

18 August 2010

Dear Councillor

**DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 17TH AUGUST 2010**

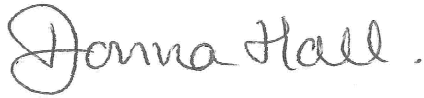
The following reports were tabled the above meeting of the Development Control Committee.

**Agenda No    Item**

**4. Addendum (Pages 1 - 8)**

Addendum tabled at the meeting (attached).

Yours sincerely



Donna Hall  
Chief Executive

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Democratic and Members Services Officer  
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આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپکی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون  
کیجئے: 01257 515823

C O M M I T T E E R E P O R T			
REPORT OF	MEETING	DATE	ITEM NO
Director of Partnerships, Planning and Policy	Development Control Committee	17 August 2010	

<b>ADDENDUM</b>
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**Application 10/00417/FULMAJ****Erection of 13 dwellings and associated infrastructure (following demolition of no. 202 Chorley Old Road)**

An additional neighbour objection has been received from the occupiers of No. 18 St Helens Road. The objections raised by this neighbour are as follows:

1. Privacy generally considering the current private skyline to our right. In addition to this, is the change from a bungalow proposed within the second application, to a 2 story house on plot 5 in the most recent application. This plot, on higher ground than us, will invade our privacy even more if it's a 2 story, given that it overlooks onto our only private space.
2. Noise. The appeal of the area is it's quiet life and neighbours. Aiming the development at families brings with it potential noise; this was not a reason for choosing to move into this area!
3. Council Tax banding- transparency regarding any changes would be appreciated
4. In keeping with the village (new build)
5. A new development in light of several other new build developments in the near by area

Assessing the proposal in line with the Inspector's comments, the plots 3, 4, 5 and 14 were considered unacceptable. No. 18 St Helens Road is a bungalow and as such, the proposed house type on plot 5 is not considered to have an unacceptable relationship with this property.

The issues concerning the need for the development and proposed house types/design/site layout have already been addressed by the Inspector.

With regards to the above, it is considered that the recommendation for the application remain as before and is accordingly recommended for approval subject to conditions.

**Application 10/00525/FULMAJ****Erection of 2 No Two Bedroom, 9 No Three Bedroom affordable houses with associated landscaping and car parking.**

The following conditions are suggested:

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. Before the development hereby permitted is first commenced full details of the means of foul water drainage/disposal shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for foul water drainage/disposal have been completed in accordance with the approved details.

*Reason: To ensure proper drainage of the development and in accordance with Policy No. EP17 of the Adopted Chorley Borough Local Plan Review.*

3. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

*Reason: To secure proper drainage and in accordance with Policy Nos. EP17 and EM2 of the Adopted Chorley Borough Local Plan Review.*

4. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings (notwithstanding any details shown on the previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy No. HS4, of the Adopted Chorley Borough Local Plan Review.*

5. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy No. HS4, of the Adopted Chorley Borough Local Plan Review.*

6. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate 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.

*Reason: In the interests of the amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in 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, unless the Local Planning Authority gives written consent to any variation.

*Reason: In the interest of the appearance of the locality and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwelling(s) hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

*Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

9. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab 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 only be carried out in conformity with the approved details.

*Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

10. No development shall take place until :

- a) a methodology for investigation and assessment of ground contamination has been submitted to and approved in writing by the Local Planning Authority. The investigation and assessment shall be carried out in accordance with current best practice including British Standard 10175:2001 "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;
- 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;
- c) the Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works, a validation report containing any validation sampling results have been submitted to and approved in writing by the Local Planning Authority.

*Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.*

11. If during the development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted remediation proposals, and obtained written approval from the local planning authority

*Reason: To protect the environment and to prevent harm to human health by ensuring that the land is remediated to an appropriate standard in accordance with Policy No. EP16 of the Adopted Chorley Local Plan Review.*

12. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

*Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy Nos. GN5 and EM2 of the Adopted Chorley Borough Local Plan Review.*

13. Prior to the commencement of development full details of how the future management and maintenance of the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the future management of the proposed hard and soft surfaces, including the greenspace area.

*Reason: To ensure the satisfactory development of the internal surfaces including the greenspaces area in accordance with EP13 of the Adopted Chorley Borough Local Plan Review.*

14. The approved plans are:

Plan Ref.	Received On:	Title:
2280 100	25 June 2010	Location Plan as Existing
2280 105	25 June 2010	Site Plan as proposed
2280 101	28 June 2010	Site Plan as existing
2280 110	28 June 2010	Street Elevations as proposed
2280 108	28 June 2010	Unit Elevations as proposed
2302_01	28 June 2010	Arboricultural Constraints Plan
	25 June 2010	Unit Type 2B4P as proposed
2280 107	28 June 2010	Unit Type 3B5P as proposed
2280 113	28 June 2010	Boundary Treatment as proposed
2280 114	28 June 2010	Garden Shed as proposed
2280 107 Rev A	4 August 2010	Unit Type 3B5P as proposed (Plot 6)
2280 108 Rev A (amended in part)	4 August 2010	Unit Elevations as proposed
2280 105 Rev B part)	4 August 2010	Site Plan as proposed (amended in part)

*Reason: To define the permission and in the interests of the proper development of the site.*

#### **Application 10/00431/FUL**

**Former Victoria Mill Building, 10m South West of 23 Millbrook Close, Wheelton  
Erection of 1 no. detached and 1 pair semi detached houses.**

The following conditions are suggested:

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. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab 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 only be carried out in conformity with the approved details.

*Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in 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, unless the Local Planning Authority gives written consent to any variation.

*Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.*

4. The development hereby permitted shall not commence until samples of all external facing materials to the proposed buildings (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

5. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

6. The garage hereby permitted with Plot 3 shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

*Reason: To ensure adequate garaging/off street parking provision is maintained in accordance with Policy HS4 of the Adopted Chorley Borough Local Plan Review.*

7. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

*Reason: To secure proper drainage and in accordance with Policy Nos. EP17 and EM2 of the Adopted Chorley Borough Local Plan Review.*

8. 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.

*Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No.HS4 of the Adopted Chorley Borough Local Plan Review.*

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwelling(s) hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

*Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

10. Before the use of the premises hereby permitted is first commenced, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

*Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR8 of the Adopted Chorley Borough Local Plan Review.*

11. Prior to the commencement of the development the car parking provision shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority. The car parking spaces and manoeuvring areas shall be marked out in accordance with the approved plan prior to the occupation of the dwellinghouses.

*Reason: To ensure the successful development of the site and allow for the effective use of parking areas and to comply with Policy HS4 of the Adopted Chorley Borough Local Plan Review.*

12. No development shall take place until :

a) A methodology for investigation and assessment of ground contamination has been submitted to and approved in writing by the Local Planning Authority. The investigation and assessment shall be carried out in accordance with current best practice including British Standard 10175:2001 "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;

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;

c) The Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works, a validation report containing any validation sampling results have been submitted to and approved in writing by the Local Planning Authority.

*Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.*

13. If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with. The development thereafter shall be carried out in accordance with the approved Method Statement.

*Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and accordance with Government advice contained in PPS23: Planning and Pollution Control.*

14. All windows in the first floor side elevations of Plot 3 shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter.

*Reason: To protect the appearance of the locality and in accordance with Policy No. HS4, GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.*

15. The approved plans are:

Plan Ref.	Received On:	Title:
914.40	8 June 2010	Site Location Plan
10/035/P01	8 June 2010	Proposed Site Layout
10/035/P02 Elevations	8 June 2010	Proposed House Type Plans &

*Reason: To define the permission and in the interests of the proper development of the site.*

### **Application 10/00591/FULMAJ**

#### **Erection of a railway station, access road and associated parking and infrastructure at Buckshaw Village (amendments to previously approved application ref 08/00562/REMMAJ)**

An additional condition is proposed in relation to levels and boundary treatments with adjacent land:

Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab levels to the North, West and East of the site shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on approved plan(s), including how the scheme will tie into the levels of the approved scheme to the north ref: 09/00659/REMMAJ); and including cross-sections to boundaries with adjacent land at points to be first agreed to in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

*Reason: There is a level difference between the application site and the adjacent land and adjacent schemes as approved. To protect the appearance of the locality and to ensure the appropriate development of Buckshaw Village as whole and in accordance with Policy Nos. GN5 and GN2 of the Adopted Chorley Borough Local Plan Review.*



A letter has been received from the owners of Stansfield House Barn, to the South of the site on Euxton Lane. They ask that Condition 11 of the original permission (regarding a methodology statement for the construction of the development) be imposed on any new permission to protect the community from construction noise and floodlighting.

They ask if a condition is proposed regarding a passenger announcement system at the station as this would cause annoyance, whereas a visual screen to provide station announcements instead would protect the surroundings from annoyance.

They also ask if the exiting perimeter wall to the South of the railway lines is to be retained, as it currently offers some protection from the noise of the trains as they pass. If it is to be demolished could a condition be added requiring an acoustic fence to be put in place to contain noise. They state they live just over 100m from the southerly access to the station, and these issues will have a significant impact on their amenities unless measures are put in place to contain the pollution.

In relation to a condition relating to a methodology statement, such a condition has been proposed as part of this application (condition 10). In relation to a passenger announcement system Network Rail advise that the station will have a public address system that will provide coverage to the booking hall, booking office and the two platforms and the design will comprise of three amplifiers integrated as a single package to allow zoning of the system if required. Due consideration shall be given to the neighbours of the station when setting the output level of the system and will reduce output volume between 19:00 to 07:00 hours and the station will not be open 24 hours a day. It is considered that Stansfield House Barn is of sufficient distance away from the proposed station (with Euxton Lane, Runshaw College and BAe Systems office building in between) that the public address system will not result in an unacceptable level of amenity to this property.

In relation to the southern perimeter wall is to remain. Network Rail believe it to be outside the application boundary.

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