

# Development Control Committee

**Tuesday, 8 March 2011**

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

**Officers:** Jennifer Moore (Head of Planning), Chris Moister (Head of Governance), Paul Whittingham (Development Control Team Leader), Caron Taylor (Planning Officer) and Cathryn Barrett (Democratic and Member Services Officer)

**Also in attendance:** Councillors Keith Iddon (Eccleston and Mawdesley)

## 11.DC.19 APOLOGIES FOR ABSENCE

Apologies for absence was received from Councillor Christopher France.

## 11.DC.20 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, the following Members declared a prejudicial interest in relation to the agenda items listed below:

Councillor Henry Counce – Item 4a, Planning Application 10/01081/FUL  
Councillor Dennis Edgerley – Item 4a, Planning Application 10/01081/FUL  
Councillor Roy Lees – Item 5, Enforcement Report – Yew Tree House Farm

## 11.DC.21 MINUTES

**RESOLVED – That the minutes of the Development Control Committee meeting held on 8 February 2011 be confirmed as a correct record and signed by the Chair.**

## 11.DC.22 PLANNING APPLICATIONS TO BE DETERMINED

The Director of Partnerships, Planning and Policy submitted reports on four 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) 10/01081/FUL - Land North West of and land adjacent to Back House Barn, Hall Lane, Mawdesley**

Councillor Henry Counce and Councillor Dennis Edgerley declared a prejudicial interest and left the meeting for the duration of this item.

(The Committee received representations objecting to the proposals and the applicant's agent in support of the application.)

(The Committee received representations from a Ward Councillor objecting to the proposals.)

Application No: 10/01081/FUL  
Proposal: Change of use and works to existing buildings to create two dwellings and two garages (resubmission of planning application no: 10/00604/FUL)  
Location: Land North West of and adjacent to Back House Barn, Hall Lane, Mawdesley  
Decision:

It was proposed by Councillor Roy Lees, seconded by Councillor June Molyneaux and subsequently **RESOLVED (8:1) – To defer the decision to allow Members of the Committee time to visit the site of the proposed development.**

**(b) 11/00131/FUL - Sultan's Palace Indian Restaurant, Bolton Road, Anderton, Bolton**

(The Committee received representations from the applicant's agent in support of the proposals.)

Application No: 11/00131/FUL  
Proposal: Demolition of the former pub/restaurant and the erection of four detached dwellings with associated works  
Location: Sultan's Palace Indian Restaurant, Bolton Road, Anderton, Bolton  
Decision:

It was proposed by Councillor June Molyneaux, seconded by Councillor Simon Moulton and subsequently **RESOLVED (10:0:1) – To approve planning permissions subject to a Section 106 Agreement, further consideration of any representations received on 9 March 2011, 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. Prior to the commencement of the development full details shall be submitted to demonstrate and provide 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 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. 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.***
- 3. Due to the size of development and sensitive end-use, 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 at 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 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: 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 development shall take place until a scheme has been submitted to and agreed in writing with the Local Planning Authority in conjunction with the Highway Authority which demonstrates how the existing site access serving Plots 3 and 4 can be improved and altered to allow for the necessary visibility along Bolton Road for future occupiers of these properties. The approved scheme shall be implemented in full prior to the occupation of the dwellings hereby permitted. Should a new access be required then the existing access shown to the front of Plot 4 shall be physically and permanently closed in accordance with a scheme to be agreed in writing with the Local Planning Authority.

*Reason: To ensure adequate visibility at the junction to Plots 3 and 4 and in accordance with Policy No. TR4 of the Adopted Chorley Borough Council Local Plan Review.*

5. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

*Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.*

6. No development shall take place until a scheme for pedestrian improvement works to the front of the site along Bolton Road including a new 2m wide footway and grass verge including pedestrian drop crossing shall have been submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure that adequate pedestrian routes are provided to and from the application site and in accordance with Policy No. TR4 of the Adopted Chorley Borough Council Local Plan Review.*

7. 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.*

8. 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 plan(s)) 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.*

9. This consent relates to the following plans:

Plan Ref.	Received On:	Title:
10W116-003 Revision A	14 February 2011	Existing Plan & Elevations
10W116-007 Revision B	14 February 2011	Proposed House Plans & Elevations
10W116-006 Revision B	14 February 2011	Proposed House Plans & Elevations
10W116-001 Revision E	18 February 2011	Location Plan / Site Survey
10W116-005 Revision J	18 February 2011	Proposed Site Plan
10W116-004 Revision E	18 February 2011	Proposed Plan & Elevations

*Reason: To define the consent and to ensure all works are carried out in a satisfactory manner.*

10. Before the development hereby permitted is first occupied, 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. Notwithstanding the details shown on the submitted plans, the proposed driveway/hard surfacing 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 of the Adopted Chorley Borough Local Plan Review and PPS25*

12. 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.*

13. 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.*

14. 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.*
15. 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.*
16. Prior to the occupation of any dwelling hereby approved full details of the lighting columns illustrated on the proposed plans shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the height, position, appearance and output of any lighting columns to be erected. The development shall only be carried out in conformity with the approved details.  
*Reason: In the interests of the character and appearance of the area, the amenities of neighbouring residents and in accordance with Policy No. GN5, HS4, and EP21A of the Adopted Chorley Borough Council Local Plan Review.*
17. 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) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.  
*Reason: To ensue a satisfactory form of development in the interest of visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*
18. 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, DC8A, DC8B, HT2, HT3, HT7, HS4, HS9, EM3, EM4A and EM5 of the Adopted Chorley Borough Local Plan Review.*
19. Prior to commencement of development, further details of bat roosting opportunities (for example, bat bricks, bat boxes, or roof access) that will be incorporated into the development will be submitted to Chorley Borough Council for approval in writing in consultation with specialist advisors. The approved details shall be implemented in full.  
*Reason: To provide opportunities bat roosting and bird nesting opportunities within the proposed development following demolition of the*

*existing buildings and in accordance with PPS9 and Policy No EP4 of the Adopted Chorley Local Plan Review.*

20. Prior to the commencement of development (which for the purpose of this condition shall include the demolition phase) a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall specifically include details of working practices, site management, hours of operation, construction routes into and around the site, and the location of any storage or site compounds.

*Reason: To protect the residential amenity of neighbouring residents during the construction phase and in accordance with Policy No HS4 of the Adopted Chorley Borough Local Plan Review.*

- (c) 11/00059/FULMAJ - Land adjacent to Fairview Farm (including Land bounded by Chorley Road/Eller Brook and Railway) Fairview Drive, Adlington

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

Application No: 11/00059/FULMAJ  
Proposal: Section 73 application to vary conditions 1 (approved plans), 17 (levels – in respect of plots 8, 9, 10 and 11 to accommodate the drainage requirements) and 224 (approved plans – specifically in respect of the approved landscaping plans) attached to planning approval 09/00714/FULMAJ  
Location: Land adjacent to Fairview Farm (including land bounded by Chorley Road/Eller Brook and Railway) Fairview Drive, Adlington  
Decision:

It was proposed by Councillor June Molyneaux to defer the decision to allow further clarification of the issues related to flooding as discussed at the meeting, there was no seconder to this proposal.

It was proposed by Councillor David Dickinson, seconded by Councillor Mick Muncaster and subsequently **RESOLVED (10:1) – To approve planning permission subject to the following conditions:**

1. **The proposed development must be begun not later than three years from the date of planning permission reference 09/00714/FULMAJ**  
*Reason: Required to be imposed 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 details of the fences and walls to be erected as discharged by application 10/00947/DIS. 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 be carried out in accordance with the approved external facing materials as discharged by application 10/00863/DIS.**  
*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 be carried out in accordance with the approved hard ground- surfacing materials as discharged by application 10/00863/DIS.  
*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. The development hereby permitted shall be managed in accordance with the approved Management Company arrangements as discharged by application 10/00947/DIS.  
*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. The development hereby permitted shall be carried out in accordance with the approved precautionary measures set out within the Phase 1 Desk Study and Phase 2 Investigation and Report submitted as part of application 10/00863/DIS.  
*Reason: In the interests of safety and in accordance with Government advice contained in PPS23: Planning and Pollution Control.*
7. The development hereby permitted shall be carried out in accordance with the approved remediation measures set out within the Phase 1 Desk Study and Phase 2 Investigation and Report submitted as part of application 10/00863/DIS.  
*Reason: In the interests of safety and in accordance with Government advice contained in PPS23: Planning and Pollution Control.*
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.*
9. 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.*
10. During the construction period, all trees to be retained shall be protected by 1.8 metre high block and mesh fencing, in accordance with the details submitted as part of application 10/00947/DIS. 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.*
11. The development hereby permitted shall be implemented in accordance with the Habitat Creation/Enhancement and Management Plan undertaken by Bowland Ecology dated March 2011.  
*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.***

12. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans.  
***Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.***
13. 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.***
14. 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.***
15. 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.***
16. The development hereby permitted shall be carried out in accordance with the approved surface water drainage strategy as discharged by application 10/00863/DIS. The maximum surface water discharge from the site will be 8l/sec.  
***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.***
17. Within one month of the date of this planning approval 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 unless it can be demonstrated, through open book accounting, that the individual site's circumstances are such that development would not be feasible or viable if the policy were implemented. Such details as may be approved shall be implemented and retained in perpetuity.  
***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.***



18. The development hereby permitted shall be carried out in accordance with the approved details in respect of Code for Sustainable Homes Level 3 set out within the pre-assessment tool submitted as part of application 10/00863/DIS. The approved details shall be fully implemented and retained in perpetuity.

*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.*

19. The approved plans are:

Plan Ref. Received On: Title:

2640 02 08	10 September 2009	Location Plan
2640GM02/001 Rev E	25 January 2011	Proposed Site Layout
SSL:13037:100:1:1:LEV	2 October 2009	Threshold Level Survey
2640GM02/005 Rev A	7 October 2009	House Types B
2640GM02/006 Rev A	7 October 2009	House Types D
2640GM02/002 Rev A	7 October 2009	Proposed Street Elevations 1
2640GM02/003 Rev A	7 October 2009	Proposed Street Elevations 2
2640GM02/007 Rev A	7 October 2009	House Types G & H
2640GM02/008	7 October 2009	House Types B5, B6, G2 & G3
2640GM02/004	10 September 2009	Proposed Cross Sections
2640 02 07	18 November 2009	Existing Landscape
1110_05 Rev B	23 February 2011	Landscape Proposals-Final
1110_06 Rev A	23 February 2011	Planting Details for Environmental Areas
Rev D	28 February 2011	Landscape Proposals Planting Schedules
27-28-31 Rev D	18 February 2011	Site Plan showing roads, sewers, land drain and watercourse layouts.
27-28-38 Rev B	18 February 2011	Redirected Existing Watercourse
27-28-45	18 February 2011	Details of land drain adjacent to rear western boundary

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

20. In the event that a gabion retaining wall (highway structure) is required prior to the completion of plots 2-12 of the development full details of the proposed construction of the highway and turning head, serving plots 2-12, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include full details of the proposed gabion retaining wall, including levels and sections through the highway, along with proposed protection measures for the adjacent Sycamore Tree. The development thereafter shall be carried out in accordance with the approved details.

***Reason: In the interests of the visual amenities of the area and to ensure the continued protection of the adjacent tree. In accordance with Policies GN5 and EP9 of the Adopted Chorley Borough Local Plan Review.***

21. The development hereby permitted shall be carried out in accordance with the approved scheme and programme for the site enabling and construction phase of the development as discharged by application 10/00863/DIS.

***Reason: To ensure the access used for construction traffic is appropriate in highway safety terms and to ensure that noise and disturbance resulting from hours of operation and delivery does not adversely impact on the amenity of existing residents.***

**(d) 11/00080/DIS - Group 1, Euxton Lane, Euxton**

Application No: 11/00080/DIS  
Proposal: Application to discharge conditions 5, 6, 8, 9, 11, 29, 30 and 46 attached to planning approval 08/00910/OUTMAJ  
Location: Group 1 Euxton Lane, Euxton  
Decision:

It was proposed by Councillor David Dickinson, seconded by Councillor Mick Muncaster and subsequently unanimously **RESOLVED** – **That the conditions subject to this application (as detailed below) be discharged apart from condition 29 which was not required discharging as it was a compliance condition which did not require the submission of details to the Council.**

**Condition 5**

1. **Condition 5 is as follows: Prior to the submission of any reserved matters applications on the site pursuant to Condition 2 a Design Code shall be submitted to and approved in writing by the Local Planning Authority. This Design Code shall be produced in accordance with the Design and Access Statement dated August 2008 and the Supplementary Report to the Design and Access Statement dated January 2009. The Design Code shall include the design principles for the whole of the site and will incorporate, amongst other elements,:**

- **The Masterplan for the site**
- **Specific character areas incorporating detailing design requirements**
- **A highway hierarchy and design considerations including the alignment of the main road through the site linking Central Avenue to the A49**
- **A greenspace and landscape structure**
- **A movement framework**
- **Layout considerations**
- **Parking and garaging**
- **Appropriate building and hard surfacing materials**
- **Details of appropriate boundary treatments**
- **Lighting**
- **Signage and signposting**
- **Sustainability**
- **Details of the laying of services, drainage and cables**
- **Bin storage and rubbish collection**
- **Ecology and nature conservation**

Each reserved matters application thereafter shall be submitted in accordance with the Approved Design Code unless otherwise agreed in writing by the Local Planning Authority.

***Reason: To ensure a comprehensive approach to the development of this site is achieved and in the interests of the proper planning of the site. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review***

### **Condition 6**

2. Condition 6 is as follows: Prior to the commencement of the development and the submission of any reserved matters application pursuant to Condition 2 the following details shall be submitted to and approved in writing by the Local Planning Authority:

- Foul and surface water drainage
- Surface water strategy including details of the attenuation ponds
- Nature conservation and enhancement works including details of the proposed ponds
- Provision and layout of public open space
- Provision of footpath and cycle links
- Existing and proposed levels
- Tree works and tree protection measures

Each and every reserved matters application shall be submitted in accordance with the approved details. The development thereafter shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In the interests of the proper and comprehensive planning of the site to create a high quality sustainable development. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review.*

### **Condition 8**

3. Condition 8 is as follows: Prior to the commencement of the development a movement strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the road hierarchy through the site and the footpath/ cycle linkages through the site. The development thereafter shall be carried out in accordance with the approved movement strategy unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In the interests of the proper development if the site and to promote connectivity through the site and with the adjacent/ nearby existing Villages. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review*

### **Condition 9**

4. Condition 9 is as follows: Prior to the commencement of the development a landscape strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the informal open space and the structure planting along the southern and western boundaries of the site. In particular the strategy shall detail the phasing of the tree removal along the southern railway boundary, details of the phasing of the replacement tree planting along the southern boundary and the type and size of trees to be planted along the southern boundary. All reserved matters application shall be submitted in accordance with the approved landscape strategy and the development thereafter shall be carried out in accordance with the approved landscape strategy, unless otherwise agreed in writing by the Local Planning Authority

*Reason: In the interests of the proper development if the site. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review*

### **Condition 11**

5. Condition 11 is as follows: Prior to the commencement of the development a surface water drainage strategy (including a surface water attenuation strategy) shall be submitted to and approved in writing by the Local Planning Authority. The drainage of the site shall thereafter be fully implemented and completed in accordance with the approved strategy, unless otherwise agreed in writing by the Local Planning Authority

*Reason: To enable the Local Authority to assess the effects of the proposed development on flood defence/ land drainage. In accordance with Policy EP18 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS25: Development and Flood Risk*

**Condition 30**

6. Condition 30 is as follows: No development shall take place until full details of the main road through the site between the junction on Central Avenue and the junction on the A49 have been submitted to and approved in writing by the Local Planning Authority. Thereafter Phase 2 of the development, as shown on the Masterplan (reference 895/97A dated 28th August 2009), shall not be commenced until the main road through the site has been constructed between the junction on Central Avenue and the junction on the A49 in accordance with the approved details and is open to public traffic.

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

**Condition 46**

7. Condition 46 is as follows: The 1.2 hectare piece of land safeguarded for the provision of a primary school, in accordance with the associated Section 106 Agreement, (shown on the attached plan) will be grassed and maintained in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority prior to the occupation of any dwellinghouse/ commercial unit. This area of land will be maintained in accordance with the approved details until the occupation of 600th property/ for a period of 10 years from the grant of the first reserved matters approval (whichever is the later).

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

**11.DC.23 ENFORCEMENT REPORT - YEW TREE HOUSE FARM**

Councillor Roy Lees declared a prejudicial interest and left the meeting for the duration of this item.

The Committee received a report from the Director of Partnerships, Planning and Policy asking Members of the Committee to consider a request to extend the period of compliance with Enforcement Notices issued in respect of Yew Tree House Farm, Coppull Hall Lane, Coppull.

Members approved a recommendation last year to issue Enforcement Notices in respect of operational development involving the processing of milk. The appellant sought an extension of time to the compliance periods allowed in the notices.

It was proposed by Councillor Dennis Edgerley, seconded by Councillor June Molyneaux and subsequently unanimously **RESOLVED - That the period allowed for compliance with the Enforcement Notices should not be extended as the period allowed for compliance was felt reasonable and any longer period would prolong the harm caused by the development.**

**11.DC.24 PROPOSED CONFIRMATION OF TREE PRESERVATION ORDER NO. 7 (WITHNELL) 2010 WITHOUT MODIFICATION**

The Director of Transformation submitted a report for Members to consider a formal confirmation of a Tree Preservation Order without modifications. No objections had been received in response to the making of the order.

It was proposed by Councillor Dennis Edgerley, seconded by Councillor June Molyneaux and subsequently unanimously **RESOLVED – That the Chorley Borough Council Tree Preservation Order No. 7 (Whithnell) be confirmed without modifications.**

**11.DC.25 PROPOSED CONFIRMATION OF TREE PRESERVATION ORDER NO. 9 (EUXTON) 2010 WITHOUT MODIFICATION**

The Director of Transformation submitted a report for Members to consider a formal confirmation of a Tree Preservation Order without modifications. No objections had been received in response to the making of the order.

It was proposed by Councillor Dennis Edgerley, seconded by Councillor June Molyneaux and subsequently unanimously **RESOLVED – That the Chorley Borough Council Tree Preservation Order No. 9 (Euxton) be confirmed without modifications.**

**11.DC.26 PLANNING APPEALS NOTIFICATION REPORT**

The Director of Partnerships, Planning and Policy submitted a report giving notification of one appeal lodged against the refusal of planning permission and a planning application granted by Lancashire County Council.

**RESOLVED – That the report be noted.**

**11.DC.27 DELEGATED DECISIONS DETERMINED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY IN CONSULTATION WITH THE CHAIR AND VICE CHAIR OF THE COMMITTEE**

The Committee received, for information, schedules listing nine planning applications for Category 'B' development proposals which had been determined by the Chair and Vice Chair of the Committee at meetings held on 8 February and 23 February 2011.

**RESOLVED – That the schedules be noted.**

**11.DC.28 PLANNING APPLICATIONS DETERMINED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY**

The Committee received, for information, a schedule listing planning applications determined by the Director of Partnerships, Planning and Policy under delegated powers between 27 January 2011 and 23 February 2011.

**RESOLVED – That the schedule be noted.**

**11.DC.29 ANY OTHER ITEM(S) THAT THE CHAIR DECIDES IS/ARE URGENT**

The Head of Governance gave a verbal update on a planning appeal.

Chair