

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 11TH SEPTEMBER 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.

Agenda No Item

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	Date 11 September 2018

ADDENDUM

ITEM 3a - 16/00575/OUT – Land To The Rear Of 378 – 386 Blackburn Road, Higher Wheelton

The recommendation remains as per the original report

The following consultee responses have been received:

LCC Highways have made the following comments:

Since the previous highway response of 05/08/2016, there has been very little change in the area in highway terms. As such, LCC Highways position remains the same as conveyed in the response of 05/08/2016. I should however mention that in addition to the three traffic accidents referred to in the response, there has been a recent recorded accident (21/04/2018) opposite the proposed site access at the junction of Blackburn Road and Lawton Close. The accident occurred when a vehicle from east was waiting to turn right into Lawton Close. To undertake the right turn, the driver has to wait for any vehicle travelling from west to east to pass first. However, while waiting, another vehicle from behind travelling at speed overtook the waiting vehicle and went head-on into the east bound vehicle. The accident was recorded by the Police as serious as it resulted in personal injury due to heavy front end damage to the two colliding vehicles. It was suspected that the driver doing the overtaking might have suffered some form of medical episode at the wheel, hence the very bad manoeuvre. Clearly, this accident and the three referred to in the previous response are attributable to human errors and have nothing to do with the layout of the road or its physical features, as such, LCC Highways would be unable to justify objecting to the proposed development based on these accident occurrences alone.

As regards the loss of parking, I would expect the new access to lead to an initial loss of at least 4no car parking spaces, i.e. parking within the section from Bett Lane to the existing dropped crossing of 386 Blackburn Road is likely to be removed initially. However, as with all local roads, once the footway is built up to the edge of the carriageway, it is highly likely, some parking would take place partially on the footway between Bett Lane and the site access. So, although 4no spaces would initially be lost, the loss may turn up to be lower in the long run.

ITEM 3c - 18/00521/FUL – Sarscow Farm, Sarscow Lane, Ecclestone

The recommendation remains as per the original report.

The applicant has provided additional detail in response to the issues set out in the committee report.

Impact from passing places and trees

I have spoken to William Tay regarding the passing places and I think we can satisfy the highways without removing trees as previously submitted. With regards to the passing places, I understand that these have changed since the original submission. I have spoken to William Tay at LCC highways and he has advised that they would accept the originally approved passing points (approved under application ref. 17/01046/FUL) if one of them was extended. Looking at the passing points plan, the architect that compiled the swept path analysis has shown points where 2 HGV's could pass but this will never be the case.

Economic benefits

Our business brings in £15m of revenue per year into the Chorley Borough with an ethos on utilising local tradesmen, local suppliers and local services and employs almost 70 people. We have spent the £1m on purchasing the farm with a view to investing a further £500k into turning it into a stunning facility that complements its surroundings. I have discussed this with our shareholders and if we cannot get this aspect through to the satisfaction of the council then we will have to sell the farm and relocate.

Community benefits

We have offered the use of the field to Chorley Youth Zone for their disposal, as we are in discussions with Andrew Turner their chairman about becoming a founding patron. They occupy a town centre location and we are going to assist their cause by enabling them outdoor use if they desire it. And to use the lower field to the south as a vegetable patch for our own leisure.

The field is too small for a £1m farm to sustain itself.

The following consultee responses have been received:

LCC Highways have responded to the applicants suggested amendments to the access arrangements as follows:

Although the number of vehicles involved in your development, given your proposed 33no parking spaces are higher than the approved application, LCC Highways would not ask for additional passing places to the 4no previously approved, which happens to be the same number you proposed in relation to your development.

The previously approved development involved no HGVs, hence 6m long with 6m end tapers of passing places were considered sufficient to accommodate cars, but as you indicated that your development involved low loaders which are articulated vehicles, the approved size would have to be increased for the proposal to be accepted. We agreed that you would investigate on site and come back with proposals for the extension of the passing places. I indicated that due to site constraints, wherever you are unable to achieve the length of 15m with 15m end tapers which is the size of passing place suitable for HGVs and articulated vehicles, LCC Highways may compromise by accepting the standard passing place which is 12m long with 12m end tapers as shown on the sketch I sent to you.

GMEU have made the following comments:

An ecology report has been provided that was provided on the previous application (ref. 17/01046/FUL). This would need to be updated in order to make a full assessment of the ecology impact from the proposed development.

ITEM 3g - 18/00416/OUT – Latvian Consulate, Pemberton House Farm, Park Hall Road

The recommendation remains as per the original report.

The following conditions have been amended:

No.	Condition												
1.	<p>An application for approval of the reserved matters (namely the appearance and landscaping of the site) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.</p> <p>Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) (England) Order 2015 and 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 shall be carried out in accordance with the following plans:</p> <table border="1" data-bbox="368 831 1340 958"> <thead> <tr> <th data-bbox="368 831 762 864">Title</th> <th data-bbox="762 831 1054 864">Drawing Reference</th> <th data-bbox="1054 831 1340 864">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="368 864 762 898">Location plan</td> <td data-bbox="762 864 1054 898">N/A</td> <td data-bbox="1054 864 1340 898">26 April 2018</td> </tr> <tr> <td data-bbox="368 898 762 931">Proposed site plan</td> <td data-bbox="762 898 1054 931">1741-02</td> <td data-bbox="1054 898 1340 931">26 April 2018</td> </tr> <tr> <td data-bbox="368 931 762 958">Dwelling type and section</td> <td data-bbox="762 931 1054 958">1741-04</td> <td data-bbox="1054 931 1340 958">26 April 2018</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>	Title	Drawing Reference	Received date	Location plan	N/A	26 April 2018	Proposed site plan	1741-02	26 April 2018	Dwelling type and section	1741-04	26 April 2018
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3.	<p>As part of any application for reserved matters that includes a dwelling or prior to the commencement of the development the following details shall be submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> a) Details of the colour, form and texture of all external facing materials to the proposed dwelling b) Details of the colour, form and texture of all hard ground- surfacing materials. c) Location, design and materials of all fences, walls and other boundary treatments. <p>The development thereafter shall be completed in accordance with the approved details. Prior to the first occupation of the dwelling hereby permitted all fences and walls shown in the approved details to bound its plot shall have been erected in conformity with the approved details.</p> <p>Reason: In the interests of the visual amenities and character of the area and to provide reasonable standards of privacy to residents.</p>												
4.	<p>As part of any reserved matters application and 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.</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>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.</p>
<p>5.</p>	<p>Prior to occupation 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:</p> <ol style="list-style-type: none"> a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident’s management company; and 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>The development shall subsequently be completed, maintained and managed in accordance with the approved plan.</p> <p>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.</p>
<p>6.</p>	<p>No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:</p> <ol style="list-style-type: none"> 1) A preliminary risk assessment which has identified: <ul style="list-style-type: none"> • all previous uses • potential contaminants associated with those uses • a conceptual model of the site indicating sources, pathways and receptors • potentially unacceptable risks arising from contamination at the site. 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. <p>Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.</p> <p>Reason: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).</p>
<p>7.</p>	<p>Either as part of the first reserved matters application or prior to the commencement of the development details of a scheme for the construction of the site access and the off-site works of highway Improvement shall be submitted to</p>

	<p>and approved in writing by the Local Planning Authority in consultation with the Highway Authority.</p> <p>Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme are acceptable before work commences on site.</p>
8.	<p>No part of the development hereby approved shall be occupied until the approved schemes of site access and highway improvement have been constructed and completed in accordance with the scheme details.</p> <p>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.</p>
9.	<p>Either as part of the first reserved matters application or prior to the commencement of the development a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. This should include the following:</p> <ul style="list-style-type: none"> a) Risk assessment of potentially damaging construction activities. b) Identification of "biodiversity protection zones". c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). d) The location and timing of sensitive works to avoid harm to biodiversity features. e) The times during construction when specialist ecologists need to be present on site to oversee works. f) Responsible persons and lines of communication. g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. h) Use of protective fences, exclusion barriers and warning signs. <p>Reason: In the interests of wildlife protection.</p>
10.	<p>Either as part of the first reserved matters application or prior to the commencement of the development a "lighting design strategy for biodiversity" for areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:</p> <ul style="list-style-type: none"> a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. <p>All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.</p> <p>Reason: In the interests of wildlife protection.</p>
11.	<p>Either as part of the first reserved matters application or prior to the commencement of the development (including demolition, ground works,</p>

	<p>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 invasive plant species on site. The measures shall be carried out strictly in accordance with the approved scheme.</p> <p>Reason: to prevent the spread of certain invasive plants controlled under the terms of the Wildlife and Countryside Act 1981 (as amended).</p>
<p>12.</p>	<p>Either as part of the first reserved matters application or prior to the commencement of the development an Ecological Design Strategy (EDS) addressing mitigation to protect the interest of Syd Brook BHS shall be submitted to and approved in writing by the local planning authority:</p> <p>The EDS shall include the following.</p> <ul style="list-style-type: none"> a) Purpose and conservation objectives for the proposed works. b) Review of site potential and constraints. c) Detailed design(s) and/or working method(s) to achieve stated objectives. d) Extent and location/area of proposed works on appropriate scale maps and plans. e) Type and source of materials to be used where appropriate, e.g. native species of local provenance. f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development. g) Persons responsible for implementing the works. h) Details of initial aftercare and long-term maintenance. i) Details for monitoring and remedial measures. j) Details for disposal of any wastes arising from works. <p>The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.</p> <p>Reason: In the interests of wildlife protection.</p>
<p>13.</p>	<p>Demolition of the existing dwelling including the garage and as identified in drawing number 1741-01 shall not in any circumstances commence unless the local planning authority has been provided with either:</p> <ul style="list-style-type: none"> a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 (as amended) authorizing the specified activity/development to go ahead; or b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence. <p>Reason: In the interests of wildlife protection.</p>
<p>14.</p>	<p>A scheme for the landscaping of the development and its surroundings shall be submitted as part of the reserved matters application. 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. The content of the plan should include elements to mitigate for loss of trees shrubs and bird nesting habitat.</p> <p>All hard and soft landscape works shall be carried out in accordance with the</p>

	<p>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.</p> <p>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.</p>
<p>15.</p>	<p>Either as part of the first reserved matters application or prior to occupation, a "lighting design strategy for biodiversity" for areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:</p> <p>a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and</p> <p>b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.</p> <p>All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.</p> <p>Reason: To safeguard the environment to support the presence of bats.</p>
<p>16.</p>	<p>Prior to the commencement of the development a phasing plan for the development as a whole shall be submitted to and approved in writing by the Local Planning Authority, the phasing plan for the site shall include the following:-</p> <ul style="list-style-type: none"> • Demolition works • Internal Access Road • Site access and works of off-site highway improvement • Advance landscaping • Development of individual plots <p>The development shall be implemented in accordance with the proposed phasing plan unless agreed otherwise.</p> <p>Reason: The application proposes a self-build scheme for the development of individual serviced plots and the proposal is to ensure certain works are undertaken ahead of the construction of the self-build plots.</p>
<p>17.</p>	<p>Prior to the commencement of any individual dwelling the phasing of the self-build plots shall be submitted to and approved in writing by the Local Planning Authority. The self-build plots shall be implemented in accordance with the phasing plan unless agreed otherwise.</p> <p>Reason: This is a proposed self-build scheme and the sequence of building the plots is essential to ensure the layout and sequence of plots minimises the impact on the site and the greenbelt as a whole.</p>
<p>18.</p>	<p>All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.</p> <p>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</p>

	<p>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.</p>
<p>19.</p>	<p>As part of each reserved matters application the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.</p> <p>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.</p>
<p>20.</p>	<p>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.</p> <p>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.</p>
<p>21.</p>	<p>Prior to the construction/provision of any services, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a super-fast broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works within the site boundary only.</p> <p>Reason: To ensure a sustainable form of development.</p>