

10 February 2015

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 10TH FEBRUARY 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 - 12)

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

This page is intentionally left blank

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	10 th February 2015

ADDENDUM

ITEM 3b – 14/00332/OUT - Land Between Wheatsheaf Hotel And 2, Chapel Lane, Coppull

The recommendation remains as per the original report.

The recommended conditions did not get included with the original report hence are set out as follows: -

1. An application for approval of the reserved matters namely the access, appearance, layout, scale and landscaping of the site must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. All dwellings will be required to meet Code Level 4 of the Code for Sustainable Homes and all dwellings commenced after 1st January 2016 will be required to meet Code Level 6 of the Code for Sustainable Homes. Within 6 months of occupation of each dwelling a Final Certificate, certifying that the relevant Code for Sustainable Homes Level for that dwelling has been achieved, shall be submitted to the Local Planning Authority.

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

3. Prior to the commencement of the development, a 'Design Stage' assessment and related certification shall be submitted to and approved in writing by the Local Planning Authority. The assessment and certification shall demonstrate that the dwellings will meet the relevant Code Level of the Code for Sustainable Homes. The development shall be carried out entirely in accordance with the approved assessment and certification.

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

4. Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

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

5. Prior to the commencement of development full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. 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.

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

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

7. All windows in the first floor of the northwest and southeast facing elevations and roof planes of the dwellings and bungalow hereby permitted shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.

Reason: In the interests of the privacy of occupiers of neighbouring property.

8. A scheme for the landscaping of the development and its surroundings shall be submitted as part of the reserved matters application. These details shall include all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform, proposed finished levels, means of enclosure, minor artefacts and structures.

All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the

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

Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.

9. Prior to the first occupation of the dwellings hereby permitted, the car parking spaces and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas

10. Due to the proposed sensitive end-use (residential housing with gardens), the development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures.

The report should include an initial desk study, site walkover and risk assessment. If the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures.

The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

Reason: It is the applicant's responsibility to properly address any land contamination issues, to ensure the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012).

11. Notwithstanding the details shown on the submitted plans, the proposed driveway/hardsurfacing to the front of the dwellings shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway), unless otherwise agreed to in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to prevent flooding

12. The outline planning permission hereby granted is only for the erection of a detached dormer bungalow and a pair of two storey detached dwellings and the final details of the dwellings submitted as part of a reserved matters application shall be in strict accordance with the roof heights and finished floor levels detailed on the approved plans.

Reasons: To define the permission and to ensure that the final design of the dwellings is consistent with those assessed as part of this outline planning application.

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

Title	Drawing Reference	Received date
Location Plan	01/09	26 th March 2014
Site Plan	02/09 Rev A	7 th May 2014
House Type A Ground & First Floor Plan	03/09	26 th March 2014
House Type A Front & Side Elevation	04/09	26 th March 2014
House Type A Rear & Side Elevation	05/09	26 th March 2014
House Type B Ground Floor Plan	06/09	26 th March 2014
House Type B Proposed Loft Floor Plan	07/09	26 th March 2014
House Type B Front & Side Elevation	08/09	26 th March 2014
House Type B Rear & Side Elevation	09/09	26 th March 2014
Topographical Land Survey	S14/203	7 th May 2014
Overall Development Plan	10/09	2 nd July 2014
Proposed Street Scene Elevation	11/09	2 nd July 2014

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

14. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.

ITEM 3c-14/00098/FUL – Land 40m north west of Lake View Nursing Home, Chorley Road, Withnell.

The recommendation remains as per the original report

The applicant has now proposed to sign a S.106 Agreement to cover the typologies in POS SPD that are in deficit.

ITEM 3d – 13/00644/FUL – 7 Albert Street, Chorley

The recommendation remains as per the original report.

The recommended conditions did not get included with the original report hence are set out as follows: -

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

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004

2. Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

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

3. Notwithstanding the details shown on the submitted plans, the proposed parking spaces shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway), unless otherwise agreed to in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to prevent flooding

4. Prior to the commencement of the development, a 'Design Stage' assessment and related certification shall be submitted to and approved in writing by the Local Planning Authority. The assessment and certification shall demonstrate that the flat will meet the relevant Code Level of the Code for Sustainable Homes. The development shall be carried out entirely in accordance with the approved 'Design Stage' assessment and certification.

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

5. A scheme for the landscaping of the development and its surroundings shall be submitted prior to the commencement of the development. These details shall include all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform, proposed finished levels and means of enclosure.

All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.

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

Title	Drawing Reference	Received date
Location Plan, Existing Site Plan & Existing Elevations	13/026/E01	12 th July 2013
Proposed Site Plan, Ground Floor Plan & Elevations	13/026/P01 Rev A	5 th November 2013

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

7. The flat hereby permitted shall be constructed to meet Code Level 4 of the Code for Sustainable Homes and if works commence on or after 1st January 2016, it shall be constructed to meet Code Level 6 of the Code for Sustainable Homes. Within 6 months of occupation of the property, a Final Certificate, certifying that the relevant Code for Sustainable Homes Level for that dwelling has been achieved, shall be submitted to the Local Planning Authority.

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

8. Before the first use of the flat hereby permitted, the 3 no. car parking spaces shall be surfaced or paved, drained and marked out all in accordance with the approved site plan. The car parking spaces shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas

ITEM 3e - 14/00110/OUT – 69 Charter Lane, Charnock Richard

The recommendation remains as per the original report.

The following consultee response has been received:

Charnock Richard Parish Council has no objections to the planning application but would like to request that a condition be attached to the approval requiring the payment of s106 monies to improve or enhance existing amenity areas in the Parish, as it has been indicated that there is an identified deficit of open space in the Parish.

ITEM 3f- 14/00309/FUL – Land Adjacent To The Bungalow, Chorley Old Road, Clayton-Le-Woods

(2) No. further letters of objection have been received from the occupiers of 25 Ashdown Drive setting out the following issues:

- There are currently a number of properties for sale on Chorley Old Road, several of which have been for sale for a significant period of time.

- Building a two storey dwelling on the land adjacent to the existing property will not provide additional affordable accommodation for prospective buyers.
 - The site is adjacent to an area of open space used by local residents children for leisure purposes and a footpath also used by local residents and pedestrians as an access route on to Chorley Old Road.
 - In the letter addressed to me dated 3 February 2015, it states that there is an identified shortage of open space within this part of the borough. Granting planning permission for the erection of a house will not help that situation.
 - The applicants have made no attempt to pursue this application since the original submission in 2011. Since 2011, additional properties have been built in this area negating the need for a stand alone property which would not meet the existing requirements of the area.'
 - Garden Development
 - The property will impact on local residents in terms of loss of light , overlooking and privacy of neighbours.
-

ITEM 3i-14/00324/FUL – 20 St Thomas’s Road, Chorley

The recommendation remains as per the original report

The agent has written to that confirm that their client will not agree to the imposition of a levy required as a contribution towards the provision of play space etc. especially bearing in mind the recent Directive from the Department for Communities and Local Government in ‘Planning Contributions (Section 106 Planning Obligations)’ published November 2014. Should the application be refused they will take the matter to appeal.

ITEM 3j-14/00376/OUT – 3 Oak Drive, Chorley

The recommendation remains as per the original report

Cllrs Marion Lowe and Adrian Lowe have made the following comments:

- The application site does not form an infill plot in the traditional sense as defined in policy HS3;
- Locating at this site will lead to undue harm to highway safety and removal of a well used crossing point; and
- Loss of trees would lead to a significant change in the appearance of the immediate area.

The original report has been amended as follows: It should be noted that Hazel Grove is an unclassified road and formation of vehicular access to no. 3 Oak Drive from Hazel Grove would not require planning consent.

ITEM 3m- 14/01273/FULMAJ– Brookfield Development Seddon Homes, Chapel Lane, Coppull

The recommendation remains as per the original report

LCC Highways have made the following comments:

The proposal is an amendment to the previously approved application, 13/00560/FULMAJ which was subject to Highways comments.

I have no further comments to make, except to reiterate that the highway improvement measures detailed in the previous response to improve sustainability of the site as a whole are still relevant.

The suggested conditions and advice notes in the previous Highways response are also still applicable to the current proposal.

The highway impacts are addressed by condition.

ITEM 3n - 14/01011/FULMAJ - Land 340M East Of Cuerden Farm, Wigan Road, Clayton-Le-Woods

The recommendation remains as per the original report.

The financial contribution required from this development towards the provision of open space has been reassessed as follows:

Provision for children/young people

The size of the play area permitted under application 13/00822/REMMAJ is approximately 0.08ha. On this basis the size of the play area on the adjacent part of the development is sufficient to meet the needs of this current proposal and no further contribution is therefore required.

Allotments

Between November 2014 and January 2015 a number of open space sites were reassessed. The allotments referred to in the main report were one of the sites reassessed, and are now identified as high quality and high value due to improvements made since the original assessment was undertaken. This contribution will therefore no longer be required.

THE TOTAL REVISED FINANCIAL CONTRIBUTION REQUIRED FROM THIS DEVELOPMENT IS AS FOLLOWS:

Amenity greenspace	= £5,040
Equipped play area	= £0
Parks/Gardens	= £0
Natural/semi-natural	= £0
Allotments	= £0
Playing Pitches	= £57,564
Total	= £ 62,604

However, the applicant is disputing the required contributions, particularly the sum for playing pitches. They contend that such a contribution cannot be said to be necessary to make the proposed development acceptable in planning terms. The Council's position has been explained and a considered written response is awaited.

This page is intentionally left blank