

Development Control Committee

Agenda and Reports

For consideration on

Tuesday, 8th December 2009

In the Council Chamber, Town Hall, Chorley

At 6.30 pm



PROCEDURE FOR PUBLIC SPEAKING AT MEETINGS OF THE DEVELOPMENT CONTROL COMMITTEE

- Persons must give notice of their wish to address the Committee, to the Democratic Services Section by no later than midday, two working days before the day of the meeting. (12 Noon on the Friday prior to the meeting)
- One person to be allowed to address the Committee in favour of the officers recommendations on respective planning applications and one person to be allowed to speak against the officer's recommendations.
- In the event of several people wishing to speak either in favour or against the recommendation, the respective group/s will be requested by the Chair of the Committee to select one spokesperson to address the Committee.
- If a person wishes to speak either in favour or against an application without anyone wishing to present an opposing argument that person will be allowed to address the Committee.
- Each person/group addressing the Committee will be allowed a maximum of three minutes to speak.
- The Committees debate and consideration of the planning applications awaiting decision will only commence after all of the public addresses.

ORDER OF SPEAKING AT THE MEETINGS

1. The Corporate Director (Business) or her representative will describe the proposed development and recommend a decision to the Committee. A presentation on the proposal may also be made.
2. An objector/supporter will be asked to speak, normally for a maximum of three minutes. There will be no second chance to address Committee.
3. The applicant or her/his representative will be invited to respond, again for a maximum of three minutes. As with the objector/supporter, there will be no second chance to address Committee.
4. A local Councillor who is not a member of the Committee may speak on the proposed development.
5. The Development Control Committee, sometimes with further advice from Officers, will then discuss and come to a decision on the application.

There will be no questioning of speakers by Councillors or Officers, and no questioning of Councillors or Offices by speakers.

27 November 2009

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 8TH DECEMBER 2009

You are invited to attend a meeting of the Development Control Committee is to be held in the Council Chamber, Town Hall, Chorley on Tuesday, 8th December 2009 at 6.30 pm.

A G E N D A

1. **Apologies for absence**
2. **Declarations of Any Interests**

Members are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda. If the interest arises **only** as result of your membership of another public body or one to which you have been appointed by the Council then you only need to declare it if you intend to speak.

If the personal interest is a prejudicial interest, you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

3. **Minutes (Pages 1 - 16)**

To confirm the minutes of the Development Control Committee meeting held on 10 November 2009 (enclosed).

4. **Planning applications awaiting decision (Pages 17 - 18)**

A table of planning applications to be determined is enclosed.

Please note that copies of the location and layout plans are included (where applicable) on the agenda. Plans to be considered will be displayed at the meeting or may be viewed in advance by following the links to current planning application on our website.
http://planning.chorley.gov.uk/PublicAccess/TDC/tdc_home.aspx

- (a) **09/00640/FUL - 4, Ewell Close, Chorley** (Pages 19 - 36)

Report of Corporate Director (Business) (enclosed).

- (b) 09/00708/FUL - Land 15m West of 176A Wood Lane, Heskin, Lancashire (Pages 37 - 46)

Report of Corporate Director (Business) (enclosed).

- (c) 09/00780/FUL - Land 50m South of 54 to 64 Lancaster Lane, Clayton-le-Woods, Lancashire (Pages 47 - 58)

Report of Corporate Director (Business) (enclosed).

- (d) 09/00873/FUL - Orcheton House Farm, Wood Lane, Heskin, Lancashire, PR7 5PA (Pages 59 - 68)

Report of Corporate Director (Business) (enclosed).

- (e) 09/00850/FUL - Formerly Multipart Distribution Limited, Pilling Lane, Chorley (Pages 69 - 80)

Report of Corporate Director (Business) (enclosed).

- (f) 09/00745/FULMAJ - Quarry Road Industrial Estate, Quarry Road, Chorley (Pages 81 - 90)

Report of Corporate Director (Business) (enclosed).

- (g) 09/00749/FULMAJ - Land between Froom Street and Crosse Hall Lane, Chorley (Pages 91 - 108)

Report of Corporate Director (Business) (enclosed).

- (h) 09/00714/FULMAJ - Land adjacent to Fairview Farm (including land bounded by Chorley Road, Eller Brook and railway), Chorley Road, Adlington (Pages 109 - 128)

Report of Corporate Director (Business) (enclosed).

5. **Planning Appeals Notification Report (Pages 129 - 132)**

Report of Corporate Director (Business) (enclosed).

6. **Delegated decisions determined by the Corporate Director (Business) in consultation with the Chair and Vice Chair of Committee**

- (a) Planning applications delegated on 25 November 2009 (Pages 133 - 134)

Table (enclosed)

- (b) Planning applications delegated on 24 November 2009 (Pages 135 - 136)

Table (enclosed)

- (c) Planning applications delegated on 20 November 2009 (Pages 137 - 138)

Table (enclosed)

(d) Planning applications delegated on 10 November 2009 (Pages 139 - 140)

Table (enclosed)

7. **Delegated Decisions determined by the Corporate Director (Business)** (Pages 141 - 150)

Schedule of applications determined between 29 October and 25 November 2009 (enclosed).

8. **Town and Country Planning Act 1990 - Section 257 Public Path Diversion Order - Part of Public Footpath No. 6, Adlington** (Pages 151 - 154)

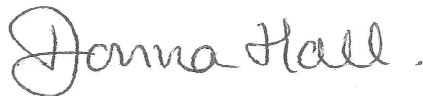
Report of Corporate Director (Governance) (enclosed). Location plan showing the current and proposed footpaths will be circulated at the meeting.

9. **Proposed Confirmation of Tree Preservation Orders** (Pages 155 - 158)

Report of Corporate Director (Governance) (enclosed).

10. **Any other item(s) that the Chair decides is/are urgent**

Yours sincerely



Donna Hall
Chief Executive

Dianne Scambler
Democratic and Member Services Officer
E-mail: dianne.scambler@chorley.gov.uk
Tel: (01257) 515034
Fax: (01257) 515150

Distribution

1. Agenda and reports to all members of the Development Control Committee, (Councillor Harold Heaton (Chair), Councillor Geoffrey Russell (Vice-Chair) and Councillors Ken Ball, Julia Berry, Judith Boothman, Alistair Bradley, Henry Counce, Mike Devaney, David Dickinson, Dennis Edgerley, Christopher France, Keith Iddon, Roy Lees, June Molyneaux, Simon Moulton, Mick Muncaster and Ralph Snape) for attendance.
2. Agenda and reports to Jane Meek (Corporate Director (Business)), Chris Moister (Legal Services Manager), Paul Whittingham (Development Control Manager) and Dianne Scambler (Democratic and Member Services Officer) for attendance.

This information can be made available to you in larger print or on audio tape, or translated into your own language. Please telephone 01257 515118 to access this service.

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

01257 515823

کیجئے:

Development Control Committee

Tuesday, 10 November 2009

Present: Councillor Harold Heaton (Chair), Councillor Geoffrey Russell (Vice-Chair), Councillors Ken Ball, Julia Berry, Judith Boothman, Alistair Bradley, Mike Devaney, David Dickinson, Dennis Edgerley, Christopher France, Keith Iddon, Roy Lees, June Molyneaux, Simon Moulton and Mick Muncaster

Officers: Jane Meek (Corporate Director (Business)), Chris Moister (Legal Services Manager), Paul Whittingham (Development Control Manager), Andy Wiggett (Principal Planning Officer) and Dianne Scambler (Democratic and Member Services Officer)

Also in attendance: Councillors Adrian Lowe (Chorley North East) and Edward Smith (Chisnall)

09.DC.91 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Henry Counce and Ralph Snape

09.DC.92 DECLARATIONS OF ANY INTERESTS

No declarations of interest were declared.

09.DC.93 MINUTES

RESOLVED – That the minutes of the meeting of the Development Control Committee held on 13 October 2009 be held as a correct record for signing by the Chair.

09.DC.94 PLANNING APPLICATIONS AWAITING DECISION

The Corporate Director (Business) submitted reports on nine planning applications for planning permission to be determined by the Committee.

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

(a) 09/00640/FUL - 4, Ewell Close, Chorley

(The Committee received representations from and objector to the proposals and the applicant's agent)

(The Ward Representative Councillor Adrian Lowe also spoke against the proposals)

Application no: 09/00640/FUL
Proposal: Demolition of existing bungalow and erection of 7 two storey detached dwellings with associated garages and infrastructure.
Location: 4, Ewell Close, Chorley

Decision:
It was proposed by Councillor Dennis Edgerley, seconded by Councillor Alistair Bradley and was subsequently **RESOLVED (12:2) to defer the decision to allow for further dialogue between the planning officers and the developer.**

(b) **09/00696/FULMAJ - Land between Waggon and Horses Public House and Summerfields, Chapel Lane, Coppull, Chorley**

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

Application no: 09/00696/FULMAJ
 Proposal: Residential development comprising 40 dwellings and associated access roads
 Location: Land between Waggon and Horses Public House and Summerfields, Chapel Lane, Coppull

Decision:

It was proposed by Councillor Ken Ball, seconded by Councillor Roy Lees, and was subsequently **RESOLVED (10:2) to grant planning permission subject to a legal agreement on contribution to play space provision and affordable housing 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 approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

Reason : To ensure a satisfactory means of drainage and in accordance with Policy No. EP18 of the Adopted Chorley Borough Local Plan Review.

3. No development shall take place until:

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;

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;

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 the guidance set out in PPS23: Planning and Pollution Control

4. 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 area(s) 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 No. EP9 of the Adopted Chorley Borough Local Plan Review.

5. Before the demolition of the buildings on the site the survey for the possible presence of roosting bats as recommended in Section 5.2 of the report prepared by Environmental Research and Advisory Partnership received on the 23rd December 2008 shall be carried out and the results submitted to and agreed in writing by the Local Planning Authority. Any mitigation measures found to be necessary shall be agreed in writing by the Local Planning Authority and implemented before development on the site commences.

Reason: To secure the protection of vulnerable species in accordance with Policy EP4 of the Adopted Chorley Borough Local Plan Review.

6.No development shall take place until full details have been submitted of the predicted energy use of the development expressed in terms of carbon emissions and a schedule setting out how energy efficiency is being addressed, including benchmark data. It will show the on-site measures to be installed and implemented so as to produce a minimum of 10%, or locally set targets (whichever is the higher) of the predicted energy use of the development by means of low carbon energy sources. Appropriate on-site measures include rainwater/brown water recycling. No development shall commence until the scheme has been approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area, in line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1 and Chorley Borough Council's Sustainable Resources DPD.

(c) 09/00665/OUTMAJ - Park Mills, Deighton Road, Chorley

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

Application no: 09/00665/OUTMAJ
 Proposal: Outline application for residential development (specifying access)

Location: Park Mills, Deighton Road, Chorley

Decision:

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

1. An application for approval of the reserved matters (namely layout, external appearance of the buildings, scale 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 development hereby permitted shall be carried out in accordance with the approved indicative Masterplan (reference 09-026 Drawing No: 001 Rev E

October 2009), in relation to the scale, including building heights, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an acceptable form of development for the site within the parameters of the outline permission.

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 not be occupied 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. 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 interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.

6. 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.

7. 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. This shall include details of how the proposed driveway/hardsurfacing to the front of the properties/communal areas shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway). The development shall only be carried out in conformity with the approved details unless otherwise agreed to in writing by the Local Planning Authority

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and to prevent flooding and in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.

8. 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.

9. Prior to the commencement of the development full details of the Management Company and arrangements for the future management and maintenance of the site, including storage, collection of refuse and management of the open space, shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company, or their successors, in accordance with the approved arrangements.

Reason: To ensure the satisfactory management of the site and in accordance with Policies GN5, HS4 and TR4 of the Adopted Chorley Borough Local Plan Review.

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

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.

11. The application for approval of Reserved Matters shall be accompanied by full details of the predicted energy use of the development expressed in terms of carbon emissions. If no data specific to the application is available benchmark data will be acceptable. A schedule should include how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. It will be flexible enough to show the on-site measures to be installed and implemented so as to reduce carbon emissions by the figure set out in policy SR1 of the Sustainable Resources DPD at the time of commencement of each individual plot by means of low carbon sources. No development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD.

12. The application for approval of Reserved Matters shall demonstrate and provide full details of how the design and layout of the buildings will withstand climate change. The scheme shall include details of the Code for Sustainable Homes Level, how the proposals minimise energy use and maximise energy efficiency. All dwellings commenced after 2010 will be required to meet Level 3, all dwellings commenced after 2013 will be required to meet Level 4 and all dwellings commenced after 2016 will be required to meet Level 6 of the Codes for Sustainable Homes. No development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD.

13. The application for approval of reserved matters shall be accompanied by full details of the location of the on site affordable housing units. The development shall only be carried out in conformity with the approved details.

Reason: To ensure the proper development of the site and in accordance with Policy Nos. HS5 of the Adopted Chorley Borough Local Plan Review.

14. 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.

15. 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. The trees on the southern boundary/southwest corner of the site

shall be fenced along the whole length of the trees, giving a minimum of six metres clearance from the trunks of the trees. Any other trees to be retained on the site shall be fenced 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.

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out on the area of land affected until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

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 Government advice contained in PPS23: Planning and Pollution Control.

17. 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.

18. Prior to the commencement of the development full details of the bin storage facilities associated with the proposed residential units shall be submitted to and approved in writing by the Local Planning Authority. The bin storage thereafter shall be constructed and retained in accordance with the approved plans.

Reason: To ensure that adequate refuse storage is provided on site and in accordance with Policy HS4 of the Adopted Chorley Borough Local Plan Review.

19. The demolition of the existing buildings and subsequent development hereby permitted shall only be carried out in accordance with the bat mitigation proposals in sections 4.2-4.4 (inclusive) of the Report of Licensed Bat Survey (dated May 2009) carried out by the Environmental Research & Advisory Partnership.

Reason: To ensure the continued and future protection of bats and in accordance with Policy EP4 of the Adopted Chorley Borough Local Plan Review and PPS9..

20. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

Reason: To reduce the risk of flooding and in accordance with PPG25.

21. 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.

(d) 09/011708/FUL - Land 15m West of 176A Wood Lane, Heskin

(The Committee received representations from an objector to the proposals, the applicant's agent and the ward representative, Councillor Edward Smith who spoke against the development)

Application no: 09/00708/FUL
 Proposal: Erection of detached bungalow
 Location: Land 15m West of 176, Wood Lane, Heskin
 Decision:

It was proposed by Councillor Dennis Edgerley, seconded by Councillor Mick Muncaster, and was subsequently **RESOLVED to defer the decision to allow the Members of the Committee to visit the site of the proposed development.**

(e) 09/00594/FULMAJ - Formerly Multipart Distribution Limited, Pilling Lane, Chorley

Application no: 09/00594/FULMAJ
 Proposal: Re-plan of part of the site including the construction of 42 dwellings, garages and associated works (amendment to reserved matters approval 07/01228/REMMAJ) Including amendments to existing parking areas to serve plots 343-351 and 371

Location: Formerly Multipart Distribution Limited, Pilling Lane, Chorley

Decision:
 It was proposed by Councillor Dennis Edgerley, seconded by Councillor Simon Moulton, and was 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 development hereby permitted shall only be carried out in conformity with the proposed ground and 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.

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 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 and HS4 of the Adopted Chorley Borough Local Plan Review

6. 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 and HS4 of the Adopted Chorley Borough Local Plan Review.

7. 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.

8. 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 site shall thereafter be managed by the approved Management Company.

Reason: To ensure the satisfactory management of the unadopted highways and public open space and in accordance with Policies TR4 and HS21 of the Adopted Chorley Borough Local Plan Review.

9. The site shall be remediated in accordance with BAE Environmental Remediation Strategy Report (Reference: A0356-02-R1-1). Upon completion of the remediation works a verification/ completion report containing any validation sample results shall be 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 Government advice contained in PPS23: Planning and Pollution Control

10. No dwelling hereby permitted shall be occupied until that part of the service road which provides access to it from the public highway has been constructed in accordance with the approved plans.

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

11. The garages hereby permitted shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

Reason: In order to safeguard the residential amenity and character of the area and in accordance with Policy HS4 of the Adopted Chorley Borough Local Plan Review

12. Prior to the commencement of the development full details of the proposed residents consultation procedure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information on how the residents will be kept informed on the progress of the development prior to commencement and during the development period. Additionally details of the main contact / site manager during the development shall be provided to the Local Planning Authority and the residents prior to the commencement of the development. The residents consultation plan shall be implemented and completed in accordance with the approved procedure.

Reason: To ensure that the existing residents are fully aware of the progress of the development.

13. 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.

14. The development hereby permitted shall be carried out in accordance with the measures set out within the action plan of the Residential Travel Plan dated April 2009 (submitted under application 09/00374/DIS).

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.

(f) **09/00702/CB3 - Tatton Community Centre and Park, Silverdale Road, Chorley**

Application no: 09/00702/CB3

Proposal: Erection of 8m high flagpole to display Green Flag Award

Location: Tatton Community Centre, Silverdale Road, Chorley

Decision:

It was proposed by Councillor Chris France, seconded by Councillor June Molyneaux, and was subsequently **RESOLVED to recommend full Council to grant planning permission**

(g) **09/00703/CB3 - Nature Reserve bounded by Bury Lane and Bolton Road, Withnell**

Application no: 09/00703/CB3

Proposal: Erection of 8m high flagpole to display Green Flag Award

Location: Nature Reserve bounded by Bury Lane and Bolton Road, Withnell

Decision:

It was proposed by Councillor Keith Iddon, seconded by Councillor Simon Moulton, and was subsequently **RESOLVED to recommend full Council to grant planning permission.**

(h) 09/00783/FUL - Land 65m South East of Tesco Supermarket and on the South side of Foxhole Road, Chorley

Application no: 09/00783/FUL
 Proposal: Erection of Public House/Restaurant
 Location: Land 65m south East of Tesco Superstore and on the South side of Foxhole Road, Chorley

Decision:

It was proposed by Councillor Keith Iddon, seconded by Councillor David Dickinson, and was 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. 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 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 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 of the Adopted Chorley Borough Local Plan Review.

3. The development hereby permitted shall only be carried out in conformity with the proposed ground and 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 of the Adopted Chorley Borough Local Plan Review.

4. 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.

5. The use hereby permitted shall be restricted to the hours between 10.00 hours and 00.00 hours Monday to Thursday, 10.00 hours and 01.00 hours Friday and Saturday and 11.00 hours and 00.00 hours on Sundays.

Reason: To define the permitted opening hours and in accordance with Policy Nos. EP20 of the Adopted Chorley Borough Local Plan Review.

6. 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.

7. 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.

8. 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 (notwithstanding any details shown on the 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.

9. 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, DC8A of the Adopted Chorley Borough Local Plan Review.

10. The first floor living accommodation shall be occupied and used only in conjunction with the ground floor use hereby permitted (namely public house Use Class A4 and restaurant Use Class A3) and shall not be used as a separate dwelling unit.

Reason: The first floor living accommodation is to accommodate staff associated with the permitted use of the site. The erection of a dwelling on this site would be contrary to Policies EM1 and HS6 and as such to avoid the creation of a separate dwelling unit on this site.

11. 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.

(i) 09/00750/FUL - 605, Preston Road, Clayton-Le-Woods, Chorley

Application no: 09/00750/FUL
 Proposal: Resubmission of application 09/00150/FUL amendment to previously approved layout (08/00203/FULMAJ) and erection of 7 detached houses/infrastructure on adjacent plot
 Location: 605, Preston Road, Clayton-Le-Woods, Chorley

Decision:

It was proposed by Councillor Keith Iddon, seconded by Councillor David Dickinson, and was subsequently RESOLVED (6:4) to grant planning permission subject to a Legal Agreement and the conditions listed below, with Councillors David Dickinson, Harold Heaton, Keith Iddon, Simon Moulton, Mick Muncaster and Geoff Russell voting for and Councillors Julia Berry, Alistair Bradley, Mike Devaney and Chris France voting against the proposals.

Councillors Ken Ball, Judith Boothman, Dennis Edgerley, Roy Lees and June Molyneux abstained.

1. No development shall take place until full details have been submitted of the predicted energy use of the development expressed in terms of carbon emissions and a schedule setting out how energy efficiency is being addressed, including benchmark data. It will show on-site measures to be installed and implemented so as to produce a minimum of 10% or locally set targets whichever is the higher) of the predicted energy use of the development by means of low carbon energy sources. Appropriate on-site measures include rainwater/brown water recycling. No development shall commence until the scheme has been approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area, in line with the objective of National Planning Policy contained in Planning Policy Statement : Planning, the Climate Change Supplement to PPS1 and Chorley Borough Council's Adopted Sustainable Resources DPD.

2. 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.

3. 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 (notwithstanding any details shown on the 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 and HS4 of the Adopted Chorley Borough Local Plan Review.

4. 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.

5. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls, including those along the rear of the site which abuts the commercial estate road from plot 10 to plot 8, 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.

6. The development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. The report should include an initial desk study, site walkover and risk assessment and if the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with the Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

Reason: In the interests of safety and in accordance with the guidance set out in PPS23 – Planning and Pollution Control 2004.

7. 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 site shall thereafter be managed by the approved Management Company.

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

8. 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.

09.DC.95 PLANNING APPEALS NOTIFICATION REPORT

The Corporate Director (Business) submitted a report giving notification of two appeals that had been lodged against the refusal of planning permission.

RESOLVED – That the report be noted.

09.DC.96 DELEGATED DECISIONS DETERMINED BY THE CORPORATE DIRECTOR (BUSINESS) IN CONSULTATION WITH THE CHAIR AND VICE CHAIR OF COMMITTEE

The Committee received for information, tables listing four applications for Category 'B' development proposals which had been determined by the Corporate Director (Business) in consultation with the Chair and Vice Chair of the Committee at meetings held on 13 and 28 October 2009.

RESOLVED – That the tables be noted.

09.DC.97 DELEGATED DECISIONS DETERMINED BY THE CORPORATE DIRECTOR (BUSINESS)

The Committee received for information, a schedule listing the remainder of the planning applications determined by the Corporate Director (Business) under delegated powers between 1 and 28 October 2009.

RESOLVED – That the schedule be noted.

Chair

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Report

Report of	Meeting	Date
Corporate Director (Business)	Development Control Committee	08.12.2009

PLANNING APPLICATIONS AWAITING DECISION

Item	Application No.	Recommendation	Location	Proposal
1	09/00640/FUL	Permit (Subject to Legal Agreement)	4 Ewell Close Chorley PR6 8TT	Demolition of existing bungalow and erection of 7 two storey detached dwellings with associated garages and infrastructure (resubmission of application 09/00541/FUL)
2	09/00708/FUL	Permit (Subject to Legal Agreement)	Land 15m West Of 176A Wood Lane Heskin Lancashire	Erection of a detached bungalow (resubmission of application 09/00350/FUL)
3	09/00780/FUL	Permit (Subject to Legal Agreement)	Land 50m South Of 54 To 64 Lancaster Lane Clayton-Le-Woods Lancashire	Erection of 3 detached dwellings and associated infrastructure on land to rear of 54 to 64 Lancaster Lane (extension of previously permitted scheme, utilising access road approved by 09/00354/FULMAJ)
4	09/00873/FUL	Permit Full Planning Permission	Orcheton House Farm Wood Lane Heskin Lancashire PR7 5PA	Replacement agricultural workers dwelling, re-use and relocation of former dwelling as fishing training centre (re-submission of planning application 09/00678/FUL)
5	09/00850/FUL	Permit (Subject to Legal Agreement)	Formerly Multipart Distribution Limited Pilling Lane Chorley	Re-plan of part of the site including the construction of 8 dwellings, parking court and associated garages (amendment to reserved matters approval 07/01226/REMMAJ). Including the erection of 1 additional dwelling.

Report

6	09/00745/FULMAJ	Permit (Subject to Legal Agreement)	Quarry Road Industrial Estate Quarry Road Chorley	Proposed Residential Development. Erection of 66 Dwellings and Associated Infrastructure.
7	09/00749/FULMAJ	Permit (Subject to Legal Agreement)	Land Between Froom Street And Crosse Hall Lane Chorley	Erection of 37 dwellings (amendment to layout, design, landscaping and external appearance approval as part of planning approval 02/00680/REMAJ)
8	09/00714/FULMAJ	Permit Full Planning Permission	Land adj. Fairview Farm (incl Land Bounded by Chorley Road Eller Brook and Railway) Chorley Road, Adlington	Erection of 37 affordable dwellings with amenity space and off street parking at Fairview Farm, Adlington.

Item 1 **09/00640/FUL** **Permit (Subject to Legal Agreement)**

Case Officer **Mrs Helen Lowe**

Ward **Chorley North East**

Proposal **Demolition of existing bungalow and erection of 7 two storey detached dwellings with associated garages and infrastructure (resubmission of application 09/00541/FUL)**

Location **4 Ewell Close Chorley PR6 8TT**

Applicant **Mr Darren Brown**

Members will recall that this application was reported at the last Development Control Committee, but a decision was deferred until the period neighbour consultation had expired and all consultation responses had been received. As a number of comments were reported on the addendum and have subsequently been received a new report is included below. An amended plan has been received in response to the comments raised by residents and members at the last committee meeting.

Proposal This application proposes the demolition of one existing dwelling and the erection of 7 two storey detached dwellings with associated garages and infrastructure.

Location 4 Ewell Close, Chorley

Summary The main issues to consider in determining the application are impact on neighbour amenity, design and appearance, impact on highway safety and ecology.

Planning Policy GN1: Settlement Policy – Main Settlements
GN5: Building Design and Retaining Existing Landscape Features
EP9: Trees and Woodlands
EP18: Surface Water Runoff
HS4: Design and Layout of Residential Development
HS6: Housing windfall Sites
HS21: Playing Space Requirements
TR4: Highway Development Control Criteria

Chorley into 2016: Sustainable Resources DPD
Supplementary Planning Guidance Design Guidance

PPS1
PPG3
PPG9

Planning History 09/00541/FUL Demolition of existing bungalow and erection of 8 two storey detached dwellings with associated garages and infrastructure
Withdrawn 10th August 2009

Consultees Responses *LCC Highways*: have reservations on the proposal mainly due to the poor existing site lines for the new properties. Five of the properties access directly onto a bend on Dorking Road which adversely affects each of the. Furthermore there are evergreen

trees on the boundaries of neighbouring properties (i.e. nos. 11 & 13 Dorking Road) that affect sight lines but to which the applicants have no control over. Plot 3 accesses almost directly on to the Ewell Close/Dorking Road junction and the westward sightline here is very poor due to the presence of the evergreen trees bordering No. 11 as mentioned above. Object to this proposal for these reasons and also on the grounds of 5 new accesses being created on to a particularly unsuitable part of the highway where none existed before.

Members should note that when the previous application was submitted no objection in principle was raised by LCC Highways to the proposal and only a number of minor amendments to the position and size of driveways and garages suggested.

The change in advice on highway matters is a concern that members should have regard to as decision makers. Advice on appeal is that planning authorities should carefully consider the advice from the highway authority in reaching a decision. In this instance due to a change of highway advice the comments on all but plot 3 are open to criticism and may not be substantiated on appeal. Plot 3 could be amended to provide an access onto Ewell Close and as such the access to this plot could be removed and required to be reconsidered.

United Utilities: no objection to the proposal provided that the site is drained on separate system, with only foul drainage connected to the foul sewer.

Neighbourhoods: are satisfied with the contents of the desk top study and agree that the risk of contamination is low. However, should during the course of the development, any suspected contaminated material be discovered then the development should cease until such time as further remediation proposals have been submitted to an approved in writing by the Local Planning Authority.

LCC Ecology: The proposed development appears to comply with relevant policies and guidance. Planning conditions will be necessary to ensure compliance with the above policies and guidance. been felled and further details of the proposed hedgerow.

- **European Protected Species: bats**

According to the bat survey (Kingdom Ecology, August 2009) there is very little likelihood of a significant bat roost being present within the existing bungalow. The proposals should therefore have no impact upon the population status of bats locally. However, there is always a chance that individual bats could be present under roof tiles or the hanging tiles on the western gable end.

The consultant has therefore recommended that loose roofing tiles and wooden hanging tiles should be dismantled by hand. If the presence of bats is suspected at any time then works should cease immediately and Natural England should be contacted for advice. This should be implemented through planning condition.

- **Breeding Birds**

Habitats on the site, including existing buildings, have the potential to support nesting birds. It needs to be ensured that detrimental impacts on breeding birds are avoided.

- *Habitat connectivity*

The above policies require maintenance and enhancement of habitat connectivity. It will therefore be appropriate to ensure that curtilage boundaries allow the movement of wildlife.

- **Mitigation/compensation and biodiversity enhancement**

The ecological consultant has made a number of recommendations in order that the proposals contribute towards the key principles of biodiversity planning policy (section 4.5 of the ecology report). These include the planting of native tree and shrub species, the planting of garden plants of value to biodiversity, and the installation of bat and bird boxes on retained trees. The Planning, Design and Access Statement includes the intention to plant a native species boundary hedge. This intention is supported, it should be noted that laurel is not native and box, whilst native very locally in southern England, would not naturally occur in this area.

MAPS – Chorley Community Safety Partnership: ask that the properties have burglar alarms fitted and laminated glass to the ground floor external panes of the double glazed units.

Arboricultural Officer: no objection to removal of leylandii hedge

Planning Policy and Urban Design Team Leader

Detailed Design Comments

The character of the area is a mix of 2 storey, largely detached dwellings and bungalows (where land rises). Materials include red brick, concrete pantiles, painted render and hanging tiles. Garages tend to be integral. The gardens are open plan to the frontages, largely delineated with shrubs and hedges.

Accordingly, the set back of proposed properties is characteristic of the area as is the proposed open plan nature of the front gardens. However, the architectural style does not appear to reflect that of the locality and I would like to see more explanation as to how this layout and design has evolved.

Generally it appears that the applicant has sought to squeeze as many identical units onto the site as possible with little recognition of the site characteristics such as the influence of levels, and principles of good design practice.

For plots 4,5 and 6 the driveways are too long, 13m, 15m and 15m respectively (if one includes the garages 4 cars can be accommodated) with the result that hardstanding over-dominates the streetscene. The design of house type plot 1, although a more efficient use of land with an integral garage, would be improved if the garage were stepped back as opposed to forward. A garage should not dominate an elevation.

A design solution which incorporated some semi-detached units would increase the number of units contributing to a higher density and more interesting streetscene. I have provided a draft layout which demonstrates how this could work. I would like to stress that it is not necessary to strictly adhere to separation distances within the development as future residents know what they are buying into and privacy/amenity can be safeguarded through imaginative floor layouts.

Cllr Edgerley also asked that the following issues be considered:

My ward colleagues and I are not opposed to the principle of development but are concerned about a number of aspects as follows.

The number of properties seems essentially to have been derived from PPG3 but as the report says the surrounding estate is of a less dense nature. Should that less dense nature not be more pertinent in determining the density of this development?

In addition the development on this site would also seem to be constrained by

- the triangular shape of the site
- the topography; in particular the difference in level compared with the existing bungalows on Dorking Road
- existing dwellings around the site.

It strikes us that these all make it difficult to achieve satisfactory relationships with the existing properties given the number and type of dwellings proposed. The report seems to suggest that 4 bedroom houses make it difficult to meet the guidance on garage provision in the manual for streets. Does this not suggest a reduction in either the number of dwellings or a reduction in the size of dwellings or both?

The report deals with the relationship with bungalows on Dorking Road and highlights the difference in levels as a cause for concern. Would this concern not be more adequately met by bungalows on this part of the site? Elsewhere on Dorking Road there are existing houses opposite existing bungalows but the separation is greater, the fall in levels is less and the gables of the bungalows not their windows face the houses. These all make the relationship better. These standards cannot be met at the application site so perhaps active consideration to bungalows should be given.

In the report dealing with the earlier withdrawn application there was reference to an unsatisfactory relationship of a garage to No 13 Dorking Road. This relationship seems to have been improved a little but would it not be improved more by having an integral garage and taking the building line further back into the site?

Third Party Representations

To date 25 letters of objection have been received from neighbouring residents (multiple letters have been received from one household) and one letter from the director of a housing association which owns a neighbouring property. They make the following comments:

- Density is not in keeping with the area;
- The proposed garages are not large enough to accommodate a family sized car;
- The proposal will lead to an increase in on road parking;
- Noise and disturbance during the building period;
- Loss of privacy and increased overlooking, particularly for the Bungalows on Dorking Road that are not presently overlooked;
- Increased traffic will lead to noise and disturbance;

- There will be a negative impact on highway safety;
- Overload on utilities such as water and gas;
- Houses are too close to the pavement – will upset building lines and architectural rhythms. They will be too prominent within the street scene;
- Two storey houses would be overwhelming and oppressive;
- Loss of natural drainage;
- The loss of the conifers will affect water table and stability of existing properties;
- Will overload the drainage systems;
- Impact on wildlife including bats;
- The plans were not discussed with neighbours ahead of the application being made;
- The developer should provide some amenity for locals e.g. a small play area;
- There should be an obligation to provide some smaller affordable houses for young people;
- The garage at plot 7 will block light to our garden – would this development stop us extending our house in the future.
- There is no economic need for more executive style 4 bed detached houses;
- Plot 2 on Ewell Close is at an incongruous angle to the rest of the road and should be repositioned;
- There should be a fixed schedule of works under penalty to prevent piecemeal development;
- The conifer hedge is a valuable wildlife resource;
- The development must be with minimum disturbance;
- In reality this particular site is hardly brownfield;
- Concerns regarding road safety at the junction of Ewell Close and Dorking Road;
- Not enough parking is being provided;
- Extra cars parked on the road, walls, trees and hedges will obstruct visibility;
- The care home at number 20 gives rise to vehicles being parked on the road and continual traffic;
- It would be difficult to park cars on the driveway at plot 7;
- There would not be enough distance between plot 3 and no. 12 & no. 14 Dorking Road;
- The distance between plot 4 & no. 16 Dorking Road appears to be less than 20m;
- Object to the loss of the highway verge;
- Under the LCC Residential Road Guide Dorking Road would be classed as a Type 4A road and Ewell Close a Type 5A road. The sightline for such a junction should comprise of a sightline envelope measured from a point 2.4m into Ewell Close to a point 60m to the left on Dorking Road. The proposed development sites house, trees and drives within the envelope;
- What is the timescale for development;
- Current water systems are unable to cope and mains services are under strain;
- The estate junction onto Blackburn Road is unsafe;
- All the proposed properties on Dorking Road appear to be in front of the building line of existing properties, this gives a terracing and overbearing effect;

- The proposed front gardens are small – some within 4m of the public pathway;
- Most of the front windows are bay windows - is this being taken into account in the measurements;
- There appears to be a shortfall in the minimum requirement of 21m, the lower slab level of the bungalows needs to be taken into account.

Two letters of support have been received, one from an occupant of the application property and one from outside of the Borough.

Assessment

A number of changes have been made to the proposals since the application was last reported to Committee. These are:

- All garages have been amended in size so that their internal dimensions are at least 3m by 6m;
- Finished floor level details have been provided for the facing bungalows on Dorking Road;
- The floor level of plot 4 has been reduced by 0.45m.

In accordance with Planning Policy Statement 3: Housing, the site is considered to be previously developed land. Previously developed land is land, which is or was last occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure. PPS3 encourages the redevelopment of previously developed land as opposed to developing Greenfield land. As such the principle of redeveloping the site for residential development accords with Government guidance. As the proposal is only for a net gain of 6 dwellings, there is no affordable housing requirement.

Design and appearance

PPS1 states that design policies should avoid unnecessary prescription and should concentrate in guiding the overall scale, density, massing, height, landscape, layout and access of new development in relation to neighbouring building and the local area more generally. Local Planning authorities are advised not to attempt to impose architectural styles or particular tastes.

The comments of the Planning Policy & Design Urban Design Team Leader indicates that the design could be more interesting and reflect the locality. He also advocates possibly increasing the density by including semi-detached properties. The balance of design and density could be made worse by a higher density scheme.

The density of the proposed development would be slightly less than Government Guidance in PPG 3 that a minimum of 30 dwellings per hectare should usually be appropriate (7 dwellings on 0.25ha equals 28 dwellings per hectare). However, the character of the surrounding area is of a less dense nature. It is considered that the topographical characteristics of the site and relationship with neighbouring existing properties would make a higher density than the surrounding properties difficult to achieve.

Recent appeal decisions in the Borough (for example at 54 Lancaster Lane) have highlighted the advice in PPS3 that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. This is supported by Policy HS4 of the Local Plan. The development of the site with detached housing is not out of

character with the surrounding area. Although the properties immediately opposite on Dorking are bungalows, other housing on Ewell Close and Dorking Road are two storey detached dwellings.

The positioning of plot 2 at an angle to Ewell Close, rather than the front elevation being parallel to Ewell Close as existing dwellings and the proposed plot 1 do is somewhat incongruous, however, it is not considered that this would be sufficient reason to warrant refusal of the proposals.

The removal of the leyandii hedge is considered to enhance the character of the area.

Neighbour Amenity

There is a difference in levels across the site – it falls from north to south along Ewell Close and from north east to south west along Dorking Road. Properties facing the site along Dorking Road are true bungalows, with ground floor levels set slightly lower than that of the road. Along Ewell Close, two storey houses face the application site. Adjacent to the north boundary there is a split level dwelling at no. 6 Ewell close with a number of windows and rooflights facing the application site and a two storey dwelling with a blank gable facing the site at no. 13 Dorking Road. At present a mature conifer hedge surrounds most of the site (apart from the driveway entrance and adjacent to the front of no. 6 Ewell Close). This is proposed to be entirely removed, however no indication of the proposed boundary treatments have been shown along the northern boundary of the site.

The Councils interface standards require that there is a minimum distance of 21m between windows to habitable rooms at first floor level from any such facing windows in neighbouring houses. Where the proposed slab levels are 0.5m or more above that of neighbouring houses, the spacing guideline should be increased by 1m for every 0.25m difference in slab levels. Although the properties are bungalows on Dorking Road it is considered appropriate to apply this guideline. As stated above a number of these properties (particularly those directly opposite the site) are set slightly lower than the road, finished floor levels have been provided for these properties. The applicant has amended the plans so that the finished floor levels of the proposed dwellings mean that all the minimum interface standards would be met. The closest properties would be the dwelling at plot 4 and no. 16 Dorking Road, there would be a distance of 21m between these properties. The finished floor level of the proposed dwelling would be 0.459m higher than that of the bungalow. The distances between all of the other proposed dwellings and the bungalows all exceed the distances required (taking into account differences in levels). The windows affected in the bungalows are to the front of the properties and clearly visible from the road and public view. The site plan's do appear to allow for the dining room bay windows to be included in the house plans, even if extra distance is allowed for the projection of the lounge/bed 1 bay windows (0.5m), the interface standards are still all met. Moving the position of dwelling further to the rear on plot 7 (which is adjacent to no. 13 Dorking Road) would result in an unsatisfactory relationship (interface standards would not be met) with plot 1 to the rear and no. 6 Ewell Close. The position of the garage complies with the 45 degree plus 3m guidelines taken from the nearest ground floor window of no. 13 Dorking Road.

The bungalows on Dorking Road, are not however, overlooked by any dwellings at present and the proposed development would result in a considerable change from the present situation. There would undoubtedly be an intensification in the level of overlooking that would occur. With regard to the effect of the proposal on the bungalows on Dorking Road, this is a finely balanced decision, however it is considered that it would be difficult to sustain a refusal on the grounds of loss of privacy and overlooking to these properties as the minimum interface standards are met and the windows affected are clearly visible from the highway.

With regard to the impact of the proposals on the amenity of residents on Ewell Close, again the interface standards are met. Number 11 Dorking Road is due west of plot 3 and is set lower than the proposed dwelling, however, the ground floor facing window is screened by planting and the dwelling at plot three is set at an angle to number 11.

Highway Safety

The submitted draft RSS Parking Standards require that a four bedroomed dwelling should be provided with three off road parking spaces. Each dwelling has been provided with a garage and a driveway that can accommodate at least two cars. The applicant has provided amended plans of the proposed garages, now with internal dimensions of 6m by 3m. All dwellings are now considered to have at least three off road parking spaces in accordance with the draft RSS Parking Standards.

At the time of writing the report the applicant was currently liaising with LCC Highways to overcome the objections made.

Ecology

Recent case law has emphasised the importance of the Local Planning Authority giving due consideration to the three tests in 1994 Regulations for European Protected species when deciding whether to grant planning permission for a development which could harm a European Protected Species (such as bats). The three tests (which also relate to the granting of licences) are that: the activity to be licensed must be for imperative reasons of overriding public interest or for public health and safety; there must be no satisfactory alternative and favourable conservation status of the species must be maintained.

The applicant has provided two bat surveys and an ecological survey with the application. The first bat survey concluded that there was potential for bats to roost here and it would be hard to confirm they never do, some provision for bats needs to be made in the new build. Precautions during construction would also need to be put in place and a further dusk survey should be carried out in July. The second survey carried out a further dusk emergence survey and a dawn re-entry survey. No evidence of roosting bats was found and it is considered very unlikely that a significant bat roost is present. There remains low risk that gaps between loose roofing tiles could be infrequently used. It is recommended that care is taken during the demolition of the building and loose roofing tiles and wooden hanging tiles are dismantled by hand. If

any evidence of bats is found work should immediately halt and further advice sought.

The ecological survey concluded that in its current form the bungalow and garden of the application property has a very low ecological and nature conservation value and displays negligible potential value for the support of Species of Principal Importance of UK BAP Priority Species. Clearances of conifers, shrubs and localised ivy should take place outside of the bird breeding season (mid march to mid august). The landscaping scheme should favour planting of native tree and shrubs in clusters. Close boarded fences should not be the boundary treatment. Bat and bird boxes should be installed in the retained conifers.

It is not considered that the applicant's choice of boundary treatment could be restricted as such fences could be erected without the need for planning permission. The landscaping scheme proposed accords with the suggestions made by the ecologist and other matters can be secured by condition.

Other issues

A draft s106 agreement to secure play space contributions is currently being prepared by the Council's Legal Services section.

The applicant has provided information to show how the proposals meet the requirements of policy SR1. Comments from Planning Policy are awaited.

The use of permeable/porous ground surfacing materials could be secured by condition.

The noise and disturbance caused during construction is considered to be transitory and it is considered that it would be unreasonable to attach conditions restricting hours of operation or parking of vehicles due to the fact that there are no particularly sensitive land uses nearby (such as an elderly persons home) and the small size of the site.

It may be easier to meet the relevant interface standards with bungalows on the site, however, the choice of type of dwellings on the site is not a matter that the Council can impose upon the applicant (this is supported by case law). The interface standards are the means by which the council can seek to ensure the amenities of neighbouring residents.

Conclusion

Subject to the resolution of the highway objections and the receipt of a signed Section 106 Agreement the proposal is accordingly recommended for approval.

**Recommendation: Permit (Subject to Legal Agreement)
Conditions**

1. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) 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 and HS4 of the Adopted Chorley Borough Local Plan Review.

2. 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, to ensure that there is not an undue increase in surface water run-off and in accordance with Policy Nos. GN5, HS4 and EP18 of the Adopted Chorley Borough Local Plan Review.

3. 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.

4. In accordance with the recommendations set out in the Conclusions and Recommendations of the Bat survey Results dated 31st August 2009, any loose roofing tiles and wooden hanging tiles should be dismantled by hand.

Reasons: In the interests of species protection and in accordance with Policy EP4 of the adopted Chorley Borough Local Plan Review and PPG9

5. No development shall take place until a scheme for the installation of bat and bird boxes on the site (as required in the recommendations contained in paragraph 4.6 of the Ecological Survey and Assessment) has been submitted to and approved in writing by the Local Planning Authority.

Reasons: In the interests of species protection and in accordance with PPG9 and policy EP4 of the Adopted Chorley Borough Local Plan Review.

6. 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.

7. No development shall take place until a scheme detailing the on-site measures to be installed and implemented so as to reduce carbon emissions, by the figure set out in policy SR1 of the Sustainable Resources DPD at the time of commencement of each individual plot, by means of low carbon sources has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall also include full details of the predicted energy use of the development expressed in terms of carbon emissions (If no data specific to the application is available benchmark data will be acceptable) and how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

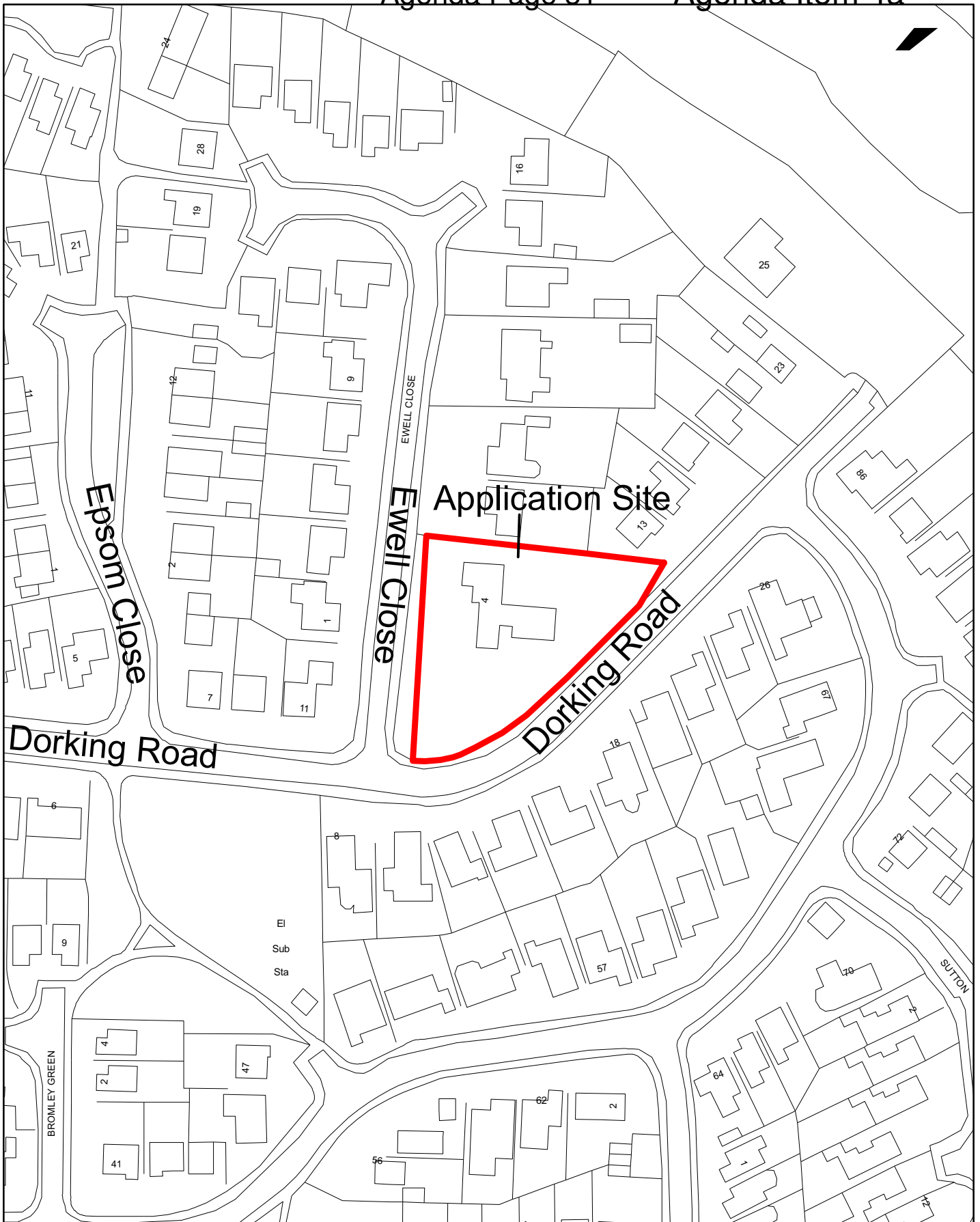
Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policies EM16 and EM17 of the North West Regional Spatial Strategy and Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

8. No development shall take place until a scheme to demonstrate and provide full details of how the design and layout of the buildings will withstand climate change has been submitted to and approved on writing by the Local Planning Authority. The details

shall include details of the proposed Code for Sustainable Homes Level, how the proposals minimise energy use and maximise energy efficiency. All dwellings commenced after 1st January 2010 will be required to meet Code Level 3, all dwellings commenced after 1st January 2013 will be required to meet Code Level 4 and all dwellings commenced after 1st January 2016 will be required to meet Code Level 6 of the Codes for Sustainable Homes. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policies EM16 and EM17 of the North West Regional Spatial Strategy and Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

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Jane E Meek BSc(Hons) DipTP MRTPI
 Director of Development and Regeneration
 Chorley Borough Council

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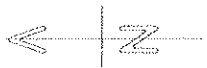
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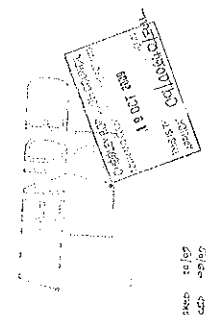
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- GENERAL NOTES:**
- All facing material, surfacing, fixtures and screen walling to be approved by the Local Authority.
 - All landscaping and tree planting to be approved by the Local Authority, any plants to be specified within the landscape plans to be released.
 - Parking bays to be 4.8m long min 2.4m wide and have gradients not exceeding 7%.
 - Min 6.0m x 2.7m drive lengths in front of spaces marked in green.
 - All drainage to be in accordance with BS5337 to be implemented.
 - All adjacent highways to be kept clear of C&T and debris during the period of construction.



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- 1.8m high treated close boarded timber fence
- 1.8m high 215 brick wall in facing brick as housing
- Hanson Formpave permeable paving.
- 450x150 riven faced paving slabs with gravel joints. (nom. 900 path to all house penetrations).
- Turf
- Shrub planting to schedule.
- Low hedge as schedule
- Trees

Trees:

- Rowan (Sorbus aucuparia) 2.75-3.0m 8-10cm girth
- Wild Cherry (Prunus avium) 2.75-3.0m 8-10cm girth
- Alder (Alnus glutinosa) 2.75-3.0m 8-10cm girth
- Crab Apple (Malus sylvestris) 2.75-3.0m 8-10cm girth
- Whitebeam (Sorbus aria) 2.75-3.0m 8-10cm girth

Indigenous Hedging Species:

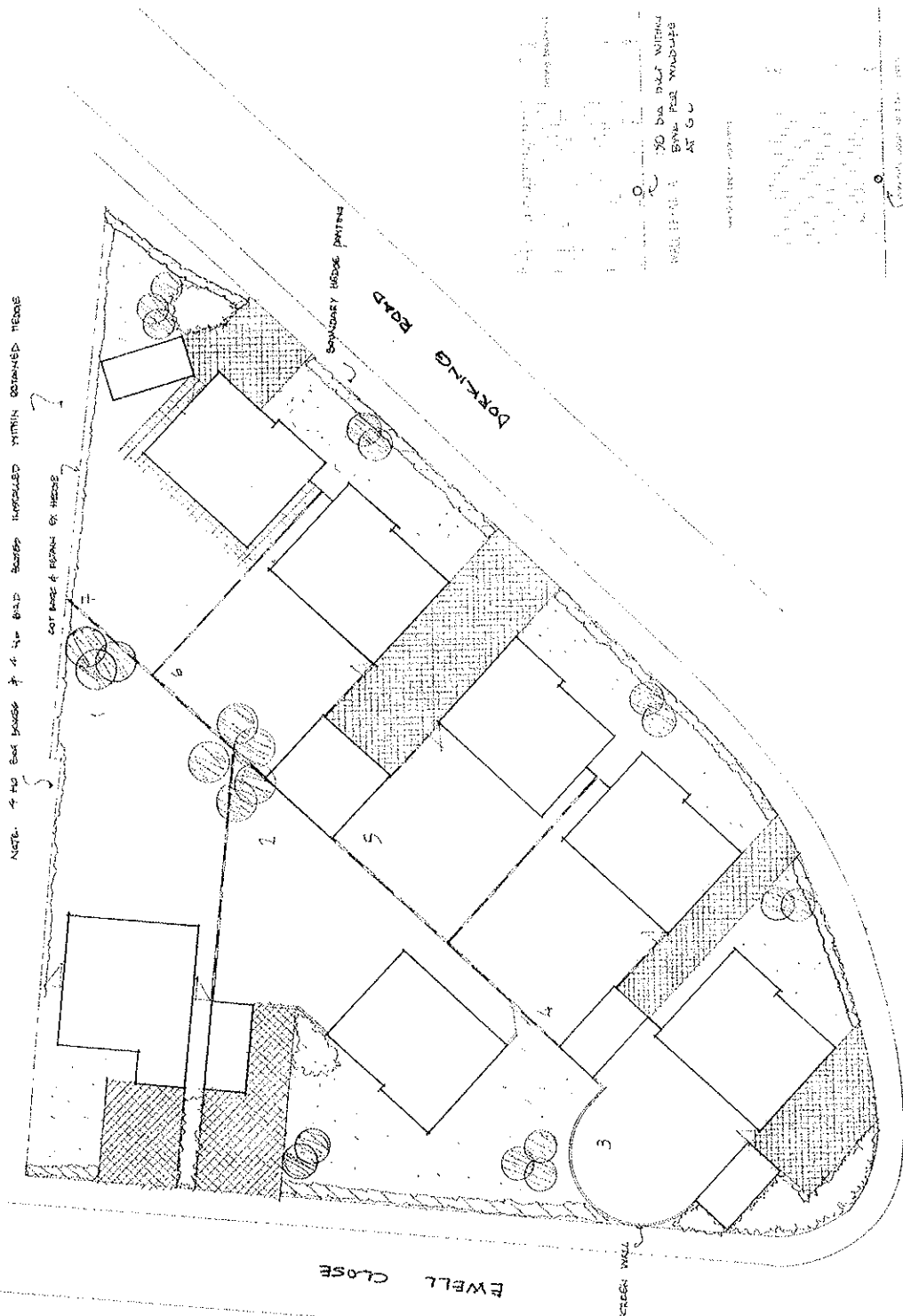
- Hawthorn (Crataegus monogyna)
- Hazel (Corylus avellana)
- Holly (Ilex aquifolium)
- Guellder Rose (Viburnum opulus)

Planted in double staggered rows 600-900 whips.

Landscaping shrubs:

- Hebe Autumn Glory: 30-40 cm 4/m2
- Buddleia "White Cloud" 60-80 cm 3/m2
- Lavandula angustifolia vera 30-40cm 4/m2
- Lonicera periclymenum 30-40cm 4/m2.

CHICHESTER BOROUGH COUNCIL
 1 SEP 2009
 2 AUG 2008
 A2



REVISION A TAKE HEDGES & LANDSCAPING SPECIES AMENDED 09/12/09

OS Road, Brixton, Woking, Surrey, GU24 0JF
 Telephone: 01252 775000
 Fax: 01252 775000
 Email: info@ozamoss.co.uk

OSAMOSS Designs Ltd.
 Architectural, Design and Development Consultancy.

PROJECT: E WELL CLOSE
 DRAWN BY: CHURLEY
 CHECKED BY: D BRENNAN
 DATE: 19/12/09
 SCALE: 1:500

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Item 2	09/00708/FUL	Permit (Subject to Legal Agreement)
Case Officer	Caron Taylor	
Ward	Chisnall	
Proposal	Erection of a detached bungalow (resubmission of application 09/00350/FUL)	
Location	Land 15m West Of 176A Wood Lane Heskin Lancashire	
Applicant	Mr & Mrs Thomas Mauguan	
Application No.	09/00708/FUL	

Proposal The application is for the erection of a detached bungalow. The application was deferred at the previous Committee to allow a site visit to take place.

Summary The site is an infill plot and therefore the proposed bungalow is appropriate development in the Green Belt and acceptable in principle. The site does have a someone unusual relationship with no. 1 The Meadows and is a simple bungalow on a small plot, however given that there are other bungalows adjacent to the site, there is no set building line in the street and the proposal complies with the relevant interface guidelines in terms of neighbour amenity it is not considered a refusal could be substantiated on planning grounds.

Policies The development plan for the area comprises the Regional Spatial Strategy for the North West and the Chorley Borough Local Plan Review 2003. The Local Plan contains policies of most relevance to the current application. In particular policies: PPG2, DC1, DC4.

Planning History The recent planning history of the site is as follows:
The site history of the property is as follows:

Ref: 09/00350/FUL **Decision:** Withdrawn
Decision Date: 6 July 2009
Description: Erection of a detached bungalow

Background The application is made in full for a single detached bungalow. A previous application (09/00350/FUL) for a similar scheme was withdrawn in July. The application site is currently the rear garden of no. 176A Wood Lane. The site is bounded by No. 1 The Meadows to the east, no. 176A to the east and no. 176 to the southeast of the site. The proposed bungalow will be accessed off The Meadows.

Consultations LCC Highways
Have no objection to the proposal subject to recommended conditions.

Neighbourhoods
Recommend an informative note.

Coal Authority
Standing advice

Heskin Parish Council

The Parish Council see little difference with the original [withdrawn] application and wish to repeat their strong objections to this proposal:

- Overdevelopment on this very small back garden site;
- It will result in loss of privacy for neighbours whose property is very close and will be overlooked;
- The proposal seems to be proposed on the line of an existing foul sewer which already cause difficulty;
- The application, if approved, will lead to considerable loss of amenity for immediate neighbours and those across the narrow estate road.

Representations

Six letters of objection have been received to the proposal, including from Cllr Edward Smith.

- The proposal will result in an obtrusive and cramped site out of character with the rest of the estate;
- It will result in overdevelopment of the site;
- The dwelling will be positioned closer to the road than the other properties on The Meadows;
- The proposed building presents an extremely unattractive aspect resembling a public toilet out of keeping with streetscene and locality;
- Loss of residential amenity to surrounding residents, especially no. 1 The Meadows;
- The size of the building and plot will not provide adequate amenity for the occupier and will not provide quality housing. In addition the remaining garden at no. 176a will only be small reducing their amenity. This is out of character with the area;
- Drainage will be a problem. There is a foul drain that runs across the site and is covered by covenants;
- The site is unsuitable in the Green Belt and will create a precedent if permitted;
- The rear windows in the proposed property will be overlooked by windows in nos. 176 and 178;
- The proposed driveway is not big enough;
- The property does not fulfil a local need;
- The front of the property will be overlooked by the properties opposite;
- The front elevation has an almost blank façade to the road which is detrimental to the streetscene;
- The proposed bungalow is 8m high and would dominate the adjacent properties [the bungalow is 4m high]
- The proposal will result in a loss of privacy and light and will cause noise and pollution to the surrounding properties;
- On-road parking outside the property would cause problems due to its close proximity to the junction with Wood Lane.

Assessment

Principle of the development

The site is in the Green Belt. Infill plots within existing villages, including Heskin, are appropriate development in the Green Belt in line with PPG2. In this case, the site in question is within an existing built up frontage within a clear group of buildings, with

buildings on wither site. It is therefore acceptable in principle.

Scale, Design and Appearance

The application proposes an 'L' shaped bungalow, 4 metres in height. There are a range of properties in the immediate area. No. 176a is bungalow with a steep pitched roof while no. 1 The Meadows is also a bungalow with a lower roof and a side extension to the east that. No. 2 The Meadows next door but one to the site is also a bungalow but of a different design with a fully hipped roof. The majority of other properties in the immediate vicinity are semi-detached two-storey houses. It is therefore considered that due to the range of properties in the street it could not be argued that a bungalow would be out of keeping with the immediate area, particularly as the existing three bungalows are all of different designs.

In terms of the positioning of the bungalow on the site, although it would sit closer to the road than the majority of other properties on The Meadows, its front gable would sit almost flush with the side gable of no. 176A Wood Lane which it would almost always be viewed in the context of. In addition, there is not a clear building line on the Meadows, with different properties being set different distances from the road and at different angles. The proposed property and 176A Wood Lane will have small gardens, however many people do not wish to have a very large garden especially someone who may move into a small bungalow. It is not for the Local Planning Authority to decide how big a garden someone may wish to have, providing the scheme complies with the adopted interface distances in terms of neighbouring properties.

In terms of design the property will have a pitched roof to match those in the area. In addition the design incorporates a front gable which reflects the gable on no. 1 The Meadows and also the side gable of no. 176A Wood Lane on the corner. The bungalow is simple in its design, but so are the adjacent bungalows. It is considered that providing the detailing (such as windows set in reveal) and materials of the bungalow are of a sufficient standard that it will not be out of keeping with the surrounding properties. These will be the subject of conditions.

In terms of drainage the property will need to comply with building regulations, but covenants on the land are not a matter that can be considered as part of a planning application.

Neighbour Amenity

Due to the side extension on no. 1 The Meadows the proposed bungalow does have a somewhat unusual relationship with this property. No. 1 has a front window in part of the extension and the site of the proposed property (which is currently the rear garden of no. 176A Wood Lane) projects in front of it. The proposal does comply with a 3m plus 45-degree line drawn from this window. The proposed property will use the area in front of this window as a garden area. It is already used as a garden for no. 176A and has a fence around it. Although the relationship with no. 1 The Meadows is unusual due to the side extension it complies with the relevant guidelines and therefore it is not considered a refusal on these grounds could be justified.

The property would be built in the rear garden of no. 176A Wood Lane. This property has rooflights in its rear roof plane with

upstairs living accommodation. Next to this is no. 176 Wood Lane a semi-detached house. The proposal complies with the 10m guideline with regards to the distance between the upper floor windows and the boundary with the proposed property. There will be approximately 21m between the front window of the proposed bungalow and the properties opposite on the other side of The Meadows. This complies with the adopted interface guidelines.

It is considered there is justification to remove the Permitted Development Rights of the property for extensions and outbuilding given the size of the plot and its relationship with neighbouring properties, to protect the amenities of the adjacent properties.

Highways and Parking

With regards to highways, LCC (Highways) raise no objections to the application subject to conditions relating to visibility and hardsurfacing. The plan shows a double driveway to provide two-off road parking spaces as is required for a two bedroom property. However the driveway shown is slightly too narrow to allow two cars to be parked comfortably off the road. Therefore a condition will be applied to any permission that it must measure at least 5m wide. It is not considered the property will result in unacceptable on-road parking as it has off-road parking available.

Commuted Sum

A commuted sum is required towards public open space which is a material consideration in determining the application. This needs to be secured through a s106 agreement so the application is recommended for approval subject to this being signed.

Trees

There are two trees on the site. Both are proposed to be retained as part of the scheme, however their size means they do not warrant the protection of a Tree Preservation Order, which would be the only means of securing this.

Recommendation: Permit (Subject to Legal Agreement) Conditions

1. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) 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 and DC8A of the Adopted Chorley Borough Local Plan Review.

2. 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.

3. 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 detail shown on previously submitted plan(s). 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 DC4 of the Adopted Chorley Borough Local Plan Review.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), (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: The property is on a small plot, therefore to protect the appearance of the locality and the amenities of the neighbouring properties and in accordance with Policy No. DC4 of the Adopted Chorley Borough Local Plan Review.

5. Notwithstanding the details shown on the submitted plans, the proposed driveway/hardsurfacing to the front of the property shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway), unless otherwise agreed to in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to prevent flooding, in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.

6. Before the access is used for vehicular purposes, that part of the access extended from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials as agreed to in writing by the Local Planning Authority.

Reason: To prevent loose surface material from being carried onto the public highway thus causing a potential source of danger to other road users.

7. Before the access for vehicular purposes, visibility splays shall be provided between the highway boundary and the points on either side of the drive measured 5m back from the nearside edge of the carriageway.

Reason: To assist visibility.

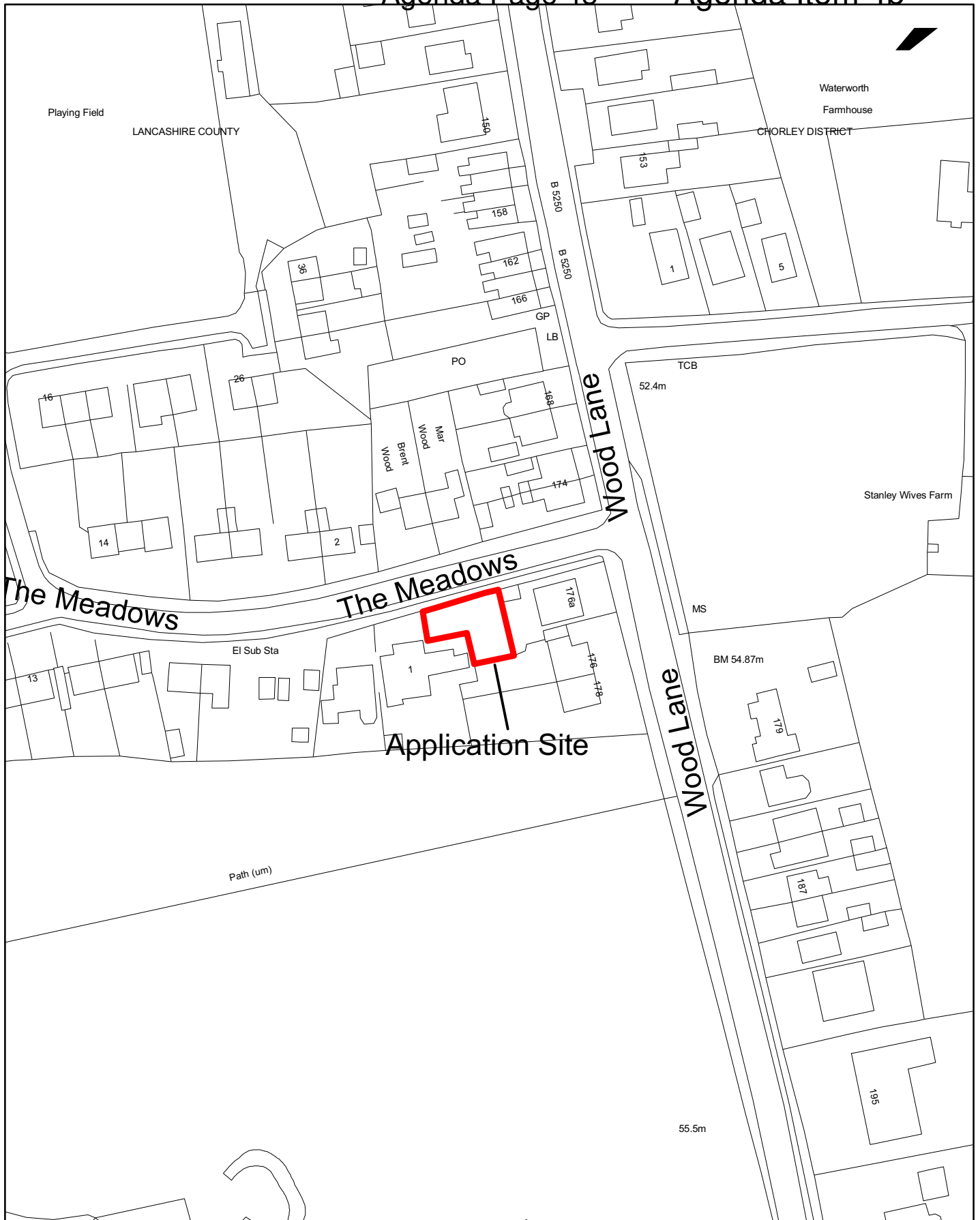
8. Before the development hereby permitted commences, details of the drive shall be submitted to and approved in writing by the Local Planning Authority. This should demonstrate a drive of not less than 5m wide. The driveway shall then only be constructed in accordance with the approved plan before the dwelling is occupied.

Reason: To ensure sufficient parking is provided for the dwelling and in accordance with Policy TR4 of the adopted Chorley Borough Local Plan Review.

9. The windows in the dwelling hereby permitted shall be set in a minimum reveal of 5cm.

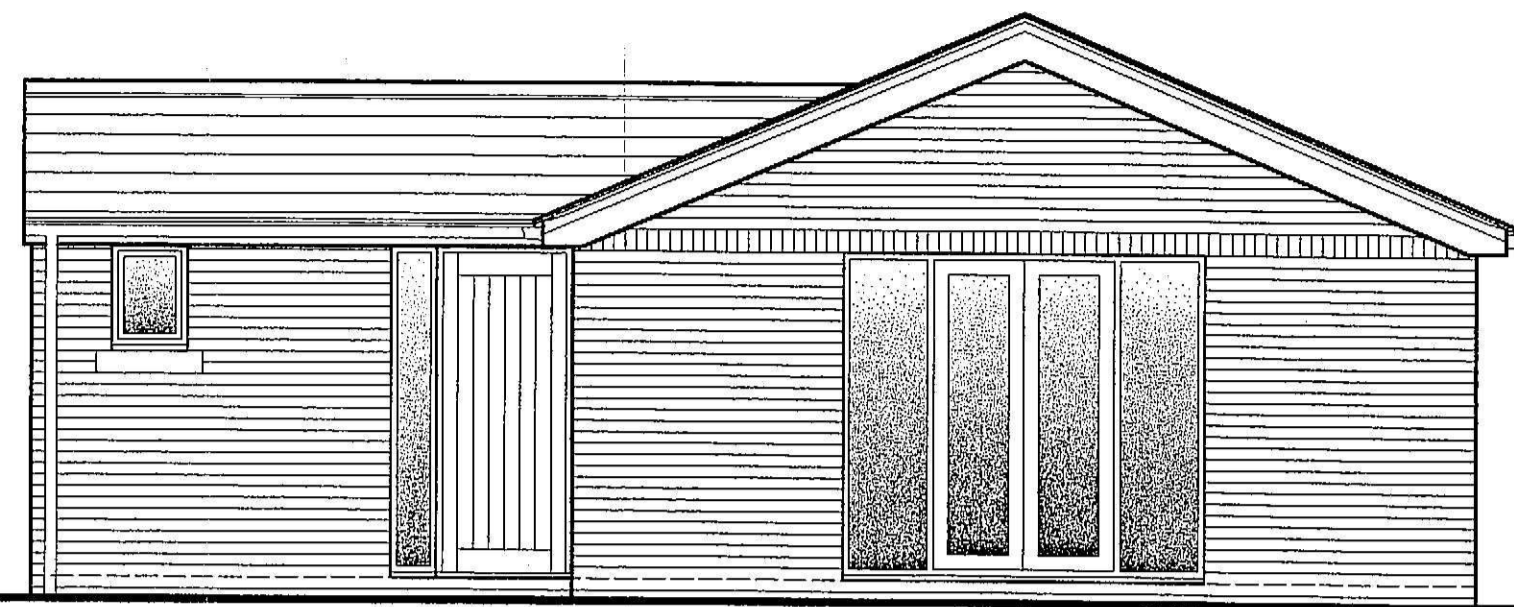
Reason: In the interests of the character and appearance of the building and locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

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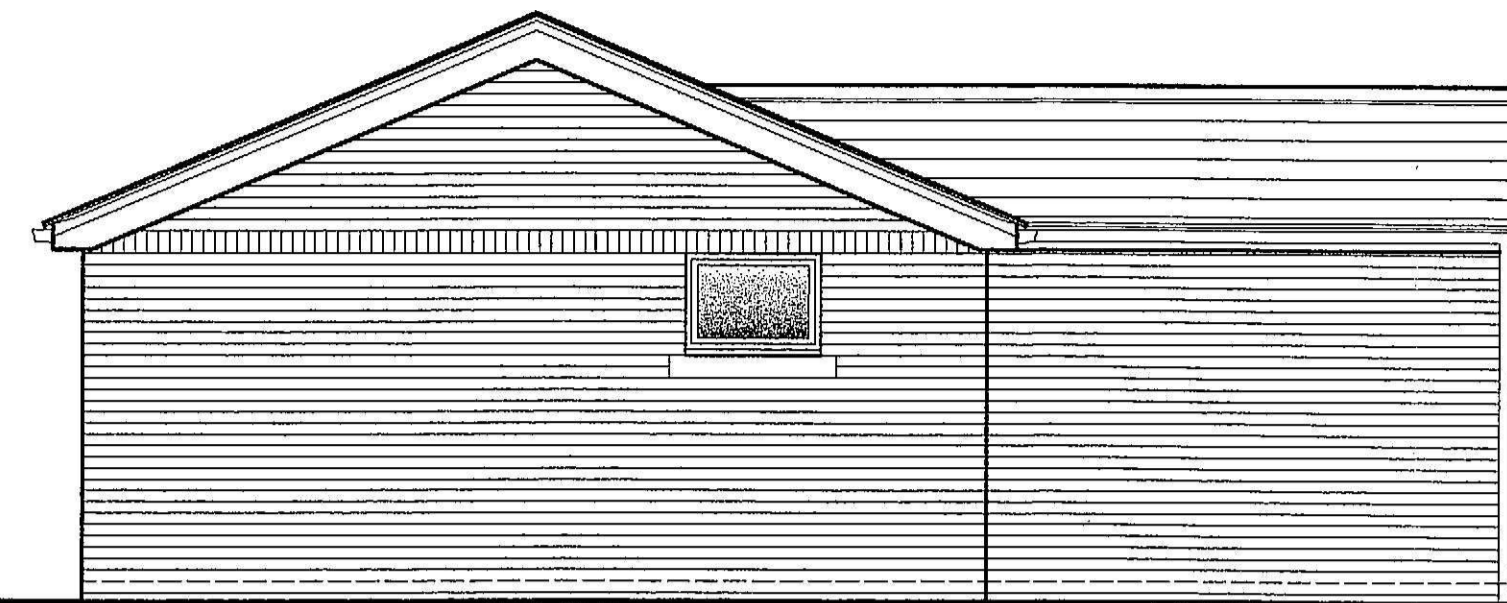


<p>Jane E Meek BSc(Hons) DipTP MRTPI Director of Development and Regeneration Chorley Borough Council</p>		<p>Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Chorley B.C. 100018509</p>	
<p>Application No. 09/00708/FUL</p>	<p>Grid Ref: E: 353144 N: 414907</p>	<p>Scale: 1:1,250</p>	<p>2</p>

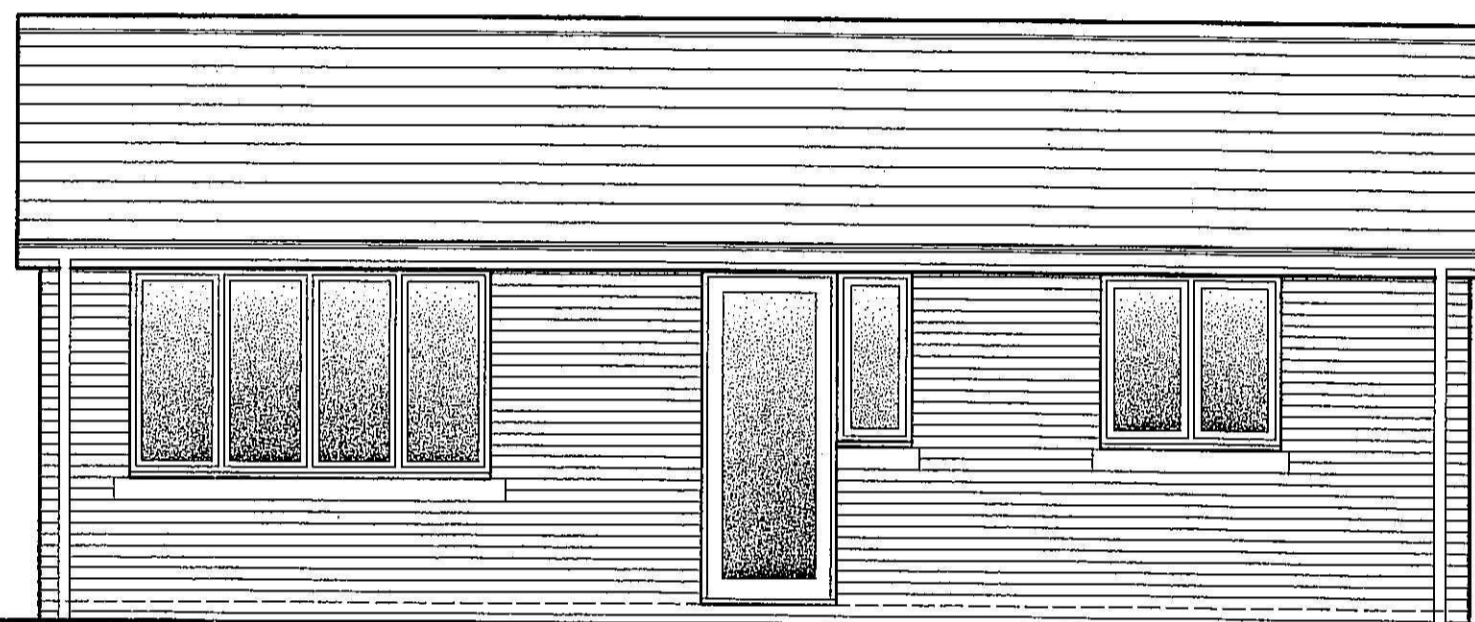
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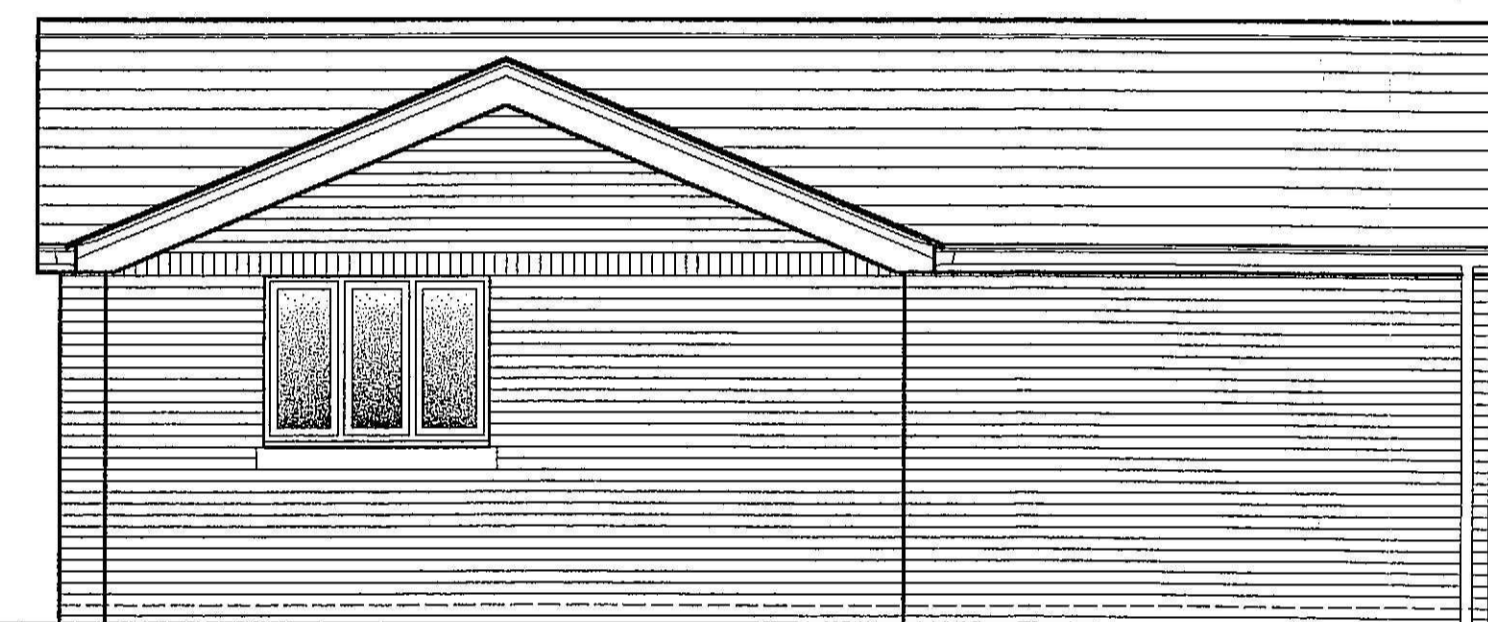
SIDE ELEVATION 1:50



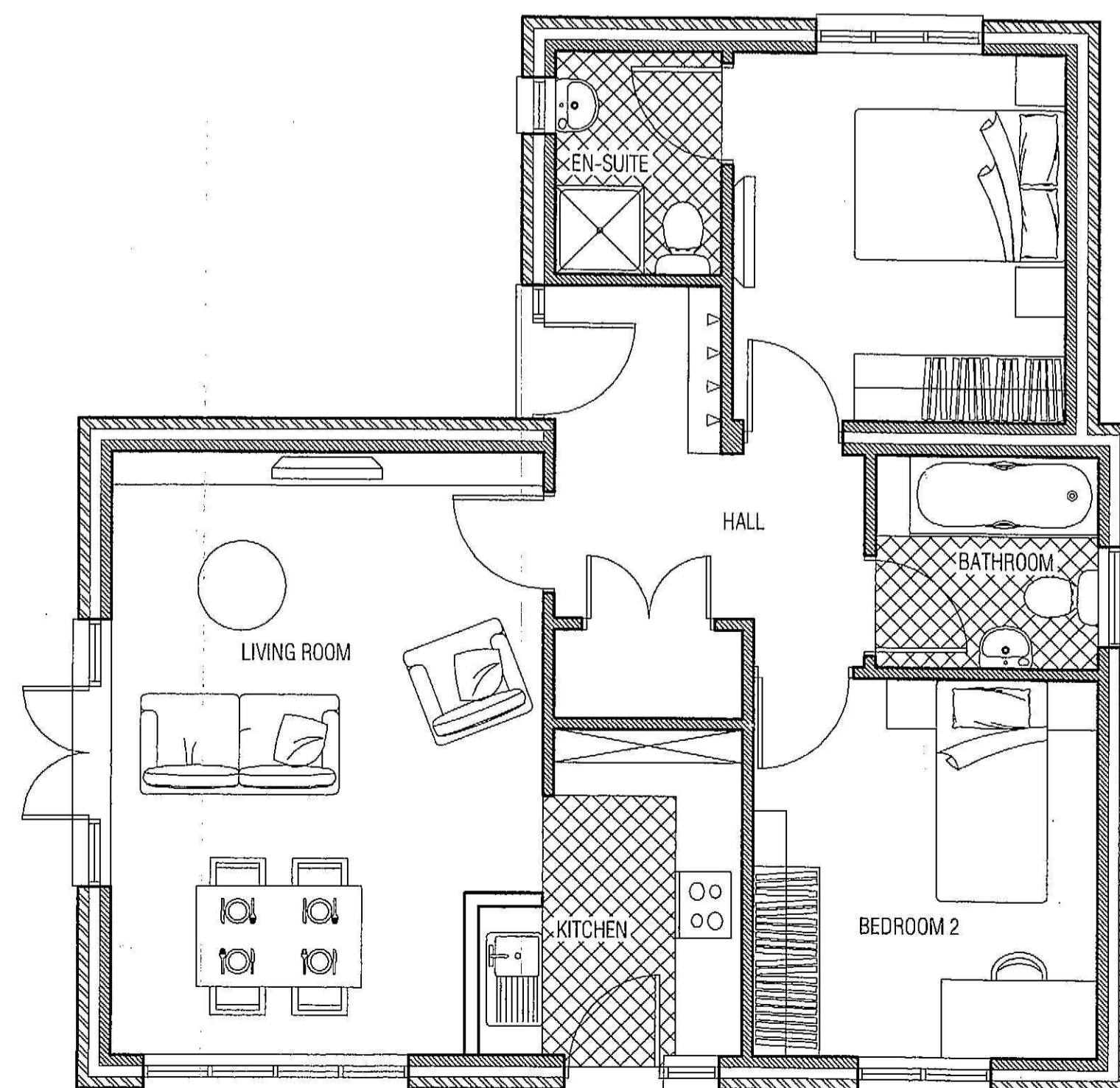
SIDE ELEVATION 1:50



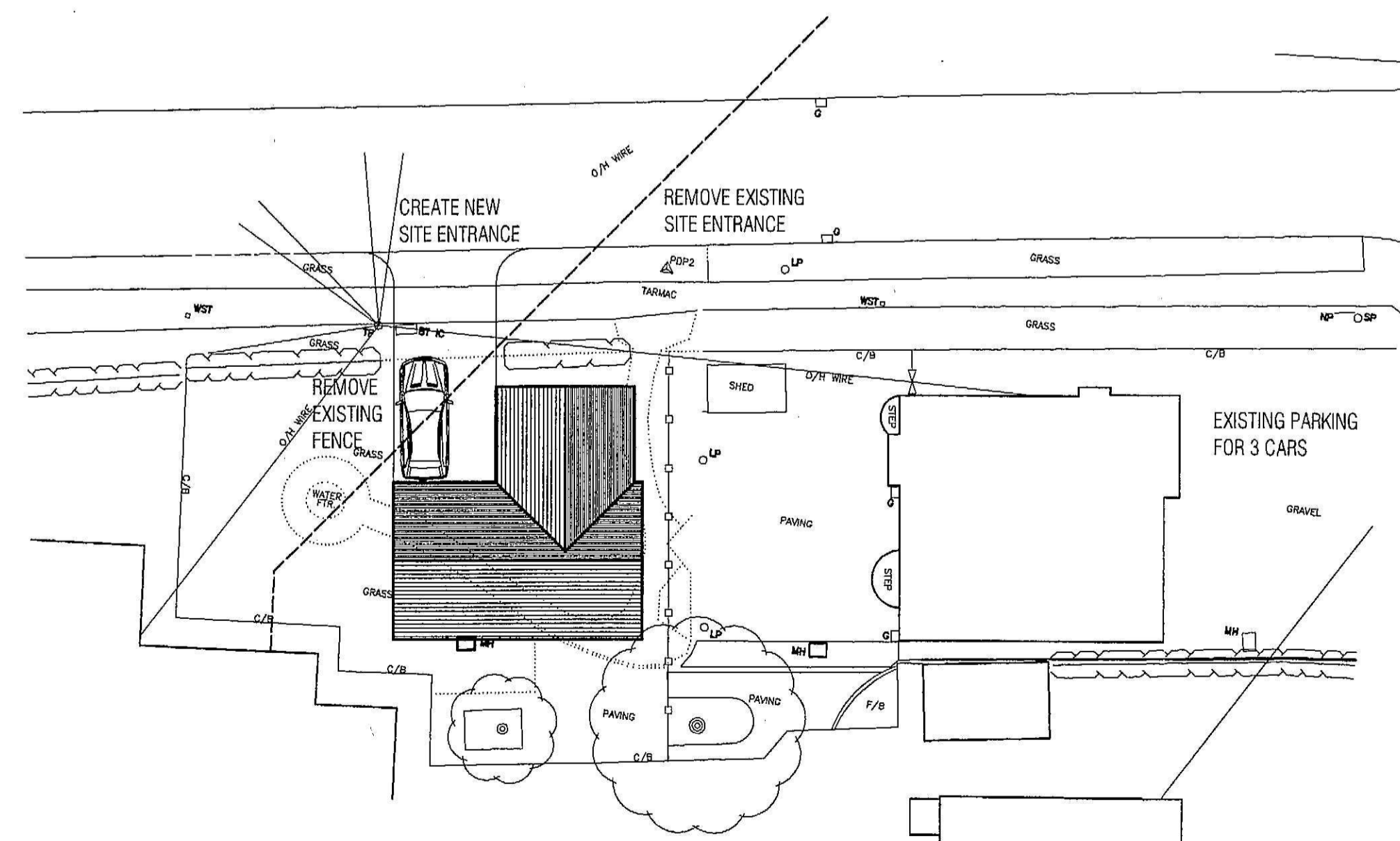
REAR ELEVATION 1:50



FRONT ELEVATION 1:50



GROUND FLOOR PLAN 1:50



PROPOSED SITE PLAN 1:200

CHORLEY BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
- 8 SEP 2009
THIS IS THE PLAN REFERRED TO IN
APPLICATION No. 09/1706

Revision	Date	Amendments
E	20.08.09	Minor alterations as per planner
D	25.06.09	Dwelling re-designed as per planners
C	08.06.09	Minor amendments to site plan
B	07.05.09	Minor amendments to plans and elevations
A	03.04.09	Amendments to scheme as per planners comments

Client	Mr. T. MAUGHAN		
Project	PROPOSED NEW DWELLING 176A WOOD LANE HESKIN CHORLEY		
Drawing Title	PROPOSED PLANS ELEVATIONS AND SITE PLAN		
Drawing No.	2701-09-01E	A1	
Scale	AS SHOWN	Date	16th NOV 2009

CHARTERED ARCHITECT
Peter Dickinson R.I.B.A.
169 Appley Lane North
Appley Bridge
Wigan, Lancs
Tel. No. 01257 252205
Fax. No. 01257 255286
E-mail peter@peterdickinson.co.uk

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Item 3	09/00780/FUL	Permit (Subject to Legal Agreement)
Case Officer	Caron Taylor	
Ward	Clayton-le-Woods West And Cuerden	
Proposal	Erection of 3 detached dwellings and associated infrastructure on land to rear of 54 to 64 Lancaster Lane (extension of previously permitted scheme, utilising access road approved by 09/00354/FULMAJ)	
Location	Land 50m South Of 54 To 64 Lancaster Lane Clayton-Le-Woods Lancashire	
Applicant	Wainhomes North West Ltd	
Application No.	09/00780/FUL	
Proposal	<p>The proposal is a full application for the erection of 3 detached dwellings and associated infrastructure on land to the rear of 54 to 64 Lancaster Lane, Clayton-le-Woods. The application is to extend a previously permitted scheme utilising the access road approved by permission 09/00354/FULMAJ.</p> <p>There is recent planning history at this site and planning permission was originally granted for 7 dwellings on the site at appeal and there have been subsequent applications for 3 additional properties and to alter the house types and highway layout, the most recent being 09/00354/FULMAJ.</p>	
Background	<p>Members will be aware of the planning history on Lancaster Lane. Two applications were refused for 7 dwellings. The applicant appealed against the second refusal and the scheme was allowed on appeal (07/00685/FUL). Following the appeal decision an application was submitted (08/00862/FUL) to erect two dwellings to the rear of 60 Lancaster Lane associated with the development allowed on appeal. This application was approved. A further application was then submitted to erect one dwelling to the rear of 62 Lancaster Lane (08/01070/FUL) which was approved. 10 dwellinghouses therefore received planning permission on the site (all utilising the same access). A later application 09/00354/FULMAJ sought amendments to the layout and highway layout of the properties and was approved in August this year. Construction is underway on the site.</p>	
Summary	<p>The application is an extension of 3 additional properties to a scheme of 10 previously approved houses. The three additional properties will be of a similar design to those already approved and will extend the previously approved access road. They will have a similar relationship to the properties on Lancaster Lane and Kirkby Avenue as the properties already approved and now under construction. The application is therefore considered acceptable subject to the signing of a Section 106 agreement.</p>	
Policies	<p>Planning Policy Statement 1: Delivering Sustainable Development Planning Policy Statement 3: Housing</p>	

Planning Policy Statement 23: Planning and Pollution Control
 Planning Policy Guidance 13: Transport
 Manual for Streets
 North West Regional Spatial Strategy:
 Policy DP1: Economy in the Use of Land and Buildings
 Policy DP3: Quality in New Development
 Policy UR7- Regional Housing Provision
 Policy ER5- Biodiversity and Nature Conservation.
 Chorley Borough Local Plan Review 2003:
 GN1- Settlement Policy- Main Settlements
 EP4- Species Protection
 EP9- Trees and Woodland
 EP10- Landscape Assessment
 HS4- Design and Layout of Residential Developments
 TR4- Highway Development Control Criteria
 Sustainable Resources DPD
 Sustainable Resources SPD

Planning History

07/00124/FUL- (Number 54) Demolition of existing dwelling and the erection of 7 detached houses.

Refused April 2007

07/00685/FUL- (Number 54) Demolition of existing dwelling and erection of 5 detached houses and 2 bungalows.

Refused September 2007. ALLOWED ON APPEAL

07/00346/OUT- (Number 46 and 48) Outline application for the proposed development to create 5 No. new detached dormer bungalows to include an amended access off the highway between no's 46 and 48 Lancaster Lane. Refused August 2007

07/00951/OUT- (Number 50) Outline application for the erection of 1No detached dormer bungalow and 1No two storey detached house.

Withdrawn

07/01423/FULMAJ- Demolition of 54 Lancaster Lane and the erection of 19 No. new dwellings including associated infrastructure on land to the rear of 46 to 60 Lancaster Lane.

Refused March 2008. Appeal withdrawn

08/00855/FULMAJ- Demolition of 54 Lancaster Lane and the erection of 19 No. new dwellings including associated infrastructure on land to the rear or 46 to 60 Lancaster Lane.

Withdrawn

08/00862/FUL- Proposed construction of 2 detached dwellinghouses with associated infrastructure and plot substitution on plot 5 of previously approved application 07/00685/FUL

Approved October 2008

08/01070/FUL- Erection of one detached dwelling on land to the rear of 62 Lancaster Lane, Clayton Le Woods (utilising access road approved by 07/00685/FUL and 08/00862/FUL.)

Approved 20th March 2009

09/00354/FULMAJ- Erection of 10 detached dwellings and associated infrastructure on land to the rear of 54-62 Lancaster Lane.

Approved August 2009

Consultations

Lancashire County Council Highways

Comments will be placed on the addendum.

United Utilities

Have no objection to the proposal.

Chorley Council Contaminated Land Officer

The extended site area is beyond the area studied as part of the ground investigation report submitted for the previously approved applications. They ask if the applicant has done any further investigation works in this extended area where the current three properties are proposed.

The applicant has confirmed that the additional investigation work to this area has been undertaken by their consultant engineers and an addendum has been prepared which will be forwarded.

The comments of the Contaminated Land Officer on this additional report will be added on the addendum.

Representations

At the time of writing one letter of objection has been received. Any further representations will be reported on the addendum. The reasons for objection are:

- They object on the same grounds as their previous objections to the existing development currently being constructed to the rear of no. 54;
- The proposal is out of character with the surrounding area and will result in a loss of amenity to neighbouring existing properties and to the community as a whole;
- They also wish to object to the continuing destruction of green space and wildlife habitats;
- If this extension to the existing scheme gets the go ahead it will unduly prolong the construction period on the site and the disruption and nuisance to which they are currently being exposed will continue for well over a year;
- They request that if the application is approved, a planning condition be attached state that all construction work on the current development of 10 properties is complete before work is allowed to commence on any extension to the current site. This has serious implications for them as they don't want to be subject to the visual intrusion, loss of privacy and amenity, the continuous nuisance etc that they are currently subjected to as a result of the site temporary accommodation being located on their boundary. They are already faced with the prospect of being unable to sit and enjoy what was previously their peaceful garden during the summer and spring months as it is now disturbed by construction noise, toilet smells, raised voices from operatives etc.

Assessment

Principle of the development

The site is located within the settlement of Clayton-le-Woods. The site is currently the garden areas of numbers 62 and 64 Lancaster Lane and is previously developed land as defined by Planning Policy Statement 3: Housing (PPS3). The proposal is therefore acceptable in principle in line with this policy.

As per previous applications on this site the density is below the 30 dwellings per hectare minimum set out in PPS3. However PPS3 does allow for lower densities where the characteristics of the area and the desirability of achieving high quality well designed housing dictates. The immediate surrounding area is characterised by residential dwellinghouses which incorporate large garden areas. It is therefore considered that a lower density is justified on the site taking into account the layout of the surrounding area.

Layout, Design, Scale and Appearance

The design and scale of the proposed properties are in keeping with the previously approved properties on the site, being two-storey detached dwellings. The layout is a continuation of the existing layout along the access road and is considered in keeping with the previously approved scheme in line with policy HS4.

Neighbour Amenity

Three additional properties are proposed to the previously approved scheme. Two will be on the north side of the access road and there will be 11.5m between the first floor windows of the proposed properties and the garden boundaries of numbers 62 and 64 (an amended plan lengthening the garden of the house shown on plot 11 has been received). This complies with the interface guidelines and these two properties will back onto the houses on Lancaster Lane that have sold parts of their gardens to build them.

The other additional property will back onto Kirkby Avenue. There will be 10.5m between the rear first floor windows of this property and boundary of the property behind on Kirkby Avenue and 25.5m between the proposed rear windows and the rear elevation of this property, both of which comply with the Council's interface guidelines for new developments. The property backing onto Kirkby Avenue will have a similar relationship with these properties as houses on the previously approved scheme. It is therefore considered the proposal will have an acceptable relationship with neighbouring properties which will not unacceptably impact on their amenity in accordance with policy HS4.

Highways and Parking

The application proposes the three additional properties will be accessed via an extension to the private drive previously approved. The private drive will therefore serve five properties in total. This is the maximum that can be served off such a drive, but is considered acceptable. The comments of Lancashire County Council Highways are awaited and will be added to the addendum.

In terms of parking the proposed properties will all have four bedrooms or more and therefore require three off-road parking spaces. Each property has a double driveway in front of it, the properties on plots 11 and 12 have a single integral garage and the property on plot 13 has a double integral garage. However, these garages measure approximately 5m by 2.5m which falls short of the guideline size in Manual for Streets of 6m by 3m to allow for storage as well as parking. However, Manual for Streets does allow smaller garage sizes to be considered if other storage and cycle parking is provided for the properties. Amended plans have been received providing a storage shed for each of the three properties and the smaller garages are considered acceptable as alternative storage is provided. A condition will be applied to any permission requiring this storage to be provided.

Sustainable Resources

The Council has adopted a Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document, both of which form part of Chorley's Local Development Framework, the provision of Policy SR1 applies to

this proposal. A Sustainable Resources report accompanies the application and the comments of the Planning Policy team on this policy will be placed on the addendum.

Public Open Space

A commuted sum is required for each of the three properties, which will be secured through a Section 106 legal agreement.

Other

An objector on Kirkby Avenue has requested that if the application is approved conditions should be attached stating that all construction work on the current development of 10 properties is complete before work is allowed to commence on any extension to the current site due to the siting of the temporary accommodation (site cabins) on their boundary. However, conditions must meet the tests as set out in circular 11/95. It is not considered that requiring the existing dwellings to be completed before the further 3 dwellings are started is reasonable due to the way the dwellings are constructed on site.

The applicant advises that the site cabins have been located between plots 8 and 9 as they give easy access to the turning head for deliveries and advise that if planning is approved they will construct the 3 additional units the subject of this application simultaneously with the main site. They estimate that this will extend the overall construction period by approximately 1 month due to the economies of scale. If the dwellings were to be built independently this would dramatically extend the construction timetable by up to 6 months.

Recommendation **Approve (subject to s106 agreement), refuse if s106 agreement not signed by 5th January 2010.**

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. 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.

3. The garages hereby permitted shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review

4. The development shall be carried out in accordance with the ground investigation report Ref 06203 and its associated addendum report.

Reason: In the interests of safety and in accordance with PPS23.

5. No dwelling hereby permitted shall be occupied until that part of the road which provides access to it from the public highway has been constructed in accordance with the approved plans and the approved planning application reference 07/00685/FUL.

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

6. Prior to the commencement of the development full details of the predicted energy use of the development expressed in terms of carbon emissions shall be submitted to an approved in writing by the Local Planning Authority. If no data specific to the application is available benchmark data will be acceptable. A schedule should include how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. It will be flexible enough to show the on-site measures to be installed and implemented so as to reduce carbon emissions in accordance with policy SR1 of the Sustainable Resources DPD. No development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD and Supplementary Planning Document.

7. No dwelling hereby permitted shall be occupied until the cycle/storage (garden sheds) as shown on drawing no AL007 Rev D stamp dated 23rd November 2009 have been provided for each of the properties.

Reason: The garages are smaller than would normally be provided and therefore to ensure sufficient storage/cycle storage is provided at the properties in accordance with Manual for Streets.

8. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) 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.

9. 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.

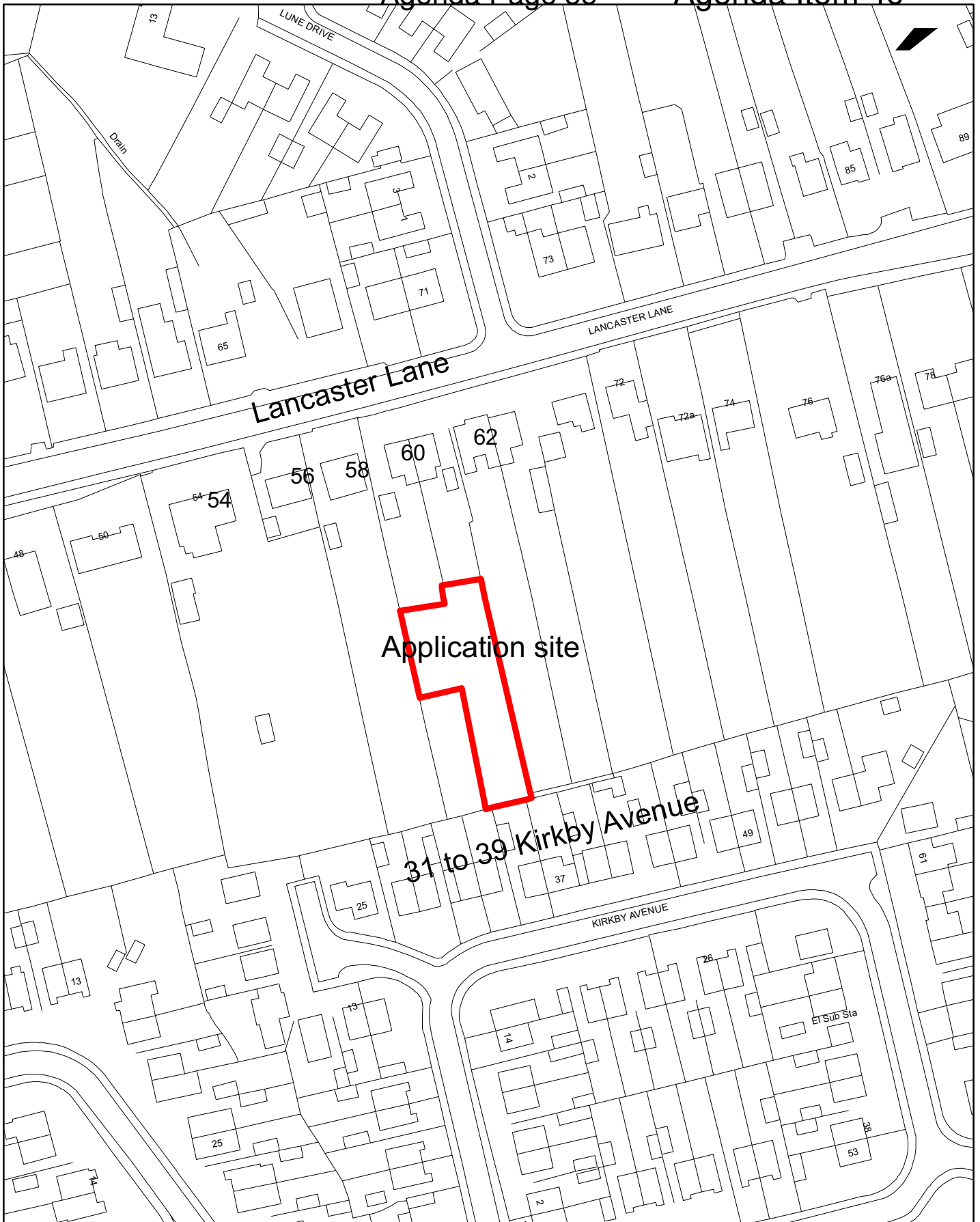
10. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning 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 and HS4 of the Adopted Chorley Borough Local Plan Review.

11. 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 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 and HS4 of the Adopted Chorley Borough Local Plan Review.

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Jane E Meek BSc(Hons) DipTP MRTPI
 Director of Development and Regeneration
 Chorley Borough Council

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Application No.
 09/00780/FUL

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
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46 - 64 LANCASTER LANE, CLAYTON LE WOODS.








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Accommodation		Schedule
Type		No.
Ed	Edale	2
En	Eton	1
Ca	Cambridge	4
Ri	Richmond	1
Sc	Scott	2
Ne	Newton	1
Ofd	Oxford	1
Br	Brunel	1
Total		13

ENCLOSURES

-  1.8m high close boarded screen fence
-  0.9m high post and rail fence

KEY

-  Existing trees to be retained
-  Indicative planting
-  (h) Denotes handed plots
-  Denotes bin / recycling store position.
-  Denotes bin / recycling store collection point.
-  Household Composting area.
-  Cycle / storage (Garden Shed)

AMENDED PLAN

CHORLEY BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING
23 NOV 2009
THIS IS THE PLAN IN
APPLICATION No. 01/780/FUL

Rev.	Date	By	Description
D	23/11/09	TGH	Cycle Store / Garden sheds shown to plots 11, 12 & 13. additional parking spaces removed.
C	23/11/09	TGH	Additional parking spaces to plots 11, 12 & 13 added.
B	17/11/09	TGH	Plot 11 garden amended.
A	29/09/09	TGH	Private footpaths, gates & patios added.

Client: **WAINHOMES**

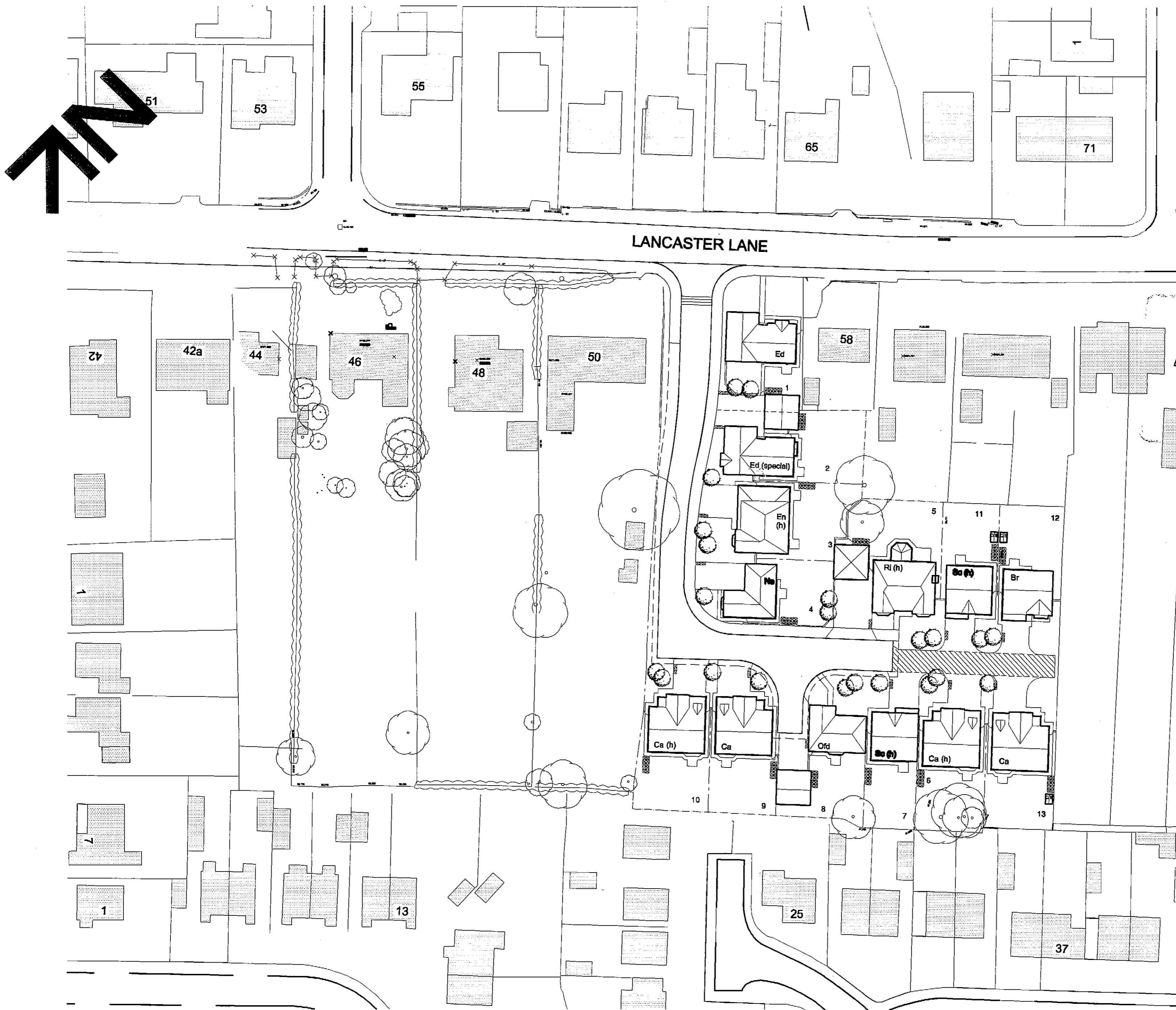


mck partnership limited
burnaby villa ■ 48 wetting street road ■ fulwood ■ Preston ■ PR2 8BP
tel: 01772 774510 fax: 01772 774511 mck@mckpartnership.co.uk

Project:
Land to Rear of 54 - 64 Lancaster Lane,
Clayton Le Woods

Drawing Title:
Proposed Site Layout

Drawn:	Checked:	Scale:	Date:
TGH		1:500 @ A2	22/08/2009
Job No:	Drawing No:	Rev:	
07-183	AL007	D	



Drawn & Location: 23/08/09 WAINHOMES/54 Lancaster Lane, Clayton Le Woods, PR2 8BP
 Date: 22/08/2009

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Item 4 09/00873/FUL Permit Full Planning Permission

Case Officer Caron Taylor

Ward Eccleston And Mawdesley

Proposal Replacement agricultural workers dwelling, re-use and relocation of former dwelling as fishing training centre (re-submission of planning application 09/00678/FUL)

Location Orcheton House Farm Wood Lane Heskin LancashirePR7 5PA

Applicant Mr Richard Prideaux GPS (Northwest) Ltd

Proposal The application is for a replacement agricultural workers dwelling and re-use and relocation of the former dwelling as fishing training centre (re-submission of planning application 09/00678/FUL).

Summary The replacement dwelling is considered acceptable in terms of Green Belt policy and PPS7 and is therefore considered appropriate development. The relocation of the existing dwelling for use as a classroom related to fishing training is considered appropriate development in terms of PPG2. It is well located to the existing buildings and two bays of an existing building on the site will be demolished to allow it to be relocated.

Policies Planning Policy Guidance 2: Green Belts
Planning Policy Statement 7: Sustainable Development in Rural Areas
DC1: Development in the Green Belt

Planning History

Ref:	00/00188/FUL	Decision:
	PERFPP	Decision Date: 24 May 2000
	Description: Extension to fish farm, to incorporate 4 new stock pools and addition of 2 new stock pools within existing site,	
Ref:	02/00914/FUL	Decision:
	REFFPP	Decision Date: 28 May 2003
	Description: Erection of permanent dwelling. APPEAL ALLOWED	
Ref:	94/00780/AGR	Decision:
	WDN	Decision Date: 8 January 1996
	Description: Application for Agricultural Determination in respect of Broiler House	
Ref:	94/00907/FUL	Decision:
	PERFPP	Decision Date: 15 March 1995
	Description: Erection of 2 Broiler Houses with associated feed hoppers	
Ref:	96/00383/CTY	Decision:
	REFLCC	Decision Date: 10 July 1996
	Description: Retrospective application for planning permission to retain unauthorised landfill on site	

- Ref:** 97/00726/CTY
PERLCC **Decision Date:** 26 November 1997
Description: Regrading of existing landfill, the planting of a new hedgerow and trees, and the removal of surplus material from the site
- Ref:** 98/00167/COU
PERFPP **Decision Date:** 5 August 1998
Description: Change of use of land to coarse fishery and shed to fisherman's facilities
- Ref:** 98/00169/FUL
REFFPP **Decision Date:** 5 August 1998
Description: Conversion of part of agricultural building to a dwelling for a temporary period of 5 years
- Ref:** 99/00224/FUL
PRRRTF **Decision Date:** 3 November 1999
Description: Siting of mobile home, in association with approved fish farm, for a temporary period of 3 years
- Ref:** 05/00746/AGR
PAAGR **Decision Date:** 12 August 2005
Description: Application for agricultural determination in respect of the erection of a replacement barn,
- Ref:** 06/01339/AGR
WDN
Decision Date: 8 January 2007
Description: Erection of replacement barn,
- Ref:** 07/00021/AGR
REAGR
Decision Date: 5 February 2007
Description: Erection of replacement barn,
- Ref:** 07/00969/AGR
REAGR
Decision Date: 12 September 2007
Description: Application for agricultural determination in respect of the erection of a replacement barn,
- Ref:** 07/00969/PAR
PERPAR
Decision Date: 19 November 2007
Description: Application for agricultural prior approval in respect of the erection of a replacement barn,
- Ref:** 09/00678/FUL
WDN
Decision Date: 19 October 2009
Description: Replacement agricultural workers dwelling, re-use and relocation of former dwelling as fishing training centre

ConsultationsLancashire County Council Highways

Have no objection to the proposal

Coal Authority

Standing Advice

County Land Agent

See main body of report

Representations At the time of writing no representations have been received, however based on the similar application 09/00678/FUL which was withdrawn it is expected that objections will be received.

Applicants Case The owner of Orcheton House Farm has been looking to diversify the operation. The fish farm/fishery has received a number of enquiries about the training of young people in fishing skills and has directly assisted in the on-site training programme of Wigan Council. Operationally, fishing training is already taking place on site, however a classroom facility is now needed for indoor tuition. Classes would consist of approximately 10 pupils and 5 supervisors and take place generally on weekdays between the hours of 9am and 5pm. Letter of support have been enclosed from Wigan Council Children & Young People's Services/Wigan Warriors. As the letter from Wigan Council explains, Government Policy in the form of 'Every Child Matters' and 'Playing for Success' initiatives requires new study support centres and skills initiatives to be created to help under-achievers in schools. A fishing Academy has already been established at the CHAMPS centre in Wigan and training has already been undertaken at Orcheton House Farm Fish Farm/Fishery. Wigan Council is now keen to permanently establish this initiative at the fishery which will be the only 'Fishing Playing for Success Satellite Centre' in the country.

AssessmentPrinciple of the development

There are two aspects to the proposal; the replacement of the existing agricultural workers dwellings; and the re-use and relocation of the former dwelling as a fishing training centre. Each will be covered in turn.

In relation to the replacement agricultural workers dwelling, the existing dwelling is a single storey timber chalet style building. It was permitted to be on the site on a permanent basis on appeal following refusal by the Council and is subject to an occupancy condition. A mobile home had been sited on site prior to the timber building. Agricultural workers dwellings are appropriate development in the Green Belt and therefore are not contrary to PPG2 or policy DC1.

Annex A to PPS7 provides guidance on planning application for agricultural workers dwellings. Whilst the County Land Agent acknowledges that the enterprise is not strictly agricultural the principle of a dwelling on the site has been established by the planning appeal decision. What is now for consideration is its replacement with a larger dwelling of permanent materials.

The County Land agent states that the present dwelling is reaching the end of its useful life and it is clear that a replacement dwelling is required. In line with Paragraph 9 of Annex A to PPS7 agricultural workers dwellings should be commensurate with the established functional requirement and it is the requirements of the enterprise and not those of the owner that are relevant in determining the size of a dwelling appropriate to the holding. The previously withdrawn application (09/00678/FUL) proposed a dwelling with a floor area of 165ml which the County Land Agent

considered too large and inappropriate for the holding. The current application now proposes a dwelling with a more modest floor area of 120m, on the same site as the existing dwelling, which following a meeting with the County Land Agent is considered acceptable. The proposed dwelling will be over two-storeys as opposed to the existing single storey timber dwelling on the site. However, there is a significant land level difference on the site which the design will exploit and the ridge height of the proposed dwelling is therefore approximately only 1m higher than the existing and will not have an unacceptable impact on the openness of the Green Belt.

In terms of materials the dwelling will be constructed of brick with a slate roof and will have a timber porch and a balcony overlooking the lake. The materials are considered acceptable subject to a condition requiring samples to be submitted. The replacement dwelling is therefore considered acceptable in terms of PPS7 subject to an occupancy condition also being imposed on it.

The other aspect of the proposals is to relocate the existing timber dwelling for use as a fishing training centre for the training of fishing skills. The applicant has looked at ways of providing the necessary facilities (including an indoor classroom).

In terms of planning policy conversion of one or part of the existing buildings to provide a classroom would be preferable if possible. The applicant advises that he has investigated converting one of his existing farm buildings and the most obvious place to locate this facility would be in the end section of the existing timber barn close to the main fishing lake. However, the cost of upgrading and converting such an old building to meet modern standards has proved prohibitive. However, with the proposed replacement of the existing single storey timber dwelling the opportunity arises to relocate this building to a suitable location nearby location and use it for training purposes with little need for modification, the only costs being the relocation of the building, minor roof repairs and connections to the mains services. However, two rear bays of the barn will be demolished when the former dwelling is relocated.

In terms of policy PPG2 and policy DC1 of the Local Plan state that essential facilities for outdoor sport and recreation are appropriate development in the Green Belt. The relocated building will be used as a classroom (6 x 6.5m) with an integral kitchen, bathroom/toilet and the two former small bedrooms will be used for the storage of equipment. The size of the former dwelling is not considered excessive for the requirements. In terms of openness of the Green Belt the floor area of the relocated dwelling would be 30m² less than the two rear bays of the barn that are proposed to be demolished. In addition the siting of the former dwelling is considered to relate well to the other buildings on the site, positioned between the buildings and the lake behind the proposed new dwelling. The proposal is therefore considered acceptable in line with PPG2, policy DC1 and PPS7. Conditions will be applied controlling its use and that it shall not be used as a dwelling.

Neighbour Amenity

The nearest property to the proposals is High Heyes Farm to the north which is over 80m away from the proposed replacement

dwelling and relocated building. The proposals will not therefore have an unacceptable impact on the amenities of this property.

Highways and Parking

There has been no objection from Lancashire County Council Highways and there is considered to be sufficient existing parking at the site for the proposals. It is not considered that the increase in traffic will have a detrimental impact on highway safety or the amenity of neighbouring properties.

Other

A commuted sum contribution towards public open space is not required as the proposed dwelling replaces an existing one on the site.

Recommendation: Permit Full Planning Permission 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 occupation of the dwelling hereby approved shall be limited to a person solely or mainly working, or last working, at Orcheton House Farm and engaged in the fish rearing enterprise, or a widow or widower of such a person, and to any resident dependents.

Reason: To ensure that the dwelling is kept available to meet the needs of Orcheton House Farm, as the site is within an area where residential development are not normally permitted and in accordance with PPS7 and PPG2.

3. Once the existing dwelling is removed from its existing position the residential use of it shall cease and it shall be repositioned as shown on Drawing No. 09W058/001 Rev D stamp dated 2nd November 2009, following demolition of 2 bays of the agricultural type building. Thereafter the building shall only be used for the purposes of a fishing training centre as detailed in the Design and Access Statement accompanying the application. Otherwise it shall be removed from the site.

Reason: To prevent a proliferation of building in the Green Belt for which there is not an on-going need and in accordance with PPG2 and policy DC1 of the Adopted Chorley Borough Local Plan Review.

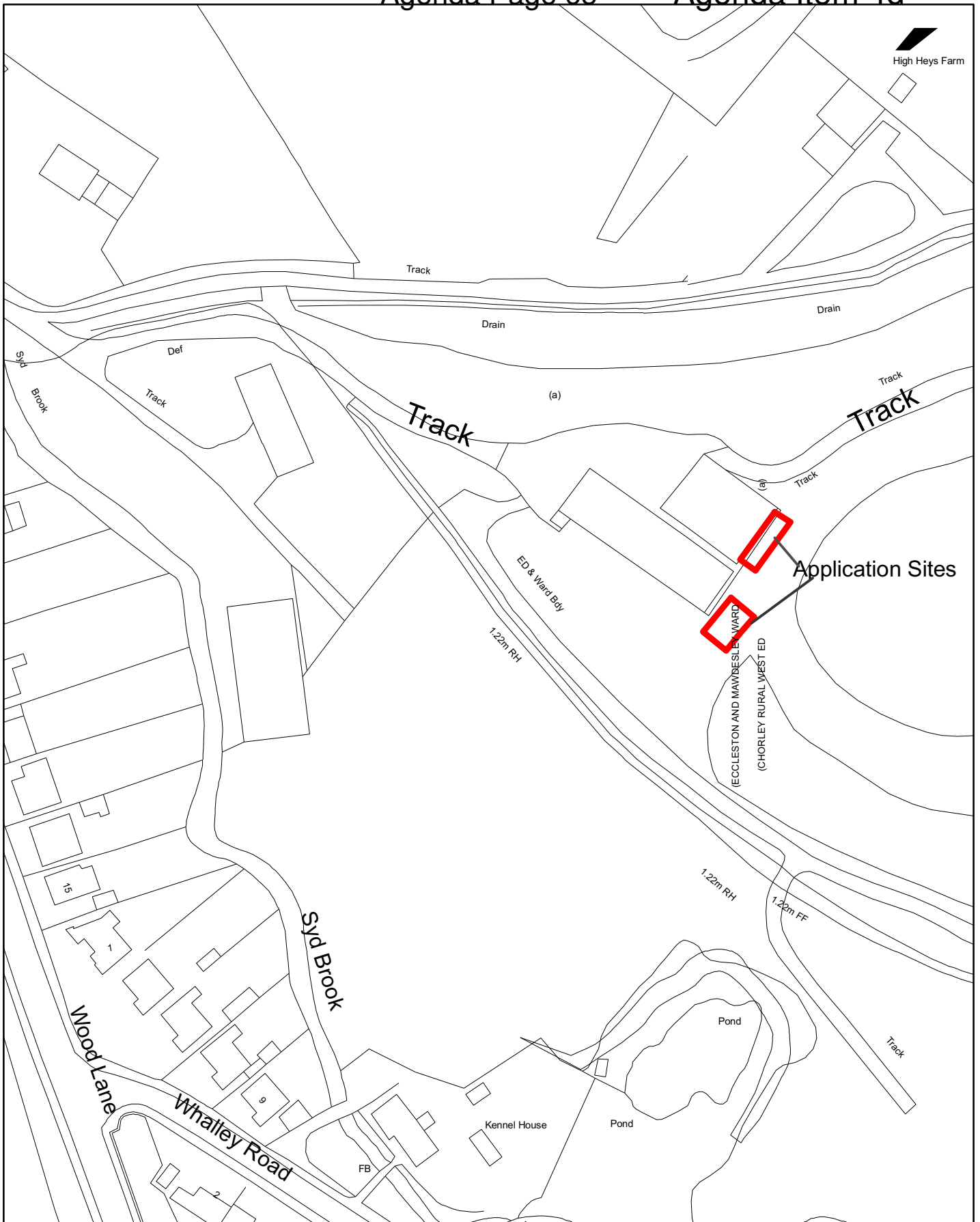
4. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development 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 and DC8A of the Adopted Chorley Borough Local Plan Review.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (Schedule 2, Part 1, Classes A to E), or any Order revoking or re-enacting that Order, with or without modification, 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: The dwelling is associated with Orcheton House Farm and the Local Planning Authority wish to control the size of the dwelling in the future, in line with Planning Policy Statement 7 to protect the appearance of the locality and openness of the Green Belt and in accordance with PPG2 and policy DC1 of the Adopted Chorley Borough Local Plan Review.

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Jane E Meek BSc(Hons) DipTP MRTPI
 Director of Development and Regeneration
 Chorley Borough Council

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Application No.

09/00873/FUL

Grid Ref:

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 N: 415983

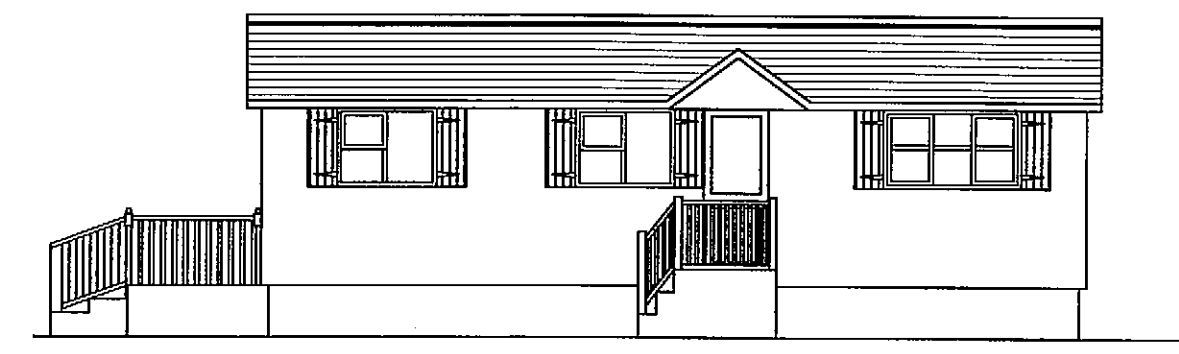
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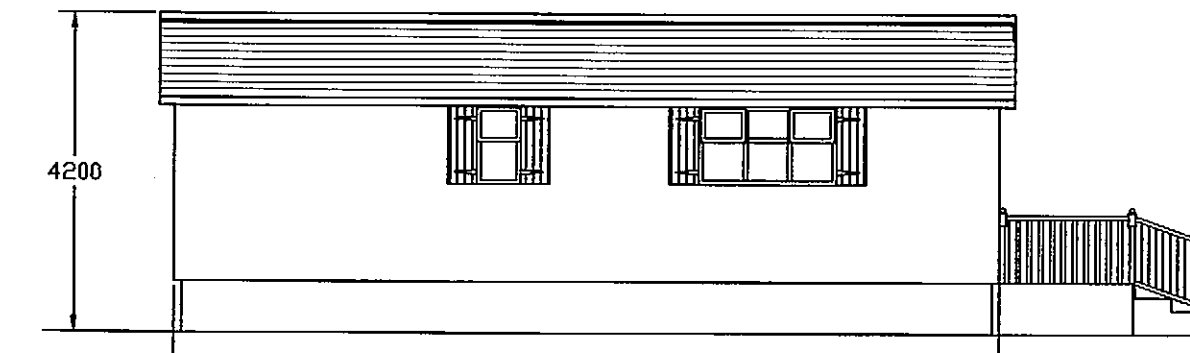
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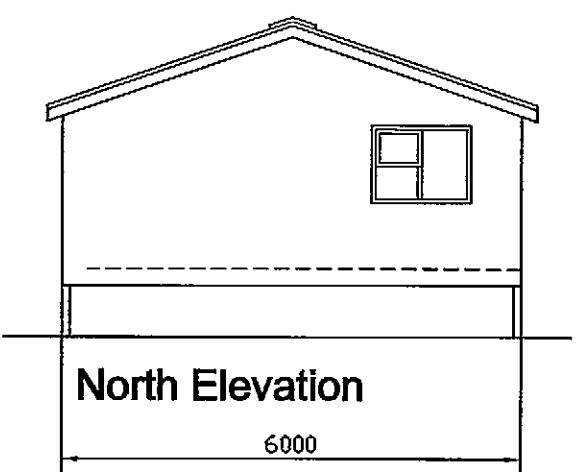
Training Centre 1:100



East Elevation



West Elevation

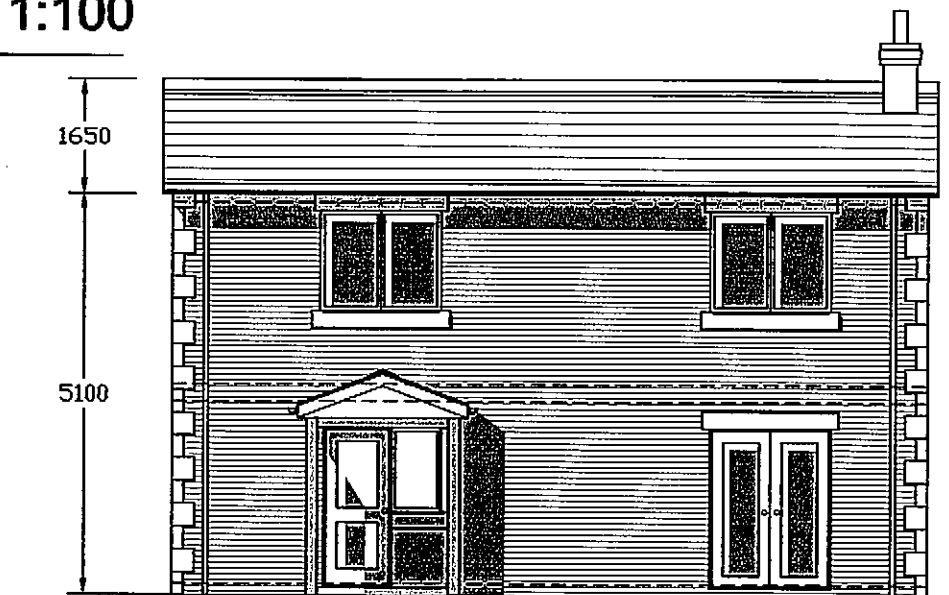


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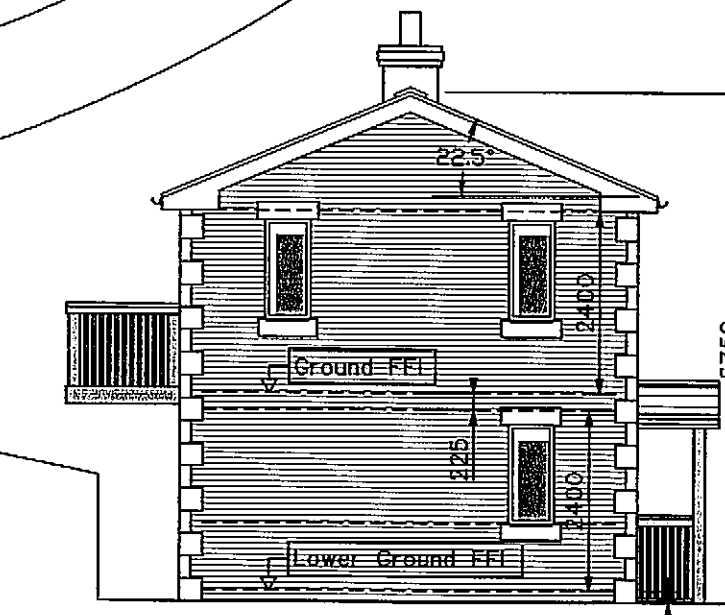


South Elevation

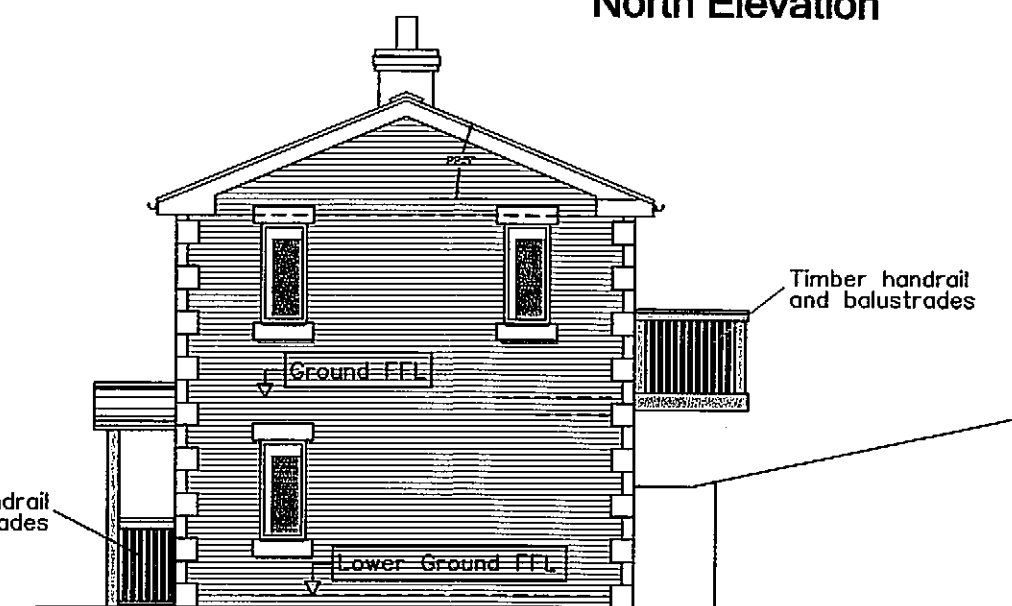
New Dwelling 1:100



West Elevation



North Elevation



South Elevation



East Elevation

CHORLEY BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
2 NOV 2009
THIS IS THE PLAN REFERRED TO IN
APPLICATION No. 09/1873

Client
RICHARD PRIDEAUX

Title
REPLACEMENT DWELLING & CREATION OF TRAINING FACILITY,
ORCHETON HOUSE FARM, WOODLANE, HESKIN

Drawing No.
09W068-001

Revision/Issue no.
1

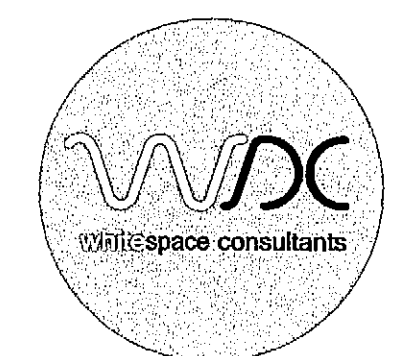
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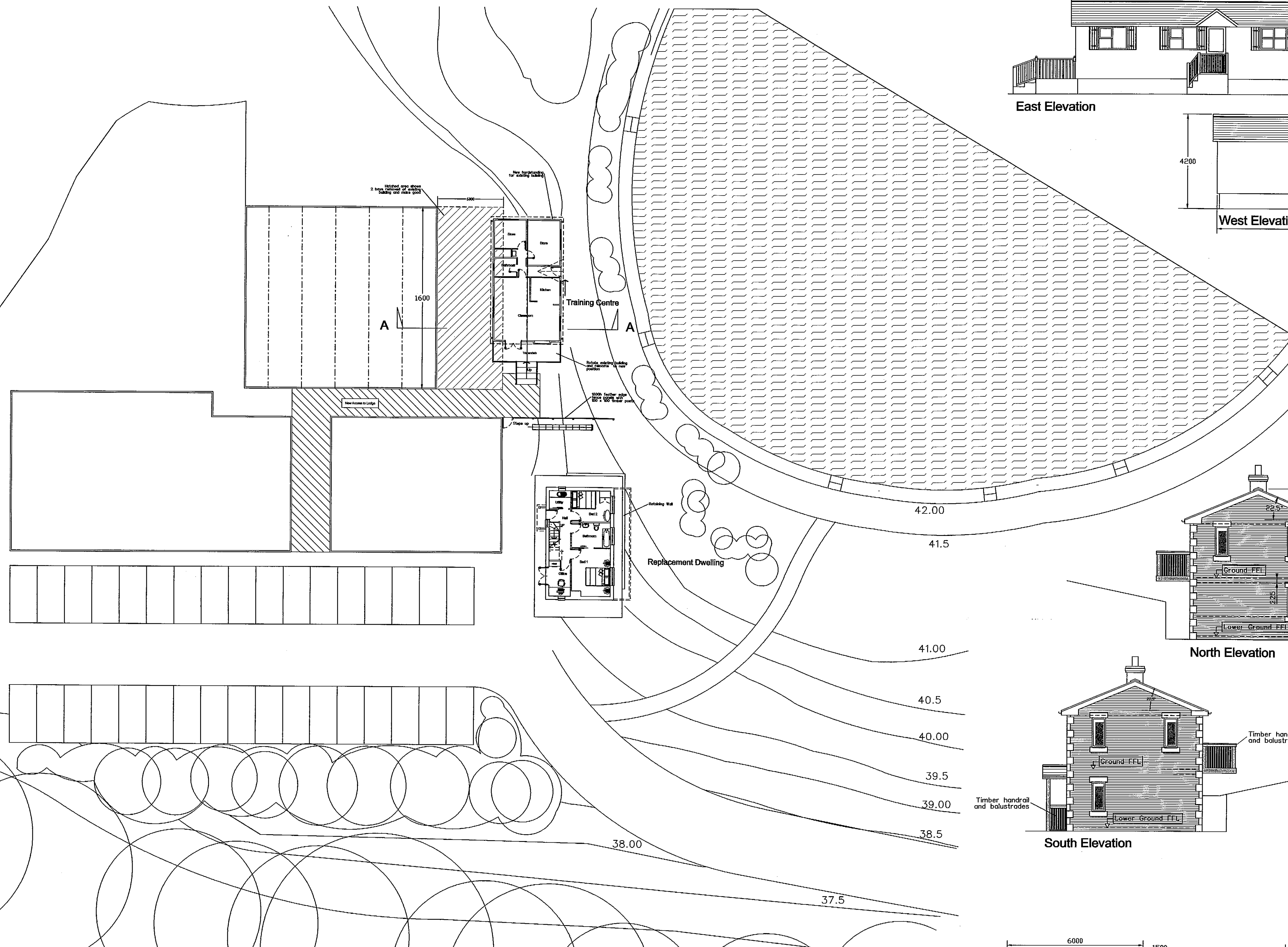
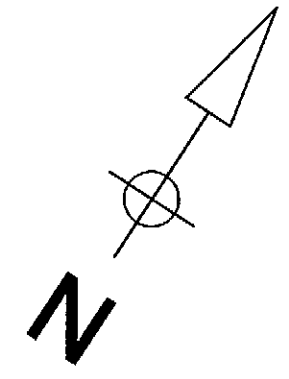
Drawn by
AWJ

Approved by
NY

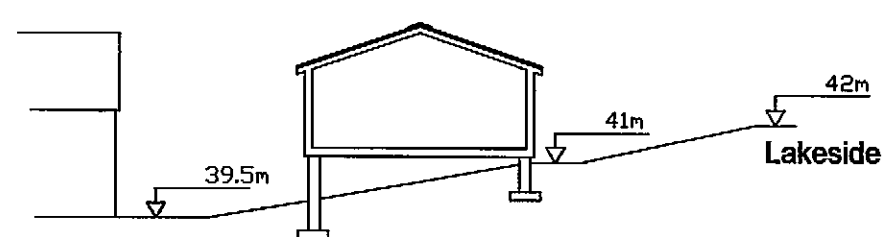
Whitespace Consultants Ltd.
Nortex Business Centre,
105 Chorley Old Road, Bolton,
BL1 3AS
T. 01204 599800 F. 0870 7821631 E. sales@whitespace.org.uk
Web www.whitespace.org.uk



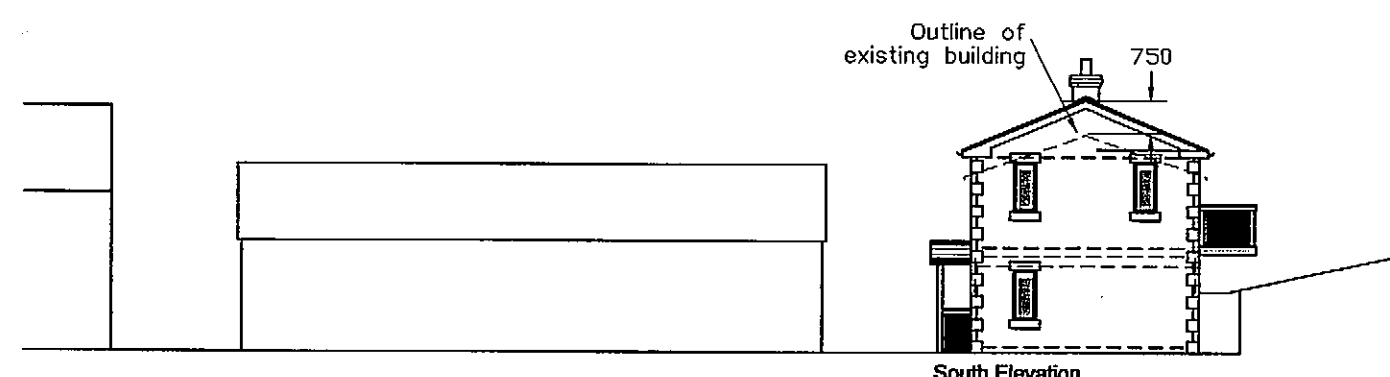
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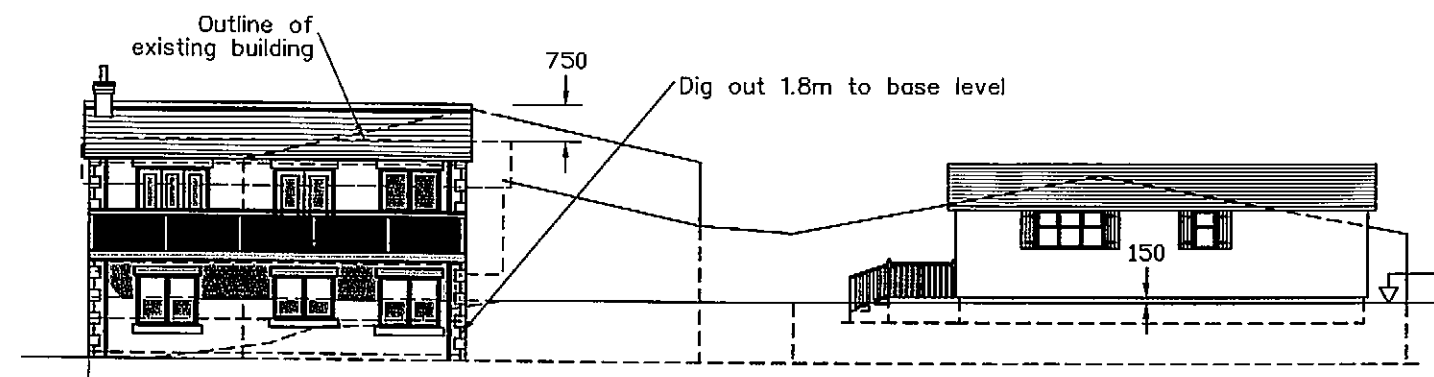
Proposed Plan



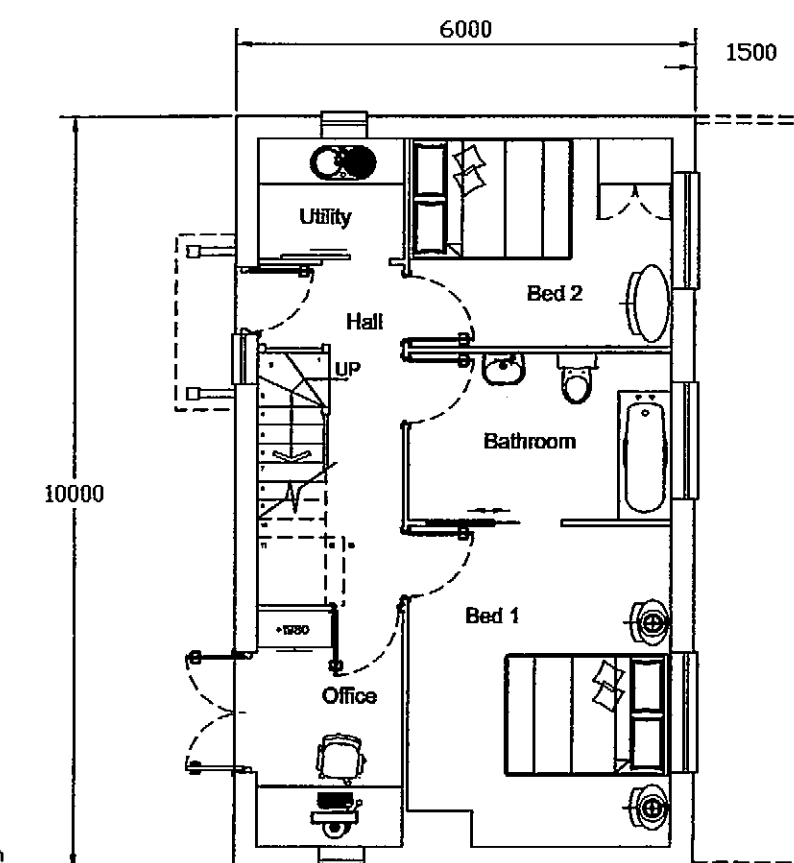
Section A-A



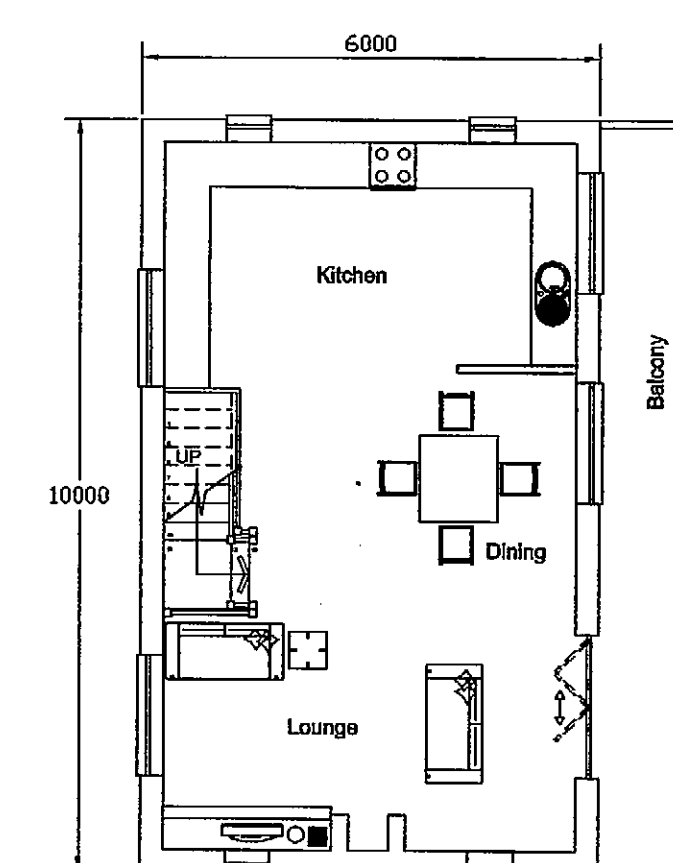
South Elevation



East Elevation



Lower Ground Floor Plan
Scale 1:100



Ground Floor Plan
Scale 1:100

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Item 5 **09/00850/FUL** **Permit (Subject to Legal Agreement)**

Case Officer **Mrs Nicola Hopkins**

Ward **Chorley South East**

Proposal **Re-plan of part of the site including the construction of 8 dwellings, parking court and associated garages (amendment to reserved matters approval 07/01226/REMAJ). Including the erection of 1 additional dwelling.**

Location **Formerly Multipart Distribution Limited Pilling Lane Chorley**

Applicant **Barratt Homes Manchester**

Proposal The application relates to an amendment to the previously approved reserved matters application at the former Multipart site, Pilling Lane. Planning permission was granted in January 2008 for the erection of 400 dwellings on the whole site. The site was split into two with Barratt Homes gaining planning permission for half the site and Redrow Homes gaining planning permission for the other half.

The half of the site subject to this planning application relates to the Barratts half of the site. Barratt Homes propose to amend part of their site which includes removing a footpath/cycle link to Smith Street which was originally approved.

Summary The proposal incorporates amending the approved layout and removing the footpath/cycle link to Smith Street. A few of the residents along Smith Street raised concerns with this access and it is considered that the amended scheme alleviates these concerns. The proposal results in the addition of an extra dwelling in this location when compared to the previous approval. The proposed changes are very minor and are considered to be acceptable.

Planning Policy PPS 1, PPS3, PPS23, PPG13. Policy DP1, Policy DP3, Policy UR7, Policy ER5 (NWRSS). Policy 7, Policy 12, Policy 21, Access and Parking SPG, Landscape and Heritage SPG (JLSP). GN1, EP4, EP9, EP10, HS4, HS19 (ACBLPR)

Planning History **04/00934/OUTMAJ-** Residential development including roads, sewers, open space, landscaping and associated works. Approved

07/01226/REMAJ- Reserved Matters Application for the erection of 200 houses, with associated roads, footpaths, and works. Approved January 2008

Applicant's Case The following points have been submitted in support of the application:

- The proposal is to rotate plots B80-B83 to allow them a frontage outlook into the development. These units faced the other way due to a continuation of Smith Street and a proposed cycle link both of which have been omitted.

- The proposal includes an extra Maidstone house type attached to plots B84-B86 together with the central roof gable to give these properties interesting elevational treatments
- The existing boundary wall will be retained and made good where required, this will allow the remaining properties surrounding the site a sense of privacy from the development whilst maintaining a good treatment to the development boundary

Representations None received

Consultations None received

Assessment **Principle of the Development**

The principle of redeveloping the site for residential development was established with the grant of outline planning permission in April 2005 and the subsequent grant of reserved matters (07/01226/REMMAJ) in January 2008. The proposal incorporates the redevelopment of a brownfield site within a sustainable location.

The whole site is approximately 10.1 hectares in area. 400 dwellings equates to approximately 40 dwellings per hectare which is higher than the minimum 30 dwellings per hectare recommendation set out in PPS3. The site represents high density development which accords with the advice contained in PPS3.

Amendments to the Approved Scheme

The application relates to amendments to part of the Barratts half of the site. The originally approved scheme incorporated a footpath/ cycle link from the development onto Smith Street, which is a neighbouring residential street. Some of the residents along Smith Street raised concerns with this link and as there is a footpath/cycle link onto Grime Street close to Smith Street it was considered that the link onto Smith Street was not necessary as the nearby link onto Grime Street provided adequate linkages between the site and the surrounding area. The Developers were made aware of the concerns in respect of this link hence the submission of this application and the proposed amendments to this part of the site.

The proposed amendments include:

- Removal of the footpath/cycle link onto Smith Street
- Rotating plots B80-B83 to face into the development and back onto the boundary of the site
- The addition of one property attached to plots B84 and B85

Impact on the Neighbours

The proposed amendments only relate to a small part of the site. All of the properties proposed within this part of the site now face into the development and back onto the side gables of the properties on Smith Street and Poplar Street.

The proposed dwellings are two storey terraced properties which is typical of the properties within the surrounding area. From the rear of plots B84- B86 (including B123) 12.5 metres is retained to the side gable of number 18 Poplar Street. From the rear elevation of plots B82-B83 17 metres is retained to the side gable of 16

Smith Street. These measures exceed the Council's 12 metre window to gable standard spacing distance and as such the proposed dwellings will not adversely impact on the residents amenities.

Internally within the site plots B80-B83 have adequately sized gardens for the type of family dwelling proposed on this plot. Plots B84- B86 (including B123) only have 9 metre long gardens. 16 metres in retained between the front of the dwellings and the houses facing these properties on plots B87-B90 which reflects what was approved previously but does not meet the Council's 21 metre window to window distance. In certain situations reducing the distance between the front of dwellings can create an active overlooked street scene. As these properties overlook the footpath/ cycle link it is considered that a 'tighter' street scene in this location is appropriate. As this relationship has already been approved and relocating the properties further forward to create larger garden areas would further reduce the window to window distance it is considered that the proposed dwellings have adequate garden space to serve the type of dwelling proposed.

Highways and Parking

The proposed highway layout to serve the properties subject to this application is identical to the previous layout and approval of the highway layout does not form part of this planning application as it already has approval.

The proposed amendments involve the erection of 3 and 4 bedroom properties. In accordance with the Council's parking standards 2 off road parking spaces are required for three bedroom properties whilst 3 off road parking spaces are required for 4+ bedroom properties.

The Maidstone house types are 3 bedroom dwellings which have two allocated parking spaces within the adjacent car parking court. This provision accords with the Council's parking standards. The car parking court is a similar arrangement to the approved scheme.

Plots B80 to B83 have 2 off road parking spaces. Plot B80 has a driveway and garage to the side of the dwelling. The garage measures 6 metres by 6 metres (this is a double garage shared with plot B79) which accords with Manual for Street. 6 metres is retained in front of the garage to accommodate a car whilst the garage door is open, in accordance with Manual for Streets. Plots B81-B83 have 2 dedicated parking spaces each within the parking court.

Although 3 car parking spaces per dwelling should be provided for plots B80 to B83 this parking arrangement matches the approved scheme and as such it would not be possible to refuse this application on lack of parking. Additionally the parking court incorporates 3 visitors spaces which provides additional parking provision within this part of the site.

Design and Appearance

The proposed dwellings are very similar to the approved house types for these plots and as such the proposals are considered to be appropriate for this part of the site.

Trees

This part of the site accommodates a group of 8 trees which have formed part of the site since the factory was on the site. In order to access the proposed parking court two of the trees will have to be removed however the access has been orientated to ensure the majority of the trees can be retained and this arrangement was agreed as part of the approved reserved matters application at the site.

Section 106 Agreement

The original outline planning approval incorporated a Section 106 Agreement which was directly related to that outline permission and subsequent reserved matters applications. As reserved matter approval has been granted at the site and this application is dealt with as a full application amendments to the original S106 agreement are required to refer to this application.

Conclusion

The principle of residential development was established with the grant of outline planning permission and reserved matters approval. The amendments to the layout and house type substitutions to the application site are considered to be minor and as such the scheme is considered to be acceptable.

**Recommendation Approve Full Planning Permission (Subject to the Section 106 Agreement)
Refuse if the Legal Agreement is not signed by 7th January 2010**

**Recommendation: Permit (Subject to Legal Agreement)
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 only be carried out in conformity with the proposed ground and 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

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 external facing materials detailed on plan reference 400/PM01 Rev A, received 23rd November 2009, 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 of the Adopted Chorley Borough Local Plan Review

6. 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 and HS4 of the Adopted Chorley Borough Local Plan Review.

7. 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.

8. 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 site shall thereafter be managed by the approved Management Company.

Reason: To ensure the satisfactory management of the unadopted highways and public open space and in accordance with Policies TR4 and HS21 of the Adopted Chorley Borough Local Plan Review.

9. The site shall be remediated in accordance with BAE Environmental Remediation Strategy Report (Reference: A0356-02-R1-1). Upon completion of the remediation works a verification/ completion report containing any validation sample results shall be 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 Government advice contained in PPS23: Planning and Pollution Control

10. No dwelling hereby permitted shall be occupied until that part of the service road which provides access to it from the public highway has been constructed in accordance with the approved plans.

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

11. The garages hereby permitted shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

Reason: In order to safeguard the residential amenity and character of the area and in accordance with Policy HS4 of the Adopted Chorley Borough Local Plan Review

12. Prior to the commencement of the development full details of the proposed residents consultation procedure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information on how the residents will be kept informed on the progress of the development prior to commencement and during the development period. Additionally details of the main contact / site manager during the development shall be provided to the Local Planning Authority and the residents

prior to the commencement of the development. The residents consultation plan shall be implemented and completed in accordance with the approved procedure.

Reason: To ensure that the existing residents are fully aware of the progress of the development.

13. 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.

14. The development hereby permitted shall be carried out in accordance with the measures set out within the action plan of the Residential Travel Plan dated April 2009 (submitted under application 09/00374/DIS).

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.

15. 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.

16. The existing soil levels around the base of the trees to be retained shall not be altered.

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

17. Prior to the commencement of the development a schedule for the phased repair/replacement of the boundary walls shall be submitted to and approved in writing by the Local Planning Authority. The information shall include a structural report of the walls/boundary treatment and details of any retaining structures. The development shall be carried out in accordance with the approved schedule of works.

Reason: In the interests of the structural integrity of the site and the visual amenities of the area. In accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.

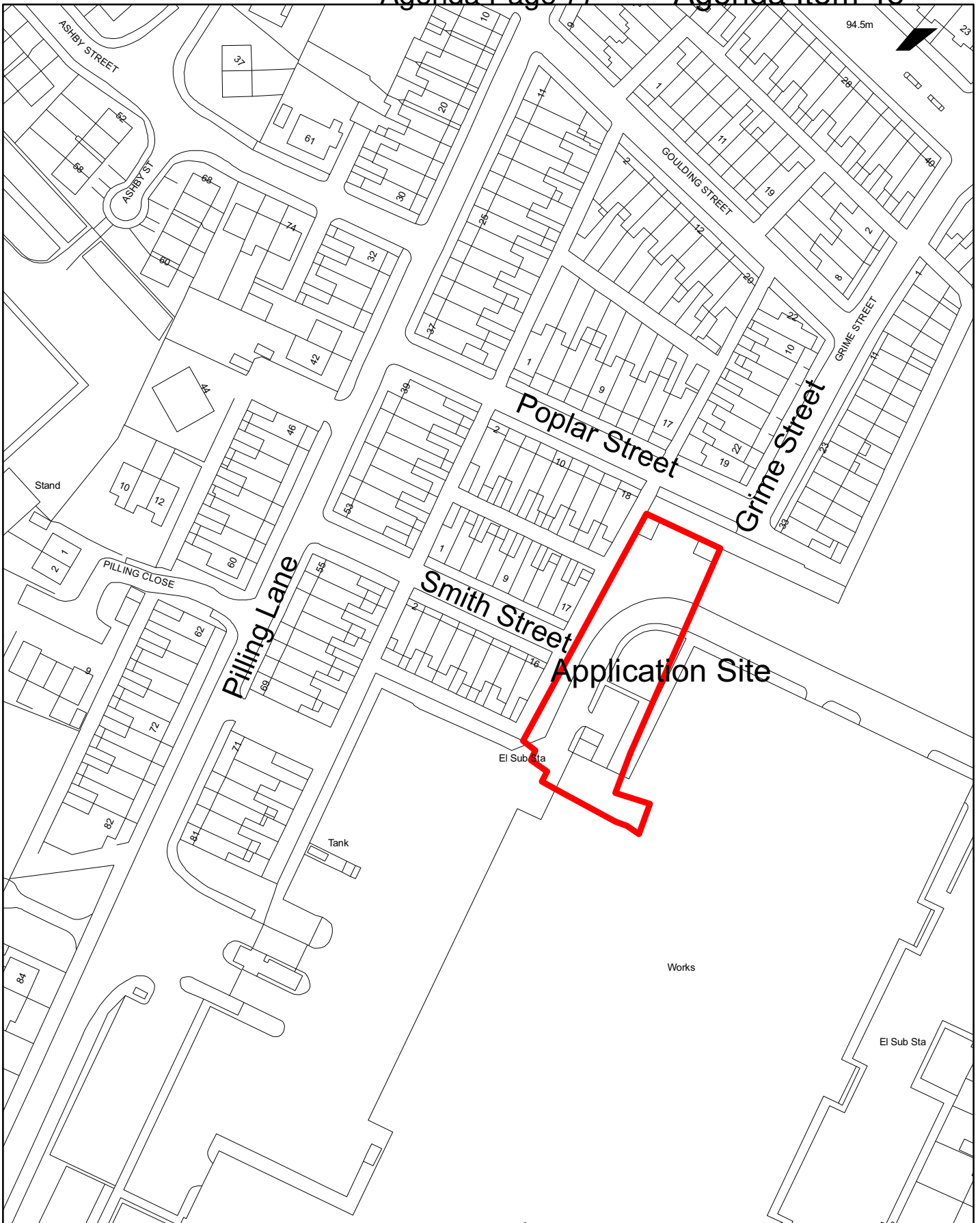
18. Prior to the commencement of the development full details of the gate treatment, to secure the alleyway between plots B84-B123 and plots B82-B83, shall be submitted to and approved in writing by the Local Planning Authority. The gates shall thereafter be retained in perpetuity with access limited to the occupants of plots B84, B123, B82 and B83.

Reason: In the interests of the visual amenities of the area and to reduce any potential security issues. In accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.

19. Before the development hereby permitted is first commenced full details of lighting proposals for the proposed parking court 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.

Reason: To protect the appearance of the locality, to prevent light pollution, in the interests of public safety and crime prevention and in accordance with Policy Nos. GN5 and EP21A of the Adopted Chorley Borough Local Plan Review.

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Jane E Meek BSc(Hons) DipTP MRTPI
 Director of Development and Regeneration
 Chorley Borough Council

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Application No.

09/00850/FUL

Grid Ref:

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 N: 416494

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Every time a person buys a new house, they are buying a new home. It is important that they know exactly what they are buying. This means they should check the description of the property carefully. The description should include the location, size, and other important details. If there is any doubt, the buyer should ask for more information. It is also important to check the date of the description. The description should be up to date. If it is not, the buyer should ask for an updated description. This will help them make a better decision about whether to buy the house.

CHORLEY BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
23 NOV 2009
THIS IS THE PLAN FOR APPLICATION NO. 09/0000

09/850

Ref.	Description	Date	Drawn	Check
H	Geology and ground conditions to be taken into account in the design of the proposed development. The proposed development should be designed to be stable on the ground conditions shown on the site plan.	21/11/09	MS	
G	The proposed development should be designed to be stable on the ground conditions shown on the site plan. The proposed development should be designed to be stable on the ground conditions shown on the site plan.	22/11/09	MS	
F	The proposed development should be designed to be stable on the ground conditions shown on the site plan. The proposed development should be designed to be stable on the ground conditions shown on the site plan.	23/11/09	MS	
E	The proposed development should be designed to be stable on the ground conditions shown on the site plan. The proposed development should be designed to be stable on the ground conditions shown on the site plan.	24/11/09	MS	
D	The proposed development should be designed to be stable on the ground conditions shown on the site plan. The proposed development should be designed to be stable on the ground conditions shown on the site plan.	25/11/09	MS	
C	The proposed development should be designed to be stable on the ground conditions shown on the site plan. The proposed development should be designed to be stable on the ground conditions shown on the site plan.	26/11/09	MS	
B	The proposed development should be designed to be stable on the ground conditions shown on the site plan. The proposed development should be designed to be stable on the ground conditions shown on the site plan.	27/11/09	MS	
A	The proposed development should be designed to be stable on the ground conditions shown on the site plan. The proposed development should be designed to be stable on the ground conditions shown on the site plan.	28/11/09	MS	

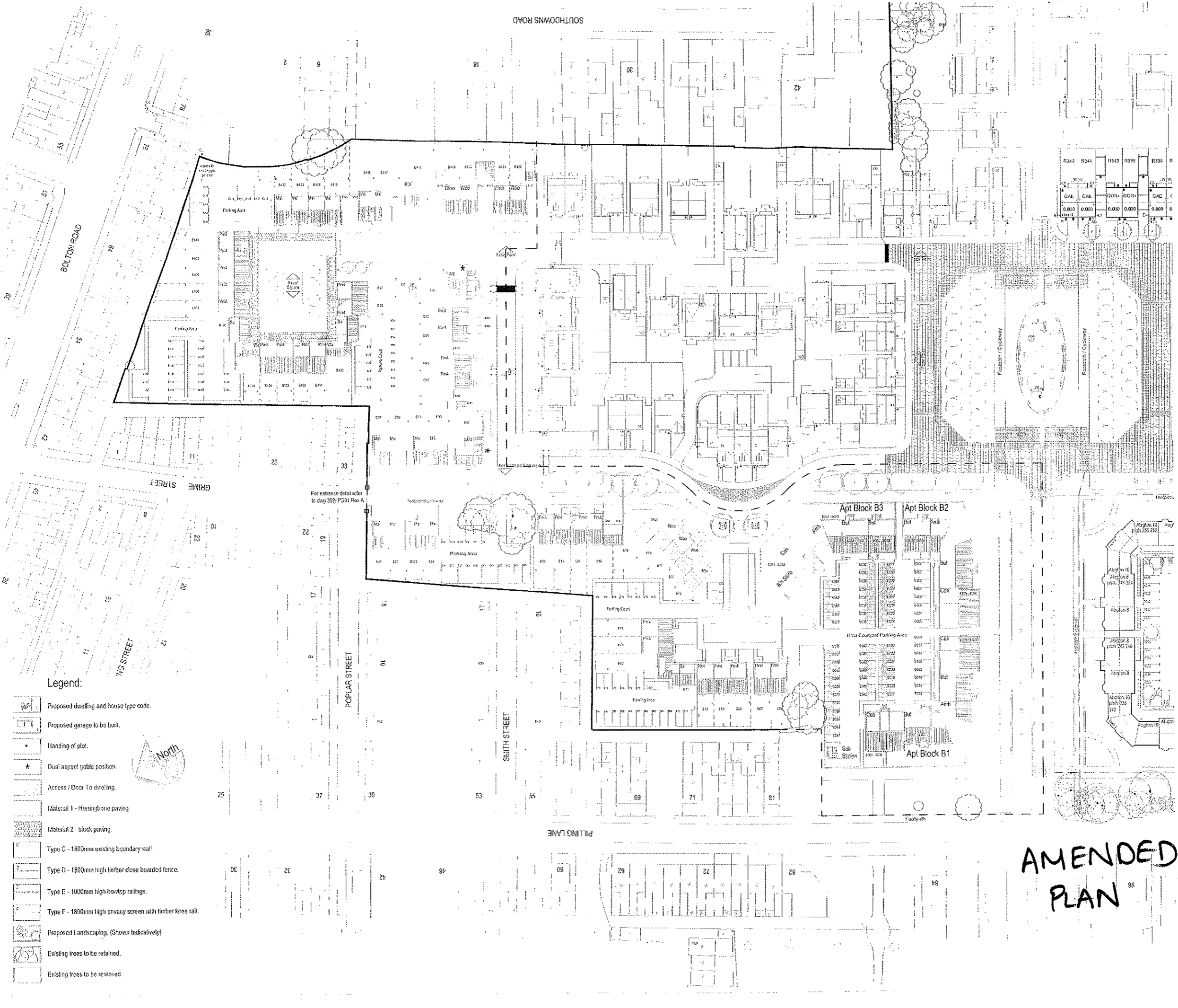


BARRATT HOMES
MANCHESTER

Barratt Homes Manchester
(A division of BDW Trading Ltd)
4 Brindley Road
City Park
Manchester
M16 9JLQ
Tel: 0161 872 0161
Fax: 0161 855 2828

Job	The	Planning Layout
Piling Lane - Chorley		
Drawn By	MS	MS
Check By	MS	MS
Date	23/11/09	23/11/09
Scale	1:200	1:200
Sheet No.	400/PL01	11

AMENDED PLAN



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Item 6	09/00745/FULMAJ	Permit (Subject to Legal Agreement)
Case Officer	Mr Andy Wiggett	
Ward	Chorley East	
Proposal	Proposed Residential Development. Erection of 66 Dwellings and Associated Infrastructure.	
Location	Quarry Road Industrial Estate Quarry Road Chorley	
Applicant	Northern Trust Ltd	
Proposal	<p>The proposal is a full planning application. The scheme proposes 66 mixed two storey dwelling types including 3 bungalows The proposed main vehicular access into the site is from the existing access off Quarry Road with a further access serving only a small number of dwellings off Fell View, again at the location of the existing access. The application follows on from the outline application which Committee resolved to approve in February 2009.</p>	
Policy	<p>Regional Spatial Strategy for the North West L4 W3 EM1 RDF2</p> <p>Chorley Borough Local Plan Review 2003 GN1 EM9 HS4 HS6 TR4</p> <p>Planning Policy Statement 1 - General Principles PPS3 - Housing</p>	
Planning History	<p>08/00023/OUTMAJ: Proposed residential development for 72 no. 2, 2.5 and 3 storey mixed dwelling types with associated roads and open space - refused</p> <p>08/01147/OUTMAJ: Proposed residential development for 76 no. 2, 2.5, 3 & 4 storey mixed dwelling types with associated works – approved subject to S106 agreement</p>	
Consultations	<p>Lancashire County Council Highways Raises no concerns from a highway point of view but wishes to secure a contribution of £17500 towards traffic calming on Yarrow Road and Canterbury Street.</p> <p>Lancashire County Resources Directorate Wish to see a developer contribution of £88260 towards youth services, waste management and public art and public realm.</p> <p>Neighbourhoods Directorate</p>	

Due to the nature of the industries and processes carried on the land there is a potential for ground contamination. Recommends that conditions be attached requiring an investigation and assessment be carried out.

Environment Agency

Having received a contaminated land report from the applicants we would withdraw our objection to the development subject to conditions requiring further investigation and the production of a remediation strategy. Encouragement should be given to the developer to produce a sustainable drainage system.

United Utilities

No objections to the proposal provided it is drained to separate systems. A water supply can be provided.

Coal Authority

Standard comments

Planning Policy

Whilst the retention or redevelopment of employment sites for employment uses is normally preferred, the fact that this particular site does not perform well when assessing its specific suitability for employment re-use, particularly with regard to its poor road access, combined with the fact that it has been marketed without attracting occupiers, means that we do not object to this site being redeveloped for housing.

Representations

One letter of objection has been received raising the following issue:

- The emergency exit off Fell view will be used as a short cut to the houses:

Applicant's Case

- There is a presumption in favour of appropriate development as an unallocated site within the settlement of Chorley
- The proposal for the site represents the redevelopment of previously used land in conformity with national and regional planning policies
- With regard to the provisions of Policy EM9 of the Local Plan, it is considered that an employment re-use or redevelopment would no longer be appropriate for planning or environmental reasons
- The traffic assessment concluded that the development proposals will not have a material impact on the operational performance of the local highway network

Assessment

The main issues concern planning policy, highway and traffic matters, land contamination ecological concerns and design and amenity considerations.

Planning Policy

Members will recall the resolution in February of this year to approve in outline a scheme for residential development of the land. The Local Planning Authority has, therefore, established the principle of the use of the land and the paragraphs below reiterate the considerations taken into account then. This is no longer a material consideration in regard to the determination of this

application but is set out in order that the planning context is clearly explained.

The key issue with regard to planning policy matters was compatibility with Policy EM9 – Redevelopment of Existing Employment Sites for Non-Employment Uses and the relevant Supplementary Planning Guidance. Those considered suitable to be re-used for employment purposes are intended to be reserved for such uses unless there is no realistic prospect for an employment re-use, it would not be economically viable or it would not be appropriate for planning or environmental reasons. The applicant submitted a copy of a report prepared by GVA Grimley which concluded that the site was not a particularly suitable one to be reused for employment purposes and demonstrated that the site was not viable for redevelopment for industrial/warehouse uses. The existing premises are poorly accessed, functionally obsolete and detrimental to the amenity of adjoining residents. A marketing exercise had been carried out without attracting any potential occupiers. The proposal, therefore, met the criteria set out in Policy EM9 so as to permit the site to be reused for a non-employment use.

In terms of housing policy the proposal complies with the criteria set out in HS6 – Housing Windfall Sites as the site is brownfield, in a sustainable location and is compatible with the surrounding uses in terms of amenity and impact on surrounding uses.

The applicant has agreed to provide affordable housing at a level of 20%, that is 13 dwellings.

With regard to the policies of the Regional Spatial Strategy, the additional housing will contribute to the housing figures set out in Policy L4 and is compatible with the aims of Policy RDF2 which seeks to concentrate development in key service centres such as Chorley town.

Highway and Traffic Considerations

The County Highway Authority have no objections to the principle of the development and are only seeking a contribution towards traffic calming in the area. The traffic assessment submitted with the application confirms that it is in a sustainable location and that traffic generated by the development proposal compared with that attracted by the permitted industrial use will be little different and have the added advantage of removing HGVs from the area.

Land Contamination and Ecological Considerations

The application is accompanied by a comprehensive geotechnical survey of the site. The Environment Agency have assessed the report and withdrawn their initial objection but wish to see conditions imposed to secure a method statement and remediation strategy which also would cover the possibility of further contamination being found and for post remediation sampling and monitoring. The land was previously tipped in connection with an adjoining brick and terracotta works. Since then the land has been completely covered in concrete surfaces and buildings and has no ecological value. Along the frontage with the houses on Fell View there is an area of landscaping but this would be retained. The application is accompanied by a

report on arboricultural issues which concludes that the development as proposed will not have an adverse or negative impact on the local or wider landscape given that those trees proposed for removal are almost all of a relatively poor condition and that the proposals can be used as a means of replacing these trees with better specimens as part of a landscaping scheme prepared for the site. It also recommends that an appropriate method of Japanese Knotweed eradication be formulated.

Design and Amenity Considerations

The detailed scheme differs from the outline application in that a piece of land that currently forms a landscaped area on Fell View will be incorporated into the site and be used for frontage housing together with a small parking court. The scheme now includes footways along Fell View which serves the existing housing development there. The trees being removed consist of poor silver birch specimens and it is considered that on balance the improved layout benefits the current residents more than the loss of the trees. The layout satisfies the Council's interface distances in relation to the houses on Hornby Road and the new houses will be at approximately the same level. The houses on Fell View have blank elevations towards the proposed new houses. Their design of brick with tile roofs with small porch and projecting brick dentil features is considered acceptable.

Conclusion:

The current application satisfies the relevant policy criteria with regard to new housing and follows on from the Council's approval of the outline planning application. It is on a brownfield site that can be released from employment use as the requirements of Policy EM9 have been met. The layout is acceptable and does not adversely affect the amenity of adjoining houses. The Highway Authority have no objections subject to securing a contribution to traffic calming measures. This matter, a contribution to open space provision and affordable housing will form part of a S106 agreement to be entered into before the planning permission is issued.

Recommendation: Permit (Subject to Legal Agreement) 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 (notwithstanding any details shown on the 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 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. 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 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 and HS4 of the Adopted Chorley Borough Local Plan Review.

6. 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 and HS4 of the Adopted Chorley Borough Local Plan Review.

7. Japanese Knotweed is present within the application area. Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to cause Japanese Knotweed to grow in the wild. Therefore a programme of control/eradication of this species shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The programme shall accord with Environment Agency Guidelines.

Reason: To ensure the eradication of Japanese Knotweed in accordance with the Wildlife and Countryside Act 1981 (as amended).

8. No development shall take place until full details have been submitted of the predicted energy use of the development expressed in terms of carbon emissions and a schedule setting out how energy efficiency is being addressed, including benchmark data. It will show on-site measures to be installed and implemented so as to produce a minimum of 10% or locally set targets whichever is the higher) of the predicted energy use of the development by means of low carbon energy sources. Appropriate on-site measures include rainwater/brown water recycling. No development shall commence until the scheme has been approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area, in line with the objective of National Planning Policy contained in Planning Policy Statement : Planning, the Climate Change Supplement to PPS1 and Chorley Borough Council's Adopted Sustainable Resources DPD.

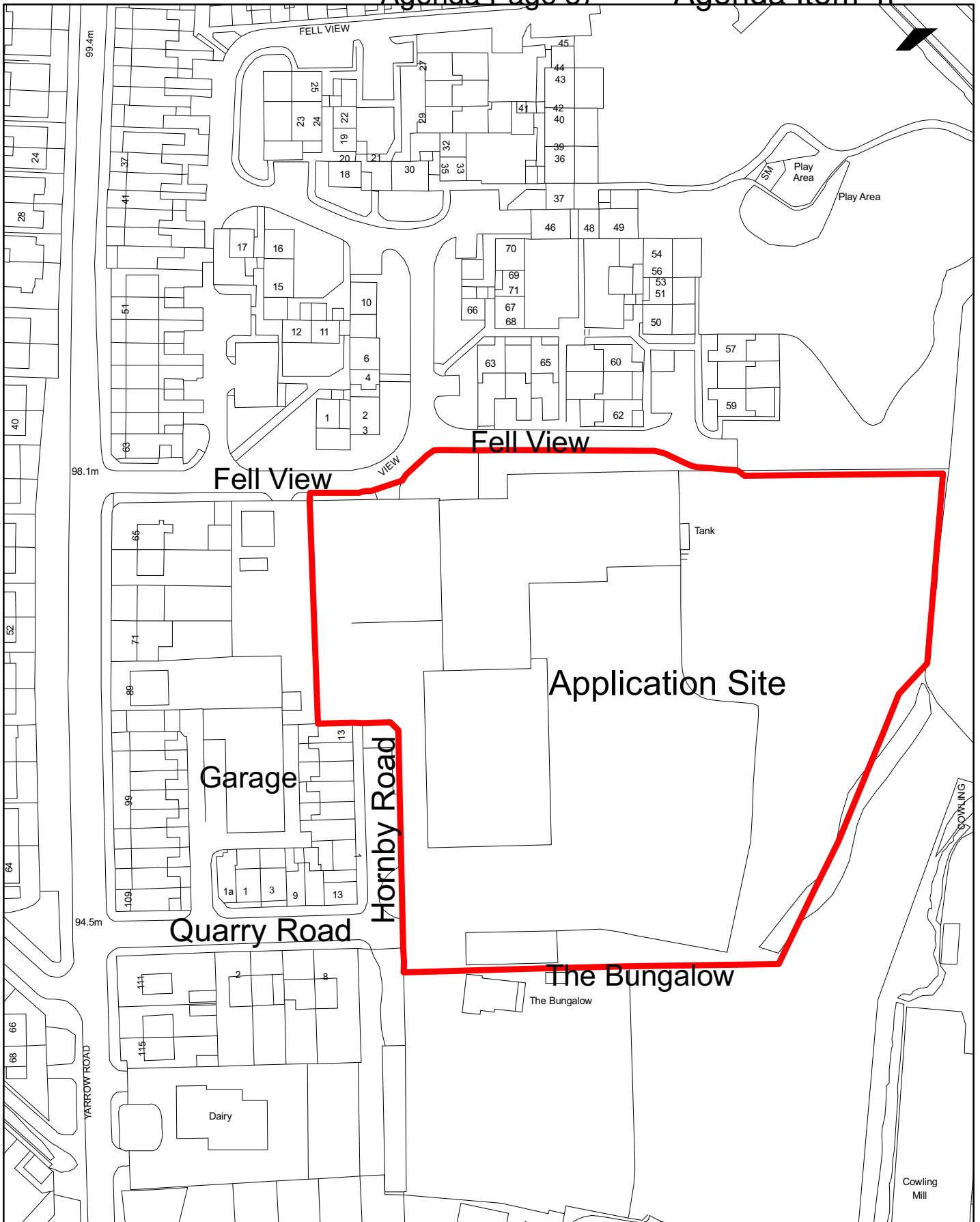
9. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal 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.

10. 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 types, 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 the guidance in PPS23 – Planning and Pollution



Jane E Meek BSc(Hons) DipTP MRTPI
 Director of Development and Regeneration
 Chorley Borough Council

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Application No.

09/00745/FULMAJ

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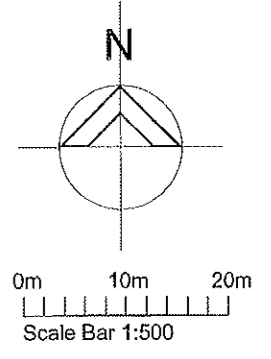
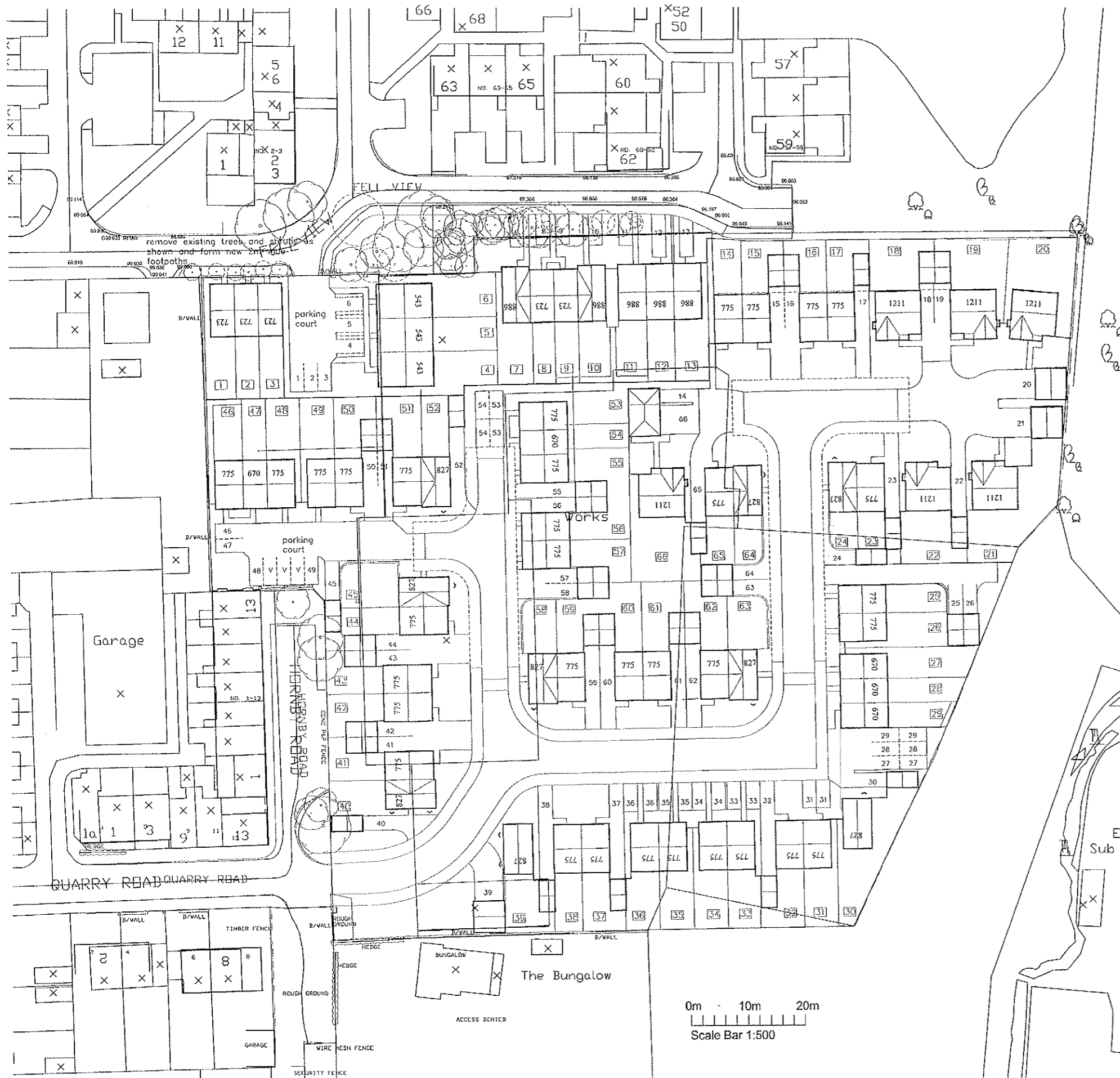
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**M.J.FELLOWS
QUARRY ROAD, CHORLEY
ACCOMMODATION SCHEDULE**

GENERAL SALE				
NAME	TYPE	SQ FT	NO	TOTAL SQFT
1211	4 BED DET HOUSE	1211	6	7266
827	3 BED DET HOSE	827	2	1654
827	3 BED SEMI HOUSE	827	7	5789
775	3 BED SEMI HOUSE	775	29	22475
775	3 BED TERRHOUSE	775	4	3100
670	2 BED TERRHOUSE	670	5	3350
	TOTAL		53	43634
AFFORDABLE				
886	3 BED TERR HOUSE	886	5	4430
723	2 BED TERR HOUSE	723	5	3615
543	1 BED TERR HUNG	543	3	1629
	TOTAL		13	9674

09/745

CHORLEY BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
24 SEP 2009
THIS IS THE PLAN REFERRED TO IN
APPLICATION NO. 09/745

A Plots 44 & 45 moved forward.
B Margins added.

07.09.09 JRM
23.09.09 JRM

CLIENT
M.J. Fellows Ltd.

PROJECT
Proposed Residential Development at Quarry Road, Chorley.

DRAWING TITLE
Proposed Site Layout

DATE
31:07:09

SCALE
1:200

DRAWN
JRM

DRWG No.
09/066/P20

REV
B

LMP
ARCHITECTURAL CONSULTANTS

213 PRESTON ROAD
WHITTLE-LE-WOODS
CHORLEY
LANCASHIRE
PR6 7PS
TEL: 01257 261555
FAX: 01257 267224
www.lmparchitects.co.uk

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Item 7 09/00749/FULMAJ Permit (Subject to Legal Agreement)

Case Officer **Mrs Nicola Hopkins**

Ward **Chorley East**

Proposal **Erection of 37 dwellings (amendment to layout, design, landscaping and external appearance approval as part of planning approval 02/00680/REMMAJ)**

Location **Land Between Froom Street And Crosse Hall Lane Chorley**

Applicant **Mrs Nichola Burns**

1 letter has been received querying the increased traffic levels
Consultation expiry: 11th November 2009
Application expiry: 8th January 2010

Proposal The application incorporates amendments to a previously approved scheme. The previous scheme (02/00680/REMMAJ) incorporated the erection of 161 dwellinghouses. The proposal incorporates amendments to part of the site and seeks to amend the layout, design, landscaping and external appearance of 37 dwellings on the site. A subsequent planning approval at the site amended the originally approved layout and resulted in a scheme which incorporates the erection of 164 dwellings across the whole site.

The site is located between Froom Street and Cross Hall Lane, Chorley and covers a site area of 7.83 hectares. The principle of redeveloping the site for residential use was established as far back as 1988 with the grant of outline planning permission. In addition to this the site is allocated as a housing site within the Adopted Chorley Borough Local Plan Review.

The whole site is 7.83 hectares in size. The proposed amendments would result in the construction of 172 dwellings across the whole site which equates to a density of 22 dwellings per hectare. This part of the site covers 0.83 hectares.

The gross density of the proposed scheme is some 22 dwellings per hectare. This falls well below the Government's recommended minimum density of 30 dwellings per hectare necessary to achieve a relatively efficient use of land. However, this is a somewhat constrained site which reduces the effective developable area. In addition to this the principle of a low density development has already been established at the site and this proposal would actually increase the previously approved density creating a more efficient use of land.

Summary This proposal relates to an amendment to a previously approved scheme. The principle of redeveloping the site was established over 20 years ago and this proposal which results in an increase in the number of dwellings on the site will represent more efficient use of the land.

Planning Policy

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 3: Housing

Planning Policy Statement 23: Planning and Pollution Control

Planning Policy Statement 25: Development and Flood Risk

Planning Policy Guidance 13: Transport

North West Regional Spatial Strategy:

Policy DP1: Spatial Principles

Policy DP2: Promote Sustainable Communities

Policy DP4: Make the best use of Existing Resources and Infrastructure

Policy DP5: Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility

Policy DP6: Marry Opportunity and Need

Policy DP7: Promote Environmental Quality

Policy DP9: Reduce Emissions and Adapt to Climate Change

Policy RDF1: Spatial Priorities

Policy L4: Regional Housing Provision

Policy L5: Affordable Housing

Policy RT9: Walking and Cycling

Policy EM5: Integrated Water Management

Policy EM15: A Framework for Sustainable Energy in the North West

Policy EM16: Energy Conservation and Efficiency

Policy EM17: Renewable Energy

Adopted Chorley Borough Local Plan Review:

GN1: Settlement Policy- Main Settlements

GN5: Building Design and Retaining Existing Landscape Features and Natural Habitats

GN9: Transport Accessibility

EP4: Species Protection

EP9: Trees and Woodland

EP17: Water Resources and Quality

EP18: Surface Water Run Off

HS4: Design and Layout of Residential Developments

HS5: Affordable Housing

HS6: Housing Windfall Sites

HS21: Playing Space Requirements

TR4: Highway Development Control Criteria

TR18: Provision for pedestrians and cyclists in new developments

Policy SR1: Incorporating Sustainable Resources into New Development

Sustainable Resources Development Plan Document

Planning History

9/88/527- Outline application for residential development on approximately 8 hectares of land. Approved.

9/90/693- Renewal of outline planning permission for residential development. Approved.

9/93/89- Provision of canal bridge, access road and footways to serve approved residential development site. Approved.

9/93/332- Application for renewal of outline planning consent no 9/90/693 for residential development of approximately 19.5 acres of land. Approved.

96/00391/FUL- Amendment to condition no 1 of outline planning permission 9/93/332 for residential development and open space to alter time period for submission of reserved matters from three to five years. Approved.

98/00207/OUT- Renewal of outline planning permission 9/93/332 for residential development. Approved

98/00208/FUL- Renewal of planning permission 9/93/89 for provision of canal bridge, access road and footways to serve residential development site. Approved

02/00680/REMAJ- Reserved Matters application for proposed housing development consisting of 161 dwellings and public open space Approved

02/01123/FULMAJ- Modification of condition 1 on planning permission 9/98/00207/OUT for residential development, to extend the period of time in which reserved matters can be submitted by one year. Withdrawn

06/01057/FULMAJ- Substitution of house types and minor amendments to plots 1, 8, 10, 14, 15, 17, 31 and 32, and amendments to approved layout (02/00680/REMAJ). Approved

06/01187/TPO- Crown reduce or remove assorted trees (removed trees to be replaced) some covered by TPO4 (Chorley) 2003. Approved October 2006

06/01301/FUL- Erection of electric substation to serve approved residential development. Approved

07/00538/FUL- Proposed amendments to approved layout 9/02/00680/REMAJ. House type substitution to plot 25. Approved

07/01051/FULMAJ- House type substitutions, the erection of 3 additional dwellings and minor revisions to roads serving plots 84 - 161. Part amendment to the originally approved layout ref 9/02/00680/REMAJ (site area 7.83 hectares). Approved

Applicant's Case

The following points have been submitted in support of the application:

- The proposed re-plan incorporates replacing 29 dwellings with 37 dwellings.
- The proposal incorporates replacing larger dwellings with smaller townhouses and mews properties
- There is a reduced demand for large detached properties. first time buyers prefer more traditional 2 storey dwellings or 3 bedroom properties

Representations

1 letter has been received querying whether there are any plans to deal with increased traffic along Haworth Road

Consultations

Lancashire County Council (Planning Contributions) have

commented on the scheme

United Utilities have no objection

The Ramblers Association have raised concerns in respect of the impact on footpath 19 and the diversion along a tarmac footpath

Natural England have commented on protected species and the need for surveys

Lancashire County Council (Ecology) have no further comments to make other than those made in respect of application 02/00680 and the requirements to protect the Black Brook and protected species.

The Environment Agency have no objection

Lancashire County Council (Strategic Planning) have commented on housing, minerals and waste and renewable energy. They raise no objection

British Waterways have no objection

Corporate Director (Neighbourhoods) has no comments to make

Lancashire County Council (Archaeology) have no comments to make

The Council's Arboricultural Officer has no objection to the proposals

Assessment

Principle of the Development

The principle of redeveloping the site for residential development has been established for a number of years. Outline planning permission was originally granted in 1988 to develop the site for residential purposes. Reserved matters were granted at the site in 2003 (02/00680/REMMAJ). This permission related to the erection of 161 dwellings and the development is currently under construction on site. The site is approximately 25% complete.

This is not an easy site to develop due to the significant levels changes across the site, the fact that the site is bounded by the canal and the M61 and the fact that the Black Brook bisects the site.

Proposed amendments

This application relates to a part amendment to the previously approved scheme. The amendments relate to the northern part of the site, which is adjacent to the canal and the Black Brook. The following amendments are proposed when compared to the approved scheme:

- 8 additional properties
- Plots 35-40 now front onto the new estate road
- Plot 34 incorporates multiple aspects
- Courtyard parking is incorporated
- Dual aspect properties have been incorporated to provide a frontage to Black Brook
- Plots 41-55 have been re-planned to front onto the canal

Along the canal the proposal incorporates split level houses (the houses appear two storey when viewed from the front and three storey from the rear) which front onto the canal. This design solution utilises the asset of the canal and provides overlooking whilst accommodating the level changes on the site.

Properties have been repositioned to front the highway which will create an active street scene and create natural surveillance to the public right of way.

The extent of formal highway (including footways) has been extended along the boundary with the Black Brook to serve the proposed dwellings. It is not considered that this will have any further adverse impact on the Brook when compared to the approved layout and the scheme still incorporates a footpath link along the Brook.

The amended siting of the properties still retains the required spacing distances with the adjacent dwellings and will not adversely impact on the neighbours amenities. It is considered that the scheme is a more efficient use of brownfield land.

Highways and Parking

Access to the site is via Crosse Hall Lane. A bridge crossing the canal has been constructed and serves as the main access to the site. Planning permission was granted for this bridge in 1998 (98/00208/FUL). Pedestrian access is also retained onto Froom Street and Crosse Hall Lane. These access points will act as emergency access points for vehicles but will be gated to ensure that these access points are not utilised by public vehicles.

The scheme incorporates a mixture of 1, 2, 3 and 4 bedroom dwellings. The applicants have been advised that garages should measure 6x3 metres in accordance with Manual for Streets to be considered a parking space, amended plans have been submitted in accordance with these measurements. Additionally within the parking court the proposed garages have been replaced with timber framed carports which provide sufficient parking space and soften the appearance of the expanse of hard standing to these areas.

The applicants have also been advised of the parking requirements for the size of the dwellings proposed. The majority of the properties have adequate parking provision however two of the 4 bedroom dwellings only have two parking spaces. Increasing the driveway space further would remove all landscaping to the front of these dwellings which would create an oppressive appearance. Additionally the approved scheme for this part of the site, which could still be constructed, incorporated the previous parking standards and this scheme incorporates an improvement to the approved scheme. It is considered that 2 parking spaces for these two dwellings is acceptable in this situation.

Ecology

Natural England have commented in respect of bats as it is not clear whether the issue of bat roosts in the trees was addressed at the time of the original outline and reserved matters application or whether the amendments to the layout will have ecological impacts. As such they are advising that an Ecological Survey

should be undertaken. However although there were trees originally on this part of the site they were not considered worthy of retention and as such were not protected by the Tree Preservation Order on the site. Due to the fact that there are no trees on site the proposals will not impact on bat roosts and there is, therefore, no need for additional surveys particularly taking into account the Ecologists comments below.

The Ecologist at LCC has confirmed that they have commented previously upon aspects of the earlier application (02/00680). The Ecologist has also confirmed that provided that the current amended proposals do not compromise in any way the protection of Black Brook (condition 4 of permission 02/0068), or implementation of the approved method statement for the protection of protected species, and the management of areas other than gardens and highways (as required by condition 12), then I have no further comments to make at this time.

In order to ensure that the scheme does not adversely impact on the Ecological assets of the site the same conditions will be attached to the recommendation. It is not considered that the proposals will adversely impact on the ecological assets of the site.

Trees and Vegetation

A few trees on site were considered to be worthy of retention and a Tree Preservation Order was placed on these trees. These trees are not however affected by the development subject to this planning application.

The Council's Arboricultural Officer has confirmed that the proposed changes do not impact upon the existing trees in any significant way and as such he is satisfied with the amendments.

Section 106 Agreement

An original Section 106 Agreement was secured at the site for the provision of on site affordable housing along with a commuted sum for off site affordable housing. The legal agreement also covered open space provision. The agreement was originally signed in 1999 and a supplementary agreement was signed in 2003 requiring the payment of additional commuted sums.

As reserved matter approval has been granted at the site and the date for submitting reserved matters has expired this application is dealt with as a full application. As such a supplemental S106 agreement is required to tie this application into the Section 106 obligations.

Lancashire County Council Planning Contributions team have requested for environmental improvements and waste management. The Section 106 for this site however was agreed a number of years ago and no further obligations can be requested in respect of this site.

Affordable Housing

In respect of the affordable housing the legal agreement specifies 20 low cost housing on site with a floor area of less than 85 square metres and 2 bedrooms or less. The house types originally

agreed as the on site included the Thorpe, Bereford and Didsbury. It was envisaged that the size of the properties ensured that the properties would be affordable. However the legal agreement was signed a number of years ago and this model of affordable housing no longer accords with the Council's definition of affordable housing. As such these properties do not form part of the Council's affordable housing numbers.

Public Rights of Way

There are two public rights of way which cross the site, footpath number 4 and footpath number 19. Footpath 19 is affected by this development however it is proposed to divert this footpath along the footway which is not a significant diversion to the current route. There is currently a temporary footpath diversion in place whilst the construction work is ongoing. The applicant has been advised that a permanent diversion will be required, this will be dealt with by Lancashire County Council.

The Ramblers Association have raised concerns in respect of the replacing a rural footpath with a tarmac footpath. The originally approved scheme included incorporating the footpath through an area of Public Open Space however this was adjacent to the highway footway, partly behind the sub station and to the rear of dwellinghouses. The amended footpath will be overlooked by dwellinghouses fronting the highway, which is more acceptable from an urban design perspective, is no longer located to the rear of the sub-station and is likely to be the preferred route for pedestrians as it is safe and overlooked. As such the footpath diversion is considered to be acceptable.

Resident concerns

One letter has been received querying whether any measures would be incorporated to deal with the increased traffic along Haworth Road. Haworth Road is one of the highways which has been created as part of the whole development. It was always proposed to serve the western half and part of the southern part of the site via this route. Therefore the traffic implications were considered at the time of the original application. It is not considered that the relatively small increase in the number of dwellings will significantly impact on traffic generation on the site.

Sustainability

Since the grant of reserved matters approval in 2003 the Council now has an adopted Development Plan Document and Supplementary Plan Document on Sustainable Resources which requires the submission of a Sustainability Statement. The applicants have submitted a Sustainability Statement as part of this application. Further comments from the Council's Planning Policy Section are awaited in this regard.

Levels

As set out earlier this site is not easy to develop due to various land levels across the site and the fact that the Black Brook and the Canal divide the site. The proposed finished floor levels of the dwellings subject to this application are similar to the surrounding properties and there will be no loss of amenity resulting from significant level changes.

The main level change is between the site and the canal boundary. To deal with this change split level houses are

proposed along the canal which will enable the dwellings in this location to overlook the canal whilst providing an appropriate design solution for this part of the site.

Conclusion The principle of developing the site for residential purposes was established nearly 20 years ago and the redevelopment of the site is currently ongoing. The amendments to the originally approved scheme proposed as part of this application are considered to be minor and it is not considered that the addition of eight extra units will adversely impact on the development or the area as a whole. As such the amendments are considered to be acceptable.

Recommendation **Permit Full Planning Permission**
Refuse if the S106 Agreement is not signed by 8th January 2010

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. All vehicles entering and leaving the site in connection with the construction of the development hereby permitted shall only do so via the new access road and canal bridge permitted under planning permission 9/98/00208/FUL, unless otherwise agreed in writing by the Local Planning Authority.

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

3. Before any development hereby permitted is first commenced the temporary protective metal fencing along the full length and both sides of Black Brook shall have been erected in accordance with the approved details. The fencing, thereafter, shall remain in place at all times during the course of the permitted development being carried out, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the watercourse and prevent debris and construction material from encroaching into this area and in accordance with Policy EP17 of the Adopted Chorley Borough Local Plan Review.

4. Before the development hereby permitted is first commenced there shall have been submitted to and approved in writing by the Local Planning Authority a method statement for providing protection to protected species during the course of the development and a ten year plan (including provision for protecting all protected species and their habitats) for the maintenance and management of all areas other than garden curtilages and highways. Thereafter, the approved method statement and ten year maintenance and management plan shall be fully complied with and implemented in full.

Reason: In the interests of the visual amenities of the development, the amenities of future residents and nature conservation and in accordance with Policies GN5 and EP4 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS9.

5. The development hereby permitted shall be carried out in accordance with the approved scheme for the provision and implementation of a surface water regulation system to limit surface water run off from the completed development to existing rates.

Reason: To reduce the increased risk of flooding and in accordance with Government advice contained in PPS25: Development and Flood Risk.

6. The development hereby permitted shall be carried out in accordance with the approved details of the measures to be taken, during the period of construction, to prevent mud and other debris being carried onto the public highway by vehicles leaving

the site. The agreed measures shall be implemented in full before commencement of the development and retained in operation until such time as the development is complete.

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

7. The site shall be remediated fully in accordance with recommendations made in the Ground Investigation and Remediation Statement Ref: 588/02 Chorley, Crosse Hall Mill Farm (May 2004) by Woodford Consulting Engineers Ltd.

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 Government advice contained in PPS23: Planning and Pollution Control

8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

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 Government advice contained in PPS23: Planning and Pollution Control

9. 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.

10. The development hereby permitted shall only be carried out in conformity with the proposed ground and 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.

11. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed building(s) (notwithstanding any details shown on the 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 and HS4 of the Adopted Chorley Borough Local Plan Review.

12. 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 and HS4 of the Adopted Chorley Borough Local Plan Review.

13. 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.

14. Prior to the commencement of the development full details of the predicted energy use of the development expressed in terms of carbon emissions shall be submitted to an approved in writing by the Local Planning Authority. If no data specific to the application is available benchmark data will be acceptable. A schedule should include how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. It will be flexible enough to show the on-site measures to be installed and implemented so as to reduce carbon emissions in accordance with policy SR1 of the Sustainable Resources DPD. No development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD and Supplementary Planning Document

15. Prior to the commencement of the development details of appropriate mitigation measures to prevent pollution of the waterway during and after the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in accordance with the approved details.

Reason: In order to avoid contamination of the waterway and ground water from wind blow, seepage or spillage at the site. In accordance with Policy EP5 of the Adopted Chorley Borough Local Plan Review.

16. 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.

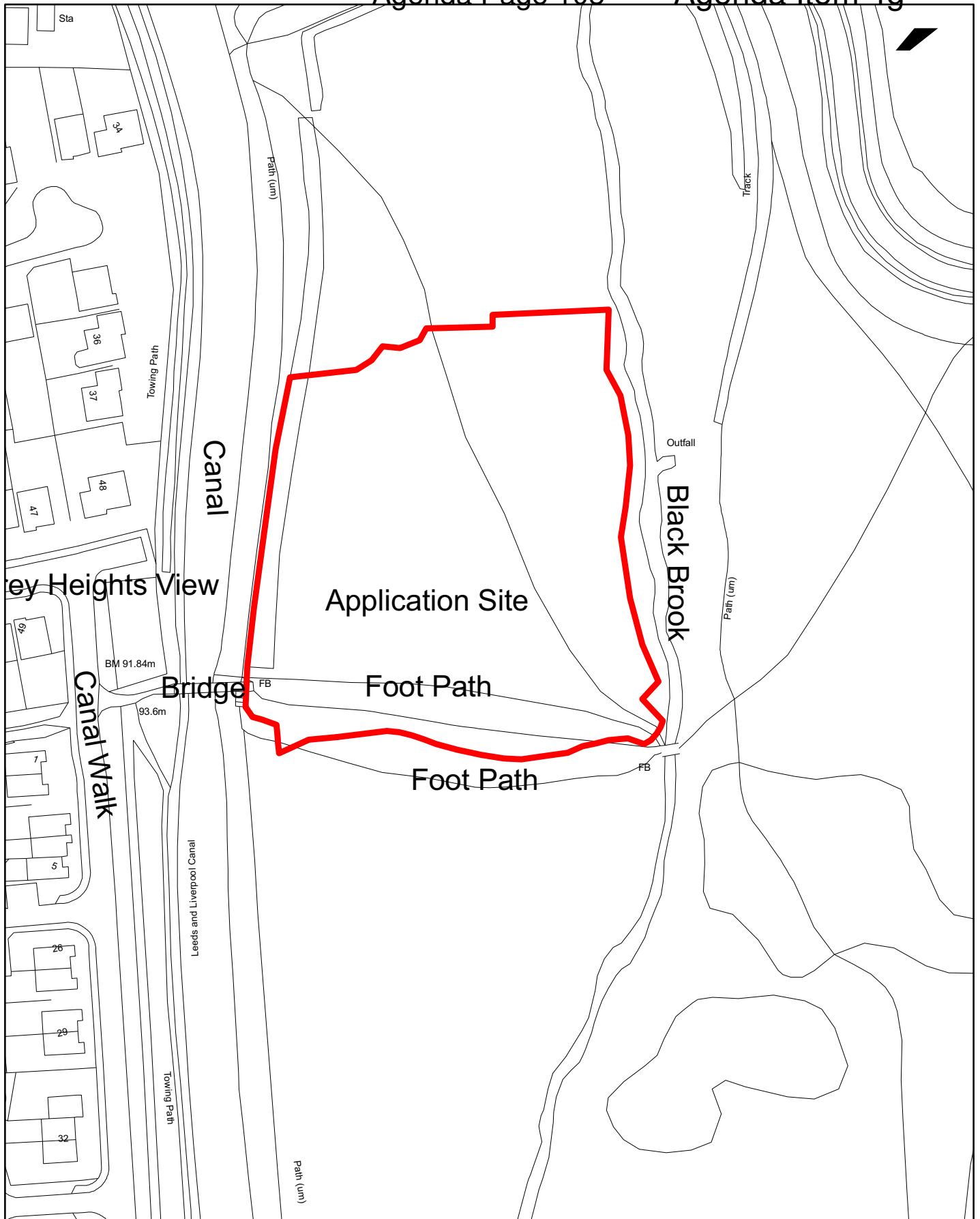
17. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 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.

18. 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, to prevent flooding and to prevent pollution to the waterway. In accordance with Policy Nos. EP18 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS25: Development and Flood Risk

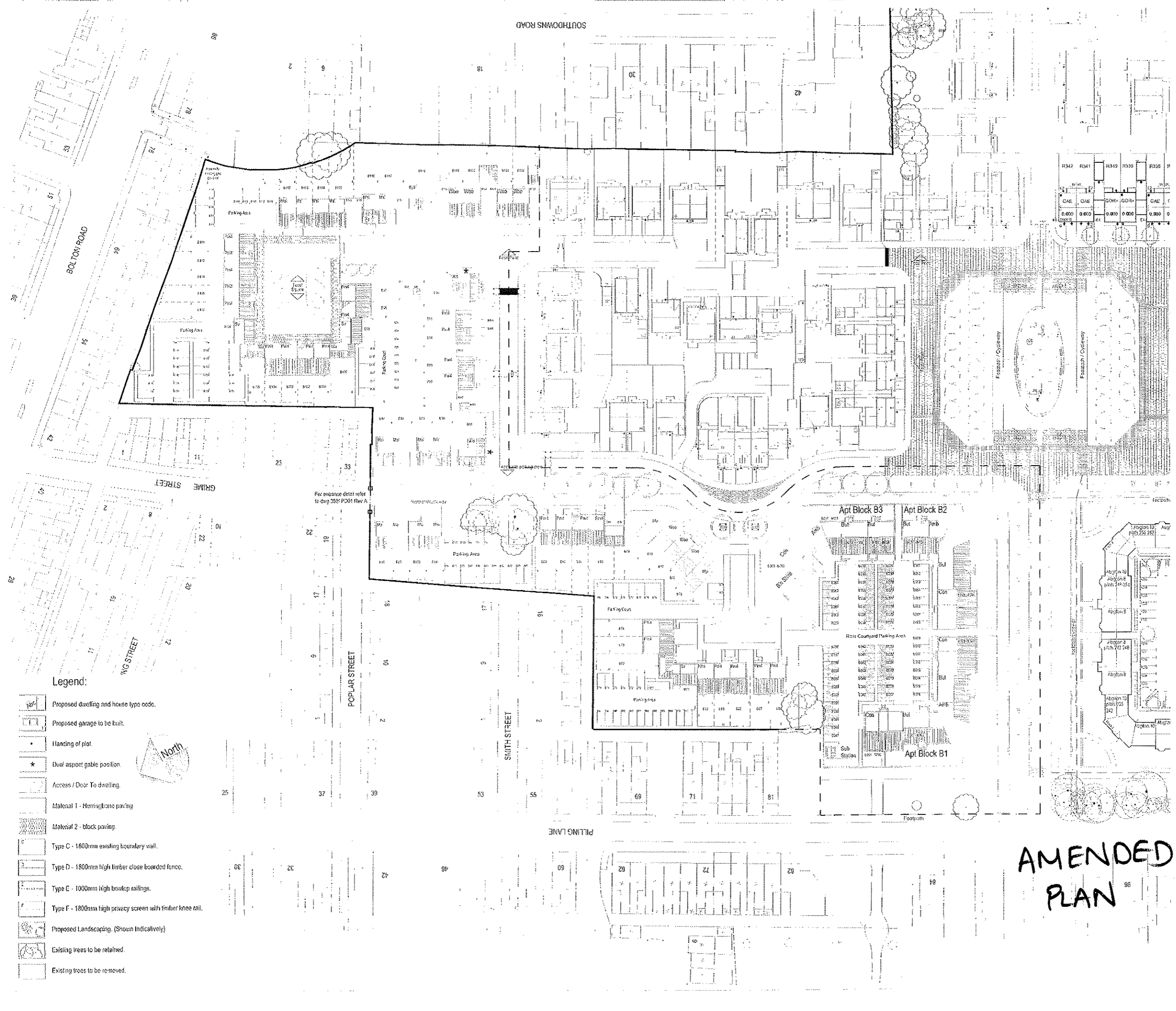
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<p>Jane E Meek BSc(Hons) DipTP MRTPI Director of Development and Regeneration Chorley Borough Council</p>		<p>Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Chorley B.C. 100018509</p>	
<p>Application No. 09/00749/FULMAJ(1)</p>	<p>Grid Ref: E: 359600 N: 417800</p>	<p>Scale: 1:1,250</p>	<p>7</p>

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R342	R341	R339	R338	R335
0.000	0.000	0.000	0.000	0.000

CHORLEY BOROUGH COUNCIL
PLANNING DEPARTMENT
23 NOV 2009
APPLICANT: 091850

091850

- Legend:**
- Proposed dwelling and house type code.
 - Proposed garage to be built.
 - Handing of plot.
 - Dual aspect gable position.
 - Access / Door To dwelling.
 - Material 1 - Herringbone paving.
 - Material 2 - block paving.
 - Type C - 1800mm existing boundary wall.
 - Type D - 1800mm high timber close boarded fence.
 - Type E - 1000mm high backdrop railings.
 - Type F - 1800mm high privacy screen with timber knee rail.
 - Proposed Landscaping. (Shown Indicatively)
 - Existing trees to be retained.
 - Existing trees to be removed.

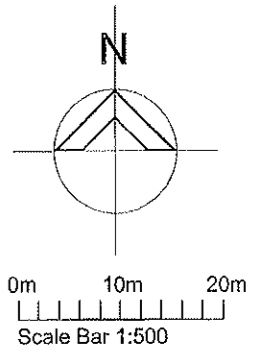
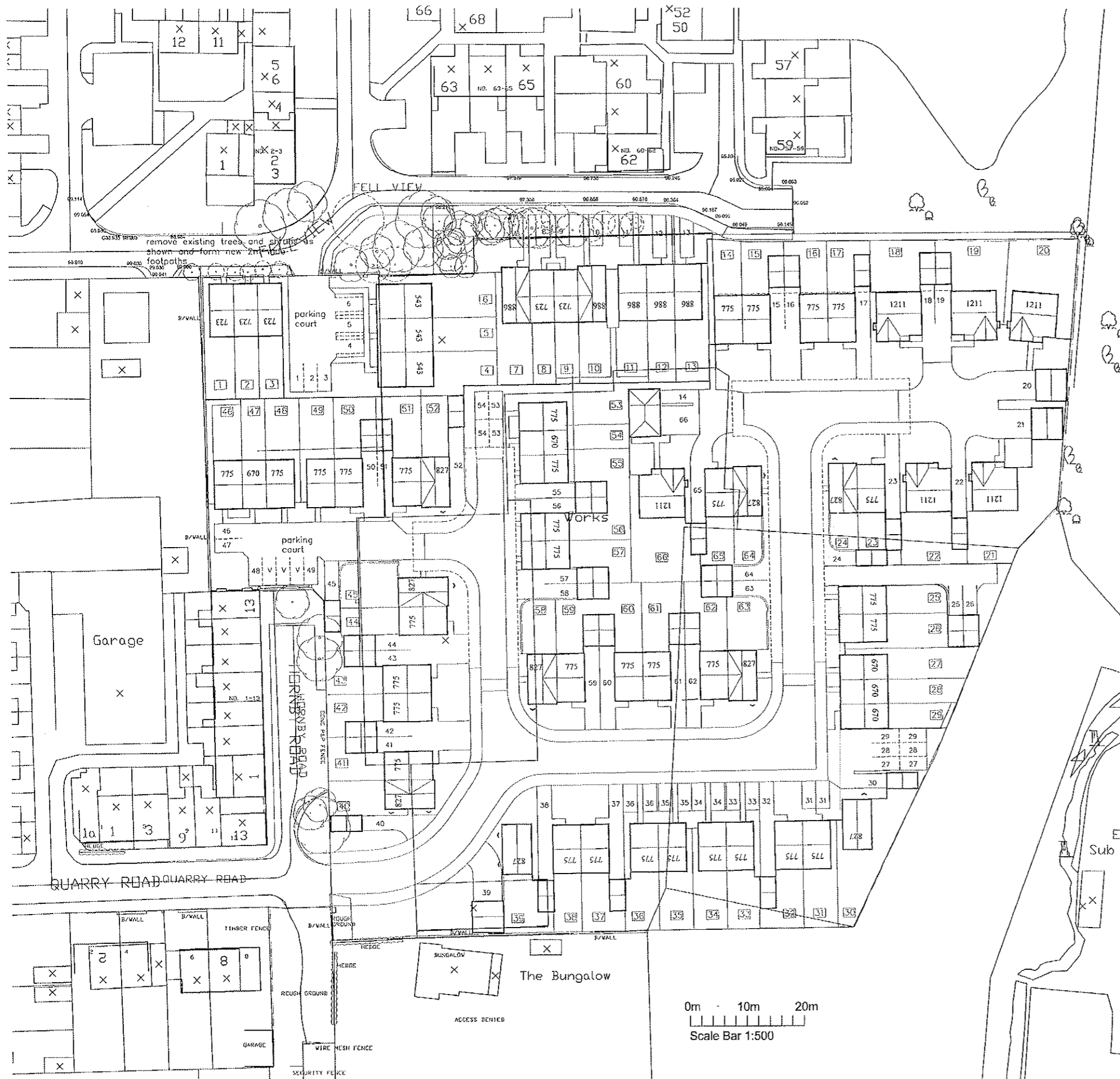
Ref	Description	Date	Drawn	Check'd
H	Original site plan submitted for planning	21/11/09	MS	
G	Revised site plan submitted for planning	01/12/09	MS	
F	Revised site plan submitted for planning	02/01/10	MS	
E	Revised site plan submitted for planning	10/01/10	MS	
D	Revised site plan submitted for planning	01/01/10	MS	
C	Revised site plan submitted for planning	19/01/10	MS	
B	Revised site plan submitted for planning	20/12/09	MS	
A	Revised site plan submitted for planning	10/12/09	MS	

BARRATT HOMES
MANCHESTER

Barratt Homes Manchester
(A Division of BDW Trading Ltd)
4 Brindley Road
City Park
Manchester
M16 9HQ
Tel: 0161 872 0161
Fax: 0161 855 2828

AMENDED PLAN

Design No	Date	Issued For	Rev
M5584W	22/09/09	400 / PLO1	11
044375	15/03/10		



M.J.FELLOWS QUARRY ROAD, CHORLEY ACCOMMODATION SCHEDULE				
NAME	TYPE	GENERAL SALE		TOTAL SQ FT
		SQ FT	NO	
1211	4 BED DET. HOUSE	1211	6	7266
827	3 BED DET. HOSE	827	2	1654
827	3 BED SEMI HOUSE	827	7	5789
775	3 BED SEMI HOUSE	775	29	22475
775	3 BED TERR HOUSE	775	4	3100
670	2 BED TERR HOUSE	670	5	3350
TOTAL			53	43634
AFFORDABLE				
886	3 BED TERR HOUSE	886	5	4430
723	2 BED TERR HOUSE	723	5	3615
543	1 BED TERR BUNG	543	3	1629
TOTAL			13	9674

09/745

CHORLEY BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
24 SEP 2009
THIS PLAN IS REFERRED TO IN
APPLIC. NO. 09/745

A Plots 44 & 45 moved forward
B All rights reserved.

01.09.09 JRM
23.09.09 JRM

CLIENT
M.J. Fellows Ltd.

PROJECT
Proposed Residential Development at Quarry Road, Chorley.

DRAWING TITLE
Proposed Site Layout

DATE
31:07:09

SCALE
1:200

DRAWN
JRM

DRWG No.
09/066/P20

REV
B

LMP
ARCHITECTURAL CONSULTANTS
213 PRESTON ROAD
WHITTLE LE WOODS
CHORLEY
LANCASHIRE
PR6 7PS
TEL: 01257 281555
FAX: 01257 267224
www.lmparchitects.co.uk

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Item 8 09/00714/FULMAJ Permit Full Planning Permission

Case Officer Mrs Nicola Hopkins

Ward Adlington & Anderton

Proposal **Erection of 37 affordable dwellings with external amenity space and off street parking at Fairview Farm, Adlington**

Location **Land Adj Fairview Farm (incl Land Bounded By Chorley Rd Eller Brook And Railway) Chorley Road Adlington**

Applicant **Mr John Wright**

27 letters of objection have been received
Consultation expiry: 13th October 2009
Application expiry: 15th December 2009

Proposal The application relates to the erection of 37 affordable dwellings at the Fairview Farm development in Adlington. Planning permission was granted in November 1999 for the redevelopment of the Fairview Farm site. This dwellinghouses and community centre approved by this permission have now been completed. This affordable housing parcel formed part of the original approval however is has been retained for the provision of affordable housing

The Council owned the whole site which was sold to Westbury Homes (now Persimmon Homes) who developed the main part of the site. The part of the site subject to this application, however, was retained in Council ownership and allocated for affordable housing provision. For the past few years the Council has been working with Places for People who are the Registered Social Landlord who will provide the affordable housing on this site.

Summary The principle of redeveloping this parcel of land for affordable housing was established with the grant of outline planning permission in 1999. The proposal will contribute to the Council's supply of affordable housing and is considered to be the most appropriate use of the land.

Planning Policy **National Polices:**
 PPS1, PPS3, PPS9, PPS22, PPS23, PPS25, PPG17

Circular 05/2005 Planning Obligations

North West Regional Spatial Strategy:

Policy DP1: Spatial Principles

Policy DP4: Make the best use of Existing Resources and Infrastructure

Policy DP7: Promote Environmental Quality

Policy RDF1: Spatial Priorities

Policy L4: Regional Housing Provision

Policy L5: Affordable Housing

Policy RT9: Walking and Cycling

Policy EM1: Integrated Enhancement and Protection of the Region's Environmental Assets

Policy EM5: Integrated Water Management

Policy EM15: A Framework for Sustainable Energy in the North West

Policy EM16: Energy Conservation and Efficiency

Policy EM17: Renewable Energy

Adopted Chorley Borough Local Plan Review:

GN1: Settlement Policy- Main Settlements

GN5: Building Design and Retaining Existing Landscape Features and Natural Habitats

GN9: Transport Accessibility

EP4: Species Protection

EP9: Trees and Woodland

EP17: Water Resources and Quality

EP18: Surface Water Run Off

HS4: Design and Layout of Residential Developments

HS5: Affordable Housing

HS6: Housing Windfall Sites

HS21: Playing Space Requirements

TR4: Highway Development Control Criteria

TR18: Provision for pedestrians and cyclists in new developments

Sustainable Resources Development Plan Document

Statement of Community Involvement

Planning History

95/00322/OUT- Outline application for the erection of factory with ancillary warehouse, offices, service yard, car park together with site access road and roundabout junction works on Chorley Road. Refused August 1995

98/00660/CO4- Regulation 4 outline application for residential development, associated open space and multi-functional community building. Approved November 1999

01/00120/REM- Reserved matters application for 176 houses, multi-functional community building and five-a-side pitch and all associated works. Approved August 2001

01/00145/FUL- Construction of roundabout and new access off Chorley Road & modification of conditions 21 & 12 of outline permission 9/98/660 to allow the alternative access and to prevent access from The Avenue. Permitted August 2001

02/00082/FUL- Construction of new roundabout and new access off Chorley Road and modification of condition 21 of outline permission 9/98/660 (alternative to permission 9/01/145). Withdrawn

02/00291/ADV- Display of non-illuminated signs. Advertisement consent granted May 2002

02/00523/TPO- Felling of tree T2 (adjacent to Chorley Road) covered by TPO 17 (Adlington) 1991. Refused August 2002

02/01165/FUL- Substitution of house type on plot 358. Refused January 2003

03/00010/TPO- Pruning of T2 (Beech) Tree covered by Tree Preservation Order No. 17 (Adlington) 1991, to reduce by 20% the two main branches over Chorley Road and remove all major deadwood from the tree crown. Approved April 2003

03/00062/FULMAJ- Substitution of houses on plots 88-122, with 26 dwellings instead of 34 dwellings. Approved September 2003

03/00186/FUL- Re-siting of 2 dwellings at plots 147 and 148. Approved August 2003.

03/00643/FUL- Erection of community centre, equipped play area, playing pitch, access road and car parking. Approved August 2003

04/00217/FUL- Amendment of house type to include rear conservatory. Approved April 2004

04/00629/FUL- Revision to Planning Permission 9/98/660/CO4 by modification of condition 4 to change public open space (Area 6) from equipped play space to a landscaped park. Pending decision

Applicant's Case

The following points have been submitted in support of the application:

- The combined objectives of the development of this site are:
 - To provide new, quality housing to satisfy identified need within the area of Adlington
 - To provide development that has high standards of environmental sustainability and urban design and that integrates well with the existing residential area

Representations

Adlington Town Council welcomes this development of affordable housing but have some concerns in respect of :

- Drainage
- Ground levels
- Bats
- Trees
- Access

27 letters of objection have been received raising the following points:

- Impact on highway safety- access roads are very narrow
- Additional traffic
- Damage to properties- crime and safety issues
- No benefit to the community
- Impact on bats and loss of trees
- Extra noise and disruption
- Affordable housing- de-value existing properties
- Loss of light and loss of privacy
- Design out of keeping with the neighbouring development
- Loss of open space which is used for play
- Lead to anti-social behaviour
- Flooding
- Too many properties
- Parking problems
- Will not be truly affordable
- No need for affordable housing
- Impact on community facilities

Consultations

Corporate Director (Neighbourhoods) has no objection subject to various conditions/ informatives

Lancashire County Council (Archaeology) have suggested a condition in respect of archaeological investigation

Lancashire County Council (Ecology) initially made comments in particular in respect of incorporating the recommendations of the ecology survey and bat survey reports into the scheme and providing compensation for the loss of the stream habitat and bat foraging habitat.

Following the receipt of amended landscape plans and additional ecological information the Ecologist has confirmed that the new proposals are an improvement on what was originally submitted. However there would still be a loss of biodiversity value.

The Council's Architectural Liaison Officer has commented in respect of Secure by Design and has confirmed that the applicant has to have 'Secured by Design' status for the development in order to secure the available grants.

The Environment Agency initially objected to the scheme as the proposal would lead to the destruction of the watercourse and have a detrimental impact on biodiversity. There is no evidence of any safeguards or compensatory measures for the loss of the watercourse

Following the receipt of the amended landscaping details and additional ecological information the Environment Agency removed their objection. This is subject to various conditions.

Lancashire County Council (Education) requested a contribution to education facilities to accommodate a deficit in primary school places however they have confirmed that there is not a current shortfall

Lancashire County Council (Planning Contributions) have made a request in respect of S106 contributions

The Council's Arboricultural Officer has commented in respect of the trees on site

Central Lancashire PCT have commented in respect of health care facilities in the area.

Strategic Housing have commented on the affordable housing mix

United Utilities have no objection to the scheme subject to various conditions/ informatives

Assessment

Principle of the Development

The site is currently a vacant piece of land which was previously used as agricultural land associated with Fairview Farm. The site is allocated within the Local Plan under Policy HS1.1, which is a saved Planning Policy, for housing development. When outline planning permission was granted for the redevelopment of the whole site in November 1999 the approval incorporated the affordable housing parcel. The subsequent reserved matters application did not incorporate the affordable housing parcel as ownership of this site was retained by the Council to ensure that a Registered Social Landlord (RSL) could provide affordable dwellings on the site. The site has now been sold to Places for People

Additionally the Section 106 Agreement associated with the development requires the developers of the main site to provide the affordable housing parcel with appropriate services and connections.

The principle of developing the site for housing was established with the grant of outline planning permission in 1999. Although the time period for submitting reserved matters has expired, hence why this is a full application, the principle still exists and this site has always been envisaged to be the affordable housing element of the Fairview Farm site.

Proposed Development

The proposed development incorporates the erection of 37 affordable dwellings adjacent to Fairview Farm, Adlington. The site covers 1.19 hectares which equates to approximately 31 dwellings per hectare. This density accords with Government advice contained in PPG3: Housing and will be in keeping with the character of the area.

All the dwellings proposed will be 2 stories high. 30 houses will be made available for rent which are split between 11 two bedroom dwellings and 19 three bedroom dwellings. The remaining seven will be available as intermediate accommodation which are split between 4 two bedroom dwellings and 3 three bedroom dwellings. The scheme incorporates a mixture of detached, semi-detached and terraced dwellings.

Strategic Housing have confirmed that the above mix has been previously agreed with Places for People and the mix is appropriate in respect of need within the area.

The development is being funded mainly through Government funding sources. £1.085 million grant funding has been secured from the Homes and Community Agency (HCA). £577,000 recycled grant funding from Places for People will be utilised and an additional £500,000 is being secured as this is required for changes to the proposed tenures of the dwellings.

Impact on Services

Lancashire County Council have requested Section 106 contributions in respect of waste management and education facilities. The letter submitted by LCC requests £143,407 to provide 13 primary school places. As Chorley Council have not signed up to the County's contribution paper further justification was requested from the Education Authority in respect of this request particularly as this is an affordable housing scheme which would be seriously hindered from a financial viability perspective if an obligation this high was attached to the land.

The Education Authority (LEA) have confirmed that there is not an existing deficit in primary school places within a 2 mile radius of the application site although in the future, 2013/2014, there will be. Circular 05/2005 sets out the five tests which are required to be met when requesting planning obligations. Two of the tests 'necessary to make the proposed development acceptable in planning terms' and 'directly related to the proposed development' are particularly pertinent to this request.

Firstly, as the LEA have confirmed there is not a current deficit of primary school places within the area and the deficit in places will not occur until 2013/14. As such the primary school places deficit is not directly related to this development. Secondly, no evidence has been provided as to where the contribution will be utilised and as such the request is not directly related to the proposed development. As such the request does not meet the tests of the Circular and cannot be requested as a planning contribution.

Additionally this is a relatively small scheme. Taking into account the number of children this scheme could realistically generate and the fact that there is currently a surplus in primary school places it is not could justified to refuse the application on lack of education provision.

This scheme will provide a much needed proportion of affordable housing within the Borough which is both a National and Corporate priority. The majority of funding for this scheme will be secured through Government funding (HCA Grant) and any further requests for financial contributions would detrimentally impact on the deliverability of this scheme and would reduce the amount of Government funding available for affordable housing.

In respect of health care provision in the area Central Lancashire PCT have confirmed that both GP surgeries in Adlington currently have spare capacity to take on the proposed increase in patient numbers and therefore the addition of 37 dwellings would not have an adverse impact on health facilities in this area.

The request from LCC for a S106 contribution for waste management has not been fully justified and as such it is not considered that such a request would meet the tests of the Circular.

Design and Layout

The proposal incorporates the erection of 37 two storey family dwellings. This proposal comprises of detached, semi-detached and terraced properties. The design of the properties incorporate modern dwellings with projecting window details, non-standard window treatments and projecting front elements. This design solution is considered appropriate for this site as it will provide an alternative housing style within the area and the fact that the site is accessed via a relatively new modern housing estate ensures that the properties will not be out of character although these are more modern interpretations than those found on the main Fairview site.

There are two vehicular access points to this site, the main one is via Fairview Drive (through the main site) with a vehicular access serving 4 of the proposed dwellings off Farm Avenue. When the scheme was originally submitted the dwellings served off Farm Avenue fronted Farm Avenue and backed onto the adjacent Environmental Area. Through discussions with the Council the scheme has been amended so that these dwellings front onto the Environmental Area. Additionally the houses on plots 27 and 28 have been amended to accommodate windows/ features within the side elevations. Plot 21 has been resited to front onto this area. This provides natural surveillance/ overlooking to the Environmental Area along with providing visual interest on these prominent elevations.

Levels

There are various levels across the site with a level drop of approximately 10 metres from the north-east boundary of the site to the south-west boundary of the site. The submitted layout plan incorporates the proposed finished floor levels of the proposed and existing dwellings.

The properties on Fairview Drive along the northern boundary of the site are slightly higher than the proposed dwellings however this difference does not exceed 0.5 metres and the dwellings accord with and exceed the Council's approved spacing distances.

The properties on The Avenue to the east of the site are sited at a higher land level than the proposed dwellings. 32 The Avenue is located to the rear of plot 33 however in excess of 14 metres is retained between the rear of the proposed dwelling and the main side elevation of this property. The properties on Carlisle Place to the north east of the are approximately 1.5 metres higher than the proposed dwellings. 21 metres is retained between the side elevation of the proposed dwellings and the rear of the properties on Carlisle Place. This significantly exceeds the required 12 metres and as such takes into account the level difference.

The main level difference occurs along the southern boundary of the site. In this location the proposed dwellings are approximately 2 metres higher than the existing dwellings on Field Rose Court and Meadow View. The properties which are directly behind the existing dwellings are the properties on Plots 1-3 and these are directly to the rear of 11-16 Field Rose Court. Where properties are back to back in excess of 21 metres (approximately 24.5 metres) is retained. Plot 1 is at a 90 degree angle to 16 Field Rose Court and retains 14 metres from the rear elevation to the side elevation. Where there are level differences greater spacing distances are required. The proposed spacing distances do not strictly accord with the increased guidelines however to accord with the guidelines the properties would be a lot further away from the boundary, would have very large garden areas and would not constitute the most appropriate use of land. Therefore the proposal would not accord with the key principles set out in PPS1: Delivering Sustainable Development which include promoting efficient use of land through higher densities. It is considered that the spacing distance is adequate and will maintain the amenities of the existing and future residents.

These spacing distances also apply internally within the site taking into consideration the amenities of the future residents. The only part of the site where this is an issue is the relationship between the rear elevation of plots 10 & 11 and the side elevation of plot 13. There is 12 metres retained between these dwellings which accords with the Council's spacing standards. Due to the level differences greater spacing would usually be required however as this difference is internally within the site the future occupiers will be aware of the difference and the impact on the residents will be minimal.

Highways and Parking

When outline planning permission was originally granted for the redevelopment of the whole site access to the affordable housing

parcel was proposed to be via The Avenue and there would be no vehicular access between the main site and the affordable housing parcel. This was secured via condition 12 of the original outline approval.

In 2001 Westbury Homes, the original Developers of the site, applied to modify condition 12 of original permission to allow an alternative access and to prevent access from The Avenue. This application was approved and conditioned restricting no vehicular access to The Avenue. It was determined that it was more appropriate to access the affordable housing through the main housing site.

The submitted scheme incorporates the main vehicular access to the site via Fairview Drive although a secondary vehicular access will be achieved within the eastern corner of the site via Farm Avenue. This vehicular access will however only serve 4 of the proposed dwellings.

The main vehicular access to the site continues the carriageway which currently serves the main site. The carriageway is 5 metres wide with 1.75 metre wide footways on either side. Turning facilities are provided and it appears that it is intended for the main carriageway to be adopted. Comments are awaited from the Highway Authority in respect of this site however the Highway Engineer has been involved in this scheme at pre-application stage and the scheme was amended in line with the Highway Engineer's comments.

Parts of the site, mainly those serving parking courts and the vehicular access off Farm Avenue, will not be adopted and will be privately managed by Places for People.

The scheme incorporates two and three bedroom properties and as such there is a requirement of 2 parking spaces per dwelling. All of the properties incorporate off road driveways (no garages are proposed). To ensure that adequate space is provided a minimum of 5 metre long and 2.4 metre wide spaces have been provided

Within the eastern section of the site the four dwellings served off Farm Avenue incorporate both in curtilage and adjacent to curtilage parking. This parking arrangement has resulted from the negotiated changes to this part of the site which are set out above. The in curtilage parking results in a reduction in the amount of private garden space associated with the dwellinghouses. In curtilage parking is required to ensure that the scheme meets Secure by Design principles. Parking needs to be overlooked, for crime and safety reasons, and if the parking was outside the curtilage of the property overlooking would be hindered by the boundary treatment. Alternative solutions were suggested which included gating the vehicular access to these properties with only residents having access which would create a secure parking area. This however was discounted as it would create management issues for Places for People. It is considered that in curtilage parking provides a safe provision and although the gardens will be reduced in size the occupiers will have an element of private garden space. As such the proposed layout is considered to be acceptable.

Ecology

The site has been left undeveloped for a number of years and consists of mature trees, scrub/ vegetation and a stream which runs through the site. There was originally a derelict barn on the site which has been demolished. Due to the varying habitats across the site the applicants have commissioned an Ecological Survey which forms part of this submission.

Both the Ecologist at Lancashire County Council and the Environment Agency have reviewed this document and have raised concerns in respect of loss of foraging opportunities for bats, breeding birds, Japanese knotweed, loss of hedgerows and compensation for the loss of aquatic habitats on the site. Both statutory consultees are concerned that the proposals will have a detrimental impact on biodiversity and need to be satisfied that the proposed compensation/ mitigation ensures that there will not be a net loss to the biodiversity value of this site.

Through discussions with the applicants, their agents, the Ecologist, the Environment Agency and the Ecologists appointed by the applicants solutions have been considered to overcome the concerns raised. The proposed landscaping of the site has been amended to try and alleviate the concerns raised. The amended plan and update on the Ecology report have been forwarded to both the Ecologist at LCC and the Environment Agency.

The Ecologist at LCC has confirmed that the proposals are an improvement on what was originally submitted and as much as possible has been incorporated in respect of the site layout. The Ecologist still has concerns, however, that there would be a loss of biodiversity value as a result of the proposals. This is largely due to the site becoming increasingly valuable for biodiversity with increasing time since abandonment from agriculture.

This site has been left undeveloped for a number of years hence why the site has regenerated and now has a biodiversity value. If the site had been redeveloped at the same time as the rest of Fairview Farm the site would have had a low biodiversity value. The scheme incorporates environmental areas, a pond, bat boxes attached to the dwellings and new tree planting throughout the site. It is considered that the scheme incorporates features which compensate for the loss of aquatic habitat and provide foraging habitats for bats.

Following a recent high court decision the Local Planning Authority have a legal duty to determine whether the three 'derogation tests' of the Habitats Directive implemented by the Conservation (Natural Habitats &c.) Regulations 1994 have been met when determining whether to grant planning permission for a development which could harm a European Protected Species. The three tests include:

- 1) the activity must be for imperative reasons of overriding public interest of for public health and safety;
- 2) there must be no satisfactory alternative and
- 3) favourable conservation status of the species must be maintained.

This requirement does not negate the need for a Licence from Natural England in respect of Protected Species and the Local Planning Authority are required to engage with the Directive.

The only protected species identified at this site which the scheme has the potential to impact on is bats. According to the submitted ecology report at least one of the bat boxes on the site may be in use by bats. The bat survey report also confirmed that habitats on site (e.g. mature trees and tree line, grassland, stream and scrub) provide foraging opportunities for bats roosting outwith the application area.

The proposed scheme is considered to be the most efficient and effective use of the site and will provide affordable housing. The submitted Ecology report incorporates mitigation proposals which will be secured via condition and the amended landscape proposals ensure that foraging opportunities for bats are provided to compensate for the loss of the existing habitats. It is considered that implementation of the recommended proposals ensure that there are not significant impacts on the conservation status of the bat population locally.

Trees

There are several mature trees across the site which are protected by Tree Preservation Order 2 (Adlington) 2000. The majority of trees are to be retained as part of the scheme and will be located either within the garden areas of the properties or within public open space areas.

Two of the trees however are proposed for removal including Tree T4, which is a Sycamore Tree, and Tree T5, which is a Beech tree. The Council's Arboricultural Officer has reviewed the proposals and the submitted Tree Assessment. He has confirmed that tree T4 has a rotten base and is unsafe, as such its removal is justified. The Arboricultural Officer has raised concerns with the removal of Tree T5 which is fully mature, in good health and there is no arboricultural reason for the loss of this imposing, healthy tree. The scheme has been assessed to consider whether this tree could be retained however the retention of the tree would not be possible in respect of the proposed layout and if it was retained is unlikely to be maintained during the construction phase.

To mitigate for the loss of this tree it is proposed to incorporate new tree planting across the whole site as part of the landscaping scheme. Additionally heavy standard Alders will be planted within Environmental Area I to compensate for the loss. Alders are native species which the Arboricultural Officer is satisfied will adequately compensate for the loss of the Beech Tree.

Community Consultation

In accordance with the Council's Statement of Community Involvement the applicants along with their agents undertook consultations with the community prior to submitting the formal application. This included a 'Drop In' session at Fairview Youth and Community Centre. Both residents and Council's were invited to the event and offered the opportunity to comment on the scheme.

The event was attended by over 44 people and at the event the proposals were explained to the attendees and their questions answered. A comments sheet was provided to each attendee and Places for People are currently in the process of responding to each of the queries. A copy of these responses will be made

available to the Council. The applicants have stated that the queries can be resolved and will not result in amendments to the scheme.

Contamination

The applicants have commissioned a Phase 1 Desk Study in respect of land contamination at the site which forms part of the submission. The Council's Waste & Contaminated Land Officer has reviewed this document and has suggested conditions in respect of additional requirements for the site. These will be attached to the recommendation.

Drainage

A number of concerns have been raised in respect of drainage at the site. The amended landscaping plan proposes to re-route the ditch to intercept surface water from site discharges into a proposed pond and overflows will be diverted via a silt trap into the main surface water drain.

The water course through the site will be culverted. United Utilities and the Environment Agency have not raised any concerns in respect of drainage and it is considered that adequate drainage facilities can be accommodated on the site.

The Council's Enforcement Officer and Principal Building Control Officer has looked into the issue of services to the site and have confirmed that suitable connections including electricity, gas and water are provided to the site.

Response to the Neighbours Concerns

As set out above there have been several letters of objection raising various concerns. A lot of these issues are set out within the body of the report. In respect of highway safety the scheme utilises existing residential roads which are suitable for residential traffic. The scheme incorporates adequate parking for the size of dwellings proposed and although comments are awaited from the Highway Engineer he has been involved with this scheme at pre-application stage.

In respect of the impact on wildlife and ecology as set out above concerns were raised initially however the landscaping has been amended and it is considered that the bat population in the area will be maintained and not adversely impacted on by the proposed development.

This site was always retained as the affordable housing parcel associated with the Fairview Farm development and was never envisaged as being retained as open space. The site will be owned by Places for People which is a Registered Social Landlord and the properties will be managed and maintained as affordable houses available for rent/ intermediate ownership for people identified on the Council's Housing Need register. There is a significant need for affordable housing within the Borough which this scheme will contribute to resolving.

As set out above it is not considered that the proposals will adversely impact on the amenities of the existing or future residents. De-valuation of properties is not a material planning consideration. As set out previously there is not a current deficit in school places within Adlington. The Community Centre and

outdoor play facilities constructed as part of the Fairview development will also benefit the residents of this scheme as when the redevelopment of this site was considered this consideration included this parcel of land.

Conclusion The principle of developing this site for affordable housing was established over 10 years ago. The proposals represent the most efficient and effective use of this site taking into account the constraints.

Recommendation: Permit Full Planning Permission 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. 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.

3. 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 (notwithstanding any details shown on the 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 and HS4 of the Adopted Chorley Borough Local Plan Review.

4. 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 and HS4 of the Adopted Chorley Borough Local Plan Review.

5. Prior to the commencement of the development full details of the Management Company and arrangements for the future management and maintenance of the site, including the Environmental Areas and private parking areas, shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company in accordance with the approved arrangements.

Reason: To ensure the satisfactory management of the private driveways and Environmental Areas at the site and in accordance with Policies GN5 and TR4 of the Adopted Chorley Borough Local Plan Review.

6. No development shall take place until a programme of archaeological work has been implemented in accordance with a scheme of investigation which has previously been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is situated within an area of known archaeological interest and, as such, the site should be appropriately excavated and the remains recorded and in accordance with Policy Nos. HT11 and HT12 of the Adopted Chorley Borough Local Plan Review.

7. Prior to the commencement of the development a site investigation and risk assessment for landfill gas shall be undertaken at the site. The results of the investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority in the form of a Site Investigation Report. Thereafter the development shall be carried out in accordance with the recommended precautionary measures set out within the report unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safety and in accordance with Government advice contained in PPS23: Planning and Pollution Control

8. Prior to the commencement of the development a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures, shall be submitted to and approved in writing by the Local Planning Authority. The report should include an initial desk study, site walkover and risk assessment. If the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with Local Planning Authority and thereafter undertaken including details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

Reason: In the interests of safety and in accordance with Government advice contained in PPS23: Planning and Pollution Control

9. 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.

10. The existing soil levels around the base of the trees to be retained shall not be altered.

Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 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 felling of any trees the bat boxes shall be surveyed to identify the potential for current usage. If bat usage is identified then the tree shall not be felled until full mitigation measures to ensure the continued protection of this bat roost 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 details.

Reason: To ensure the continued protection of a protected species. In accordance with Policy EP4 and Government advice contained in PPS9.

13. Japanese Knotweed is present within the application area. Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to cause Japanese Knotweed to grow in the wild. Therefore a programme of control/eradication of this species shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The programme shall accord with Environment Agency Guidelines.

Reason: To ensure the eradication of Japanese Knotweed in accordance with the Wildlife and Countryside Act 1981 (as amended).

14. Prior to the commencement of the development a habitat creation/enhancement and management plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of replacement bird breeding habitat, bat foraging habitat, stream habitat and native tree planting. Thereafter the approved management plan shall be implemented in full.

Reason: To ensure that the retained and established habitats that contribute to the Biodiversity Action Plan targets are suitably established and managed. In accordance with Policy EM1 of the North West Regional Spatial Strategy.

15. The development hereby permitted shall only be carried out in conformity with the proposed ground and 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.

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. 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.

18. The in curtilage parking spaces at plots 22-25 shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

Reason: To ensure adequate off street parking provision is maintained and thereby avoid hazards caused by on-street parking and in accordance with Policy RT2 of the North West Regional Spatial Strategy 2008.

19. Prior to the commencement of the development, details of the proposed new drainage ditch shall be submitted to and approved in writing by the Local Planning Authority. The details shall show how the new watercourse will be designed so as to replicate a natural feature as far as is possible. The ditch thereafter shall be constructed in accordance with the approved details.

Reason: To ensure that a varied range of habitats are provided on the site to compensate for the loss of habitats as a result of the development. In accordance with Government advice contained in Planning Policy Statement 9: Biodiversity and Geological Conservation

20. Prior to the commencement of the development details of the proposed pond, including a maintenance scheme, shall be submitted to and approved in writing by the Local Planning Authority. The pond thereafter shall be constructed in accordance with the approved details.

Reason: To enhance the conservation and biodiversity value of the site and to provide wildlife habitats to compensate for the loss of biodiversity as a result of the development. In accordance with Government advice contained in Planning Policy Statement 9: Biodiversity and Geological Conservation

21. No development approved by this permission shall be commenced until a surface water drainage strategy (including attenuation of surface discharges from the development to existing 'greenfield rates') has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be completed in accordance with the approved strategy.

Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 of the Adopted Chorley Borough Local Plan Review and in accordance with Government advice contained in PPS25 Development and Flood Risk

22. Prior to the commencement of the development full details of the predicted energy use of the development expressed in terms of carbon emissions shall be submitted to and approved in writing by the Local Planning Authority. If no data specific to the application is available benchmark data will be acceptable. A schedule should include how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. It will be flexible enough to show the on-site measures to be installed and implemented so as to reduce carbon emissions in accordance with policy SR1 of the Sustainable Resources DPD. No development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD and Supplementary Planning Document.

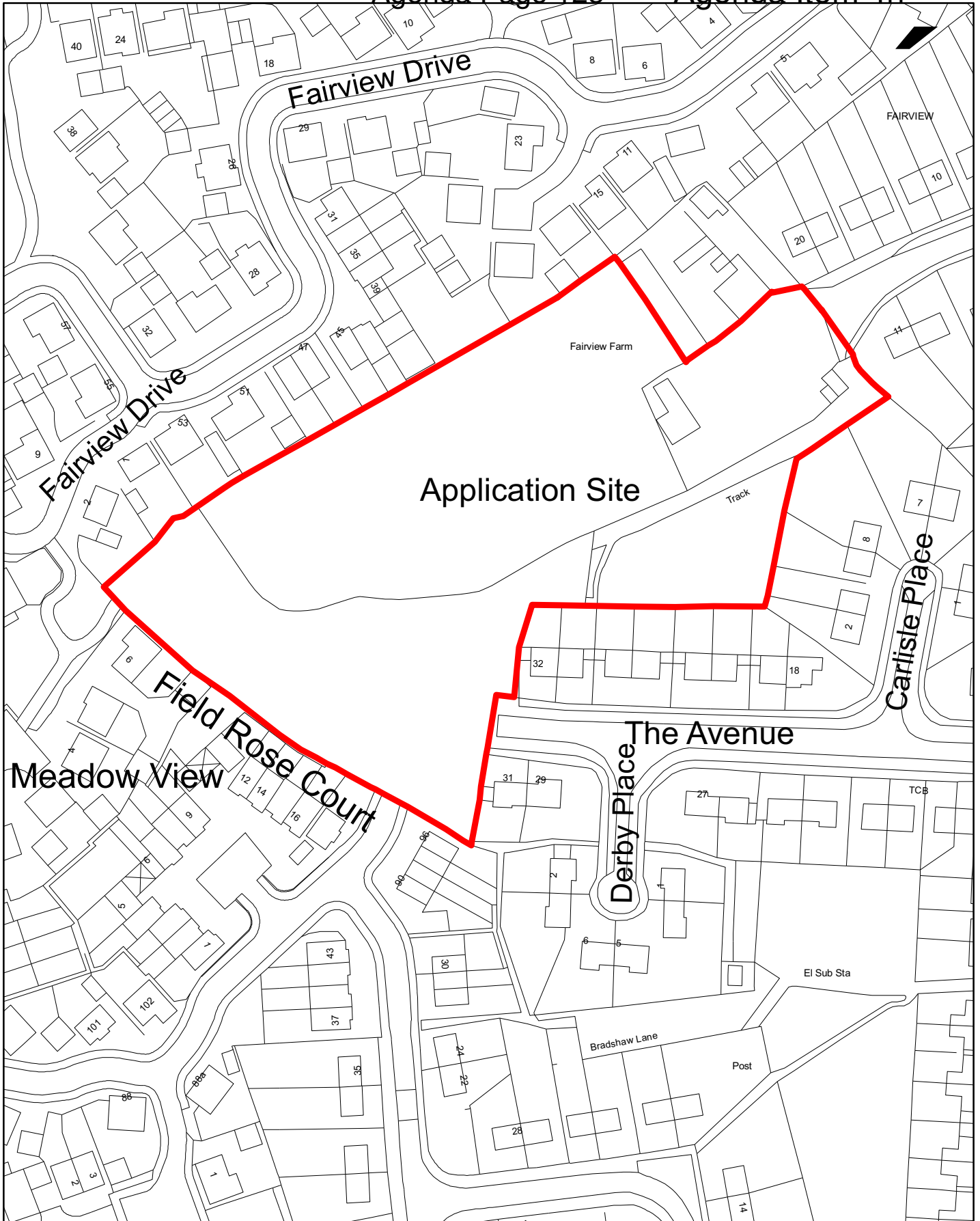
23. Prior to the commencement of the development a scheme which demonstrates and provides full details of how the design and layout of the buildings will withstand climate change shall be submitted to and approved in writing by the Local Planning Authority. The details shall include details of the proposed Code for Sustainable Homes Level, how the proposals minimise energy use and maximise energy efficiency. All dwellings commenced after 1st January 2010 will be required to meet Code Level 3 of the Codes for Sustainable Homes. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policies EM16 and EM17 of the North West Regional Spatial Strategy and Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

24. Prior to the commencement of the development full details of the bridge structure, required to allow access between plots 27 and 28, shall be submitted to and approved in writing by the Local Planning Authority. The bridge thereafter shall be constructed in accordance with the approved details.

Reason: In the interests of the visual amenities and proper development of the site and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.

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Jane E Meek BSc(Hons) DipTP MRTPI
 Director of Development and Regeneration
 Chorley Borough Council

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Application No.

09/00714/FULMAJ

Grid Ref:

E: 360009
 N: 413873

Scale:

1:1,250

8

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NOTES
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 All dimensions are to be checked on site prior to construction, manufacture of any components and ordering of materials and equipment.
 Any discrepancies are to be reported to the architect for clarification.
 All materials and workmanship to be in accordance with the current British Standards and codes of practice.



6 8 Carlisle Pl Thr 110.12
 2 4 Carlisle Pl Thr 110.12
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CHORLEY BOROUGH COUNCIL
 TOWN AND COUNTRY PLANNING ACT 1990
 4 NOV 2009 AM
 THIS IS A FORMAL APPROVAL
 APPLICATION NO. 09/100714

rev	date	drawn by	comments
C	13/10/09	GL	Rear gardens and parking amended to Plots 24 & 27
B	12/10/09	GL	Rear garden boundary to Plot 33 amended back to as originally proposed.
A	28/09/09	GL	Amended in accordance with Planner's comments: Plots 21 - 28 amended. Rear garden boundary reduced to Plot 33.

AMENDED PLAN

client: PFP Developments Ltd
 project: Fairview Farm, Adlington
 drawing: Proposed Site Layout
 drawing number: 2640GM2/001
 revision: C
 date: 17/04/09
 scale: 1:250
 drawn by: GM
 cad reference: 2640GM2 Site Layout

- Trees**
- 1 - Trunk outside site, root protection area to be protected.
 - 2 - Tree retained, root protection area to be protected.
 - 3 - Tree retained, root protection area to be protected.
 - 4 - Trees to be removed.
 - 5 - Trees to be removed.
 - 6 - Tree stumps to be removed.
 - 7 - Tree retained, root protection area to be protected.
 - 8 - Trunk outside site.
 - 9 - Trunk outside site.
 - 10 - Tree retained, root protection area to be protected.
 - 11 - Tree retained, root protection area to be protected.
 - 12 - Tree retained, root protection area to be protected.
 - 13 - Tree retained, root protection area to be protected.
 - 14 - Trunk outside site.
 - 15 - Tree to be removed.

blue sky architects
 Building 1000 Kings Reach Yew Street Stockport SK4 2HG
 t 0161 4750220
 f 0161 4771748
 w www.blueskyinspired.co.uk
 offices also in Accrington

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Report of	Meeting	Date
Corporate Director (Business)	Development Control Committee	08-12-2009

PLANNING APPEALS AND DECISIONS - NOTIFICATION

PURPOSE OF REPORT

- To advise Committee of appeal notifications and decisions received from the Planning Inspectorate and notification of decisions received from Lancashire County Council and other bodies between 29th October and 25th November 2009.

RECOMMENDATION(S)

- That the report be noted.

CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	X

PLANNING APPEALS LODGED

- None

PLANNING APPEALS DISMISSED

- Appeal by Mr N V Nalbandh and Trekgate Ltd against the delegated decision to refuse planning permission for the change of use to a hot food takeaway at 8 High Street, Chorley (Application No. 08/01020/COU).

PLANNING APPEALS ALLOWED

- None

PLANNING APPEALS WITHDRAWN



7. Appeal by Wainhomes Developments Ltd against the Development Control Committee decision to refuse planning permission for the amendment to previously approved layout (08/00203/FULMAJ) and erection of 7 detached houses/infrastructure on adjacent plot at 605 Preston Road, Clayton-le-Woods (Application No. 09/00150/FUL).

ENFORCEMENT APPEALS LODGED

8. None

ENFORCEMENT APPEALS DISMISSED

9. None

ENFORCEMENT APPEALS ALLOWED

10. None

ENFORCEMENT APPEALS WITHDRAWN

11. None

LANCASHIRE COUNTY COUNCIL DECISIONS

12. None

GOVERNMENT OFFICE DECISIONS

13. None

IMPLICATIONS OF REPORT

14. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	√

J E MEEK
CORPORATE DIRECTOR (BUSINESS)

Report Author	Ext	Date	Doc ID
Louise Taylor	5220	29/10/2009	

Background Papers			
Document	Date	File	Place of Inspection

5	Letter from the Planning Inspectorate	17/11/09	08/01020/COU	Civic Offices, Union Street, Chorley or on line at www.chorley.gov.uk/ planning
7	“	12/11/09	09/00150/FUL	

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Report



Report of	Meeting	Date
Corporate Director (Business)	Development Control Committee	08.12.2009

PLANNING APPLICATIONS DECIDED BY THE CORPORATE DIRECTOR (BUSINESS), THE CHAIR AND VICE-CHAIR OF THE COMMITTEE ON 25 NOVEMBER 2009

Application No.	Recommendation	Location	Proposal
09/00598/TPO	Consent for Tree Works	5 Blossom Grove Whittle-Le-Woods Lancashire	Pruning of tree's in the rear of the garden covered by TPO7 (Whittle Le Woods) 1996
09/00630/FUL	Permit Full Planning Permission	6 Blossom Grove Whittle-Le-Woods Chorley Lancashire PR6 7HB	Amendment to the original planning permission for the site (Ref No. 07/01285/FUL) comprising of a double garage building split between plot 6 (6 Blossom Grove) and plot 7 (7 Blossom Grove) and attached to plot 6 (6 Blossom Grove)
09/00784/FUL	Permit retrospective planning permission	3 Springside Gardens Whittle-Le-Woods Chorley Lancashire PR6 7DL	Retrospective application for the insertion of an additional window to the master bedroom in the first floor north facing elevation of the dwelling on plot 5 approved by planning permission no. 07/01424/FUL

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Report



Report of	Meeting	Date
Corporate Director (Business)	Development Control Committee	08/12/09

PLANNING APPLICATIONS DECIDED BY THE CORPORATE DIRECTOR (BUSINESS), THE CHAIR AND VICE-CHAIR OF THE COMMITTEE 24 November 2009

Application No.	Recommendation	Location	Proposal
09/00766/FUL	Permit Full Planning Permission	Doorway To Value 50 Preston Road Whittle-Le-Woods Chorley PR6 7HH	Extension to north elevation of existing furniture showroom

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Report



Report of	Meeting	Date
Corporate Director (Business)	Development Control Committee	08/12/2009

PLANNING APPLICATIONS DECIDED BY THE CORPORATE DIRECTOR (BUSINESS), THE CHAIR AND VICE-CHAIR OF THE COMMITTEE 20th NOVEMBER 2009

Application No.	Recommendation	Location	Proposal
09/00615/FUL	Permit (Subject to Legal Agreement)	Spring Cottage Crosse Hall Fold Chorley Lancashire PR6 9AD	Conversion of existing garage to dwelling unit, including increase in height of ridge and eaves and provision of front and rear dormers

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Report



Report of	Meeting	Date
Corporate Director (Business)	Development Control Committee	08.12.2009

PLANNING APPLICATIONS DECIDED BY THE CORPORATE DIRECTOR (BUSINESS), THE CHAIR AND VICE-CHAIR OF THE COMMITTEE ON 10 NOVEMBER 2009

Application No.	Recommendation	Location	Proposal
09/00720/FUL	Permit Full Planning Permission	Park At Fell View Chorley	Regeneration of an existing green space and play area, including minor earthworks, new play equipment, stone park pedestrian entrance features and lighting columns
09/00733/FUL	Permit Full Planning Permission	Gatesgarth Quaker Brook Lane Hoghton Lancashire PR5 0JA	Erection of Replacement Dwelling

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Report of	Meeting	Date
Corporate Director (Business)	Development Control Committee	08.12.2009

List of Applications Determined by the Corporate Director (Business) Under Delegated Powers

Between 29th October and 25th November 2009

Plan Ref	09/00610/FUL	Date Received	29.07.2009	Decision	Permit Full Planning Permission
Ward:	Adlington & Anderton	Date Decided	09.11.2009		
Proposal :	New timber framed conservatory at rear of dwelling, removal of temporary metal chimney flue and build new stone chimney				
Location :	Tan Pits Farm New Road Anderton Lancashire PR6 9HG				
Applicant:	Mr Michael Lally Tan Pits Farm New Road Anderton Lancashire PR6 9HG				
Plan Ref	09/00611/LBC	Date Received	29.07.2009	Decision	Grant Listed Building Consent
Ward:	Adlington & Anderton	Date Decided	09.11.2009		
Proposal :	New timber framed conservatory at rear of dwelling, removal of temporary metal chimney flue and build new stone chimney				
Location :	Tan Pits Farm New Road Anderton Lancashire PR6 9HG				
Applicant:	Mr Michael Lally Tan Pits Farm New Road Anderton Lancashire PR6 9HG				
Plan Ref	09/00648/FUL	Date Received	12.08.2009	Decision	Refuse Full Planning Permission
Ward:	Heath Charnock And Rivington	Date Decided	12.11.2009		
Proposal :	Erection of a first floor extension over the garage with two storey link to existing dwelling				
Location :	14 Flag Lane Heath Charnock Chorley PR6 9ED				
Applicant:	Mr Hanif Ahmed 14 Flag Lane Heath Charnock Chorley Lancs PR6 9ED				

Continued....

Plan Ref 09/00669/TPO **Date Received** 24.08.2009 **Decision** Consent for Tree Works

Ward: Chisnall **Date Decided** 09.11.2009

Proposal : Felling of Beech tree and pruning of yew at 31A Church Lane, Charnock Richard
Location : 31A Church Lane Charnock Richard Chorley PR7 3RB
Applicant: Mr Tony Lawson 31A Roundell House Church Lane Charnock Richard Chorley PR7 3RB

Plan Ref 09/00676/ADV **Date Received** 26.08.2009 **Decision** Advertising Consent

Ward: Clayton-le-Woods West And Cuerden **Date Decided** 29.10.2009

Proposal : Display of illuminated fascia sign, built up lettering illuminated by trough lighting to front and side of building, projection sign to front of building and two banner signs to car park
Location : 28 Pendle Road Leyland PR25 5TU
Applicant: Mr Philip Coffey Tesco Stores Ltd Cirrus Building B Po Box 400 Shire Park Welwyn Garden City Hertfordshire

Plan Ref 09/00681/FUL **Date Received** 28.08.2009 **Decision** Permit Full Planning Permission

Ward: Chorley North East **Date Decided** 29.10.2009

Proposal : Installation of a steel storage unit
Location : Unit C4 Chorley North Industrial Park Drumhead Road Chorley PR6 7BX
Applicant: Mr Andy Gossett Unit C4 Chorley North Industrial Park Drumhead Road Chorley PR6 7BX

Plan Ref 09/00683/FUL **Date Received** 01.09.2009 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 02.11.2009

Proposal : Side Extension
Location : North Bank Farm Hill Top Lane Whittle-Le-Woods Chorley PR6 7QS
Applicant: Mr J Dixon North Bank Farm Hill Top Lane Whittle-Le-Woods Chorley PR6 7QS

Plan Ref 09/00691/FUL **Date Received** 03.09.2009 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 29.10.2009

Proposal : Two-storey side extension
Location : 33 Clover Field Clayton-Le-Woods Chorley PR6 7RR
Applicant: Miss Lisa Pye 33 Clover Field Clayton-le-Woods Preston Lancashire PR6 7RR United Kingdom

Plan Ref 09/00694/FUL **Date Received** 04.09.2009 **Decision** Permit Full Planning Permission

Ward: Eccleston And Mawdesley **Date Decided** 25.11.2009

Proposal : Demolition of existing single storey extension to rear, erection of new single storey extension to rear and conversion of stable into granny annexe.
Location : Bridge House Towngate Eccleston Chorley PR7 6ND
Applicant: Mr R Thompson Bridge House Towngate Eccleston Chorley PR7 6ND

Plan Ref 09/00695/CLEUD **Date Received** 04.09.2009 **Decision** Grant Cert of Lawfulness for Est Use

Ward: Adlington & Anderton **Date Decided** 30.10.2009

Proposal : Certificate of Lawfulness for the stationing of 4 caravans for residential use
Location : Allanson Hall Farm Westhoughton Road Adlington Chorley PR7 4DG
Applicant: Mr K Manley Allanson Hall Farm Westhoughton Road Adlington Chorley PR7 4DG

Plan Ref 09/00704/FUL **Date Received** 07.09.2009 **Decision** Permit Full Planning Permission

Ward: **Date Decided** 25.11.2009

Proposal : Erection of a detached dwelling with detached garage
Location : Plot 3 Land South Of Crosse Hall Lodge Crosse Hall Fold Chorley Lancashire
Applicant: Mr L Hardy Crosse Hall Lodge Crosse Hall Fold Chorley Lancashire

Plan Ref 09/00705/TPO **Date Received** 08.09.2009 **Decision** Consent for Tree Works

Ward: Heath Charnock And Rivington **Date Decided** 20.11.2009

Proposal : Tree works at the Roundhouse, Rawlinson Lane, Heath Charnock
Location : 81 Rawlinson Lane Heath Charnock Chorley Lancashire PR7 4DE
Applicant: Mr Michael J Halloran 81 The Round House Rawlinson Lane Heath Charnock Chorley Lancashire PR7 4DE

Plan Ref 09/00706/FUL **Date Received** 08.09.2009 **Decision** Permit Full Planning Permission

Ward: Astley And Buckshaw **Date Decided** 18.11.2009

Proposal : Application to vary condition 2 of planning approval 09/00166/COU to allow opening of Doctors Surgery between 8am and 8.30pm on Mondays and Thursdays and between 8am and 1pm on Saturdays

Location : The Lodge Oakbridge Drive Buckshaw Village Lancashire

Applicant: Miss Noreen Hounslea Central Lancashire PCT Jubilee House Lancashire Business Park Centurian Way Leyland PR26 6TR

Plan Ref 09/00707/FUL **Date Received** 08.09.2009 **Decision** Permit Full Planning Permission

Ward: Wheelton And Withnell **Date Decided** 09.11.2009

Proposal : Installation of velux roof light on south east elevation

Location : 30 Withnell Fold Chorley Lancashire PR6 8BA

Applicant: Mr Mary Serjeant 30 Withnell Fold Chorley Lancashire PR6 8BA

Plan Ref 09/00709/FUL **Date Received** 09.09.2009 **Decision** Permit Full Planning Permission

Ward: Pennine **Date Decided** 09.11.2009

Proposal : Rear conservatory

Location : Land Adjacent Springside Farm Plot 2 Moss Lane Whittle-Le-Woods Lancashire

Applicant: Mr Mark Preedy 3 Cypress Close Clayton-Le-Woods Leyland PR25 5TY

Plan Ref 09/00710/FUL **Date Received** 09.09.2009 **Decision** Permit Full Planning Permission

Ward: Eccleston And Mawdesley **Date Decided** 12.11.2009

Proposal : Single storey extension to side of dwelling

Location : Barretts House Farm Back Lane East Mawdesley Ormskirk L40 3TA

Applicant: Mr & Mrs Wignall Barretts House Farm Back Lane East Mawdesley Ormskirk L40 3TA

Plan Ref 09/00711/LBC **Date Received** 09.09.2009 **Decision** Grant Listed Building Consent

Ward: Eccleston And Mawdesley **Date Decided** 12.11.2009

Proposal : Single storey extension to side of dwelling
Location : Barretts House Farm Back Lane East Mawdesley Ormskirk L40 3TA
Applicant: Mr & Mrs Wignall Barretts House Farm Back Lane East Mawdesley Ormskirk L40 3TA

Plan Ref 09/00712/FUL **Date Received** 09.09.2009 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 06.11.2009

Proposal : Conversion of existing garage to living accommodation including addition of bay window and extension of existing canopy. Erection of new attached garage to side (including dormer window to front to create accommodation in roof space).
Location : 33 Harvest Drive Whittle-Le-Woods Chorley PR6 7QL
Applicant: Michael Oleary 33 Harvest Drive Whittle Le Woods Chorley Lancashire Pr6 7ql United Kingdom

Plan Ref 09/00724/FUL **Date Received** 09.09.2009 **Decision** Permit Full Planning Permission

Ward: Pennine **Date Decided** 09.11.2009

Proposal : Single storey rear extension
Location : 3 Mottram Close Whittle-Le-Woods Chorley PR6 7GX
Applicant: Mr & Mrs Smith 3 Mottram Close Whittle-le-Woods Chorley Lancashire PR6 7GX

Plan Ref 09/00716/FUL **Date Received** 10.09.2009 **Decision** Permit Full Planning Permission

Ward: Coppull **Date Decided** 29.10.2009

Proposal : Erection of security railings and gates to east and west entrances of subway
Location : Subway Between Station Road And Spendmore Lane Coppull Lancashire
Applicant: Mr Kenneth Ball Coppull Parish Council 78 Chapel Lane Coppull Chorley Lancashire PR7 4PN

Plan Ref	09/00717/FUL	Date Received	10.09.2009	Decision	Permit retrospective planning permission
Ward:	Wheelton And Withnell	Date Decided	04.11.2009		
Proposal :	Retrospective application for the replacement of existing fence and hedge with 1.8m high fence.				
Location :	5 Windsor Drive Brinscall Chorley PR6 8PX				
Applicant:	Mr William Landon 5 Windsor Drive Brinscall Chorley PR6 8PX				
Plan Ref	09/00596/PAR	Date Received	11.09.2009	Decision	Agricultural Prior Approval granted
Ward:	Lostock	Date Decided	29.10.2009		
Proposal :	Proposed agricultural building				
Location :	Land 185m South Of 185 South Road And 190m East Of Back Lane Farm Back Lane Bretherton Lancashire				
Applicant:	Geoffrey Smith Back Lane Farm Back Lane Bretherton Lancashire				
Plan Ref	09/00719/TPO	Date Received	11.09.2009	Decision	Consent for Tree Works
Ward:	Clayton-le-Woods And Whittle-le-Woods	Date Decided	20.11.2009		
Proposal :	Pruning of 3 Poplar trees at Greenlands, Parkside Drive South, Whittle Le Woods				
Location :	Greenlands Parkside Drive South Whittle-le-Woods Chorley Lancashire				
Applicant:	Mr Howard Short 3 Hardacre Lane Whittle-Le-Woods Chorley PR6 7PQ				
Plan Ref	09/00720/FUL	Date Received	11.09.2009	Decision	Permit Full Planning Permission
Ward:	Chorley East	Date Decided	11.11.2009		
Proposal :	Regeneration of an existing green space and play area, including minor earthworks, new play equipment, stone park pedestrian entrance features and lighting columns				
Location :	Park At Fell View Chorley				
Applicant:	Mr Ian Campbell Places For People 8th Floor, Paragon House 48 Seymour Grove Old Trafford Manchester M16 0LN England				

Plan Ref 09/00723/FUL **Date Received** 14.09.2009 **Decision** Permit Full Planning Permission

Ward: Chorley South West **Date Decided** 09.11.2009

Proposal : Rear conservatory
Location : 34 Ullswater Road Chorley PR7 2JB
Applicant: Ms Deborah Ramsden 34 Ullswater Road Chorley PR7 2JB

Plan Ref 09/00726/ADV **Date Received** 15.09.2009 **Decision** Refuse advertising consent

Ward: Clayton-le-Woods West And Cuerden **Date Decided** 10.11.2009

Proposal : Display of an externally illuminated pole mounted gantry sign
Location : 28 Pendle Road Leyland PR25 5TU
Applicant: Tesco Mr Phil Coffey Cirrus Building B PO BOX 400 Shire Park Welwyn Garden City Hertfordshire England

Plan Ref 09/00729/FUL **Date Received** 16.09.2009 **Decision** Permit Full Planning Permission

Ward: Chisnall **Date Decided** 12.11.2009

Proposal : Erection of replacement dwelling
Location : Hurst House Farm Halfpenny Lane Heskin Chorley PR7 5PR
Applicant: Mr Paul Ainscough Hurst House Farm Halfpenny Lane Heskin Chorley PR7 5PR

Plan Ref 09/00733/FUL **Date Received** 18.09.2009 **Decision** Permit Full Planning Permission

Ward: Brindle And Hoghton **Date Decided** 11.11.2009

Proposal : Erection of Replacement Dwelling
Location : Gatesgarth Quaker Brook Lane Hoghton Lancashire PR5 0JA
Applicant: Mr T McDonnell 319 Higher Walton Road Higher Walton Preston PR5 4HU

Plan Ref 09/00740/FUL **Date Received** 22.09.2009 **Decision** Permit Full Planning Permission

Ward: Chorley North West **Date Decided** 17.11.2009

Proposal : Erection of a car port to the side of the dwelling and a single storey rear extension
Location : 33 Rylands Road Chorley PR7 2DN
Applicant: Mr Zubair Essa 33 Rylands Road Chorley PR7 2DN

Plan Ref 09/00746/ADV **Date Received** 25.09.2009 **Decision** Advertising Consent

Ward: Chorley North **Date Decided** 20.11.2009
West

Proposal : Provision of non-illuminated projecting sign
Location : Age Concern 61 - 63 St Thomas's Road Chorley PR7 1JE
Applicant: Mrs Eileen Platt Age Concern Lancashire 61 - 63 St Thomas's Road Chorley PR7 1JE

Plan Ref 09/00747/FUL **Date Received** 25.09.2009 **Decision** Permit Full Planning Permission

Ward: Heath Charnock **Date Decided** 20.11.2009
And Rivington

Proposal : Replacement poultry rearing building
Location : Hall O'Th Hill Farm Chorley Road Heath Charnock Chorley Lancashire
Applicant: Mr Richard Riley Hall O'Th Hill Farm Chorley Road Heath Charnock Chorley

Plan Ref 09/00755/TCON **Date Received** 29.09.2009 **Decision** No objection to Tree Works

Ward: Lostock **Date Decided** 20.11.2009

Proposal : Works to Laurel Tree
Location : 1 Hall Cottages Grape Lane Croston Leyland PR26 9HB
Applicant: Mr & Mrs Edgehill 1 Hall Cottages Grape Lane Croston Leyland PR26 9HB

Plan Ref 09/00756/ADV **Date Received** 29.09.2009 **Decision** Advertising Consent

Ward: Chorley South **Date Decided** 24.11.2009
West

Proposal : Provision of illuminated projecting sign
Location : 154 Pall Mall Chorley Lancashire PR7 2LD
Applicant: Totesport Douglas House Chapel Lane Wigan WN3 8HS

Plan Ref 09/00759/FUL **Date Received** 30.09.2009 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods **Date Decided** 24.11.2009
North

Proposal : Rear extension to from additional bedrooms and relocation of existing conservatory
Location : Brookside Care Home 722 Preston Road Clayton-Le-Woods Preston Lancashire
Applicant: Mr K Stevens Brookside Care Home 722 Preston Road Clayton-Le-Woods Preston Lancashire PR5 6AJ

Plan Ref 09/00760/CTY **Date Received** 01.10.2009 **Decision** No objection to LCC Reg 3/4 Application

Ward: Heath Charnock And Rivington **Date Decided** 06.11.2009

Proposal : Creation of two fishing pond pathways additional car parking and office/toilet block
Location : Land 190m North Of Holland Lodge Long Lane Heath Charnock Chorley PR6 9EF
Applicant: Mr Daniels 114 Preston Road Chorley Lancashire PR7 1PT

Plan Ref 09/00761/FUL **Date Received** 01.10.2009 **Decision** Permit Full Planning Permission

Ward: Euxton South **Date Decided** 20.11.2009

Proposal : Lean to extension to agricultural building
Location : Rosehill Farm Dean Hall Lane Euxton Chorley Lancashire
Applicant: Mr John Ashcroft Rose Hill Farm Dean Hall Lane Euxton Chorley PR7 6ER

Plan Ref 09/00766/FUL **Date Received** 01.10.2009 **Decision** Permit Full Planning Permission

Ward: Pennine **Date Decided** 25.11.2009

Proposal : Extension to north elevation of existing furniture showroom
Location : Doorway To Value 50 Preston Road Whittle-Le-Woods Chorley PR6 7HH
Applicant: Mr Michael Long Doorway To Value Preston Road Whittle Le Woods Chorley PR6 7HH

Plan Ref 09/00773/FUL **Date Received** 02.10.2009 **Decision** Permit Full Planning Permission

Ward: Heath Charnock And Rivington **Date Decided** 20.11.2009

Proposal : Construction of a camp fire circle and pipe maze
Location : Bibbys Farm Back Lane Heath Charnock Lancashire PR6 9DL
Applicant: Bolton Scout Trust C/o Agent

Plan Ref 09/00779/AGR **Date Received** 02.10.2009 **Decision** Prior App not required - Agr

Ward: Brindle And Hoghton **Date Decided** 10.11.2009

Proposal : Erection of an agricultural storage building
Location : Land 90m South East Of Crossfields Cottage Bury Lane Withnell Lancashire
Applicant: Mr Peter & Dawn Stringfellow 10 Salisbury Road Brinscall Chorley PR6 8RF

Plan Ref 09/00789/FUL **Date Received** 09.10.2009 **Decision** Permit Full
Planning
Permission

Ward: Chorley South **Date Decided** 20.11.2009
West

Proposal : Demolition of existing conservatory and erection of new conservatory
Location : 99 Draperfield Chorley Lancashire PR7 3PN
Applicant: Mr Jennings 99 Draperfield Chorley PR7 3PN

Plan Ref 09/00856/CTY **Date Received** 30.10.2009 **Decision** No
objection to
LCC Reg
3/4
Application

Ward: Lostock **Date Decided** 24.11.2009

Proposal : Creation/extension to school based adventure trail incorporating 6 agility play
pieces
Location : Trinity And St Michaels Church Aided Primary School Out Lane Croston Leyland
Lancashire
Applicant:



Report of	Meeting	Date
Corporate Director of Governance	Development Control Committee	08/12/09

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 257
PROPOSED PUBLIC PATH DIVERSION ORDER RE: PART OF
PUBLIC FOOTPATH NO 6, ADLINGTON**

PURPOSE OF REPORT

1. To consider an application submitted by Dickinson Dees Solicitors on behalf Places for People Ltd, for the diversion of part of Public Footpath No. 6, Adlington, in order to facilitate the development of an affordable housing scheme.

RECOMMENDATION(S)

2. That the making of a Public Path Diversion Order pursuant to Section 257 of the Town and Country Planning Act 1990, be approved, subject to the grant of planning permission, in respect of a 158.7 metre length of Footpath No. 6, Adlington, so as to enable the carrying out of development.

REASONS FOR RECOMMENDATION(S)

3. To facilitate the carrying out of development subject to the grant of planning permission in accordance with Part III of the Town and Country Planning Act 1990.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

4. To have rejected the application would have been to compromise the proposed scheme of development in that a right-of-way would continue to subsist on the land concerned and therefore be exercisable in law across the site of 11 proposed properties.

CORPORATE PRIORITIES

5. This report does not relate to any of the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the central Lancashire sub region		Improved access to public services	
Improving equality of opportunity and life chance		Develop the character and feel of Chorley as a good place to live	
Involving People in their Communities		Ensure Chorley is a performing Organisation	



BACKGROUND

6. Public Footpath No. 6 Adlington runs from the western end of Farm Avenue in a south-westerly direction across an undeveloped expanse of open land to Fairview Drive, and thence along the footway (i.e. "pavement") of Fairview Drive, onto which the remaining length of Footpath No. 6 has already been provisionally diverted as a consequence of a Public Path Diversion Order made on 21 January 2004 under Section 257, Town and Country Planning Act 1990. The land over which the Footpath runs was formerly pasture land belonging to Fairview Farm extending down to the pedestrian level-crossing on the Preston to Manchester line. The bulk of the land was subsequently developed as a private residential estate, Fairview Drive, initially by Westbury Homes and then subsequently by Persimmon.
7. It was always intended that the small parcel of land sandwiched between the new residential estate and Farm Avenue should be developed for low cost housing and such a scheme was brought forward in 1999, entailing the diversion of Footpath No. 6. Although the Council on that occasion approved the making of a Diversion Order, the low-cost housing scheme put forward at that time did not progress and in the end the wider development proceeded ahead of the proposed low-cost scheme. The Order approved at that time was therefore not pursued to completion. A new scheme has now been drawn up by Places for People Ltd, (constituted as an Industrial and Provident Society) for the construction of 36 properties.

DETAILS OF PROPOSAL

8. The length of footpath forming the subject of the application runs for a total distance of 158.7 metres from the western termination of Farm Avenue in a south-westerly direction to the rear north-west corner of No. 32 The Avenue and thence in a south-south-westerly direction to the front north-western corner of no. 96 Fairview Drive. The Footpath thereafter runs along the footway fronting nos. 90, 92, 94 and 96.
9. The proposed diversion, running for a total length of 174 metres, would run from the western termination of Farm Avenue and thence in a generally south-westerly and thence southerly direction along the pavement serving the new affordable housing scheme to the front north-western corner of no. 96 Fairview Drive. Although the diversion comprises a slightly longer route, it is not significantly different in extent or direction to the existing route. The end effect of the proposal would also, of course, result in the Footpath being encompassed within a fully urbanised environment

IMPLICATIONS OF REPORT

10. This report does not have any implications in relation to the following areas:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal			

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CORPORATE DIRECTOR OF GOVERNANCE

Background Papers			
Document	Date	File	Place of Inspection
Letter from Dickinson Dees Solicitors together with map	9 November 2009	4002	Town Hall, Chorley

Report Author	Ext	Date	Doc ID
G Fong	5169	27 November 2007	

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Report of	Meeting	Date
Corporate Director of Governance	Development Control Committee	08/12/09

PROPOSED CONFIRMATION OF TREE PRESERVATION ORDERS

PURPOSE OF REPORT

- To consider formal confirmation of the Tree Preservation Orders as detailed below.

RECOMMENDATION(S)

- That the following Tree Preservation Orders be formally confirmed without modification:
 - The Chorley Borough Council Tree Preservation Order No. 1 (Eccleston) 2009;
 - The Chorley Borough Council Tree Preservation Order No. 2 (Euxton) 2009.

REASONS FOR RECOMMENDATION(S)

- Formal confirmation of the Orders affords permanent as opposed to provisional legal protection on the trees covered by those Orders.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- No alternatives were considered. Not to have confirmed the Orders would have meant allowing the Orders, and thereby the protection conferred on the trees covered by those Orders, to lapse.

CORPORATE PRIORITIES

- This report does not relate to any of the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the central Lancashire sub region		Improved access to public services	
Improving equality of opportunity and life chance		Develop the character and feel of Chorley as a good place to live	
Involving People in their Communities		Ensure Chorley is a performing Organisation	

BACKGROUND

- No objections have been received in response to the making of the above Orders. It is therefore, now open to the Council to confirm the above Orders as unopposed Orders.



The effect of formally confirming the Orders will be to give permanent legal force to the Orders, as opposed to provisional force, thereby making it an offence on a permanent basis to fell or otherwise lop, prune etc, any of the trees covered by the Orders without first having obtained lawful permission.

DETAILS OF PROPOSALS

6. The following Orders were made and served on all those with an interest (owner/occupiers etc.) in the land on which the trees are situated on the dates stated for the following purposes:
- (i) The Chorley Borough Council Tree Preservation Order No. 1 (Eccleston) 2009, made on 17 February 2009; to protect 22 trees on land surrounding the site of Sagar House, The Green, Eccleston.
 - (ii) The Chorley Borough Council Tree Preservation Order No. 2 (Euxton) 2009, made on 3 March 2009 to protect 9 trees situated on land within the garden areas of no. 53 Wigan Road, Euxton.

IMPLICATIONS OF REPORT

7. This report does not have any implications in relation to any of the following areas:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal			

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CORPORATE DIRECTOR OF GOVERNANCE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
G Fong	5169	27 November 2009	

