the occupation of 600th property/ for a period of 10 years from the grant of the first reserved matters approval (whichever is the later).

*Reason: In the interests of the visual amenities of the area and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.*

47. The approved Habitat Management Plan (undertaken by Bowland Ecology dated January 2011) for the area of Ancient Woodland, submitted as part of application 10/01061/DIS, will be adhered to for a period of 25 years following the completion of the remediation and reclamation works . The management plan addresses measures to control and off-set potential long-term impacts on habitats, including impacts that may result from recreational pressure, a monitoring scheme and periodic review of management prescriptions along with nature conservation management methods.

*Reason: To ensure the satisfactory management, maintenance and retention of habitats. In accordance with Government advice contained in PPS9: Biodiversity and Geological Conservation, Policies EM1 and DP7 of the Regional Spatial Strategy and Policies EP2 and EP9 of the Adopted Chorley Borough Local Plan Review.*

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Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	12 July 2011

## **ENFORCEMENT ITEM –**

**Operational Development to site two metal storage containers on Land at The Hillocks, Blue Stone Lane, Mawdesley, Lancashire, L40 2RJ.**

### **PURPOSE OF REPORT**

1. To consider whether it is expedient to serve an enforcement notice to secure the removal of the unauthorised operational development (metal containers) from the land.

### **RECOMMENDATION(S)**

2. That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control:

#### **Alleged Breach**

- i. The placing of two steel containers on the land constitutes operational development that requires planning permission.

#### **ii Remedy for Breach**

Remove the storage containers from the land.

#### **iii (a). Period for Compliance**

Three Months.

#### **iv (b). Reason.**

The buildings (metal containers) are contrary to Policies DC1 Chorley Borough Local Plan Review Adopted Edition, and Planning Policy Guidance (PPG) 2: Green Belt, in that they would constitute inappropriate development within the Green Belt. In addition, the design and external appearance of the unauthorised development (metal containers) is not well related to the character and appearance of the residential site and surrounding countryside, contrary to policy GN5 criterion (b) Chorley Borough Local Plan Review Adopted Edition.

### **EXECUTIVE SUMMARY OF REPORT**

3. The land in question lies in the Lancashire Green Belt wherein only limited forms of development are considered to be appropriate. Planning Policy Guidance 2: Green

Belt states that inappropriate development is by definition harmful to the character and openness of the Green Belt, and that permission should only be granted for inappropriate development in very special circumstances. Policy DC1 criterion (c) and DC8A state that limited extension, alteration or replacement of dwellings maybe appropriate provided it would not detract from the openness of the Green Belt and its character, siting, design and external materials would not detract from its surroundings. Policy GN5 of the Local Plan also states that the design of proposed developments will be expected to be well related to their surroundings.

4. The issue for consideration in this case is whether the operational development that has been carried out conforms to the requirements detailed in Policies DC1 criterion (c), DC8A and GN5 criterion (b) of the Chorley Borough Local Plan Review Adopted Edition, in that the design, materials and external appearance of the development is acceptable in relation the adjacent dwellinghouse and the surrounding countryside, and as such would constitute appropriate development within the Green Belt. If not whether there are any very special circumstances that would outweigh the harm caused to the character and openness of the Green Belt, by way of its inappropriateness.

#### **REASONS FOR RECOMMENDATION(S)**

##### **(If the recommendations are accepted)**

5. The unauthorised development represents an alien feature within the site and in the surrounding area, and by way of its design, external appearance and materials does not respect the character of the site and surrounding countryside and detracts from the character and openness of the Green Belt. The development is therefore considered to be inappropriate in the Green Belt and contrary to Policies DC1(c), DC8A and GN5 criterion (b) Chorley Borough Local Plan Review Adopted Edition, and provisions within PPG2: Green Belt. There are no very special circumstances that would outweigh the harm caused to the Green Belt by way of its inappropriateness.
6. There are various legal authorities that have set out the principles to be used in assessing whether a structure is a building. These authorities suggest that three primary factors are relevant in that assessment: size, permanence and attachment to the ground. In terms of size, the individual metal containers are approximately 4.8 metres in length, by 2.4 metres in width by 2.6 metres in height. They are therefore of substantial size and together have an imposing presence on the land. With regards to permanence, the container is designed to be carried on a vehicle and placed upon the land using a crane. A crane was not observed to be present on site, and therefore it is unlikely that they could be moved frequently or easily. In addition, as the containers are solely used for the storage of house furniture and items there would be no reason for the containers to be moved on a regular basis. It is noted that the container is not directly fixed to the grassed area of ground but uses its weight to rest upon the concrete slabs laid beneath each corner. The change to the character of the land is visual rather than physical.
7. Taking all three elements into consideration it is concluded that the combination of size, its weight, the transportation of the container to the land and the limitation of mobility, the likelihood that it will remain in situ is of significance and it is considered that the metal containers are buildings. Therefore, it is considered that operational development as defined within Section 55 of the Town and Country Planning Act 1990 (As Amended) has taken place for which planning permission is required.

8. Given their size, their alien design and appearance and the amount of items stored within the metal containers and that household furniture and items would be used in association with a house not yet built on site, it is not considered that the siting of two storage containers on the land would be for purposes incidental to the enjoyment of the dwellinghouse at the Hillocks, Blue Stone Lane, Mawdesley. Planning permission has not been granted for the siting of storage containers on the land by way of an application, or any act or order. Therefore, the development carried out is unauthorised and in breach of planning control.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

9. None

**CORPORATE PRIORITIES**

10. This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	X
Safe Respectful Communities		Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			

**BACKGROUND**

11. The site is located within the Lancashire Green Belt, and countryside, and is set down from the level of Blue Stone Lane to the east. The site currently comprises a two storey semi-detached dwelling and residential curtilage to the front and rear. A collection of stables and grassed paddocks are located to the side and rear of the dwelling.
12. Planning permission reference no. 10/00890/FUL was granted in December 2010 for the demolition of the existing property and the erection of a 4 bedroom dwelling. A planning application for the discharge of planning conditions to which this application is subject which required information to be submitted prior to the commencement of demolition works has been received but remains invalid.
13. The two containers have been sited to the rear of the dwelling house along the shared boundary with Hillside, Blue Stone Lane, Mawdesley. The metal containers have been placed on a grassed area and placed on concrete slabs in each corner and are beige in colour. The containers are visible from public view along a substantial section of Blue Stone Lane to the east.
14. A site visit has been carried out where the landowner explained that the containers are used to store household furniture to be used in the dwelling to be constructed at the site. The landowner advised that it was intended that they would be present until the new dwelling is completed and furniture moved into the replacement dwelling. Inspection of the content of the containers at this time revealed they were full of various items of household furniture and domestic appliances.

**IMPLICATIONS OF REPORT**

15. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	x

**COMMENTS OF THE DIRECTOR OF PARTNERSHIPS, PLANNING & POLICY**

16. None

Lesley-Ann Fenton  
 Director of Partnerships, Planning & Policy

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Christopher Hobson	5229	28/06/11	***



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1:1,250

Approximate location  
of containers

The Hillocks, Blue Stone Lane,  
Mawdesley, L40 2RJ

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Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	12 July 2011

## ENFORCEMENT ITEM

**Development not in accordance with the Approved Plans & Formation of Raised Landing Beds Application 08/00553/FUL High Wire Adventure Course (Go Ape) Rivington.**

### PURPOSE OF REPORT

- To consider whether it is expedient to take enforcement action to secure a car parking area as shown on approved plans is laid in accordance with those plans and in respect of the formation of two raised landing beds.

### RECOMMENDATION(S)

- That, at this time it is not expedient to take enforcement action in respect of the following breach of planning control:

#### Breach

- Failing to comply with condition number 6 attached to application 08/00553/FuL approved on 28 July 2008 that stated,

Before the development hereby permitted is first brought into use, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.”

*Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with the Joint Lancashire Structure Plan SPG Access and Parking*

#### AND

- The formation of the raised landing areas.

This position/recommendation will be reviewed following the determination of the planning application for the raised landing areas and at October Committee in respect of the car park if an application for the reconfigured car park or other application has not been submitted.

### EXECUTIVE SUMMARY OF REPORT

- Planning permission was granted on 24 July 2008 for a high wire adventure course to be provided on land between Great House Barn and lower Rivington reservoir. The facility was to be accessed by the existing entrance to Great House Barn, off Rivington Lane, with an

extension to the existing car park for the use of Go Ape customers. A plan detailing the additional car parking area for customer vehicle parking was submitted and that plan approved. Additionally, the approved plans for the course layout did not show raised landing beds for the two zip wire runs. A retrospective planning application has now been submitted for the raised landing beds and will be subject of a future report to Development Control Committee.

**REASONS FOR RECOMMENDATION(S)**

4. The additional parking area as shown on the approved plan covered an area of approximately 394 square metres; the additional car parking that has been provided covers an area of approximately 319 square metres. The Council have now been informed by the management company that they are having detailed plans drawn up showing the full extent of the additional parking to be provided. The operators of the facility will then conduct consultation with the Friends of Lever Park and the Parish Council regarding the parking to be provided after which a full planning application will be submitted for consideration by the Authority or an application to vary the existing condition.
  
5. It is therefore proposed that a period of three months be given to allow for the consultation period and formal submission of the planning application for the car parking. After that period if no application has been received by the planning authority a further report will be submitted to the Development Control Committee seeking their authority to take enforcement action if they consider it expedient to do so to secure the laying of the car parking area as shown on the approved plans, application 08/00553/Ful refers.
  
6. An application for the building up (raising) and enlargement of two zip wire landing sites at Go Ape was submitted on 26 May 2011 and public consultation on the application has commenced. It is envisaged that the application could be presented to the September 2011 Development Control Committee if all available information has been received by Officers. It is appropriate that the application is determined prior to a decision or recommendation to take enforcement action is made or decided. At the DC Committee when the application is determined and depending upon the outcome then a decision to give authority for enforcement action can be made.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

7. N/A

**CORPORATE PRIORITIES**

8. This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	
Safe Respectful Communities		Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	X
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**BACKGROUND**

9. Following the granting of planning permission for application 08/00553/Ful the adventure course was constructed and put to use. The additional parking area was formed but was not laid to the size as shown on the approved plans. Following complaints the additional parking area was measured and the shortfall in area noted. However, it was also noted that to lay the car parking as shown on the approved plan some trees may well need to be felled.
10. Alternative car parking arrangements can well be provided within the site area that will make up the shortfall of parking space without the necessity for any tree felling and it is those alternatives arrangements that the developers will submit to the Council following consultation with the Friends of Lever Park and the Parish Council. A period of three months is considered to be an acceptable period of time for the management company to carry out those consultations and submit the planning application.

**IMPLICATIONS OF REPORT**

11. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	X

**COMMENTS OF THE DIRECTOR OF PARTNERSHIPS, PLANNING & POLICY**

12. None.

Lesley-Ann Fenton  
Director of Partnerships, Planning & Policy

Report Author	Ext	Date	Doc ID
S Aldous	5414	1 July 2011	N/A

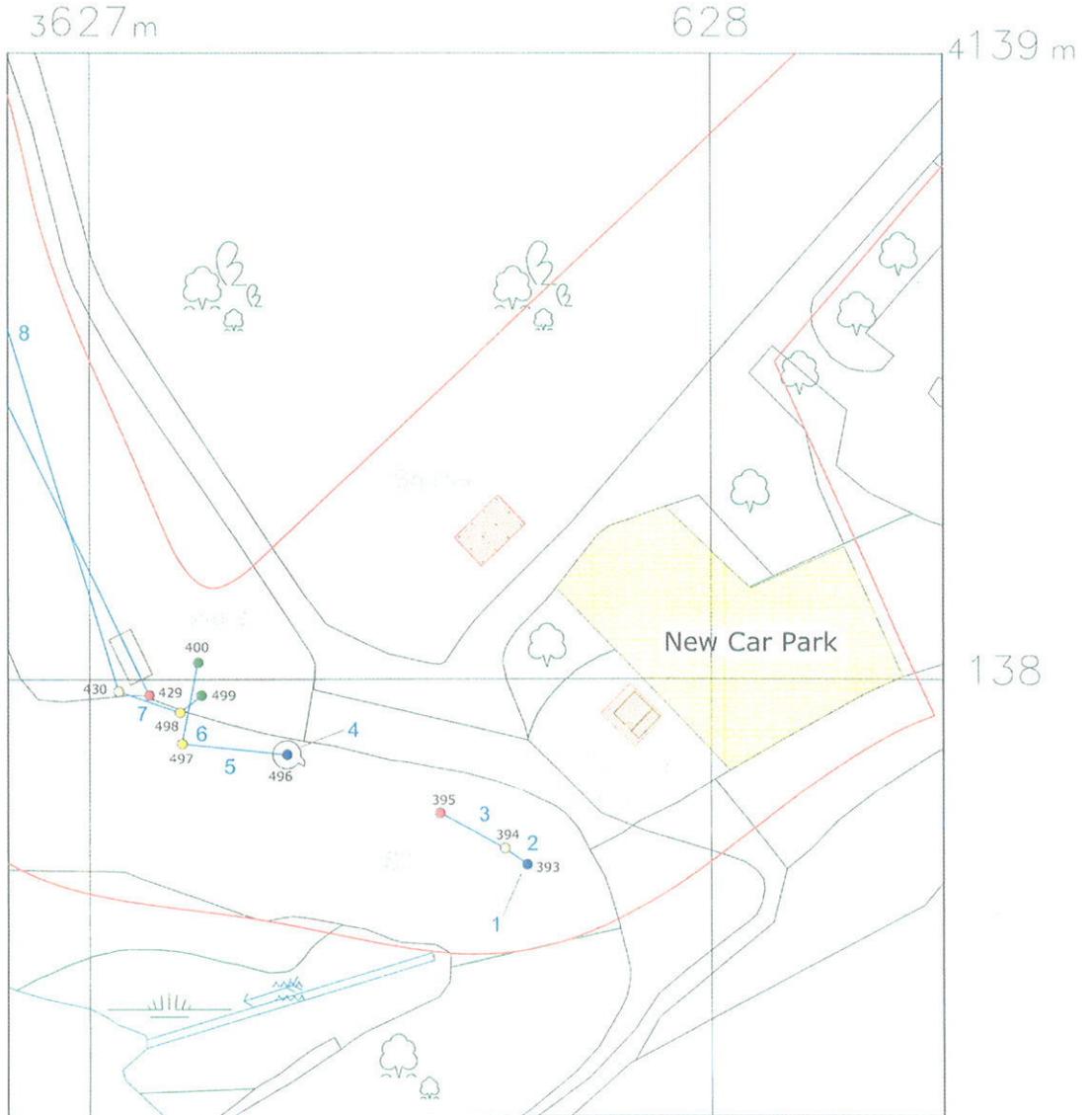
Background Papers			
Document	Date	File	Place of Inspection
Approved Plan	28 July 2008	08/00553/FUL	Union Street

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Go Ape - Rivington  
1:500 Block Plan 1

- 727 Tree number
- 25 Activity number
- Ladder Tree
- Crossing Tree
- Zip wire departure tree
- Zip wire arrival tree

- Bracing Tree (without platform)
- Stockade
- Course activity
- Planning Area
- Supporting wires

- Trail / road
- Go Ape Structures
- Zip wire landing zone
- Proposed additional carpark

*Handwritten notes in red ink:*  
Plan  
08/00553

20 0 20 40 60 80 100



Metres

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Report of	Meeting	Date
Director of Transformation	Development Control Committee	12 July 2011

**PROPOSED CONFIRMATION OF TREE PRESERVATION ORDER NO.1 (MAWDESLEY) 2011 WITHOUT MODIFICATION**

**PURPOSE OF REPORT**

- To consider formal confirmation of the Tree Preservation Order No.1 (Mawdesley) 2011 without modification.

**RECOMMENDATION(S)**

- That Tree Preservation Order No.1 (Mawdesley) 2011 be formally confirmed without modification.

**EXECUTIVE SUMMARY OF REPORT**

- No objection has been received in response to making of the above Order made on 22 March 2011. It is therefore now open to the Council to confirm the above Order as unopposed. The effect of formally confirming the Order will be to give permanent legal force to the Order, as opposed to provisional force, thereby making it an offence on a permanent basis to fell or otherwise lop, prune etc, any of the trees covered by the Orders without first having obtained lawful permission.

**REASONS FOR RECOMMENDATION(S)**

**(If the recommendations are accepted)**

- Formal confirmation of the Order affords permanent as opposed to provisional legal protection to the tree covered by the Order.

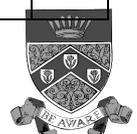
**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

- Not to confirm the Order would mean allowing the Order, and thereby the protection conferred on the tree covered by the Order to lapse.

**CORPORATE PRIORITIES**

- This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	
Safe Respectful Communities		Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	x



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**BACKGROUND**

- 7. The Order was made on the 22 March 2011. The Order was made and served along with the statutory notice prescribed in Regulations on all those with an interest in the land on which the trees are situation on the 22 March. The same documents were also served on owners/occupiers of adjacent properties. The Order was made because on the assessment of the Council’s Tree Officer the trees make a valuable contribution to the visual amenity of the area, being prominently situated and clearly visible to the public and that their removal would have a significant impact on the environment and its enjoyment by the public.

**IMPLICATIONS OF REPORT**

- 8. This report has implications in the following areas and the relevant Directors’ comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	x

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Liz Leung	5169	22 July 2011	

Report of	Meeting	Date
Director Partnerships, Planning and Policy	Development Control Committee	12 July 2011

**OBJECTIONS TO TREE PRESERVATION ORDER NO.3 (ECCLESTON) 2011**

**PURPOSE OF REPORT**

1. The purpose of this report is to decide whether or not to confirm the above Tree Preservation Order (TPO) with or without modification in light of the objections received

**RECOMMENDATION(S)**

2. That Tree Preservation Order No. 3 (Eccleston) 2011 be confirmed.

**EXECUTIVE SUMMARY OF REPORT**

3. The purpose of this report is to decide whether to confirm the above Tree Preservation Order with or without modification. The Order was placed on the tree following concerns from residents about the development of the adjacent land.

**REASONS FOR RECOMMENDATION(S)**

**(If the recommendations are accepted)**

4. It is recommended that the Order be confirmed as the intention is to redevelop the Carrington Centre site. The trees surrounding this site are mainly mature Oaks that have significant amenity value and a TPO will ensure protection for them is in place during the development.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

5. The Council could have not made the TPO, however this could have led to the loss of trees with significant amenity value.

**CORPORATE PRIORITIES**

6. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region	Develop local solutions to climate change.	
Improving equality of opportunity and life chances	Develop the Character and feel of Chorley as a good place to live	X
Involving people in their communities	Ensure Chorley Borough Council is a performing organization	

**BACKGROUND**

7. Several of the residents from Millwood Close and Bradley Lane rang the Council expressing concerns for the trees and requesting a TPO after hearing that Northern

Trust intended to develop the site of the Carrington Centre, with new shops and housing to the rear.

**OBJECTIONS**

- 8. The first objection is from Northern Trust Co Ltd who are the owners of the majority of the land containing the TPO. They request that three of the trees (T18, T19 and T20) be removed from the TPO to allow the placing of the new access road from Bradley Lane to the development.

The proposed development is at a very early stage and the layout may yet change, which would mean the needless removal of 3 healthy trees. If the TPO is confirmed as is, planning permission could allow for the removal of these trees if needed and also allow for the condition of replacement trees in mitigation.

The second objection is from the owner of 35 Middlewood Close. The tree T21 overhangs her property and debris has fallen into her garden. She alleges that the tree has had no maintenance work and wants assurances from the council that the tree will be maintained now and in the future, otherwise she objects to the order.

As Chorley council is not the land owner, such assurances cannot be given. Lack of regular maintenance is not a valid reason for objection.

**IMPLICATIONS OF REPORT**

- 9. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	<b>X</b>

Lesley Anne Fenton  
 Director Partnerships, Planning and Policy

Report Author	Ext	Date	Doc ID
Keith Winstanley	5603	01.07. 2011	

Background Papers			
Document	Date	File	Place of Inspection
Chorley Council Tree Preservation Order No. 3 (Eccleston) 2011	May 2011	No. 3 (Eccleston) 2011	Civic Offices, Union Street

Report of	Meeting	Date
Director of Partnerships, Planning & Policy	Development Control Committee	12 July 2011

## PLANNING APPEALS AND DECISIONS - NOTIFICATION

### PURPOSE OF REPORT

- To advise Committee of appeal notifications and decisions received from the Planning Inspectorate and notification of decisions received from Lancashire County Council and other bodies between 3 June 2011 and 30 June 2011.

### RECOMMENDATION(S)

- That the report be noted.

### CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	
Safe Respectful Communities		Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			X

### PLANNING APPEALS LODGED

- Appeal by Mr Duncan Gass against the Development Control Committee decision to refuse planning permission for retrospective application for continued use of land for recreational paintball games, retention of ancillary structures and car parking (resubmission of withdrawn application 09/00525/FUL) for Land 400m East Of 41Wigan Lane Coppull/ Delta Force Paintball, Yankeewood, Wigan Lane, Coppull (10/00131/FULMAJ).
- Appeal by Mr & Mrs Robert Green against the Development Control Committee decision to refuse planning permission for proposed erection of a two storey side extension for Brook House Farm, Brook Lane, Charnock Richard (11/00183/FUL).
- Appeal by Mr Conrad Dale against the Development Control Committee decision to refuse planning permission for proposed erection of a single storey front and rear extension following the demolition of existing garage for 58 Blackburn Road, Whittle-Le-Woods (11/00155/FUL).

### PLANNING APPEALS DISMISSED

- 7. None

**PLANNING APPEALS ALLOWED**

- 8. Appeal by Hollins Strategic Land, Ms Margaret Hardman against the Development Control Committee decision to refuse planning permission for outline planning permission (access only) for the erection of up to 75 dwellings and a park and ride parking area for Adlington Railway Station at Grove Farm, Railway Road, Adlington (10/00439/OUTMAJ). Allowed with conditions.

**PLANNING APPEALS WITHDRAWN**

- 9. None

**ENFORCEMENT APPEALS LODGED**

- 10. Appeal by Mr Duncan Gass against enforcement notice EN636 (without planning permission the erection of buildings, formation of vehicle parking area, internal pathways and erection of timber post and mesh fencing) at Land 400m East Of 41Wigan Lane Coppull/ Delta Force Paintball, Yankeewood, Wigan Lane, Coppull.

**ENFORCEMENT APPEALS DISMISSED**

- 11. None.

**ENFORCEMENT APPEALS ALLOWED**

- 12. None

**ENFORCEMENT APPEALS WITHDRAWN**

- 13. None.

**LANCASHIRE COUNTY COUNCIL DECISIONS**

- 14. Planning permission granted for erection of a conservatory to rear of building at 6 Chorley Hall Road, Chorley (Application No. 11/00296/CTY).

**GOVERNMENT OFFICE DECISIONS**

- 15. None

**IMPLICATIONS OF REPORT**

- 16. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	√

LESLEY-ANN FENTON  
 DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Robert Rimmer	5221	02.06.2011	***

Background Papers			
Document	Date	File	Place of Inspection
4. Letter from the Planning Inspectorate	07.06.2011		Civic Offices, Union Street, Chorley or online at <a href="http://www.chorley.gov.uk/planning">www.chorley.gov.uk/planning</a>
5. Letter from the Planning Inspectorate	11.06.2011		
6. Letter from the Planning Inspectorate	09.06.2011		
8. Letter from the Planning Inspectorate	10.06.2011		
10. Letter from the Planning Inspectorate	14.06.2011		

Report Author	Ext	Date	Doc ID
Robert Rimmer**	5221	01.07.2011	***

Report Author	Ext	Date	Doc ID
***	***	***	***

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# Report

Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	12 July 2011

## Planning Applications Determined by the Director of Partnerships, Planning and Policy, the Chair and Vice-Chair of the Committee on 14 June 2011

Application No.	Recommendation	Location	Proposal
11/00391/FUL	Permit Full Planning Permission	A6 Physiotherapy And Sports Clinic Bell Reno Bolton Road Heath Charnock Chorley	Conversion and refurbishment of outbuilding to form physiotherapy treatment suite including external masonry to support existing structure

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# Report

Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	12 July 2011

## Planning Applications Determined by the Director of Partnerships, Planning and Policy, the Chair and Vice-Chair of the Committee on 29 June 2011

Application No.	Recommendation	Location	Proposal
11/00268/FUL	Refuse Full Planning Permission	A6 Car Wash 472 Preston Road Clayton- Le-Woods Chorley PR6 7JB	Proposed replacement office building to serve existing car wash business, creation of new car sales area (including raising of levels) and new office building including 3no. 6m lighting columns and associated works.
11/00363/FUL	Permit Full Planning Permission	Ford 10 Metres South West Of 1 Brookside Cottages Coppice Lane Heapey Lancashire	Retrospective application for the insertion of concrete crossing slab to existing ford crossing.
11/00382/FUL	Permit Full Planning Permission	44 Smithy Close Brindle Chorley PR6 8NW	Proposed new pedestrian access and wooden gate to the field at the rear of 44 Smithy Close
11/00385/FUL	Permit Full Planning Permission	60 Rawlinson Lane Heath Charnock Chorley PR7 4BB	Demolish existing house and detached garage and build new dwelling and granny annexe
11/00399/COU	Permit Full Planning Permission	Lostock Bridge Farm Ulnes Walton Lane Ulnes Walton Leyland PR26 8LT	Application for temporary (3 years) retrospective permission for the change of use of an existing agricultural building to store pigeon transportation lorries and a small bench area to repair pigeon baskets.
11/00421/TEL	Approve - Telecom	Land 50M West Of The Hayrick Wigan Road Clayton-Le-Woods	Installation of a 12.5 metre high street works pole supporting 2no. shroud antennas with ground based equipment

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Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	12 July 2011

### List of Applications Determined by the Director of Partnerships, Planning and Policy Under Delegated Powers

Between 3 June 2011 and 30 June 2011

**Plan Ref** 11/00132/ADV      **Date Received** 14.02.2011      **Decision** Advertising Consent

**Ward:** Chisnall      **Date Decided** 06.06.2011

**Proposal:** Display of non - illuminated wall mounted sign  
**Location:** Lancaster House Farm Preston Road Charnock Richard Lancashire PR7 5LE  
**Applicant:** Mr Stephen Storey Woodside Farm Brook Lane Charnock Richard Chorley PR7 5LJ

**Plan Ref** 11/00305/FUL      **Date Received** 05.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Chorley South West      **Date Decided** 06.06.2011

**Proposal:** Erection of a rear conservatory  
**Location:** 9 Coppull Road Chorley PR7 2NR  
**Applicant:** Mr Green 9 Coppull Road Chorley PR7 2NR

**Plan Ref** 11/00323/COU      **Date Received** 11.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Coppull      **Date Decided** 06.06.2011

**Proposal:** Change of use of a first floor beauty salon to a single bedroom apartment  
**Location:** Dynamic Hair 208 Spendmore Lane Coppull Chorley Lancashire  
**Applicant:** Mr Derek Swift Dynamic Hair 208 Spendmore Lane Coppull Chorley

**Plan Ref** 11/00330/COU      **Date Received** 13.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Eccleston And Mawdesley      **Date Decided** 06.06.2011

**Proposal:** Change of use of existing residential dwelling to opticians shop and consulting rooms on ground floor with two bedroom flat on first floor  
**Location:** 228 The Green Eccleston Chorley Lancashire PR7 5SU

Continued....

**Applicant:** Churchtown Developments Ltd 10 Pole Street Standish Wigan WN6 0HP

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**Plan Ref** 11/00335/FUL      **Date Received** 13.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Chorley North West      **Date Decided** 06.06.2011

**Proposal:** Single storey rear extension

**Location:** 2 Avondale Road Chorley PR7 2ED

**Applicant:** Trustees Of Two Worlds Christian Book Centre 2 Avondale Road Chorley Lancs PR7 2ED

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**Plan Ref** 11/00340/FUL      **Date Received** 14.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Clayton-le-Woods West And Cuerden      **Date Decided** 06.06.2011

**Proposal:** Erection of porch to residential park home.

**Location:** 68 Elm Grove Cuerden Residential Park Clayton-Le-Woods Leyland Lancashire

**Applicant:** Mr Henry Hutchinson 68 Elm Grove Cuerden Residential Park Clayton-Le-Woods Leyland Lancashire PR25 5PH

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**Plan Ref** 11/00342/LBC      **Date Received** 14.04.2011      **Decision** Grant Listed Building Consent

**Ward:** Wheelton And Withnell      **Date Decided** 06.06.2011

**Proposal:** Listed building consent for the demolition of an existing single storey rear extension and erection of larger single storey rear extension.

**Location:** Withnell Fold Farm Withnell Fold Withnell Chorley Lancashire

**Applicant:** Mr A Walton Withnell Fold Farm Withnell Fold Withnell Chorley Lancashire PR6 8AZ

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**Plan Ref** 11/00424/NLA      **Date Received** 17.05.2011      **Decision** Object to NLA consultation

**Ward:**      **Date Decided** 06.06.2011

**Proposal:** Erection of part two, part single storey building with single storey element to side to accommodate 10no Horticulturally related units, farm shop conference/training room and open plan craft centre

**Location:** Land At Charnock Farm Wigan Road Leyland

**Applicant:** South Ribble Borough Council Civic Centre West Paddock Leyland PR25 1DH

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**Plan Ref** 11/00157/FUL      **Date Received** 25.02.2011      **Decision** Application Withdrawn  
**Ward:** Lostock      **Date Decided** 08.06.2011  
**Proposal:** Erection of stable block comprising 3 stables, feed store, tack room and hay barn and associated hardstanding; construction of large sand paddock and access track.  
**Location:** Oaklands 291 Southport Road Ulnes Walton Leyland Lancashire  
**Applicant:** Mr Oliver Flynn Oaklands 291 Southport Road Ulnes Walton Leyland Lancashire PR26 8LP

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**Plan Ref** 11/00281/FUL      **Date Received** 31.03.2011      **Decision** Permit Full Planning Permission  
**Ward:** Wheelton And Withnell      **Date Decided** 08.06.2011  
**Proposal:** Erection of detached stable and garage accommodation  
**Location:** The Cottage Roscoe Fold Briers Brow Wheelton Lancashire  
**Applicant:** Mr Chris Nuttall The Cottage Roscoe Fold Briers Brow Wheelton Lancashire PR6 8JT

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**Plan Ref** 11/00337/FUL      **Date Received** 13.04.2011      **Decision** Permit Full Planning Permission  
**Ward:** Chorley East      **Date Decided** 08.06.2011  
**Proposal:** Erection of a two storey front extension to accommodate porch and bathroom.  
**Location:** 2 Crosse Hall Fold Chorley Lancashire PR6 9AD  
**Applicant:** Mr David O'Byrne 2 Crosse Hall Fold Crosse Hall Lane Chorley PR6 9AD

---

**Plan Ref** 11/00189/FUL      **Date Received** 07.03.2011      **Decision** Permit Full Planning Permission  
**Ward:** Chisnall      **Date Decided** 09.06.2011  
**Proposal:** Erection of a single storey front extension  
**Location:** Padua Farm German Lane Charnock Richard Chorley PR7 5NE  
**Applicant:** Mr Jim Hill Padua Farm German Lane Charnock Richard Chorley PR7 5NE

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**Plan Ref** 11/00257/FUL      **Date Received** 25.03.2011      **Decision** Permit Full Planning Permission  
**Ward:** Chorley South East      **Date Decided** 09.06.2011  
**Proposal:** Erection of a two storey side extension and single storey rear extension  
**Location:** 27 Kirkstall Drive Chorley PR7 3JN  
**Applicant:** Mr Paul Rimmer 27 Kirkstall Drive Chorley PR7 3JN

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**Plan Ref** 11/00275/COU      **Date Received** 30.03.2011      **Decision** Permit Full  
Planning  
Permission

**Ward:** Adlington &  
Anderton      **Date Decided** 09.06.2011

**Proposal:** Change of use from vacant retail shop into one-bedroom apartment  
**Location:** Taylors Memorials 32 Chorley Road Adlington Chorley Lancashire  
**Applicant:** Mr G Morris 8 Brookfield Mawdesley Ormskirk Lancashire L40 2QJ

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**Plan Ref** 11/00339/COU      **Date Received** 14.04.2011      **Decision** Permit Full  
Planning  
Permission

**Ward:** Clayton-le-Woods      **Date Decided** 09.06.2011  
And Whittle-le-  
Woods

**Proposal:** Part-retrospective application for the conversion of vacant retail shop into residential  
dwelling including works to front elevation  
**Location:** Knights Inn 149 Chorley Old Road Whittle-Le-Woods Chorley Lancashire  
**Applicant:** Mr Frank Hough 30 Kenwick Drive New Moston Manchester M40 3RT

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**Plan Ref** 11/00341/FUL      **Date Received** 14.04.2011      **Decision** Permit Full  
Planning  
Permission

**Ward:** Wheelton And  
Withnell      **Date Decided** 09.06.2011

**Proposal:** Demolition of existing single storey rear extension and erection of larger single  
storey rear extension.  
**Location:** Withnell Fold Farm Withnell Fold Withnell Chorley Lancashire  
**Applicant:** Mr Alan Walton Withnell Fold Farm Withnell Fold Withnell Chorley Lancashire PR6  
8AZ

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**Plan Ref** 11/00346/FUL      **Date Received** 15.04.2011      **Decision** Permit Full  
Planning  
Permission

**Ward:** Euxton South      **Date Decided** 09.06.2011

**Proposal:** Single storey rear extension  
**Location:** Harrock View Dawbers Lane Euxton Chorley PR7 6EF  
**Applicant:** Mr Alan Porter Harrock View Dawbers Lane Euxton Chorley Lancashire PR7 6EF  
England

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**Plan Ref** 11/00313/FUL      **Date Received** 07.04.2011      **Decision** Permit Full  
Planning  
Permission

**Ward:** Heath Charnock  
And Rivington      **Date Decided** 13.06.2011

**Proposal:** Erection of a rear dormer  
**Location:** 196 Babylon Lane Heath Charnock Lancashire PR6 9ES  
**Applicant:** Mr Alan Mackay 196 Babylon Lane Heath Charnock Chorley Lancs PR6 9ES

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**Plan Ref** 11/00317/FUL      **Date Received** 08.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Coppull      **Date Decided** 13.06.2011

**Proposal:** Erection of a part single, part two storey side extension  
**Location:** 2 Summerfields Coppull Chorley PR7 4LW  
**Applicant:** Mr Stephen Littler 2 Summerfields Coppull Chorley PR7 4LW

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**Plan Ref** 11/00359/FUL      **Date Received** 19.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Chorley North West      **Date Decided** 13.06.2011

**Proposal:** Erection of a two storey side extension  
**Location:** 11 Millfield Road Chorley PR7 1RF  
**Applicant:** Mr M Broomhead

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**Plan Ref** 11/00244/FUL      **Date Received** 22.03.2011      **Decision** Permit Full Planning Permission

**Ward:** Chisnall      **Date Decided** 14.06.2011

**Proposal:** Erection of a single storey side extension  
**Location:** Linden Lea Sharratts Path Charnock Richard Chorley PR7 3QP  
**Applicant:** Mr Peter Manning

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**Plan Ref** 11/00365/FUL      **Date Received** 21.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Chorley South West      **Date Decided** 14.06.2011

**Proposal:** Erection of a single storey rear extension  
**Location:** 4 Hunters Wood Court Chorley Lancashire PR7 2WJ  
**Applicant:** Mr Stephen Holt 4 Hunters Wood Court Chorley Lancashire PR7 2WJ

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**Plan Ref** 11/00373/FUL      **Date Received** 26.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Euxton North      **Date Decided** 14.06.2011

**Proposal:** Erection of a single storey rear extension  
**Location:** 16 Cherryfields Euxton Chorley PR7 6JS  
**Applicant:** Mr & Mrs K Farnworth 16 Cherryfields Euxton Chorley PR7 6JS

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**Plan Ref** 11/00388/DEMC ON      **Date Received** 05.05.2011      **Decision** Approve - demolition

**Ward:** Chorley South East      **Date Decided** 14.06.2011

**Proposal:** Application for prior determination in respect of the proposed demolition of the Astley Centre.

**Location:** Astley Centre Bolton Street Chorley Lancashire PR7 3DX  
**Applicant:** Duke Motors Complex Bolton Street Chorley PR7 3DY

**Plan Ref** 11/00349/FUL      **Date Received** 18.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Brindle And Hoghton      **Date Decided** 15.06.2011

**Proposal:** Construction of a temporary widened access and a temporary site compound in relation to maintenance works on the Thirlmere Aqueduct.

**Location:** Head O'th Marsh Farm Sandy Lane Brindle Chorley Lancashire

**Applicant:** United Utilities Environment & Sustainability, 1st floor, Clearwater 4 Lingley Mere Business Park Lingley Green Avenue Great Sankey Warrington WA5 3UZ

**Plan Ref** 11/00240/FUL      **Date Received** 21.03.2011      **Decision** Permit Full Planning Permission

**Ward:** Wheelton And Withnell      **Date Decided** 16.06.2011

**Proposal:** Section 73 application to vary condition 5 (location of gates) attached to planning approval 10/01114/FUL. Gates to be replaced by 3no. collapsible bollards.

**Location:** Logwood Mill Stables Brinscall Mill Road Wheelton Chorley PR6 8TD

**Applicant:** Mrs Elaine Elliot Logwood Mill Stables Brinscall Mill Road Wheelton Chorley PR6 8TD

**Plan Ref** 11/00316/FUL      **Date Received** 08.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Chorley North West      **Date Decided** 16.06.2011

**Proposal:** Erection of Test Rig Hall, internal link access road and to formalise existing parking arrangements

**Location:** NIS Engineering Common Bank Industrial Estate Ackhurst Road Chorley Lancashire

**Applicant:** NIS Limited Common Bank Industrial Estate Ackhurst Road Chorley Lancashire PR7 1NH

**Plan Ref** 11/00364/FUL      **Date Received** 21.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Coppull      **Date Decided** 16.06.2011

**Proposal:** Erection of a first floor rear extension and ground floor rear extension

**Location:** 9 Chapel Street Coppull Chorley Lancashire PR7 5AU

**Applicant:** Mr A Farley 9 Chapel Street Coppull Chorley Lancashire PR7 5AU

**Plan Ref** 11/00371/FUL      **Date Received** 22.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Lostock      **Date Decided** 16.06.2011

**Proposal:** Erection of rear porch  
**Location:** 173 South Road Bretherton Leyland PR26 9AJ  
**Applicant:** Mrs Pamela Rigby

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**Plan Ref** 11/00392/CLEUD      **Date Received** 05.05.2011      **Decision** Grant Cert of Lawfulness for Est Use

**Ward:** Lostock      **Date Decided** 17.06.2011

**Proposal:** Application for certificate of lawfulness in respect of land and buildings at Eccleston Equestrian Centre for a business activity falling within Use Class B1  
**Location:** Eccleston Equestrian Centre Ulnes Walton Lane Ulnes Walton Leyland PR26 8LT  
**Applicant:** EEC COACHCRAFT Eccleston Equestrian Centre Ulnes Walton Lane Leyland PR26 8LT

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**Plan Ref** 11/00367/FUL      **Date Received** 21.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Clayton-le-Woods West And Cuerden      **Date Decided** 20.06.2011

**Proposal:** Erection of a single storey rear extension  
**Location:** 8 Snowdrop Close Clayton-Le-Woods Leyland PR25 5TG  
**Applicant:** Mr Andrew Bolton 8 Snowdrop Close Clayton le Woods Leyland Lancashire PR25 5TG England

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**Plan Ref** 11/00374/TPO      **Date Received** 27.04.2011      **Decision** Refuse for Tree Works

**Ward:** Chorley South East      **Date Decided** 20.06.2011

**Proposal:** Works to 3 No Maple trees covered by TPO 4 (Chorley) 2009  
**Location:** 1 Sumner Close Chorley Lancashire PR7 3FF  
**Applicant:** Mrs Jayne Haughton 1 Sumner Close Chorley Lancashire PR7 3FF

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**Plan Ref** 11/00409/TCON      **Date Received** 13.05.2011      **Decision** No objection to Tree Works

**Ward:** Wheelton And Withnell      **Date Decided** 20.06.2011

**Proposal:** Application for works to trees to the rear and side of property  
**Location:** The Bungalow Withnell Fold Withnell Chorley Lancashire  
**Applicant:** Mr Jan Kornas The Bungalow Withnell Fold Withnell Chorley Lancashire PR6 8BA

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**Plan Ref** 11/00368/FUL      **Date Received** 21.04.2011      **Decision** Permit Full Planning Permission

**Ward:**      **Date Decided** 21.06.2011

**Proposal:** Over render of external walls, replacement windows and removal of honey comb walls to undercroft of 4 No existing apartment blocks.

**Location:** Lancaster Court Chorley PR7 1PB

**Applicant:** Places For People 18 Craven Drive, South Rings Business Park, Bamber Bridge, Preston Lancashire PR5 6BZ

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**Plan Ref** 11/00486/MNMA      **Date Received** 03.06.2011      **Decision** Minor Non-Material Amendment Accepted

**Ward:** Clayton-le-Woods And Whittle-le-Woods      **Date Decided** 23.06.2011

**Proposal :** Application for a minor non-material amendment to planning approval 10/01112/FUL to infill an existing space under the first floor overhang at the main dwelling entrance (no extension proposed); replace ground floor rear facing windows with patio doors; replace side (south east) facing patio doors with a ground floor window and Install larger window to front elevation.

**Location:** Hillcrest House Shaw Hill Drive Whittle-Le-Woods Chorley PR6 7PN

**Applicant:** Mrs Vanessa Morrow 23 Dunham Drive Whittle-Le-Woods Chorley PR6 7DN

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**Plan Ref** 11/00370/FUL      **Date Received** 21.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Adlington & Anderton      **Date Decided** 27.06.2011

**Proposal:** Construction of a temporary access off Bolton Road (A673) as part of maintenance works to the Thirlmere Aqueduct.

**Location:** Land 175 Metres South East Of Lakelands Farm Bolton Road Anderton Lancashire

**Applicant:** United Utilities E&S Engineering, 1st Floor, Clearwater 4 Lingley Mere Business Park Lingley Green Avenue Great Sankey Warrington WA5 3UZ

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**Plan Ref** 11/00381/FUL      **Date Received** 28.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Adlington & Anderton      **Date Decided** 27.06.2011

**Proposal:** Erection of a rear conservatory

**Location:** 3 Castle Drive Adlington Chorley PR7 4EA

**Applicant:** Mr Kay 3 Castle Drive Adlington Chorley PR7 4EA

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<b>Plan Ref</b>	11/00387/CTY	<b>Date Received</b>	05.05.2011	<b>Decision</b>	No objection to LCC Reg 3/4 Application
<b>Ward:</b>	Lostock	<b>Date Decided</b>	27.06.2011		
<b>Proposal:</b>	Erection of a UV control kiosk, electrical sub-station, switch gear kiosk and re profiling of the ground with excavated material.				
<b>Location:</b>	North West Water Authority Sewage Disposal Works Riverside Crescent Croston Leyland				
<b>Applicant:</b>	United Utilities				
<hr/>					
<b>Plan Ref</b>	11/00551/MNMA	<b>Date Received</b>	17.06.2011	<b>Decision</b>	Minor Non-Material Amendment Accepted
<b>Ward:</b>	Brindle And Hoghton	<b>Date Decided</b>	27.06.2011		
<b>Proposal:</b>	Application for a minor non-material amendment to the plans for a two storey rear extension approved by 10/01099/FUL comprising of changes to the location of the french windows and the insertion of a single door in the rear elevation				
<b>Location:</b>	Withnell House Cottage Bury Lane Withnell Chorley PR6 8BH				
<b>Applicant:</b>	Mr Matthew Bentley Withnell House Cottage Bury Lane Withnell Chorley PR6 8BH				
<hr/>					
<b>Plan Ref</b>	11/00344/FUL	<b>Date Received</b>	14.04.2011	<b>Decision</b>	Permit Full Planning Permission
<b>Ward:</b>	Adlington & Anderton	<b>Date Decided</b>	29.06.2011		
<b>Proposal:</b>	Erection of a single storey rear lean to extension to form additional kitchen/ living accommodation and alterations to the front porch				
<b>Location:</b>	Anderton Manor Farm House Bolton Road Anderton Bolton Lancashire				
<b>Applicant:</b>	Mr Steve Jones Anderton Manor Farm House Bolton Road Anderton Bolton BL6 7RW				
<hr/>					
<b>Plan Ref</b>	11/00377/FUL	<b>Date Received</b>	27.04.2011	<b>Decision</b>	Permit Full Planning Permission
<b>Ward:</b>	Wheelton And Withnell	<b>Date Decided</b>	29.06.2011		
<b>Proposal:</b>	Erection of a single storey extension to the garage to form garden store				
<b>Location:</b>	Merefield The Close Withnell Fold Withnell Chorley				
<b>Applicant:</b>	Mr & Mrs Croft Merefield 2 The Close Withnell Fold Chorley PR6 8AZ				
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**Plan Ref** 11/00394/FUL      **Date Received** 06.05.2011      **Decision** Permit Full Planning Permission

**Ward:** Clayton-le-Woods  
And Whittle-le-Woods      **Date Decided** 29.06.2011

**Proposal:** Erection of a single store rear extension  
**Location:** 1 Blossom Grove Whittle-Le-Woods Chorley Lancashire PR6 7HB  
**Applicant:** Mr Iain Fower 1 Blossom Grove Whittle-Le-Woods Chorley PR6 7HB

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**Plan Ref** 11/00333/FUL      **Date Received** 13.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Clayton-le-Woods  
North      **Date Decided** 30.06.2011

**Proposal:** Creation of additional parking provision  
**Location:** Beech Tree School Meadow Lane Bamber Bridge Preston PR5 8LN  
**Applicant:** SCOPE Beaumont College Lancaster Slyne Road Lancaster Lancashire LA2 6AP England

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**Plan Ref** 11/00334/FUL      **Date Received** 13.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Clayton-le-Woods  
North      **Date Decided** 30.06.2011

**Proposal:** Erection of security fencing to the perimeter of Beech Tree School  
**Location:** Beech Tree School Meadow Lane Bamber Bridge Preston PR5 8LN  
**Applicant:** SCOPE Beaumont College Lancaster Slyne Road Lancaster Lancashire LA2 6AP England

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**Plan Ref** 11/00345/FUL      **Date Received** 15.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Heath Charnock  
And Rivington      **Date Decided** 30.06.2011

**Proposal:** Erection of a two storey front extension to create sun room, first floor bedroom and new entrance porch following the demolition of the existing conservatory  
**Location:** Newlands Cottage Babylon Lane Heath Charnock Lancashire PR6 9EU  
**Applicant:** Mr & Mrs Niel` Chamberlain Newlands Cottage Babylon Lane Heath Charnock Chorley Lancashire PR6 9EU

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**Plan Ref** 11/00372/FUL      **Date Received** 26.04.2011      **Decision** Permit Full Planning Permission

**Ward:** Wheelton And  
Withnell      **Date Decided** 30.06.2011

**Proposal:** Proposed detached garage for the storage of light goods vehicles  
**Location:** X And P Plant Ltd Railway Road Withnell Chorley Lancashire

**Applicant:** X And P Plant Ltd Railway Road Withnell Chorley Lancashire PR6 8UA

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**Plan Ref** 11/00390/COU      **Date Received** 05.05.2011      **Decision** Permit Full  
Planning  
Permission

**Ward:** Chorley North      **Date Decided** 30.06.2011  
West

**Proposal:** Change of use of ground floor shop unit to dental technicians to facilitate the extension of the existing first floor dental technician business over both floors of the property

**Location:** 6 Gillibrand Street Chorley Lancashire PR7 2EJ

**Applicant:** Mr T Keefe 6a Gillibrand Street Chorley PR7 2EJ

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**Plan Ref** 11/00537/MNMA      **Date Received** 15.06.2011      **Decision** Permit  
Minor  
Material  
Amendmen  
ts

**Ward:** Chorley East      **Date Decided** 30.06.2011

**Proposal:** Non-material amendment to application 09/00314/FUL for the relocation of approved garage.

**Location:** Brook House Crosse Hall Fold Chorley Lancashire PR6 9AD

**Applicant:** Mr Paul Bass 77 Heapey Road Chorley PR6 9BQ

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