

1 October 2013

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 1ST OCTOBER 2013

I am now able to enclose, for consideration at the above meeting of the Development Control Committee, the following report that provides an update of events that have taken place since the agenda was published.

Addendum 1 October 2013 (Pages 3 - 14)

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

Yours sincerely



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C O M M I T T E E R E P O R T		
REPORT OF	MEETING	DATE
Director of Partnerships, Planning and Policy	Development Control Committee	1 October 2013

ADDENDUM

ITEM 4a-13/00600/FUL**Land 60M North to the R/O 34-42 & including 42 Chorley Lane, Charnock Richard**

The recommendation remains as per the original report.

Ten further letters of objection have been received setting out the following issues:

- This is an already busy road which cars speed down. Another road junction would just add to the danger of Chorley Lane.
- They feel there has been enough housing development in the village and this is having an impact of their local school which is becoming overcrowded and more housing would just add to this problem. they also feel that a quiet village where the children can play freely would become a much hazardous place for them to do this;
- The proposed junction on Chorley Lane would be unsafe. The junction is within 2m of the driveways of no's 40 and 44 so any vehicles indicating to turn into the drives or site access will confuse drivers exiting the junction and in turn could pull out onto the main road in front of the oncoming vehicle causing an accident. Two years ago the owner of no 42 parked his pickup truck in front of his house and it was severely damaged when a car ran into the back of it, that's how dangerous Chorley Lane is. No safety audit has been produced with a person's name on it. This is required then we know who to blame should an accident happen. The council are exposed to prosecution if they ignore guidelines in the event of an accident. If someone is killed they could be charge with Corporate Manslaughter. The line of site is being completely ignored. The X line could be increased to 4m and a straight line vision of 70m on the Y line. HGV vehicles use this road;
- Lots of children use Chorley Lane to access the school, and there are an increasing number of young horse riders. These parties would find increased traffic troublesome;
- There is already one very bad junction from Leeson Avenue and they are awaiting a major accident to happen;
- It is difficult to cross Chorley Lane, there are no pedestrian crossings so for children having an uninterrupted stretch of road is vital. It is the route for many children to school and to the local park;
- This road is a narrow road at present with limited footpath width along the section where the proposed development in placed. The Planning Regulations for estate roads etc. clearly define the distances to be used for sight lines either side of the access road. They feel that these distances will not be able to be obtained without the removal of hedgerows of adjoining properties. Sight lines are clearly defined for the safety of both pedestrians and road users. If these distances are not met the development entrance will prove to be dangerous. There have been approximately 2 collisions on this section of road within the last 2 years and if this development goes ahead we could see this multiply;
- Traffic volumes on Chorley Lane increase year on year, and motorists frequently exceed the speed limit in the stretch adjacent to the development. The scale of the existing problem is evident in that this is a location frequently chosen by the police for illuminated speed reminder

boards and mobile speed traps. The proposed development can only result in greater danger to all classes of road user, and in particular children walking to/from school and the large numbers of horse riders resident in the village;

- Further housing is unnecessary and requires the demolition of a perfectly habitable building;
- Charnock Richard is a very quiet and peaceful area to live at the moment and adding a new junction to an already busy road will ensure that the area is very much spoilt. The 30mph speed limit is already exceeded morning, noon and night by the people who pass through the sleepy village and this will not change when the new junction is built making the road extremely dangerous to live on, travel down or emerge from;
- The noise levels of the building work will cause a massive problem for all neighbours who live on Chorley Lane and especially the residents who live at number 40 and 44.

Cllr Leadbetter

Has raised concern regarding the sight lines and has sent in some annotated aerial photographs which have been forwarded to LCC Highways. Cllr Leadbetter has also questioned why the X distance is drawn from a point 2m measured along the centre line when the Department for Transport Manual for Streets, LCC Residential Road Design Guide and LCC Creating Civilised Streets all refer to 2.4m, as this is considered to be a reasonable distance between the front of the car and a drivers eye?

LCC Highways have responded to this and state that the visibility splay of 2.4m x 43m is a maximum requirement for a 30mph road, such as Chorley Lane. As recommended by the Manual for Streets this requirement can be reduced to 2.0m x 43m without the safety of the junction being compromised. Manual for Streets 2 even went further to recommend that since vehicles travel at a distance from the kerb line, the 'Y' distance, which is the distance that a driver who is about to exit from the minor road can see to the left and right along the main road (in this case 43m) should be measured to the nearside edge of the vehicle track instead of simply to the nearside kerb line.

The photographs attached by the Cllr do not indicate what 'X' distance, i.e. the distance back along the minor road he used. However, the above recommendation means that the 43m can be measured away from the kerb line to the nearside edge of the vehicle track on the carriageway and it would still be acceptable.

In deciding not to object to the proposed development, many other factors were considered, including the road layout, the accident record of the Chorley Lane, amount of pedestrian activity within the vicinity of the proposed access, width of existing footway, parked vehicles near the site access that are likely to result in obstacles to visibility etc. Site assessment of these factors has provided no local evidence that the 2.0m x 43m visibility splay or a slightly reduced level of visibility splay will lead to any significant problem at the proposed junction.

They therefore reiterate that Highways cannot justify refusal of the application on grounds of inadequate visibility at the site access.

A report has been received from a chartered highway engineer commissioned by a resident. This states there are three items of objection, refuse collection and delivery vehicles, junction visibility sight lines, adequacy of junction radii and road safety as detailed below:

- The proposed layout does not provide for satisfactory access by refuse collection vehicles or provide the means whereby such vehicles can exit the development in a forward direction. The report includes vehicle tracking for waste collection vehicles and states that the proposed layout cannot accommodate them or other large vehicles at two locations. It does not therefore meet the requirements of Manual for Streets of other standards.
- The required vehicular visibility sight lines at the junction of the proposed access road and Chorley Lane are grossly below the recommended values. This presents a significant road safety issue. The provision of visibility sight lines at the proposed development junction with Chorley Lane must be restricted to the area of the adopted highway and land in the control of the applicant which are not achieved in this case. They also state in their opinion Manual for

Streets does not apply to Chorley Lane as it does not have the characteristics or vehicle use of a street as defined by Manual for Streets. In their opinion, if officers of Lancashire County Council intend to define it as a Manual for Streets, then they are placing at risk road safety.

- From observations of traffic speed on Chorley Lane I identified an 85% of 36-37mph. Therefore, on the basis of Chorley Lane not being classed as an MfS street visibility sight lines of 'X' 2.4m x 'Y' 70m should be provided for the development access. Even if LCC were to take the unusual step of adopting Chorley Lane as a MfS street, its Table 7.1 would require for a speed value of 36-37mph, a 'Y' distance of 56 metres. Comparison of these required values, with the achievable values, shown on drawing no. 3, shows that they are not achievable.
- The 'X' distance value of the visibility sight lines should not be reduced to 2m on the basis of the contents of Manual for Streets as this only applied to very lightly- trafficked and slow-speed situations but using this value will mean that the front of some vehicles will protrude slightly into the running carriageway of the major arm, however Chorley Lane does not fall into this category. Even if it was reduced it would still not meet the required sight lines.
- The junction radii, specifically that of 4 metres, are not adequate for a junction with Chorley Lane. They are 4m (west side) and 6m (east side). The vehicle auto track for the 4 axel refuse collection vehicle shows that when entering the proposed Access Road from the west, within the eastbound traffic lane, its entry speed would, due to the 4m radius, need to be around 4km/h (3mph). In practice such a low entry speed would not be achieved. Therefore drivers proceeding at an appropriate speed would have to position their vehicle such that it straddled the centre line providing them with a larger and appropriate entry radius. Such vehicles when exiting left onto Chorley Lane could only do so by straddling the centre line. Such movements would place vehicles in conflict situations with oncoming traffic, probably not an issue on low trafficked and low speed streets, but most certainly a road safety issue on Chorley Lane, where such conditions do not apply.
- A large motor car, see drawing no.4, entering the proposed Access Road from the west could only do so and remain in its correct lane if it were driven at a speed of around 9km/h (6mph). In practice such a low speed would also not be achieved, as a consequence vehicles would either straddle the centre line of Chorley Lane, to achieve a larger entry radius, or move onto the exiting lane of the Access Road. Both situations would place vehicles in conflict with oncoming traffic, to the detriment of road safety.
- Finally drivers of cars etc. turning into the access road from the west, would, due to the height of the hedges, have no view of traffic on it proceeding to the junction until they were about to execute their turn. If they then had to suddenly slow, or indeed stop, there would be a risk of nose to tail accidents with following vehicles.
- The total level of vehicular accesses at the proposed access road could result in vehicular conflict to the detriment of road safety and could result in the occurrence of road accidents due to the proximity of the accesses to nos. 40 and 44 Chorley Lane which could lead to side impact collisions between vehicles.
- The accesses to no's 44 and 40 Chorley Lane, combined with the pedestrian crossing of the Access Road would result in considerable lengths of dropped crossings. Given the tight radii of the Access Road, they would probably be 'run over' by vehicles entering and exiting it, resulting in issues of safety for pedestrians and damage to the footway, including the 'destruction' over time of any provided tactile paving.
- The matters identified are all road safety issues and whilst individually small when aggregated indicate a significant road safety matter. It is considered that the application should be refused on road safety grounds.

LCC Highways have responded to this as follows: In relation to refuse/large vehicles the objectors have provided an 'autotrack' drawing to set out the swept path of vehicles and demonstrate that the proposed internal road will be unable to accommodate waste collection vehicles. They have however failed to provide an analysis of the tracking plot. They have taken advice from the waste collection company for the area that unless the road is designed to

accommodate 3- and 4-axle vehicles, the County Council as the Highway Authority should object to the proposed development. Although the tracking is not analysed, from the plotting, I can see that the road would accommodate the larger 4-axle vehicle without problems, which has an overall length of 11.3m.

Manual for Streets (MfS) assumes that waste collection vehicles of length 11.6m are about the largest vehicles that require regular access to residential areas. It recommends provision of 5m wide internal access roads. It appears these objectors failed to note that from the main access on the developers proposed plan 13/040/P/1 Rev B (29/05/13), a 5.5m wide carriageway is provided – clearly in excess of the recommended minimum 5m.

MfS goes on to recommend that narrower carriageway widths can be accepted where on-street parking is unlikely to take place. The objectors fail to acknowledge that although the second half of the carriageway is 4.5m wide, vehicles are unlikely to park on-street here as all dwellings will have off-street parking spaces. A turning head is provided where the vehicles can turn.

The objectors also failed to recognise that should there be a significant problem for access, the waste collection firm will review options and can make an alternative arrangement as happens already with existing roads.

In relation to visibility sight lines, visibility splay is obtained by measuring a distance of 2.0m or 2.4m back centrally to the proposed access road (known as the 'X' distance) from the edge of carriageway. From the point of intersection of the 'X' distance and the centre line of the access, two lines (known as the 'Y' distance) are measured along the nearside kerb of the carriageway for a distance of 43m. The triangle formed by the 2.0 or 2.4m line, the 43m line and the line of kerbs in both directions of the access are the visibility splays. These triangles are then defined by ensuring that any new boundary treatment is set back or is of specified heights to ensure drivers using the access will be able to see approaching vehicles when exiting. These triangles are not always entirely contained within the applicant's boundary – they may rely on adopted highway.

The significance of the 2.0 or 2.4m distance is to provide an allowance for the length of a car bonnet between the edge of the existing carriageway and the approximate position of the driver's eye. Whilst 2.4m is the standard distance, MfS accepts that a driver may choose in practice to pull a little into the main road in order to assist his/her vision and preparation for a quick get-away, without any identifiable loss of safety. There is already a 2.0m footway across the site frontage, which would allow vehicles to pull out sufficiently for drivers to look in both directions before joining the main road.

The significance of the 43m distance is to accommodate the stopping distance of a vehicle approaching the junction at 30mph/48kph. Higher approach speeds generate a longer Y-distance.

At this site, the 2.4m x 43m visibility splay would be appropriate but 2.0m x 43m is equally acceptable in practical safety terms. Both splays can be achieved without the sight lines cutting through neighbours' boundaries. Therefore we do not consider that the existing hedgerows pose any safety risks to the use of the proposed access.

The access drawings accompanying the Statement of Objection cannot be relied upon. This is because junction visibility commitments are based on plan views of existing/proposed layouts. This check cannot be provided using free-hand sketches as they do not represent the true scale, shape and layout of the junction. The sight lines have been verified on site by two officers working independently of each other, and found to meet Highway safety requirements.

As important as they are, the sight lines are not the only consideration when accessing the suitability of proposed vehicle accesses. Other considerations are the speed of the road, accident record and pedestrian activities within the proximity of the access.

In terms of accident record, the only incident resulting in personal injury in the vicinity of the proposed access in the last 5 years involved a single vehicle in which the driver lost control. The police records do not indicate that excessive speed was a probable factor.

Apart from the existing footway mentioned above, the relatively straight alignment of this section of Chorley Lane would allow drivers approaching the access sufficient time to see vehicles exiting the site and take appropriate action to avoid them. There are no mature trees along this section of Chorley Lane which might obscure visibility. Local residents generally don't park on-street as the majority have driveways and off-street parking spaces within their private curtilage. It is therefore likely that only occasional visitors' vehicles would form obstacles to visibility around the site access.

Two national (Department for Transport) standards are currently the most widely used in road design: a) Design Manual for Roads and Bridges (DMRB) and b) Manual for Streets (MfS1 & 2).

MfS2 states clearly that DMRB is the design standard for Trunk Roads and Motorways. The application of DMRB to non-trunk roads is rarely appropriate for highway design in built-up areas. MfS focuses on residential streets and defines a street as a highway that has important public realm functions beyond the movement of traffic and considers most highways in built up areas as streets, e.g. high streets in rural areas. The two documents apply different standards for visibility splays at accesses.

Highway officers are very clear in their advice that MfS is the appropriate reference document for use in relation to Chorley Lane, Charnock Richard. The County Council's own guidance, 'Creating Civilised Streets', is fully compatible with MfS.

We have not required the developer to prove actual speeds on Chorley Lane using an automatic counter because there are no factors relating to the site entrance where precise speed readings would influence a critical decision, as would have been the case with a poor safety record or detailed concerns over visibility splays.

The objectors claim to have identified an 85th percentile speed of 36-37mph through their observations on Chorley Lane. For accuracy, speed survey has to be conducted using such precision instruments as radar guns and automatic traffic counters by taking different readings over a certain number of time. It cannot be conducted by physical presence i.e. standing at the road-side to perceive how fast vehicles are going. Unless the traffic data can be proved, I would recommend that weight is not given to this claim.

They would agree that 2.0m X-distance is not always ideal. However, considering other local factors, it would be unreasonable to conclude that highway safety of the junction would be materially compromised in this existing residential area where a number of other nearby driveways have poorer inter-visibility.

LCC conclude their highways advice:

1. Manual for Streets is the appropriate design guide to use for residential development proposals on Chorley Lane, Charnock Richard.
2. A visibility splay of 2.4 x 43.0 metres should be secured to provide a responsible new access onto Chorley Lane for the proposed development. The developer needs to secure appropriate legal agreements with the Highway Authority before he undertakes any works in or affecting the public highway.
3. Whilst there is a slight risk that this visibility splay may at times be compromised by nearby on-street parking, or by vehicle approach speeds on Chorley Lane exceeding the posted speed limit of 30mph, such a situation is in no way unusual in the locality or elsewhere in Lancashire, and of itself does not constitute sufficient reason for concern that we would wish to object to the proposal or require a greater visibility splay;
4. The internal layout proposed by the application is sufficient to permit access by standard design waste collection vehicles. It should be designed and constructed in all respects to a standard that can be adopted as public highway.

It is therefore considered that the proposal is acceptable in terms of highways and the recommendation remains as per the original report.

To respond to the comments about noise from construction works, these will only temporary while the properties are constructed and the Council could not refuse planning permission on these grounds.

The following condition has been amended as there was an error in the reason which wrongly referred to Wood Lane rather than Chorley Lane:

4. No site clearance, site preparation or development work shall take place until details of parking for contractors and visitors to the site throughout the demolition and construction of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The development shall then only be carried out in accordance with the approved details. *Reason: To ensure there is sufficient parking provided within the site and to discourage parking on Chorley Lane to the inconvenience of surrounding residents and in the interests of highway safety.*

ITEM 4b - 13/00741/FUL

Middle Derbyshire Farm, Rivington Lane, Rivington

The recommendation remains as per the original report

Amended plans have been received

Amended plans have been received which adjust the cill and head heights to the front elevation of the proposed dwelling to allow for the step-up in the master bedroom. The alterations are not considered to raise any significant design or neighbour amenity issues and so are considered acceptable.

The Public Open Space contribution has been revised

The Council's Open Space and Playing Pitch Supplementary Planning Document (SPD) was adopted on the 17th September 2013 and the standards contained within the new SPD differ to those contained within the previous Policy. As this SPD has been adopted the revised open space contributions set out within this document are now applicable to the site. The contributions within the S106 Agreement have been amended as follows:

Amenity Greenspace

Emerging Local Plan Policy HS4A sets a standard of 0.73 hectares per 1,000 population. There is currently a deficit of provision in the Heath Charnock and Rivington ward in relation to this standard, a contribution towards new provision in the ward is therefore required from this development. The amount required is £140 per dwelling.

Provision for children/young people

Emerging Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population. There is currently a deficit of provision in the Heath Charnock and Rivington ward in relation to this standard, a contribution towards new provision in the ward is therefore required from this development. The amount required is £134 per dwelling.

Parks and Gardens

There is no requirement to provide a new park or garden on-site within this development. There are no parks/gardens within the accessibility catchment (1,000m) of the site identified as being low quality and/or low value in the Open Space Study, a contribution towards improving existing provision is therefore not required.

Natural and Semi-Natural Greenspace

There is no requirement to provide new natural/semi natural greenspace on-site within this development. There are no natural/semi-natural greenspaces within the accessibility catchment (800m) of the site identified as being low quality and/or low value in the Open Space Study, a contribution towards improving existing provision is therefore not required.

Allotments

There is no requirement to provide allotment provision on site within this development. A new allotment is proposed at Harrison Road, Adlington (HW5.3) which is within the accessibility catchment (10 mins drive time) of the site. A contribution towards the provision of this allotment allocation is therefore required. The amount required is £15 per dwelling.

Playing Pitches

A Playing Pitch Strategy was published in June 2012 which identifies a Borough wide deficit of playing pitches but states that the majority of this deficit can be met by improving existing pitches. A financial contribution towards the improvement of existing playing pitches is therefore required from this development. The Playing Pitch Strategy includes an Action Plan which identifies sites that need improvements. The amount required is £1,599 per dwelling.

The total financial contribution required from this development is as follows:

Amenity greenspace	=£140
Equipped play area	=£134
Parks/Gardens	=£0
Natural/semi-natural	=£0
Allotments	=£15
Playing Pitches	=£1,599
Total	= £1,888

The following condition has been amended:

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

Indexed	Drawing reference:	Revision:	Drawing title
12/08/2013	DALTON/01	-	Existing Ground Floor Layout
12/08/2013	DALTON/02	-	Existing First Floor Layout
12/08/2013	DALTON/03	-	Existing Elevations Sheet 1 of 2
12/08/2013	DALTON/04	-	Existing Elevations Sheet 2 of 2
12/08/2013	DALTON/05	-	Existing Elevations Outbuildings
24/0922013	101	K	Proposed Elevations and Floor Plans
12/08/2013	102	D	Proposed Site Plan, Gate Details and Site Sections
12/08/2013	DaltonGarden002.vwx	-	Landscaping Plan
12/08/2013	SSL:15048:200:1:1	-	Topographical Survey

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

ITEM 4d-13/00572/REMAJ Sagar House Langton Brow Ecclestone

The recommendation remains as per the original report

The following conditions have been amended:

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

Title	Plot	Drawing Reference	Received date
Topographical Survey		406/TS01	26th June 2013
The Warwick House Type	52	2010/WAR/A/01 Rev B	26th June 2013
The Stratford floor plans	51/ 53	2010/STR/A/01 Rev D	26th June 2013
The Stratford elevations	51/ 53	2010/STR/A/02 Rev B	26th June 2013
Boundary Details		406/WF01	26th June 2013
Storey Heights Layout		406/PL03 Rev F	20th September 2013
Proposed Street Elevations		432/SE01	26th June 2013
Planning Layout		406/PL01 Rev O	20th September 2013
Materials Layout		406/PL02 Rev K	20th September 2013
Hard Landscaping Details		406/PL07 Rev B	20th September 2013
Lincoln House Type	48/ 49	2010/LIN/A/01 Rev B	26th June 2013
Helmsley House Type	33/ 34/ 35/ 36/ 37/ 38	2010/HEL/A/01 Rev E	26th June 2013
Harborough House Type	32/ 41/ 42/ 50/ 55/ 56	2010/HAR/A/01 Rev D	26th June 2013
Braemar House Type	39/ 40	2008/T/BRA/01A	26th June 2013
Boundary Treatments Layout		406/PL04 Rev L	20th September 2013
Boundary Treatments Layout (Colour)		406/PL06 Rev D	20th September 2013
Proposed Boundary Treatment to Shelley Drive		406/WF02 Rev B	13th September 2013
Proposed Boundary Treatment to Langton Brow		406/WF03	26th June 2013
Location Plan		406/OS01	26th June 2013
Engineering Layout		406/ED/01 Rev R	13th September 2013
M2 House Type	43/ 44/ 46/ 47	H5466/M2/01B	20th September 2013
The Harborough floor plans	32/ 41/ 42/ 50/ 55/ 56	2010/HAR/C/03 Rev E	19th September 2013
Single Detached		H5463-G01A	19th September

Garage			2013
Twin Detached Garage		H5463-G02A	19th September 2013
Double Detached Garage		H5463-G03A	19th September 2013
Refuse Strategy Layout		406-PL05 Rev E	20th September 2013

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

ITEM 4f-13/00727/FULMAJ

NIS Engineering Common Bank Industrial Estate Ackhurst Road Chorley

The recommendation remains as per the original report

Comments have been received from LCC Highways who have requested a total of 33no. parking spaces on the basis of the following breakdown: B1 (a) (office) use – 17no. spaces; B2 (general industrial) use – 11no. spaces and B8 (storage and distribution) use – 5no. spaces. This would be in addition to 3no disabled spaces and 3no spaces for both bicycles and motorcycles. This is on the basis that LCC Highways conclude that the site has a total of 127no. existing spaces.

The applicant has been contacted in respect of the above and has responded as follows:

- The temporary building is to be used for manufacturing / assembly and testing of large prototype rigs and would result in approximately 20no. additional staff employed on a temporary basis.
- The site has been surveyed and has sufficient parking for 155 cars. Not all of these spaces are currently used which means there is sufficient existing car parking on site to accommodate 20no. additional cars for the new employees.
- The site already benefits from sufficient parking for 25no. Motorcycles & bicycles which are currently underused and therefore are able to accommodate any additions.
- The majority of staff and all goods deliveries enter the site via the rear entrance on Ackhurst Road with the entrance nearest to the roundabout by the main road being reserved for Directors & visitors only.
- Goods vehicles visiting the site have sufficient space to turn around and off-load within the service yard accessed from Ackhurst Road. The site normally receives 1no. HGV delivery per week with general deliveries by transit van and flatbed trucks
- There will be no parking or manoeuvring of vehicles outside the confines of the site.

As such, on the basis of the additional information presented by the applicant, it is considered the site has existing parking space to accommodate the proposed development and increased employment at the site. Additionally, it is relevant to note that the erection of the building is for a temporary period only and so is not considered to have any prolonged effect upon the highway network.

The development is therefore not considered to raise any significant highway safety or parking issues to warrant refusal of the application on these grounds.

The following conditions have been amended (include reason):

7. Within 24 months from the date of commencement of the development, the development (excluding concrete slab) shall be removed in entirety from the site and the land returned to its former condition. *Reason: The development has been applied for on a temporary basis to support additional work secured by the applicant. The temporary permission is also necessary in this case as it forms the basis upon which an exemption from the requirements of Policy 27 (Sustainable Resources and New Developments) of the Adopted Central Lancashire Core*

Strategy has been justified.

The concrete slab was permitted under a separate application and its removal from site is not justified in respect of Policy 27 (Sustainable Resources and New Developments) of the Adopted Central Lancashire Core Strategy. This condition has therefore been amended to clarify this.

ITEM 4g-13/00476/FUL

Harpers Arms 23 Harpers Lane Chorley

The recommendation remains as per the original report.

The following conditions have been added:

Notwithstanding the provisions of the Town & Country Planning (Use Classes) Order 1987 (as amended), the retail element hereby permitted shall only be used for the sale of party supplies and fancy dress and shall not be used for any other purposes within Use Class A1. *Reasons: To define the permission.*

The use hereby permitted shall only operate between the hours of 7:30am to 5:30pm Monday to Friday and 8:30am to 2:30pm on Saturdays. The use hereby permitted shall not operate on Sundays or Bank Holidays. *Reason: To define the permission and in the interests of neighbour amenity.*

ITEM 4h-13/00785/S106A

Royal Ordnance Site Including Land Between Dawson Lane And Euxton Lane Euxton Lane Euxton

The recommendation remains as per the original report

Members should be aware that this is a finely balanced decision. Typically it would be expected that applications submitted for variations on viability grounds would be supported by a viability assessment which this application is not.

This notwithstanding as set out within the Committee report this part of the site has very specific design considerations due to its relationship with the adjoining office land. Redrow Homes have confirmed that if the modification is permitted this will enable the apartments to be built as per the reserved matters approval which will secure an appropriate density of development within a very sustainable part of the Village.

Redrow Homes have confirmed that they estimate that the General Mitigation contribution (solely in relation to the Redrow element of Buckshaw) would be a sum in excess of £250,000.

As a rough calculation, utilising the Council's housing supply figures of April 2013, 2,571 dwellings have been constructed in the Village with an additional 308 under construction. This would generate a contribution of between approximately £4,022,304 (£4576 for all the dwellings under 1000sqft) and £6,702,375 (£7625 for all the dwellings over 1000sqft). The precise figure will be dependent on the size of the dwellings which have approval and exceed the 2000th unit on the site. The precise level of contribution cannot be calculated until Redrow/ Barratt provide full details of house construction on the Village and as such the figures above are estimates. This information has been requested from the Developers.

Redrow have also requested that the obligation be split evenly between Redrow/ Barratt (i.e. 1000 dwellings per company) which will form part of the deed of variation if Members are minded to approve the proposed modification.

Euxton Parish Council objects to this application for the following reasons:

- The viability of the reasons are not available for information
- This was agreed as part of the planning application which the developer was quite happy with when it was granted.
- Buckshaw developers appear to be seeking to shed commitments that they have previously made. In recent months:
 - Application 13/00817/REMMAJ has sought to remove the Community Infrastructure Levy from apartment properties
 - Application 13/00649/FUL (which was approved despite Parish Council reservations) permitted the proportion of affordable housing to be reduced over a large part of Buckshaw.
- The Council accepts that changing circumstances might justify changes in agreements made some time ago but notes the general direction of the proposed changes is to reduce the developers' community obligations but increase the return on their investment and hopes that the Borough Council will ensure that such changes are fully justified.

Officer response to Parish Council comments:

As acknowledged within the Committee report and above this application is not supported by a full viability appraisal and the applicants rely on the CIL Examiners comments. The Committee report confirms that CIL is not applicable to the reserved matters applications on Buckshaw Village and the second application referred to by the Parish Council relates to Group 1 which was approved by Members at Committee in August 2013.

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