

Development Control Committee

Agenda and Reports

For consideration on

Tuesday, 19th April 2011

In the Council Chamber, Town Hall, Chorley

At 6.30 pm



PROCEDURE FOR PUBLIC SPEAKING AT MEETINGS OF THE DEVELOPMENT CONTROL COMMITTEE

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

ORDER OF SPEAKING AT THE MEETINGS

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

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

08 April 2011

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 19TH APRIL 2011

You are invited to attend a meeting of the Development Control Committee is to be held in the Council Chamber, Town Hall, Chorley on Tuesday, 19th April 2011 at 6.30 pm.

A G E N D A

1. **Apologies for absence**

2. **Minutes (Pages 1 - 22)**

To confirm the minutes of the Development Control Committee meeting held on 29 March 2011 (enclosed).

3. **Declarations of Any Interests**

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

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

4. **Planning applications to be determined (Pages 23 - 24)**

A table of planning applications to be determined is enclosed.

Please note that copies of the location and layout plans are in a separate pack (where applicable) that has come with your agenda. Plans to be considered will be displayed at the meeting or may be viewed in advance by following the links to the current planning application on our website.

http://planning.chorley.gov.uk/PublicAccess/TDC/tdc_home.aspx

- (a) **11/00028/FULMAJ - Land 150 Metres South Of Filter Beds Cottage, Bolton Road, Anderton Lancashire** (Pages 25 - 38)

Report of the Director of Partnerships, Planning and Policy (enclosed).

- (b) 11/00085/FULMAJ - Garage Westminster Road Chorley Lancashire PR7 2DD
(Pages 39 - 46)

Report of the Director of Partnerships, Planning and Policy (enclosed).

- (c) 11/0071/FULMAJ - Formerly Multipart Distribution Limited Pilling Lane Chorley
(Pages 47 - 52)

Report of the Director of Partnerships, Planning and Policy (enclosed).

- (d) 11/00123/REMMAJ - Land 50 Metres South Of Buckshaw Community Centre
Unity Place Buckshaw Village Lancashire (Pages 53 - 58)

Report of the Director of Partnerships, Planning and Policy (enclosed).

5. **Enforcement Item - 1-3 Rock Villa Road Whittle-le-Woods** (Pages 59 - 62)

Report of the Director of Partnerships, Planning and Policy (enclosed).

6. **Enforcement Item - The Green Eccleston** (Pages 63 - 66)

Report of the Director of Partnerships, Planning and Policy (enclosed).

7. **Planning Appeals and Notifications Report** (Pages 67 - 70)

Report of the Director of Partnerships, Planning and Policy (enclosed).

8. **Delegated decisions determined by the Director of Partnerships, Planning and Policy in consultation with the Chair and Vice Chair of the Committee**

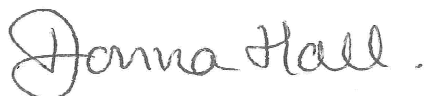
- (a) 29 March 2011 (schedule enclosed) (Pages 71 - 72)

9. **Planning applications determined by the Director of Partnerships, Planning and Policy** (Pages 73 - 80)

Schedule of the Director of Partnerships, Planning and Policy (enclosed).

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

Yours sincerely



Donna Hall CBE
Chief Executive

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Democratic and Member Services Officer
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Distribution

1. Agenda and reports to all members of the Development Control Committee, (Councillor Harold Heaton (Chair), Councillor Geoffrey Russell (Vice-Chair) and Councillors Henry Counce, Alan Cullens, David Dickinson, Dennis Edgerley, Christopher France, Roy Lees, June Molyneaux, Simon Moulton, Mick Muncaster and Ralph Snape) for attendance.
2. Agenda and reports to Lesley-Ann Fenton (Director of Partnerships, Planning and Policy), Jennifer Moore (Head of Planning), Chris Moister (Head of Governance), Paul Whittingham (Development Control Team Leader), Cathryn Barrett (Democratic and Member Services Officer) and Alex Jackson (Senior Lawyer) for attendance.

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

આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون

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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/REMAJ - Royal Ordnance Site Including Land Between Dawson Lane And Euxton Lane, Euxton, Lancashire

Application No: 10/01110/REMAJ
 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/REMAJ, 09/00797/REMAJ and 10/00350/REMAJ

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.

- 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.
- 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 Caunce 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 - YEW TREE HOUSE FARM, COPPULL HALL LANE, COPPULL

RESOLVED – that the report be noted.

Chair

Report

Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	19 Apr 2011

Planning Applications Awaiting Decision

Item No.	Application No.	Recommendation	Location	Proposal
4a	11/00028/FULMAJ	Permit Full Planning Permission	Land 150 Metres South Of Filter Beds Cottage Bolton Road Anderton Lancashire	Proposed change of use of pasture land to create a sports field for 3 football pitches involving minimal cut and fill earthworks to create a level playing area together with an associated new vehicular access off Scholes Bank to serve a new car park.
4b	11/00085/FULMAJ	Permit Full Planning Permission	Garage Westminster Road Chorley Lancashire PR7 2DD	Application for new planning permission to replace extant planning permission for 16 apartments and dwelling (ref: 07/01140/FULMAJ)
4c	11/00071/FULMAJ	Permit (Subject to Legal Agreement)	Formerly Multipart Distribution Limited Pilling Lane Chorley	Re-plan to plots R282 - R299 (18 No dwellings) and an additional 3 No dwellings (Plots R400 - R403)
4d	11/00123/REMAJ	Permit Full Planning Permission	Land 50 Metres South Of Buckshaw Community Centre Unity Place Buckshaw Village Lancashire	Reserved Matters application for a Health Centre (related to outline permissions 97/00509/OUT and 02/00748/OUTMAJ)

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Item	11/00028/FULMAJ
Case Officer	Mr David Stirzaker
Ward	Heath Charnock And Rivington
Proposal	Proposed change of use of pasture land to create a sports field for 3 football pitches involving minimal cut and fill earthworks to create a level playing area together with an associated new vehicular access off Scholes Bank to serve a new car park.
Location	Land 150 Metres South Of Filter Beds Cottage Bolton Road Anderton Lancashire
Applicant	Horwich St Mary's FC
Consultation expiry: 20 April 2011	
Application expiry: 15 April 2011	

Proposal

1. This application has been submitted by Horwich St Mary's Football Club and is being considered in tandem with a planning application submitted to Bolton Council for a new clubhouse (Bolton's planning reference 81137/08). The existing site of the football club is in Horwich which is controlled by Bolton Council. The existing site accommodates football pitches and several structures used as changing rooms and toilet facilities. The application to Bolton Council proposes the replacement of these structures with a new dedicated single storey clubhouse building.
2. This application proposes the change of use of land abutting the existing football club site. This land is agricultural and it is proposed to change the use of this land to 3 no. football pitches, provide a new car parking area and provide a new vehicular access to the car park and site from Scholes Bank. The car park will provide space for 59 vehicles whilst a small overspill car park is proposed adjacent to the main car park and access. A pathway will link the car park to the clubhouse which as stated is on land under the Control of Bolton Council.
3. The application site generally slopes from north to south with the main change in levels being the fall of approx. 1.5m from Scholes Bank down into the site. Site sections have been submitted with the application showing how cut and fill works will be used to form level surfaces for the 3 no. football pitches proposed.

Recommendation

4. It is recommended that this application be granted conditional planning approval.

Main Issues

5. The main issues for consideration in respect of this planning application are as follows:
 - Principle of the development
 - Background information
 - Need for proposals
 - Levels
 - Impact on the neighbours
 - Impact on Character and Appearance of Locality
 - Trees and Landscape
 - Ecology
 - Flood Risk
 - Traffic and Transport

- Public Right of Way
- Contamination and Coal Mines
- Drainage and Sewers
- Other matters

History

6. The application site has not been the subject of any recent planning applications although the part of the site which is in Bolton is the subject of a current planning application with Bolton Council for the erection of a club house (Ref No. 81137/08).

Representations

7. To date, 29 letters of objection have been received in relation to the original and amended plans. However, further consultations have now taken place in respect of a second amendment to the position of the access on Scholes Bank so any further representations will be reported in the addendum. The contents of the letters so far received can be summarised as follows: -

- The field is one of our more valuable hay meadows and its change of use would result in having to purchase winter feed to supplement the loss of the field
- The access onto Scholes Bank is an accident waiting to happen
- To get the field level would require vast amounts of imported infill material
- There are 19 football pitches within a short distance of the application site
- The car park will encourage off road bikes and various types of anti social behaviour
- The land at the Squirrel Pub should be used instead for car parking and a clubhouse
- Will the access road be closed when the pitches are not in use?
- Will in be lit?
- The car park will discourage use of public transport
- What is the benefit to the local community that outweighs the cost?
- Road speed limits in the vicinity should be reviewed
- Why is a greenfield site being concreted over when there is a brownfield site nearby
- Development will contravene and effect a conservation area
- Development will impact on nature conservation
- A highway safety issue will be created
- Is the proposed increase in use appropriate
- An aqueduct runs under the site – have United Utilities been consulted?
- Has a drainage feasibility study been carried out and if the River Douglas can take more water?
- The amount of pitches would be a large amount for the football club
- There will be a high level of noise and disturbance
- The character of the area will be ruined due to the size of the scheme
- There will be harm to highway safety due to the nature of the road and the position of the access
- The level of parking proposed is totally inadequate
- A large amount of hedgerow will need to be removed
- The car park will only be used for a very small percentage of the week
- There have been many accidents on the road in recent years
- Loss of privacy
- Impact on local drainage
- Residents peaceful appreciate of their gardens would be removed on match days
- Drivers may decide to park on the A673 as it could take a long time to get out of the car park on match days
- There will be a heightened risk of accidents on match days
- There is doubt as to the final location of the club house
- The club house may be used for social events
- There is no guarantee that high level lighting will not be used
- There are no proposals in relation to the security of the site
- The land is currently tenanted by a farmer

- The proposals will not serve the wider community
 - The car park is unnecessary and will only serve to increase car use
 - People should be encouraged to walk, use public transport or at least car share
 - The highways measures will not have much effect in reducing the impact of the development on highway safety
 - Cars would still line Scholes Bank as there would not be enough car parking
 - The application is ill thought and little consideration has been given to the local community and the impact of the development on the what is essentially a semi rural and in parts fully rural area
 - There will be another 30 to 50 cars parked on Scholes Bank which would block the visibility splay to the west
 - How long will 30 vehicles take to turn right
 - Frustrated drivers may decide to turn left then make a u-turn and having to wait may deter drivers from using the car parks
 - No increases are proposed to the traffic island
 - No allowances are made for the increase in the volume of football related traffic
 - Previous objections to the development of the site by Bolton Council should still be taken into account
 - The road design is flawed and the rush to get football pitches seems to outweigh safety
 - The existing St Mary's Social Club could be used instead as this is within easy walking distance of the site
 - Destruction of the Green Belt is not justified in this case
 - The pitches are in a quiet residential area and football matches will cause a disproportionately high level of disruption to residents
 - Local residents will be unable to relax and enjoy their own homes
 - There will be disruption to the area with vandalism, security and policing
 - The development will have a negative cumulative visual impact
 - There was recently an accident on Scholes Bank on 6th March
 - The speed limit on Scholes Bank and Bolton Road would continue to be ignored
8. **Horwich Town Council and Anderton Parish Council** initially made comments on the proposals. However following the receipt of amended plans both Council's have been reconsulted. Any further comments will be reported on the addendum
9. **Horwich Town Council** have made the following comments: -
- Members felt that the plan as submitted by the applicant did not contain sufficient detail for them to make a recommendation at the moment. Horwich Town Council requests that the applicants be made to supply much more detail concerning their proposals for the site. For example, great concern was expressed about arrangements for safe access and egress, and it was felt that this application needed a full report from Highways. Other areas of concern relate to the position of the club house and car park and the lack of screening between the club house and car park. Horwich Town Council have also requested that further consultations take place on the amended plans.
10. **Anderton Parish Council** have made the following comments: -
- The potential for increased noise and disturbance to residents of Anderton Court and Squirrel Lane
 - The proposed additional road access for the new car park looks particularly dangerous for this stretch of road

Consultations

11. **Lancashire County Council (Ecology)** do not raise any objections to the application subject to the recommendations set out in the Ecological Survey submitted with the planning application being made the subject of a planning condition.
12. **The Environment Agency** do not raise any objections to the application subject to the imposition of pre-commencement conditions requiring the existing crossing over Jepsens Clough (watercourse) to be removed in full and the watercourse restored to open section

within a timescale to be agreed and that a method statement for the removal of Japanese Knotweed & Himalayan Balsam be submitted for approval to the Council.

13. **The Architectural Design and Crime Reduction Advisor** raises no objections to the application on the basis of the plans submitted.
14. **The Director of People and Places (Parks & Open Spaces Manager)** advises that the Council receives annual requests from St Mary's football club for use of pitches in Adlington which impacts on the Council's ability to cater for teams in Chorley. In this specific location I suggest that the provision of pitches is supported. It is understood that this club has a huge number of teams and that they often have to spread to pitches across a wide area to provide safe playing conditions for the children and young people on the Chorley and Horwich boundary.
15. **United Utilities** initially objected to the application due to a lack of detailed information. However, on the basis of the additional information submitted by the applicant which has been made available to United Utilities, the original objection has now been withdrawn.
16. **Lancashire County Council (Highways)** have provided a very detailed response on the application proposals in terms of the access point, highway improvements and the level of car parking proposed. Several traffic counts have also been undertaken and the results of this identify that the proposed visibility splay to the west along Scholes Bank of 2.4m by 90m is acceptable. It is also suggested that the speed limit along this stretch of the road should be reduced through a Traffic Regulation Order although it is acknowledged that based on the 85th percentile speed of 41mph, the visibility proposed would meet with the requirements in the Design Manual for Roads and Bridges. The amended access position is considered to be acceptable in terms of its layout and position on Scholes Bank. The proposed 'no right turn' will need to be satisfactorily designed in liaison with LCC (Highways) and would need to be the subject of a Traffic Regulation Order and a Section 278 agreement to secure the improvement works to the highway shown on the submitted plans will also be necessary, both at the applicant's expense. The proposed level of car parking is also considered to be acceptable as is the area of overspill car parking which should be surfaced with grasscrete or a similar material.
17. **The Director of People and Places (Neighbourhood Environmental Health Officer)** does not raise any objections to the application on the basis of the plans that have been submitted.
18. **The Director of People and Place (Waste & Contaminated Land Officer)** does not raise any objections to this application hence does not recommend any planning conditions or informatives.
19. **Sport England** considers that the consultation is a non-statutory one. However, comments are still made in relation to the application and Sport England state that the current proposal will provide additional, dedicated football pitches and new playing field provision for the football club to help it develop and expand and could offer significant benefits to sport and as such, there are no objections to the proposals. Sport England also confirm that no objections have been raised in relation to the club house application being considered by Bolton Council.
20. **The Arboricultural Officer** does not raise any objections to the application subject to a scheme of tree replanting to mitigate the loss of the trees on Scholes Bank within the visibility splay.

Applicant's Case

21. The applicant states that the proposals are intended to fulfil part of the club's aspirations to enhance their existing facilities which include a proposed new single storey building to accommodate changing rooms, ancillary accommodation, storage and a clubhouse to be located within the existing playing pitch area to the east. The clubhouse is the subject of a separate planning application which was submitted to Bolton Council in 2008 (ref no. 81137/08) and which was recommended for approval by planning officers in 2009. The final

determination of that application is awaiting negotiations between the applicant and Bolton Council as to the final position of the clubhouse.

22. Horwich St Mary's Football Club was formed in 1978. It became a Charter Standard Community Club in 2002, was registered as a Community Amateur Sports Club in 2005 and in 2007 became a registered charity.

Assessment

Principle of the development

23. The application site is in the Green Belt. Uses of land in the Green Belt which preserve its openness and do not conflict with the purposes of including land in the Green Belt are acceptable in relation to PPG2 (Planning Policy Guidance Note 2). PPG2 also states that essential facilities associated with an acceptable land use in the Green Belt should be essential and genuinely required. The proposed change of use of the existing agricultural land to football pitches is therefore in principle acceptable. Given the increase in the number of pitches on the site, it is considered that the provision of a new car park, which is the minimum necessary to serve the enhanced facility, and access is considered to be an essential facility and genuinely needed in association with the new and existing football pitches on the site.
24. In terms of Policy LT12 of the Local Plan, criteria (c) requires development not to result in the loss of the best and most versatile agricultural land. Agricultural land is split into 5 categories by the Agricultural Land Classification with class 3 split into sub grades 3a and 3b. Grades 1, 2 and 3a are considered to be the most versatile types of land. This system of classification was introduced in 1966. However, since 1976, only selected areas of the country have been graded and the Natural England Technical Advice Note TIN049 confirms that there are no plans to survey all areas in detail and that consultations to DEFRA are only required when proposals are not consistent with the Planning Policies and involve the loss of 20 hectares or more of the best and most versatile land. It is stated that it is for Local Planning Authorities to decide how significant agricultural land issues are and the need for field information as DEFRA will not normally become involved with specific development proposals unless they raise issues of more than local importance. The application site is classified as grade 3 land but there is no more information available as to whether or not it falls with subgrade 3a or 3b. For the Council to ascertain this information, the land would have to be surveyed. Whilst the application site is currently tenanted by a farmer on a lease from United Utilities, it is part of a larger land holding by the farmer and the land is at present used for producing hay. The land is also adjacent to the existing site of the football club and the residential properties on Anderton Court. Given the land only extends to approximately 1.7 hectares in size, it is considered in this case that it would be difficult for the Council to justify refusing the application on the basis of the loss of this area of agricultural land in the absence of definitive survey data on the actual grade of the land.
25. On the basis of the above, in this case, it is considered that the 'principle' of the development proposed is acceptable and accords with Policy LT12 of the Local Plan and PPG2.

Need for proposals

26. The applicant has provided a statement setting out the need for the development proposed. This is based on the growth of the club since its formation in 1978. Until 1995, only 11 a side games were played. At this time, smaller team football matches were introduced and the club witnessed a big increase in the numbers playing, especially younger footballers. The club currently has 500 players made up of 29 teams comprising of boys and girls up to the age of 18 along with 2 adult teams. Of those teams, only 9 can play at Scholes Bank with the remainder playing games in Farnworth, Blackrod, Adlington and Chorley as well as some primary school sites in Horwich and Lostock.
27. The club states that it just wishes to see its own teams representing Horwich be able to play games in Horwich at the present site in Scholes Bank. The club also states that the car park will alleviate the problems of on street parking thus improving safety whilst also addressing local residents concerns on match days.

28. The club also provides justification for the clubhouse but this part of the site is in Bolton and is the subject of a separate application submitted to Bolton Council.
29. The Council's Parks and Open Spaces Manager states that the Council receives annual requests from the football club to use Chorley Council's pitches in Adlington which impacts on the Council's ability to cater for Chorley football teams. Support for the application is therefore expressed given the clubs current problems of having to spread games to pitches across a wide area to provide safe playing conditions for the children and young people of the local area.

Levels

30. The formation of the football pitches will involve cut and fill works to create suitably level playing surfaces for each of the 3 no. football pitches. The applicant has submitted proposed section plans which detail the amount of cut and fill that will be utilised across the site rather than importing material. The levels of the pitches will fall when viewed from Scholes Bank which is a result of the general fall in the level of the land in the same southerly direction from Scholes Bank. Whilst the pitches will give the land a more uniform appearance than at present, it is not considered that the cut and fill works will result in significant changes to the land levels that will be detrimentally harmful to the character of the locality.
31. The position of the access road into the site has also been amended to address concerns as to the impact an elevated road would have on the residential amenities of the occupiers of the nearby Anderton Court in that the change in the position of the road reduces its visual impact because the level change at the amended location is not quite as severe. There would be 14 metres from the edge of the access to the boundary and this is sufficient to enable the provision of landscaping to filter views of the access when seen from this property.

Impact on the Neighbours

32. The properties in Anderton Court have long gardens with the properties themselves being situated approximately 23 metres from boundary. The additional 3 no. football pitches on the site will inevitably lead to an increase in noise levels when football matches are being played. However, the original position of the pitches adjacent to the Anderton Court properties to the west has been amended and the separation distance between the pitches and the garden curtilage boundary of these properties has been increased to just over 13m. This will enable additional landscaping to be planted to filter views of the pitches and provide a more definitive boundary between these properties and the football pitches and reduce noise levels. Also, the Director of People and Places (Neighbourhood Environmental Health Officer) has not raised any objections to the application.
33. The new access to the site has now been moved further away from the garden curtilage boundary of Hawthorn Cottage that is part of Anderton Court than originally proposed due to concerns raised above at para 31. The distance of 5 metres from the boundary of Hawthorn Cottage to the access has been extended to 14 metres and this change will allow for the inclusion of landscaping between the boundary of Hawthorn Cottage and the access. The change of access position also means that the levels difference between the road and the site is reduced and this will assist in reducing the visual impact of the access. Whilst further comments may be received in relation to this amendment then it is considered that the position and level of the access is acceptable with the additional landscaping that is now proposed and that this would overcome the potential harm to the residents of Anderton Court.
34. In terms of the impact of the football pitches, the location of the pitches has also been amended to address initial concerns with regards to their proximity to the garden curtilage boundaries of the above property (Hawthorn Cottage) and Chauffeurs Cottage which is the property adjoining Hawthorn Cottage to the south. Both of these properties are part of the Anderton Court development to the west of the application site boundary. Whilst the boundaries of these properties are demarcated by existing hedgerows, the increase in the distance of the pitches from these properties will enable additional landscaping to be planted along the boundary to reduce both the visual impact of the football pitches, car park and access, but also reduce noise on match days although there are already football pitches on the site adjacent to the additional ones proposed.

35. With regards to the car parking, this was originally proposed in close proximity to the boundary of 68 Scholes Bank which is to the east of the application site. The layout of the car park has now been reconfigured to address concerns with regards to the visual impact of the car park and its use on match days. The car park will now at its closest point be 7.5 metres from the end garden boundary of 68 Scholes Bank and 21 metres from the property itself. These distances are considered adequate to enable suitable mitigation measures to be provided.
36. No external illumination is detailed on the plans for the football pitches or the car park and any such lighting would have to be the subject of a separate planning application. To ensure the applicant is aware of this an informative has been attached to the recommendation.

Impact on Character and Appearance of Locality

37. The application site sits several metres below the level of Bolton Road. Views of the site will be attainable from Bolton Road due to the elevated nature of the road. There is also a requirement to reduce the height of the existing hedgerow along Scholes Bank to a height of 0.6m to enable provision of the 2.4m by 90m visibility splay. Some of the existing trees along Scholes Bank may also need to be removed to enable provision of the visibility splay although replacement planting will be required further into the site adjacent to the car park and the access to mitigate the visual impact of the car park when seen from Scholes Bank.
38. As stated, the formation of the football pitches will require some cut and fill to create a level surface on which to mark out the 3 no. football pitches proposed resulting in the land having a more uniform appearance when it is seen from Scholes Bank. However, the cut and fill works are not of such significance that the changes to the landform will cause detrimental harm to the character and appearance of the locality.
39. The site of the car park slopes gently in a southerly direction so will not require any significant changes in level. It is envisaged that the car park will be surfaced with gravel and the final details of this material will be the subject of a planning condition. A comprehensive scheme of landscaping will be sought to screen views of the car park from Scholes Bank and 68 Scholes Bank, the property closest to the car park to mitigate its visual impact.
40. The access into the site is proposed to be 6m wide and its formation along with the visibility splay to the east will visually alter the appearance of the site boundary along Scholes Bank as a result of the hedgerow being reduced to 0.6m in height and the removal of some of the existing trees. However, appropriate fencing and gating can be secured through a planning condition and access to the car park can be limited with an appropriate condition that allows its use only when matches are being played or the clubhouse is in use. This along with the replacement landscaping will ensure that the existing landscaped nature of the boundary along Scholes Bank is maintained, albeit set back further from Scholes Bank due to the visibility splay than is presently the case.

Trees and Landscape

41. The proposed visibility splay to the east will necessitate the need to remove 6 existing trees adjacent to Scholes Bank. The submitted Arboricultural Report gives these trees a 'C' rating and states that the loss of these trees can be off set with new tree and hedge planting within the site behind the visibility splay line.
42. The Council's Arboricultural Officer advises that the trees which are to be removed are not particularly good specimens and does not raise any objections to the application subject to a scheme of tree replanting being carried out which it is stated will enhance the area. A comprehensive scheme of landscaping would mitigate the loss of these trees whilst also providing a screen to the car park from Scholes Bank.
43. There are some trees further into the site adjacent to the position of the football pitches but these are to be retained. Additional landscaping will also be required along the boundary with the Anderton Court properties and adjacent to 68 Scholes Bank to screen the car park.

Ecology

44. The application is accompanied by an Ecological Assessment which concludes that the development proposed will not have any implications for protected species subject to mitigation and protection measures being followed. Recommendations are also made in relation to Japanese Knotweed and Himalayan Balsam. LCC (Ecology) have been consulted on the application and on the basis of the content and recommendations contained within the Ecological Assessment and do not raise objections. This is subject to the recommendations and mitigations measures set out in the report being made the subject of a planning condition. The Environment Agency have also requested that a condition be attached requiring a Method Statement to be submitted in relation to removal and long term management of Japanese Knotweed and Himalayan Balsam.

Flood Risk

45. A Flood Risk Assessment has been submitted with the application which states that the development will not result in an increased risk of flooding hence accords with PPS25. The Environment Agency does not raise any objections to the development in relation to flood risk nor do United Utilities.
46. In respect of the proposed car park a planning condition has been attached to the recommendation requiring it to be constructed using permeable materials on a permeable base to ensure surface water is reduced.
47. The drainage of the football pitches has been specified as replicating the existing situation wherein field drains are used. The final drainage details will be made the subject of a planning condition so as the Council can liaise with the Environment Agency and United Utilities to ensure that the details are satisfactory.

Traffic and Transport

48. Part of the application proposes the formation of a new vehicular access from Scholes Bank to enable use of the new car park. The car park proposes the provision of 59 spaces. An over spill parking area is also proposed adjacent to the car park. Clearly the laying of hard standing within the Green Belt to form the car park has the potential to impact on the visual amenity of the area. To ensure this impact is minimal a condition is suggested requiring the submission of the proposed materials prior to the commencement of the development. LCC (Highways) state that the level of car parking is appropriate for the site and do not raise objections to the overspill car parking proposed.
49. The new access to the site is a part of the application proposals that has resulted in a large number of objections based on the potential implications for highway safety. The new access proposed includes a visibility splay to the east of 2.4m by 90m. The provision of this visibility splay is considered by LCC (Highways) to be sufficient to enable the safe use of the access to the site although a reduction in the speed limit is also considered desirable. The visibility splay will mean reducing the height of the existing hedgerow and vegetation to a height of 0.6m and suitable fencing provided which does not obstruct driver visibility.
50. In terms of this request from LCC (Highways) for the speed limit to be reduced, this would need to be the subject of a Traffic Regulation Order as will the provision of a 'no right turn' into the site. A suitable Grampian planning condition can be used to secure the 'no right turn'. However, LCC (Highways) state that the reduction in the speed limit is 'very much desirable' but are not insisting absolutely on its provision to make the proposals acceptable in highway safety terms as the 85th percentile speed of 41mph based on readings taken at the site mean that the visibility splay proposed accords with the Design Manual for Roads and Bridges. It is stated though that it would make the road safer by encouraging lower speeds adjacent to the access. A careful balance therefore has to be struck between the aspirations of LCC (Highways) and what is deemed necessary to make the proposals acceptable. LCC (Highways) have not objected to the scheme on the grounds of highway safety in respect of the speed limit and as such there is no justifiable reason to refuse the application on these grounds.

51. A condition has been attached to the recommendation requiring a scheme of highway improvement works to be submitted and approved by the Council in liaison with LCC (Highways) which will thereafter require the applicant to enter into the requisite agreements with LCC to facilitate the works. The works will include the 'no right turn' and the other improvement works detailed on the plans although the final design and layout of the improvement works will be the subject of discussions with LCC Highways.

Public Right of Way

52. There are no public rights of way which cross the application site that will be impacted on by the application proposals.

Contamination and Coal Mines

53. The Waste and Contaminated Land Officer does not raise any objections to the application and a standard informative will be attached to the planning permission drawing the applicant's attention to the need to contact the Coal Authority to obtain advice given the site is within an area that could have been the subject of past coal mining activity.

Drainage and Sewers

54. The applicant states that the drainage of the pitches will be as per the existing situation wherein field drains will be utilised and the car park will be conditioned to be constructed using permeable materials on a permeable base so water will drain through the surface to the ground underneath, again replicating the existing situation.
55. There is an aqueduct running across part of the site although United Utilities do not have any objections to the application following the submission of further details of levels. Whilst the pitches will be the subject of cut and fill works, the actual surface area will remain the same and this will be subjected to the same level of rainfall. The Environment Agency have also commented on the application and do not raise any objections either.

Others Matters

56. In terms of the comments made by local residents which have not already been addressed, whilst it is noted that the land is still in agricultural use, it is leased to the farmer by United Utilities and whether or not this lease is continued is a decision that rests with United Utilities.
57. The Squirrel Pub site has recently been granted planning permission for the erection of 4 no. dwellings so could not be used as a car park to serve the football club.
58. In terms of the concern regarding anti-social behaviour on the proposed car park no objections have been raised by the Architectural Liaison Officer to the proposals.
59. In terms of the use of brownfield sites in preference to this site, the club is wishing to improve existing facilities on one site and using an alternative site would mean all of the clubs pitches are not in one location.
60. With regards to the security of the site, the clubhouse is on land with the Bolton Council area but as stated, a condition will require that access to the site by vehicles is not available when it is not in use.

Overall Conclusion

61. The 'principle' of the change of use of the land to football pitches is acceptable and accords with guidance in PPG2 in that it relates to outdoor sport and recreation and given the application represents improvements to the existing use by Horwich St Mary's Football Club, the principle of the development is considered to be acceptable. In relation to Policy LT12, it is considered that the proposals accord with the objectives of this Local Plan Policy in that the impact on the amenities of local residents can be suitably mitigated and adequate car parking will be provided whilst there is justification for the improved facilities at the club. The main visual impact will stem from the provision of the visibility splay along Scholes Bank wherein the existing trees will need to be removed and the hedgerows cut back although with replacement planting, the overall character of the Scholes Bank frontage will be retained

once the planting is established. The football pitches will not result in significant changes to land levels across the site which would be harmful to its character.

62. The highway comments are addressed above and the highway improvement works and the visibility splay will be subject to an appropriate condition
63. Whilst this planning application is linked to the clubhouse application in meeting the aspirations of the club to improve its facilities, the additional pitches proposed taken with the existing pitches on the site does necessitate the need for car parking which will also improve the situation on match days when cars park on the public highway hence it is considered that this application can be considered as a standalone proposal.

Other Matters

Public Consultation

64. The applicant has undertaken some consultation with the public. Section 7 of the applicants Planning Statement includes details of meetings held between residents and the St Marys Football Club at Horwich Leisure Centre. It is stated that whilst the meetings were regarding the application to Bolton Council for the clubhouse, the illustrative site layout proposals did show the additional football pitches and general position of the car park which now form the basis of this planning application. Appended to the Planning Statement is a copy of a newsletter sent out to local residents following a meeting.

Sustainability

65. The location of the application site and therefore the existing football club is on the very edge of Horwich which is part of the community which it serves. Whilst it is inevitable that many journeys to the site will be made by car, the site is close enough to Horwich, Anderton and Adlington to realistically make walking, cycling and the use of public transport a viable option especially given there is a bus stop on Scholes Bank right next to the application site.

Planning Policies

National Planning Policies:

PPS1:	Delivering Sustainable Development
PPG2:	Green Belts
PPS9:	Biodiversity & Geological Conservation
PPG13:	Transport
PPG17:	Planning for Open Space, Sport & Recreation
PPS25:	Development & Flood Risk

North West Regional Spatial Strategy:

Policy DP1 / Policy RDF4 / Policy L1 / Policy EM1 / Policy EM5 / Policy RT9

Adopted Chorley Borough Local Plan Review

Policies: GN5 / DC1 / EP4 / EP9 / EP18 / EP19 / EP20 / TR4 / LT12 / LT12

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guidance

Joint Core Strategy

Policy 22: Biodiversity and Geodiversity

Policy 24: Sport and Recreation

Policy 29: Water Management

Recommendation: Permit Full Planning Permission Conditions

1. The proposed development must be begun not later than three years from the date of this permission.
Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. 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 (Lancashire County Council) and the off-site works to the highway shall be completed prior to the first use of the football pitches and car park.
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 and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.
3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.
4. Before the development hereby permitted is first commenced full details of the existing levels on the site and the proposed ground levels of the football pitches, the car park, access path and access road (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 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 LT12 of the Adopted Chorley Borough Local Plan Review.
5. Before the development hereby permitted is first used, provision for cycle parking, in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority, shall have been made.
Reason: To ensure adequate on site provision for cycle parking and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.
6. No development shall take place until details of the proposed surface water drainage arrangements for the access road, car park and football pitches have been submitted to and approved by the Local Planning Authority in writing. No part of the development shall be used until the approved surface water drainage arrangements have been fully implemented in accordance with the approved details.
Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 and EP19 of the Adopted Chorley Borough Local Plan Review.
7. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences, walls and gates (including the gate across the access) to be erected to the site boundaries and within the site (notwithstanding any such detail shown on the approved plans) shall have been submitted to and approved in writing by the Local Planning Authority. The land shall not be used pursuant to this permission until all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.
Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy Nos. GN5 and LT12 of the Adopted Chorley Borough Local Plan Review.
8. 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 and HT9 of the Adopted Chorley Borough Local Plan Review.

9. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the 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 and HT9 of the Adopted Chorley Borough Local Plan Review.
10. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground surfacing materials (notwithstanding any such detail shown on the approved plans) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.
Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.
11. Before the use of the football pitches hereby permitted is first commenced, the car park, access road and vehicle manoeuvring areas shall be surfaced, drained and marked out all in accordance with the approved plans. 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. TR4 of the Adopted Chorley Borough Local Plan Review.
12. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 15m into the site shall be appropriately paved/surfaced using a hard material details of which have first been submitted to and approved in writing by the Local Planning Authority. The accessway thereafter shall be surfaced in accordance with the approved materials.
Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users and in accordance with Policy No. TR4 of the Chorley Borough Local Plan Review.
13. The football pitches hereby permitted shall be not be used until the means of vehicular access has been constructed and completed in accordance with the approved plans.
Reason: In the interests of highway safety and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.
14. The access road to the site and car park shall remain closed to motorised vehicles and motorcycles at all times other than when matches are being played.
Reasons: In the interests of the amenities of neighbours, to prevent vehicles and motorcycles access the site when not in use and in accordance with Policy No. LT12 of the Adopted Chorley Borough Local Plan Review.
15. The existing access crossing over Jepson's Clough shall be removed in full with the watercourse restored to open section in accordance with details and a timescale to be agreed in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details and within the agreed timescale.
Reason: To reduce flood risk by removing a redundant structure and in accordance with Policy No. EP19 of the Adopted Chorley Borough Local Plan Review.
16. Prior to the commencement of development hereby permitted, a detailed method statement for the removal and/or long-term management/eradication of Japanese Knotweed & Himalayan Balsam on the site shall have been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Japanese Knotweed & Himalayan Balsam during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/root/stem of any invasive plant covered under the

Wildlife and Countryside Act 1981. Development shall only proceed in accordance with the approved method statement.

Reason: To prevent the spread of Japanese Knotweed & Himalayan Balsam as a result of the development and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local Plan Review.

17. The development hereby permitted shall only be carried out in accordance with the amphibian mitigation measures specified in section 6.1 of the TEP Ecological Assessment (Report Ref: 2140.002revA), or any amended measures which have first been submitted to and approved in writing by the Local Planning Authority.
Reasons: To safeguard protected species and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local Plan Review.
18. No site clearance, site preparation or development work shall take place until a habitat creation/enhancement and management plan (to include appropriate compensation for tree and hedgerow losses and loss of potential terrestrial amphibian habitat) has been submitted and approved by Chorley Borough Council in consultation with LCC (Ecology). The development shall only be carried out in accordance with the approved habitat creation/enhancement and management plan.
Reasons: To mitigate habitat loss, safeguard protected species and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local Plan Review.
19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device above 600mm in height. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of Scholes Bank to points measured 90m in each direction along the nearer edge of the carriageway of Scholes Bank, from the centre line of the access, and shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority.
Reason: To ensure adequate visibility at the street junction or site access and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review
20. The proposed access from the site to Scholes Bank shall be constructed to a (minimum) width of 5.5m and this width shall be maintained for a minimum distance of 20m measured back from the nearside edge of the carriageway.
Reason: To enable vehicles to enter and leave the premises in a safe manner without causing a hazard to other road users and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.
21. The existing access shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads (concurrent with the formation of the new access or within 3 months of the formation of the new access).
Reason: To limit the number of access points to, and to maintain the proper construction of the highway.
22. 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.

23. The development hereby permitted shall not commence until full details of the colour, form and texture of the ground surfacing materials for the car park and overspill car park (notwithstanding any such detail shown on the approved plans) have been submitted to and approved in writing by the Local Planning Authority. The car parks shall be constructed using permeable materials on a permeable base. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy No. DC1 and GN5 of the Adopted Chorley Borough Local Plan Review.

24. Before any tree felling is carried out full details (including species, number, stature and location) of the replacement tree planting shall have been submitted to and approved in writing by the Local Planning Authority. The replacement tree planting shall be carried out in accordance with the approved details within nine months of the tree felling.

Reason: To safeguard the visual amenity of the area and in accordance with Policy No. EP9 of the Adopted Chorley Borough Local Plan Review.

Item	11/00085/FULMAJ
Case Officer	Mrs Nicola Hopkins
Ward	Chorley North West
Proposal	Application for new planning permission to replace extant planning permission for 16 apartments and dwelling (ref: 07/01140/FULMAJ)
Location	Garage Westminster Road Chorley Lancashire PR7 2DD
Applicant	Mr A Allen

Consultation expiry: 3 March 2011

Application expiry: 3 May 2011

Proposal

1. This application relates to an extension to the time period for implementation of a previously approved planning application (which was extant at the time of submission) for 16 apartments at the garage site between Westminster Road and Alker Street, Chorley
2. Full planning permission was granted for the development on 28 February 2008 and the applicants had until 28 February 2011 to commence the development. This development has not commenced however in October 2009 legislation was introduced, subsequent to the 2008 Planning Act, which allows applicants to extend the time period for implementation of extant planning approvals.
3. This legislation was introduced in order to make it easier for developers to keep planning permissions alive for longer during the economic downturn. A new planning permission is applied for to replace the existing permission.

Recommendation

4. It is recommended that this application is granted conditional planning approval subject to the associated Section 106 Agreement

Main Issues

5. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Other Issues

Representations

6. 1 letter of objection have been received raising the following points:
 - Lack of parking
 - Block of flats not appropriate in design terms
 - Loss of light
 - Noise
 - Additional traffic

Consultations

7. **Planning Policy** no policy objections in principle and have confirmed Policy HS7 in the Local Plan Review states that housing redevelopment of this site (HS7.4) should be given favourable consideration, as it is an identified site of uses that cause amenity problems in the neighbourhood. HS7 sites were not subject to the windfall housing restrictions as it was considered beneficial to redevelop them for housing purposes and there would have been no requirement for affordable housing provision on this site when the Windfall Housing SPG was in force. Provided this proposal accords with the design principles in PPS3 and Local Plan Review Policies GN5 and HS4, there should be considerable amenity benefits. The

applicants also propose a range of units, including one bedroom units, which should be amongst the cheaper new build units available in the town. Therefore, it is not considered necessary to request affordable housing provision on this site.

8. **The Environment Agency** no comments to make
9. **The Architectural Design and Crime Reduction Advisor** no observations to make
10. **Lancashire County Council (Highways)** no objection
11. **Chorley's Waste & Contaminated Land Officer** no objection subject to appropriate conditions
12. **Lancashire County Council (Planning Contributions)** have requested £78,719 towards education and waste management

Applicants Case

13. The applicants agents has made the following points in support of the application:
 - The planning permission has not been implemented by reason of the fact that its granting coincided with first evidence of a world wide financial markets crisis followed by a mounting recession
 - The site is located in a very sustainable location close to the town centre and it is still considered that it remains a valuable consent and one which represents a good and realistic development opportunity
 - The applicant does seek the further period of three years in order to ensure that it gives them the optimum amount of opportunity to enable the site to be developed
 - The application site has been marketed on an ongoing basis since the approval professionally with Peter Gilkes & Co and also by the applicant/ owner. There has been no success. In order to gain some financial return on the property the applicant has had to engage in a couple of short term lets of the existing building for commercial use. These have now ceased and the site is again vacant.
 - The applicant remains fully committed to securing the sale of the site for redevelopment for residential purposes
 - The development on the other side of Alker Street has now been for the most part constructed. It is felt that the commitment to a smaller development in this case has enabled that site to be completed despite the recession and other financial implications
 - The Council clearly found the site layout and elevation treatment appropriate in approving the application initially and there would appear no reason to take an alternative view on this occasion
 - A lesser time period extension to commence the development, for say one or two years, would not offer the applicant adequate assurance that he could realise the best prospects for the development of the site. For any degree of confidence to return to the new build flat market will take time.

Assessment

Principle of the development

14. Guidance issued by the Department of Communities and Local Government states that when determining applications for extensions to time limits the development will by definition have been judged to be acceptable in principle at an earlier date (in this case by permitting application 07/01140/FULMAJ). While such applications must be decided in accordance with the plan, unless material considerations indicate otherwise, Local Planning Authorities should in making their decision focus their attention on development plan policies and other material consideration which may have changed significantly since the original grant of planning permission.
15. In this case there has not been any physical change to the site however, there have been a number of changes to policy that the proposal should be assessed against. The Government have amended PPG13 which previously required local authorities to set limits for off street parking in residential developments. The revised PPG13 removes this requirement and

allows local authorities to set their own parking levels.

16. Parking and highway safety formed a consideration of the previous application particularly as the proposal incorporated no off street parking. As the time of the previous approval the site was considered to be within a sustainable location in terms of its proximity to the town centre and local services. The site is well served by public transport, being approximately 200m from a major bus route, and as such the site is considered to be very accessible.
17. Additionally an application for five terraced dwellings was approved, at a similar time to the previous application, on the opposite side of Alker Street (07/00871/FUL). LCC Highways did not consider that off street parking was required as part of that scheme as on street parking will be available to the front of the properties.
18. As part of the previously approved application and the approval on the opposite side of Alker Street the applicants agreed to make the highway in front of both respective developments up to adoptable standards. This will be subject to a separate legal agreement with Highways. This adopted highway is considered to be sufficient for bin wagon access in accordance with the guidance contained in the 'Manual for Streets' document. The highway between no. 20 and 26 Regent Road will remain unadopted, although this is still passable for vehicular access. Whilst it would be preferable if the whole of the unadopted stretch of highway were adopted, due to uncertainty over land ownership, Highways had no objection to this scheme as a 'stop-gap' measure.
19. However following the completion of the Committee report the Highways Authority did raise objections to the scheme on grounds of insufficient parking. This was reported to the Members via the addendum along with confirmation that the applicant had agreed to enter in a Section 106 Agreement and provide a commuted sum to improve the nearby West Street car park to encourage people to use this car park. The improvements included resurfacing the car park and providing further CCTV coverage. However in the event that further car parking was identified closer to the site the commuted sum will be used to improve parking in the immediate vicinity of the site.
20. The application was considered at DC Committee in December 2007. Following discussion between the Members it was resolved to grant planning permission, subject to: (i) the prior completion of a Section 106 legal agreement to secure the making up of the highway in front of the development to an adopted standard; (ii) the deposit of a commuted sum to be used for the improvement of car parking facilities either at West Street or other identified location closer to the application site and (iii) various conditions.
21. The applicant entered into a S106 Agreement on 28th February 2008 which was followed by the grant of planning permission. The S106 Agreement included the following obligations
 - A commuted sum of £19,192 for equipped play space
 - A commuted sum of £10,000 for CCTV mainly at West Street car park
 - A commuted sum of £15,000 for resurfacing West Street Car Park or alternative car parking provision closer to the site.
22. The following condition was also attached to the planning approval:

Prior to the commencement of the development full details of the laying out of Alker Street shall be submitted to and approved in writing by the Local Planning Authority. The information shall include details of the proposed marking out of the highway and available parking provision. The development thereafter shall be carried out in accordance with the approved details.

Reason: In the interests of Highway Safety within the area and in accordance with Policy 7 of the Joint Lancashire Structure Plan.
23. Following the grant of planning approval the scheme did not commence on site, although the 5 terraced dwellings on the opposite side of Alker Street have commenced and are practically complete.
24. In September 2009 a meeting was held with the Principal Planning Officer, Jane Meek, the

applicant, his agent and Councilor Snape to discuss the progression of this development and the financial implications, in particular the S106 contributions which, together with the requirements of the condition to make up Alker Street, equated to £55,192 prior to any construction works. The applicant confirmed that these costs were stalling the development.

25. Following this meeting the planning officers looked into the required contributions and the Council's Architectural Liaison Officer confirmed that the CCTV coverage at West Street car park was fit for purpose with no upgrade required. There was some resurfacing still required at a cost of £5000. Following this confirmation it was agreed that the obligations of the S106 would be amended to:

£19,192 for equipped play space to be paid on the occupation of the first dwelling

£5,000 for improvements to West Street car park to be paid within 30 days of commencement unless adequate private car parking provision can be provided, in agreement with the Highway Authority, closer to the site.

26. A supplemental S106 Agreement was entered into on 21st December 2009 removing the previous obligations and replacing them with the above obligations. This was entered into on the understanding that making the S106 obligations less onerous would assist in the delivery of the development.
27. Although the development has yet to be delivered the applicant has shown a commitment to the scheme by the submission of this time limit extension application. This notwithstanding the Council entered into a supplemental S106 Agreement, with less onerous obligations, to assist in the delivery which has not occurred. Taking this into account it is considered that a two year permission allows for an adequate time period to commence the development whilst putting the onus on the applicant to commence this development in a timely manner. This is reflected in the suggested conditions.
28. It is acknowledged what the agent for the application states within his supporting statement, *a lesser time period extension to commence the development, or say one or two years, would not offer the applicant adequate assurance that he could realise the best prospects for the development of the site. For any degree of confidence to return to the new build flat market will take time*, however it is considered that the Council has assisted as much as possible to ensure the delivery of this scheme. A two year extension is sufficient to gauge how/if the flat market improves and in the event that no upturn is achieved an alternative scheme for this site may be the only foreseeable way forward.
29. In September 2008 the first policy document, Sustainable Resources DPD, within Chorley's new Local Development Framework (LDF), was adopted which post dates the planning approval and is a material planning consideration in respect of this application. The agent for the application acknowledges this within his submission documents and has submitted a Sustainable Resources Statement which states that the development can achieve significant carbon reductions through principally low energy factors from energy efficiency measures but also from renewables in respect of the intended water heating by means of solar powered panels and the criteria of Policy SR1 can be met. Appropriately worded conditions are suggested to ensure this.

Other Issues

30. The application incorporates the erection of 16 apartments however there is no requirement within the S106 for any of these units to be affordable accommodation. This is due to the fact that at the time of the previous approval it was considered that the redevelopment of this site enabled the regeneration of a brownfield site within a predominantly residential area. The site is allocated under Policy HS7 of the Local Plan. Such sites were not subject to the Windfall Housing Restrictions as it was considered beneficial to develop them for housing. As such there would have been no requirement for affordable housing when the Windfall Housing SPG was in force. Additionally the proposal incorporates a range of units including one bedroom apartments. These would be amongst the cheapest new build within the town centre. Taking into account the above considerations the provision of affordable housing was not considered to be required as part of the original planning approval.
31. Policy HS7 is a saved planning policy and as such the Policy considerations in respect of this

site have not altered. Therefore it is not considered necessary to request affordable housing provision on this site.

32. One letter of objection has been received raising several concerns which include parking, design, loss of light, traffic and noise. Parking is dealt with above. The other elements of concern were considered as part of the previous planning application and as set out above the Planning Authority is restricted to purely considering whether development plan policies and other material consideration have changed significantly since the original grant of planning permission.
33. In respect of noise the sites authorised use is as an employment site which has the potential to have greater impact on the neighbours' amenities than the proposed residential use. The configuration of the properties has been designed to protect the amenities of the future residents. Although only a small distance is retained between the properties windows, habitable rooms do not directly face one another and as such there will be no loss of privacy or amenity to the detriment of the future residents. In respect of design the properties are designed as two storey terraced properties replicating the street scene although the proposed dwellings do incorporate living accommodation within the roof space.

Section 106 Agreement

34. As set out above the applicant originally entered into a S106 Agreement and then a supplemental S106 Agreement in respect of equipped play space and improvements to parking in the area. As this application results in the issuing of a new planning permission the obligations of the supplemental agreement, set out in paragraph 25, will be incorporated into a new S106 Agreement to accompany this planning approval, if members are minded to grant this time limit extension application.
35. Lancashire County Council Planning Obligations Team have requested S106 contributions towards education and waste. However this application purely relates to extending the time period for commencing the development and as set out above the S106 obligations have previously been agreed. As such it would not be possible to justify further S106 obligations in respect of this application.

Overall Conclusion

36. The Planning Policy changes which have occurred since the original grant of planning permission would not have resulted in a different outcome if a new planning application for this site was submitted now. As such it is recommended that a two year extension for the commencement of this development is approved.

Other Matters

Waste Collection and Storage

37. As set out within paragraph 18 the highway serving the development was considered to be sufficient for a bin wagon. Details of the bin storage are required via condition.

Planning Policies

National Planning Policies:

PPS1, PPS3, PPS23, PPG13

Adopted Chorley Borough Local Plan Review

Policies: GN1, EP4, HS4, HS7, EM9, TR4.

Supplementary Planning Guidance:

- Design Guide

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

Joint Core Strategy

Policy 1- Location Growth
 Policy 4- Housing Delivery
 Policy 10- Employment Premises and Sites
 Policy 17- Design of New Buildings
 Policy 22- Biodiversity and Geodiversity

Sites for Chorley- Issues and Options Discussion Paper December 2010
 CS0046- Devonshire Road/ Alker Street- Housing Development

Planning History

07/00871/FUL-Erection of 5 terraced houses. Approved October 2007

07/01140/FULMAJ- Proposed 16 No. apartments and dwellings. Approved 28 February 2008

Recommendation: Permit Full Planning Permission Conditions

1. The proposed development must be begun not later than two years from the date of this permission.
Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. 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. HS4 of the Adopted Chorley Borough Local Plan Review.
3. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.
Reason: In the interests of the amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.
4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
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. 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.
6. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

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

7. The development hereby permitted shall not commence until the applicant has submitted to and had approved in writing, by the Local Planning Authority, a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. 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 and in accordance with Government advice contained in PPS23: Planning and Pollution Control

8. Prior to the commencement of the development full details of the proposed bin stores shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details.

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

9. 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

10. Prior to the commencement of the development full details of the laying out of Alker Street shall be submitted to and approved in writing by the Local Planning Authority. The information shall include details of the proposed marking out of the highway and available parking provision. The development thereafter shall be carried out in accordance with the approved details.

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

11. The approved plans are:

Plan Ref.	Received On:	Title:
	26 February 2008	Site Location Plan
ADDO5/011/010A	2 October 2007	Proposed Site Layout
ADD05/011/030C	26 November 2007	Block B
BAAD05/011/020	2 October 2007	Block A
AADD05/011/001	2 October 2007	Existing Layouts and Elevations

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

12. 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 1st 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 Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

13. 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.
14. 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 Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.
15. 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.
16. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plans. The development shall only be carried out in conformity with the approved details.
Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

Item	11/00071/FULMAJ
Case Officer	Liz Beard
Ward	Chorley South East
Proposal	Re-plan to plots R282 - R299 (18 No dwellings) and an additional 3 No dwellings (Plots R400 - R403)
Location	Formerly Multipart Distribution Limited Pilling Lane Chorley
Applicant	Redrow Homes Lancs

Consultation expiry: 2 March 2011

Application expiry: 3 May 2011

Proposal

1. The proposal is for the re-plan to plots R282-R299 (18 no dwellings) and an additional 3 no. dwellings (Plots R400-R403), which is a total of 21 dwellings.
2. The existing approved application which included this part of the site proposed 18 no dwellings, which was a mix of 6 no. 2.5 storey (3 bedrooms), 6 no. 2 storey (3 bedrooms) and 6 no. 2 storeys (3 bedrooms). It is proposed to change it to:
 - 4 no. 2.5 storeys (3 bedrooms)
 - 8 no. 2 storeys (3 bedrooms)
 - 9 no. 2 storeys (2 bedrooms).
3. A total of 11 plots will be social rented housing, and there is a housing association set up to take on these houses. There will be 3 no. 2 bedroom dwellings and 8 no. 3 bedroom dwellings which will be affordable housing (Plots R401-R403 and Plots R292-R299)The same house types, the Kenilworth, Broadway and Evesham will be used, as approved on the previous application (ref:10/00404/FULMAJ).
4. The reserved matters application has been approved for up to 200 dwellings on the site. Although this is an overall increase of 3 no dwellings on this part of the site, the overall total on the Redrow part of the site remains below 200 dwellings, and they will now be building 197 dwellings.

Recommendation

5. It is recommended that this application is granted conditional planning approval subject to the supplemental Section 106 Agreement.

Main Issues

6. The main issues for consideration in respect of this planning application are:
 - Design
 - Tenure and Mix
 - Amenity

Representations

7. There have not been any letters of objection received.

Consultations

8. **The Environment Agency** has no comments to make on this application.
9. **United Utilities** have not provided any comments.

10. **Lancashire County Council (Highways)** have no objections and comments that the proposed re-plan and 3 new dwellings with associated parking facilities will have no significant impact on the existing highway network.
11. **Chorley's Waste & Contaminated Land Officer** have not provided any comments.
12. **Council's Tree Officer** has not provided any comments.

Assessment

Background

13. Outline planning permission with all matters reserved, except for access, was approved in April 2005 for residential development. Subsequently all reserved matters have been approved by way of three reserved matters applications. There was also a previous application for the re-plan of 76 no dwellings, which included this part of the site. Therefore the principle of development has been established and this application is for the consideration of a further re-plan of a number of plots, including an additional 3 no. dwellings on this part of the site. The same house types will be used, as those approved as part of the re-plan application (Ref.10/00404/FULMAJ).

Design

14. Plots R282-R287 (inclusive) are in the same location, and the changes include the removal of garages for plots R282-R285 (two storey dwellings, and a mix of two and three bedrooms), and the change in the detailing of the landscaping to the front of Plots R286 and R287 (2.5 storey dwellings).
15. There have been two additional houses provided in the row of dwellings in the middle of this part of the site. There now consists two rows of terraces (4 no dwellings) comprising of 2 no two bedroom dwellings and 2 no three bedroom dwellings. Car parking spaces are provided within the communal square area.
16. The other row of properties now consists of 7 no. dwellings. There is a semi-detached property, comprising of the Kenilworth house type, which is 2.5 storeys and a terrace. The terrace comprises of 5 no dwellings, which are two storey and a mix of two and three bedroom houses. Car parking spaces, as with the other row of terraces, are provided within the communal square area.
17. The dwellings have been slightly moved from their previous positions but are within the same arrangement as the previously approved application for the re-plan, including this site (Application ref. 10/00404/FULMAJ).

Tenure and Mix

18. The tenure and mix of the properties are two and three bedroom houses. There is a mix of eleven affordable houses, which will be social rented by definition, and nine market houses.
19. Plots R401-R403 and Plots R292-R299 are to be affordable houses, of which 3 no. are two bedroom and 8 no. are three bedroom properties. Plots R282-R291 are market houses, of which 6 no are two bedroom properties and 4 no. are three bedroom properties.
20. The mix is considered appropriate and the affordable housing element has been agreed in a Section 106 agreement, which was part of the outline planning application (Ref.04/00934/OUTMAJ). A supplemental Section 106 agreement will be drawn up with this application.

Amenity

21. The privacy distances, garden areas and parking requirements have all been considered. All the properties achieve the required spacing standards and ensure that the amenity of the future residents are protected. The garden areas are all within the 10m requirement, as part of the Supplementary Planning Guidance: Design.

22. The scheme includes a mix of 2 and 3 bedroom accommodation for which the Council usually requires 2 parking spaces. Six of the proposed properties incorporate 2 parking spaces however the remaining 15 have only 1 parking space allocated to them. The previously approved layout for this part of the site incorporates garage accommodation which ensured 2 spaces per property were provided. The applicant has been advised that further parking will be required.

Section 106 Agreement

23. A supplemental Section 106 Agreement is required.

Overall Conclusion

24. The proposed re-plan is considered acceptable. The same house types and materials are to be used, which are appropriate within the area and the remainder of the site. Although there are three additional houses included on this part of the site, the overall total number is now 197, which remains below the 200 houses that Redrow have planning approval for. The application is therefore acceptable and complies with national and local policy.

Other Matters

Sustainability

25. Policy SR1 was adopted following the original grant of outline and reserved matters approval on this site. Various re-plans have been approved across the whole site and the requirements of Policy SR1 were not included due to the fact that the original approvals at this site did not incorporate the requirement. The same applies to this application.

Waste Collection and Storage

26. No details are provided, therefore a condition is suggested to show where the storage of waste will be located.

Planning Policies

National Planning Policies:

PPS1 and PPS3

North West Regional Spatial Strategy:

DP1 & DP7

Adopted Chorley Borough Local Plan Review

Policies GN1, GN5 and HS4.

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

Joint Core Strategy

Policies 5 and 17

Planning History

04/00934/OUTMAJ Residential development including roads, sewers, open space, landscaping and associated works. Approved April 2005.

07/01227/REMAJ Reserved matters application for the construction of access road, public open space, children's play area and associated landscaping. Approved January 2008.

07/01228/REMAJ Reserved matters application for the erection of 200 houses, with associated roads, footpaths and works. Approved January 2008.

09/00594/FULMAJ Re-plan of part of the site including the construction of 42 dwellings, garages and associated works (amendment to reserved matters approval 07/01228/REMAJ), including arrangements to existing parking areas to serve Plots 343-351 and 371. Approved November 2009.

10/00404/FULMAJ Re-plan to plots R281 to R323/R351/R358 to R376/R388 to R400 (76 no. dwellings, garages and associated works). Approved July 2010.

Recommendation:

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

1. The proposed development must be begun not later than three years from the date of this permission.
Reason: Required to be imposed by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The approved plans are:

Plan Ref/Title:	Received On:	Title
4081-11-02-003 Rev F	27 January 2011	Location Plan
4081-11-02-001 Rev U	27 January 2011	Planning Site Layout
4081-11-001-001 Rev E	27 January 2011	Material Schedule
Lex-11-02-003 Rev F	27 January 2011	Boundary Treatment Plan
4081/ENG001 Rev B	27 January 2011	Drainage Layout
C-SD-0806	27 January 2011	Free Standing Brick Walls
C-SD0910	27 January 2011	Gate Within Close Boarded Fence 1.8m High
C-SD0905	27 January 2011	1350mm Close Boarded/450mm Trellis Fencing
C-SD0907	27 January 2011	Close Boarded Fencing 1.8m Panel Effect
C-SD0900	27 January 2011	Post and Rail Fencing
SG-DG01-1-001 Rev B	27 January 2011	Double Garage Type 1 Plan Section & Elevation (Hipped)
C-DG01-1-001-Rev C	27 January 2011	Double Garage Type 1 Plan Section & Elevations
L4081K.1	27 January 2011	The Kenilworth: Social Housing Plots R286-R287
L4081BES.1	27 January 2011	The Broadway-Evesham Social Housing 2 Plots R296-R299 & R400 (Elevations)
L4081BES.1	27 January 2011	The Broadway-Evesham Social Housing 2 Plots R296-R299 & R400 (Floor Plans)
L4081BES.1	27 January 2011	The Broadway-Evesham Social Housing 1 Plots R282-R285 (Elevations)
L4081BES.1	27 January 2011	The Broadway-Evesham Social Housing 1 Plots R282-R285 (Floor Plans)
CHSB02	27 January 2011	The Broadway-Evesham (Elevations)
CHSB02	27 January 2011	The Broadway-Evesham (Floor Plans)
CHSB02	27 January 2011	The Broadway-Evesham (Render)
C3H108	27 January 2011	The Kenilworth

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

3. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be

planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

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

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

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

5. The external facing materials detailed on the approved plans shall be used and no others substituted. For clarity the Western Red Multi Stock on the approved plan should read Weston Red Multi Stock

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

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

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

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

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

8. Prior to the commencement of 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 thereafter shall be submitted to and approved in writing by the Local Planning Authority. The site thereafter shall be managed by the approved Management Company.

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

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

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

10. 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.

11. Prior to the commencement of the development full details of the proposed residents consultation procedure shall be submitted to and approved in writing by the Local Planning

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

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

12. 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.

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

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

14. 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 future residents and in accordance with Policy No.s GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

15. The construction of the development shall be carried out between 07.00 hours and 19.00 hours Monday to Friday, and 08.00 hours and 13.00 hours on Saturday. There shall be no construction works carried out on Sundays or Bank/Public Holidays.

Reason: In the interests of the amenities of local residents and in accordance with Policy EP20 of the Chorley Local Plan Review.

16. 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 hard surfacing 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.

Item	11/00123/REMAJ
Case Officer	Caron Taylor
Ward	Astley And Buckshaw
Proposal	Reserved Matters application for a Health Centre (related to outline permissions 97/00509/OUT and 02/00748/OUTMAJ)
Location	Land 50 Metres South Of Buckshaw Community Centre Unity Place Buckshaw Village Lancashire
Applicant	Eric Wright Group

Consultation expiry: 16 March 2011

Application expiry: 19 May 2011

Proposal

1. The application is a Reserved Matters application for a Health Centre (related to outline permissions 97/00509/OUT and 02/00748/OUTMAJ).
2. The Health Centre will be sited adjacent to other community facilities south of the existing Buckshaw Village Community Centre and adjacent to Buckshaw Village Nursery and Swimming Academy (which is currently under construction) and Trinity Primary School.

Background

3. Outline planning permission was originally granted for Buckshaw Village in 1997 and subsequently amended in 2002. A GP service for the village is currently being provided from buildings in Buckshaw Retirement Village on a temporary basis.
4. The proposed health centre will be two-storey and provide a range of services to Buckshaw Village residents including GP surgery, dental surgery, health education and training facility and a minor surgery and treatment suite. It will have a gross floor area of 1220 sq m.
5. The ground floor will be made up of the GP service and will include 12 consulting rooms, 3 treatment rooms and a minor operations suite. At first floor on one side of the building will be the dental surgery including 4 dental treatment rooms and an X-ray room. The other side of the building will house a meeting room staff room and the health education.

Recommendation

6. It is recommended that this application is granted planning approval.

Main Issues

7. The main issues for consideration in respect of this planning application are:
 - Principle of the proposal;
 - Design and Layout;
 - Highways and Parking;
 - Neighbour Amenity;

Representations

8. No letters of representation have been received to the application.

Consultations

9. **Lancashire County Council (Highways)** – Have no over-riding highway objection. The means of vehicle access in to the site is already formed in part and is acceptable in terms of the position, radii size and width etc. LCC make some comments on the scheme - see Highways section of this report.

10. **Lancashire County Council Travel Plan Co-ordinator** – states the Framework Travel Plan (FTP) submitted meets all of their submission criteria. Therefore Lancashire County Council is happy to accept it for the site. They request that a Full Travel Plan should be developed along the timescales stated within the FTP as a condition of any planning approval.

Assessment

Principle of the proposal

11. Outline planning permission was originally granted for Buckshaw Village in 1997 and subsequently amended in 2002. The Section 106 Agreement associated with the site required the retention of a 0.2 hectare area of land for the provision of a health centre, which is the land the subject of this application.
12. The principle of the development of a health centre on this site has therefore been established by the outline permissions and associated Section 106 Agreement.

Design and Layout

13. The proposed design of the building is contemporary. This is considered appropriate for its position on Buckshaw as the surrounding community buildings also follow a modern design philosophy. The layout of the building is an L-shape which mirrors that of the Community Centre opposite. The front (north) elevation is double height glazing providing views in to the reception area and views of the first floor and clearly identifying the way into the building.
14. The building has been designed to be shallow in plan, with rooms placed externally to benefit from natural light and ventilation. The large glazed area that is the main waiting area/reception is orientated north to ensure maximum light is allowed into the building whilst ensuring that the internal space does not suffer from overheating. The southern elevations have less glazing and the larger windows will have external sun shades installed over them. Photovoltaic cells will be added to the south facing pitched roofs and their position is shown on the plans.
15. The building will be a structural steel framed construction, combined with a metal stud partitioning system. This provides a construction solution that will allow for future adaptation of the building's internal arrangement.
16. The materials palette for the building will reflect its contemporary design and is considered acceptable, being largely rendered with red smooth brick being used for a plinth around the bottom of the building and on a section of the southern elevation to break it up. Windows and doors will be medium grey powder coated aluminium and the pitched roof will be grey Redland Cambrian Slate.

Highways and Parking

17. The amount of parking provided is restricted by the size of the site (0.2 hectares) which was fixed at outline stage. The site will have 19 parking spaces of its own of which 2 will be disabled, but an arrangement has been made with the Community Centre that parking will be shared between the two buildings, which will allow use of a further 32 spaces, totalling 51. It was always envisaged that the car park would be shared to ensure that the Community Centre and Health Centre would be linked as community facilities and to enable joint working although they are not physically linked. The report which approved the Community Centre (ref: 07/01320/REM) referred to this relationship.
18. The Regional Spatial Strategy Parking Standards state the maximum number of car parking spaces that may be permitted for a development of this scale is approximately 90 spaces, however a recent appeal decision received by the Council limited the weight which can be afforded to these standards.
19. Normally it would be expected that parking for a health centre would be greater than that proposed. However, from the outset Buckshaw Village has been designed to be sustainable, that is to encourage travel to and from the Village by means other than the private car. In addition, the Village itself is laid out with green corridors to encourage residents to walk within

it and the application site is highly accessible on foot. In addition a Framework Travel Plan has been submitted that will form the basis of a Full Travel Plan that will be conditioned. Taking all these factors into account it is considered that application could not be refused on the grounds of highways or parking.

20. LCC Highways have made comments on the where visitors and staff may park within the car park i.e. if patients could park nearer the building and staff further away. However, this is not considered this is something that could be controlled by the Council.
21. Highways also ask for a condition that the planting be restricted to 600mm in height to allow driver visibility of pedestrians. However, the landscaping scheme submitted with the application only shows low planting in these areas, it is therefore considered more appropriate to control this by conditioning the landscaping scheme provided.

Neighbour Amenity

22. The site is mainly surrounded by other community buildings. To the south is the Primary School and to the north is the Community Hall with Buckshaw Nursery and Swimming Academy to the northeast. Only the west elevation of the building will face towards a residential parcel, know as Parcel F. This is a large parcel which has mainly been constructed apart from the nearest part to the Health Centre site.
23. There is approximately 16m between the proposed Health Centre building and the boundary with Parcel F, the two are separated by a green corridor. It is considered that this parcel can be designed in a way that the relationship between it and the Health Centre is acceptable.

Overall Conclusion

24. The application is recommended for approval subject to conditions.

Other Matters

Sustainability

25. It is not a planning requirement that the building must meet policy SR1 of the Sustainable Resources DPD as the proposal was given outline planning permission before this came into force and it must have been secured at the outline stage. However, the building will incorporate various energy saving features including photovoltaic panels as a requirement of the PCT to meet BREEAM standards.

Planning Policies

National Planning Policies:

PPS1, PPS22, PPS23, PPG13, PPG17, PPG24

North West Regional Spatial Strategy

Policy DP1: Spatial Principles

Policy RDF1: Spatial Priorities

Policy RT9: Walking and Cycling

Policy EM3: Green Infrastructure

Policy EM5: Integrated Water Management

Adopted Chorley Borough Local Plan Review

Policies: GN2, GN5

Planning History

97/00509/OUT: Outline application for mixed use development (housing, employment, shopping, leisure & commercial uses, open spaces, roads, sewers, community facilities & rail station) & indication of junction improvements on surrounding road network. Permitted 24th August 1999.

02/00748/OUTMAJ: Modification of conditions on outline permission for mixed use development (housing, employment, shopping, leisure & commercial uses, open spaces, roads, sewers, community facilities, road improvements & rail station). Permitted 16th December 2002.

Recommendation: Permit Full Planning Permission Conditions

1. The proposed development must be begun not later than three years from the date of this permission.
Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. A Travel Plan shall be produced and submitted to Chorley Council using the following timescale:
 - A Travel Plan Co-ordinator shall be appointed and LCC's Travel Plan Advisers informed of contact details prior to occupation of the building hereby permitted;
 - The first travel survey shall be carried out within 3 months of occupation of the building hereby permitted;
 - A Full Travel Plan shall be submitted to Chorley Council and approved in writing within 6 months of the first travel surveys.

The Full Travel Plan shall include the following as a minimum:

- Appointment of a named Travel Plan Co-ordinator
 - Travel survey;
 - Details of cycling, pedestrian and public transport links to the site;
 - Details of cycle parking;
 - SMART Targets for non-car modes of travel;
 - Action plan of measures to be introduced;
 - Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years from the date of occupation of the building hereby permitted.

Reason: To ensure the delivery of sustainable transport objectives, including reductions in car usage, increased use of public transport and walking and cycling and in accordance with Policy TR4 of the Adopted Local Plan Review and PPG13.

3. The approved external facing materials are:
 - Brick – Ibstock Ravenhead Red Smooth (with dark grey mortar);
 - Rener – Sto – 1.5mm Finish – Warm White 32138;
 - Windows and Doors – Powder Coated Aluminium RAL 70024 (Medium Grey);
 - Pitched Roofs – Redland Cambrian Slate – Grey 30;
 - Rainwater Goods – Square Sections – Black.

The above materials shall be used and no others substituted.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN2 and GN5 of the Adopted Chorley Borough Local Plan Review.

4. The approved ground surfacing materials are:
 - Car parking areas – tar macadam surfaces (except the raised corner section which will be block paved);
 - Paved Areas – Marshalls Saxon Textured Concrete Paving 400x200mm – Natural;
 - Setts – Marshalls Tegula Concrete Sett Paving (Traffic Gauge) – Pennant Grey;

The above materials shall be used and no others substituted.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN2 and GN5 of the Adopted Chorley Borough Local Plan Review.

5. The photovoltaic's to be used on the building shall be in accordance with the details as shown on drawing number 1250(10)E01 Rev P1.
Reason: To ensure the PV panels are visually appropriate and in accordance with Policy Nos. GN2 and GN5 of the Adopted Chorley Borough Local Plan Review.

6. All planting, seeding or turfing comprised in the approved details of landscaping (drawing no. ARWSXXPL100007) shall be carried out in the first planting and seeding seasons following the occupation of the building 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.

7. The external lighting to the site and building shall be carried out in accordance with drawing no. 1250(11)E01 Rev P1 before occupation of the building hereby permitted.

Reason: To ensure the site is appropriately lit and in accordance with policy GN2 and GN5 of the Adopted Chorley Borough Local Plan Review.

8. The approved plans are:

Plan Ref.	Dated:	Title:
ARWSXXPL100006	11 February 2011	Proposed Site/Roof Plan
ARXXXEL251001	11 February 2011	Proposed Elevations
ARXX00PL200001	11 February 2011	Proposed Ground Floor Plan General Arrangement
ARXX01PL20001	11 February 2011	Proposed First Floor Plan General Arrangement
ARWSXXPL100007	11 February 2011	Proposed Landscaping Scheme
1250(11)E01 RevP1	11 February 2011	Typical External Lighting Layout
Final 9W5701	25 February 2011	Travel Plan Framework
1250(10)E01 Rev P1	31 March 2011	Proposed PV Installations

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

9. The approved street furniture is:

- Bike Shelter – Broxap Icarus Cycle Shelter (submerged fittings) – Mild Grey;
- Bike Stands – Sheffield Cycle Stand (submerged fittings) – Mild Grey;
- Seat – Broxap Johnson ‘Lift Assist’ Seat (root fixed) – Timber/Mild Grey;
- Bench – Broxap Holyrood Seat (root fixed) – Timber/Mild Grey;
- Traffic Bollards – Broxap Swansea – Black;
- Bin Enclosure – Broxap Warrington Bow Top Fence (2m high) – black.

The above street furniture shall be used and no others substituted and they shall be sited as per approved plan ARWSXXPL100006.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN2 and GN5 of the Adopted Chorley Borough Local Plan Review.

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Report of	Meeting	Date
Director of Partnerships, Planning & Policy	Development Control Committee	19 April 2011

ENFORCEMENT ITEM - 1-3 Rock Villa Road Whittle-le-Woods

PURPOSE OF REPORT

1. To consider whether it is expedient to serve an enforcement notice to secure the removal of a decking area and balustrade

RECOMMENDATION(S)

2. That it is expedient to issue an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990 in respect of the following breach of planning control: Erection of a decking area and balustrade.

Alleged Breach

- i. Without planning permission the erection of a decking area and balustrade.

- ii **Remedy for Breach**

Dismantle the decking area and balustrade and remove the materials from the land

- ii(a). **Period for Compliance**

Three Months.

- ii(b). **Reasons**

The development is contrary to the Council's approved House Extension Design Guidelines and Policy HS9 of the Adopted Chorley Borough Local Plan Review by reason of its relationship to neighbouring property and has a detrimental effect on the amenities which the occupiers of neighbouring property could reasonably expect to enjoy, due to the overlooking caused from the use of the decking area. Further more the development is contrary to Policy GN5 of the local plan by reason of its design and external appearance and is poorly related visually to the existing building and detrimental to the street scene.

EXECUTIVE SUMMARY OF REPORT

- 3. The property lies in an area of built settlement. Within such settlement areas Policy GN1 states there is a presumption in favour of appropriate development, subject to normal planning considerations and policies and proposals of the Adopted Chorley Borough Local Plan. Policy GN5 of the Local Plan states that the design of proposed developments will be expected to be well related to their surroundings.
- 4. The issue for consideration in this case is whether the operational development that has been carried out would be contrary to Policy HS9 and Policy GN5 of the Chorley Borough Local Plan Review Adopted Edition in that the external appearance of the building is acceptable in this primarily residential area.

REASONS FOR RECOMMENDATION(S)

- 5. The property is significantly elevated in relation to the properties at 18 and 20 Cow Well Lane, which are dormer bungalows to the north. It is also higher than the properties on Rock Villa Road to the west. The decking area therefore allows uninterrupted views into the rear gardens of several properties, most notably 18 Cow Well Lane and 4, 5 and 6 Rock Villa Road. The properties, particularly on Rock Villa Road only have small rear yards and these are areas that the occupiers of these properties would reasonably expect to be private. For this reason the development as built is considered unacceptable in terms of impact on neighbour amenity in accordance with Policy HS9.
- 6. In relation to design and appearance the balustrade and decking is prominent in the streetscene, particularly when viewed from the north on Chorley Old Road and when the end gable of the property is viewed directly onwards from Chorley Old Road. The property is built of coursed stone and the wall running along Chorley Old Road from the flat roof extension (the rear boundary of no's 18 and 20 Cow Well Lane) is also stone (random rubble). It is not considered that this is acceptable in terms of design and appearance. The materials do not reflect the age or character of the building and the combination of balustrade and decking is seen as an ad-hoc addition, rather than a comprehensive design. The design and appearance of the proposal is therefore considered unacceptable in accordance with Policy GN5.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 7. N/A

CORPORATE PRIORITIES

- 8. This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	X
Safe Respectful Communities		Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			

BACKGROUND

9.The property is the Londis Store on Chorley Old Road, Whittle-le-Woods. It has a flat roofed extension to the rear. Internally, a small part of the ground floor of the premises is used for living accommodation as is all of the first floor. Several years ago a door was added at first floor level with access to the flat roof.

The owner has placed decking on the flat roof and surrounded it by balustrade.This was subject of a planning application last year which was refused however the decision was not appealed and the decking and balustrade remains in place.

IMPLICATIONS OF REPORT

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

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

Lesley-Ann Fenton
 Director of Partnerships, Planning & Policy

Report Author	Ext	Date	Doc ID
Peter Willacy	5226	1 April 2011	N/A

Background Papers			
Document	Date	File	Place of Inspection
Planning application	26/05/10	10/00268/FUL	Civic Offices, Union Street, Chorley

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Report of	Meeting	Date
Director of Partnerships, Planning & Policy	Development Control Committee	19 April 2011

ENFORCEMENT ITEM

The erection of a building, formation of stoned track and laying of brick plinths on land to the rear of BTI Ltd Unit A/B The Green Eccleston

PURPOSE OF REPORT

1. To consider whether it is expedient to serve an enforcement notice to secure the removal of the unauthorised building, stoned track and brick plinths from the land.

RECOMMENDATION(S)

2. That it is expedient to issue an Enforcement Notice under Section 172 and of the Town & Country Planning Act 1990 in respect of the following breach of planning control:

Alleged Breach

- i. Without planning permission the erection of a building, formation of a stoned track and the erecting of brick plinths on the land.

- ii **Remedy for Breach**

Remove the building and brick plinths it sits upon from the land and restore the land to its former condition.

Remove the material laid to form the track and relay the land with topsoil
Remove the brick plinths laid to accommodate further buildings from the land.

- ii(a). **Period for Compliance**

Three Months.

- ii(b). **Reason**

The proposed development is located within the Green Belt. The proposal is inappropriate development in the Green Belt in accordance with Planning Policy Guidance note 2 (PPG2) and reiterated by Chorley Borough Local Plan Review Policy DC1. The applicant has put forward a case for very special circumstances however it is not considered that the case put forward by the applicant outweighs the total harm in terms of inappropriateness to the Green Belt to justify permitting the proposal.

EXECUTIVE SUMMARY OF REPORT

- 3. The land in question lies in the designated Green Belt as shown on the Proposals Map Adopted Edition August 2003.
- 4. The issue for consideration in this case is the proposal for development within the designated Green Belt. PPG2 (Green Belts) identifies that the most important attribute of green belts is their openness. There is a presumption against inappropriate development on land designated as Green Belt such as the application site. Paragraph 3.15 explains that the visual amenity of the green belt should not be injured by proposals for development within or conspicuous from the green belt which, although they would not prejudice the purposes of including land within green belts might be visually detrimental by reason of their siting, materials or design. This presumption against inappropriate development in the designated green belt is highlighted within Local Plan Policy DC1. The proposal does not accord with neither the Local Plan Policies nor National Guidance as it is inappropriate and fails to preserve the openness of the green belt.

REASONS FOR RECOMMENDATION(S)

- 5. Local Plan Policy DC1 outlines at criterion (a) to (g) development which is considered to be appropriate development within the green belt. In this instance the proposal submitted for consideration is for the temporary use (2.5 years) of the land to display 5 eco friendly lodges that are manufactured within the applicants Units at Grove Park Industrial Estate, Ecclestone. The Units being close to the application site. The proposal does not accord with any of the stated criteria.
- 6. The Council argues that the use of the land for the display of 5 eco lodges would harm the open and rural character of the Green Belt area in which the site lies. Government guidance on planning in Green Belts set out in PPG2, Green Belts, states that the fundamental aim of Green Belt policy is to prevent sprawl by keeping land permanently open. PPG 2 further states that the construction of new buildings inside a Green Belt is inappropriate unless it is for one of a short list of purposes which as stated at Para 5 this proposal does not fall within.
- 7. The Council are unable to attach any more than limited weight to the other considerations put forward by the appellant. They are not sufficient to clearly outweigh the harm the proposed use of the land would cause from the loss of openness, which is the most important attribute of the Green Belt. In this case the proposed development would be contrary to PPG2 and Local Plan Policies DC1.

CORPORATE PRIORITIES

- 9. This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	X
Safe Respectful Communities		Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			

BACKGROUND

- 10. This matter was subject of a complaint to the Council following which the part retrospective planning application was submitted.

IMPLICATIONS OF REPORT

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

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

Lesley-Ann Fenton
 Director of Partnerships, Planning & Policy

Report Author	Ext	Date	Doc ID
S Aldous	5414	06 April 2011	N/A

Background Papers			
Document	Date	File	Place of Inspection
Planning File	1 April 2011	10/01066/Ful	Union Street

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Report of	Meeting	Date
Director of Partnerships, Planning & Policy	Development Control Committee	19 April 2011

PLANNING APPEALS AND DECISIONS - NOTIFICATION

PURPOSE OF REPORT

- To advise Committee of appeal notifications and decisions received from the Planning Inspectorate and notification of decisions received from Lancashire County Council and other bodies between 18 March 2011 and 7 April 2011.

RECOMMENDATION(S)

- That the report be noted.

CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	
Safe Respectful Communities		Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			X

PLANNING APPEALS LODGED

- Appeal by Mr & Mrs Jeremy Rothwell against the Development Control Committee decision to refuse planning permission for the erection of outbuilding for the storage of gardening/landscaping equipment for Mintholme Hall, Gowans Lane, Brindle (10/01023/FUL).

PLANNING APPEALS DISMISSED

- Appeals by David Lally against the Development Control Committee's decision to refuse planning permission, for erection of a single-storey side extension at Tan Pits Farm, New Road Anderton (Applications No. 10/00616/FUL & 10/00616/LBC).
- Appeal by Mr Kevin Sharkey against the Development Control Committee's decision to refuse planning permission, for the demolition of existing attached garage and utility room and the erection of 2 two-story extensions to both sides of existing detached dwelling at 26 Lancaster Lane, Clayton-le-Woods (Application No. 10/00935/FUL).

PLANNING APPEALS ALLOWED

7. None

PLANNING APPEALS WITHDRAWN

8. None

ENFORCEMENT APPEALS LODGED

9. None

ENFORCEMENT APPEALS DISMISSED

10. None.

ENFORCEMENT APPEALS ALLOWED

11. None

ENFORCEMENT APPEALS WITHDRAWN

12. None

LANCASHIRE COUNTY COUNCIL DECISIONS

13. Planning permission granted for the installation of solar PV panels onto roof of school at St Pauls C of E School, Railway Road, Adlington (Application No. 11/00169/CTY).

GOVERNMENT OFFICE DECISIONS

14. None

IMPLICATIONS OF REPORT

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

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

LESLEY-ANN FENTON
DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Robert Rimmer	5221	07.04.2011	***

Background Papers			
Document	Date	File	Place of Inspection

4. Letter from the Planning Inspectorate	30.03.2011***		

5. Letter from the Planning Inspectorate	24.03.2011		Civic Offices, Union Street, Chorley or online at www.chorley.gov.uk/planning ***
6. Letter from the Planning Inspectorate	14.03.2011	***	
13. Notice from Lancashire County Council	6.04.2011		

Report Author	Ext	Date	Doc ID
Robert Rimmer**	5221	07.04.2011	***

Report Author	Ext	Date	Doc ID
***	***	***	***

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Report

Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	19 April 2011

Planning Applications Determined by the Director of Partnerships, Planning and Policy, the Chair and Vice-Chair of the Committee on 29 March 2011

Application No.	Recommendation	Location	Proposal
11/00020/COU	Permit Full Planning Permission	Middenstead Farm Station Road Hoghton Preston PR5 0SR	Application to change the use of an existing agricultural building and to a vehicle storage building (B8).
11/00120/FUL	Permit (Subject to Legal Agreement)	The Bungalow Chorley Old Road Clayton-Le- Woods Chorley Lancashire	Erection of a 2-Storey detached dwelling

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Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	19 April 2011

List of Applications Determined by the Director of Partnerships, Planning and Policy Under Delegated Powers

Between 18 March 2011 and 07 April 2011

Plan Ref	11/00006/CLEUD	Date Received	10.01.2011	Decision	Grant Cert of Lawfulness for Est Use
Ward:	Chisnall	Date Decided	18.03.2011		
Proposal:	Application for a Certificate of Lawfulness for occupation of the dwelling without compliance with agricultural occupancy condition on planning permission 97/00519/FUL				
Location:	Yew Tree Stables Preston Road Charnock Richard Chorley Lancashire				
Applicant:	Mr & Mrs Greenley Yew Tree Stables Preston Road Charnock Richard Chorley Lancashire PR7 5LE				
<hr/>					
Plan Ref	11/00035/FUL	Date Received	18.01.2011	Decision	Permit Full Planning Permission
Ward:	Chorley North West	Date Decided	18.03.2011		
Proposal :	Demolition of the existing garage/conservatory and the erection of a single storey side/rear extension to create an integral garage, additional living space and a sun room (resubmission of application no. 10/00689/FUL)				
Location :	56 Walgarth Drive Chorley PR7 2QN				
Applicant:	Mr Brian Higginson 56 Walgarth Drive Chorley PR7 2QN				
<hr/>					
Plan Ref	11/00048/FUL	Date Received	21.01.2011	Decision	Permit Full Planning Permission
Ward:	Clayton-le-Woods And Whittle-le- Woods	Date Decided	18.03.2011		
Proposal :	Proposed additional private access and loft conversion including front and rear dormers and raising the ridge height of the original roof				
Location :	Woodside 1 Back Lane Clayton-Le-Woods Chorley PR6 7QE				
Applicant:	Mr & Mrs Welch Woodside 1 Back Lane Clayton-Le-Woods Chorley PR6 7QE				

Continued....

Plan Ref 11/00051/FUL **Date Received** 21.01.2011 **Decision** Permit Full Planning Permission

Ward: Lostock **Date Decided** 18.03.2011

Proposal : Side and rear extensions to dwelling together with erection of double garage
Location : 145 Southport Road Ulmes Walton Leyland Lancashire PR26 8LN
Applicant: Mr G Ruttle c/o agent

Plan Ref 11/00067/FUL **Date Received** 26.01.2011 **Decision** Permit Full Planning Permission

Ward: Chorley North East **Date Decided** 21.03.2011

Proposal : Single storey rear extension to incorporate a sun lounge
Location : 5 Cherry Tree Grove Chorley PR6 7BL
Applicant: Mrs Sandra Wootten 5 Cherry Tree Grove Chorley PR6 7BL

Plan Ref 11/00073/FUL **Date Received** 28.01.2011 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods West And Cuerden **Date Decided** 21.03.2011

Proposal : Extension at first floor over existing garage forming granny flat accommodation
Location : 6 Ivy Close Clayton-Le-Woods Leyland PR25 5SG
Applicant: Mr Alan Robinson 6 Ivy Close Clayton-Le-Woods Leyland PR25 5SG

Plan Ref 11/00086/FUL **Date Received** 01.02.2011 **Decision** Permit Full Planning Permission

Ward: Lostock **Date Decided** 21.03.2011

Proposal : Proposed detached garage
Location : Hazelwood North Road Bretherton Lancashire PR26 9AY
Applicant: Mr T Dagnall Hazelwood North Road Bretherton Lancashire PR26 9AY

Plan Ref 11/00095/FUL **Date Received** 02.02.2011 **Decision** Permit Full Planning Permission

Ward: Chorley North West **Date Decided** 21.03.2011

Proposal : Demolition of single storey rear extension and erection of two storey rear extension. New access, hard standing and fencing to the front of the property (to be erected/constructed without planning permission).
Location : 15 Claremont Avenue Chorley PR7 2HL
Applicant: Mr G Southgate 120 Fieldhead Avenue Bury Lancashire BL8 2NA

Plan Ref 11/00140/MNMA **Date Received** 17.02.2011 **Decision** Minor Non-Material Amendment Accepted

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 21.03.2011

Proposal : Application for a minor non material amendment to 10/01005/FUL to include a chimney, amend the bay window, amend the window arrangement and the inclusion of roof lights

Location : 11 Spinney Close Whittle-Le-Woods Chorley PR6 7PW

Applicant: Mr Bill Walmsley 6 The Walled Garden Whittle-Le-Woods Chorley PR6 7PD

Plan Ref 11/00188/MNMA **Date Received** 07.03.2011 **Decision** Minor Non-Material Amendment Accepted

Ward: Chorley North West **Date Decided** 22.03.2011

Proposal : Application for a minor non-material amendment to planning approval 10/00583/FUL to incorporate two raised rooflights in the roof of the previously approved single storey rear extension.

Location : 68 Rookwood Avenue Chorley PR7 1RG

Applicant: Mr Simon Towler 68 Rookwood Avenue Chorley PR7 1RG

Plan Ref 11/00036/FUL **Date Received** 18.01.2011 **Decision** Permit Full Planning Permission

Ward: Eccleston And Mawdesley **Date Decided** 25.03.2011

Proposal : Proposed single storey rear extension/garden shed and new front porch

Location : 381A Langton Brow Eccleston Chorley Lancashire PR7 5PB

Applicant: Mr Vincent Wright 29 The Warings Heskin Chorley Lancashire PR7 5NZ

Plan Ref 11/00092/FUL **Date Received** 02.02.2011 **Decision** Permit Full Planning Permission

Ward: Adlington & Anderton **Date Decided** 29.03.2011

Proposal : Proposed single storey side and rear extension

Location : Adlington Motor Services Market Street Garage 48 Market Street Adlington Chorley

Applicant: Mr Mavsi Vishram 9 Newstead Drive Bolton Lancashire BL3 3RE

Plan Ref 11/00093/FUL **Date Received** 02.02.2011 **Decision** Permit Full Planning Permission

Ward: Chorley South West **Date Decided** 29.03.2011

Proposal : Rear full width ground floor sunroom / kitchen extension with additional 1st floor rear bedroom to part of the rear elevation.

Location : 10 Dale View Chorley PR7 3QJ
Applicant: Mr Mick Green 10 Dale View Chorley Lancashire PR7 3QJ UK

Plan Ref 11/00154/SCE **Date Received** 24.02.2011 **Decision** Screening
Opinion -
EIA Not
Reqd

Ward: Eccleston And
Mawdesley **Date Decided** 29.03.2011

Proposal : Request for a screening opinion under the Town and Country Planning (EIA) regulations for the proposed mixed use redevelopment of The Carrington Centre

Location : The Carrington Centre New Mill Street Eccleston

Applicant: Pegasus Planning Group

Plan Ref 10/01038/FUL **Date Received** 24.11.2010 **Decision** Permit Full
Planning
Permission

Ward: Chorley North
East **Date Decided** 01.04.2011

Proposal : Full planning application for the erection of 8 new industrial units

Location : Chorley Central Business Park Stump Lane Chorley

Applicant: Chorley Business Parks Ltd Heys Farm Chapel Lane Heapey Chorley Lancashire PR6 8EW

Plan Ref 11/00060/FUL **Date Received** 25.01.2011 **Decision** Permit Full
Planning
Permission

Ward: Brindle And
Hoghton **Date Decided** 01.04.2011

Proposal : Erection of rear dormer

Location : Thorncroft Windmill Lane Brindle Chorley PR6 8NX

Applicant: Mr Duncan McKno 103 Chapel Lane Hoghton Chorley Lancs PR5 0RY

Plan Ref 11/00102/FUL **Date Received** 04.02.2011 **Decision** Permit Full
Planning
Permission

Ward: Clayton-le-Woods
And Whittle-le-
Woods **Date Decided** 01.04.2011

Proposal : The construction of a pitched and hipped roof to replace an existing flat roof,

Location : 29 Carlton Avenue Clayton-Le-Woods Chorley PR6 7QG

Applicant: Mr Paul Ryan 29 Carlton Avenue Clayton-Le-Woods Chorley PR6 7QG

Plan Ref 11/00105/FUL **Date Received** 04.02.2011 **Decision** Permit Full
Planning
Permission

Ward: Eccleston And
Mawdesley **Date Decided** 01.04.2011

Proposal : Loft conversion to include two front dormers and one rear dormer and new porch.

Location : 7 Hawkswood Eccleston Chorley PR7 5RW
Applicant: Mr Michael Tolson 7 Hawkswood Eccleston Chorley Lancashire PR75RW UK

Plan Ref 11/00106/FUL **Date Received** 05.02.2011 **Decision** Permit Full Planning Permission

Ward: Adlington & Anderton **Date Decided** 01.04.2011

Proposal : Erection of single storey wrap-around extension to front, side and rear. Erection of front porch.

Location : 15 Lewis Close Adlington Chorley PR7 4JU

Applicant: Nick Leather 15 Lewis Close Adlington Chorley Lancashire PR7 4JU United Kingdom

Plan Ref 11/00107/FUL **Date Received** 06.02.2011 **Decision** Permit Full Planning Permission

Ward: Heath Charnock And Rivington **Date Decided** 01.04.2011

Proposal : Single storey rear and side extension

Location : 11 Danesway Heath Charnock Chorley PR7 4EY

Applicant: Mr Christopher Brindle 11 Danesway Heath Charnock Chorley PR7 4EY

Plan Ref 11/00111/CLPUD **Date Received** 08.02.2011 **Decision** Grant Certificate of Lawfulness

Ward: Brindle And Hoghton **Date Decided** 01.04.2011

Proposal : Certificate of lawful development for the erection of a single storey extension projecting less than 4m from rear of a detached house

Location : Fletchers Fold Water Street Brindle Chorley PR6 8NH

Applicant: Mr & Mrs Miller Fletchers Fold Water Street Brindle Chorley PR6 8NH

Plan Ref 11/00112/FUL **Date Received** 08.02.2011 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods West And Cuerden **Date Decided** 01.04.2011

Proposal : Single storey rear extension

Location : 8 Kirkby Avenue Clayton-Le-Woods Leyland PR25 5SQ

Applicant: Mrs Flitney 8 Kirkby Avenue Clayton-Le-Woods Leyland PR25 5SQ

Plan Ref 11/00115/FUL **Date Received** 08.02.2011 **Decision** Permit Full Planning Permission

Ward: Chorley South East **Date Decided** 01.04.2011

Proposal : Erection of a single storey side extension to create kitchen and extension to three habitable rooms

Location : 42 Kirkstall Road Chorley PR7 3JR

Applicant: Mr David Mutton 42 Kirkstall Road Chorley PR7 3JR

Plan Ref 11/00128/FUL **Date Received** 11.02.2011 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 01.04.2011

Proposal : Erection of a single storey rear extension (orangery) and raised terraced area to the rear

Location : Gelston Dawson Lane Whittle-Le-Woods Chorley PR6 7DT

Applicant: Mr & Mrs H. McAuley 4 Main Square Buckshaw Village Chorley Lancs PR7 7AR

Plan Ref 11/00134/FUL **Date Received** 15.02.2011 **Decision** Permit Full Planning Permission

Ward: Chorley North West **Date Decided** 01.04.2011

Proposal : Erection of a single storey rear extension and pitched roof over existing single rear extension

Location : 17 Walgarth Drive Chorley PR7 2QN

Applicant: Mr P Storton 17 Walgarth Drive Chorley PR7 2QN

Plan Ref 11/00136/FUL **Date Received** 16.02.2011 **Decision** Permit Full Planning Permission

Ward: Wheelton And Withnell **Date Decided** 01.04.2011

Proposal : Erection of a single storey rear extension

Location : 5 Balmoral Drive Brinscall Chorley PR6 8ST

Applicant: Mr Roland Ogilvie 5 Balmoral Drive Brinscall Chorley PR6 8ST

Plan Ref 10/00411/FUL **Date Received** 21.05.2010 **Decision** Permit Full Planning Permission

Ward: Eccleston And Mawdesley **Date Decided** 04.04.2011

Proposal : Erection of a replacement dwelling and the conversion of two barns to create one dwelling (Two dwellings in total).

Location : Nursery House Farm Parr Lane Eccleston Chorley PR7 5SL

Applicant: Paul Dockerty (Fairhaven Homes) 7-11 Church Road Lytham St Annes Lancashire FY8 5LH UK

Plan Ref 10/00930/OUT **Date Received** 15.10.2010 **Decision** Permit
Outline
Planning
Permission

Ward: Chorley North **Date Decided** 05.04.2011
East

Proposal : Outline erection for the erection of two 2-storey houses following the demolition of former nursery school and garage (resubmission of 09/00807/OUT)

Location : The Bungalow 28 Botany Brow Chorley Lancashire PR6 0JW

Applicant: Mr Clayton Farnworth Firdell Barn Tithe Barn Lane Heapey Chorley Lancashire PR6 9BX

Plan Ref 10/01101/TPO **Date Received** 17.12.2010 **Decision** Consent
for Tree
Works

Ward: Clayton-le-Woods **Date Decided** 06.04.2011
And Whittle-le-
Woods

Proposal : Works to 4 trees at 5 The Walled Garden covered by TPO 1 (Whittle Le Woods) 1982

Location : 5 The Walled Garden Whittle-Le-Woods Chorley PR6 7PD

Applicant: Mr Alan Morrow 5 The Walled Garden Whittle-Le-Woods Chorley PR6 7PD

Plan Ref 10/01102/TPO **Date Received** 17.12.2010 **Decision** Consent
for Tree
Works

Ward: Clayton-le-Woods **Date Decided** 06.04.2011
And Whittle-le-
Woods

Proposal : Fell diseased Sycamore tree at Woodlands Shaw Hill Drive

Location : Woodlands Shaw Hill Drive Whittle-Le-Woods Chorley PR6 7PN

Applicant: Mr Peter Quibell Woodlands Shaw Hill Drive Whittle-Le-Woods Chorley PR6 7PN

Plan Ref 10/01103/TPO **Date Received** 17.12.2010 **Decision** Consent
for Tree
Works

Ward: Clayton-le-Woods **Date Decided** 06.04.2011
And Whittle-le-
Woods

Proposal : Pruning of Beech tree at Hillcrest Shaw Hill Drive covered by TPO 9 (Whittle Le Woods)

Location : Hillcrest House Shaw Hill Drive Whittle-Le-Woods Chorley PR6 7PN

Applicant: Mr Liam Morrow Hillcrest House Shaw Hill Drive Whittle-Le-Woods Chorley

Plan Ref 11/00019/NLA **Date Received** 14.01.2011 **Decision** No objection to NLA consultation

Ward: **Date Decided** 06.04.2011

Proposal : Neighbouring Local Authority planning application for the conversion of an existing barn into 1no dwellinghouse, including internal and external alterations, with erection of sunroom following demolition of single storey extension and erection of 1no detached garage together with layout of associated access

Location : Bores Farm Chorley Road Standish

Applicant: Wigan Council Environment Services Dept Civic Building New Market Street Wigan WN1 1RP

Plan Ref 11/00052/SCE **Date Received** 18.01.2011 **Decision** Screening Opinion - EIA Not Reqd

Ward: Eccleston And Mawdesley **Date Decided** 06.04.2011

Proposal : Request for a screening opinion under the Town and Country Planning (EIA) regulations for proposed solar generation farm

Location : Cliffs Farm Wood Lane Mawdesley Ormskirk L40 2RL

Applicant: Entec UK Ltd