

## **DEVELOPMENT CONTROL COMMITTEE**

WEDNESDAY, 21ST 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**

7        **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	21 November 2018

ADDENDUM
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**ITEM 3b - 18/00843/FULMAJ – Land East Of Wigan Lane, Coppull**

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

**The original report is updated as follows:**

The Council's agricultural land advisor has reviewed the application and considers that there is a sound business case for the operation of the site as a 600 cow dairy unit, the area of uncertainty is the level of funding available to help reduce the burden of the capital expenditure from capital grant schemes. The efficiency of milk solids production from Jersey cows is an important factor in raising the threshold for the viability and sustainability of the business. The high level of automation and data capture are significant in the operation of the unit with reduced labour requirements.

They advise that the design is leading edge with cow welfare and health at the very top of the aspirations for the unit. The cow is able to be milked, feed and rested at her own desire, which makes for a happier more productive animal less prone to disease risk. The generous space allowance in all areas of the site reduce the stocking density and improve the environment. There are generous storage areas for feed and slurry but this allows flexibility and reduces the risk of the impact of a poor season on herd production.

The very nature of a larger dairy unit reduces the requirement to be close to the land area farmed. The large area in close proximity at Yew Tree House Farm is available to cover the main proportion of the feed requirements. The additional land can be serviced from the location and is only dependent of spreading and harvesting operations spread throughout the year, not daily access for grazing.

The following consultee responses have been received:

**Lead Local Flood Authority** have made the following comments: The Lead Local Flood Authority has no objection to the proposed development subject to the inclusion of appropriate conditions

**Natural England** have made the following comments: No objection

**Adlington Town Council** have made the following comments: Adlington Town Council discussed this application at its meeting last night and expressed concern that the Town Council had not received any notification of a proposed development sited so close to its border with Coppull.

The Council objects to the application as it considers that it would cause problems with smells and noise to nearby residents. It also expressed concern regarding the increase in traffic accessing the site from Wigan Lane, a road which has recently been the subject of speed reductions and warning notices because of its poor safety record. This is the main route for local residents accessing the M6 motorway.

The Council would also like to know how many Adlington residents were consulted about the application, as its effects will be felt across most of Lower Adlington if permission is granted.

**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" data-bbox="368 904 1353 1095"> <thead> <tr> <th data-bbox="368 904 762 936">Title</th> <th data-bbox="762 904 1051 936">Drawing Reference</th> <th data-bbox="1051 904 1353 936">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="368 936 762 967">Location plan</td> <td data-bbox="762 936 1051 967">2018-108-001 F</td> <td data-bbox="1051 936 1353 967">16 October 2018</td> </tr> <tr> <td data-bbox="368 967 762 999">Proposed site plan</td> <td data-bbox="762 967 1051 999">2018-108-004 E</td> <td data-bbox="1051 967 1353 999">15 October 2018</td> </tr> <tr> <td data-bbox="368 999 762 1030">Proposed site sections</td> <td data-bbox="762 999 1051 1030">2018-108-005 E</td> <td data-bbox="1051 999 1353 1030">16 October 2018</td> </tr> <tr> <td data-bbox="368 1030 762 1095">Proposed elevations on cow shed</td> <td data-bbox="762 1030 1051 1095">2018-108-006 E</td> <td data-bbox="1051 1030 1353 1095">16 October 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	2018-108-001 F	16 October 2018	Proposed site plan	2018-108-004 E	15 October 2018	Proposed site sections	2018-108-005 E	16 October 2018	Proposed elevations on cow shed	2018-108-006 E	16 October 2018
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Proposed elevations on cow shed	2018-108-006 E	16 October 2018														
3.	<p>Prior to the construction of the superstructure of any of the buildings hereby permitted, examples 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>Prior to the construction of the superstructure of any of the buildings 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. The building shall not be used until all fences and walls shown in the approved details have been erected in conformity with the approved details.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</i></p>															
5.	<p>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 agreed in writing with the Local Planning Authority before any development is first commenced.</p> <p><i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i></p>															

6.	<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 buildings 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>
7.	<p>Prior to the construction of the car park a scheme for the surfacing and laying out shall be submitted to and approved in writing by the Local Planning Authority and the car parking spaces and manoeuvring areas shall be marked out in accordance with the approved plan, before the development hereby permitted becomes operational.</p> <p><i>Reason: To allow for the effective use of the parking areas.</i></p>
8.	<p>Before the use of the site hereby permitted is brought into operation 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.</p> <p><i>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.</i></p>
9.	<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>
10.	<p>Prior to the commencement of development a scheme of biosecurity measures to prevent the spread of Himalayan balsam shall be submitted to and approved in writing to the Local Planning Authority. The approved scheme shall be adhered to and implemented in full unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: Due to the presence of invasive plant species.</i></p>
11.	<p>No development, site clearance, or earth moving shall take place, or material or machinery brought on site, until a method statement to protect the Moss Ditch and Eller Brook from accidental spillages, dust and debris has been submitted to and approved in writing by the Local Planning Authority. All measures set out in the method statement shall be implemented and maintained for the duration of the construction period in accordance with the approved details.</p>

	<p><i>Reasons:</i></p> <ol style="list-style-type: none"> <li>1. To ensure that the construction phase(s) of development does not pose an undue flood risk on site or elsewhere;</li> <li>2. To ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.</li> </ol>
<p>12.</p>	<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>
<p>13.</p>	<p>The development shall not commence until the applicant has undertaken an appropriate scheme of intrusive site investigations/gas monitoring and submitted to and had approved in writing by the Local Planning Authority a report of findings arising from the intrusive site investigations/gas monitoring. The report should provide a scheme of remedial works/mitigation for approval and the development shall thereafter only be carried out following the remediation/mitigation of the site in full accordance with the measures stipulated in the approved report.</p> <p><i>Reason: Coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works, including ground gas monitoring should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.</i></p>
<p>14.</p>	<p>The development hereby permitted shall be carried out in accordance with the approved Flood Risk Overview (FRO) (RSK, ref. 881578-R1(02)-FRO, dated September 2018) and the following measures detailed within the FRO:</p> <ol style="list-style-type: none"> <li>a) As per section 1.6 and prior to designing the final surface water drainage scheme, a full ground investigation carried out under Building Research Establishment (BRE) Digest 365 revised 2016 should be undertaken to fully explore the option of ground infiltration to manage the surface water in preference to discharging to a surface water body, sewer system or other means.</li> <li>b) In reference to section 1.5.1 and Appendix B, SURFACE WATER ATTENUATION VOLUMES, providing an appropriate storage provision and limiting the surface water run-off generated by the 1 in 100 critical storm (+40% climate change allowance) to 42.7 l/s so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.</li> </ol> <p><i>Reasons:</i></p> <ol style="list-style-type: none"> <li>1. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.</li> <li>2. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.</li> </ol>
<p>15.</p>	<p>Prior to commencement of the development hereby permitted, other than enabling works, details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme shall have been submitted to and approved in writing by the local planning authority. Those details shall include, as a minimum:</p> <ol style="list-style-type: none"> <li>a) Information about the lifetime of the development, design storm period and intensity (1 in 30 &amp; 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;</li> <li>b) The drainage strategy should demonstrate that the surface water run-off rate</li> </ol>

	<p>and volume must not exceed the pre-development greenfield runoff (which has been calculated at 42.7 litres per second).</p> <p>c) A plan of overland flow routes and or flood water exceedance routes, both on and off site;</p> <p>d) A timetable for implementation, including phasing as applicable;</p> <p>e) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;</p> <p>f) Details of water quality controls, where applicable.</p> <p>The scheme 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 drainage system shall be retained, managed and maintained in accordance with the approved details.</p> <p><i>Reasons:</i></p> <ol style="list-style-type: none"> <li>1. <i>To ensure that the proposed development can be adequately drained.</i></li> <li>2. <i>To ensure that there is no flood risk on or off the site resulting from the proposed development.</i></li> <li>3. <i>To ensure that water quality is not detrimentally impacted by the development proposal.</i></li> </ol>
<p>16.</p>	<p>Prior to the construction of the superstructure of any of the buildings hereby permitted details of an appropriate management and maintenance plan for the sustainable drainage system, for the lifetime of the development shall have been submitted to and approved in writing by the local planning authority, which as a minimum shall include:</p> <p>a) Arrangements concerning appropriate funding mechanisms for an on-going maintenance of all elements of the sustainable drainage system (including mechanical components) including elements such as:</p> <ol style="list-style-type: none"> <li>i. on-going inspections relating to performance and asset condition assessments</li> <li>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;</li> </ol> <p>The plan shall be implemented in accordance with the approved details prior to first use of the development hereby approved, 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.</p> <p><i>Reasons:</i></p> <ol style="list-style-type: none"> <li>1. <i>To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development.</i></li> <li>2. <i>To reduce the flood risk to the development as a result of inadequate maintenance.</i></li> </ol>
<p>17.</p>	<p>Prior to the installation of any permanent external lighting, details of a lighting scheme shall be submitted to an approved in writing by the local planning authority. Any lighting to be installed on the site shall then be carried out in accordance with the approved details.</p> <p><i>Reasons: In the interests of the character of the area and amenity of neighbouring occupiers.</i></p>
<p>18.</p>	<p>The building hereby permitted shall be used for agricultural purposes only (as defined in Section 336(1) of the Town and Country Planning Act 1990); in conjunction with the remainder of the holding as identified in the supporting information submitted with the application. It shall be removed and the site reinstated to its original condition by a scheme to be agreed with the Local Planning Authority if at any time it ceases to be used for this purpose.</p>

	<i>Reason: To ensure that the building is used solely for agricultural purposes connected with the working of the holding.</i>
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**ITEM 3c - 18/00905/FUL – 2 Heath Paddock, Hut Lane, Heath Charnock, Chorley**

The application has been withdrawn from the agenda by the Planning Services Manager.

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**ITEM 3d - 18/00820/FULMAJ – BAE Systems Property And Environmental Services, Brisance House, Euxton Lane**

**The following condition is recommended:**

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	BS.18-108(B)-01	29 August 2018
Proposed site plan	BS.18-108(B)-03 Rev.B	03 October 2018
Proposed floor plans	BS.18-108(B)-04	29 August 2018
Proposed elevations	BS.18-108(B)-05 Rev.A	29 August 2018

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

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**ITEM 3e - 18/00773/FUL – 127A Station Road, Croston**

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

**The following conditions are recommended:**

1. The proposed development must be begun not later than three years from the date of this permission.

*Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.*

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

<b>Title</b>	<b>Plan Ref</b>	<b>Received On</b>
Location Plan	15/048/L03 REVA	9 August 2018
Proposed Floor Plans	HT G01	9 August 2018
Proposed Elevations	HT G02	9 August 2018
Proposed Site Layout	GA 01	9 August 2018



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

3. The external facing materials, Forterra Woodside Mixture bricks and Redland dark grey roof tiles, shall be used and no others substituted, unless otherwise agreed on writing with the Local Planning Authority.

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

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

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

5. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions, shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed in accordance with the approved details.

*Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.*

6. In order to minimise the impacts on other protected species the following precautionary measures are required as part of the development hereby approved:

- Should any trenches or excavations be required, an escape route for animals that enter the excavation must be provided.
- Ramps should be no greater than 45 degrees in angle.
- Any holes dug should be securely covered to ensure no animals are trapped during works.
- All excavations left open overnight or longer should be checked for mammals prior to the continuation of works or infilling.
- Back filling shall be completed immediately after any excavations.
- Contractors should be observant for protected species and should any species be found during works, then works should cease immediately and advice sought from a suitably qualified ecologist

*Reason: To safeguard protected and endangered species and their habitats.*

7. The development hereby permitted shall be implemented in accordance with the details of the submitted TBA Landscape Architects Tree Protection Plan and Method Statement.

*Reason: To protect the trees being retained on and immediately adjacent to the site.*

8. All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.

*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.*

9. 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 meet the

required Dwelling Emission Rate. 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 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.*

10. 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.*