

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 13TH SEPTEMBER 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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7	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	13 th September 2016

ADDENDUM

ITEM 3b-15/00215/OUT/A – 59 Church Street Adlington

ITEM 3c-15/00216/OUT – 59 Church Street Adlington

The recommendation remains as per the original report

The following additional information from Lancashire County Council Highways was reported on the previous addendum.

The actual position of the access would be agreed on site as part of the s278 process. However, the location currently proposed should not result in the loss of any car parking space. However, as a worst case scenario, if there should be any loss of parking spaces, then it would not be more than 2no. i.e. Approximately 12m. The loss of these spaces may be to the immediate left of the access (when leaving the site). No other existing parking space, be it to the east side or west side of the road would be lost.

The following additional information from Lancashire County Council Highways has since been provided:

- *when cars are exiting the site and looking right that there could be vehicles parked either on the hatched lines or further from the site on unrestricted parts of the dual carriageway that would limit the visibility for emerging vehicles.*

The proposed build-out to the right of the access (when exiting the site) will result in the access being brought forward in line with the edge of the hatch markings. The build-out would extend approximately three car lengths to ensure parking does not take place close to the access and to ensure pedestrian safety. From this point, even if vehicles are parked on the hatchings, the required visibility splay is still achievable as it would now be measured to the edge of the hatchings instead of the nearside kerb line of the road as would have been the case if the access were not to have been brought forward. As members would have noted on the site visit, the merging of the two lanes into one on this section of Westhoughton Road, appears to have resulted in lower vehicular speeds as compared to when it was two lane. This reduction in speeds when established through a traffic survey can lead to further reduction in the required visibility (Y) distance. Members would have also noted that the proposed access location is slightly elevated as it is almost at the apex of the bridge which would further enhance driver sightlines when exiting the site.

- *on the north bound carriageway some double yellow lining is proposed however if vehicles park just after the double yellows on the north side there could be a chicane created as vehicles would pass the parking lane, move left due to the right turning lane and then be forced to move right with vehicles parked legitimately on the dual carriageway after the double yellows finish.*

This concern is understandable, however, the proposed length of the double yellow lines will provide adequate gap to allow northbound traffic to safely turn left after the existing parking bays and then turn right to go round any parked vehicle that may be present at the end of the yellow lines. The actual length of the waiting restriction will be determined on site, however, the proposed length of the yellow lines is approximately 50m. I am sure members would agree that a 50m gap is more than enough for this manoeuvre to be undertaken without any adverse safety implications.

- *The second question is about moving the speed limit signs which are 30 to 40 currently at the site entrance and in theory these would need to move north to slow vehicles approaching the site from the north and preventing vehicles from speeding up when heading north. Also how far could these be moved.*

As rightly observed by members, there are currently three 30/40 mph speed limit signs erected back-to-back at and opposite the proposed access location. As indicated in the formal highways response and as shown on the proposed plan, all three signs will be relocated to new positions in the northerly direction. The actual positions will of course be agreed on site, taking existing constraints into account, however, the current proposal is to move the signs 30m north from their existing positions. This distance is considered sufficient for the signs to warn drivers heading south of the imminent change in speed limit when approaching the access.

ITEM 3e - 16/00678/P3PAJ – Inland Revenue, Lingmell House, Water Street, Chorley

The recommendation remains as per the original report

The following consultee responses have been received:

Lead Local Flood Authority (LLFA) have made the following comments:

The Lead Local Flood Authority has no objection to the proposed development.

ITEM 3f-16/00452/OUTMAJ – The Mill Hotel Chorley, Moor Road, Croston

The recommendation remains as per the original report

The site plan originally submitted with the application omitted the plot numbers from plots 1 and 2. An updated plan with all four plots numbered has been provided. The report and conditions are updated to reflect this.

The following conditions have been amended (*include reason*):

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

Title	Plan Ref	Received On
Site Location Plan	D/00/1	4 July 2016
Proposed site layout plan	D/0/2 A	9 September 2016

17. Any windows above ground floor in the south, south-east elevation of the property on **Plot 2** 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 an equivalent.

Reason: In the interests of the privacy of occupiers of Gradwells Farm.

Some draft changes to the following conditions have been suggested to the applicant, these are awaiting their comments:

4. Either, before the construction of the superstructure of any of the dwellings , or with any reserved matters application, details 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. Either, before the construction of the superstructure of any of the dwellings , or with any reserved matters application 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.

Either, prior to the occupation of the dwellings hereby permitted, or with any reserved matters application, full details of the alignment, height and appearance of all fences and walls to be erected between the plots and 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. The dwellings shall not 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.

The original report has been amended as follows:

Paragraph 12: The nearest residential property to the application site is Gradwells farm to the east of the site. The garden of this property bounds with the application site. The layout of the proposal is applied for as part of the application and the property on **plot 2** would be nearest to it. Plot 3 would face towards the grounds of the property but there would be approximately 30m between any rear windows and the boundary which is in excess of the Council's interface distances. **Plot 2** would be sited side onto the grounds of Gradwells Farm, at it's closest approximately 7.7m from the boundary. The appearance of the properties is not applied for as part of the permission so the location of windows is not provided at this stage, although from the layout it is likely that the windows will not face straight into the garden of Gradwells Farm. This is a similar relationship to that previously approved.

Paragraph 15: To the rear of the site partly bounds with Royal Umpire Caravan Park. **Plot 2** would be adjacent to small part of the Royal Umpire Park. That part of the proposed dwelling that would overlook the caravan site is considered to be sufficiently far from the site boundary to prevent an undue degree of overlooking and loss of privacy. The previous Mill building was closer to the boundary.

The applicant has provided the following further information:

In respect of the footpath diversion, LCC have advised that this cannot progress under the planning legislation as it would rely solely on connection with the extant consent and could not benefit any revised proposal. However, the agent states, that regardless of which planning permission is implemented, it does not affect the proposed router as this is outside of the site boundary. A temporary diversion exists at present.

ITEM 3h- 16/00667/FUL – Land to the South West of Ricmarlo, Preston Nook, Eccleston

The recommendation remains as per the original report.

During the course of the application the agent has identified that the applicant wishes to progress with a self-build project. For the purposes of CIL, the applicant would therefore be liable due to the commencement of works on site. As a consequence, and to ensure a self-build site can be delivered as 3 separate self-build plots, changes will be needed in the submission of a Phasing Plan. This is a technical matter and does not affect the principle material considerations in the determination of this application.

It is therefore considered that if the Committee members are minded to approve the application, a decision notice shall not be issued until receipt of the Phasing Plan. In this regard authority to issue the decision notice would be delegated to the Customer and Digital Manager in consultation with the Chair and Vice-Chair.

The following condition have been added (include reason)

The Archaeological Advisory Service has requested the following condition be attached to any grant of permission due to a building being depicted within the proposed development site on the 1849 1st Edition Ordnance Survey 1:10560 which is no longer extant.

Condition: No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Note: The programme of archaeological work should include a formal watching brief, followed by such subsequent work as required to investigate and record any remains encountered. This work should be carried out by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance set out by the Chartered Institute for Archaeologists.

Reason: To ensure and safeguard the recording and inspection of matters of

archaeological/historical importance associated with the site in accordance with para.141 of the NPPF (2012).

ITEM 3i- 16/00420/FUL – Church Farm, High Street, Mawdesley

The recommendation remains as per the original report

(4)No. further letters of objection have been received setting out the following issues:

Light pollution

Harm to amenity through light disturbance

Disturbance from noise by people using the facility or maintaining the site

ITEM 3j- 16/00655/FUL – Five Acres Plant Centre, Five Acres, Dawbers Lane, Euxton

The recommendation remains as per the original report

The following conditions have been added:

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	Drawing Reference	Received date
Location plan		08 September 2016
Existing site plan	PHD/HD-100	15 July 2016
Proposed masterplan	PHD/HD-400	15 July 2016
Proposed replacement office	PHD/HD-500	15 July 2016
Proposed replacement barn	PHD/HD-600	15 July 2016
Proposed replacement shop	PHD/HD-700	15 July 2016

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

3. The use hereby permitted shall only operate between the hours of 08.00am and 18.00pm Monday – Friday, between the hours of 09.00am and 16.00pm on Saturdays and between the hours of 10.00am and 16.00pm on Sundays, Bank Holidays or any Public Holiday.

Reason: In the interests of the amenity of the area and nearby residential properties.

4. The permission hereby granted shall only ensue for the benefit of Hedges Direct and may not be implemented or carried on by any other person, company or organisation.

Reason: The permission was granted having regard to the special circumstances advanced in support of the application, however the use would be inappropriate to the area unless only carried on by the applicant in the manner specified on the application

5. The 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 occupation of any of the buildings; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015).

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

6. The external facing materials, detailed on the approved plans, shall be used and no others substituted.

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

7. No source of external illumination shall be installed on the building hereby permitted unless such details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the open and rural character of the locality

8. The portable cabins identified as buildings 6, 15, and 13 on drawing ref. PHD/HD-100 shall be removed from the land within three months of the completion of the office building hereby approved.

Reason: To give the Local Planning Authority control over the long-term use of the land as the nature of the building is not considered suitable in this location on a permanent basis.

9. The area identified as '1. Staff Car Park' on drawing ref. PHD/HD-100, shall cease to be used for car parking within one month of the car parking hereby granted having been made available unless otherwise agreed in writing with the LPA, and the gravel and fencing shall be removed and the land reinstated to its former condition.

Reason: To give the Local Planning Authority control over the long-term use of the land as the nature of the extent of the hard surfacing is not considered suitable in this location on a permanent basis.

10. Before both accesses are used for vehicular purposes, that part of the accesses extending from the highway boundary for a minimum distance of 10m into the site shall be appropriately paved in tarmac, concrete, block paviors, or other approved materials.

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

11. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

12. Prior to the commencement of any development, 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 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 in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

13. Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
- b. Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, 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.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

14. The development hereby permitted shall be carried out following the Reasonable Avoidance Measures stipulated in paragraph 4.13 of the Ecological Appraisal (BOW17_706).

Reason: Due to the potential presence of amphibians and to ensure that protected species are not harmed.

15. The development hereby permitted shall be carried out following the recommendations stipulated in paragraph 4.11 of the Ecological Appraisal (BOW17_706).

Reason: Due to the potential presence of bats and to ensure that protected species are not harmed.

16. No works to existing buildings that may affect nesting birds shall take place between 1st March and 31st August inclusive, unless surveys by a competent ecologist show that nesting birds would not be affected.

Reason: Nesting birds are a protected species.

17. 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.

ITEM 3k- 16/00737/FUL – Town Lane Farm, Town Lane, Heskin

The recommendation remains as per the original report

The following consultee responses have been received:

Heskin Parish Council have made the following comments: Object to the proposals on the grounds of height, loss of amenity, smells and drainage, location and worries about the possibility of more intrusion into the Green Belt.

Cllr Whittaker has also provided the following additional comments:

- Why was the previous application approved if it was above the suggested maximum height?
- How can we consider the application if we don't know where the drainage is going? This has been an issue locally and for the residents.

The plans for the stables (drawing no. 1405 ST) show the stables at a height of 4.6m. This is higher than the suggested maximum ridge height of 3.5m as set out in the Council's Rural Development SPD. However, this is as approved under application 14/00982/FUL. It is not considered that it would be reasonable to require a reduction in height given that an extant consent for the same stables exists on the site.

The assessment of the size of the proposed dwelling and stable under application 14/00982/FUL was based partly upon the fact that the proposal was for the redevelopment of a previously developed site and that the volume of the building to be demolished was approximately the same as the buildings (house and stables) proposed. Therefore, although the guidance within the Council's SPD was a consideration in determining the application, there were other material considerations.

In regard to the drainage details, amended plans have been requested from the applicant. However, it is considered that this matter can be satisfactorily addressed through the imposition of a condition (as was imposed on application 14/00982/FUL).

The following conditions have been amended (*include reason*):

The original report has been amended as follows:
