

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 6TH NOVEMBER 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

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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 November 2018

ADDENDUM

ITEM 3a – 18/00191/FUL – Land Rear Of 24/26 Westhoughton Road, Adlington

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 three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>																								
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1"> <thead> <tr> <th>Title</th> <th>Drawing Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Location plan</td> <td>16009/2-06</td> <td>28 February 2018</td> </tr> <tr> <td>Proposed widening of Mercer Court</td> <td>N/A</td> <td>12 October 2018</td> </tr> <tr> <td>Proposed site plan</td> <td>16009/2-01</td> <td>28 February 2018</td> </tr> <tr> <td>House type A plans</td> <td>16009/2-02</td> <td>28 February 2018</td> </tr> <tr> <td>House type B plans</td> <td>16009/2-03</td> <td>28 February 2018</td> </tr> <tr> <td>Proposed elevations house type A</td> <td>16009/2-04</td> <td>28 February 2018</td> </tr> <tr> <td>Proposed elevations house type A</td> <td>16009/2-05</td> <td>28 February 2018</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	16009/2-06	28 February 2018	Proposed widening of Mercer Court	N/A	12 October 2018	Proposed site plan	16009/2-01	28 February 2018	House type A plans	16009/2-02	28 February 2018	House type B plans	16009/2-03	28 February 2018	Proposed elevations house type A	16009/2-04	28 February 2018	Proposed elevations house type A	16009/2-05	28 February 2018
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3.	<p>Prior to the commencement of development, other than enabling works, samples 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.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>																								
4.	<p>Due to past processes and activities at or adjacent to the above site, there is a potential for ground contamination. Due to the proposed sensitive end-use (housing with gardens), no development shall take place until:</p>																								

	<p>a) a methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2011 'Investigation of potentially contaminated sites - Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;</p> <p>b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;</p> <p>c) the Local Planning Authority has given written approval to any remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority.</p> <p>Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals.</p> <p>Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Reason: Due to past processes and activities at or adjacent to the site and the proposed sensitive end-use (housing with gardens).</i></p>
<p>5.</p>	<p>Prior to the construction of the superstructure of any of the dwellings hereby permitted full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. Specifically this shall include 2m high acoustic barriers/fencing around all rear gardens except to any boundaries to the west [non-railway]. 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.</p> <p>Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</p>
<p>6.</p>	<p>Before the development hereby permitted is first commenced, other than 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 amenities of local residents.</p>
<p>7.</p>	<p>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</p>

	<p>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>
<p>8.</p>	<p>A scheme for the landscaping of the development and its surroundings shall be submitted prior to the construction of the superstructure of any of the dwellings hereby permitted. 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. 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 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>
<p>9.</p>	<p>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 the dwelling(s) and first use of the commercial units they serve; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015).</p> <p><i>Reason: To ensure provision of adequate off-street parking facilities within the site.</i></p>
<p>10.</p>	<p>Notwithstanding the details shown on the submitted plans, the proposed driveway/hardsurfacing to the front of the property shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway), unless otherwise agreed to in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of highway safety and to prevent flooding.</i></p>
<p>11.</p>	<p>Prior to the commencement of the development other than enabling works details of a scheme for the construction of the site access and the off-site works of highway improvement shall be submitted to and approved in writing by the Local Planning 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>

12.	<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>
13.	<p>Facilities shall be provided for the cleaning of the wheels of vehicles leaving the site, before the development hereby permitted is first commenced and thereafter retained at all times during construction of the development.</p> <p><i>Reason: To prevent the tracking of mud and/or the deposit of loose material on to the highway, in the interests of highway safety.</i></p>
14.	<p>Prior to the construction of the superstructure of any of the dwellings hereby permitted 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.</p> <p><i>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.</i></p>
15.	<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><i>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.</i></p>
16.	<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><i>Reason: To ensure a sustainable form of development.</i></p>
17.	<p>During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.</p> <p><i>Reason: To safeguard the trees to be retained.</i></p>

18.	<p>The development hereby permitted shall only be carried out in accordance with the recommendations set out in the Arboricultural Method Statement prepared by GM Tree Consultants 21 May 2018 (Job Ref:1151).</p> <p><i>Reasons: In the interests of safeguarding the protected trees.</i></p>
19.	<p>No tree felling, vegetation clearance works, or other works 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.</p> <p><i>Reason: Nesting birds are a protected species.</i></p>
20.	<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 reflect the Chorley Council document "Code of Practice for Construction and Demolition" and 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>
21.	<p>All bedrooms, with a view of the railway, shall be provided with Greenwood MA3051 Acoustic Wall vents; windows to be fitted with 10/20/8.4 acoustic double glazing or similar and approved. Dormer bedrooms should also be within tile/slate roofs with 2 layer 25mm plasterboard ceilings and a sound absorbing layer in the void. All other habitable rooms, with a view of the railway, shall be provided with Greenwood MA3051 Acoustic Wall vents; windows to be fitted with standard thermal glazing e.g. 6/12/6 glazing or similar.</p> <p><i>Reason: In the interests of the amenity of future occupiers.</i></p>
22.	<p>Habitable rooms shall be fitted with standard thermal glazing and trickle vents with an indirect airpath. The trickle ventilation should be combined with a Mechanical Extract Ventilation (MEV) or a Passive Input Ventilation (PIV) system, which extracts/supplies air from the habitable rooms, but which does not allow significant noise to enter from the outside, either because of the system's attenuation or because it vents to a quiet façade.</p> <p><i>Reason: In the interests of the amenity of future occupiers.</i></p>

ITEM 3b – 18/00560/FUL – Sarscow Farm, Sarscow Lane, Eccleston, Leyland, PR26 8LS

The recommendation remains as per the original report

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

- Vehicle movements / impact on pedestrian safety.
- The passing places are inadequate.
- Damage to trees and hedges.
- Material has been imported onto site to raise levels and create a level surface.

The following conditions are recommended:

No.	Condition															
1.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="368 831 1340 1115"> <thead> <tr> <th data-bbox="368 831 762 860">Title</th> <th data-bbox="762 831 1050 860">Drawing Reference</th> <th data-bbox="1050 831 1340 860">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="368 860 762 925">Location plan</td> <td data-bbox="762 860 1050 925">18-240A 001 Rev.A</td> <td data-bbox="1050 860 1340 925">12 October 2018</td> </tr> <tr> <td data-bbox="368 925 762 990">Proposed access and passing places plan</td> <td data-bbox="762 925 1050 990">015c</td> <td data-bbox="1050 925 1340 990">10 October 2018</td> </tr> <tr> <td data-bbox="368 990 762 1055">Proposed site plan</td> <td data-bbox="762 990 1050 1055">DWG 111</td> <td data-bbox="1050 990 1340 1055">10 October 2018</td> </tr> <tr> <td data-bbox="368 1055 762 1115">Proposed elevations</td> <td data-bbox="762 1055 1050 1115">DWG 011</td> <td data-bbox="1050 1055 1340 1115">14 August 2018</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	18-240A 001 Rev.A	12 October 2018	Proposed access and passing places plan	015c	10 October 2018	Proposed site plan	DWG 111	10 October 2018	Proposed elevations	DWG 011	14 August 2018
Title	Drawing Reference	Received date														
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Proposed access and passing places plan	015c	10 October 2018														
Proposed site plan	DWG 111	10 October 2018														
Proposed elevations	DWG 011	14 August 2018														
2.	<p>Within 18 months from the date of this decision, the portable cabins shall be removed in their entirety from the site unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: The development has been applied for on a temporary basis to support the relocation of a business to the site.</i></p>															
3.	<p>Where use of the cabins for the authorised purposes ceases for a period exceeding 2 months the cabins shall be removed in their entirety from the site.</p> <p><i>Reason: The development has been applied for on a temporary basis to support the requirement for increased capacity at the surgery, whilst new accommodation is developed.</i></p>															
4.	<p>No tree felling, vegetation clearance works, or other works 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.</p> <p><i>Reason: Nesting birds are a protected species.</i></p>															
5.	<p>Prior to the removal of the cabins a method statement for their removal from site shall be submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the removal period. The method of removal shall be designed to minimise the impact on trees when removing the cabins from the site. The statement shall demonstrate / provide for:</p> <ul style="list-style-type: none"> i. The method by which containers will be removed from the site. ii. The impact of removing the cabins on any trees 															

	<p>iii. Proposed mitigation measures iv. Tree protection measures.</p> <p><i>Reason: in the interests of highway safety and to protect the amenities of the nearby residents.</i></p>
<p>6.</p>	<p>Prior to the removal of the cabins hereby approved a scheme for the restoration and landscaping of the area that has been laid out and surfaced to facilitate the siting of the cabins shall be first submitted to, and approved in writing by, the local planning authority. The approved scheme shall thereafter be implemented in accordance with the approved details within three months of the removal of the cabins.</p> <p><i>Reason: To ensure that the appearance of the site is not harmed and to protect the Green Belt from encroachment.</i></p>

ITEM 3c – 18/00586/FUL – Land A At The Rear Of 63 And 67 Bolton Road, Chorley

The application has been withdrawn from the agenda due to issues of land ownership which have arisen.

ITEM 3d - 18/00847/FUL – Land To The Rear Of 56 School Lane

The following condition has been amended:

3. Due to the proposed sensitive end-use (residential housing with gardens), the development should not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a Phase II ground investigation is recommended to determine more accurately the effect of the identified hazards on the development. Initially, this should include the following along with details of the necessary remediation measures:

- A window sampling, trial pits and possibly cable percussive borehole investigation to confirm ground conditions and collect samples for analysis.
- Chemical analysis of soils followed by risk assessment so that the risk to human health and controlled waters can be determined.
- Gas monitoring to assess the risk posed by ground gases.
- Geotechnical soils testing of the founding strata to assess its strength and suitable grades of buried concrete.
- Confirmation of the presence of existing drainage is required.
- Slope stability assessment.
- Assessment of existing retaining walls.
- Investigation of surface water run-off from adjacent site.

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: It is the applicant's responsibility to properly address any land contamination issues, to ensure the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012).

It is recommended that this is changed to the following condition to reflect Geo-environmental report submitted on 29th October 2018:

3. Due to the proposed sensitive end-use (residential housing with gardens), the development should not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a remediation strategy, which emphasises the likely re-profiling of the site for the development and the use of a clean cover capping system in order to reduce the risk to the long term end users of the site.

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 and evidence of the completion of remedial works, in particular to demonstrate the removal of unsuitable material offsite and installation of the clean cover, shall be submitted to the Local Planning Authority prior to the first occupation of the dwellings.

Reason: It is the applicant's responsibility to properly address any land contamination issues, to ensure the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012).
