

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 16TH JULY 2019, 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

10 **ADDENDUM**

| (Pages 3 - 8)

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	16 July 2019

ADDENDUM

ITEM 3a - 19/00417/FULMAJ – Land Adjoining Cuerden Residential Park, Nell Lane, Cuerden

The recommendation remains as per the original report

A further letter of objection has been received raising the following issues:

- The caravan park owner is in breach of his license and therefore no decision should be taken on the planning application until the outstanding licencing issues have been resolved.
- Highway safety concerns along Nell Lane and Shady Lane.
- Impact on highway capacity
- Lack of consultation by the applicant in advance of making the application.
- Lack of consultation by the Local Planning Authority in notifying residents of the application.
- The land may be contaminated.
- No need for further house building
- Loss of green fields.

Cllr Peter Gabbott objects to the proposed development for the following reasons:

- Increasing the amount of housing in this area will risk changing the character of the village with the area becoming more residential and constricting space and access to green space. The effect is detrimental and will overcrowd a locally important area.
- The proposed temporary access via Nell Lane is unnecessary, unsuitable for construction traffic, too much confusion surrounds the application and what they are applying for exactly and the proposed temporary access is inadequate for emergency vehicles.
- The detrimental impact on the natural environment and the planned unnecessary destruction of 60m - 90m of mature hedgerow for an access which can be achieved elsewhere with no harm to the environment.
- I believe that the specified affordable housing fails to meet requirements set out in the Local Plan.
- I also believe it will push services that are already at critical levels such as primary school places to unfulfillable levels causing residents in the area to be affected by having to travel further to catchment areas for basic services due to a lack of accompanying infrastructure.
- Point 34 in your previous report states that there is an average width of 3.0 for the 87 dwellings but point 43 in this report states that the Fire and Rescue Service

- recommends a minimum carriageway width between kerbs of 3.7m (MfS section 6.7) which Nell Lane simply does not comply with.
- The main point that is repeated throughout is how unsuited any access is from Nell Lane, it is this access that increases risk during the construction phase to the community and It is also this access that will harm the natural environment and I foresee no issues arising if sole access was from Wigan Road through the current development with no access via Nell lane.

Cuerden Parish Council: object to this planning application. Cuerden Parish Council have not been consulted on this application. There has been no engagement with the local community and with residents directly affected by these proposals. The Parish Council feels that this development will have an adverse effect on the wildlife and local environment of Nell Lane. It will destroy the distinctive nature of this rural lane , particularly as country lanes like this are now increasingly scarce.

There are many people who use Nell Lane as pedestrians, dog walkers, cyclists, school children, ramblers, walkers accessing Cuerden Park, horse riders and more. Their enjoyment and access to this lovely lane will be impacted by increased footfall through the proposed access on to Nell Lane and the removal of part of the existing Ancient Hedgerow.

We feel it is unnecessary to remove any of this Ancient Hedgerow, especially as it has an existing TPO in place, which was implemented for a reason . Any removal of hedgerow is unnecessary as is the creation of an "emergency access" when access for any emergency vehicle can be found through the existing Redrow housing estate.

LCC Highways have provided a further response setting out a range of measures that they consider are required to be implemented in order to make the development acceptable in highway terms. These improvements would be secured by condition and through the section 278 process with LCC. On the basis of the agreed highway improvement measures the proposed development is considered to result in an acceptable impact on highway safety and capacity.

The following conditions are recommended:

The development shall be implemented in accordance with the approved phasing plan (ref. HD-PP-001 received 10 July 2019) unless agreed otherwise.

Reason: To facilitate the phased delivery of the development.

Prior to the construction of the superstructure of any of the dwellings hereby permitted a scheme and schedule for the closure of vehicular access to Nell Lane other than in the case of an emergency, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full thereafter.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions.

No development shall be commenced until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed.

Reason: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

No dwelling or dwellings shall be occupied until the estate street(s) affording access to those dwelling(s) has been completed in accordance with the approved layout and in conformity with the Lancashire County Council Specification for Construction of Estate Roads.

Reasons: To ensure that the estate streets serving the development are completed and maintained to the approved standard, and are available for use by the occupants, and other users of the development, in the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reasons: To ensure that the estate streets serving the development are completed and maintained to the approved standard, and are available for use by the occupants, and other users of the development, in the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

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.

No part of the development hereby approved shall be occupied or opened for trading 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.

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.

The new estate road/access to the site shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

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

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.

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.

Prior to construction, a construction plan shall be submitted to and approved in writing by the local planning authority. The plan to include method and details of construction including vehicle routing to the site, construction traffic parking and any proposed temporary closing of roads or streets. No construction traffic or deliveries to enter/exit during traffic peak periods or

to wait on the public highway. Such construction plan to be implemented and adhered to during the construction of the development.

Reason: To maintain the operation of local streets and through routes in the area during construction, particularly during peak periods.

No dwelling hereby approved shall be occupied until an Interim Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The provisions of the Interim Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development provides sustainable transport options.

It is recommended that condition 16 as set out on the committee report is amended as follows:

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

Title	Drawing Reference	Received date
Site location plan	LEYL/15/04/01 Rev.E	02 July 2019
Proposed planning layout	LEYL/15/04/02 Rev.E	02 July 2019
Boundary enclosures layout	LEYL/15/04/04 Rev.E	02 July 2019
External materials layout	LEYL/15/04/03 Rev.E	02 July 2019
Waste management layout	LEYL/15/04/06 Rev.E	02 July 2019
Affordable housing layout	LEYL/15/04/05 Rev.E	02 July 2019
Proposed materials layout	4444/ENG150	08 May 2019
Drainage layout	4146/ENG001-1 Revision E	02 July 2019
Phasing plan	HD-PP-001	10 July 2019
Tree protection plan	4141.02 Rev D	08 May 2019
Landscape proposal 1 of 4	5860.05 Rev.A	08 May 2019
Landscape proposal 2 of 4	5860.06 Rev.A	08 May 2019
Landscape proposal 3 of 4	5860.07 Rev.A	08 May 2019
Landscape proposal 4 of 4	5860.08 Rev.A	08 May 2019
The Amberley (brick)	N/A	08 May 2019
The Amberley (render)	N/A	08 May 2019
The Canterbury floor plans	N/A	08 May 2019
The Canterbury elevations	N/A	08 May 2019
The Ledbury elevations	N/A	08 May 2019
The Ledbury floor plans	N/A	08 May 2019
The Avon elevations	N/A	08 May 2019
The Avon floor plans	N/A	08 May 2019
The Alton elevations	N/A	08 May 2019
The Alton floor plans	N/A	08 May 2019
The Stratford	N/A	08 May 2019
The Marlow (render)	N/A	08 May 2019
The Cambridge (brick)	N/A	08 May 2019
The Cambridge (render)	N/A	08 May 2019
The Harrogate (brick)	N/A	08 May 2019
The Harrogate (render)	N/A	08 May 2019
The Oxford (brick)	N/A	08 May 2019
The Oxford (render)	N/A	08 May 2019
The Oxford Lifestyle (brick)	N/A	08 May 2019
The Oxford Lifestyle (render)	N/A	08 May 2019
The Welwyn floor plans	N/A	08 May 2019
The Welwyn elevations (brick)	N/A	08 May 2019
The Welwyn elevations (render)	N/A	08 May 2019

The Henley elevations	N/A	08 May 2019
The Henley floor plans	N/A	08 May 2019
The Shaftesbury	N/A	08 May 2019
The Stour	N/A	08 May 2019

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

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