

Town Hall Market Street Chorley Lancashire PR7 1DP

Dear Councillor

24 April 2013

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 23RD APRIL 2013

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.

Addendum (Pages 1 - 16)

Report of the Director of Partnerships, Planning and Policy.

Yours sincerely

Gary Hall Chief Executive

Cathryn Filbin Democratic and Member Services Officer E-mail: cathryn.filbin@chorley.gov.uk Tel: (01257) 515123 Fax: (01257) 515150

Distribution

1. Agenda and reports to all Members of the Development Control Committee.

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ان معلومات کاتر جمد آ کچی اپنی زبان میں بھی کیا جا سکتا ہے۔ بیخدمت استعال کرنے کیلئے پر اہ مہر بانی اس نمبر پر ٹیلیفون <u>ي</u>جئے: 01257 515823

COMMITTEE REPORT		
REPORT OF	MEETING	DATE
Director of Partnerships, Planning and Policy	Development Control Committee	23 April 2013

ADDENDUM

ITEM 4a-13/00168/FUL – Naylor & Walkden Hatton House 15 Hatton Street Adlington Chorley

The recommendation remains as per the original report.

A letter has been received from <u>Lindsay Hoyle MP</u> who has written in on behalf of residents regarding their concerns about the planning application. Mr Hoyle states:

Along with local residents I believe that this should remain as office accommodation. Residents are concerned that should a Bed and Breakfast open there will be an increase in traffic movements through the day and possibly the night. In addition to this in the Local Plan there is no recognised need or demand for such accommodation.

Furthermore I understand that there is an on-going issue of access to the back of Harrison Road. I would be grateful if you could ensure that residents' views are given due regard, when this planning application is considered.

It is considered that the matter of traffic is considered in the report to Committee.

The issue of rights of access to the rear of the properties on Harrison Road is not a planning issue that can be considered as part of the application but is a private issue between the applicant and the residents of these properties.

Lancashire County Council Highways have made the following comments:

There are no highway concerns regarding the existing access to be used to access the proposed change of use. The access is wide with footways on some section. Visibility at Harrison Road/Hatton Street appears good and the applicant's parking proposal seems acceptable.

The proposed 12 parking spaces should accommodate visitors to the bed and breakfast without spaces on the surrounding streets being taken up. However, parking space for at least 1 motorcycle and one bike will be required.

They therefore have no objections subject to a condition required details of cycle parking to be provided.

The following additional condition is proposed:

Before the bed and breakfast accommodation hereby approved is first occupied, parking provision for at least one bicycle and one motorcycle (including a stand or bracket giving capability for them to be locked) shall be provided to the front of the building off Hatton Street and shall be retained at all times thereafter. This provision shall not reduce the amount of car parking spaces as shown on drawing ref: 1301 04 Rev B.

Reason: To ensure adequate on site provision for cycle/motorcycle parking and to encourage sustainable travel modes in accordance with Policy 3 of the adopted Core Strategy.

ITEM 4b-13/00138/REMMAJ – Land South Of Cuerden Farm And Woodcocks Farm And Land North Of Caton Drive Wigan Road Clayton-Le-Woods

The recommendation remains as per the original report and the following conditions are recommended:

1. The development shall only be carried out in accordance with the approved plans, except as may otherwise be specifically required by any other condition of the outline planning permission or this approval of reserved matters.

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

2. The proposed development must be begun not later than two years from the date of this permission.

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Plan reference number:	Title:	Date received:
20251-CLW-LP01	Location Plan	12 March 2013
CLW-PL01 G	Planning Layout – with slab levels	23 April 2013
12-026-MP001	Parameters Masterplan	12 March 2013
20251-SS-01 B	Site sections	18 April 2013
20251-SS-02 D	Section Location Plan	18 April 2013
20251-SS-03	Streetscenes	2 April 2013
20251-SS-04 C	Site Section	18 April 2013
EXT WKS 16v	1800 Brick Pier Wall	12 March 2013

3. The approved plans are:

EXT WKS CLW01	1800 Close Boarded Timber Fence	2 April 2013	
SF01 Eco	1.8m High Close Boarded Screen Fence	26 March 2013	
SF03	1.2m High Post and Two Rail Fence	12 March 2013	
SF04	0.45m Knee Rail Fence	12 March 2013	
SF10	1.8m High Concrete Post and Timber Panel Fence	12 March 2013	
20251-CLW-FL01 B	Fencing Layout	18 April 2013	
CLW-PL01A B	Interface Compliance Plan	18 April 2013	
20251-CLW-ML01 B	Materials Layout	18 April 2013	
FLP0063-302/1-A	Topographic Survey	12 March 2013	
FLP0063-302/2-A	Topographic Survey	12 March 2013	
CLW-PP01 A	Phasing Plan	18 April 2013	
20251-CLW-LP02	Site Split	14 February 2013	
20251-SS-05-2	Photo Survey & Level Details	22 April 2013	
12 – 026 - L001	Village Green Character Area – Planting Plans and Schedule – Typical Treatment	12 March 2013	
12 – 026 - L002	Wigan Road Character Area – Planting Plans and Schedule – Typical Treatment	12 March 2013	
12 – 026 - L003	Clayton Le Woods Character Area – Planting Plans and Schedule – Typical Treatment	12 March 2013	
H404 5 (1 of 2)	Housetypes - Irving	12 March 2013	
H404 5 (2 of 2)			
H411 5 (1 of 2)	Housetypes - Millford	12 March 2013	
H411 5 (2 of 2)			

H421 5 (1 of 2)	Housetypes - Winstone	12 March 2013
H421 5 (2 of 2)		
H433 5 (1 of 2)	Housetypes - Cornell	12 March 2013
H433 5 (2 of 2)		
H436 X5 (1 of 2)	Housetypes - Layton	12 March 2013
H436 X5 (2 of 2)		
H454 5 101 (1 of 2)	Housetypes - Shelbourne	12 March 2013
H454 5 101 (2 of 2)		
H469 X5 (1 of 2)	Housetypes - Holden	12 March 2013
H469 X5 (2 of 2)		
H500 – XB5 (1 of 2)	Housetypes - Emerson	12 March 2013
H500 – XB5 (2 of 2)		
H534 5 (1 of 2)	Housetypes - Maddoc	12 March 2013
H534 5 (2 of 2)		
H536 Y5 (1 of 2)	Housetypes - Moorecroft	12 March 2013
H536 Y5 (2 of 2)		
H575 5 101 (1 of 2)	Housetypes - Hatherley	12 March 2013
H575 5 101 (2 of 2)		
P130 5 / P330 5 (1 of 2)	Housetypes - Calder / Ribble	12 March 2013
P130 5 / P330 5 (2 of 2)		
P341-WD5 (1 of 2)	Housetypes - Hadley	12 March 2013
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P341-WD5 (2 of 2)		
S341-NWD5 (1 of 2)	Housetypes - Hadley	12 March 2013
S341-NWD5 (2 of 2)		
SH17 5 (1 of 2)	Housetypes - Jefferson	12 March 2013
SH17 5 (2 of 2)		
SH35 – E - 5	Housetypes - Charnwood	12 March 2013
SH37 5 (1 of 2)	Housetypes - Lincoln	12 March 2013
SH37 5 (2 of 2)		
1763/NW/PL1	Bingham Floor Plans	12 March 2013
1763/NW/PL3	Bingham Elevations	12 March 2013
1845/NW/PL1	Elm Floor Plans	12 March 2013
1845/NW/PL3	Elm Elevations	12 March 2013
AA23/4/PL1	AA23 Floor Plans	12 March 2013
AA23/4/PL3	AA23 Elevations	12 March 2013
AA31/4/PL1	AA31 Floor Plans	12 March 2013
AA31/4/PL3	AA31 Elevations	12 March 2013
PA48/4/PL1	Shelford Floor Plans	12 March 2013
PA48/4/PL3	Shelford Elevations	12 March 2013
PA49/4/PL1	Thornford Floor Plans	12 March 2013
PA49/4/PL3	Thornford Elevations	12 March 2013
PD411/4/PL1	Haddenham Floor Plans	12 March 2013
PD411/4/PL3	Haddenham Elevations	12 March 2013
PD48/4/PL1	Bradenham Floor Plans	12 March 2013
PD48/4/PL3	Bradenham Elevations	12 March 2013

PD49/4/PL1	Downham Floor Plans	12 March 2013
PD49/4/PL1	Downham Elevations	12 March 2013
PD51/4/PL1	Lavenham Floor Plans	12 March 2013
PD51/4/PL3	Lavenham Elevations	12 March 2013
PT42/4/PL1	Kentdale Floor Plans	12 March 2013
PT42/4/PL3	Kentdale Elevations	12 March 2013
Garage Type G101 (Rev A + B)	Garage Type G101 Plans and Elevations	12 March 2013
Garage Type G201 (Rev A + B)	Garage Type G201 Plans and Elevations	12 March 2013
EDG.001	Large Double Garage Plans and Section	12 March 2013
GAR 01 -	Garage Single - Transverse Ridge - Plans and Elevations	12 March 2013
GAR 02 -	Garage Single - Longitudinal Ridge - Plans and Elevations	12 March 2013
GAR 03 -	Garage Double - Gabled End - Plans and Elevations	12 March 2013
GAR 04 -	Garage Double – Fully Hipped - Plans and Elevations	12 March 2013
GAR 05 -	Garage Double – Half Hipped - Plans and Elevations	12 March 2013
GAR 06 -	Garage Twin – Gabled End - Plans and Elevations	12 March 2013
GAR 07 -	Garage Twin - Fully Hipped - Plans and Elevations	12 March 2013
D3870.001B	Taylor Wimpey – Detailed Planting Plan – Overall Plan	2 April 2013
D3870.002B	Taylor Wimpey – Detailed Planting Plan – Area 1	2 April 2013

D3870.003A	Taylor Wimpey – Detailed Planting Plan – Area 2	2 April 2013
D3870.004	Taylor Wimpey – Detailed Planting Plan – Area 3	2 April 2013
D3870.005A	Taylor Wimpey – Detailed Planting Plan – Area 4	2 April 2013
D3870.006B	Taylor Wimpey – Detailed Planting Plan – Area 5	2 April 2013
06913 01; 06913 02; 06913 03; 06913 04; 06914 05; 06913 06; 06913 07	•	2 April 2013
6594	NEAP Design	2 April 2013

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

4. 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.

5. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans.

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.

6. 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 dwellings or the completion of the development within the relevant Phase, whichever is the earlier, 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

7. The car parking spaces for each dwelling shall be surfaced or paved, drained and marked out all in accordance with the approved plan before it is first occupied. 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. TR4 of the Adopted Chorley Borough Local Plan Review.

8. The drainage ditch to the rear of plots T70 - T80 shall be provided in full accordance with the approved plan before the dwellings on plots T70 - T80 are first occupied.

Reason: To secure proper drainage and to prevent flooding.

9. Prior to the occupation of any of the dwellings hereby permitted within Phase 3 of the development (as shown on Plan CLW-PP01 A), a scheme detailing a pedestrian footpath link between the development hereby permitted and the development proposed to the east (Ref No. 12/01081/FULMAJ) along with a timescale for implementation, shall have been submitted to and approved in writing by the Local Planning Authority. Specifically, the scheme shall detail how the application site will be linked to the site to the east with a pedestrian footpath link through the area of open space at the eastern edge of the site as detailed on the approved layout plan). The scheme shall thereafter be provided in full accordance with the approved plans and the approved timescale for implementation.

Reason: To ensure there is pedestrian permeability between the application site and the residential development site to the east.

10. The detached and integral garages hereby approved shall be kept freely available for the parking of cars and no works, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order amending or revoking and re-enacting that order, shall be undertaken to alter or convert the space into living or other accommodation

Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards and nuisance caused by on-street parking and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

11. Prior to the marketing of the site full details of the marketing documentation showing prospective purchasers the location and approved details of the play area shall be submitted to an approved in writing by the Local Planning Authority.

Reason: To ensure the provision of equipped play space to benefit the future occupiers of the site and in accordance with Policy HS21 of the Adopted Chorley Borough Local Plan Review.

12. Prior to the first occupation of any dwellings hereby approved an Estate Street Phasing and Completion Plan shall be 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 to each 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.

13. No part of the development shall be commenced until the access from Wigan Road has been constructed in accordance with the approved scheme. Reason: To enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

17. The new estate road/access for each phase of the development 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 each phase. Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

18. No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. hours of operation (including delivers) during construction
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in constructing the development
- v. siting of cabins
- vi. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- vii. wheel washing facilities
- viii. measures to control the emission of dust and dirt during construction
- ix. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: In the interests of highway safety and to protect the amenities of the nearby residents..

The following consultee responses have been received:

Lancashire Council has no objections and considers that the detailed design is acceptable. Comment is made that the application provides for a scheme which takes account of the outline planning permission and reflects what was approved. No objections are raised to the reserved matters application and conditions are recommended.

ITEM 4c-13/00062/FULMAJ – Burrows (Grass Machinery) Limited Wigan Road Clayton-Le-Woods

The recommendation remains as per the original report

Lancashire County Council Education have provided updated comments in respect of the application. They have completed a re-assessment of the proposal and as a result, have confirmed that a claim in respect of education is no longer required for this development.

As such, the only obligation to be included within the Section 106 Agreement is a payment towards Public Open Space.

The following conditions have been amended:

3. Surface water run-off from the site shall be restricted to 31 L/S.

Reason: In order that the proposed development does not contribute to an increased risk of flooding and in accordance with the National Planning Policy Framework and Policy EP18 of the Adopted Chorley Borough Local Plan Review.

Condition 3 has been amended to reflect the comments received from United Utilities which state that they have previously agreed to accept surface water to existing rates of 31 L/S.

5. Before any development hereby permitted is first commenced full details of the means of both foul and surface 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 both foul and surface water drainage/disposal have been completed in accordance with the approved details.

Reason: To ensure a satisfactory means of both foul and surface water drainage in accordance with the National Planning Policy Framework and Policy EP18 of the Adopted Chorley Borough Local Plan Review.

Condition 5 has been amended following additional information submitted by the applicant. They claim that due to the presence of clay it will not be feasible in this case to provide soakaways and so it is necessary for the site to drain on a separate system with a combined connection to the main drains located in Wigan Road.

It has not been possible to check this arrangement with United Utilities and no detailed drainage plans have been submitted with the application. As such, it is considered appropriate in this case to secure such details by a pre-commencement condition in consultation with United Utilities before the development can commence.

ITEM 4d-13/00202/FUL – Home Farm Grape Lane Croston Leyland PR26 9HB

The recommendation remains as per the original report

15 further letters of support have been received.

The following consultee responses have been received:

The Environment Agency has made the following comments:

They consider the proposed development to be acceptable subject to the following condition:

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measure within the FRA:

- Finished floor levels shall be set no lower than 9.98m AOD

Reason:

To reduce the risk of flooding to the proposed development and future occupants.

The original report has been amended as follows: Within the Planning History, application number 00/00542/COU for the change of use of an agricultural barn to 9 dwellings is included. The land to which that application referred was and is outside the ownership of the current applicant. This application should therefore be removed from the Planning History. The site referred to in that case should have been Home Farm Barn, not Home Farm. The site location plan for that application is included within the Powerpoint presentation for clarity.

There is an additional letter of support that is attached to the back of this addendum.

ITEM 4e-13/00203/FULMAJ – Unit 7 And 9 Revolution Park Buckshaw Avenue **Buckshaw Village Chorley**

The recommendation remains as per the original report

The following conditions have been amended:

1) No above ground built development within Plot B shall commence until planting comprised within the approved landscaping scheme for the western boundary strip (detailed in condition 37) has been completed. For clarification, the site preparation works including drainage works, site levelling and foundation installation are excluded from the restrictions imposed by this condition.

Reason: to ensure the proposed landscape is implemented at an early stage in the delivery of the development in the interests of residential amenity and in accordance with Policy GN5 of the Chorley Local Plan Review and Policy 17 of the Central Lancashire Core Strategy 2012

In accordance with the Committee report.

In respect of this condition the agent for the application has confirmed:

My client maintains an objection to the wording of the condition for the reasons explained. If such a condition is deemed to be necessary, then this should restrict above ground development until the landscaping works are commenced rather than completed. However it is noted that your recommendation to the Planning Committee will be that the condition imposes the latter restriction on the carrying out of above ground development (i.e. following completion rather than commencement of the landscaping works along the western boundary).

If you are to put this condition forward, I would rather this reads as follows:

No above ground built development within Plot B shall commence until planting comprised within the approved landscaping scheme for the western boundary strip has commenced. For clarification, site preparation works including but not limited to drainage works, site levelling and foundation installation are not subject to the restriction imposed by this condition.

In my view, that development which is not restricted by this condition would not be limited to the items listed. To ensure the condition is clear in this respect the words "...not limited to..." should be included in describing which works can take place prior to the completion of the landscape works.

ITEM 4f-13/00076/OUTMAJ – Hospital Car Park Preston Road Chorley

The recommendation remains as per the original report

The original report has been amended as follows:

Paragraph 21 of the report confirms that as part of the original application the applicants agreed to include an overage clause within the Section 106 Agreement. This clause will ensure that 25% of any profit over the envisaged developer profit will be paid to the Council to be spent on affordable units elsewhere in the Borough. This clause still forms part of the S106 Agreement for this site.

The agent for the application has raised concerns with the continued inclusion of this clause stating *The figures previously supplied and accepted by the local authority demonstrate the low level of profit associated with the redevelopment of the site. My client's main concern is the administration of the overage payment which will inevitably run into several thousands of pounds over the period of the development. There will also presumably be cost implications for the local authority in monitoring, analysing and confirming acceptance of the information supplied. If it is accepted by the local authority (as it has been) that an overage figure as referred to in Schedule 7 will not be reached, then the implementation of the overage clause will result in costs to both the applicant and the local authority with no benefit.*

My client's suggested alternative is to add to the already agreed affordable housing commuted sum, the cost which he would incur in administering the overage clause. This would have the effect of increasing the financial benefit to the local planning authority, removing the LPA's administration costs and allowing my client to avoid the inconvenience of administering the overage clause.

In this regard it has been accepted by Liberata that the profit associated with this development is low and given the current market it is not envisaged that the profit margins associated with this development will increase to a degree whereas the overage clause will enable the provision of an additional affordable unit within the borough. As such in this case the deletion of this clause is considered acceptable and the affordable housing contribution associated with this development will be increased to £4650 to reflect the applicant's administration costs associated with the proposed overage clause.

It is noted however that when the original application was considered the market conditions were taken into account and as a reduced number of affordable units was agreed, taking into account the inclusion of the overage clause, a longer time for commencing the development was secured. However this application provides no on-site affordable housing or overage the standard timeframe condition is now proposed as follows:

Any application for approval of reserved matters (namely external appearance of the building and landscaping of the site) must be made to the Council not later than three years from the date of this decision. The development shall be begun within two years of the date of approval of the last of the reserved matters or within five years of the date of this decision whichever is the later

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and

Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

ITEM 4h-13/00072/FUL – Visitors Centre Yarrow Valley Country Park Birkacre Road Chorley

The recommendation remains as per the original report.

No letters of objection have been received, no letters of support have been received and no further consultee responses have been received.

Milfeddygon ProStock Vets Unit 1, Rural Business Development Centre,	Nant y Ci, C	ARMARTHEN,	SA33 5DR	Tel:
01267 233266				

To whom it may concern,

I am writing to support Paul and Elaine Smith's application for planning to build a house at Home Farm, Grape Lane, Croston.

I have known Paul and his parents all my life, having grown up as next door neighbours. My parents still live next door to the farm and we all realise the importance of this house to both Paul's family and the farming business.

I am a farm animal veterinary surgeon and have extensive experience of working with family dairy farms.

The key considerations that I feel that may not be apparent in the Smiths' circumstances are:-

- Dairy farming is a vocation that requires relentless working hours. I have known Paul and many others in his profession work from 4am until midnight at harvest times. During "quieter" periods it is not unusual for a 14 hour day to be followed by several night checks on a calving cow. This is the situation 7 days a week, 365 days a year.

unsustainable to expect Paul to have to drive back and forth between his current home in Station Road, Croston and the farm several times in the night; and at meal times, if he gets the opportunity, to spend time with his wife and young family.

A house on the proposed site at Home Farm would have very little environmental impact, would be welcomed by the neighbours, would help Paul and Elaine to have a reasonable family life and would aid the continued viability of J.R. Smith & Sons which continues, as it has for generations, to nurture livestock and provide external employment in the village of Croston.

Yours faithfully,

Sam Fenemore.

Partners: Anuschka Marsman DVM CertCHP MRCVS Sam Fenemore BVetMed DBR MRCVS Cath Tudor BVSc MRCVS

Associates: Stephen Davies BVSc MRCVS Caroline Fenemore BVSc MRCVS

Assistants: Tom Gamwells BSc BVSc MRCVSMarius Ilinca MRCVS