

Development Control Committee

Tuesday, 9 October 2007

Present: Councillor Harold Heaton (Chair), Councillor David Dickinson (Vice-Chair), Councillors Ken Ball, Eric Bell, Alan Cain, Henry Caunce, Michael Davies, Mike Devaney, Dennis Edgerley, Daniel Gee, Pat Haughton, Roy Lees, Geoffrey Russell and Edward Smith

Officers: Jane Meek (Corporate Director (Business)), Paul Whittingham (Development Control Manager), Claire Hallwood (Deputy Director of Legal Services), Helen Green (Planning Officer) and Dianne Scambler (Trainee Democratic Services Officer)

Also in attendance: Councillor Greg Morgan (Clayton-Le-Woods and Whittle-Le-Woods)

07.DC.111 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Adrian Lowe who was unable to attend as he was on Mayoral duty, June Molyneaux and Ralph Snape

07.DC.112 BEST WISHES

The Chair on behalf of the Committee extended best wishes to Councillor Ralph Snape for a speedy recovery.

07.DC.113 DECLARATIONS OF ANY INTERESTS

In accordance with the provisions of the Local Government Act 2003, the Council's Constitution and the Members Code of Conduct, the following Members declared a prejudicial interest in relation to the planning applications listed below, which were included on the meetings agenda for determination.

Councillor Alan Cain	Planning Applications 07/00998/FULMAJ and 07/00999/FULMAJ
Councillor Dennis Edgerley	Planning Applications 07/00998/FULMAJ and 07/00999/FULMAJ

07.DC.114 MINUTES

RESOLVED – That the minutes of the meeting of the Development Control Committee held on 11 September 2007 be confirmed as a correct record for signing by the Chair.

07.DC.115 PLANNING APPLICATIONS AWAITING DECISION

The Corporate Director (Business) submitted reports on a number of planning applications to be determined by the Committee.

RESOLVED – That the planning applications, as now submitted, be determined in accordance with the Committee's decisions and recorded below:

(a) **A1:07/00684/FULMAJ - Land to rear of 243 - 289, Preston Road, Clayton-Le-Woods**

(The Committee received representations from an objector, the applicant's agent and a ward representative, Councillor Greg Morgan)

Application No: 07/00684/FULMAJ
Proposal: Proposed 25 Residential properties, access alteration and provision of existing residents parking.
Location: Land to rear of 243-289, Preston Road, Clayton-Le-Woods
Decision:
It was proposed by Councillor Eric Bell, seconded by Councillor, to refuse planning permission on the grounds of over development of the area and inadequate car parking provision.

An amendment to the motion was proposed by Councillor Dennis Edgerley, seconded by Councillor Danny Gee, and subsequently **RESOLVED (8:6) to approve planning permission subject to a legal agreement and the following conditions:**

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. 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.

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 plans 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 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 of the Adopted Chorley Borough Local Plan Review.

6. 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.

7. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. 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.

8. Prior to the commencement of the development a geotechnical investigation of the slopes adjacent to the application site shall be undertaken to ensure the stability of the slope. The investigation shall also include the trees located to the south west boundary to assess the long term impact of the regrading and any safety implications. This investigation shall be submitted to and approved in writing by the Local Planning Authority. Any remedial works required to ensure the continued stability of the ground shall be implemented prior to the commencement of development of the site.

Reason: To ensure the continued stability of the surrounding land and in accordance with Policy EP15 of the Adopted Chorley Borough Local Plan Review

9. No development shall take place until details of the proposed surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented.

Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 and EP19 of the Adopted Chorley Borough Local Plan Review.

10. Prior to the commencement of the development full details of the Management Company to deal with 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 existing residents parking spaces detailed on plans reference 07/029 AL0001A. The site shall thereafter be managed by the approved Management Company.

Reason: To ensure the satisfactory management of the private driveway, residents parking spaces and refuse storage/ collection at the site and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

11. 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.

(b) **B1:07/00976/FUL - Coronation Recreation Ground, Devonshire Road, Chorley**

(The Committee received representations from two objectors to the proposals)

Application No: 07/00976/FUL

Proposal: Regulation 3 Application for the formation of lighting scheme to recreation ground, including sports floodlighting for bowling greens and tennis courts.

Location: Coronation Recreational Ground, Devonshire Road, Chorley

Decision:

The application was deferred to be able to present the Committee information about how the scheme has been developed, who supports it, what consultation was undertaken and what it aims to achieve.

(c) **A4:07/00868/FULMAJ - 605, Preston Road, Clayton-Le-Woods**

(The Committee received representation from an objector to the proposals)

Application No: 07/00868/FULMAJ

Proposal: Demolition of existing dwelling and development of 18no. residential dwellings

Location: 605, Preston Road, Clayton-Le-Woods, Chorley

Decision:

It was proposed by Councillor Harold Heaton, seconded by Councillor Counce, and subsequently **RESOLVED (9:3) to grant planning permission subject to a legal agreement and the following conditions:**

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 not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings 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.

3. 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.

4. 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.

5. The development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a desk top study, site walkover and risk assessment.

Reason: In the interests of safety and in accordance with Policy EP16 of the Adopted Chorley Borough Local Plan Review

6. Before development commences a scheme indicating the removal and relocation to an agreed position, of the bus stop and shelter to the south of the proposed access into the site on Preston Road shall be submitted to and agreed in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be carried out prior to the opening of the new access.

Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough local Plan Review.

7. Notwithstanding the submitted plans, before development commences a scheme showing paved swept areas capable of allowing for the turning of refuse vehicles at the turning head to the cul-de-sac shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented before the occupation of the first dwelling on the site.

Reason: Vehicles reversing to and from the highway are a hazard to other road users and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

8. Notwithstanding the submitted plans, the perimeter wall to the north of the site entrance on plot 18, should be set back by a metre and a hedge planted at the rear of the footway of the same species as that along the remainder of the site frontage.

Reason: In the interests of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan.

(d) A7:07/00998/FULMAJ - Parcel 9, Land 106m East of 74, Keepers Wood Way, Chorley

(Councillor Alan Cain and Councillor Dennis Edgerley declared a prejudicial interest; they remained in the meeting but took no part in the voting)

(The Committee received representations from an objector to the proposals)

Application No: 07/00998/FULMAJ
Proposal: Proposed 24 no. dwellings
Location: Parcel 9, Land 106m East of 74, Keepers Wood Way, Chorley
Decision:

It was proposed by Councillor Roy Lees, seconded by Councillor Danny Gee, to refuse planning permission.

An amendment to the motion was proposed by Councillor Harold Heaton, seconded by Councillor David Dickinson, to grant planning permission. Upon being put to the vote, the motion was lost (5:6).

Consequently the original motion was then put to the vote and was **RESOLVED (6:5) to refuse planning permission of the development for the following reason:**

The proposed development, by virtue of the siting of the properties in relation to the existing dwellinghouse, will adversely impact on amenities that the neighbours could reasonably expect to enjoy. Inadequate space is retained between the proposed dwellingshouses and the existing dwellinghouses. As such the proposal is considered contrary to Government advice contained in PPS3, Policy HS4 of the Adopted Chorley Borough Local Plan Review and the Council's Approved Guidelines for New Housing Developments.

(e) A2:07/00703/FULMAJ - Common Bank Farm, Common Bank Lane, Chorley

Application No: 07/00703/FULMAJ
Proposal: Change of use and extension of industrial and residential buildings to form offices, and construction of industrial access road with associated car parking
Location: Common Bank Farm, Common Bank Lane, Chorley
Decision:

The application was withdrawn from the agenda.

(f) A3:07/00818/REMMAJ - Land 105m South East of 1, Little Carr Lane, Chorley

Application No: 07/00818/REMMAJ
Proposal: Reserved Matters application for a revised scheme of the reserved matters approved under reference 06/00077/REMAJ dated 26 July 2006 for the construction of residential development comprising 56 dwellings, open space and associated infrastructure pursuant to outline planning permission reference 04/01457/OUTMAJ
Location: Land 105m South East of 1, Little Carr Lane, Chorley
Decision:

It was proposed by Councillor Patricia Haughton, seconded by Councillor David Dickinson, and subsequently **RESOLVED to grant full planning permission subject to the following conditions:**

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 external facing materials detailed on the approved plan(s) shall be used and no others substituted without the prior written approval of the Local Planning Authority.

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.

(g) A5:07/00902/OUTMAJ - Fire Training Centre, Washington Lane, Euxton

Application No: 07/00902/OUTMAJ
Proposal: Outline application for the erection of new community fire station
Location: Fire Training Centre, Washington Hall, Washington Lane, Euxton, Chorley

Decision:

It was proposed by Councillor Dennis Edgerley, seconded by Councillor Danny Gee, and subsequently **RESOLVED to grant outline planning permission subject to the following conditions:**

1. An application for approval of the reserved matters must be made to the Council before the expiration of two years from the date of this permission and the development hereby permitted must be begun either before the expiration of three years from the date of this permission, or before the expiration of one year from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. 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.

3. Prior to being discharged to any watercourse, surface water or soakaway system, all surface water drainage from parking areas shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

Reason: To prevent pollution of the Water Environment.

(h) A6:07/00934/REMMAJ - Land East of Talbot Arms and South of Botany Brow Works, Mason Street, Chorley

Application No: 07/00934/REMMAJ
Proposal: Reserved Matters application for the demolition of Talbot Arms public house and residential development of (19no. units) .4Ha
Location: Land East of the Talbot Arms and South of Botany Brow Works, Mason Street, Chorley

Decision:

It was proposed by Councillor Dennis Edgerley, seconded by Councilor David Dickinson, and subsequently **RESOLVED** to grant planning permission subject to a Legal Agreement and the following conditions:

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. No development shall take place until a scheme of landscaping and a management plan has been submitted to and agreed 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.

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. No works shall take place until the applicant, or their agent or successors in title, have secured the implementation of a programme of building recording and analysis. This must be carried out by a professionally qualified archaeological/building recording consultant or organisation in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority. Upon completion of the programme of building recording and analysis it shall be submitted to the Local Planning Authority.

Reason : To ensure and safeguard the recording and inspection of matters of archaeological/historic importance associated with the building and in accordance with Policy No. GN1 of the Adopted Chorley Borough Local Plan Review.

5. 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 details shown on the approved plans. 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.

6. The development hereby permitted shall not commence until a completed Section 278 Agreement under the Highways Act accompanied by a plan detailing the position agreed with Lancashire County Council of a pedestrian crossing has been submitted to and approved in writing by the Local Planning

Authority and no dwelling or apartment shall thereafter be occupied until the pedestrian crossing has been provided and brought into operational use.

Reasons: In the interests of highway safety and in accordance with Policy No. TR4 of the Chorley Borough Local Plan Review.

7. The development hereby permitted shall not commence until a completed Section 116 Agreement under the Highways Act for the stopping up of the land which is currently adopted highway in front of the proposed apartment building has been submitted to and approved in writing by the Local Planning Authority and no dwelling or apartment shall thereafter be occupied until the land in question has been stopped up in accordance with the approved site plan (Ref No. 0649:11 date stamped 13th September 2007) and landscaped in accordance with the approved scheme of landscaping required by condition no. 2 of this permission.

Reason: In the interests of ensuring a satisfactory form of development and in the interest of highway safety in accordance with Policy Nos. GN5, HS4 and TR4 of the Chorley Borough Local Plan Review.

8. If at any time prior to, or during the course of development, bats are detected or found to be present, all works must stop immediately and a suitably experienced bat worker and/or Natural England must be contacted immediately for advice on how to safeguard the bats found to be present on the site.

Reason: In the interests of protected species and in accordance with Policy EP4 of the Chorley Borough Local Plan Review.

9. Notwithstanding the approved plan detailing the house plans for units 3 to 9 (ref no. 0649:08) the position of the dwelling on plot no. 8 shall only be in accordance with the approved site plan (ref no. 0649:11).

Reason: To ensure a suitable relationship between the dwellings on plots 8 and 9, to define permission and in accordance with Policy No. HS4 of the Chorley Borough Local Plan Review.

(i) **A8:07/00999/FULMAJ - Parcel 8, Land 50m South of 1, Folly Wood Drive, Chorley**

(Councillor Alan Cain and Councillor Dennis Edgerley declared a prejudicial interest in the application; they remained in the room for the discussions but took no part in the voting)

Application no: 07/00999/FULMAJ

Proposal: Proposed 14no. dwellings

Location: Parcel 8 Land 50m South of 1 Folly Wood Drive, Chorley

Decision:

It was proposed by Councillor Roy Lees, seconded by Councillor Henry Caunce, and subsequently **RESOLVED to grant full planning permission subject to the following conditions:**

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. 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.

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 plans 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 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 of the Adopted Chorley Borough Local Plan Review.

6. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. 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.

7. 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 dwellings 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.

8. The development hereby permitted shall only be carried out in conformity with the proposed building slab levels shown on the approved plans 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 and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

9. 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 of the Adopted Chorley Borough Local Plan Review.

10. Before the development hereby permitted is first commenced, full details of the measures to be incorporated into the development to prevent the ingress of landfill gas shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall only be constructed in accordance with the approved scheme of landfill gas ingress prevention measures.

Reason: To protect occupiers from the ingress of landfill gas and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.

11. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the areas so fenced. All excavations within the area so fenced shall be carried out by hand.

Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.

12. Prior to the commencement of the development the recommended tree works set out within the Report of Trees dated August 2007 (07.021-NE.doc) submitted with the application shall be undertaken. The work includes crown lifting the Sycamore Tree (reference T29) which overhangs the site to provide a 4 metre clearance from ground level.

Reason: To safeguard the trees to be retained and in accordance with Policy Nos EP9 of the Adopted Chorley Borough Local Plan Review.

13. Prior to the commencement of the development full detail of the proposed retaining wall shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the proposed siting of the wall and the external appearance. The works thereafter shall be carried out in accordance with the approved plans.

Reason: In the interest of the visual amenities of the area and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.

14. No development shall take place within 10 metres of the gas vent stack to the south of the application site.

Reason: In the interests of safety and in accordance with Policy EP16 of the Adopted Chorley Borough Local Plan Review

15. Before the development hereby permitted is first occupied details of the cycle parking provision shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking provision shall be in accordance with the approved details.

Reason : To ensure adequate on site provision for cycle parking and in accordance with Policy No. TR18 of the Adopted Chorley Borough Local Plan Review.

16 No development shall take place until a scheme for the provision and implementation of a surface water regulation has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the scheme has been implemented in accordance with the approved.

Reason: To secure proper drainage and to prevent flooding and in accordance with Government advice contained in PPS25 Development and Flood Risk

07.DC.116 SAVED LOCAL PLAN POLICIES

The Corporate Director (Business) submitted a report setting out which policies in the Chorley Borough Local Plan Review had been saved and the implications for those policy areas now not covered by the saved policies.

Nationally adopted Local Plan policies were automatically saved for three years following the introduction of the Local Development Framework process. The Government had recently informed the Council which of the policies in the Chorley Borough Local Plan Review were to be saved indefinitely. Most policies are so saved including unimplemented development allocations. In other policy areas reliance will be placed solely on national and regional policies.

An Appendix to the report listed the Local Plan policies that had not been saved. These related to policy areas that were either fully covered by national policies (and in some case are backed up by regional policies) or are no longer relevant in other respects.

Information on which policies are no longer saved and the implications are now inserted into all local plans that are sold and a similar note has been added to the relevant page of the Council's website.

RESOLVED – That the report be noted.

07.DC.117 PLANNING APPEALS AND DECISIONS - NOTIFICATION

The Committee received a report of the Corporate Director (Business) giving notification of the lodging of one appeal against the refusal of planning permission and one appeal that had been dismissed.

RESOLVED – That the report be noted.

07.DC.118 DELEGATED DECISIONS DETERMINED BY THE CORPORATE DIRECTOR (BUSINESS), THE CHAIR AND VICE CHAIR OF THE COMMITTEE

The Committee received for information, a table listing a number of planning applications for Category 'B' development proposals which had or were intended to be, determined by the Chief Officer under the adopted scheme of delegations, following consultation with the Chair and Vice Chair of the Committee.

RESOLVED – That the report be noted.

07.DC.119 A LIST OF PLANNING APPLICATIONS DETERMINED BY THE CHIEF OFFICER UNDER DELEGATED POWERS BETWEEN 1 AUGUST AND 28 AUGUST 2007

The Committee received for information a schedule listing the remainder of the planning applications that had been determined by the Corporate Director (Business) under delegated powers between 29 August and 25 September 2007.

RESOLVED – That the schedule be noted.

Chair