

## **DEVELOPMENT CONTROL COMMITTEE**

TUESDAY, 11TH OCTOBER 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.

<b>Agenda No</b>	<b>Item</b>
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<b>6</b>	<b>ADDENDUM</b>
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| (Pages 3 - 12)

GARY HALL  
CHIEF EXECUTIVE

Electronic copies sent to Members of the Development Control Committee

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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	11 <sup>th</sup> October 2016

ADDENDUM
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**ITEM 3a - 16/00420/FUL – Church Farm, High Street, Mawdesley**

**The recommendation remains as per the original report**

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

- Reiterating previous objection and highlighting the harm to neighbour amenity on Smithy Lane through light and the resultant noise from the late night use of the arena.
- A letter has been sent highlighting the issues created by noise from the use of the tannoy system, shouting and bell used to start events. A series of examples of wireless communication systems are suggested as well as a traffic light system for starting events as alternatives to the existing arrangement.

One letter of **support** has been received from a neighbour stating that they have no issues with the proposal and that the activity is to be expected in a rural area.

A letter of support has been received from a lighting and sound installation company who state that the floodlighting and tannoy system that have been installed do not impact on neighbour amenity. They have also stated that the use of cowls would result in a less even distribution of light, which would result in shadows that are dangerous for horses and riders. If cowls were added this would require a further 4 to 6 lighting units.

**The following condition has been added in agreement with applicant (*include reason*):**

No use of any tannoy, loudspeakers, public address system or source of sound amplification shall take place whilst the floodlighting hereby permitted is in use.

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

**ITEM 3b - 16/00726/FUL – Duke of York, Chorley Old Road, Whittle le Woods**

**The recommendation remains as per the original report**

The following consultee responses have been received:

**Lancashire County Council Highways** have made the following comments:

I have no objections to the proposal

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

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

<b>Title</b>	<b>Drawing Reference</b>	<b>Received date</b>
Location Plan	15/032/P03	04 August 2016
Proposed Street Scene, Elevations, Section, Site Plan & Existing Location Plan	15/032/P01 Rev.B	28 September 2016
Proposed elevations	15/032/P02 Rev.A	04 August 2016

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

To

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

<b>Title</b>	<b>Drawing Reference</b>	<b>Received date</b>
Location Plan	15/032/P03	04 August 2016
Proposed Street Scene, Elevations, Section, Site Plan & Existing Location Plan	15/032/P01 Rev.C	10 October 2016
Proposed elevations	15/032/P02 Rev.A	04 August 2016

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

6. Deliveries, servicing and collections to and from the retail unit hereby permitted, including waste collections but excluding the delivery of newspapers, shall not take place outside the following hours:

- 07:00 to 19:00 hours Monday to Saturday
- 09:00 to 13:00 hours Sundays and bank holidays

Where exceptional circumstances require deliveries/servicing/collections to take place outside these stated hours, full written permission will firstly be sought from Chorley Council.

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

To

6. Other than for deliveries of newspapers, no heavy goods vehicles shall deliver or collect from the premises, including waste collections, outside the following hours:

- 07:00 – 19:00 Monday to Saturday; and
- 09:00 – 13:00 Sunday and Public Holidays.

Reason: To protect the amenities of neighbouring residents from undue noise and disturbance

7. The retail unit hereby permitted shall only operate between 06:00 and 23:00 on Mondays to Sundays.

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

To

7. The retail unit hereby permitted shall only operate between 06:00 and 23:00 on any day of the week.

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

**The following condition has been added:**

A scheme for the construction of any works within the highway, including improvement works to promote the safety and accessibility of the development, shall be agreed by the Local Planning Authority and shall be implemented prior to the occupation of any part of the premises, or such other timescale as shall be agreed in writing.

*Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable prior to implementation.*

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**ITEM 3d - 16/00754/FUL – Inland Revenue, Lingmell House, Water Street, Chorley**

**The recommendation remains as per the original report**

**It is recommended that the following condition is removed as satisfactory details for the storage of waste and recycling bins have been provided:**

Prior to the occupation of the development hereby approved details for a designated area for the storage of waste and recycling bins shall be submitted to an agreed in writing by the Local Planning Authority.

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

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**ITEM 3e-16/00247/FULMAJ – Land 150M West Leatherlands Farm, Moss Lane, Whittle-Le-Woods**

**The recommendation remains as per the original report.**

Regarding the size of the affordable housing house types, discussions have taken place between the developer and Registered Provider (RP) Adacus Housing and they advise they are comfortable with the house sizes proposed for the affordable units and they have made an indicative offer to take them. The council's Strategic Housing Officer has therefore advised that as an RP has said the size is acceptable to them, they are considered acceptable to the Council in this instance.

A landscaping plan has been provided and is considered acceptable, therefore a condition is proposed below that the development shall be carried out in accordance with it.

**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 external facing materials, detailed on the approved plans, shall be used and no others substituted unless alternative details are submitted to and approved in writing by the Local

Planning Authority. The development shall then be carried out in accordance with the approved alternative details.

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

3. No development shall commence until a stage 1 safety audit for the proposed extension of the speed limit restriction has been submitted to and approved in writing by the local planning authority. Any safety concerns highlighted shall be mitigated against by the developer according to details to be submitted to and approved in writing by the local planning authority prior to occupation of the first dwelling on the site.

*Reason: In the interests of highway safety. This is required to be a pre-commencement condition to ensure any highway works are incorporated into the scheme before it is commenced.*

4. No development other than site investigation and enabling works 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. 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 in accordance with the approved plan.

*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.*

5. No properties shall be occupied 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 satisfactory management and maintenance of the streets for future residents of the development.*

6. No street/road construction shall commence 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.*

7. The new access between the site and Moss Lane (Moss Lane cul-de-sac) shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any other development takes place within the site.

*Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.*

8. Before the development hereby permitted starts on site and 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.*

9. Prior to commencement of construction other than site investigation and enabling works, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The plan shall include the method and details of construction including

vehicle routing to the site, construction traffic parking and any proposed temporary closing of roads or streets. It shall also include delivery times and any waiting area for vehicles not able to enter the site. The construction plan to be implemented and adhered to during the construction of the development. Any lighting to be used at the site during construction should also be included.

*Reason: To maintain the operation of local streets and through routes in the area during construction, particularly during peak periods, and in terms of lighting to ensure it is acceptable in relation to wildlife.*

10. 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 submitted to and agreed in writing with the Local Planning Authority before any dwelling is commenced.

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

11. 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 reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.*

12. No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.

*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.*

13. Prior to the layout of any hard landscaping (ground surfacing materials) full details of their colour, form and texture (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.*

14. During the construction of the site, temporary protective demarcation fencing shall be used to protect the trees and shrubs that are to be retained (those shown on the proposed site layout plan). The fencing must extend outside the canopy of the retained trees and must remain in position until all plots have been completed to ensure protection is provided throughout the construction phase. The fencing shall be in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction: Recommendations (BSI, 2012).

*Reason: To ensure the trees and shrubs to be retained are protected through the development of the site.*

15. 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. No part of the development

hereby approved shall be occupied until the approved scheme has been constructed and completed in accordance with the scheme details.

*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 and in order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.*

16. Ditch 1 (defined as shown in the Ecological Survey and Assessment report ref: 2016-007) which lies on the northern-western site boundary shall be protected during the construction with a minimum five metre buffer between Ditch 1 and any built development. The protective five metre (minimum) buffer shall be demarcated by temporary protective fencing which will remain in position until all plots have been developed.

*Reason: To protect the ditch during construction.*

17. The new public footways to be provided to the frontage of Moss Lane (cul-de-sac) shall be provided prior to the occupation of any of the dwellings.

*Reason: To ensure acceptable pedestrian routes are provided to the site when the site is occupied.*

18. Full details of the biodiversity enhancement measures (bat and bird roosting opportunities) for the site as detailed at paragraphs 5.4.8-5.4.9 and 5.5.4-5.5.5 of the Ecological Survey and Assessment ref: 2016-007 shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of any of the dwellings. The approved measures shall be implemented prior to occupation of the dwelling on which they are located or prior to occupation of the nearest dwelling if they are not located on a dwelling.

*Reason: To ensure enhancement and replacement of bat roosting and bird breeding opportunities on the site.*

19. 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.*

20. 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.*

21. No dwellings shall be occupied 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 details of:

- 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.

*Reasons:*

- 1. 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.*

22. Notwithstanding the provisions of the The Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and re-enacting that Order with or without modification, no structure shall be erected within the large shared drives in the areas where they are of porous construction design as shown on the Proposed Development and Drainage Layout (30189/App H) and these driveways shall not be replaced with non-porous materials.

*Reason: To prevent occupants from building new structures such as garages, sheds, fencing on the large shared driveways including changing it to non-permeable materials in future which has the potential to increase surface water runoff and cause flood risk. The porous materials have been taken into account in the drainage calculations for the site.*

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

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

Title	Plan Ref	Received On
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Planning Layout	N287/P/PL01 REV E	30 September 2016
Location Plan	N287/P/LP01 REV A	15 September 2016
Proposed Sections	N278/P/SS01	15 September 2016
Standard Screen Fence Details 1	F1-1	30 September 2016
Standard Screen Fence Details 2	F1-2	30 September 2016
Standard Screen Wall Detail 2	F2-3	30 September 2016
Standard Screen Wall Detail 3	F2-4	30 September 2016
Typical Gate Detail	F4	30 September 2016
Appleton 2 Plus House Type Elevations	N287/P/HTAPP+/01	30 September 2016
Appleton 2 Plus House Type Floor Plans	N287/P/HTAPP+/02	30 September 2016
Bollington 2 Side Aspect House Type Elevations	N1092/P/HTBOLSA/01	30 September 2016
Bollington 2 Side Aspect House Type Floor Plans	N1092/P/HTBOLSA/02	30 September 2016
Bramhall 2 Plus House Type Elevations	N287/P/HTBRA+/01	30 September 2016
Bramhall 2 Plus House Type Floor Plans	N287/P/HTBRA+/02	30 September 2016
Brereton House Type Elevations	N287/P/HTBRE/01	30 September 2016
Brereton House Type Floor Plans	N287/P/HTBRE/02	30 September 2016
Budworth Ext HQI House Type Elevations	N287/P/HTBUEXT/01	30 September 2016
Budworth Ext HQI House Type Floor Plans	N287/P/HTBUEXT/02	30 September 2016
	N287/P/HTBUEXTE/01	30 September 2016
Budworth Ext HQI End House Type Floor Plans	N287/P/HTBUEXTE/02	30 September 2016
Capesthorpe House Type Elevations	N287/P/HTCAP/01	30 September 2016
Capesthorpe House Type Floor Plans	N287/P/HTCAP/02	30 September 2016
Chatsworth Ext HQI House Type Elevations	N287/P/HTCHEXT/01	30 September 2016
Chatsworth Ext HQI House Type Floor Plans	N287/P/HTCHEXT/02	30 September 2016
Dunham 2 House Type Elevations	N287/P/HTDUN/01	30 September 2016
Dunham 2 House Type Floor Plans	N287/P/HTDUN/02	30 September 2016
Houghton 2 House Type Elevations	N287/P/HTHOU/01	30 September 2016
Houghton 2 House Type Floor Plans	N287/P/HTHOU/02	30 September 2016
Malham House Type Elevations	N287/P/HTMAL/01	30 September 2016
Malham House Type Floor Plans	N287/P/HTMAL/02	30 September 2016
Moreton 2 House Type Elevations	N287/P/HTMOR2/01	30 September 2016
	REV A	
Moreton 2 House Type Floor Plans	N287/P/HTMOR/02	30 September 2016
Rufford 2 Plus House Type Elevations	N287/P/HTRUF+/01	30 September 2016
Rufford 2 Plus House Type Floor Plans	N287/P/HTRUF+/02	30 September 2016
Staunton House Type Elevations	N287/P/HTSTAU/01	30 September 2016
Staunton House Type Floor Plans	N287/P/HTSTAU/02	30 September 2016
Stratford House Type Elevations	N287/P/HTSTR/01	30 September 2016
Stratford House Type Floor Plans	N287/P/HTSTR/02	30 September 2016
Stratford A House Type Elevations	N287/P/HTSTRA/01	30 September 2016
Stratford A House Type Floor Plans	N287/P/HTSTRA/02	30 September 2016
Willington House Type Elevations	N287/P/HTWIL/01	30 September 2016
Willington House Type Floor Plans	N287/P/HTWIL/02	30 September 2016
Materials Dispersion Plan	N287/P/MD01	30 September 2016
Drainage Feasibility Plan	15018/02/1 REV B	30 September 2016
Detached Garage Details	GR1+	18 August 2016
Detached Single Garage Details	GR2-1+	18 August 2016
Landscape Structure Plan	M2679.01_A	10 October 2016

24. The detached or integral garages of the properties hereby permitted shall be kept freely available for the parking of cars and shall not be converted to living accommodation (notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any order amending or revoking and re-enacting that order), unless the properties benefit from off road parking as follows:

- Three bed properties - two off-road parking spaces within the curtilage;
- Four or five bed properties - three off-road parking spaces within the curtilage.

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

25. The development hereby permitted shall only be carried out in accordance with the 'Recommended Noise Mitigation Measures' set out in the REC Noise Impact Assessment (ref: AC100404-1R3 dated 29th September 2016).

*Reason: To ensure that the development has been designed to achieve the lowest practicable levels in relation to noise from the M61 Motorway.*

26. Due to the size of development and proposed sensitive end-use (residential housing), the development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. The report should include an initial desk study, site walkover and risk assessment. If the initial study identifies the potential for contamination to exist on site, the scope of a further study and site investigation must then be agreed in writing with Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

*Reason: To ensure the site is suitable for the proposed end-use.*

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