

15 June 2012

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 12TH JUNE 2012

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

Addendum (Pages 1 - 4)

Report of the Director of Partnerships, Planning and Policy (enclosed)

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 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
Director of Partnerships, Planning and Policy	Development Control Committee	12 June 2012

ADDENDUM

ITEM 4a - 12/00325/FUL – Inland Revenue, Lingmell House, Water Street, Chorley

This application has been withdrawn.

ITEM 4c- 12/01093/OUTMAJ – Land North of Lancaster Lane and Bounded by Wigan Road and Shady Lane, Lancaster Lane Clayton-Le-Woods

The recommendation remains as per the original report.

The Highway Authority has provided draft comments included within the report and have provided further comments the conclusion to which is detailed below:-

The location of this development requires significant investment in the sustainable links that connect this site to the wider transport network, to jobs, services and recreational facilities. The sustainability of the Wigan Road site was a prime concern to LCC; hence the strong emphasis being placed on the need for supporting sustainable links to the wider network with a suitable funding contribution.

Lancashire County Council would not object to this development proposal on condition that all S106 planning contributions, as detailed above, are provided by the developer and that all agreements with respect to all highway and related works are progressed and delivered to the satisfaction of the LHA.

It must be stressed that the s278 works on their own, without the sustainable links from the site and on to the wider highway network, will not provide the level of mitigation necessary to make this development acceptable to the LHA.

Officer Comments – The highways response does not result in any additional reasons for refusal in respect of this application

ITEM 4e- 12/00193/OUT – 11 Sutton Grove, Chorley, PR6 8UL

The recommendation remains as per the original report.

Two further letters have been received from Mr Richardson of no. 17 Sutton Grove.

Mr Richardeson states that since 8th May 2012 a United Utilities (UU) contractor has commenced a nine month project to service the Thirlmere Aqueduct's 'North Well' at

No. 13 Sutton Grove. The impact of this work upon the gardens of both no. 11 and no. 13 is extensive and significant in the context of the application. The current work extends approximately 10m into the proposed no. 11 development site. This will re-occur throughout the lifetime of the aqueduct. It is interesting to envisage how future work on the well or the aqueduct itself would impinge on any building development approved on the site. In consequence, objection is made to the very significant periodic loss of amenity that would impact on future residents of the proposed properties. UU states that the current work will take approximately nine months to complete.

Mr Richardson requested that the Council's Building Control Team visit the site in terms of the current and potential future impact of such works on the proposed development site.

In a previous application report for this site Building Control outlined structural requirements to protect the aqueduct. Notwithstanding changes to the proposal they note that such requirements still apply to satisfy United Utilities and they ask that Building Control also look at this.

They are conscious of the fact that the NPPF has been introduced since their objections.

Chorley's Building Control have visited the site this week and state that the impact of the development on the access for servicing and maintenance of the aqueduct is something for to United Utilities to reply to, but they will not overlook their requirements. In relation to the foundations for the proposed, having now had the opportunity to physically see the aqueduct it appears to be approximately 4m below the ground level and then extends 2.5m deeper to invert. United Utilities will no doubt ensure that their services are not compromised by any development, however, should the owners opt for Chorley's Building Control service then we will also ensure that the proposals comply with the Building Regulations. It will be down to the type of foundations that are employed in the development.

Mr Richardson also makes the following further points of objection following the publication of the Officer's report:

The report states that the proposal does not meet one of the three criteria listed in Policy HS4. It should be notes that the other two criteria are not relevant to this application (HS4b and HS4c);

Paragraph 16 (applicants case) does not refer to the possible projection of housing development towards the north, into the long gardens of Carleton Road houses;

Paragraph 24 states that the agent has submitted such an assessment with the application (in relation to HS6f). In this, the agent states: 'Great Knowley...The boundaries are established and reasonably rigid. No sites were identified as being suitable for residential development'. By the same token, the site at no. 11 is also unsuitable;

Paragraph 22 states '...only limited weight can be attached to both interim policy and emerging...DPD'. Since the creation of this report it is understood that those policies are increasingly robust;

In terms of the Thirlmere Aqueduct, paragraph 39 states the 'lack of any objection by United Utilities' is indicative of the fact that this company is restricted to intervention at the 'Reserved Matters' planning stage;

Levels, at Paragraph 16 (applicant's case), it states, '...to the East the ground falls away steeply...'. Given the presence of the aqueduct under this site, it is quite possible that HS3 (Windfall Housing Sites), section (d) cannot be satisfied on the subject of foul water drainage.

ITEM 4f- 12/00359/OUT – 33 Church Walk, Euxton, PR7 6HL

The recommendation remains as per the original report.

An additional 3no conditions are recommended as detailed below.

1. The dwelling hereby permitted shall be constructed to achieve the relevant Code for Sustainable Homes Level required by Policy SR1 of the Sustainable Resources DPD (Level 3 for all dwellings commenced from 1st January 2010, Level 4 for all dwellings commenced from 1st January 2013 and Level 6 for all dwellings commenced from 1st January 2016).

Reason: To ensure the development is in accordance with the NPPF and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

2. No development shall begin until details of a 'Design Stage' assessment and related certification have been submitted to and approved in writing by the Local Planning Authority to show how the development will meet the relevant Code Level. The development shall be carried out entirely in accordance with the approved assessment and certification unless the Local Planning Authority otherwise approve in writing.

Reason: To ensure the development is in accordance with the NPPF and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

3. The dwelling shall not be occupied until a letter of assurance, detailing how the dwelling has met the necessary code level, has been issued to the Local Planning Authority, by an approved code assessor. The development thereafter shall be completed in accordance with the approved measures for achieving the required code level. Within 6 months of completion of that dwelling a Final Code Certificate shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is in accordance with the NPPF and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

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