

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 5TH APRIL 2016, 6.30 PM

COUNCIL CHAMBER, TOWN HALL, CHORLEY

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
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5	COMMITTEE ADDENDUM
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GARY HALL
CHIEF EXECUTIVE

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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	5 th April 2016

ADDENDUM

ITEM 3b-15/01246/FUL – Land Adjacent To 75 Towngate, Ecclestone

The recommendation remains as per the original report.

In response to paragraph 47 of the committee report regarding how the financial contribution to public open space will be secured, the agent has confirmed their client is willing to make this via a direct payment prior to a decision notice being issued. Therefore a legal agreement or condition will not be required.

Suggested Conditions:

The case officer has been in discussions with the agent regarding the wording of the suggested conditions at the end of the committee report. The agent does not consider that condition no. 2 (regarding the need for a SAP assessment) is necessary as a SAP assessment is required by Building Regulations. It is however considered it is required as the dwellings need to exceed a Dwelling Emission Rate 19% above the Building Regulations and even if they did the applicant may not choose to use the Council's Building Regulations Service so the planning department may not have access to this information. Condition 2 is therefore still proposed.

It is proposed that condition 17 is deleted and combined with condition 18 so it reads as follows:

18. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations. The development thereafter shall be completed in accordance with the approved details.
Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate.

The conditions below have been amended (where underlined) for clarification:

6. A scheme for the landscaping of the development shall be submitted prior to the construction of the superstructure of any of the dwellings commencing. These details shall include details of any existing trees and hedgerows on the land; show any to be retained, together with measures for their protection in the course of development and show the types and numbers of trees, shrubs and hedges to be planted and their

distribution on the site. The details shall also specifically include details of how the existing opening within the hedgerow adjacent to the east elevation of Plot 2 will be closed off with hedging species to match the existing hedge, which shall take place in the first planting season following the commencement of the development. All other 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 dwellings or the completion of the development, whichever is the sooner, and any trees, plants or hedges 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.

7. At least one of the garage car parking spaces (one half of the double garage) hereby approved on plots 1, 4, 6 and 7 shall be kept freely available for the parking of cars and no works, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order, shall be undertaken to alter convert the space into living or other accommodation.

Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards and nuisance caused by on-street parking, as one half of the double garage is required to ensure each dwelling has sufficient parking in accordance with the Council's parking standards.

12. The external parking for all the plots and at least one of the garage parking spaces on plots 1, 4, 5 and 7 and associated manoeuvring facilities shown on the plans hereby approved for each dwelling shall be surfaced or paved and made available in accordance with the approved plan prior to the occupation of that dwelling; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).

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

14. Prior to the commencement of any development, other than site investigation and enabling works, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This is required to be pre-commencement condition to ensure a satisfactory scheme is incorporated into the development from the very start of the construction process.

15. Before any development hereby permitted is first commenced, other than site investigation and enabling works, full details of the means of foul water drainage/disposal shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for foul water drainage/disposal for that dwelling have been completed in accordance with the approved details.

Reason: To ensure a satisfactory means of drainage. This is required to be pre-commencement condition to ensure a satisfactory scheme is incorporated into the development from the very start of the construction process.

The following additional conditions are proposed as requested by Lancashire County Council Highways:

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 the streets are managed and maintained to a satisfactory standard for the occupants of the approved properties.

The construction of any road, or part of a road that will be proposed for adoption shall not commence until full engineering, drainage, street lighting and constructional details of the road 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.

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.

For the full period of construction, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.

Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

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