

Development Control Committee

Tuesday, 17 August 2010

Present: Councillor Harold Heaton (Chair), Councillor Geoffrey Russell (Vice-Chair), Councillors Alan Cullens, David Dickinson, Dennis Edgerley, Roy Lees, June Molyneaux, Simon Moulton, Mick Muncaster and Ralph Snape

Officers: Chris Moister (Head of Governance), Jennifer Moore (Head of Planning), Liz Beard (Principal Planning Officer), Caron Taylor (Planning Officer) and Cathryn Barrett (Democratic and Member Services Officer)

Also in attendance: Councillor John Walker and Zoe Whiteside (Head of Housing)

10.DC.183 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Christopher France.

10.DC.184 DECLARATIONS OF ANY INTERESTS

In accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct:

Councillor Alan Cullens declared a personal interest in respect of planning application 10/00525/FULMAJ – Land 45m South West of 1 Swallow Court, Clayton-le-Woods.

Councillor Ralph Snape declared a prejudicial interest in respect of planning application 10/00181/FULMAJ – Altcar Farm, Altcar Lane, Euxton, Leyland, PR25 1LE

10.DC.185 MINUTES

RESOLVED – That the minutes of the Development Control Committee meeting held on 22 July 2010 be confirmed as a correct record and signed by the Chair.

10.DC.186 PLANNING APPLICATIONS AWAITING DECISION

The Director of Partnerships, Planning and Policy submitted reports on eight applications for planning permission to be determined by the Committee.

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

(a) 10/00417/FULMAJ - 202 Chorley Old Road, Whittle-le-Woods, Lancashire PR6 7NA

(The Committee received representations from an objector to the proposals, and a Ward Councillor)

Application no: 10/00417/FULMAJ

Proposal: Erection of 13 dwellings and associated infrastructure
(following demolition of no. 202 Chorley Old Road)
Location: 202 Chorley Old Road, Whittle-le-Woods, Lancashire, PR6
7NA
Decision:

It was proposed by Councillor Mick Muncaster, seconded by Councillor David Dickinson, and was subsequently **RESOLVED – To defer the decision to allow the Members of the Committee to visit the site of the proposal.**

(b) 10/00525/FULMAJ - Land 45m South West of 1 Swallow Court, Clayton-le-Woods, Lancashire

(Councillor Alan Cullens declared a personal interest on this item)

(The Committee received representation from an objector to the proposals, a Ward Councillor objecting to the proposals and the applicant's agenda in support of the application)

Application no: 10/00525/FULMAJ
Proposal: Erection of 2 two bedroom, 9 three bedroom affordable houses with associated landscaping and car parking
Location: Land 45m South West of 1 Swallow Court, Clayton-le-Woods, Lancashire
Decision:

A proposal for a site visit was proposed but later withdrawn.

It was proposed by Councillor Roy Lees, seconded by Councillor Dennis Edgerley and subsequently **RESOLVED – To grant 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 means of foul water drainage/disposal shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for foul water drainage/disposal have been completed in accordance with the approved details.**
Reason: To ensure proper drainage of the development and in accordance with Policy No. EP17 of the Adopted Chorley Borough Local Plan Review.
- 3. 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.
- 4. 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 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 No. HS4, of the Adopted Chorley Borough Local Plan Review.

5. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy No. HS4, 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. The approved plans are:

Plan Ref.	Received On:	Title:
2280 100	25 June 2010	Location Plan as Existing
2280 105	25 June 2010	Site Plan as proposed
2280 101	28 June 2010	Site Plan as existing
2280 110	28 June 2010	Street Elevations as proposed
2280 108	28 June 2010	Unit Elevations as proposed
2302_01	28 June 2010	Arboricultural Constraints Plan
	25 June 2010	Unit Type 2B4P as proposed
2280 107	28 June 2010	Unit Type 3B5P as proposed
2280 113	28 June 2010	Boundary Treatment as proposed
2280 114	28 June 2010	Garden Shed as proposed
2280 107 Rev A	4 August 2010	Unit Type 3B5P as proposed (Plot 6)
2280 108 Rev A	4 August 2010	Unit Elevations as proposed (amended in part)
2280 105 Rev B	4 August 2010	Site Plan as proposed (amended in part)

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

8. 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.

9. 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 HS4 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 type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;
- b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;
- c) the Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works, a validation report containing any validation sampling results have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.

11. If during the 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 remediation proposals, and obtained written approval from the local planning authority.

Reason: To protect the environment and to prevent harm to human health by ensuring that the land is remediated to an appropriate standard in accordance with Policy No.EP16 of the Adopted Chorley Local Plan Review.

12. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

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

13. 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.

(c) 10/00181/FULMAJ - Altcar Farm, Altcar Lane, Euxton, Leyland, PR25 1LE

(Councillor Ralph Snape declared a prejudicial interest and left the meeting during the consideration and voting on this item.)

(The Committee received representation from the applicant's agent.)

Application no: 10/00181/FULMAJ
Proposal: Erection of poultry building
Location: Altcar Farm, Altcar Lane, Euxton, Leyland,
PR25 1LE
Decision:

It was proposed by Councillor Mick Muncaster, seconded by Councillor June Molyneaux and subsequently **RESOLVED – To grant planning permission subject to the following conditions:**

1. The Development shall only be carried out in accordance with the approved plans, except as may otherwise be specifically required by any other condition of this permission or unless otherwise first agreed to in writing by the Local Planning Authority.

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

2. The proposed development must be begun not later than 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 samples of all external facing materials to the proposed building (notwithstanding any details shown on the approved plans) 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 EP7 of the Chorley Borough Local Plan Review.

4. 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 EP8 of the Chorley Borough Local Plan Review.

5. 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 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 Chorley Borough Local Plan Review.

- (d) 10/00591/FULMAJ - Royal Ordnance Site including land between Dawson Lane and Euxton Lane, Euxton Lane, Euxton, Lancashire

Application no: 10/00591/FULMAJ
Proposal: Erection of a railway station, access road and associated parking and infrastructure at Buckshaw Village (amendments to previously approved application ref: 08/00562/REMMAJ)
Location: Royal Ordnance Site, including land between Dawson Lane and Euxton Lane, Euxton Lane, Euxton, Lancashire
Decision:

It was proposed by Councillor David Dickinson, seconded by Councillor Mick Muncaster and subsequently **RESOLVED – Unanimously to grant 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 and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.

3. 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.
4. 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 (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.
5. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.
Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.
6. The approved plans are:
- | Plan Ref. | Received On: | Title: |
|-------------------------|--------------|--|
| 34548 | 14 July 2010 | Location Plan |
| M0001-DRG-BAA0001 (PO3) | 14 July 2010 | Proposed Station Building Plans & Elevations |
| M0001-DRG-BA00003 (PO2) | 14 July 2010 | North Elevation (rendered Image) |
| FFC64A/20120(B) | 14 July 2010 | Planning Application GA |
| 30012 (B) | 14 July 2010 | Proposed Site Sections |
| 30014 (D) | 14 July 2010 | Proposed Footbridge GA Plans & Elevations |
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. No development hereby permitted shall be operational until the highway which serves the development has been completed in accordance with the details shown on plan reference SCP/08183/005, received 31 July 2008, or as 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.
9. Before the development hereby permitted is first commenced full details of lighting proposals for 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 public safety and crime prevention and in accordance with Policy Nos. GN5 and EP21A of the Adopted Chorley Borough Local Plan Review.

10. Prior to the commencement of the development a methodology statement for the construction of the development hereby permitted, in particular the construction of the platforms and the footbridge, shall be submitted to and approved in writing by the Local Planning Authority. The methodology statement shall include working hours, a timetable for construction and a noise assessment. The development thereafter shall be constructed in accordance with the approved methodology statement.

Reason: To ensure the amenities of the neighbours are protected and in accordance with Policy EP20 of the Adopted Chorley Borough Local Plan Review.

11. 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.

12. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab levels to the North, West and East of the site shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on approved plan(s), including how the scheme will tie into the levels of the approved scheme to the north ref: 09/00659/REMMAJ); and including cross-sections to boundaries with adjacent land at points to be first agreed to in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: There is a level difference between the application site and the adjacent land and adjacent schemes as approved. To protect the appearance of the locality and to ensure the appropriate development of Buckshaw Village as whole and in accordance with Policy Nos. GN5 and GN2 of the Adopted Chorley Borough Local Plan Review.

- (e) 10/00437/REMMAJ - Parcel J Buckshaw Avenue, Buckshaw Village, Lancashire

Application no: 10/00437/REMMAJ
Proposal: Reserved matters application for residential development comprising of 36 dwellings and associated works
Location: Parcel J Buckshaw Avenue, Buckshaw Village, Lancashire
Decision:

It was proposed by Councillor June Molyneaux, seconded by Councillor Mick Muncaster and subsequently **RESOLVED – Unanimously to grant planning permission subject to the following conditions:**

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

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

2. The approved plans are:

Plan Ref.	Received On:	Title:
BVP2/SK02 Rev C	1 July 2010	Sketch Layout 2
P2BUCK-33-38/01	2 June 2010	Street Scene Plots 33- 38
BVP2/MAT/01 Rev A	1 July 2010	Materials Layout
BVP2/SK02/Levels Rev A	1 July 2010	Proposed Levels
01499 Rev A	1 July 2010	Landscaping Scheme
H533---5 Rev A	2 June 2010	House Type H533 Elevations
H533---5 Rev A	2 June 2010	House Type H533 Floor Plans
H575---5 Rev A	2 June 2010	House Type H575 Elevations
H575---5 Rev A	2 June 2010	House Type H575 Floor Plans
H526---5 Rev A	2 June 2010	House Type H526 Elevations
H526---5 Rev A	2 June 2010	House Type H526 Floor Plans
H536---5 Rev A	2 June 2010	House Type H536 Elevations
H536---5 Rev A	2 June 2010	House Type H536 Floor Plans
H454---5 Rev A	2 June 2010	House Type H454 Elevations
H454---5 Rev A	2 June 2010	House Type H454 Floor Plans
H534---5 Rev A	2 June 2010	House Type H534 Elevations
H534---5 Rev A	2 June 2010	House Type H534 Floor Plans
H421---5 Rev A	2 June 2010	House Type H421 Elevations and Floor Plan
P341-E-5	2 June 2010	House Type P341-E-5 Elevations and Floor Plans
Garage Type G203 Rev A	2 June 2010	Double Garage
EXT WKS 06v	2 June 2010	1800 Brick Screen Wall
EXT WKS 07	2 June 2010	1800 Close Boarded Timber Fence
EXT WKS 08	2 June 2010	1800 Privacy Gate Detail

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

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 and HS4 of the Adopted Chorley Borough Local Plan Review.

4. 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.

5. 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. 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.
7. The properties hereby permitted shall only be constructed out using the approved external facing materials as shown on plan BVP2/MAT/01 Rev A, unless otherwise agreed to 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 and HS4 of the Adopted Chorley Borough Local Plan Review.
8. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.
Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.
9. The integral 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.
10. During the development if contamination, which has not previously been identified, is found to be present at the site no further development shall be carried out until a Method Statement has been submitted to and approved in writing by the Local Planning Authority detailing how this unsuspected contamination will be dealt with. The development shall then only be carried out in accordance with the Method Statement.
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 PPS23.
11. 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.

(f) **10/00418/FULMAJ - Land Representing Phase 3 and Clayton Green Business Centre, Preston Road, Clayton-le-Woods**

Application no: 10/00418/FULMAJ
Proposal: Resubmission of planning application 10/00047/FULMAJ for 11 dwellings and infrastructure to land adjacent to 605 Preston Road, including amendments/plot substitution to previously approved layout for planning application 08/00203/FUL
Location: Land representing Phase 3 and Clayton Green Business Centre, Preston Road, Clayton-le-Woods
Decision:

It was proposed by Councillor Roy Lees, seconded by Councillor Simon Moulton and subsequently **RESOLVED – To grant planning permission subject to Legal Agreement and the following conditions:**

1. **The proposed development must be begun not later than three years from the date of this permission.**
Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. **No development shall take place until 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 (which ever 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.
3. **The development shall only be carried out in accordance with the approved plans, except as may otherwise be specifically required by any other condition of this permission or unless otherwise first agreed in writing by the Local Planning Authority.**
Reason:- To define the permission and in the interests of the proper development of the site.
4. **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.

5. The approved plans are:

Plan Ref.	Received On:	Title:
AL-005aRevC	26 May 2010	Site Layout
AL-100	26 May 2010	Proposed Streetscenes
OS-01	26 May 2010	Location Plan
C5199/01	26 May 2010	C1 2 Bed House Type House Types
4.207/P/B/L Rev A	26 May 2010	Scott
3.118/P/B/L	26 May 2010	Claydon
4.209/P/B/L	26 May 2010	Jenner
Dunham 107 (D1)	26 May 2010	Dunham
4.204/P/B/L	26 May 2010	Nightingale
4.309/P/B/L	26 May 2010	Oxford
AD(10)01	26 May 2010	1.8m High Fence
SD-01	26 May 2010	Screen Wall/Fence 1.8m
SF/3	26 May 2010	0.9m Post & Two Rail Fence
GA-01	26 May 2010	Single Garages-Plans & Elevations

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

6. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

7. 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. This should focus in particular on the pond area. 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.

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

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. 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.

- (g) 10/00431/FUL - Former Victoria Mill Building, 10m South West of 23 Millbrook Close, Wheelton

Application no: 10/00431/FUL
Proposal: Erection of 1 detached and 1 pair semi detached houses
Location: Former Victoria Mill Building, 10m South West of 23 Millbrook Close, Wheelton

Decision:

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

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

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. 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 HS4 of the Adopted Chorley Borough Local Plan Review.

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the

next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

4. The development hereby permitted shall not commence until samples of all external facing materials to the proposed buildings (notwithstanding any details shown on previously submitted 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.

5. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

6. The garage hereby permitted with Plot 3 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 maintained in accordance with Policy 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 and EM2 of the Adopted Chorley Borough Local Plan Review.

8. 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.

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. Before the use of the premises hereby permitted is first commenced, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained

and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR8 of the Adopted Chorley Borough Local Plan Review.

11. Prior to the commencement of the development the car parking provision shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority. The car parking spaces and manoeuvring areas shall be marked out in accordance with the approved plan prior to the occupation of the dwellinghouses.

Reason: To ensure the successful development of the site and allow for the effective use of parking areas and to comply with Policy HS4 of the Adopted Chorley Borough Local Plan Review.

12. No development shall take place until :

- a) A methodology for investigation and assessment of ground contamination has been submitted to and approved in writing by the Local Planning Authority. The investigation and assessment shall be carried out in accordance with current best practice including British Standard 10175:2001 "Investigation of potentially contaminated sites – Code of Practice".

The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;

- b) All testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;

- c) The Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works, a validation report containing any validation sampling results have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.

13. If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by 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. The development thereafter shall be carried out in accordance with the approved Method Statement.

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.

14. All windows in the first floor side elevations of Plot 3 shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter.
Reason: To protect the appearance of the locality and in accordance with Policy No. HS4, GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.

15. The approved plans are:

Plan Ref.	Received On:	Title:
914.40	8 June 2010	Site Location Plan
10/035/P01	8 June 2010	Proposed Site Layout
10/035/P02	8 June 2010	Proposed House Type Plans & Elevations

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

(h) 10/00435/FULMAJ - Land South of Parcel 7 and Parcel F, Euxton Lane, Euxton, Lancashire

Application no: 10/00435/FULMAJ
Proposal: Proposed re-plan of plots 44,111-113 and 124-128 of previous approval (07/00483/FULMAJ) to replace 9 dwellings with 13 dwellings
Location: Land South of Parcel 7 and Parcel F, Euxton Lane, Euxton, Lancashire
Decision:

It was proposed by Councillor Dennis Edgerley, seconded by Councillor Mick Muncaster and subsequently **RESOLVED – Unanimously grant 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 91 of the Town and Country Planning Act 1990.

2. The approved plans are:

Stamp-dated on:	Title:	DWG No:
2/06/2010	Proposed Site Layout	A1a
2/06/2010	Materials & Boundary Treatment Plan	A1b
2/06/2010	Boundary Treatments	A1c
2/06/2010	Esk House Type	A1d
2/06/2010	Esk House Type	A1e
2/06/2010	Milne House Type	A1f
2/06/2010	Milne House Type	A1g
2/06/2010	Rolland House Type	A1h
2/06/2010	Rolland House Type	A1I
2/06/2010	James House Type	A1J
2/06/2010	James House Type	A1k

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

3. The development hereby permitted shall only be carried out using the following previously approved external facing materials:

1. Brick type – Hansen Beckingham Red Multi with Smooth Red Details
2. Roof tiles – Dark grey roof tiles with a red ridge line.

Reason: To ensure 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. 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.

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. The first floor windows on the rear elevation (east elevation) of the Melville House type (Plot 131 of Plan reference MEL/ENG/PD/1000) shall be fitted with obscure glazing and obscure glazing shall be retained at all times thereafter.

Reason: In the interests of the privacy of occupiers of neighbouring property and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 1, Class F and Schedule 2, Part 2, Class B) or any Order revoking or re-enacting the Order, no hard surfacing shall be provided within any curtilage that is adjacent to a highway of any dwelling hereby permitted, nor shall any means of access to a highway be formed, laid out or constructed to any dwelling hereby permitted (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality, in particular to avoid the proliferation of frontage parking and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

9. 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.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 2, Class A) (or any Order revoking and re-enacting that Order) no fences, gates or walls shall be erected within the curtilage of any dwelling hereby permitted (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.

11. 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.

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

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

13. 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.

10.DC.187 PLANNING APPEALS NOTIFICATION REPORT

The Director of Partnerships, Planning and Policy submitted a report giving notification of planning permission being granted by Lancashire County Council for the creation of a new footway and cycle way and the widening and resurfacing of an existing footpath/cycle path land bounded by Dawson Lane to Cuerden Valley Cycle Path including footpath 60, 17 and 11 Dawson Lane Whittle-le-Woods Lancashire.

RESOLVED – That the report be noted.

10.DC.188 PLANNING APPLICATIONS DECIDED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY IN CONSULTATION BY THE CHAIR AND VICE-CHAIR OF THE COMMITTEE

The Committee received for information a schedule listing four planning applications for Category 'B' development proposals which had been determined by the Director

of Partnerships, Planning and Policy in consultation with the Chair and Vice Chair of the Committee at a meeting held on 4 August 2010.

RESOLVED – That the schedule be noted.

10.DC.189 PLANNING APPLICATIONS DETERMINED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY UNDER DELEGATED POWERS

The Committee received, for information, a schedule listing planning applications determined by the Director of Partnerships, Planning and Policy under delegated powers between 6 July 2010 and 28 July 2010.

RESOLVED – That the schedule be noted.

Chair