

Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

14 January 2016

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 14TH JANUARY 2016

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

6 Addendum (Pages 3 - 12)

Report of the Director Public Protection, Streetscene and Community (enclosed).

Yours sincerely

Gary Hall Chief Executive

Cathryn Filbin

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COMMITTEE REPORT				
REPORT OF	MEETING	DATE		
Director Public Protection, Streetscene and Community	Development Control Committee	14 th January 2016		

ADDENDUM

ITEM 3a-15/00961/FUL - Towngate Stables, Towngate works, dark Lane, Mawdesley

The recommendation remains as per the original report.

Condition 4 has been amended to the following:

If the stables hereby permitted are not brought into use or the use of them ceases for a period of six months 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.

ITEM 3c-15/01116/FUL - Five Acres Plant Centre, Five Acres, Dawbers Lane

The recommendation remains as per the original report

Members will note within the original report that at the time of the officers site visit no delivery/ despatch vehicles were present on the site and the agent stated that this was due to the weather conditions on that day. Since writing the Committee report officers have visited the site on several occasions and the number of delivery/ despatch vehicles identified within the applicant's case were not present on the site with the large areas of hardstanding remaining vacant and available for parking.

ITEM 3d - 15/00686/FULMAJ - Brock Mill, Brock Road, Chorley

The recommendation remains as per the original report

1no. further letter of objection has been received echoing the grounds of objection detailed in the main report about the impact of the proposal on the existing road infrastructure. Particular concern is expressed that the increase in housing, without proper maintenance of the surrounding area is likely to generate litter and vermin.

A local resident has requested that the wall adjacent to their property has bushes planted against it so as to stop children football against it. This is a reasonable request and can be dealt with under the provisions of the landscaping condition.

Councillors Marion and Adrian Lowe have commented that they are amazed that the access is deemed to be appropriate as there are horrendous traffic problems particularly when the chip shop

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is open. They also state that there is a high volume of traffic that uses that end of Railway Road and parking is a nightmare. They despair at the comments of the highways authority who do not seem to understand the narrowness of the roads leading to this site. Comment is also made that the footpath leading to Rylands crossing is well used and is affected by the proposed access.

The following conditions are recommended:

No.	Condition	Condition				
1.				plans, except		
	as may otherwise be specifically	as may otherwise be specifically required by any other condition of the outline planning				
	permission or this approval of re	served matters.				
	Reason: To define the permission	on and in the intere	sts of the proper developr	ment of the site.		
2.	The hereby permitted shall be ca	arried out in accord	lance with the following ap	proved plans:		
		The state of the s				
	Title	Drawing Reference	Received date			
	Location Plan	P100	13 July 2015			
	Proposed Site Plan Option 2	P102 Rev E	15 December 2015			
	Site Section	P104 Rev A	15 December 2015			
	House Type Elevation	P107	13 July 2015			
	House Type Plan	P106	13 July 2015			
	1B2P Elevations	P111 Rev A	13 July 2015			
	Flat Plans	P110 Rev A	13 July 2015			
	Proposed Boundary Details	P108	13 July 2015			
				l ment of the		
	site.	Reason: To define the permission and in the interests of the proper development of the				
	Site.					
3.	The development hereby permit	The development hereby permitted shall only be carried out in conformity with the proposed				
O.		-	-	р. оросса		
	ground and banding slab levels (ground and building slab levels shown on the approved plans.				
	Reason: To protect the appeara	Reason: To protect the appearance of the locality and in the interests of the amenities of				
	local residents.					
4.	The proposed development mus	t be begun not late	er than three years from th	e date of this		
	permission.	· · · · · · · · · · · · · · · · · · ·				
	Reason: Required to be imposed by Section 51 of the Planning and Compulsory Pur			sory Purchase		
Act 2004.						
5.	Prior to excavation of the founda					
	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.					
	reason: To ensure that the mat	ieriais used are VIS	uany appropriate to the lo	cality.		
	Drior to the commencement of d	ovolopmost full det	taile of the colour forms an	d toyture of all		
6.	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.					
		,				
7.	Due to the nature of the industry					
	for ground contamination. Due to the size of development and sensitive end-use (residential					
	housing with gardens), no development	opment shall take p	Diace until:			

- a) a methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2011 'Investigation of potentially contaminated sites Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;
- b) all testing specified in the approved scheme (submitted under a) and te results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;
- c) the Local Planning Authority has given written approval to any remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority.

Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals.

Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health, by ensuring the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012).

No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.

Those details shall include, as a minimum:

8.

- a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate which has not yet been calculated. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained

	in accordance with the approved details.	
	Reason:	
	1. To ensure that the proposed development can be adequately drained.	
	2. To ensure that there is no flood risk on or off the site resulting from the proposed development	
	3. To ensure that water quality is not detrimentally impacted by the development proposal.	
9.	No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.	
	Reason:	
	To ensure that the drainage for the proposed development can be adequately maintained.	
	2. To ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.	
10.	No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include: a) the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company	
	b) arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:	
	i. on-going inspections relating to performance and asset condition assessments	
	ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;	
	c) means of access for maintenance and easements where applicable.	
	The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.	
	Reason:	
	To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development	
	2. To reduce the flood risk to the development as a result of inadequate maintenance	
	3. To identify the responsible organisation/body/company/undertaker for the sustainable drainage system.	
11.	No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:	

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	the parking of vehicles of site operatives and visitors
	2. hours of operation (including delivers) during construction
	3. loading and unloading of plant and materials
	4. storage of plant and materials used in constructing the development
	5. siting of cabins
	6. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
	7. wheel washing facilities
	8. measures to control the emission of dust and dirt during construction
	a scheme for recycling/disposing of waste resulting from demolition and construction works
	Reason: In the interests of highway safety and to protect the amenities of the nearby residents.
12.	No trees or shrubs will be removed or soil stripping commence between the 1 st March and 31 st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no bird nests are present which has been agreed in writing by the Local Planning Authority.
	Reason: To ensure the protection of nesting birds during the construction period.
13.	An ecological mitigation plan shall be submitted to and approved in writing by the LPA, prior to commencement of development. The content of the plan should include details of location and species of replacement trees & shrubs and details of design and location of bird nesting and bat roosting opportunities. The approved plan will be implemented in accordance with the approved details.
	Reason: To mitigate for the loss of ecological habitat.
14.	A scheme for the landscaping of the development and its surroundings shall be submitted prior to the commencement of the development. These details shall 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.
15.	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.
16.	No development shall be commenced until an Estate Street Phasing and Completion Plan

	has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed.
	Reason: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.
17.	No dwelling or dwellings shall be occupied until the estate street(s) affording access to those dwelling(s) has been completed in accordance with the Lancashire County Council Specification for Construction of Estate Roads.
	Reason: To ensure that the estate streets serving the development are completed and maintained to the approved standard, and are available for use by the occupants, and other users of the development, in the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.
18.	No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established.
	Reason: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.
19.	No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.
	Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.
20.	Prior to construction, a construction plan shall be submitted to and approved inn writing by the local planning authority. The plan to include method and details of construction including vehicle routing to the site, construction traffic parking and any proposed temporary closing of roads or streets. No construction traffic or deliveries to enter/exit during traffic peak periods or to wait on the public highway. Such construction plan to be implemented and adhered to during the construction of the development.
	Reason: To maintain the operation of local streets and through routes in the area during construction, particularly during peak periods.
21.	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 improvement has 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.

ITEM 3e-15/01147/FULMAJ - Chorley Fire Station, Weldbank Lane, Chorley, PR7 3NQ

The recommendation remains as per the original report.

Additional comments on the application have been received from Mr Rostron who made the comments summarised in the main report. To summarise these Mr Rostron states he has no objection to the development of the site, his concern is with the intensity of the development and the number of dwellings planned. Having reviewed the additional submitted drainage strategy, the estimated reduction in flow rate is satisfactory to him, he does however call for the United Utilities (UU) investigation to be competed and required for full approval of the drainage plans. Should the UU report later confirm that the drainage along Weldbank Land is in need of an increase in capacity, then the drainage plan for the proposal would be rendered invalid. Mr Rostron also comments on sustainability standards and that although the Code for Sustainable homes was withdrawn in 2015, there is still the ability for local councils to require standards up to the equivalent of those previously defined as Level 4, otherwise to construct inefficient homes is to construct poverty traps as pressures upon energy prices increase.

The issue of the number of dwellings and sustainability is covered in the main report. The drainage issue is covered below.

Lead Local Flood Authority

As detailed in the report Lancashire County Council as the Lead Local Flood Authority (LLFA) originally objected to the application and requested further information. The applicant therefore submitted further information in the form of a drainage strategy which has been reviewed by the LLFA.

The LLFA note that the applicant intends to discharge surface water to an existing surface water sewer which is owned and maintained by United Utilities. The Planning Practice Guidance establishes a hierarchy for surface water disposal, which encourages a SuDS approach. Generally, the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:

- into the ground (infiltration);
- to a surface water body;
- to a surface water sewer, highway drain, or another drainage system;
- to a combined sewer.

They state the applicant has provided evidence which demonstrates why discharge options into the ground or to a surface water body cannot be fully employed and therefore the Lead Local Flood Authority considers the proposed runoff destination to be acceptable.

The proposed drainage strategy includes 9mx6mx1m deep cellular attenuation and associated connecting pipework and flow control providing 11.6 l/s maximum discharge of surface water from the site. If these were to be removed in the future this could cause a floor risk. The LLFA has the power to designate such structures (a flor of legal protection) and will consider these structures for designation upon the completion of the development. Therefore the LLFA wishes to be formally notified of the completion of the development by the applicant.

The LLFA withdraws its objection to the development which they consider to be acceptable subject to the inclusion of conditions that the development is built in accordance with the submitted drainage strategy and is not occupied until the sustainable drainage scheme detailed is completed and maintained. They also request a condition regarding the lifetime management and maintenance of the sustainable drainage scheme and a surface water management plan during the construction phase.

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To respond to the comments of the LLFA and the additional representation, surface water from the site will be drained to a surface water sewer. The current surface water runoff, drained to the sewer has been calculated as 44 l/s. Allowing 30% for climate change would normally give a maximum surface water runoff allowed from the site of 30.8 l/s. United Utilities have however advised that the maximum surface water discharge rate should not exceed 11.6 l/s. This is because they have not got adequate evidence that the whole site at present drains into the public surface water sewer and they have therefore based their calculations on the worst case scenario that only the roof of the existing buildings are connected to the sewer (unless the developer chose to do a detailed survey confirming more of the site is connected to the surface water sewer at present). As this has not been done the proposed drainage strategy therefore proposes to restrict surface water runoff from the site as required by United Utilities to 11.6 l/s through attenuation and flow control measures.

The drainage strategy is acceptable to the LLFA and in line with the restricted flow rate requested by United Utilities and is therefore considered acceptable subject to conditions.

The following additional conditions requested by the LLFA are proposed:

The development permitted by this planning permission shall be carried out in accordance with the approved Drainage Strategy (December 2015, Revision 1; LRD27270; Dave Samuels, Sutcliffe) and the following mitigation measures detailed within the Drainage Strategy:

- 1. Limiting the surface water run-off generated by the 1 in 100 year (+ 30% climate change) critical storm so that it will not exceed 11.6 l/s as required by United Utilities in order to discharge into their surface water drain.
- 2. Finished floor levels are set no lower than 87.3 m above Ordnance Datum (AOD). The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in consultation with the lead local flood authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the drainage for the proposed development can be adequately maintained and to ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.

No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

- a) the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
- b) arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements including but not restricted to:
- i. on-going inspections relating to performance and asset condition assessments
- ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever

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is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development; to reduce the flood risk to the development as a result of inadequate maintenance; and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system.

No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the construction phase(s) of development does not pose an undue flood risk on site or elsewhere and to ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

Boundary Treatments

Following discussions with the agent the proposed front boundary treatments have been amended so that they are dwarf walls with pitch coping on rather than railings as originally proposed. The existing dwarf wall on the corner of Weldbank Lane and Gloucester Road around the amenity greenspace will be retained with coping replaced to match that on the new dwarf walls. The boundaries between front gardens will remain as railings. It is considered that dwarf wall on the front boundaries will be more in keeping with the immediate area than railings and is looking upon favourably.

The approved plans condition is therefore proposed to be amended to take account of the amended boundary treatments plan as follows:

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

Title	Drawing Reference	Received date
Proposed Site Layout	P1258 103 Rev F	19 th November 2015
Planting Plan	P1258 107	20 th November 2015
Proposed Site Section	P1258 104 Rev A	19 th November 2015
Boundary Treatments Plan	P1258 105 Rev F	14 th January 2016
Proposed 1B/2P	P1258 110 Rev D	19 th November 2015
Apartment/2B/4P House		
Block – TYPE A & B		
Proposed 4B/2P Semi-	P1258 311 Rev C	19 th November 2015
detached House – TYPE C		
Proposed 4B/2P Terrace	P1258 312 Rev C	19 th November 2015
Plans – Type C		
Proposed 4B/2P Terrace	P1258 313 Rev B	19 th November 2015
Elevations – TYPE C		

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

Highways

The end of paragraph 22 of the report states that the comments of LCC Highways have not been received and will be reported on the addendum. This is wrong as the comments are reported in the comments box at the top of the report and responded to in the report.

