

25 April 2012

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 24TH APRIL 2012

The enclosed report provides an update on any events that have taken place since the agenda was published.

Yours sincerely



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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 آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون

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C O M M I T T E E R E P O R T		
REPORT OF	MEETING	DATE
Director of Partnerships, Planning and Policy	Development Control Committee	24 April 2012
ADDENDUM		

ITEM 4a- 11/00938/FUL- Go Ape, Rivington Lane, Rivington, Bolton, Lancashire, BL6 7RZ

The recommendation remains as per the original report.

A further letter of objection has been received from the Friends of Lever Park setting out the following issues:

- Express surprise that the data regarding the implementation of policy LT14 cannot be found;
- They state policy LT14 was put in place within Lever Park for a reason and it wouldn't be for the installation of picnic tables, as the Council have said that planning approval would not be needed for picnic tables. It appears the minor issue of picnic tables is being used to avoid the main issue regarding the protection afforded to Lever Park within policy LT14;
- The report also states that if the application is refused it could mean a return to the original application 08/00553/FUL and that trees would have to be removed to accomplish this. However, the Arboricultural Officer's report at the time stated that only 3 trees would have to be removed. Go Ape have already removed 21 trees and it would have been nearer 50 if the Friends of Lever Park hadn't put pressure on the Council to stop further felling. If it is true that further trees would need to be removed to develop the original planning application then that would indicate that a survey of the proposed parking site wasn't conducted, because felling further trees would be a direct contradiction of the statement 'only 3 trees will need to be removed for the course development'.

To respond to the above point on picnic tables, although picnic tables themselves may not need planning permission if they do not fall within the definition of development, policy LT14 may be used in relation to a picnic area where they are located or amenity open space. The park is protected by virtue of its status as a historic park under Policy HT13.

A letter has also been received from a member of the public asking if the proposed disabled parking bays [required to be provided by condition] are in addition to the required number of parking bays or are subtracted from the required number. To clarify this matter the number of disabled bays on a car park is calculated as a percentage of the total number of spaces. To clarify this, two of the spaces already shown on the layout will need to be provided as disabled bays.

A further letter of objection has been received to the amended plans on the following grounds:

- Rivington is not big enough to expand. Further expansion could result in some serious accidents and traffic chaos with bikers, walkers, children animals etc.

Paragraph 72 of the original report includes reference to 'check' the tree number. This tree number is correct.

ITEM 4b-12/00197/FUL – Abbeystead Farm Buildings, Bolton Road, Abbey Village

The recommendation remains as per the original report

Paragraph 82 confirmed that the Ecologists comments would be reported on the addendum although no written comments have been received the Ecologist has verbally confirmed that it appears that sufficient information has been submitted in respect of bats to enable a Natural England Licence to be granted. To address this the following condition is suggested:

Prior to the commencement of the development a copy of the Natural England Licence in respect of bats shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the Licence.

In respect of barn owls the following condition has been suggested, verbally, by the Ecologist:

Prior to the commencement of the development full details of the mitigation measures in respect of barn owls, in accordance with the submitted Protected Species Investigation & Activity Survey & Mitigation Report (Bats & Barn Owl) dated January 2012, shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved measures.

Any further conditions required by the Ecologist will be reported verbally to Members at the meeting.

Other Issues

Following receipt of a land registry search in respect of the associated S106 Agreement it was identified that incorrect ownership certificates were submitted with the application. The site is actually owned by the applicants father. The correct Certificate B has now been submitted and the applicants father has confirmed that he has full knowledge of the application and have been kept fully abreast of the proposals over many months.

ITEM 4c-11/00837/FULMAJ– Site 7 And 9, Buckshaw Avenue, Buckshaw Village

The recommendation remains as per the original report

The following consultee responses have been received:

Environmental Health (Noise) have made the following comments:

I've had a look at the report now which looks reasonable. The mitigation measures contained within Section 6 of the report address most of the issues that would be of concern and should be applied as the report suggests.

Development Control Committee Briefing

It has been brought to officers' attention that a briefing note has been forwarded to Members in advance of the meeting. To clarify a number of points within the conclusion:

- There is no mechanism via planning condition to secure the jobs created are given to local people although the Council does have an Employment Charter which the future occupants could enter into
- The conclusion states that there is unmet demand for distribution facilities within Chorley however evidence of this demand does not form part of this application
- It is understood that this note was produced prior to receipt of the comments from the Environmental Health Officer which is a material consideration in respect of this application and addressed above.

The following conditions have been amended:

Condition 3- to include amended plans/ additional plans:

The approved plans are:

Plan Ref.	Received On:	Title:
EVAM2000	15 September 2011	Site Location Plan
2028-PL002 Rev B	13 April 2012	Landscape Plan
5257 - 026	10 April 2012	Site Layout Plan (Complete)

Plot A Phase 1

3500-099 PL-EX-09	5 March 2012	Proposed Fencing Details Phase 1 (Plot A)
3500-099 SK55 Rev A	22 March 2012	Feature Security Boundary Treatment (Plot A)
3500-099 SK28 Rev H	5 March 2012	Proposed Site Layout Plan Phase 1 (Plot A)
3500-099 SK55	5 March 2012	Proposed Site Layout Site Levels Phase 1 (Plot A)
3500-099 SK35 Rev C	5 March 2012	Building Plan Phase 1 (Plot A)
3500-099 SK59 Ph1 Rev A	12 March 2012	Proposed Site Plan Phase 1 (Plot A)
3500-099 SK36 Rev B	5 March 2012	Proposed Elevations Phase 1 (Plot A)
2028- DL004 Rev A	23 April 2012	Plot A Cross

Sections

Plot A Complete

3500-099 SK47	27 January 2012	Building Plan (Plot A)
3500-099 SK45	27 January 2012	Elevations (Plot A)
3500-099 SK31 Rev G	5 March 2012	Office Accommodation (Plot A)
3500-099 SK46	27 January 2012	Office Accommodation Plans (Plot A)
3500-099 SK59 Rev A	12 March 2012	Proposed Site Plan (Plot A)

Plot B

5257 - 014	27th January 2012	Building Plan (Plot B)
5257 - 016	27th January 2012	Office Floor Plans (Plot B)
5257 - 019	27th January 2012	Elevations (Plot B)
2028-DL001	27th January 2012	Cross Sections Showing Proposed Plantings at Year 1
2028-DL002	27th January 2012	Cross Sections Showing Proposed Plantings at Year 7
2028-DL003	27th January 2012	Cross Sections Showing Proposed Plantings at Year 15

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

Conditions 4 and 6 has been split into 2 to deal with phase 1 and phase 2 of Plot A as follows:

Development of Plot A, Phase 1 shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority, notwithstanding the previously submitted plans. The scheme shall include details of the surface water discharge rates from the site in accordance with the Buckshaw Village Drainage Strategy and details of how the scheme shall be maintained and managed after completion. The scheme shall also include details of surface water from yard storage areas, vehicle washing areas, loading and unloading areas. Any areas which are likely to be contaminated by spillage should be connected to the foul sewer. In the absence of a sewerage system, such drainage must go to a tank(s) with no discharge to watercourse.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Development of Plot A, Phase 2 shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority, notwithstanding the previously submitted plans. The scheme shall include details of the surface

water discharge rates from the site in accordance with the Buckshaw Village Drainage Strategy and details of how the scheme shall be maintained and managed after completion. The scheme shall also include details of surface water from yard storage areas, vehicle washing areas, loading and unloading areas. Any areas which are likely to be contaminated by spillage should be connected to the foul sewer. In the absence of a sewerage system, such drainage must go to a tank(s) with no discharge to watercourse.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

In respect of Plot A Phase 1 prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking / servicing areas shall be passed through an oil interceptor in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority, notwithstanding the previously submitted plans. The scheme shall be designed and constructed to have a capacity and details compatible with, the site being drained. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

In respect of Plot A Phase 2 prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking / servicing areas shall be passed through an oil interceptor in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority, notwithstanding the previously submitted plans. The scheme shall be designed and constructed to have a capacity and details compatible with, the site being drained. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Condition 11 has been amended to within 6 months rather than prior to operation to enable the operation to become established before final travel plan measures are established:

Within six months of the first use of the development of Plot A hereby permitted, a Business Travel Plan shall be submitted to and approved in writing by, the local planning authority. The measures in the agreed Travel Plan shall then thereafter be complied with

Condition 12 has been amended to within 6 months rather than prior to operation to enable the operation to become established before final travel plan measures are established:

Within 6 months of the first use of the development of Plot B hereby permitted, a Business Travel Plan shall be submitted to and approved in writing by, the local planning authority. The measures in the agreed Travel Plan shall then thereafter be complied with.

Condition 13 has been amended from prior to commencement to prior to occupation:

Before Plot A Phase 1 hereby permitted is first brought into use full details of lighting proposals for the site shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plans. The development shall only be carried out in conformity with the approved details.

Condition 14 has been amended from prior to commencement to prior to occupation:

Before Plot A Phase 2 hereby permitted is first brought into use full details of lighting proposals for the site shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plans. The development shall only be carried out in conformity with the approved details.

Condition 24 has been deleted as it duplicates condition 23

Condition 34 has been amended as the requirement to plant the landscaping within the first planting season only relates to the western boundary strip:

All planting, seeding or turfing comprised in the approved details of western boundary landscaping strip shall be carried out in the first planting and seeding seasons following the grant of this planning approval 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.

The following condition has been added to deal with the remainder of the landscaping:

All planting, seeding or turfing comprised in the approved details of landscaping (excluding the western boundary landscaping strip) 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.

The following conditions have been added following receipt of the comments from the Environmental Health Officer and to require the landscaping to be maintained in accordance with the submitted maintenance schedule:

43. The development hereby permitted shall be carried out in accordance with the submitted 'Obligations And Maintenance Operations For Landscape Works Post Completion Landscape Management (5 Years) & Woodland Establishment (15 Years)', dated April 2012.

Reason: In the interests of the proper development of the site. In accordance with Policy EM1a of the Adopted Chorley Borough Local Plan Review

44. The building on Plot B hereby approved shall be constructed in accordance with the mitigations measures set out within the submitted Noise Assessment, dated February 2012. In particular:

- the noise limits set out in Table 5.5 of the report should be applied to all service plant;

TABLE 5.5

Location	Period	Measured Existing L _{A90}		Proposed Noise Limit L _A ⁽¹⁾	
		Weekday	Weekend	Weekday	Weekend
New Housing	Daytime	44	41	44	41
	Evening	34	41	34	41
	Night	31	37	31	37
Foxglove Drive	Daytime	40	43	40	43
	Evening	38	41	38	41
	Night	39	36	39	36
Euxton Lane	Daytime	47	49	47	49
	Evening	39	40	39	40
	Night	32	33	32	33

Note: ⁽¹⁾ The proposed noise limits are applicable at a point close to, but at least 4 metres in front of, the relevant façade.

- the external building fabric envelope will be designed to optimise the containment of noise to reduce noise emissions from the site.
- The noise emission limits set out in Table 5.5 shall be incorporated into the building design; and
- intrinsically quiet plant shall be utilised.

Prior to the occupation of the building on Plot B hereby permitted full details of the measures which have been installed to achieve the above measures shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of the neighbouring residents and in accordance with Policy EP20 of the Adopted Chorley Borough Local Plan Review.

45. Prior to the occupation of Plot B by a B2 operator the following noise mitigation measures must be installed/implemented

- Penetrations through the building fabric shall be minimised;
- The number and sizes of doors and windows in noisy areas shall be minimised;
- The building materials shall have sufficient mass to contain the noise generated by any plant or machines that generate low frequency noise;
- The buildings shall be designed such that their natural frequencies do not coincide with the dominant frequencies of the plant;
- All personnel openings shall be fitted with self-closing doors; and
- fast-closing roller doors will be used where large openings are required.

Prior to occupation full details of the measures which have been installed in accordance with the above criteria shall be submitted to an approved in writing by the Local Planning Authority.

Reason: To protect the amenities of the neighbouring residents and in accordance with Policy EP20 of the Adopted Chorley Borough Local Plan Review.

46. Prior to the occupation of the building on Plot B hereby permitted full details of any external fixed plant shall be submitted to and approved in writing by the Local

Planning Authority. Any fixed plant shall be designed, located and installed to ensure that the recommended noise limits in Table 5.5 of the submitted Noise Assessment, dated February 2012, are achieved.

Table 5.5

Location	Period	Measured Existing L _{A90}		Proposed Noise Limit L _{A,r} ⁽¹⁾	
		Weekday	Weekend	Weekday	Weekend
New Housing	Daytime	44	41	44	41
	Evening	34	41	34	41
	Night	31	37	31	37
Foxglove Drive	Daytime	40	43	40	43
	Evening	38	41	38	41
	Night	39	36	39	36
Euxton Lane	Daytime	47	49	47	49
	Evening	39	40	39	40
	Night	32	33	32	33

Note: ⁽¹⁾ The proposed noise limits are applicable at a point close to, but at least 4 metres in front of, the relevant façade.

The development thereafter shall be carried out in accordance with the approved details.

Reason: To protect the amenities of the neighbouring residents and in accordance with Policy EP20 of the Adopted Chorley Borough Local Plan Review.

The following informative has been added at the request of the applicant:

PLEASE NOTE: Commencement of development means the date on which any material operation forming part of the Development begins to be carried out other than operations consisting of site clearance, demolition work, archaeological investigations, investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, erection of any temporary means of enclosure, the temporary display of site notices or advertisements.

The original report has been amended as follows:

Paragraph 83: For clarification the height of the landscape mounds range from 2-4 metres.

ITEM 4e - 12/00191/OUT – 107/113 Chorley Road, Adlington, Chorley
The recommendation remains as per the original report

Following further investigation into land ownerships within the site edged red on the plans originally submitted; it was found that a strip of land immediately adjacent to number 115 Chorley Road, approximately 2.5 metres wide, was not in the applicant's ownership.

As this ownership complication would hinder signing of the necessary S106 agreement; amended plans detailing a revised scheme set within a site reduced to exclude the aforementioned strip of land, have been submitted. This revised scheme reduces the width of the site from approximately 35 metres to approximately 32 metres. It is equally acceptable in planning terms.

ITEM 4i- 12/00102/FULMAJ – Land between From Street and Crosse Hall Lane, Chorley

The recommendation remains as per the original report.

The following consultee responses have been received:

United Utilities do not raise any objections subject to the following: -

This site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/SUDS or to watercourse and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.

A public sewer crosses this site and we will not permit building over it. We will require an access strip width of 6 metres, 3 metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement.

A modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with Graham Perry Developer Enquiries Analyst by email, planning.liaison@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.

LCC (Education) have also provided a revised figure based on there being an increase of 4 dwellings across the site as a result of this latest re-plan. The new figure relates to the provision of 1 no. primary school place and seeks a commuted sum payment of £11,638. This will be included in the supplemental S106 agreement.

An amended site layout plan has been submitted which clarifies that the 'duplex' property on plot 174 will have its own small rear garden space. The site plan also clarifies that the dedicated bin storage area to the rear of the car ports will serve plots 76-81 and plot 165 whilst the bin store in the underpass below the apartment (plot 171) will serve plots 166-169. Plot 171 will have its own dedicated bin storage space accessed from the underpass. All other properties will have rear garden bin storage areas.

The following informative has been added in light of the comments from **United Utilities**: -

Please Note (United Utilities Informative): A public sewer crosses this site and United Utilities will not permit building over it. United Utilities will require an access strip width of 6 metres, 3 metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. A modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with Graham Perry Developer Enquiries Analyst by email,

planning.liaison@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.

The following condition has been amended to take account of the amended layout plan and corrected plans for the Roseberry house type which now show the door in the front elevation which matches the site plan.

The approved plans are:

Plan Ref.	Received On:	Title:
N/155/P/LP01	2 February 2012	Location Plan
GR2-1	2 February 2012	Detached Garage Details Gable Roof
02054//PH4/SK3	2 February 2012	Sections Through Phase 4
N155/P/CRT/02	2 February 2012	Proposed Carport Plans & Elevations
F1-1	2 February 2012	Standard Screen Fence Details 1
1950.10 Rev B	2 February 2012	Landscape Structure Plan
N155/P/HTDID/01	2 February 2012	Didsbury House Type Elevations
N155/P/HTDID/02	2 February 2012	Didsbury House Type Floor Plans
N155/P/HTDAL/01	2 February 2012	Dalton House Type Elevations
N155/P/HTDAL/02	2 February 2012	Dalton House Type Floor Plans
N155/P/BD/01	2 February 2012	Budworth House Type Elevations
N155/P/BD/02	2 February 2012	Budworth House Type Floor Plans
N155/P/HTROS/01 Rev A	17 April 2012	Roseberry House Type Elevations
N155/P/HTROS/02 Rev A	17 April 2012	Roseberry House Type Floor Plans
N155/P/HTRIV/04	9 February 2012	Rivington House Type Floor Plans
N155/P/BD/03	9 February 2012	Budworth House Type Elevations
N155/P/BD/04	9 February 2012	Budworth House Type Floor Plans
N155/P/SS02	12 April 2012	Streetscene Elevations
HB163/P/HTEDG/01 Rev A	12 April 2012	Edgware House Type Elevations
HB163/P/HTEDG/02 Rev A	12 April 2012	Edgware House Type Floor Plans
HB155/PL02 Rev TT	17 April 2012	Planning Layout 02

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

ITEM 4k- 12/00235/FUL – Land To The North Of Northenden Road With Access Off, Moss Bank, Coppull

The original report has been amended as follows:

The recommendation in paragraph two of the report reads that it is for planning approval subject to an associated s.106 agreement and conditions.

However a s106 is not required as stated by paragraph 15. The recommendation should therefore read it is for planning approval just subject to conditions.

ITEM 4l- 12/00234/FULMAJ – Mawdsleys Eating House And Hotel, Hall Lane, Mawdesley, Ormskirk, Lancashire, L40 2QZ

The recommendation remains as per the original report.

The following condition has been added to clarify the slab/floor level of the building:

The slab/floor level of the building shall be as per the existing slab/floor level as shown on drawing 1039-PL-103 rev B as submitted.

Reason: To protect the appearance of the locality and 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.

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