

Development Control Committee

Tuesday, 29 March 2011

Present: Councillor Harold Heaton (Chair) and Henry Counce, Alan Cullens, David Dickinson, Dennis Edgerley, Christopher France, Roy Lees, June Molyneaux and Mick Muncaster

07.CCS.30 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Simon Moulton and Councillor Ralph Snape.

07.CCS.31 MINUTES

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

Matters Arising - Minutes Number 11.DC.22(c)

At the Development Control Committee on 8 March 2011 the Fairview Farm, application number: 11/00059/FULMAJ (Section 73) was approved subject to various conditions.

The Committee was advised that the reason for the submission of this application was due to amendments to the proposed landscaping of the site to satisfy ecological concerns raised by the Environment Agency and to raise the levels of a few of the properties slightly.

Subsequent to the Committee meeting and prior to issuing the decision further information was submitted in respect of two of the conditions as follows:

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

Full details of the measures to reduce carbon emissions were submitted which are acceptable in respect of Planning Policy SR1 and a gabion retaining wall will no longer be required which the Council's Arboricultural Officer is satisfied with in respect of the health of the tree. As such these conditions have been amended as follows:

18. The development hereby permitted shall be carried out in accordance with the approved scheme to reduce carbon emissions at the site. The approved details include a system of solar heated domestic hot water for all dwellings. The systems will comprise solar panels mounted on the roof and connected to solar twin coil hot water cylinders.

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

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 plans reference 27-28-44 and 27-28-43, received 15 March 2011, in regards to the construction of the highway and turning head serving plots 2-12.

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

Condition 20 had also been amended to include the additional plans.

The amended conditions are included on the decision notice for this application.

07.CCS.32 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 item listed below:

Item 4c, Planning Application 10/01081/FUL - Councillor Henry Caunce
Item 4c, Planning Application 10/01081/FUL - Councillor Dennis Edgerley

07.CCS.33 PLANNING APPLICATIONS TO BE DETERMINED

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

(a) **11/00100/FUL - Chisnall Playing Fields Coppull**

(The Committee received representations from the applicant in support of the application)

Application No: 11/00100/FUL
Proposal: Proposed extension of existing changing rooms to include gymnasium
Location: Chisnall Playing Fields, Chisnall Lane, Coppull
Decision:

It was proposed by Councillor Mick Muncaster, seconded by Councillor David Dickinson to grant planning permissions.

An amendment to the motion was proposed by Councillor Dennis Edgerly, seconded by Councillor Mick Muncaster and subsequently unanimously **RESOLVED – To grant planning permission subject to conditions delegated to the Director of Partnerships, Planning and Policy in consultation with the Chair of the Committee to determine, which are as follows:**

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 system of sound amplification shall be used or operated at any time in connection with the development hereby permitted.**
Reason: In the interests of the residential amenities of the adjacent properties and in accordance with EP20 of the Adopted Chorley Borough Local Review.
3. **Before commencement of the development hereby permitted, details of the activities to be held in the gymnasium/multi-use room hereby permitted (as shown on drawing no. 001/ELEVS), along with details of their association with the Rugby Club and/or local community, shall be submitted to and approved in writing by the Local Planning Authority. The gymnasium/multi use room shall thereafter only be used in accordance with the approved details.**
Reason: The proposal was permitted in the green belt on the grounds of providing essential facilities for sport and recreation in accordance with PPG2 and Policy DC1 of the Adopted Chorley Borough Local Plan Review; and in the case of the gymnasium/multi-use room, on the special grounds that it is required to support the effective operation of the club, that the club would increase participation in sport and reduce health inequality in accordance with national objectives, objective 3.1 of the Council's Corporate Strategy 2010/11, PPG17, and policy LT14 of the Chorley Local Plan Review, where in this instance, the size and scale of the development, having regard to all other factors was considered not to detract from the character of the open space.
4. **The gymnasium/multi-use room hereby permitted shall be restricted to the hours between 08.00hours and 22.00hours.**
Reason: To safeguard the amenities of local residents and in accordance with Policy No. EP20 of the Adopted Chorley Borough Local Plan Review.

5. All external facing materials shall match in colour, form and texture those on the existing changing room building.
Reason: In the interests of the visual amenity of the area in general and the existing building in particular and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

6. The approved plans are:

Plan Ref.	Received On:	Title:
001-ELEVS	7 February 2011	Chorley Panthers RLFC, Chisnall Lane, Coppull
001-PLANS	7 February 2011	Chorley Panthers RLFC, Chisnall Lane, Coppull

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

- (b) 10/01110/REMMAJ - Royal Ordnance Site Including Land Between Dawson Lane And Euxton Lane, Euxton, Lancashire

Application No: 10/01110/REMMAJ
 Proposal: Re-plan of plots 759-760, 788-789, 811, 818-823, 829, 845, 863-866 and 927-929 of Parcel I, Phase 2. Re-plan of plots 886-890, 894-900, 874-880 and 899 of Parcel I, Phase 1. Re-plan of plots 721-725 of Parcel H6. (43 dwellings in total). All approved as part of planning approvals 09/00449/REMMAJ, 09/00797/REMMAJ and 10/00350/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 Christopher France and subsequently unanimously **RESOLVED – To grant conditional reserved matters planning approval subject to the following conditions:**

1. The approved plans are:

Plan Ref.	Received On:	Title:
BV-002	23 February 2011	Location Plan
BVED-01 Rev E	20 December 2010	Site Layout
BV-I/H6/ENG022-2	27 January 2011	Various Detail
BV-I/H6/ENG022 Rev D	11 March 2011	Highway Surfacing Plan 2
BV-I7H6-BS-01	11 March 2011	Highway Surfacing Plan
3649.01 Rev C	11 March 2011	Typical Binstore Detail
3649.02 Rev C	11 March 2011	Landscape Structure Plan
3649.03 Rev B	11 March 2011	Landscape Structure Plan
Parcel I Phase 1		
BV-I1-11-02-002 Rev T	11 March 2011	Landscape Structure Plan
BV-IPH1-11-02-002 Rev I	11 March 2011	Landscape Structure Plan
BV-IPH1-11-02-003 Rev D	20 December 2010	Landscape Structure Plan

Parcel I Phase 2

Plan Ref.	Received On:	Title
BV-IPH2-11-02-002 Rev S	11 March 2011	Detailed Site Layout
BV-IPH2-11-02-002 Rev J	11 March 2011	Material Schedule
BV-IPH2-11-02-003 Rev C	20 December 2010	Boundary Treatment Plan

Parcel H6

Plan Ref.	Received On:	Title
BV-H6-11-02-001 Rev J	11 March 2011	Detailed Site Layout
BV-H6-11-02-003 Rev A	20 December 2010	Boundary Treatment Plan
BV-H6-11-02-002 Rev D	11 March 2011	Material Schedule

House Types

A2A064 Rev A	12 January 2011	The Ashdon (A)
C3H102	20 December 2010	The Warwick
C4H127	23 February 2011	The Oxford +
C3H081	20 December 2010	The Broadway
C3H095	20 December 2010	The Letchworth
C4H109	20 December 2010	The Stratford
C4H126	20 December 2010	The Oxford
C4H127	23 February 2011	The Oxford + Render
C2H068	20 December 2010	The Evesham
C3H081	20 December 2010	The Broadway
C2H068	20 December 2010	The Evesham Render
C3H099	20 December 2010	The Brecon 2
C3H099	20 December 2010	The Brecon 2 render
C4H134-2	20 December 2010	The York
AS-BCK-PHI2	20 December 2010	Ashdon Special
RB-BPIPH1-KEN	27 January 2011	Kenilworth Block
RB-BPIPH1-BRO-ASH	27 January 2011	Broadway- Ashdon Block
RB-BPIPH1-EVE	27 January 2011	Evesham Block
RB-BPIPH1-KEN-EVE	27 January 2011	Kenilworth-Evesham Block
L4235BE.1	11 March 2011	The Broadway-Evesham Plots 721-725
L4235BE.1	11 March 2011	The Broadway-Evesham Plots 721-725

Garage Accommodation

HV-DG01 Rev B	20 December 2010	Double Garage
HV-DG02 Rev B	20 December 2010	Double Garage
C-DG03 Rev B	20 December 2010	Double Garage
C-SG01 Rev C	20 December 2010	Single Garage
27 January 2011		Triple Single Garage

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 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.
3. 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.

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

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

5. The external facing materials detailed on the approved plans shall be used.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.

6. The hard ground surfacing materials detailed on the approved plans shall be used.

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 HS9 of the Adopted Chorley Borough Local Plan Review.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwellings hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

8. The 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.

9. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

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

10. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans or as may otherwise be agreed in writing with

the Local Planning Authority before any development is first commenced.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

11. The bin storage facilities detailed on the approved plans shall be used.
Reason: To ensure that adequate refuse storage is provided on site and in accordance with Policy HS4 of the Adopted Chorley Borough Local Plan Review.
12. Prior to the commencement of the development full details of the communal bin collection points shall be submitted to and approved in writing by the Local Planning Authority. The details shall include their location and the proposed hardsurfacing materials/ details of the enclosure. The collection points shall only be utilised for the storage of bins on bin collection days and shall be free of bins at all other times. The collection points shall thereafter be retained in perpetuity.
Reason: To ensure adequate refuse collection facilities are provided on site and in the interests of the visual amenities of the area. In accordance with Policy GN5 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 with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.
Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control.

(c) **10/01081/FUL - Land North West Of And Adjacent To Back House Barn, Hall Lane, Mawdesley ,Lancashire**

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.)

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, Lancashire
Decision:

It was proposed by Councillor Roy Lees, seconded by Councillor Alan Cullens and subsequently unanimously **RESOLVED – To grant planning permission subject to a Section 106 Agreement and the following conditions:**

1. Any delivery of materials and construction work shall only be carried out between 08.00 hours and 18.00 hours Monday to Friday and between 08.00 hours and 13.00 hours on Saturday and there shall be no deliveries or construction work shall be carried out on Sundays or Bank/Public Holidays.
Reason: To safeguard the amenities of local residents and in accordance with Policy HS4 of the Chorley Local Plan Review.
2. The proposed development must be begun not later than three years from the date of this permission.
Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.
3. There shall be no site clearance, site preparation or development work to take place until a habitat enhancement and management plan for the land as indicated on the location plan submitted with the application (within the ownership of the applicant). This shall be submitted to and agreed in writing by the local planning authority in consultation with specialist advisors. Once agreed then this shall be implemented in full and maintained throughout the lifetime of the development. *Reason: In the interests of the safeguarding of the natural habitats of the area and to ensure accessibility within the area in accordance with saved Policy EP2 of the Adopted Chorley Borough Local Plan Review.*
4. The development hereby permitted shall be carried out in accordance with the amended plan(s), 08/133/P01 Rev D (Proposed Site Layout), 08/133/P02 Rev B (Building 1-Proposed Plan, Section & Elevations), 08/133/P04 Rev B (Building 1-Proposed Elevations) and 08/133/P03 Rev D (Building 3-Proposed Plans & Elevations) received on 1 February 2011.
Reason: To define the permission and ensure a satisfactory form of development.
5. The permission hereby granted is for the conversion of the existing buildings only and does not imply or grant consent for any demolition and rebuilding of any external walls of the building, as outlined in appendix to structural report for building 1, appendix to structural report for building 3, method statement for conversion of building to dwelling-building 1 and method statement for conversion of building to dwelling-building 3, received on 22 March 2011.
Reason: This will ensure that only the existing buildings are used and remain in the position that they are located, therefore retaining the openness of the Greenbelt.
6. Each dwelling hereby permitted shall be constructed to achieve the relevant Code for Sustainable Homes Level required by Policy SR1 of the Sustainable Resources DPD (Level 3 for all dwellings commenced from 1 January 2010, Level 4 for all dwellings commenced from 1 January 2013 and Level 6 for all dwellings commenced from 1 January 2016) and achieve 2 credits within Issue Ene7: Low or Zero Carbon Technologies.
Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change- Supplement to Planning Policy Statement 1 and in accordance with SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

7. No dwelling shall be occupied until a Code for Sustainable Homes 'Post Construction Stage' assessment has been carried out and a Final Code Certificate has been issued certifying that the required Code Level and 2 credits under Issue Ene7 have been achieved and the Certificate has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change- Supplement to Planning Policy Statement 1 and in accordance with SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.
8. 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.
9. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted 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.
10. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences, walls and hedging 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, walls and hedges shall thereafter be retained in accordance with the approved details at all times.

Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy Nos. GN5 and EM2 of the Adopted Chorley Borough Local Plan Review.
11. 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 No. EP18 of the Adopted Chorley Borough Local Plan Review.

12. 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.

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. During the construction period all hedges, trees and rough grassland, as specified within the ERAP Ltd report, shall be protected by 1.2m high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005. No construction materials, spoils, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. Reason: To safeguard the hedges, hedges and rough grassland in accordance with Policy EP9 of the Chorley Local Plan Review.

15. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5, and HS4, of the Adopted Chorley Borough Local Plan Review.

16. 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.

17. The garages hereby permitted shall only be used for purposes incidental to the enjoyment of the dwellinghouse, including the parking of cars and shall not be converted to living accommodation.
Reason: In order to safeguard the residential amenity and character of the area and in accordance with Policy Nos. DC7A and HS4 of the Adopted Chorley Borough Local Plan Review.
18. 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 PPS2, DC7A and Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.
19. 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 PPS2 and Policies DC7A and HS4 of the Adopted Chorley Borough Local Plan Review.
20. Prior to the commencement of development full details of proposed sparrow nesting opportunities shall be submitted and approved in writing by the local planning authority in consultation with specialist advisors. Once the details have been approved then the details shall be implemented in full.
Reason: To ensure that nesting opportunities and habitats are provided which will be lost with the demolition of some buildings on site and to comply with saved Policy GN5 part (e) of the Chorley Local Plan Review.
21. The recommendations as outlined in Section 5.0 of the ERAP Ltd Ecological Survey and Assessment June 2010 shall be implemented in full.
Reason: To ensure the appropriate safeguards for the Habitats on Site in accordance with saved Policy EP2 of the Adopted Chorley Borough Local Plan Review.
22. Prior to the commencement of development a mitigation strategy for bats and barn owls shall be submitted and approved in writing by the Local Planning Authority in consultation with specialist advisors. Once the details have been approved then the details shall be implemented in full. To ensure that nesting opportunities and habitats are provided which will be lost with the demolition of buildings and to comply with saved Policy GN5 part (e) of the Chorley Local Plan Review.
23. No additional windows shall be inserted unless otherwise agreed in writing by the local planning authority.
Reason: To protect residential amenity and to comply with Policy HS4 of the Chorley Local Plan Review.
24. This consent relates to the following plans:

Plan Ref.	Received On:	Title:
08/133/P06	16 December 2010	Double Garage
08/133/E02	16 December 2010	Topographical Site Survey

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

25. Prior to the commencement of development details of the windows set back in their reveals shall be submitted and agreed in writing. Once approved these shall be retained at all times throughout the lifetime of the permission.

Reason: In the interests of the character and appearance of the building and in accordance with Policies GN5 and HS4 of the Chorley Local Plan Review.

26. Prior to the commencement of development 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.

- (d) 10/01065/FUL - Land 30M North West Of 79 Railway Road, Brinscall, Lancashire

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

Application No: 10/01065/FUL
Proposal: Erection of four, three bedroom dwellings
Location: Land 30m North West of 79 Railway Road, Brinscall, Lancashire

It was proposed by Councillor Roy Lees, seconded by Councillor David Dickinson and subsequently **RESOLVED (9:1) – To grant planning permissions subject to the following conditions:**

1. **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.
2. **Prior to the commencement of the development full details of the Management Company to deal with the future management and maintenance of the site shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company.**
Reason: To ensure the satisfactory management of the unadopted highways and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.
3. **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.

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

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

5. The development hereby permitted shall not commence until samples of all external facing materials to the proposed buildings (notwithstanding any details shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

6. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.

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

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. 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.

9. 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.

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

10. The approved plans are:

Stamp-dated on:	DWG No:	Revision:
31 January 2011	01	A
8 December 2010	02	
11 February 2011	A1a	

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

11. Before the dwellings hereby permitted are first occupied, the access and parking bays/area shall be completed in entirety as shown on the approved plan(s) for the use of the properties. The parking bays shall be retained for parking only, thereafter.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with North West Plan Partial Review (NWPPR) to Policy RT2 of the Regional Spatial Strategy and Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

12. The vehicular turning space shall be laid out and shall be available for use before the development is first occupied. This turning space shall be retained and continuously made available for turning facilities thereafter.

Reason: Vehicles reversing to and from the highway are a hazard to other road users and in accordance with Policy No TR4 of the Adopted Chorley Borough Local Plan Review.

13. The development hereby permitted shall only be carried out in conformity with the proposed finished floor levels shown on the approved plan(s).

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.

14. 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.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without modification), no windows other than those expressly authorised by this permission, or as subsequently agreed in writing by the local planning authority, shall be inserted or constructed at any time at first floor level or above in the front elevation of plots 1-4 hereby permitted.

Reason: To protect the amenities and privacy of the adjoining property and in accordance with policy HS9 of the Adopted Chorley Borough Local Plan Review.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without modification), no windows other than those expressly authorised by this permission, or as subsequently agreed in writing by the local planning authority, shall be inserted or constructed at any time in the south-west elevation of plot 1 or the north-east elevation of plot 4 hereby permitted.

Reason: To protect the amenities and privacy of the adjoining properties, in accordance with policy HS9 of the Adopted Chorley Borough Local Plan Review and to protect the future development of the area.

17. No development shall take place until details of the proposed surface water drainage arrangements (including plans to a recognised metric scale) 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 of the Adopted Chorley Borough Local Plan Review.

18. Before the development hereby permitted is first commenced full details of the means of foul water drainage/disposal (including plans to a recognised metric scale) 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.

19. Each dwelling hereby permitted shall be constructed to achieve the relevant Code for Sustainable Homes Level required by Policy SR1 of the Sustainable Resources DPD (Level 3 for all dwellings commenced from 1 January 2010, Level 4 for all dwellings commenced from 1 January 2013 and Level 6 for all dwellings commenced from 1st January 2016).

Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

20. No phase or sub-phase of the development shall begin until details of a 'Design Stage' assessment and related certification have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out entirely in accordance with the approved assessment and certification unless the Local Planning Authority otherwise approve in writing.

Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate

Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

21. No dwelling shall be occupied until a Code for Sustainable Homes 'Post Construction Stage' assessment has been carried out and a Final Code Certificate has been issued certifying that the required Code Level has been achieved and the Certificate has been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.
22. 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.
23. In accordance with Policies GN4 and HS8 of the Adopted Chorley Borough Local Plan Review all of the dwellings hereby permitted shall be made available at significantly below current market costs and shall provide affordable housing to contribute to the solution of a recognised local housing problem. The dwellings hereby approved shall be retained as affordable housing thereafter.
Reason: This site is located within a rural settlement excluded from the Green Belt where residential development will only be considered acceptable if they contribute to the solution of a recognised local housing problem. In accordance with Policies GN4 and HS8 of the Adopted Chorley Borough Local Plan Review.
- (e) **10/00735/OUTMAJ - Land 110m West Of Coppull Enterprise Centre, Mill Lane, Coppull, Lancashire**

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

Application No: 10/00735/OUTMAJ
Proposal: Outline planning application for the erection of a residential development with associated access arrangements
Location: Land 110m West of Coppull Enterprise Centre, Mill Lane, Coppull
Decision:

It was proposed by Councillor Roy Lees, seconded by Councillor Alan Cullens and subsequently unanimously **RESOLVED - To grant planning approval subject to a Section 106 Agreement and the following conditions:**

1. Before the development hereby permitted is first commenced, full details of all reserved matters (namely the siting, design, landscaping of the site and the external appearance of the dwellings) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The approved plans are:

Plan Ref.	Received On:	Title:
6941/L(00)12	24 November 2010	Location Plan
6941/L(00)014	14 December 2010	Proposed Site Plan

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

3. Each dwelling hereby permitted shall be constructed to achieve the relevant Code for Sustainable Homes Level required by Policy SR1 of the Sustainable Resources DPD (Level 3 for all dwellings commenced from 1 January 2010, Level 4 for all dwellings commenced from 1 January 2013 and Level 6 for all dwellings commenced from 1 January 2016) and achieve 2 credits within Issue Ene7: Low or Zero Carbon Technologies.
Reasons: To ensure that the dwellings meet the relevant Code for Sustainable Homes and in accordance with Policy SR1 of the Sustainable Resources DPD.

4. The application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on the approved plans. The development shall only be carried out in conformity with the approved details.
Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

5. 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 the approved 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 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.

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 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 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 Chorley Borough Local Plan Review.

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

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

11. 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.

12. No dwelling, which has a curtilage bounding any area of informal public open space shown on the approved plans, shall be occupied until that area of informal public open space has been laid out and equipped in accordance with the approved details.

Reason: To ensure adequate provision for public open space and play areas within the development and in accordance with Policy Nos. HS20 and HS21 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. No development approved by this permission shall commence until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. It shall include details of how the scheme shall be maintained and managed after completion of the development and shall subsequently be implemented in accordance with the approved details prior to the completion of the development.

Reasons: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, ensure future maintenance of the surface water drainage system and in accordance with Policy Nos. EP18 and EP19 of the Adopted Chorley Borough Local Plan Review.

15. Due to past processes and activities upon and adjacent to the above site, there is a potential for ground contamination. Therefore, no development shall take place until:

- a) a methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2001 'Investigation of potentially contaminated site - Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;
- b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;
- c) the Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority.

Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals. Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use.

16. The development hereby permitted shall only be carried out in accordance with the avoidance measures set out in paragraphs 6.7 to 6.12 of the Ecological Assessment (Ref No. 2285.004/Rev C).

Reasons: To ensure that protected species are safeguarded and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local Plan Review.

17. Prior to the commencement of development, a scheme for the protection of the Biological Heritage Site both during (e.g. vehicle movements, storage of materials, pollution etc) and after construction shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include a phasing schedule and a native species vegetated buffer between the site and the Biological Heritage Site. The scheme shall be implemented in accordance with the approved details and the phasing set out therein.

Reasons: To ensure the Biological Heritage Site is protected and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local Plan Review.

18. The development hereby permitted shall not commence until full details of the junction and access road between the proposed development and the highway have been submitted to and approved in writing by the Local Planning Authority. No part of the development hereby permitted shall be occupied or used until that junction and access road has been constructed/upgraded in accordance with the approved details.

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

19. The development hereby permitted shall not commence until samples of all external facing materials to the proposed dwellings (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 HS4 of the Chorley Borough Local Plan Review.

20. The final layout and design of the development to be submitted as part of a reserved matters application shall be prepared in accordance with the mitigation measures and recommendations contained in the WSP Environmental Noise Assessment Report dated 3 March 2011.

Reasons: To provide satisfactory living conditions for future residents and in accordance with Policy No. Ep20 of the Chorley Borough Local Plan Review and PPG24.

07.CCS.34 ENFORCEMENT ITEM - 286 THE GREEN ECCLESTON

The Committee received a report from the Director of Partnerships, Planning and Policy asking Members of the Committee to consider whether it was expedient to serve an enforcement notice to secure the removal of the unauthorised development for the land.

Without planning permissions a portable building had been placed on the land constituting operational development that required planning permission.

It was proposed by Councillor David Dickinson, seconded by Councillor Henry Counce and subsequently unanimously **RESOLVED – That it was felt expedient to issue an Enforcement Notice under Section 172 and of the Town & Country Planning Act 1990 as the external appearance of the portable building was contrary to Policy GN5 criterion (b) Chorley Borough Local Plan Review Adopted Edition in that the design of the proposed development was not well related to the surrounding area.**

07.CCS.35 PLANNING APPEALS NOTIFICATION REPORT

The Director of Partnerships, Planning and Policy submitted a report giving notification of two appeals lodged against the refusal of planning permission, two planning appeals dismissed and one planning appeal allowed.

RESOLVED – That the report be noted.

07.CCS.36 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 eleven 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 March 2011 and 16 March 2011.

RESOLVED – That the schedules be noted.

07.CCS.37 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 24 February 2011 and 17 March 2011.

RESOLVED – That the schedule be noted.

07.CCS.38 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – That the press and public be excluded from the meeting for the following items of business on the ground that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

07.CCS.39 ENFORCEMENT ITEM - YEWTREE HOUSE FARM, COPPULL HALL LANE, COPPULL

RESOLVED – that the report be noted.

Chair