

General Purposes Committee

Tuesday, 17 March 2009

Present: Councillor Peter Goldsworthy (Chair), Councillor Pat Case (Vice Chair) and Councillors Alan Cullens, Magda Cullens, Dennis Edgerley, Anthony Gee, Hasina Khan, Adrian Lowe, Marion Lowe, Simon Moulton, Rosie Russell and Ralph Snape

09.GP.01 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Judith Boothman, Marie Gray, Peter Malpas and John Walker

09.GP.02 DECLARATIONS OF ANY INTERESTS

None of the Committee Members declared an interest in the principal agenda item.

09.GP.03 MINUTES OF LAST MEETING

RESOLVED - That the minutes of the meeting of the General Purposes Committee held on 3 March 2009 were confirmed as a correct record for signature by the Chair.

09.GP.04 OUTLINE PLANNING PERMISSION FOR THE CONSTRUCTION OF A PRIMARY HEALTH CARE CENTRE AT FRIDAY STREET, CHORLEY

The Committee was reminded that the Development Control Committee, at its meeting on 3 March 2009, had considered an application for outline planning permission for the demolition and clearance of an existing warehouse and out buildings on the site of the former depot at Friday Street, Chorley and for the erection of a proposed two storey primary health care centre (Use Class D1), including ancillary office accommodation. Following due consideration of the proposal, the Development Control Committee had recommended the General Purpose Committee to grant outline permission for the development.

As the Friday Street site was owned by Chorley Council, the decision on the planning application was required to be made by, or on behalf of, the Council. The Central Lancashire Primary Care Trust required the planning permission before 31 March 2009 in order to enable its completion of the purchase of the land before the end of the 2008/09 financial year. As the full Council was not due to meet until 7 April 2009, the General Purposes Committee had been requested to use its delegated power to exercise any function of the Council in cases of urgency or emergency.

The Committee had been provided with a copy of the Corporate Director (Business)' report on the development proposals that had been considered by the Development Control Committee on 3 March 2009, together with an extract from the addendum note circulated at the meeting, in order to allow Councillors the opportunity of assessing all the relevant factors before making a decision on Development Control Committee's recommendations.

Decision - That in accordance with the General Purpose Committee delegated urgency powers:

- (a) outline planning permission be granted to Planning Application 09/00044/OUTMAJ for the demolition and clearance of an existing warehouse and outbuildings on the site of the former Depot at Friday Street, Chorley and the erection of a two storey primary health care centre (Use Class D1),

including ancillary office accommodation, subject to the completion of a Section 106 Legal Agreement to secure a financial contribution towards Chorley Kickstart to improve public transport accessibility to and from the Health Centre and to the imposition of the following conditions:

1. An application for approval of the reserved matters (namely layout, external appearance of the buildings and landscaping of the site) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

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.

2. The application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted 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 of the Adopted Chorley Borough Local Plan Review.

3. No development shall take place until:

a) A methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2001 'Investigation of potentially contaminated site - 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 shall be submitted to the Local Authority.

Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals.

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, in accordance with PPS23.

4. No part of the development hereby permitted shall be occupied or used until the two vehicular accesses have been constructed in accordance with plans, which have been submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority

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

5. 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.

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 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.

7. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building (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 unless otherwise agreed in writing by the Local Planning Authority.

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.

8. 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.

9. Before any development hereby permitted is first commenced, full details of the surfacing, drainage and marking out of all car park and vehicle manoeuvring areas shall have been submitted to and approved in writing by the Local Planning Authority. The car park and vehicle manoeuvring areas shall be provided in accordance with the approved details prior to first occupation of the premises as hereby permitted. 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 RT2 of the North West Regional Spatial Strategy 2008.

10. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in

writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

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

11. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all vehicular barriers to be erected to the vehicular access and egress points (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all barriers have been erected in accordance with the approved details. The barriers shall thereafter be retained in accordance with the approved details at all times.

Reason: To ensure a visually satisfactory form of development and in accordance with Policy Nos. GN5 and EM2 of the Adopted Chorley Borough Local Plan Review.

12. Before the development hereby permitted is first commenced, full details of the work required to the existing retaining wall (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include details of required repair and rebuild in respect of this wall and the methodology for undertaking this work. No building shall be occupied or land used pursuant to this permission until the works have been completed in accordance with the approved details. The retaining wall shall thereafter be retained in accordance with the approved details at all times.

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

13. Before the development hereby permitted is first occupied, provision for cycle parking provision, in accordance with details to be first agreed in writing with the Local Planning Authority, shall have been made.

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.

14. No works shall take place on the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site. In accordance with Government advice contained in PPG15: Planning and the Historic Environment

15. If should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals 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, in accordance with PPS23.

16. 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.

17. The use hereby permitted shall be restricted to the hours between 8am and 10pm on weekdays, between 8am and 8pm on Saturdays and there shall be no operation on Sundays or Bank Holidays.

Reason: To safeguard the amenities of local residents and in accordance with Policy Nos. EM2 and EP20 of the Adopted Chorley Borough Local Plan Review.

18. Prior to the first use of the development hereby permitted, a Green 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 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the number of car borne trips and to encourage the use of public transport and to accord with Policies TR1 and TR4 of the Adopted Chorley Borough Local Plan Review.

- (b) In the event of the Section 106 Legal Agreement not being signed by 24 April 2009, outline planning permission be referred.

Chair