

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 6TH MARCH 2018, 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.

6 **Addendum (Pages 3 - 10)**

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 (Customer and Digital)	Development Control Committee	06 March 2018

ADDENDUM

ITEM 3a - 17/00764/FULMAJ – Land At Barnes Wallis Way

The recommendation remains as per the original report

(4)No. further letters of objection have been received from 3 addresses setting out the following issues:

- Antisocial behaviour
- Increased litter
- Noise impact
- Health impact
- Impact on house prices
- Inappropriate location
- Odours
- Lack of parking spaces
- Highway safety

A letter of objection has also been received from Cllr Perks and is set out below:

“Being a ward Councillor for the village since 2002 I have seen the real issues concerning mixed use planning applications brought to council and approved by council involving residential areas being mixed with employment and the highway implications.

This application is not what I would class as the employment use need for this location and bring a fast food drive through outlet in this part of the village opposite a primary school for the junior age range of children as a real threat on a number of levels. One will be the extra traffic generated and bring an increase to capacity and the likelihood of increased speeding and for long periods of time in a residential area. The fast food outlet does nothing to promote a healthy eating lifestyle and it will pose issues especially to young people around providing cheaper and more unhealthy food options.

An increase in traffic will bring further health and safety issues to the village in terms of capacity and speed.

The issue of smell pollution that will cause a nuisance to nearby properties is very real.

In my opinion this type of application in is part of the village should not be given permission and if approval is given will create further issues for both the borough and county councils.”

The following condition is recommended in addition to those set out in the report:

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

Title	Drawing Reference	Received date
Location plan	2247/L1-01 Rev.A	28 July 2017
Proposed site plan	2247/L2-01 Rev.E	28 July 2017
Proposed site elevation and cross section	2247/L21-03	28 July 2017
Proposed B1 Units Ground Floor Plans	2247/L2-04 Rev.A	28 July 2017
Proposed B1 Units elevations	2247/L21-02 Rev.A	28 July 2017
Landscaping proposals	CHO1707_101 Rev.A	28 July 2017
Proposed roof plan		28 July 2017
Proposed plans	2016/G100 Rev.I	28 July 2017
Proposed elevations	2016/A110 Rev.H	28 July 2017
Drainage Strategy	T/17/1971-55-01 Rev.P2	28 July 2017

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

ITEM 3b - 17/01160/REM – The Moor Inn, 26 Moor Road, Chorley, PR7 2LN

The recommendation remains as per the original report

The following conditions are recommended:

No.	Condition															
1.	<p>The proposed development must be begun not later than two years from the date of this permission.</p> <p>Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>															
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="365 1417 1351 1671"> <thead> <tr> <th>Title</th> <th>Drawing Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Location plan</td> <td>17/047/L01</td> <td>04 January 2018</td> </tr> <tr> <td>Proposed Site Layout and Landscaping</td> <td>17/047/P01 Rev.A</td> <td>01 March 2018</td> </tr> <tr> <td>Proposed Building A – Plans and Elevations</td> <td>17/047/P02</td> <td>05 December 2017</td> </tr> <tr> <td>Proposed Building B – Plans and Elevations</td> <td>17/047/P03</td> <td>05 December 2017</td> </tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>	Title	Drawing Reference	Received date	Location plan	17/047/L01	04 January 2018	Proposed Site Layout and Landscaping	17/047/P01 Rev.A	01 March 2018	Proposed Building A – Plans and Elevations	17/047/P02	05 December 2017	Proposed Building B – Plans and Elevations	17/047/P03	05 December 2017
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Proposed Building A – Plans and Elevations	17/047/P02	05 December 2017														
Proposed Building B – Plans and Elevations	17/047/P03	05 December 2017														
3.	<p>Before the development hereby permitted is first commenced, other than demolition and enabling works, 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.</p> <p>Reason: To protect the appearance of the locality and in the interests of the</p>															

	amenities of local residents.
4.	The cycle store shall be constructed and made available in accordance with the approved details prior to the first occupation of the development hereby approved. The cycle store shall be permanently retained thereafter for communal use. Reasons: To encourage sustainable transport modes.

ITEM 3c - 17/00954/FULMAJ – Nature Trail Nursery, Whittle-Le-Woods And Clayton-Le-Woods Parish Club, 239 Preston Road, Clayton-Le-Woods, Chorley PR6 7PY

The following conditions are recommended:

No.	Condition																		
1.	The proposed development must be begun not later than three years from the date of this permission. <i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i>																		
2.	The development hereby permitted shall be carried out in accordance with the following approved plans: <table border="1" data-bbox="367 1052 1348 1310"> <thead> <tr> <th>Title</th> <th>Drawing Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Location plan</td> <td>5567-FWP-L-00</td> <td>27 September 2017</td> </tr> <tr> <td>Existing and proposed site plans</td> <td>5567-FWP-L-01</td> <td>27 September 2017</td> </tr> <tr> <td>Existing and proposed site plans</td> <td>5567-FWP-L-02</td> <td>27 September 2017</td> </tr> <tr> <td>Proposed floor plans</td> <td>5567-FWP-L-03</td> <td>27 September 2017</td> </tr> <tr> <td>Proposed elevations</td> <td>5567-FWP-L-06</td> <td>27 September 2017</td> </tr> </tbody> </table> <i>Reason: For the avoidance of doubt and in the interests of proper planning.</i>	Title	Drawing Reference	Received date	Location plan	5567-FWP-L-00	27 September 2017	Existing and proposed site plans	5567-FWP-L-01	27 September 2017	Existing and proposed site plans	5567-FWP-L-02	27 September 2017	Proposed floor plans	5567-FWP-L-03	27 September 2017	Proposed elevations	5567-FWP-L-06	27 September 2017
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Proposed floor plans	5567-FWP-L-03	27 September 2017																	
Proposed elevations	5567-FWP-L-06	27 September 2017																	
3.	The external materials as detailed on the approved plans shall be used and no others substituted unless alternatives are submitted to an agreed in writing by the Local Planning Authority. <i>Reasons: In the interests of the visual amenity of the area in general and the existing building in particular.</i>																		
4.	The car parking and vehicle manoeuvring areas that have been marked out in accordance with the approved plan reference 5567-FWP-L_02 received on 27 September 2017 shall be retained in accordance with this plan and shall thereafter not be used for any purpose other than the parking of and manoeuvring of vehicles. <i>Reason: To ensure adequate on site provision of car parking and manoeuvring areas and highway safety.</i>																		
5.	No temporary refrigeration or treatment units are to be used in the outdoor areas of the site other than in exceptional circumstances (such as the failure of internal refrigeration units). In such exceptional circumstances full written permission will be sought from the Local Planning Authority prior to, or within 24 hours of, the																		

	<p>temporary refrigeration units being used in the outdoor areas.</p> <p><i>Reason: To safeguard the amenities of the occupiers of nearby residential accommodation.</i></p>
6.	<p>Prior to the commencement of any development on the site a Great Crested Newt Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation measures shall thereafter be implemented in full and shall be retained through the course of the development.</p> <p><i>Reason: To ensure that any great crested newts that may be utilising the habitat are not disturbed or harmed.</i></p>
7.	<p>Prior to the commencement of development (including demolition, ground works, vegetation clearance), an invasive non-native species protocol shall be submitted to and approved by the Local Planning Authority, detailing the containment, control and removal of Japanese Knotweed on site. The measures shall be carried out strictly in accordance with the approved scheme.</p> <p><i>Reason: Invasive Japanese knotweed has been found on the site.</i></p>
8.	<p>No removal of or works to any trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority.</p> <p><i>Reason: To prevent harm to British birds nests and eggs, which are protected by Section 1 of the Wildlife & Countryside Act 1981.</i></p>
9.	<p>A scheme of Biodiversity Enhancement Measures shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of the development (or in accordance with a phasing plan, which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.</p> <p><i>Reason: The development has the potential to have significant negative impacts on site and its surrounding habitat if not undertaken properly.</i></p>
10.	<p>Prior to the commencement of any development, other than demolition 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 shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>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.</p> <p>The development shall be completed in accordance with the approved details.</p> <p><i>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.</i></p>
11.	<p>Prior to occupation of the development a sustainable drainage management and</p>

	<p>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:</p> <p>a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and</p> <p>b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.</p> <p>The development shall subsequently be completed, maintained and managed in accordance with the approved plan.</p> <p><i>Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.</i></p>
<p>12.</p>	<p>Prior to the commencement of development, other than demolition and enabling works, 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.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to protect the amenities of occupiers of nearby property.</i></p>
<p>13.</p>	<p>Before the development hereby permitted is first commenced, other than demolition and enabling works, 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.</p> <p><i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i></p>
<p>14.</p>	<p>A scheme for the landscaping of the development and its surroundings shall be submitted prior to the commencement of the development, other than demolition and enabling works. These details shall include all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; 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. The scheme should include a landscaping/habitat creation and management plan which should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area.</p> <p>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</p>

	<p>and species.</p> <p><i>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.</i></p>
15.	<p>No development shall take place including any works of demolition, 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:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. hours of operation (including deliveries) during construction iii. loading and unloading of plant and materials iv. storage of plant and materials used in constructing the development v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate vi. wheel washing facilities vii. measures to control the emission of dust and dirt during construction viii. a scheme for recycling/disposing of waste resulting from demolition and construction works <p><i>Reason: In the interests of highway safety and to protect the amenities of the nearby residents.</i></p>
16.	<p>No part of the development hereby approved shall commence, other than demolition and enabling works, until a scheme for the construction of the site access and the off-site works of highway improvement comprising bus stop improvements and a surface level crossing and pedestrian refuge, have been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.</p> <p><i>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.</i></p>
17.	<p>No part of the development hereby approved shall be occupied until the approved scheme for the construction of the site access and the off-site works of highway improvement has been constructed and completed in accordance with the scheme details.</p> <p><i>Reason: 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.</i></p>
18.	<p>The site access between the site and Preston Road shall be constructed in accordance with the Lancashire County Council Specification to at least base course level before any Development, other than demolition and enabling works, takes place within the site.</p> <p><i>Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.</i></p>

ITEM 3e -18/00130/CB3 – Apex Business Centre, 1 Arley Street

The recommendation remains as per the original report.

10no. letters of objection have been received setting out the following issues:

- Fence is an eyesore / industrial form of development

Amenity:

- Noise and inconvenience to residents
- Impact on relaxing, quiet home environment of residents

Highways:

- Increase in traffic / congestion at Arley Street and Stump Lane
- Increased problems for access by emergency services
- Arley Street is too small / too narrow for cars coming and going all day / no two-way traffic flow
- Lack of visibility to the right when exiting
- No space to park or turn in Arley Street / dead end
- Lack of parking for residents / residents are not allowed parking permits
- New traffic will cause more problems for residents / impact on elderly residents, children playing,
- Access should be changed / gained via Portland Street
- Parking numbers inaccuracies – 38 spaces / 41 spaces

Other Matters:

- The fencing was put up unlawfully and should be taken down and returned to original waist height fence
- Court Order – the gate is at the bottom of Arley Street / access and time restrictions
- No drainage details

The following consultee responses have been received:

Lancashire County Council Highways Authority comments received on 05/02/2018:

No objection raise to the revised plans submitted 28/02/2018 subject to a condition requiring a scheme for the surfacing or paving of the car park. A s278 agreement will be required for works with in the highway i.e. the reinstatement of existing footways and kerbs on both corners of Stump Lane / Arley Street to incorporate dropped kerbs and tactile pavings. This would be attached to the decision notice as an informative.

The Coal Authority:

The nature of the development is listed as exempt from the requirement to submit a Coal Mining Risk Assessment. No objection raised, subject to an informative regarding development in high risk areas.

The following conditions have been amended:

Condition 2 to be amended to reflect revised plans:

The development hereby permitted relates to the following approved plans:

Title	Reference	Received date
Location Plan	B9472 AEW SI 00 DR A 500 REV P1	13 February 2018
Proposed Street Elevation	B9472 AEW SI 00 DR A 503 REV P3	28 February 2018
Existing Site Plan	B9472 AEW SI 00 DR A 501 REV P1	13 February 2018
Proposed Site Plan	B9472 AEW SI 00 DR A 502 REV P4	28 February 2018

Reason: For the avoidance of doubt and to specify the plans to which the permission relates.

Additional condition (number 7):

The car park shall be surfaced or paved and drained in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.

Reason: To allow for the effective use of the parking areas in the interests of highways safety

Additional officer comments:

Lancashire County Council Highways Authority are now satisfied with the proposed development, and in the absence of an objection it is not considered that a reason for refusal on highways safety grounds as raised in neighbour objections could be sustained. It is acknowledged that the application form and submitted site plan state different parking numbers, however the correct number is 28No spaces, as shown on the submitted plan (received by the Local Planning Authority on 28/02/2018).

The impact of the development on the amenity of neighbouring residential properties have been addressed in the initial Officer Report and there are no objections from the Council's Environmental Health Officer. In addition there is an extant permission for a car park in this location.

Design matters and the appearance of the development have also been addressed in the initial Officer Report and these were considered to be satisfactory.

Other matters raised:

- Court Order – specific details have not been provided in the objections and therefore the application is to be determined on its merits.

- Fencing put up unlawfully - The existing fencing benefits from a temporary planning permission until 18/03/2018 with the current planning application seeking to regularise this further.

Drainage – This is covered by condition.
