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## Chief Executive's Office

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Date: 14 August 2007

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**Chief Executive:** Donna Hall

**Chorley**  
Council

Town Hall  
Market Street  
Chorley  
Lancashire  
PR7 1DP

Dear Councillor

## DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 14TH AUGUST 2007

These items were tabled at the meeting of Development Control Committee held on Tuesday, 14th August 2007

### Agenda No    Item

9.    **Addendum** (Pages 1 - 6)

         Tabled at the meeting

Yours sincerely



Chief Executive

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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 آپکی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون  
کیجئے: 01257 515823

<b>COMMITTEE REPORT</b>			
<b>REPORT OF</b>	<b>MEETING</b>	<b>DATE</b>	<b>ITEM NO</b>
Director of Development and Regeneration	Development Control Committee	14/08/2007	

<b>ADDENDUM</b>
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**ITEM A.1: 07/00468/FULMAJ. 21 - 23 Southport Road Chorley PR7 1LB**

The following additional condition is recommended:

The development hereby permitted shall not commence until details of the number of bins and the area designated for their storage have been submitted to and approved in writing by the Local Planning Authority. The bin storage area and the bins shall be made available prior to the occupation of any of the apartments hereby permitted and retained as such in perpetuity.

*Reason: To ensure a suitable number of bins and adequate storage area is provided and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

LCC (Highways) have now commented on the application and in light of the extant permission, no objections are raised in relation to the above application.

On the basis of the above, the recommendation remains to approve.

**ITEM A.2: 07/00489/FULMAJ. Bradley Hall Farm Parr Lane Eccleston Chorley PR7 5RL**

The Director of Streetscene, Neighbourhoods and Environment raises no objections and the Environment Agency has now commented on the application and raise no objection subject to the following condition and informatives: -

No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved 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.*

**Please Note:** A separate consent is required from the Environment Agency under the terms of the Water Resources Act 1991 for any proposed sewage or trade effluent discharge to a watercourse or other controlled waters (which includes rivers, streams, groundwater, reservoirs, estuaries and coastal waters) and may be required for discharge to a soakaway.

**Please Note:** The development must fully comply with the terms of the Control of Pollution (Silage, Slurry and Agricultural Fuel Oils) Regulations 1991 (as amended 1997) and the "Code of good agricultural practice for the protection of water". Only clean surface water from roofs and paved areas should be discharged to any surface water soakaway.

The recommendation therefore remains to approve subject to the additional condition and informatives.

**ITEM B. 1: 07/00346/OUT. Land 40m South Of 48 Lancaster Lane Clayton-Le-Woods**

**United Utilities** have no objection to the proposal subject to the following conditions which have been attached to the recommendation:

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.

And the following Informatives:

PLEASE NOTE: If any of the sewers on the development are proposed for adoption then United Utilities Sewers Adoption Team should be contacted on 01925 428 266.

PLEASE NOTE: United Utilities water mains will require extending to serve the development. The applicant, who may be required to pay a capital contribution, will need to sign an Agreement under Sections 41, 42 and 43 of the Water Industry Act 1991. A separate metered supply will be required to serve each unit at the applicants expense and all internal pipework will be required to comply with current water supply (water fittings) regulations 1999.

**The Environment Agency** has no objection to the proposal although the following suggestions have been put forward and attached to the recommendation as informatives:

PLEASE NOTE: The Environment Agency recommends that the developer consider the use of SUDS for this development and it should be carried out in accordance with the latest Sustainable Urban Drainage Systems as specified in Sustainable Urban Drainage Systems - Best Practice (CIRIA Report C523) and Sustainable Drainage Systems, Hydraulic, Structural and Water Quality Advice (CIRIA Report C609), Appendix E, in 'Sustainable Urban Drainage Systems Design Manual for England and Wales (CIRIA Report C522), and the Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS. The Interim Code of Practice is available on both the Environment Agency's web site at: [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) and CIRIA's web site at [www.ciria.org.uk](http://www.ciria.org.uk) .

PLEASE NOTE: It is recommended that the developer considers the following, as part of the scheme:-

- Water management in the development, including, dealing with grey waters
- Use of sustainable forms of construction including recycling of materials
- Energy efficient buildings

**Lancashire County Council's Highway Engineer** has made the following comments in respect of the proposal:

- The application still shows five new properties off a private drive. The maximum number of properties allowable off a private drive is three. The roadway therefore should be shown to adoption standards and adopted. If it is preferred that the road remains as a private drive, then arrangements for an acceptable management scheme need to be submitted. The design now shown tends to reflect this, except it should be accessed via a dropped crossing from Lancaster Lane and not a radius entrance.
- If the developer wants to make provision for future

development, then the road/drive should be put in to an adoptable standard to start with - or at least provision made to upgrade the drive to a proper roadway.

- There is now no individual driveway to existing No 48 and it seems there is no garage/parking facilities for this dwelling. This will result, unacceptably, with their car left on Lancaster Lane. A new driveway needs to be provided 20m back from the junction with Lancaster Lane.
- what provision will be made for refuse collection?
- Provision for turning facilities in respect of plot 3 are required.
- The driveways for plots 3,4 and 5 are not sufficient in terms of length and additional provision is required.

Following receipt of these comments the agent for the applicant discussed the scheme directly with the Highways Engineer and has amended the scheme to alleviate his concerns. The amendments include keeping the access driveway private and creating a dropped crossing entrance at the junction with Lancaster Lane, showing the potential for the future development of the adjacent plots, altering the driveway arrangements for 48 Lancaster Lane and the driveway for plot 3 has been relocated. The Highway Engineer has confirmed that these amendments alleviate his initial concerns in respect of the proposal.

The informative attached to the recommendation has been amended following the receipt of the amended plans as follows:

The approved plans are:

Plan Ref.	Received On:	Title:
0709-001A	8th August 2007	Existing/ Proposed Layout Plans
	20th March 2007	Location Plan

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

#### **ITEM B. 2: 07/00685/FUL. 54 Lancaster Lane Clayton-Le-Woods**

**This application has been withdrawn from the agenda due to the requirement for a bat survey.**

**The Environment Agency** has no objection to the proposal although the following suggestions have been put forward and attached to the recommendation as informatives:

PLEASE NOTE: The Environment Agency recommends that the developer consider the use of SUDS for this development and it should be carried out in accordance with the latest Sustainable Urban Drainage Systems as specified in Sustainable Urban Drainage Systems - Best Practice (CIRIA Report C523) and Sustainable Drainage Systems, Hydraulic, Structural and Water Quality Advice (CIRIA Report C609), Appendix E, in ' Sustainable Urban Drainage Systems Design Manual for England and Wales (CIRIA Report C522), and the Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS. The Interim Code of Practice is available on both the Environment Agency's web site at: [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) and CIRIA's web site at [www.ciria.org.uk](http://www.ciria.org.uk) .

PLEASE NOTE: It is recommended that the developer considers the following, as part of the scheme:-

- Water management in the development, including, dealing with grey waters
- Use of sustainable forms of construction including recycling of materials

- Energy efficient buildings

**Lancashire County Council’s Highway Engineer** made the following comments on the proposal:

- If it is preferred that the road remains as a private drive, then arrangements for an acceptable management scheme need to be submitted.
- On that basis the application is generally acceptable.
- The drive which serves plot 1 should come off at 90 degrees to the kerbline, 20m back from the junction with Lancaster Lane.
- No explanation has been put forward for the bin collection arrangements. The driveway will be inaccessible to refuse vehicles and the bin carry distance has been well exceeded. So what provision will be made for refuse collection?
- There is no turning provision at the end of the drive and therefore Plot 5 will have to reverse into next door's property. Perhaps provision should be made for Plot 5 to have a turn-round.

Following receipt of these comments the plans have been amended to alleviate the Engineers concerns. The amended plans incorporate amendments to the garage serving plot 1 and a dedicated area for bins within the site.

The informative attached to the recommendation has been amended following the receipt of the amended plans to read:

The approved plans are:

Plan Ref.	Received On:	Title:
	13th June 2007	Site Location Plan
	13th June 2007	Location Plan
019.11.01A	8th August 2007	Site Layout Plan
019.11.PL02	13th June 2007	The Edale (special)
019.11.0PL/01	13th June 2007	The Edale
Heritage	13th June 2007	Eton
	13th June 2007	Darwin 211 (Dorchester)
	13th June 2007	Cambridge 230
04289/01	26th July 2007	Standard Single Garage

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

**1 letter has been received** from a neighbour following the reconsultation on the amended plans. The neighbour puts forward the following comments which he would like to be addressed at the Development Control Committee Meeting:

- 1) The Committee is one day prior to the deadline for comments on the amended plans. Is this proper and indeed legal?

Amended plans were received 6 days before Committee and the neighbours were consulted to ensure everybody is aware of the slight amendments. The Council is required to give the neighbours a time limit in which to submit comments and the shortest time limit is one week which does take the deadline to the 15th August. However the amendments were only slight and did not amend the principles of the development. In addition to this a copy of the plan was sent out with all the letters to ensure the neighbours were aware of the changes. It was not considered that the slight amendments would alter the neighbours concerns and their original objections would still apply.

- 2) On 13th August felling of trees on the site commenced. This included felling some substantial and long established trees. Is the contractor jumping the gun?

The trees on site are not protected and as such permission is not required to fell the trees. It may be the case that the contractor has felled the trees or indeed that the owners of the land have. However a decision has not been made on the application and will not be made until the Committee members have fully assessed the proposal.

**2 further letters of objection** have been received raising the following points:

- Highway implications- increase in traffic
- Impact on wildlife
- Detracts from the character of the area
- Set a precedent

**Lancashire County Council's Ecologist** has made the following comments:

- Great Crested Newts have been recorded in the area. However it is unlikely that they will occupy habitats within the application area.
- There is the potential that the site support bats and as such no favourable recommendation can be made until the presence or otherwise of bats has been established.
- Works during the bird breeding season (March to July inclusive) should be avoided
- Consideration should be given to retaining trees within the development
- The proposal will result in the loss of a back garden which will erode the extent and quality of urban biodiversity
- The replacement of gardens with hardstanding has the potential to increase flooding. Recommends that the Environment Agency is consulted.
- Landscaping proposals should comprise only native plant communities appropriate to the natural area.

Following the receipt of the Ecologist's comments the agent for the application has confirmed that although the application states that tree works will be carried out this is incorrect and no trees will be removed as part of the proposal. However the bungalow to be demolished also has the potential to support bat roosts. As such a bat survey is required.

Tree works have occurred on the adjacent plot of land. This work does not require permission as the trees are not protected.

### **ITEM B. 3: 07/00747/FUL. Duxbury Park Golf Club Duxbury Hall Road Chorley**

**English Heritage** do not wish to comment in detail but have made the following observations:

- Particular care should be taken in the physical disengagement of the existing club house from the Grade II Listed Coach House to avoid undue damage to the Listed Building
- Appropriate archaeological watching briefs should be commissioned for any excavations for the new foundations
- The adjacent brick garden wall is statutorily protected and therefore its retention should be assured.

### **ITEM B. 4: 07/00748/LBC. Duxbury Park Golf Club Duxbury Hall Road Chorley**

**English Heritage** do not wish to comment in detail but have made the following observations:

- Particular care should be taken in the physical disengagement of the existing club house from the Grade II Listed Coach House to avoid undue damage to the Listed Building
- Appropriate archaeological watching briefs should be commissioned for any excavations for the new foundations

- The adjacent brick garden wall is statutorily protected and therefore its retention should be assured.

**ITEM B. 5: 07/00736/FUL. Land 170m West Of Gelston, Dawson Lane, Whittle-Le-Woods.**

1 letter of objection has been received from a neighbour raising the following points:

- The fences erected seriously impedes a previously unobstructed views of trees and open fields. The large silver floodlights are very visible in the surrounding area
- Loss of privacy from users of the pitches due to their proximity to the houses
- Noise and disturbance from users of the pitches
- Light pollution from the floodlights
- Redrow did not disclose the intended construction to purchasers of the properties.

**Lancashire County Council's Highway Section** have made the following comments on the proposal:

- There is very little change if any from the original submission
- With the information supplied so far would not wish to see approval granted for the floodlighting
- Indications of the glare incident upon Dawson Lane and isolux plots for the house elevations on Mayflower Close were originally requested. The isolux plots have not been supplied.
- Despite discussions between the highway engineers and the agents in respect of the light spill there has been no attempt to limit the light spill to the surrounding highways or adjacent properties. Not has any requested information been supplied.
- The full extents of the concerns cannot be quantified and the scheme cannot be considered for approval.
- Any potential glare may not become apparent initially, this problem is practically prevalent with the onset of winter, where the increase usage of the lighting scheme and possible loss of foliage from surrounding trees may not be adequately accessed.

The comments received from the Highways Engineer were forwarded onto the applicants, Redrow Homes, for comments. The following comments were received in response to the Highways Engineer comments:

- Plans were submitted with the application which detail the light spills as requested by the Highway Engineer in respect of the previous application.
- The Lux Level drawings submitted show the horizontal and vertical light spill on the surrounding development and on Dawson Lane. Review of the submitted drawings indicates that taking the worse case banding of 25 Lux (being comparable to street, car park lighting) several plots on the edge of parcel B will be affected by light levels similar to street lights.
- Dawson Lane is similarly affected both ways approaching a sharp bend. How can improving the lighting on a dangerous bend be a bad thing?
- The developers are trying to provide facilities both for the use of the residents and the wider community.
- We're inundated with requests from organisations' to use the pitches, the majority of these will fall away without the floodlights and this element of delivering on section 106 obligations will fail
- We're amenable to limited hours of operation, we are happy to review the light levels post commissioning and to monitor their performance throughout the year

Barratt Homes also concur with comments raised by Redrow Homes. It was envisaged that the Highways Engineer would object to the proposal as he objected to the previous scheme. However it was their understanding that the Planning Authority would exercise its rights to approve the application regardless of the Highway Engineer comments.

It is clear that the floodlights will have an impact on the surrounding area however without the floodlights the pitches will be unable to be utilised during evenings particularly in the winter months.

**Whittle le Woods Parish Council** have no comments to make on the application