

PLANNING COMMITTEE

TUESDAY, 11TH AUGUST 2020, 6.30 PM

THE LANCASTRIAN, TOWN HALL, CHORLEY AND MICROSOFT TEAMS

I am now able to enclose, for consideration at the above meeting of the Planning Committee, the following report that provides an update of events that have taken place since the agenda was printed.

Agenda No	Item
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5	ADDENDUM
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| (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)	Planning Committee	Date 11 August 2020

ADDENDUM

ITEM 3a – 19/01113/OUTMAJ – Land to the West Side of Blackburn Road

The recommendation remains as per the original report

The education contribution identified in the committee report is £846,480.60. However, this is based on the housing mix on site being 100% 4 bed houses.

As the application is in outline, the housing mix has not yet been agreed and will be provided at reserved matters stage. As such, the education contribution will need to be re-assessed at that stage and is likely to change once the housing mix has been submitted and agreed with the Council.

For clarification, should the committee resolve to approve the outline planning application, a S106 agreement will be required with a maximum education contribution of £846,480.60 sought, however, this is subject to agreeing the final housing mix at reserved matters stage. A further assessment of the required contribution will be required once accurate bedroom information becomes available at reserved matters stage. This could result in a reduced pupil yield dependant on dwelling size and a change in the required contribution.

ITEM 3c - 20/00116/FUL – Land Between 386 And 392 Blackburn Road Higher Wheelton

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:

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

Title	Plan Ref	Received On
Road Layout and Access	LW /20/04/040C REV C	14 July 2020
Single and Double Detached Garages	LW /Garages	6 July 2020

	20/01/080	
Plot 3 Elevations	LW /5BDH 20/01/032a REV A	6 July 2020
Plot 3 - Ground, First and 2nd Floor Plan	LW /5BDH 20/01/031A REV A	6 July 2020
Plot 4 Elevations	LW /5BDH 20/01/042A REV A	6 July 2020
Plot 4 Ground, First and 2nd Floor Plan	LW /5BDH 20/01/041A REV A	6 July 2020
Plot 1 Elevations	LW /4BDH 20/01/062	24 February 2020
Plot 1 Ground, First and 2nd Floor Plan	LW /4BDH 20/01/061	24 February 2020
Plot 2 Elevations	LW /4BDH 20/01/052	24 February 2020
Plot 2 Ground, First and 2nd Floor Plan	LW /4BDH 20/01/051	24 February 2020
Location Plan		5 February 2020

3. Prior to the commencement of the construction of any dwelling hereby permitted, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Details of the colour, form and texture of all external facing materials to the proposed dwellings
- 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.

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.

Reason: In the interests of the visual amenities and character of the area and to provide reasonable standards of privacy to residents.

4. Prior to the commencement of the development hereby approved, including any site works, full details of tree protection measures shall be submitted to and approved in writing by the Local Planning Authority. This shall include a tree protection plan showing the Root Protection Zones of the existing trees, the approved site layout as shown on drawing LW/20/04/040C and areas of permanent ground protection measures. The trees shall be protected in accordance with the approved details at all times during construction and site works.

Reason: Such details have not been submitted as part of the application but are required to safeguard the wellbeing of the existing trees which are subject to Tree Preservation Orders and contribute Prior to the visual amenity of the area.

5. Prior to the commencement of the development hereby approved, including any site works, full details of a 'no-dig' construction technique, details of the method and routing of any services to be installed to serve the dwellings and details of a load bearing support system to form the access, car parking spaces and manoeuvring space, which is within the Root Protection Area of the protected trees shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in total accordance with the approved details.

Reason: Such details have not been submitted as part of the application but are required to safeguard the wellbeing of the existing trees which are subject to Tree Preservation Orders and contribute to the visual amenity of the area.

6. The development hereby permitted shall only be carried out in accordance with the recommendations set out in section 6 of the Arboricultural Report prepared by Treescapes Consultancy Ltd dated 02 May 2014 (Reference No. AH/ALA/220813), except where modified by any condition.

Reason: In the interests of safeguarding the existing trees which are subject to Tree Preservation Orders and contribute to the visual amenity of the area.

7. The ensuite window in the side facing (east) elevation of Plot 1 shall obscure glazed and permanently retained thereafter.

Reason: In the interests of the privacy of occupiers of neighbouring property.

8. The landing windows in the side facing (north) elevation of Plot 4 shall obscure glazed and permanently retained thereafter.

Reason: In the interests of the privacy of occupiers of neighbouring property.

9. 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.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.

10. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A agreed restricted rate of discharge of surface water (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

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

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

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

12. 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.

13. Prior to the commencement of the development hereby permitted, 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.

14. 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.

15. Prior to the commencement of the development hereby permitted, including any site works, a scheme for the construction of the site access and off-site works of highway improvement shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved scheme and shall be made available for use prior to occupation of any dwellinghouse hereby permitted.

Reason: To secure final details and in the interest of highways safety.

ITEM 3d - 20/00449/FULMAJ – Golden Acres Ltd, Plocks Farm, Liverpool Road, Bretherton

The recommendation remains as per the original report

The following consultee responses have been received:

Lancashire County Council 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 the following conditions, in consultation with the Lead Local Flood Authority:

Condition 1 - Final Sustainable Drainage scheme to be submitted

No development hereby permitted shall be occupied until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority and LLFA.

Those details shall include:

- a) Final sustainable drainage layout plan appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels in AOD with adjacent ground levels.
- b) The drainage scheme should demonstrate that the surface water run-off and volume shall not exceed the pre-development runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c) Sustainable drainage flow calculations (1 in 1, 1 in 30 and 1 in 100 + climate change), with allowance for urban creep.
- d) Plan identifying areas contributing to the drainage network
- e) A plan to show overland flow routes and flood water exceedance routes and flood extents.
- f) Measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses
- g) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- h) Details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development. This shall include arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable.

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.

Reasons

1. To ensure that the final drainage designs are appropriate following detailed design investigation.
2. To ensure that the proposed development can be adequately drained.
3. To ensure that there is no flood risk on or off the site resulting from the proposed development
4. To reduce the flood risk to the development as a result of inadequate maintenance
5. To identify the responsible organisation/body/company/undertaker for the sustainable drainage system.

Condition 2 – Flood Risk Assessment to be submitted

No development hereby permitted shall commence until a final, updated and site specific flood risk assessment (FRA) has been submitted to and approved in writing by the local planning authority and LLFA.

Reason

A FRA is vital if the local planning authority is to make informed planning decisions. In the absence of an accurate and up-to-date FRA, the flood risks resulting from the proposed development are unknown. While the application lies within Flood Zone 1, defined by the Planning Practice Guidance as having a low probability of flooding, the proposed scale of development may present risks of flooding on-site and/or offsite if surface water run-off is not effectively managed. Footnote 50 of Paragraph 163 of the NPPF requires applicants for planning permission to submit a site-specific FRA when development on this scale is proposed in such locations.

The FRA submitted with the application is dated October 2015. Since this FRA was carried out several major flooding incidents have occurred which have affected our understanding and modelling of both the catchment and wider flood risk in general. The applicant is required to produce an updated FRA that demonstrates that the development will not increase risk elsewhere and where possible reduces flood risk overall, in line with current data, modelling and policy as established in the National Planning Policy Framework (NPPF).

The following condition has been amended to include the approved plans:

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

Title	Drawing Reference	Received date
Location plan	14.505.14-01	20 May 2020
Phase 1 canopy layout and elevations	2019-002-A03 A	20 May 2020
Proposed packaging hall and phase 2 canopy layout	2019-002-A04	20 May 2020
Proposed packaging hall and canopy elevations	2019-002-A05	20 May 2020
Proposed packaging hall and phase 2 canopy – plan areas	2019-002-A06	20 May 2020

Packaging hall – front sections	GAP-2019-MAN-PAC-1200	20 May 2020
Packaging hall – side sections	GAP-2019-MAN-PAC-1200	20 May 2020
Packaging hall ground floor	GAP-2019-MAN-PAC-1200	20 May 2020
Packaging hall second floor	GAP-2019-MAN-PAC-1200	20 May 2020
Packaging hall third floor	GAP-2019-MAN-PAC-1200	20 May 2020
Proposed floor plans	3800-19-01 D	20 May 2020

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

The following conditions are recommended for inclusion:

1. No development hereby permitted, other than demolition, shall be occupied until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority and LLFA.

Those details shall include:

- a) Final sustainable drainage layout plan appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels in AOD with adjacent ground levels.
- b) The drainage scheme should demonstrate that the surface water run-off and volume shall not exceed the pre-development runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c) Sustainable drainage flow calculations (1 in 1, 1 in 30 and 1 in 100 + climate change), with allowance for urban creep.
- d) Plan identifying areas contributing to the drainage network
- e) A plan to show overland flow routes and flood water exceedance routes and flood extents.
- f) Measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses
- g) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- h) Details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development. This shall include arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable.

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.

Reasons

1. *To ensure that the final drainage designs are appropriate following detailed design investigation.*

- 2. To ensure that the proposed development can be adequately drained.*
 - 3. To ensure that there is no flood risk on or off the site resulting from the proposed development*
 - 4. To reduce the flood risk to the development as a result of inadequate maintenance*
 - 5. To identify the responsible organisation/body/company/undertaker for the sustainable drainage system.*
2. No development hereby permitted, other than demolition, shall commence until a final, updated and site specific flood risk assessment (FRA) has been submitted to and approved in writing by the local planning authority in consultation with the LLFA.

Reason

The FRA submitted with the application is dated October 2015. Since this FRA was carried out several major flooding incidents have occurred which have affected the modelling of both the catchment and wider flood risk in general. The applicant is required to produce an updated FRA that demonstrates that the development will not increase risk elsewhere and where possible reduces flood risk overall, in line with current data, modelling and policy as established in the National Planning Policy Framework (NPPF).
