

10 March 2015

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 10TH MARCH 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
7	<u>Addendum</u> (Pages 3 - 18)

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 Public Protection, Streetscene and Community	Development Control Committee	10 th March 2015

ADDENDUM

ITEM 3a-14/00975/FUL – Brinscall Hall Farm, Dick Lane, Brinscall

The recommendation remains as per the original report

One further letter of objection has been received from Councillor Margaret France setting out the following issues:

1. I would like it on record that I am against this development because the whole farming operation has moved a quarter of a mile into the green belt from its previous location - which had been suitable for farming needs for many years. Whilst I understand that Planning Laws have changed, our Green Belt needs to be protected - and is currently under threat from developers throughout the Borough.
2. It is my understanding that when 1 agricultural workers dwelling has been built, that there is the ability to apply (and likely get) two more on the same site ??
3. If there is another suitable dwelling in the area, then there should not be a need for a new agricultural workers dwelling, according to the Emerging Local Plan. Now it is my understanding that Mr Drinkall inherited the property 2 Brinscall Hall Cottages from his parents, and currently rents it out to tenants. Would there not be an expectation that the agricultural worker could take up residence there after serving notice on the tenants?

The following response addresses these issues:

1. The reasons why the agricultural operation had to move to the current location have already been explained in the report - The buildings (Brinscall Hall Farm) were sold by the owner (who is not the applicant) to a third party, plus the buildings no longer meet the requirements of modern farming practices.
2. This is not the case. Every dwelling for an agricultural worker is considered on its own merits, and has to meet the same justification requirements - the functional need for a worker to live on the site.
3. The need for the dwelling to be located on the site has been demonstrated to the satisfaction of the County Land Agent. He states that the dwelling has to be located within the agricultural land holding. A dwelling located elsewhere would not therefore meet the functional requirements of the agricultural operation.

ITEM 3c- 14/01279/FULMAJ– Land 200M South East Of 132, Chorley Lane, Charnock Richard

The recommendation remains as per the original report.

The applicant has put forward the following information in support of the application that they wish the committee to consider before making a decision:

It is the applicant's and our stance that there is no numerical definition of the word 'limited' in reference to paragraph 89 of the National Planning Policy Framework. The applicant argues that "limited" should therefore be based on a combination of the need that is identified (within the Chorley Rural Housing Needs Survey 2011) and the characteristics of the proposal site and the village where it is proposed. The applicant has also provided empirical evidence of rural exception sites elsewhere in the North West which demonstrates 18 units would clearly fall within the NPPF definition of "limited". The applicant argues that Charnock Richard is a reasonable sized village with an unmet and urgent need for affordable housing and the scale of the proposal (18 units) falls well within the National Planning Policy Framework definition of "limited" based on the comparable empirical evidence for a rural exception site.

The following is the proposed reason for refusal:

The proposal is contrary to Policy 1 criterion (f) of the Core Strategy as it is not considered it would meet local need. It is inappropriate development in the Green Belt as it does not meet any of the exceptions set out in Paragraph 89 of the Framework and further harm would be caused to the openness of the Green Belt. It is not considered there are very special circumstances that would outweigh the harm. At a local policy level the proposal would be contrary to Policy HS8 of the emerging Local Plan 2012-2026. The application is therefore recommended for refusal.

ITEM 3d-14/01157/FULMAJ – Land West of 77 Doctors Lane Eccleston

The recommendation has been amended - An appeal has been made against the non-determination of the application within the 13 week target period, the Development Control Committee cannot therefore make a decision on this application and instead must make a 'minded to' resolution that will form the basis of the Council's case in defending the appeal. The recommendation on this application has therefore been modified to reflect the submission of an appeal against non-determination as follows:

That Members would have been minded to refuse the application on the following grounds:

- 1. Non-compliance with Policy HS8 and that the scheme represents inappropriate development in the greenbelt.**
- 2. The evidence presented by the applicant on the lack of viability for the scheme does not justify the schemes non-compliance with Policy HS8.**

One further letter of objection has been received setting out issues that have already been set out and addressed within the Committee report:

Parks and Open Spaces Officer has made the following comments in respect of visual amenity:

Receptors Travelling on Doctors Lane - Generally speaking visual receptors using vehicles along roads are considered to be of low sensitivity due to the speed at which they are travelling and the need for them to focus on the road itself rather than appreciate the view. My opinion would be that the magnitude of adverse visual impact for these receptors is likely to be very limited as the existing view is of the urban fringe with the roofline of the existing properties clearly visible above the

existing hedge lines and mature hedgerow trees. In the long term as the proposed landscape scheme matures these visual effects are likely to become negligible.

Receptors on Cricket Ground - The visual receptors using the cricket ground also have existing views of the urban fringe therefore my opinion would be that the sensitivity to change and subsequently the magnitude of adverse visual effect is likely to be limited. Again, in the long term as the proposed landscape scheme matures these visual effects are likely to become negligible.

Residential Receptors - I consider that No's 80 and 82 Doctors Lane, which directly overlook the site, will be the most significantly affected by the proposal. However, the existing urban rural fringe location of these properties and the existing mature tree planting along Doctors Lane would limit the magnitude and significance of effect to some degree. Views from no. 77 Doctors Lane and 25, 26 and 29 Chaucer Close are oblique (due to the gable ends facing the application site) which would further limit the visual impact for these residents.

Overall Significance - Based on the brief review set out above, my initial opinion is that it could be robustly argued that the overall significance of visual effect would be moderate – low in the short term. However, in the long term, the overall significance would reduce to a low level due to the landscape scheme maturing.

Officer Response

The comments within the report regarding the harm by reason of visual impact are not sufficient to warrant this being a ground upon which the Council would oppose the appeal against non-determination.

In terms of the Viability argument, the applicant has presented a revised statement and wish to highlight that “Local Plans should be deliverable, realistic and viable”

The applicant has stated that a site of 10 units in accordance with Policy HS8 is not deliverable or viable and in addition that the scheme will not deliver Code level 4 in line with the Core Strategy policy 27 and also that the POS requirements should not be required due to those households that would occupy these 18 new units would be hidden households not new provision.

ITEM 3e-14/01332/FUL– 1 Lancaster Avenue, Clayton-Le-Woods, Leyland, PR25 5TD

The recommendation remains as per the original report.

A further petition of 100 signatures has been received in support of the application. It states that the undersigned support plans for a new children's nursery for Clayton-le-Woods; and with so many homes being built locally, there is need for more nursery spaces so families can continue to access quality, good value childcare.

A further letter of objection has been received which states the following:

Further to my letters of objection I wish to stress my concerns regarding the safety of pedestrians including children accessing the premises. Whilst I accept all area councils have their own guidelines I have read the recommendations of another council which insists on a safe well lit entrance for pedestrians and a requirement for vehicles to enter and exit the car park in a forward gear. These would seem sensible with children's safety being paramount wherever the location. The guide goes on to state that in predominantly residential areas residential character and amenity should be retained. If this scheme is approved, residential character and amenity will

definitely be lost. The noise from so much increased activity at the site will prevent neighbours from enjoying their gardens and the car park will have a negative impact on the character of the avenue. The applicant makes the point that a neighbour whose property runs the length of the site has no objection, I see in the list of objections that neighbour has in fact submitted their objection yesterday [below]. The point being that every adjoining property now objects for the same reasons, increased activity, noise, loss of amenity and the negative impact on the character of the street scene. The applicant states a need for more childcare in the area, yet my enquiries at 2 other nurseries within half a mile have shown they have more than 25 vacancies between them. Whilst new business is to be encouraged and supported, it needs to be sited in a suitable location, not in a quiet residential avenue and we urge the committee to refuse this development application.

I would like to ask the committee that if it feels it should go against the affected neighbours objections, they consider applying a condition in the form of a restriction on the time spent outside at the rear of the site. I would suggest restricting outdoor play to between the hours of 10am and 12 noon and from 2pm to 4pm would at least afford neighbours some respite from the noise of groups of children and staff and allow them to enjoy their gardens for a short period.

A further neighbour letter has been received which states the following:

They haven't raised an objection to the proposal however they do appreciate the points raised by other neighbours and wish to add support to their concerns.

The main issues raised for similar applications seem to focus on the following:

- The likely effect of the character of the area, especially where the building would be completely removed from residential use;
- Car parking and traffic congestion caused by both staff and parents dropping off and collecting children;
- Noise from the children.

It is a normal requirement that a significant residential element remain within any dwelling. Other planning applications of a similar nature stipulate that the dwelling must be at least 50% occupied in a residential capacity and not turned solely into a unoccupied building where the proprietor or another member of staff would be expected to live in the balance of the accommodation. They would like to propose the same applies in this case.

In terms of car parking, they believe that there may be a requirement that ensures that cars must enter and leave the property in a forward gear, i.e. not reversing onto Lancaster Avenue.

There is a further potential risk that approving this request may lead to similar requests from other properties in the area, which could have a detrimental effect on the character of the area.

Their garden at 44 Lancaster Lane, runs along the back of the property in question. There is a pond in their garden which is unfenced. This should be taken into account when fencing the property in question.

They would expect the proprietor to be mindful of the neighbours and character of the area. Lancaster Avenue is a quiet area, which has undergone significant building works in the surrounding areas, including back gardens along Lancaster Lane, in recent years and more recently a significant development off Wigan Road. This has led to much disruption and unrest for local residents, and so it is of little surprise that this application has caused unrest. There are elderly residents close by who enjoy the relative peace of the area. Although they doubt that any of the above will restrict

such an application, they ask that the proprietor and the council be mindful of the points above and the wishes of residents when considering this application.

The following conditions are proposed:

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

Title	Received date
Location Plan	22 nd December 2014
Site Plan	22 nd January 2015
Proposed Nursery (parking layout on this plan superseded)	22 nd December 2014

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

3. The nursery shall only be open between 08.00 and 18:00 Monday to Friday inclusive and shall not open on weekends or Public Holidays.

Reason: To safeguard the amenities of the occupiers of nearby residential accommodation.

4. Prior to the nursery use commencing details of a 2m acoustic fence to be erected to the rear/side boundaries of rear garden shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the design of the proposed fence, its surface density (kg/m²) and its precise position. The fence shall be erected prior the nursery use commencing and shall be retained at all times thereafter after while the building is in use as a nursery.

Reason: To ensure reasonable standards of amenity to adjacent residents.

5. No more than 30 children shall be in attendance at the nursery hereby permitted at any one time, and no more than 24 children shall be over the age of two years old.

Reason: To ensure reasonable standards of amenity to adjacent residents.

6. The access, parking and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to the use of the building as a nursery. Such access and parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 1995).

Reason: To ensure provision of off-street parking facilities within the site.

7. No development shall commence until details of secure storage for at least 3 bicycles has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the first occupation/use of the development. The facilities shall be retained at all times thereafter.

Reason: To encourage sustainable transport modes.

8. A scheme detailing the landscaping to be implemented to the south and west boundaries of the parking area to the front of the property shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. These details shall include any existing trees and plants/shrubs to be

retained and details of any new trees and plants/shrubs to be planted, their distribution on site, and species. All planting shall be carried out in accordance with the approved details within the first planting and seeding seasons following the use of the building as a nursery. 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 commencement of development details of an area to be provided for the storage of refuse receptacles at the premises shall be submitted to and approved by the Local Planning Authority, and then implemented strictly in accordance with those agreed details before the building is first occupied for the permitted use and thereafter retained.

Reason: In the interests of the amenity of adjacent residential properties.

ITEM 3f-15/00028/FUL – Initial Textile Services, Botany Brow, Chorley

The recommendation remains as per the original report

Property Services have made the following comments: The profit is now increased to £244,900 from the previous £53,600 and on the amount of 43 units at £120,000 each selling price (approximate) that would give an increased developers profit to 4.7% or thereabouts. The usual market range is much higher between 15%-20%.

As such although the proposals will result in additional profit it is clear that there is still no flexibility within the scheme to include affordable housing, POS or Code Level 4 and still create a viable scheme.

ITEM 3g-14/01316/FUL – Winter View Farm Parr Lane Eccleston Chorley PR7 5RP

The recommendation remains as per the original report.

The conditions as detailed below are proposed:

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

Title	Drawing Reference	Received date
Location Plan		18 th December 2014
Proposed Elevations	ML/GA/4919	23 rd December 2014
Site Plan		18 th December 2014
Car parking, turning area and visibility plan		2 nd March 2015

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

2. 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.

3. Deliveries to the site shall not take place between the hours of 6.00pm and 8.00am Monday to Saturday inclusive and no deliveries shall take place on Sundays or Public Holidays.

Reason: To protect the adjacent neighbouring properties from noise and disturbance at unsocial hours of the day.

4. Fork lift trucks shall not be used outside the building between the hours of 6.00pm and 8.00am Monday to Saturday inclusive or on Sundays or Public Holidays.

Reason: To protect the adjacent neighbouring properties from noise and disturbance at unsocial hours of the day.

5. Prior to the commencement of development details/samples of the external profile sheets and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification), including their specific colour 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.

6. No goods, plant or materials shall be deposited or stored outside the building.

Reason: In order to protect the visual amenity of the Green Belt.

7. The development hereby permitted shall not commence until the access point has been implemented as per the approved Car parking, turning areas and visibility plan received on 2nd March 2014.

Reason: To ensure the visibility at the site access is acceptable.

ITEM 3h- 14/01336/FULMAJ – Nook Farm Holker Lane Ulnes Walton Leyland PR26 8LL

The recommendation remains as per the original report

The applicant has updated the proposed landscape design as per the mitigation proposal section on the agenda and this is now considered acceptable.

The following conditions are proposed:

1. The proposed development must be begun no 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. The development hereby permitted shall be carried out in accordance with the following approved plans:

Title	Drawing Reference	Received date
Situation (site layout plan)	Lovania Nurseries	2 nd March 2015
Layout (glasshouses)	Lovania Nurseries	20 th February 2015
Site Location Plan	Proposed changes to existing agricultural yard layout	23 rd December 2014
Detailed Planting Plan	D4820.002A	5 th March 2015
Aquatic Planting Plan	D4820.004	5 th March 2015
Landscape Strategy Plan	D4820.001C	5 th March 2015

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

3. The glasshouses hereby permitted shall not be lit internally or externally (other than by existing security lighting on the existing buildings to remain). They shall not be heated nor shall hydroponics be used.

Reason: In the interests of the visual amenity of the Green Belt and to control the intensity of the use in relation to ecology.

4. All planting shown on the approved Detailed Planting Plan (ref: D4820.002A), Aquatic Planting Plan (ref: D4820.004 and the Landscape Strategy Plan (ref: D4820.001C) shall be carried out in the first planting and seeding seasons following the erection of either of the glasshouses (or in the case of the Aquatic Planting Plan the first planting season following the creation/alteration of the ponds), 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: In the interest of the appearance of the area.

5. No part of the development hereby permitted shall be occupied or used until the means of vehicular access has been constructed in accordance with the approved plans.

Reason: In the interests of highway safety to ensure an acceptable access for the development.

6. Prior to the construction of the glasshouses hereby permitted commencing the hardstanding area to be removed as shown on the Site Location Plan received 23rd December 2014 shall have been removed and any resulting waste material removed from the site.

Reason: To remove buildings in the Green Belt for which there is not an on-going need.

7. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed finished floor levels (all relative to ground levels adjoining the site) of the glasshouses shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.

Reason: To protect the appearance of the locality.

8. Prior to the construction of the glasshouses hereby permitted commencing the existing buildings to be demolished (shown in pink/purple on the approved Situation Plan received 2nd March 2015), shall have been demolished and any resulting waste material removed from the site.

Reason: To remove buildings in the Green Belt for which there is not an on-going need.

9. If the glasshouses hereby permitted are not brought into use or the use of them ceases for a period of one year within 10 years of their substantial completion they shall be removed from the land and the land shall be restored to its former condition.

Reason: To avoid the proliferation of buildings in the Green Belt for which there is not a continuing need and in the interests of the visual amenity of the Green Belt.

10. Prior to the commencement of the development details of the management of inflows and outflows from the pond(s) approved and the drainage / irrigation system in general for the site shall be 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 the drainage is acceptable in terms of ecology.

11. The development hereby permitted shall be carried out in accordance with the submitted Method Statement dated 29th January 2015 (received 3rd February 2015) and the recommendations set out in paragraph 10 of the Extended Phases 1 Habitat Survey (Issued 14th November 2014, received 23rd December 2014).

Reason: To ensure amphibians are protected during the development.

ITEM 3i – 14/01168/FUL – Oak Tree Hotel, 130 Preston Road, Coppull, Chorley

The recommendation remains as per the original report.

The following condition has been added to control the opening hours of the retail unit: The retail unit hereby permitted shall not be open, nor used for the sale or ordering of goods outside of the hours of 8am until 5pm on weekdays and Saturdays and outside of the hours of 10am until 4pm on Sundays and Bank Holidays.

Reason: In order to protect the amenities of the occupiers of nearby properties

ITEM 3M-14/01297/OUT – St Peters Vicarage, Harpers Lane, Chorley

The recommendation remains as per the original report

The Council's Tree Officer has made further additional comments:

The removal of T14 would have an impact on the local environment, in what is a very urbanised location with few mature trees. This tree does contribute to the local landscape and will serve to screen any future development. The tree can be seen by the public using St Peters Recreation Ground and residents of Corporation Street and Vicarage Street. It is a category A tree and every effort should be made to retain. An alternative drive way constructed from an appropriate no-dig cellular system within the section of the driveway that crosses the root protection area of T14 would enable the tree to be retained and the development as proposed to go ahead.

The applicant has agreed to retain Tree T14 and use an appropriately designed driveway material to avoid damaging the tree. It is recommended that a condition is attached to secure the details.

The following consultee responses have been received:

Ecology has made the following comments:

The site would appear to be a former garden space & domestic orchard with limited (site-based) nature conservation value only. It is not designated for its nature conservation value and is considered to have low potential to support any protected species, with the likely exception of foraging bats.

The loss of several trees to the development will reduce the amount of foraging habitat available to foraging bats or nesting birds but I would not consider that these losses will significantly affect the long-term population status of birds and bats because there is sufficient alternative habitat available, including trees, remaining on and adjacent to the application site and in nearby parkland. Any local bat 'commuting routes' in the area will not be compromised by the development.

The most common species of bat recorded in such urban areas are much more closely associated with roosts in buildings rather than roosts in trees. Further, the majority of trees to be removed to facilitate the scheme are not of a suitable species or age to support a significant bat roost. The possible exceptions to this are the large sycamore marked as T14 in the Tree Survey and the mature Lombardy poplar marked as T12 in the survey. Given the highly protected status of bats further precautions as regards bats are justified in relation to these trees.

Prior to the removal of trees nos 12 and 14, and preferably prior to determination of the application, these trees should be inspected for the possible presence of bats by a suitably qualified person. If bats are found by inspection then a Method Statement must be prepared giving details of measures to be taken to avoid any possible disturbance to bats. Once approved this Method Statement must be implemented in full.

No tree felling or vegetation clearance required by the scheme should take place during the optimum period for bird nesting (March to July inclusive). All nesting birds their eggs and young are specially protected under the terms of the Wildlife and Countryside Act 1981 (as amended).

To replace potential bat roosting and bird nesting opportunities 6 no. bat boxes and 6 no. bird nesting boxes should be erected on suitable remaining trees on or close to the application site

The following conditions are proposed:

1. An application for approval of the reserved matters (namely the 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. The construction of the proposed driveway located within the root protection area of trees T14 (detailed on the Arboricultural Development Report date June 2013, received 11 December 2014) shall be undertaken using a ‘no-dig’ cellular confinement system method of construction full details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The driveway construction method shall thereafter be implemented in accordance with the approved details.

Reason: To ensure the continued protection of the trees

3. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.

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

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

Title	Drawing Reference	Received date
Location plan		11 December 2014

Indicative site layout	11 December 2014
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Reason: For the avoidance of doubt and in the interests of proper planning

5. Prior to the commencement of any development, full details of the alignment, height and appearance of all fences and walls to be erected to the site boundaries (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 building shall be occupied or land used pursuant to this permission before 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.

6. All dwellings commenced after 1st January 2013 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

7. 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

8. No dwelling shall be occupied until a letter of assurance, detailing how that plot has met the necessary Code Level, has been issued by a Code for Sustainable Homes Assessor and submitted to the Local Planning Authority.

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

ITEM 3n-15/00039/FUL – Land And Garages Adjacent 26 Pear Tree Road, Croston

The recommendation remains as per the original report.

The following conditions are proposed:

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. The dwellings hereby permitted shall not be occupied until all the car parking spaces identified on drawing number P103 Rev. H have been provided.

Reason: To ensure adequate off street parking provision is made/maintained and thereby avoiding hazards caused by on-street parking

3. The off-road parking spaces as shown on drawing number P103 Rev. H shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

Reason: To ensure adequate off street parking provision is made/maintained and thereby avoiding hazards caused by on-street parking

4. Deep rooted shrubs and trees should not be planted within the 3m easement area of the public sewer and overflow systems.

Reason: To ensure proper access is retained for the maintenance of the sewer and prevent damage

5. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system. The surface water must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority and no surface water shall discharge to the public sewerage system either directly or indirectly.

Reason: To secure proper drainage of the site.

6. The external facing materials, detailed on the approved plans, shall be used and no others substituted. Specifically this shall include Ibstock Priory Red (multi or weathered) as the main facing brick and Grey Marley Modern roof tiles.

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

7. The development hereby permitted shall only be carried out in conformity with the ground surfacing materials as detailed on the approved plans, and no others substituted, unless otherwise agreed to in writing by the Local Planning Authority.

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

8. 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.

9. 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.

10. No dwelling hereby permitted shall be occupied until that part of the service road which provides access to it from the public highway has been constructed in accordance with the approved plans.

Reason: In the interests of highway safety

11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the earlier, 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: In the interest of the appearance of the locality

12. During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.

Reason: To safeguard the trees to be retained

13. Notwithstanding the details shown on the submitted plans, the proposed car parking and turning area to the front of the properties 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

14. Plants listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) are known to occur on the site, including Japanese knotweed (*Fallopia japonica*). These species shall be eradicated from the site and working methods shall be adopted to prevent their Spread in accordance with Environment Agency guidance and codes of practice.

Reason: to ensure the eradication and control of any invasive species which are found on the site

15. The development shall be carried out in accordance with the sustainability methods and Code for Sustainable Homes Level as set out on page 11 of the Design and Access Statement submitted with the application.

Reason: In the interest of minimising the environmental impact of the development and taking into account the circumstances put forward by the applicant.

16. The development shall be carried out in accordance with the following plans:

Plan Ref.	Received On:	Title:
P100	16 January 2015	Location Plan
P102	16 January 2015	Existing Topographical Site Plan
P103 (Rev H)	26 February 2015	Proposed Site Layout (Amended)
P104 (Rev A)	26 February 2015	Street Elevations (Amended)
P105 (Rev A)	26 February 2015	3D Views (Amended)
P107	16 January 2015	House Type Plans
P108 (Rev A)	16 January 2015	House Type Elevations
P109 (Rev A)	16 January 2015	Boundary Details
27529-6000 (Rev P2)	04 March 2015	Drainage Strategy

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

17. The development hereby permitted shall only be carried out in conformity with the final Phase II Geotechnical and Environmental Assessment containing Sutcliffe Investigations final recommendations in relation to foundation design, gas protection measures and remediation requirements, details of which shall be submitted to the Local Planning Authority.

Reason: To safeguard future occupiers of the site.

18. All the dwellings hereby permitted shall be provided as affordable dwellings (as defined in the Central Lancashire Affordable Housing Supplementary Planning Document) to be managed by a Registered Provider.

Reason: Weight has been given to the case put forward by the applicant as a Registered Provider in relation to the sustainability requirements/Code for Sustainable Homes level requirement of the site.

19. The development shall be carried out incorporating the proposed ecological mitigation and compensation measures set out in Section 4 of the UES Ecology Assessment Report of January 2015 submitted with the application.

Reason: To mitigate against impacts to ecology on the site and to incorporate biodiversity enhancements into the site.

ITEM 3p-15/00040/FUL – Garages At Longfield Avenue, Coppull

The recommendation remains as per the original report.

In relation to drainage a condition is proposed restricting restricted surface water runoff to existing rates.

The following conditions are proposed:

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. All planting, seeding or turfing shown on the approved plans shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the earlier, 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: In the interest of the appearance of the locality.

3. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system. The surface water must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority and no surface water shall discharge to the public sewerage system either directly or indirectly.

Reason: To secure proper drainage of the site.

4. The dwellings hereby permitted shall not be occupied until the 2.1m acoustic fence (close boarded with no gaps with a 'surface density' of at least 10kg/m²) has been erected on the boundary of the plots and the railway as shows on the approved site layout.

Reason: To ensure reasonable standards of amenity to adjacent residents.

5. Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to and approved in writing by the Local Planning Authority and the development shall then only be carried out in accordance with the approved details.

Reason: To protect the adjacent railway.

6. The development shall be carried out in accordance with the sustainability methods and Code for Sustainable Homes Level as set out on page 11 of the Design and Access Statement submitted with the application.

Reason: In the interest of minimising the environmental impact of the development and taking into account the circumstances put forward by the applicant.

7. The development shall be carried out incorporating the proposed ecological mitigation and compensation measures set out in Section 4 of the UES Ecology Assessment Report of January 2015 submitted with the application.

Reason: To mitigate against impacts to ecology on the site and to incorporate biodiversity enhancements into the site.

8. The development hereby permitted shall only be carried out in conformity with the final Phase II Geotechnical and Environmental Assessment containing Sutcliffe Investigations final recommendations in relation to foundation design, gas protection measures and remediation requirements, details of which shall be submitted to the Local Planning Authority.

Reason: To safeguard future occupiers of the site.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be inserted or constructed at any time at first floor level or above in the north elevation of the dwellings situated on plots 1 or 2 hereby permitted.

Reason: To protect the amenities and privacy of the adjoining property.

10. The development hereby permitted shall only be carried out in conformity with the proposed finished floor levels shown on the approved plan(s).

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

11. The dwellings hereby permitted shall be constructed with upgraded glazing and alternative purge ventilation (for the bedrooms) as detailed in section 5 of the Residential Acoustic Survey (Report No. 10329rev A) submitted with the application.

Reason: To ensure acceptable levels of amenity inside the dwellings in relation to the adjacent railway line.

12. 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.

13. The parking and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available for each plot in accordance with the approved plan prior to the occupation of that plot. The additional parking bays provided to the south of the dwellings shall be provided prior to the occupation of the eighth dwelling. Such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 1995).

Reason: To ensure provision of adequate off-street parking facilities within the site.

14. The development hereby permitted shall be carried out in accordance with the following materials:

Main facing brick: Ibstock Priory Red (multi or weathered);

Roof Tile: Grey Marley Modern;

Cladding: Marley Operal Cladding - Red panels (colour ref: OP33) with Sand Yellow (colour ref: OP08) surround.

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

15. 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.

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

Title	Drawing Reference	Received date
Location Plan	P100 Rev A	19 th February 2015
Site Plan with FFL	2825 P103 Rev C	26 th February 2015
1B2P Flat – 49m ² Plot 7 & 8 (floor plans)	2825 P110 Rev A	26 th February 2015
1B2P Flat Elevations – 49m ² Plot 7 & 8	2825 P111 Rev A	26 th February 2015
2B4P House Type Elevations	2825 P109 Rev A	16 th January 2015
2B4P House Type 68m ² Plans (floor plans)	2825 P108 Rev C	16 th January 2015
1B2P Flat – 49m ² Plot 1, 2, 3, 4 (floor plans)	2825 106	16 th January 2015
1B2P Flat Elevations – 49m ² Plot 1, 2, 3 & 4 (elevations)	2825 107	16 th January 2015
Boundary Details	2825 P112	16 th January 2015
Drainage Strategy	27530-6000	16 th January 2015

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

17. All the dwellings hereby permitted shall be provided as affordable dwellings (as defined in the Central Lancashire Affordable Housing Supplementary Planning Document) to be managed by a Registered Provider.

Reason: Weight has been given to the case put forward by the applicant as a Registered Provider in relation to the sustainability requirements/Code for Sustainable Homes level requirement of the site.
