

19 November 2013

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 19TH NOVEMBER 2013

I am now able to enclose, for consideration at the above meeting of the Development Control Committee, the following reports that were unavailable when the agenda was printed.

Agenda No Item

9. **Addendum 19th November 2013 (Pages 3 - 16)**

 Tabled at the meeting.

Yours sincerely



Gary Hall
Chief Executive

Louise Wingfield
Democratic and Member Services Officer
E-mail: louise.wingfield@chorley.gov.uk
Tel: (01257) 515123
Fax: (01257) 515150

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1. Agenda and reports to all Members of the Development Control Committee

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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	19 th November 2013

ADDENDUM

**ITEM 4a-13/00813/FUL – Morgan Bros (Chorley) Ltd Units 5 - 7 Primrose Bank Mill Friday Street Chorley
Single storey extension at rear of main building (to north of site)**

The recommendation remains as per the original report.

As an amended location plan has been received (as detailed in paragraph 32 of the report), the proposed approved plans condition has been amended to reflect this:
The development hereby permitted shall be carried out in accordance with the following approved plans:

Title	Drawing Reference	Received date
Location Plan – Location and Block Plan	101-116/379 Rev A	18 th November 2013
Single Storey Rear Extension – Existing & Proposed Elevations	101/116/380 A	29 th August 2013
Single Storey Rear Extension – Plan View (front extension on this plan not approved)	101/116/381	29 th August 2013
Single Storey Rear Extension – Proposed Section	101/116/382	29 th August 2013

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

ITEM 4b-13/00816/FUL – Morgan Bros (Chorley) Ltd Units 5 - 7 Primrose Bank Mill Friday Street Chorley

The recommendation remains as per the original report.

As an amended location plan has been received (as detailed in paragraph 35 of the report), the proposed approved plans condition has been amended to reflect this:
The development hereby permitted shall be carried out in accordance with the following approved plans:

Title	Drawing Reference	Received date
Location Plan – Location and Block Plan	101-116/384 Rev A	18 th November 2013
Single Storey Rear Extension – Existing & Proposed Elevations	101/116/380 A	29 th August 2013
Single Storey Rear Extension – Plan View (front extension on this plan not approved)	101/116/381	29 th August 2013
Single Storey Rear Extension – Proposed Section	101/116/382	29 th August 2013

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

ITEM 4d-13/00804/OUTMAJ – Land Bounded By Town Lane (To The North) And Lucas Lane (To The East) Town Lane Whittle-Le-Woods

The recommendation is that the application is approved subject to a legal agreement.

Redrow have responded as follows the Council's questions requesting clarification:

- Why are the starting build costs so high on the site? *The build costs are higher due to the larger size of the units - the revenue per plot is higher too.*
- Further details are required on the abnormal cost and whether this is directly related to Code 6. *A large element of the abnormal are due the extra over cost of Level 6. This site is also subject to various S106 contributions (£140,000), plus there are significant earthwork/foundation costs associated with the sloping site, drainage costs (e.g. new rising main/foul water pumping station) and Biological Heritage Site/gun mounting management costs etc.*
- Do Redrow own the site? *No*
- The viability for both schemes shows the two scenarios of the developments being carried out at either all Code 4 or all Code 6, however Policy 27 of the Cores Strategy only requires properties built from January 2016 to be Code 6, therefore it is unlikely all the properties would be built to Code 6. No allowance seems to have been made for this in the viability information. *The viabilities have been prepared on a plot basis and simply seek to show that building houses to Code Level 6 is unviable in the present market. The landowners could seek to dispose of just that part of the site which could be built out before January 2016 (in the case of Clayton-le-Woods virtually none), but many abnormal costs would then be borne by a smaller number of units, which would be very likely to make that scenario unviable too.*

The following conditions are proposed:

1. Details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as 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. Application for approval of the reserved matters shall be made to the Local Planning Authority not 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.

3. The development hereby permitted shall begin not later than two 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.

4. Any reserved matters application shall be in accordance with the parameters for the scale and building heights set out in the Design and Access Statement and the Addendum to the Design and Access Statement submitted with the planning application.

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

5. No development shall take place until full details of the existing and proposed ground levels and building slab levels relative to the ground levels adjoining the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To define the permission and in the interests of proper development and to ensure the levels of the proposed properties are acceptable in relation to other surrounding existing and proposed properties.

6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments to be erected on the site. No dwelling shall be occupied until the boundary treatment to its curtilage has been completed in accordance with the approved scheme. Non-curtilage boundary treatments shall be completed in accordance with both the approved details and a timetable approved in writing by the Local Planning Authority.

Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to existing and proposed residents.

7. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials used are visually appropriate to the locality.

8. The plans and particulars submitted in accordance with the landscape reserved matters applications shall include:

- i) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;
- ii) details of the species, diameter (measured in accordance with paragraph (i) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (iii) and (iv) below apply;
- iii) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
- iv) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site;
- v) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development;
- vi) In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (i) above;
- vii) No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the fenced off areas and all excavation within these fenced areas shall be carried out by hand.

Reason: In the interests of amenity of the area.

9. No development shall take place until:-

- i) A scheme for the investigation and assessment of ground contamination on the site in accordance with British Standard 10175:2011 has been submitted to and approved in writing by the Local Planning Authority;

ii) All the approved measures have been carried out and the results of the assessment and a risk assessment, together with any proposed remedial measures have been approved in writing by the Local Planning Authority;

iii) Upon completion of any remediation scheme, a validation report containing any validation sampling results has been submitted to the Local Planning Authority.

Thereafter, the development shall be carried out in accordance with the approved remediation scheme.

Should any contaminated material other than that covered by the approved remediation scheme be encountered during construction, then all work on the development shall cease until a new report with remediation proposals has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with these further approved measures.

Reason: To protect the environment and prevent harm to human health, by ensuring the site is suitable for the proposed end use.

10. Before the commencement of any particular dwelling, full details of the onsite measures to be installed and implemented for that property to reduce carbon emissions by the figure set out in Policy 27 of the Core Strategy shall have been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include full details of the predicted energy use of the development expressed in terms of carbon emissions and how energy efficiency is addressed. The approved details shall be implemented in full and retained thereafter.

Reason: In the interests of minimising the environmental impact of the development.

11. All the dwellings hereby permitted shall meet Code Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a Final Certificate has been issued for it certifying that the relevant Code Level has been achieved.

Reason: In the interests of minimising the environmental impact of the development and taking into account the financial viability justification submitted in support of this application.

12. Reserved matters applications shall be accompanied by full details of the type design and location of the affordable housing units to be provided on the site for written approval by the Local Planning Authority. The development shall only be carried out in accordance with the details approved in writing by the Local Planning Authority.

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

13. Reserved matters applications shall include details of the location of 0.08ha of on-site equipped play provision for written approval by the Local Planning Authority. The development shall only be carried out in accordance with the details approved in writing by the Local Planning Authority.

Reason: To ensure adequate provision for public open space and play areas within the development.

14. The Action Plan in Section 8 of the Interim Travel Plan submitted with the planning application shall be implemented in accordance with the timescale given therein.

Reason: To ensure the sustainability considerations of the development are implemented.

15. A residents' travel survey shall have been carried out within 3 months of 40% occupation of the dwellings hereby permitted, and a Full Travel Plan shall have been submitted for written approval of the Local Planning Authority within 3 months of that survey. As a minimum, the Full Travel

Plan shall include:-

- i) The contact details of the Travel Plan Co-ordinator;
- ii) The results of the residents' travel survey;
- iii) Details of cycling, pedestrian and public transport links to and through the site;
- iv) Details of the provision for cycle parking for any properties where suitable space is not available within the curtilage;
- v) The Objectives of the plan;
- vi) SMART (Specific, Measurable, Achievable, Realistic and Time-related) Targets for non-car modes of travel using baseline data from the residents' survey;
- vii) A detailed action plan for the introduction of the proposed measures;
- viii) Details of the arrangements for monitoring and review of the Travel Plan for a period of at least five years.

The Travel Plan shall be implemented as approved.

Reason: To ensure the sustainability consideration of the development are implemented.

16. Reserved matters applications shall include details of the provision for cycle parking for each property for written approval of the Local Planning Authority and shall be implemented as approved.

Reason: To ensure the sustainability consideration of the development are implemented.

17. No development shall commence until details of the foul drainage of the site have been submitted to and approved in writing by the Local Planning Authority. No more than 80 of the dwellings hereby permitted shall be occupied before 1 September 2014.

Reason: To ensure proper drainage of the development.

18. No dwelling hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. These details shall include provision of a sustainable drainage scheme designed to prevent any more run-off from the site than at present. The scheme shall include information on:

- i) The design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) A timetable for its implementation, and arrangements for its management and maintenance until such time as it is adopted by a public authority.

Reason: To ensure proper drainage of the development.

19. No development shall take place until a full record of the pill box and gun mounting on the site has been prepared, submitted to, and approved in writing by the Local Planning Authority. Thereafter, the pill box and gun mounting may be removed.

Reason: To secure the appropriate excavation and recording of the pill box and gun mounting.

20. No works of tree felling, hedgerow clearance or demolition shall take place between from the beginning of March to the end of August unless the absence of nesting birds has been confirmed by surveys that have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the protection of nesting birds during the construction period.

21. No felling or work to mature trees on the site shall be carried out until bat surveys have been carried out and the details submitted to and approved in writing by the Local Planning Authority. If the surveys show that bats/bat roosts would be affected, mitigation measures shall be included in the information provided to the Local Planning Authority for written approval and shall be implemented as approved.

Reason: To ensure that bats are suitably protected at all times during any works on site.

22. No site clearance, site preparation or development work shall take place until a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include all necessary measures for the protection of species and habitats of biodiversity value during construction (including the Biological Heritage Site on the adjoining land). The Plan shall be implemented as approved.

Reason: To ensure there is no disturbance to habitats by works on site.

ITEM 4e-13/00803/OUTMAJ – Land North Of Lancaster Lane And Bounded By Wigan Road And Shady Lane Lancaster Lane Clayton-Le-Woods

The recommendation remains as per the original report

Members should note that Redrow have included the cost of building to Code Level 6 rather than Level 4 as an abnormal within their viability appraisal, however it is considered it should be within the costs of construction. This doesn't however alter the viability outcome.

As per the report for the previous application, Lucas Lane, a balancing exercise has been undertaken in coming to a recommendation on the application.

It is acknowledged that to build properties to Code Level 6 the site needs to be planned as such from the start. As a volume house builder Redrow will have been aware of the sustainable policy requirements and that Code Level 6 comes into force from 1st January 2016 when they designed the site. If Members were minded to refuse the application this could form the basis of such a decision.

However, the Council are relying on the site to deliver the Council's five year housing land supply and it is a current commitment in the emerging Local Plan. In addition it will deliver 30% affordable housing. If the Council refuse the application here is the possibility that other aspects of the development are compromised to cover the cost of Code Level 6, possibly affordable housing or public open space.

Considering the current economic climate, the Government's wavering on the Code for Sustainable Homes and that the site is relied upon in terms of the five year land supply, the varying of the condition is, on balance recommended for approval. This is subject to the areas of clarification requested from Redrow being acceptable to the satisfaction of officers. This is addressed below.

Members should note that Redrow have looked at the viability again and noted some errors. Redrow have produced an amended version which shows the Code Level 6 viability it is actually worse and produces a negative land value.

- How has the 14% profit been calculated? *As a percentage of revenue and now corrected to 15%.*
- Liberata consider that on such a large scheme it would be able to be carried out much more inexpensively than £9.4 m? *The total build cost is £93,585 per plot, which includes actual build costs of £61,000, plus build prelims of £12,900 and a contingency of £2,500 (sub total £76,400). For comparison, the DCLG base build costs contained in the Cash Cost Review document suggest a total build cost per m2 of £850. That would equate to £85,850 for a detached house at Clayton-le-Woods.*
- For the Code 6 development why the land value has reduced to £72,486.46 per acre (£11,561.89 per plot)? *The land value reduces dramatically as result of the extra costs of Code Level 6 i.e. Land value per plot of £22,501 (Code Level 4) reduces to a negative value of £21,130 (Code Level 6). As indicated previously, the costs are taken from the DCLG Cost Review document.*
- Further details are required on the abnormal cost and whether this is directly related to Code 6? *A very large part of the £59,019 per plot is due to the Code Level 6 extra over cost, but this site also carries S106 contributions and off-site work costs (e.g. education contributions - £652,000, bus /sustainable transport contributions - £246,000, S278 works - £200,000 etc)*

It was also queried with Redrow whether the viability would change if some of the houses were built to code 4 and some to code 6. In response Redrow have confirmed that the viability has been prepared on a plot basis and simply seeks to show that building houses to Code Level 6 is unviable in the present market. The landowners could seek to dispose of just that part of the site which could be built out before January 2016 (in the case of Clayton-le-Woods virtually none), but many abnormal costs would then be borne by a smaller number of units, which would be very likely to make that scenario unviable too.

ITEM 4f – 13/00753/FULMAJ – Land West of Cypress Close, Clayton-le-Woods

The recommendation remains as per the original report.

Affordable housing is covered in the main report and this details that viability information has been submitted to support the application which seeks to demonstrate that the provision of 30% affordable units on the site would make the development financially unviable by reducing the profit to an unacceptable level. The viability information submitted shows that the proposed scheme for 44 units would achieve a lower profit than the scheme approved earlier this year for 38 units due to the higher costs associated with increasing the units. However, the applicant considers that the amended mix of house types will ultimately make the development more marketable than the approved scheme.

The applicant is therefore proposing the provision of 11 affordable units which equates to 25% and has provided two financial viabilities, one demonstrating the provision of 13 affordable units (30%) and one with 11 affordable units (25%). Paragraph 205 of the National Planning Policy Framework (NPPF) states that where obligations are sought: *'...local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled'*.

Liberata advise that the headline figures in the viability information such as land purchase cost, acquisition costs, construction costs and sales revenues are all within expected/reasonable assumptions for current market conditions. However, Liberata do suggest that if the applicant increased the sale price of one of the four bedroom units on the site (Belgrave), this could fund a further affordable unit.

In response to this, the applicant has submitted additional information on comparable prices for similar sized four bedroom new build properties on the adjacent development being undertaken by Taylor Wimpey and David Wilson Homes. The information submitted shows that similar sized four bedroom properties on these sites are advertised for sale at prices close to the unit price of £280,000 for the Belgrave specified in the viability information. Liberata advise that in all probability, it is unlikely that a sale price greater than £280,000 will be achieved for the Belgrave house type.

Liberata also advise that this is further backed up by the applicant's assertion that mortgage lenders are now basing their values on older stock and are no longer applying a premium to new build properties. The viability information provided is therefore considered to be robust by Liberata and is therefore sufficient to justify the provision of 11 affordable units (25%) on the site rather than 13 (30%).

The following conditions have been added:

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

Title	Plot	Drawing Reference	Received date
Location Plan	-----	R065/100-1	13 th August 2013
Elmbridge House Type	-----	HT148/0/111	13 th August 2013
Bonnington House Type – Handed	-----	HT147/P/111-11 (H)	13 th August 2013
Bonnington House Type – Handed	-----	HT147/P/110-11 (H)	13 th August 2013
Topographical Survey	-----	RH003 / T00	13 th August 2013
Elmbridge House Type	-----	HT148/P/111 (H)	13 th August 2013
Burlington House Type	-----	HT105/P/111	13 th August 2013
Renishaw House Type – Handed	-----	R065/P/12	13 th August 2013
Single Detached Garage	-----	S.D.71	13 th August 2013
1.8m High Screen Wall	-----	S.D.46	13 th August 2013
Knee Rail Fence Detail	-----	SD.23	13 th August 2013
1.8m Close Boarded Fence Detail	-----	SD.1	13 th August 2013
Bonnington House Type	-----	HT147/P/111-11	13 th August 2013
Bonnington House Type	-----	HT147/P/110-11	13 th August 2013
Victoria House Type	-----	HT132/P/113	13 th August 2013
Victoria House Type	-----	HT132/P/113 (H)	13 th August 2013
Bowes House Type – Handed	-----	HT104/P/111 (H)	13 th August 2013
Bowes House Type	-----	HT104/P/111	13 th August 2013
Planning Layout	-----	R065/1-1 Rev C	13 th November 2013
Landscape Proposals	-----	1827_04 Rev C	15 th November 2013
Fencing Layout	-----	R065/2-1 Rev A	15 th November 2013
Landscape Proposals	-----	-----	15 th November 2013

Planting Schedules			
Materials Schedule Plan	-----	R065/3-1 Rev A	15 th November 2013
External Surfaces	-----	R065/5-1 Rev A	15 th November 2013

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

No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall also include details of how it shall be maintained and managed after completion and it shall subsequently be implemented in accordance with the approved details before the development is completed, if the surface water drainage system for the site is not to be adopted by United Utilities.

Reasons: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

The following conditions are amended: -

All hard landscaping (ground surfacing materials) shall be in accordance with those detailed on the approved External Surfaces plan (Ref No. R065/5-1 Rev A) and all works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.

The development hereby permitted shall only be in accordance with the external facing and roofing materials detailed on the approved plan (Ref No. R065/3-1 Rev A).

Reason: To ensure that the materials used are visually appropriate to the locality.

All windows in the first floor rear elevations of the Bonnington House Type on plots 1, 20 and 28 and all first floor side facing windows in the side elevations of the Elmbridge, Victoria, Burlington and Bowes house types shall be fitted with obscure glazing.

Reason: To protect the amenities of the occupiers of the adjacent properties.

ITEM 4g- 12/01131/FUL– The Beeches Care Home, 25 Park Road, Coppull, and Chorley, PR7 5AH

The recommendation remains as per the original report.

The neighbour at Orchard Heys Farm has raised concerns about being notified of the date of the Development Control Committee electronically via e-mail. However, the comments made on the application by this neighbour have been done so online through the Council's public access system so further communications with the neighbour have been via e-mail rather than in writing. The neighbour also asked that Members undertake a site visit before determining the application.

The following conditions have been added: -

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

Title	Plot	Drawing Reference	Received date
Location Plan & Site Block Plan	-----	PL-06	21 st November 2013
Elevations & Block Plan as Existing	-----	PL-02	21 st November 2013
Ground Floor & First Floor Plans as Existing	-----	PL-01	21 st November 2013
Parking Plan & Site Topography Survey as Proposed	-----	PL-08 Rev A	29 th October 2013
Ground Floor Plans, Extension Block Plan & Room Plan as Proposed	-----	PL-03	21 st November 2013
First Floor Plans, Room Plans as Proposed	-----	PL-04	21 st November 2013
Elevations & Window Details as Proposed	-----	PL-05	21 st November 2013
Appendix 7 Combined Plan	-----	NPS01112BNH	4 th March 2013
Appendix 4 Tree Constraints	-----	NPS01112BNH	20 th November 2012

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

Prior to the commencement of the development hereby permitted, full details of the triple glazing to be installed in the enlarged bedrooms (Bedroom nos. 6, 7, 8, 10, 11, 33 and 34) with windows in the north facing elevation shall have been submitted to and approved in writing by the Local Planning Authority. Triple glazing shall be installed in the bedrooms prior to their first occupation and retained and maintained as such at all times thereafter.

Reasons: To safeguard the living conditions of residents.

Prior to the commencement of the development hereby permitted, full details of the air conditioning system to be installed in the bedrooms with windows in the north facing elevation shall have been submitted to and approved in writing by the Local Planning Authority. The air conditioning system shall be installed in the bedrooms prior to their first occupation and retained and maintained as such at all times thereafter.

Reasons: To safeguard the living conditions of residents.

Notwithstanding the submitted information and details, prior to the commencement of the development hereby permitted, full details of the foundation design to be adopted, for the parts of the extension which are within the Root Protection Zones of the two trees on the northern boundary (T31 & T32) shall have been submitted to and approved in writing by the Local Planning Authority. The details shall be designed in conjunction with a professional Arboriculturalist to ensure that the health

of these trees is safeguarded. The development shall only thereafter be carried out in accordance with these details.

Reasons: To safeguard the health of the trees.

Notwithstanding the submitted Arboricultural Impact Assessment and the approved Tree Constraints Plan (Ref No. NPS01112BNH), the trees identified as T16 to T20, T22 and T24 shall not be felled and shall be retained in accordance with the amended site plan (Ref No. PL-08 Rev A) received on 29th October 2013.

Reasons: To safeguard the health of the trees.

Prior to the commencement of any development, full details of the alignment, height and appearance of any new fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on the approved plans) shall have been submitted to and approved in writing by the Local Planning Authority. No parts of the extended care home shall be occupied until 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 and to protect the amenities of occupiers of nearby property.

The following condition is amended: -

All works shall be carried out in accordance with the Arboricultural Impact Assessment (AIA) prepared by Arb Consultants Ltd received on 4th March 2013. Specifically, 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 BS5837:2012 in accordance with the Tree Constraints Plan (Ref No. NPS01112BNH received on 20th November 2012) and root protection measures shall be installed in relation to all hard surfaces within the Root Protection Zones in accordance with the AIA and the approved plan (Ref No. NPS01112BNH SHT 13). 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

ITEM 4h - 13/00798/CB4 - Former Site of Douglas House, Hodder Avenue, and Chorley

A contamination report has been received by the Council since the committee agenda was published. This has been reviewed by the Council's Contaminated Land Officer who is satisfied with it and recommends as a result the proposed **condition 8 on the agenda is amended to read as follows:**

Site Investigation and associated risk assessment has found contamination issues on site that require further attention and remediation (Phase 2 Geoenvironmental Report, Carley Daines & Partners, 7th October 2013, 13-B-10136)

Due to the size of development and sensitive end-use (residential housing with gardens), no development shall take place, other than site preparation works, until:

- (a) The applicant has submitted to the Local Planning Authority: (i) a copy of the completed gas monitoring exercise, and (ii) remediation proposals to render the site capable of development; in full accordance with the recommendations in the above report.*
- (b) The Local Planning Authority has given written approval to the remediation proposals, which shall include an implementation timetable and any monitoring proposals. Upon completion of remediation works a validation report containing any validation sampling results and verification of any gas/vapour protection measures 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 the site is suitable for the proposed end-use.

In accordance with paragraph 47 of the committee report the applicant's acoustic consultant has been in contact with the Council's Environmental Health officer and further acoustic survey work is to be undertaken on site, however the results have yet to be received.

The recommendation remains to approve the application with the altered condition in relation to ground contamination and the issue of whether noise insulation measures are required in the proposed properties to be delegated to officers following the receipt of further survey work. If necessary these will be secured by an additional condition(s).

ITEM 4j- 13/00848/FUL – South Miry Fold Farm, Briers Brow, Wheelton

The recommendation remains as per the original report

Amended plans have been received which provide greater detail with regard to the proposed visibility splays and planting scheme. As a result condition 5 has been amended as follows:

5. No new dwelling hereby permitted shall be occupied until the approved highway alterations (indexed: 15/11/2013; drawing no: 1304.P.04; Revision: a; title: Proposed access detail) have been completed in entirety.

Reason: In the interests of highway safety and in accordance with the National Planning Policy Framework, Policy TR4 of the Adopted Chorley Borough Local Plan Review and Policy ST4 of the emerging Local Plan (2012-2026).

ITEM 4k – 13/00675/FUL - Lower House Cottage, Towngate, Eccleston, and Chorley, PR7 5QS

The recommendation remains as per the original report.

Paragraph 46 of the original report has been amended as follows:

46. On the basis of the above, it is recommended that planning permission be granted for the bungalow, subject to the signing of a S106 agreement.

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