

20 January 2015

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 20TH JANUARY 2015

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 printed.

Agenda No	Item
8	<u>Addendum</u> (Pages 3 - 10)

Yours sincerely



Gary Hall
Chief Executive

Cathryn Filbin
Democratic and Member Services Officer
E-mail: cathryn.filbin@chorley.gov.uk
Tel: (01257) 515123
Fax: (01257) 515150

If you need this information in a different format, such as larger print or translation, please get in touch on 515151 or chorley.gov.uk

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C O M M I T T E E R E P O R T		
REPORT OF	MEETING	DATE
Director Public Protection, Streetscene and Community	Development Control Committee	20 January 2015

ADDENDUM

ITEM 3a-14/00881/FUL – Brinscall Hall Farm, Dick lane, Brinscall

The recommendation remains as per the original report

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

- It will increase the number of residents
- It will result in a large increase in traffic
- The proposed passing places will cause harm to trees that are protected by a TPO, will be unsightly and will not reduce traffic hazards for pedestrians.

These issues have been previously raised and answered within the report.

One letter of support has been received.

The original report has been amended as follows:

Members should be aware that a site visit was undertaken on 14 January 2015 at 15:00hrs. At that site visit two specific questions were raised which could not be definitively answered at that time. Those questions and their corresponding answers are:

- What will the change in the volume of buildings be as a result of the proposed development, taking into account the proposed demolitions and extensions? The net result is that the volume of buildings on the site will be reduced by 37%.
- Why are the proposed passing places on Dick Lane all on the north western side? The reason is simply that there is more room to accommodate them on this side. It is confirmed that the proposed construction method will preserve the function of the drainage ditch and will not impact on trees, or their roots, that are the subject of a tree Preservation Order (TPO).

ITEM 3b-14/01042/TPO – Park Mills, Deighton Road

The recommendation remains as per the original report

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

- The builders on site state that they could build the house by just removing certain branches;

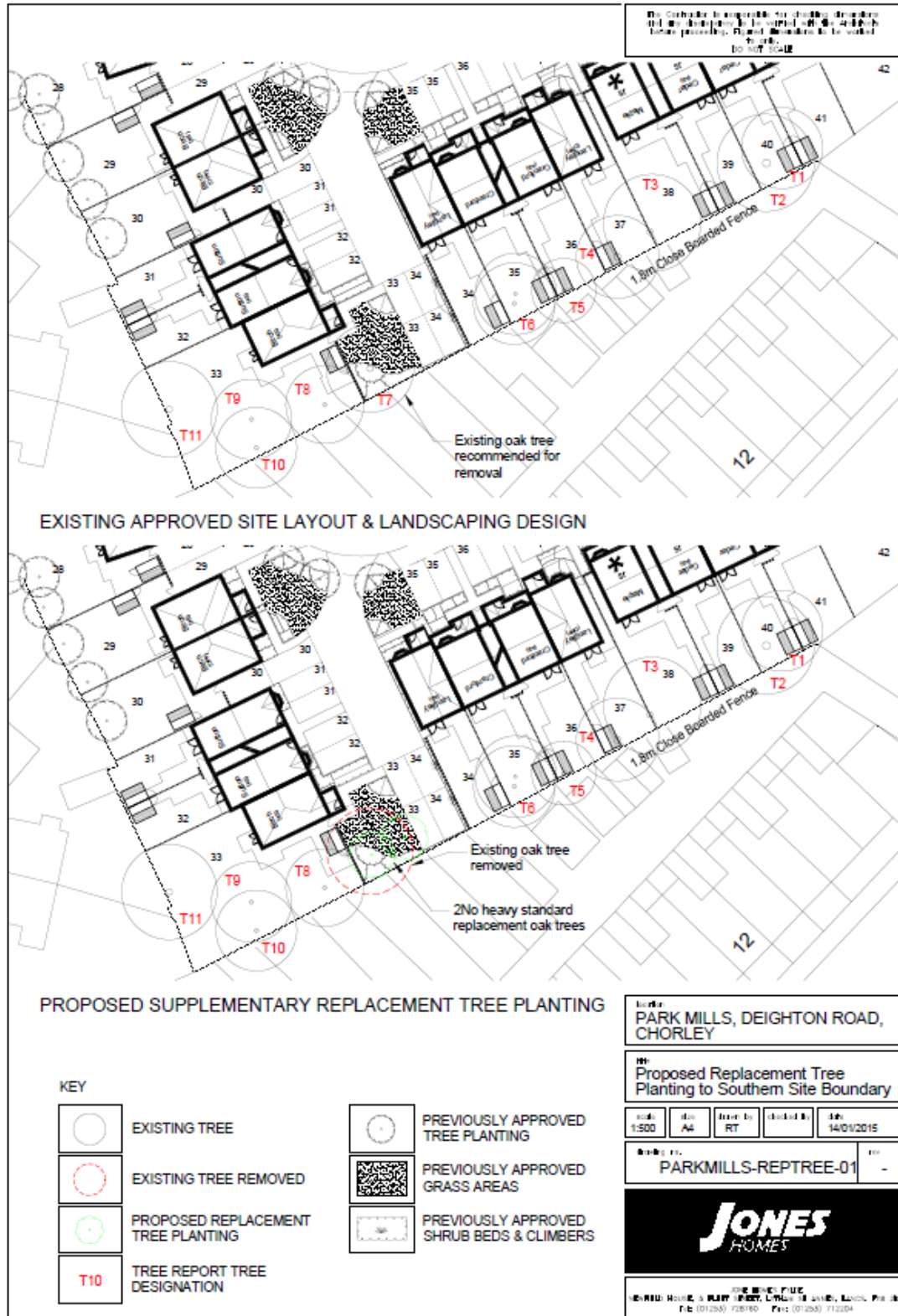
- The Oak that is allegedly diseased has been hit several times with a JCB digger and only damaged the branches, if it was so bad it would have fallen down.

The applicant has agreed to provide two replacement trees in place of the one that would be felled. The trees to be planted would be two heavy standard oak trees, as indicated on the submitted plan below.

The following conditions have therefore been amended:

Within nine months of the date of the approved tree felling replacement tree planting shall be carried out in accordance with the details shown on plan ref. PARKMILLS-REPTREE-01 received on the 14th of January 2015.

Reason: To safeguard the visual amenity of the area



The following consultee responses have been received:

consultee have made the following comments:

ITEM 3c-14/01232/REMMAJ- Parcel H2 Group 1, Euxton Lane, Euxton

The recommendation remains as per the original report.

The condition stating the approved plan has been amended to refer to the site layout plan being received on 24th December 2014, as the date is wrong on the committee agenda.

ITEM 3e -14/00951/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 although the Section 106 Obligation will also need to secure a contribution of £12,000 to enable the Lancashire County Council Travel Planning Team to provide a range of services in relation to the Travel Plan.

Lancashire County Council (Highways) have confirmed that they have no objections. However it is recommended that the Full Travel Plan should be developed after a resident's survey; therefore the targets and action plan can take into account the baseline data. In light of this, it is requested that a Full Travel Plan building on the initiatives outlined within the submitted Interim Travel Plan should be developed along specific timescales as a condition of planning approval.

For a development of this size a contribution of £12,000 is requested to enable the Lancashire County Council Travel Planning Team to provide a range of services. This can be secured through the Section 106 obligation.

The following additional conditions are recommended:

- 1) No part of the development shall be commenced until all the highway works have been constructed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.
Reason: To enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.
- 2) No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvements have been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.
Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.
- 3) No part of the development hereby approved shall be occupied or opened for trading until the approved schemes referred to in Condition 2 have been

constructed and completed in accordance with the scheme details. Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

- 4) Prior to the first occupation of the development hereby permitted, the Travel Plan Coordinator should be appointed and their contact details supplied to the Planning and Highways Authorities. The first residents Travel Survey shall be conducted within three months of 40% site occupation and a Full Travel Plan submitted to the Local Planning Authority within three months of the first residents travel survey. The Full Travel Plan should include the following as a minimum.
- Contact details of Travel Plan Co-ordinator
 - Results from residents travel survey.
 - Details of cycling, pedestrians and public transport links to and/or through the site.
 - Details of the provision of secured, covered cycle parking for those properties where suitable storage is unavailable.
 - Objectives
 - Action Plan of measures to be introduced and appropriate funding.
 - SMART Targets for non-car modes of travel
 - Details of arrangements for monitoring and review of the Travel Plan for a period of 5 years.

The approved plan(s) will be audited and updated at regular intervals and shall be carried out as approved.

Reason: to ensure sustainable travel..

ITEM 3f- 14/00601/OUT – Land between 386 and 392 Blackburn Road, Higher Wheelton

The recommendation remains as per the original report.

The following condition has been added to define the parameters of the reserved matters application:

The submission of future reserved matters shall come forward in accordance with the scale and massing parameters detailed on the amended plans (Ref No. 14/100/P01) received on 20th November 2014.

Reason: To define the consent and in the interests of residential amenity for the neighbouring properties.

ITEM 3g-14/01087/FUL – The Queens, Chapel Street, Chorley

The recommendation remains as per the original report.

The following condition has been added:

Prior to the first occupation of any of the apartments hereby permitted, the bin storage area shall be provided in accordance with final details (to include full details

of the enclosure and its height) submitted to and approved in writing by the Local Planning Authority. The bin storage area shall be maintained and retained as such at all times thereafter.

Reason: To provide adequate bin storage.

ITEM 3h- 14/00982/FUL – Town Lane Farm, Heskin

The recommendation remains as per the original report

One further letter of objection has been received, after publication of the report, raising the following issues: -

- What defines a permanent fixed structure as the stables are of a very basic construction, some steel frame, with telegraph poles as part of the construction with a low level perimeter wall
- The certificate of lawfulness has been granted, but the stables have not been used commercially so could the retraction of the certificate be added to the suggested conditions, to ensure the new dwelling takes precedence on the site, and not diversify to become a livery yard as well, if commercial opportunities arise at a later date.
- The stables are in a tall Barn of 5.9m height so why should the proposed dwelling be permitted to be 1.9m higher when the nearest property Walmsleys Barn is considerably lower
- Why are the comments from LCC (Highways) not available, because the size of the opening necessary to permit tractors and trailers to access the land locked field at the rear will be large
- Why is the proposed floor area increasing from the existing large barn area

In response to the above comments, the existing stable building may be of basic construction but this does not change the fact it is a permanent structure for planning purposes and application of guidance in the Framework. The certificate of lawfulness (Ref No. 11/01101/CLEUD) relates to the use of the building which is to be demolished. The overall impact of the dwelling has been fully assessed in comparison to the stables building in the main report. LCC (Highways) comments are reported below. In terms of the floor area increasing, again the increase in the size of the building is dealt with in the main report.

The comments also suggest additional conditions covering the following matters: -

Safe removal of the corrugated asbestos roof in accordance with disposal of asbestos regulations and that a new septic tank and soakaway filter bed will be required, has this been considered as it will affect the stream and raise flood issues.

Also, a request is made that the permission for a previously approved agricultural storage building (09/00065/FUL) on the site be retracted upon acceptance of this application to prevent further buildings being erected.

In terms of asbestos removal, the Health & Safety Executive are responsible for governing asbestos removal, which the contractor will need to address so a condition is not considered necessary as it would be replicating existing controls. In terms of the drainage issue raised, the following condition is recommended: -

Prior to the commencement of the development hereby permitted, a scheme details how surface and foul drainage will be dealt with shall have been submitted to and approved in writing by the Local Planning Authority. The development shall only thereafter be carried out in accordance with the approved drainage details.

Reason: To ensure the development has satisfactory drainage.

In terms of the 2009 planning permission for the agricultural building on the site, whilst the conditions have been discharged, it does not appear that works to construct the building have commenced on site. If this is the case, the permission will have lapsed.

The following consultee response has been received:

LCC (Highways) do not raise any objections to the amended scheme but suggest that the access should be 4.8m wide. However, the proposed access is 4.5m wide already which is considered sufficient to enable two vehicles to pass each other hence it is not considered necessary to require its widening by 300mm. Conditions recommended by LCC (Highways) relating to the access and visibility splays are detailed below.

The following additional conditions are recommended: -

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

Title	Drawing Reference	Received date
Location Plan	-----	15 th December 2014
Stables	1405 ST	5 th December 2014
Proposed Floor Plans	1405 P20	5 th December 2014
Existing Site Plan	1405 EX 01	5 th December 2014
Proposed Elevations	1405 P 21	5 th December 2014
Site Plan	1405 SP 01.1	5 th December 2014
Site Plan	1405 SP 02.1	5 th December 2014

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

The existing building shall be demolished and all resultant materials removed from the site before development pursuant to this permission is commenced.

Reason: To safeguard the amenity of the locality.

Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmac, concrete, block paviors, or other approved materials.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned 5m behind the nearside edge of the carriageway and visibility splay fences or walls shall be erected from the gateposts to the existing

highway boundary, such splays shall be 45° to the centre line of the access. The gates shall open away from the highway. Should the access remain ungated 45° splays shall be provided between the highway boundary and points on either side of the drive measured 5m back from the nearside edge of the carriageway.

Reason: To permit vehicles to pull clear of the carriageway when entering the site and to assist visibility.
