

# Development Control Committee

**Tuesday, 12 January 2010**

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

**Officers:** Jennifer Moore (Head of Planning), Paul Whittingham (Development Control Team Leader), Alex Jackson (Senior Lawyer), Caron Taylor (Planning Officer) and Dianne Scambler (Democratic and Member Services Officer)

**Also in attendance:** Councillors Kevin Joyce (Eccleston and Mawdesley)

## **10.DC.109 APOLOGIES FOR ABSENCE**

No apologies for absence were received

## **10.DC.110 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 Member declared a prejudicial interest in relation to the planning application listed below:

Councillor David Dickinson – 09/00802/OUTMAJ

## **10.DC.111 MINUTES**

**RESOLVED – That the minutes of the Development Control Committee meeting held on 8 December 2009 be held as a correct record for signing by the Chair.**

## **10.DC.112 PROTOCOL FOR PUBLIC SPEAKING AT DEVELOPMENT CONTROL COMMITTEE**

The Director of Transformation submitted a report to make Members aware of the recently approved constitutional changes to the Public Speaking procedures and protocol for public and ward participation at Development Control Committee.

Members attention was drawn to the fact that

- The approved protocol limits Ward Councillors (who are not speaking as Members of the Committee) to speaking for no longer than 5 minutes.
- Continues to allow the Chair to use his/her discretion to ensure that applicants feel there is equality in the process, in addition
- Ward Councillors wishing to speak on planning applications should seek approval to do so from the Chair prior to the meeting of the Development Control Committee.
- The order of speakers be revised to the supporter/objector, the ward councillor, the applicant

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

## 10.DC.113 PLANNING APPLICATIONS AWAITING DECISION

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

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

**(a) 09/00873/FUL - Orcheton House Farm, Wood Lane, Heskin, Lancashire**

(The Committee received representations from an objector to the proposals and Councillor Kevin Joyce, a Ward representative for Eccleston and Mawdesley)

Application no: 09/00873/FUL  
Proposal: Replacement agricultural workers dwelling, re-use and relocation of former dwelling as fishing training centre (re-submission) of planning application 09/00678/FUL)  
Location: Orcheton House Farm, Wood Lane, Heskin, Lancashire  
Decision:

It was proposed by Councillor Keith Iddon, seconded by Councillor Julia Berry to defer the decision to allow the Members of the Committee to visit the site of the proposed development.

An amendment to the motion was proposed by Councillor Mike Devaney, seconded by Councillor Judith Boothman, and was subsequently **RESOLVED to refuse planning permission for the following reason:**

**In line with Planning Policy Statement 7, agricultural and operational workers dwellings should be commensurate with the size of the holding and the established functional requirement rather than the aspirations of the applicant. The fishery is currently operating with the existing dwelling on the site and no evidence has been submitted to demonstrate that the existing dwelling is not adequate. The proposal is therefore considered contrary to PPS7: Sustainable Development in Rural Areas.**

**(b) 09/00714/FULMAJ - Land Adj Fairview Farm, (incl Land Bounded By Chorley Rd Eller Brook And Railway) Chorley Road, Adlington**

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

Application no: 09/00714/FULMAJ  
Proposal: Erection 37 affordable dwellings with external amenity space and off street parking at Fairview Farm, Adlington  
Location: Land adjacent to Fairview Farm (including land bounded by Chorley Road, Eller Brook and Railway) Chorley Road, Adlington  
Decision:

It was proposed by Councillor Keith Iddon, seconded by Councillor Julia Berry, and was subsequently **RESOLVED to approve planning permission subject to the following conditions:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12. Prior to the felling of any trees the bat boxes shall be surveyed to identify the potential for current usage. If bat usage is identified then the tree shall not be felled until full mitigation measures to ensure the continued protection of this bat roost have been submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details.

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

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

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

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

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

15. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

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

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

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

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

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

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

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

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

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

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

***Reason: To enhance the conservation and biodiversity value of the site and to provide wildlife habitats to compensate for the loss of biodiversity as a result of***

***the development. In accordance with Government advice contained in Planning Policy Statement 9: Biodiversity and Geological Conservation***

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

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

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

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

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

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

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

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

**25. Prior to or within 1 week of commencement a scheme and programme for the site enabling and construction phase of the development shall be submitted**

to and approved by the Local Planning Authority. The scheme and programme shall cover:

1. Site/construction access points for each phase of development and mechanisms of limiting access from Farm Avenue.
2. Site compound and contractor parking and management of contractors parking to ensure parking does not overspill onto surrounding roads.
3. Construction operating hours including deliveries and site construction staff.

The approved scheme and programme shall be implemented.

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

**(c) 09/00802/OUTMAJ - Pontins Ltd, Sagar House, Langton Brow, Ecclestone**

(The Committee received representations from an objector to the proposed development and the applicant's agent)

(Councillor Kevin Joyce, a ward representative for Ecclestone and Mawdesley also spoke against the proposals)

Application no: 09/00802/OUTMAJ  
Proposal: Outline application for the erection of 70 dwelling houses with associated roads and open spaces  
Location: Pontins Ltd, Sagar House, Langton Brow, Ecclestone, Chorley

Decision:  
It was proposed by Councillor Dennis Edgerley, seconded by Councillor Chris France to refuse planning permission of the proposed development.

An amendment to the motion was proposed by Councillor Mike Devaney, seconded by Councillor David Dickinson to approve planning permission of the proposed development subject to a Legal Agreement and the conditions in the officers report.

A further amendment to the motion was proposed by Councillor Dennis Edgerly, seconded by Councillor Ken Ball, to defer the decision to allow for further dialogue between the developer and the planning officers.

A further amendment to the motion was then proposed by Councillor Keith Iddon, seconded by Councillor Simon Moulton and was subsequently **RESOLVED (14:1) to defer the decision to allow the Members of the Development Control Committee to visit the site of the proposed development.**

**(d) 09/00866/OUTMAJ - The Grove, Railway Road, Adlington, Chorley**

(The Committee received representations from an objector to the proposed development)

Application no: 09/00866/OUTMAJ  
Proposal: Outline application (specifying access and layout) for the erection of 12 dwellings and associated infrastructure (resubmission of application 09/00513/OUTMAJ)  
Location: The Grove, Railway Road, Adlington, Chorley

Decision:  
It was proposed by Councillor Roy Lees, seconded by Councillor June Molyneaux, and was subsequently **RESOLVED to refuse planning permission for the following reason:**

The proposal is considered contrary to Policy EP18 of the Adopted Chorley Borough Local Plan Review and PPS25. It has been identified that there is a culvert on the site. The Environment Agency object to development over culverts as it will prejudice future replacement restoration and can restrict necessary access to the watercourse. In addition PPS25 (Development and Flood Risk) requires that all forms of flooding should be taken into account when considering an application. Whilst it is accepted that the culvert running across the site can be diverted to allow the building of the proposed properties, recent site visits shows this culvert still carries surface water which will need to be discharged at some point to prevent flooding on site. The proposals show a diversion with a connection to a culvert underneath Railway Road but has its connection is not currently being utilised, the applicant has not demonstrated that this excess surface water can be discharged without having an impact on properties downstream. With regards to the proposed surface water discharge from the new houses, a new connection to the public sewer network is proposed. The applicant has not demonstrated that this is acceptable to United Utilities. As this is a new connection, the surface water discharge rate must be reduced to a Greenfield rate of 6.6l/s/ha which requires some form of storage and it has not been shown where this can be accommodated on site.

(e) **09/00825/OUTMAJ - Finnington Industrial Estate, Finnington Lane, Feniscowles, Withnell**

Application no: 09/00825/OUTMAJ  
Proposal: Demolition of existing buildings, erection of 15 units for mixed use of office and living accommodation, formation of new access to Finnington Lane, landscaping and laying out of new road and parking areas together with provision of washroom/W.C building for canal boat users.  
Location: Finnington Industrial Estate, Finnington Lane, Feniscowles, Withnell  
Decision: The planning application was withdrawn from this agenda.

(f) **09/00837/FULMAJ - Bolton West Motorway Service Area Northbound, Greenlands Lane, Anderton, Bolton, Lancashire**

Application no: 09/0837/FULMAJ  
Proposal: Redevelopment of existing motorway service area to include demolition of existing service area buildings (including former police station, amenity building, petrol filling station, forecourt and canopy) and construction of a new amenity building, petrol filling station, forecourt and canopy and annex building, associated landscaping and recreational facilities, vehicular and pedestrian circulation and ancillary works.  
Location: Bolton West Motorway Service Area Northbound, Greenlands Lane, Anderton, Bolton  
Decision: It was proposed by Councillor Edgerley, seconded by Councillor Roy Lees, and was subsequently **RESOLVED to refer the planning application to the Government Office North West with the recommendation to approve the proposed development subject to a Legal Agreement and the following conditions:**

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



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

2. The amenity building and annex building shall be laid out as shown on drawing no. 1124 6b (unless otherwise agreed to in writing by the Local Planning Authority) subject to the following restrictions:

- the games area shall not have a floor area greater 100m<sup>2</sup>;
- the conference space shall not have a floor area greater than 200m<sup>2</sup>;
- the A1 retail area shall not have a floor area greater than 250m<sup>2</sup> (although an additional 50m<sup>2</sup> of retail floorspace on top of this is permissible in an accredited tourist information centre for the sale of products originating from the north west region).

***Reason: To prevent the motorway service area becoming a destination in its own right that would generate additional trips on the motorway network and may have an adverse impact on local retail trade and in accordance with Circular 01/2008.***

3. Before the development commences, full details of the proposed lighting columns and associated lux levels, shall have been submitted to and been approved in writing by the Local Planning Authority. The development shall only therefore be carried out in accordance with the approved details.

***Reason: In the interests of the visual amenities of the Green Belt and in accordance with PPG2 and Policies, DC1 and EP21A of the Adopted Chorley Borough Local Plan Review.***

4. Before the development commences a Waste Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall include full details of the storage and disposal facilities for commercial waste on the site, including their position and design. It shall also include full details of recycling and waste facilities to be provided for the public and customers to the site. The development shall only be carried out in conformity with the approved Strategy which shall be implemented before the amenity building hereby permitted is first brought into use.

***Reason: In the interests of the visual amenities of the Green Belt and in accordance with PPG2 and Policy DC1 of the Adopted Chorley Borough Local Plan Review.***

5. Before the development commences full details of the design and position of all ventilation and extraction systems, including air-conditioning units shall be submitted to and approved in writing by the Local Planning Authority. The development shall only therefore be carried out in accordance with the approved details.

***Reason: In the interests of the visual amenities of the Green Belt and in accordance with PPG2 and Policy DC1 of the Adopted Chorley Borough Local Plan Review.***

6. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(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 No. GN5 of the Adopted Chorley Borough Local Plan Review.***

7. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and

specification) have been submitted to and approved in writing by the Local Planning Authority. This shall show how the hard ground-surfacing materials will be permeable materials on a permeable base, or show how provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the of the site (unless otherwise agreed to in writing by the Local Planning Authority).The development shall only be carried out in conformity with the approved details.

*Reason: To ensure that the materials used are visually appropriate to the locality and to prevent flooding in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review and PPS25.*

8. 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.*

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

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

10. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) 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 No. GN5 of the Adopted Chorley Borough Local Plan Review.*

11. No development approved by this planning permission shall be commenced until:

- e) A desktop study has been undertaken to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
- f) If potential contamination is identified, a site investigation has been designed for the site using the information obtained from (a) above. This should be submitted to, and approved in writing by the local planning authority prior to that investigation being carried out on the site;
- g) The site investigation and association risk assessment have been undertaken in accordance with details approved in writing by the local planning authority;
- h) A Method Statement and remediation strategy, based on the information obtained from (c) above has been submitted to and approved in writing by the Local Planning Authority.

The development shall then proceed in strict accordance with the measures approved. Work shall be carried and completed in accordance with the approved method statement and remediation strategy referred to in (d) above, and to a timescale agreed in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

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 addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.

Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

**Reason:**

- c) *To identify all previous site uses, potential contaminants that might reasonably be expected given those uses and the source of contamination, pathways and receptors;*
  - d) *To enable:*
    - *A risk assessment to be undertaken;*
    - *Refinement of the conceptual model, and*
    - *The development of a Method Statement and Remediation Strategy.*
- c) and d) *to ensure that the proposed site investigation and remediation strategy will not cause pollution of ground and surface waters both on or off site.*

12. No development approved by this permission shall be commenced until a surface water drainage strategy has been submitted to and approved by the Local Planning Authority. The surface water drainage scheme shall be completed in accordance with the approved strategy.

**Reason:** *To reduce the risk of flooding and in accordance with PPS25.*

13. No development shall take place until a scheme for a raised parking area sufficient for two police vehicles has 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 before the amenity building hereby permitted is first brought into use.

**Reason:** *To help prevent crime and promote community safety and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

14. There shall be no vehicular or pedestrian access of any kind from the site to the M61 other than via the existing sliproads.

**Reason:** *In the interests of highway safety and in accordance with policy no. TR8 of the Adopted Chorley Borough Local Plan Review.*

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 within the site and 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. The amenity building shall not be occupied before all walls and fences have been erected in accordance with the

approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

**Reason:** *To ensure a visually satisfactory form of development in accordance with PPG2 and Policy Nos. GN5 and DC1 of the Adopted Chorley Borough Local Plan Review.*

16. No development shall take place until a scheme for the provision of Closed Circuit Television (CCTV) to the site has been submitted to and approved in writing by the Local Planning Authority. This shall include the position of CCTV cameras, their design and specification their mountings. The development shall only be carried out in conformity with the approved details before the amenity building hereby permitted is first brought into use.

**Reason:** *To help prevent crime and promote community safety and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

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

**Reason:** *To secure proper drainage and in accordance with Policy Nos. EP17 and EM2 of the Adopted Chorley Borough Local Plan Review.*

18. No development shall take place until a phasing scheme for the construction of the development has been submitted to and approved in writing by the Local Planning Authority. This shall include details and timings of all demolition and construction to take place on the site. The demolition and construction shall only be carried out in conformity with the approved scheme and timings.

**Reason:** *To avoid a proliferation of buildings in the Green Belt for which there is not a continuing need and in accordance with PPG2 and policy DC1 of the Adopted Chorley Borough Local Plan Review.*

19. The approved plans are:

Plan ref:	Stamp dated:	Title:
1124 11e	7 January 2010	Proposed Site Plan
1124 6b	23 October 2009	Amenity Building, Building Plan and Elevations
1124 7b	23 October 2009	Building Elevations
1124 10f	7 January 2010	Annex Building Elevation
1124 9e	7 January 2010	Annex Building Plan and Elevation

**Reason:** *To define the permission and in the interests of the proper development of the site and in accordance with policy GN5 of the Adopted Chorley Borough Local Plan Review.*

20. The restaurant and café in the Annex Building shall only be used in connection with the operation of the Annex Building as an office and training facility and conference facility and to provide an alternative range of food and beverages for motorists and staff. The facilities shall not be used for functions or operate independently from the service area.

**Reason:** *To prevent the motorway service area becoming a destination in its own right that would generate additional trips on the motorway network and in accordance with Circular 01/2008.*

(g) 09/00836/FULMAJ - Bolton West Motorway Service Area Southbound, Greenlands Lane, Anderton, Bolton, Lancashire

Application no: 09/00836/FULMAJ  
Proposal: Redevelopment of existing motorway service area to include demolition of existing service area buildings (including former police station, amenity building, petrol filling station, forecourt and canopy. Refurbishment of existing lodge associated

landscaping and recreational facilities, vehicular and pedestrian circulation and ancillary works.  
Location: Bolton West Motorway Service Area Southbound, Greenlands Lane, Anderton, Bolton

Deision:  
It was proposed by Councillor Edgerley, seconded by Councillor Roy Lees, and was subsequently **RESOLVED** to refer the planning application to the Government Office North West with the recommendation to approve the proposed development subject to a Legal Agreement and the following conditions:

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

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

**2. The approved plans are:**

<b>Plan Ref:</b>	<b>Stamp Dated:</b>	<b>Title:</b>
1147 6c	10 December 2009	Feasibility Plan
1147 4	23 October 2009	Amenity Building, Building Plan
1147 5	23 October 2009	Amenity Building Elevations
1147 12a	10 December 2009	Rivington Lodge Redevelopment Elevations

***Reason: To define the permission and in the interests of the proper development of the site and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.***

**3. Before the development commences a Waste Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall include full details of the storage and disposal facilities for commercial waste on the site, including their position and design. It shall also include full details of recycling and waste facilities to be provided for the public and customers to the site. The development shall only be carried out in conformity with the approved Strategy which shall be implemented before the amenity building hereby permitted is first brought into use.**

***Reason: In the interests of the visual amenities of the Green Belt and in accordance with PPG2 and Policy DC1 of the Adopted Chorley Borough Local Plan Review.***

**4. Before the development commences full details of the design and position of all ventilation and extraction systems, including air-conditioning units shall be submitted to and approved in writing by the Local Planning Authority. The development shall only therefore be carried out in accordance with the approved details.**

***Reason: In the interests of the visual amenities of the Green Belt and in accordance with PPG2 and Policy DC1 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 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 No. GN5 of the Adopted Chorley Borough Local Plan Review.***

**6. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials**

(notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. This shall show how the hard ground-surfacing materials will be permeable materials on a permeable base, or show how provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the of the site (unless otherwise agreed to in writing by the Local Planning Authority).The development shall only be carried out in conformity with the approved details.

*Reason: To ensure that the materials used are visually appropriate to the locality and to prevent flooding in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review and PPS25.*

7. 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.*

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

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

9. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) 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 No. GN5 of the Adopted Chorley Borough Local Plan Review.*

10. No development approved by this planning permission shall be commenced until:

- a) A desktop study has been undertaken to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
- b) If potential contamination is identified, a site investigation has been designed for the site using the information obtained from (a) above. This should be submitted to, and approved in writing by the local planning authority prior to that investigation being carried out on the site;
- c) The site investigation and association risk assessment have been undertaken in accordance with details approved in writing by the local planning authority;

- d) A Method Statement and remediation strategy, based on the information obtained from (c) above has been submitted to and approved in writing by the Local Planning Authority.

The development shall then proceed in strict accordance with the measures approved. Work shall be carried and completed in accordance with the approved method statement and remediation strategy referred to in (d) above, and to a timescale agreed in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

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 addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.

Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

Reason:

- a) To identify all previous site uses, potential contaminants that might reasonably be expected given those uses and the source of contamination, pathways and receptors;
- b) To enable:
- A risk assessment to be undertaken;
  - Refinement of the conceptual model, and
  - The development of a Method Statement and Remediation Strategy.
- c) and d) to ensure that the proposed site investigation and remediation strategy will not cause pollution of ground and surface waters both on or off site.

11. No development approved by this permission shall be commenced until a surface water drainage strategy has been submitted to and approved by the Local Planning Authority. The surface water drainage scheme shall be completed in accordance with the approved strategy.

*Reason: To reduce the risk of flooding and in accordance with PPS25.*

12. No development shall take place until a scheme for a raised parking area sufficient for two police vehicles has 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 before the use of the amenity building hereby permitted is first commenced.

*Reason: To help prevent crime and promote community safety and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

13. There shall be no vehicular or pedestrian access of any kind from the site to the M61 other than via the existing sliproads.

*Reason: In the interests of highway safety and in accordance with policy no. TR8 of the Adopted Chorley Borough Local Plan Review.*

14. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected within

the site and 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. The amenity building shall not be occupied before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

*Reason: To ensure a visually satisfactory form of development in accordance with PPG2 and Policy Nos. GN5 and DC1 of the Adopted Chorley Borough Local Plan Review.*

15. No development shall take place until a scheme for the provision of Closed Circuit Television (CCTV) to the site has been submitted to and approved in writing by the Local Planning Authority. This shall include the position of CCTV cameras, their design and specification their mountings. The development shall only be carried out in conformity with the approved details before the amenity building hereby permitted is first brought into use.

*Reason: To help prevent crime and promote community safety and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

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

*Reason: To secure proper drainage and in accordance with Policy Nos. EP17 and EM2 of the Adopted Chorley Borough Local Plan Review.*

17. No development shall take place until a phasing scheme for the construction of the development has been submitted to and approved in writing by the Local Planning Authority. This shall include details and timings of all demolition and construction to take place on the site. The demolition and construction shall only be carried out in conformity with the approved scheme and timings.

*Reason: To avoid a proliferation of buildings in the Green Belt for which there is not a continuing need and in accordance with PPG2 and policy DC1 of the Adopted Chorley Borough Local Plan Review.*

18. The amenity building shall be laid out as shown on drawing no. 1124 6b (unless otherwise agreed to in writing by the Local Planning Authority) subject to the following restrictions:

- the games area shall not have a floor area greater than 100m<sup>2</sup>;
- the A1 retail area shall not have a floor area greater than 250m<sup>2</sup> (although an additional 50m<sup>2</sup> of retail floorspace on top of this is permissible in an accredited tourist information centre for the sale of products originating from the north west region).

*Reason: To prevent the motorway service area becoming a destination in its own right*

*That would generate additional trips on the motorway network and may have an adverse impact on local retail trade and in accordance with Circular 01/2008.*

19. Before the development commences, full details of the proposed lighting columns and associated lux levels, shall have been submitted to and been approved in writing by the Local Planning Authority. The development shall only therefore be carried out in accordance with the approved details.

*Reason: In the interests of the visual amenities of the Green Belt and in accordance with PPG2 and Policies, DC1 and EP21A of the Adopted Chorley Borough Local Plan Review.*

(h) 09/00797/REMMAJ - Parcel I, Euxton Lane, Euxton, Lancashire



Application no: 09/00797/REMMAJ  
 Proposal: Reserved matters application for the erection of 17 dwellings on Parcel I, Buckshaw Village. Including a part amendment to the road layout previously approved as part of the reserved matters approval 05/00523/REMMAJ and 05/00525/REMMAJ and a part amendment to reserved matters approval 09/00449/REMMAJ

Location: Parcel I, Euxton Lane, Euxton, Lancashire

Decision:

It was proposed by Councillor Dennis Edgerley, seconded by Councillor Keith Iddon, and was subsequently **RESOLVED to grant the Reserved Matters application subject to the following conditions:**

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

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

**2. The approved plans are:**

Plan ref:	Received on:	Title:
BV-i1&2-P02 Rev A	2 November 09	Planning Layout
BV-i1&2-P02 Rev A	2 November 09	Planning Layout Coloured
BV-i1&2-MS01 Rev B	17 December 09	Materials Schedule
BV-i1&2-BT01 Rev A	2 November 09	Boundary Treatment
BV-i1&2-ENG01	2 November 09	Engineering Levels Layout
C4H133	2 November 09	The Cambridge
C4H109	2 November 09	The Stratford
BVED-01	13 October 09	Various Detail
CSD-0910	13 October 09	Gate with Close Boarded Fence
C-SD0905	13 October 09	Close Boarded/Trellis Fencing
C3H090	13 October 09	The Tetbury
C4H129	13 October 09	The Ruthin Floor Plans (Plots 918 and 820)
C4H129	13 October 09	The Ruthin Elevations (Plots 918 and 820)
	17 December 09	The Ruthin Elevations (Plot 889)
	17 December 09	The Ruthin Floor Plans (Plot 889)
	17 December 09	The Ruthin Elevations (Render – Plot 892)
	17 December 09	The Ruthin Elevations (Plot 920)
	17 December 09	The Ruthin Floor Plans (Plots 892 and 920)
C4H111	13 October 09	The Pembroke Floor Plans
C4H111	13 October 09	The Pembroke Elevations
	13 October 09	The Broadway and Evesham
3649.02A	21 October 09	Landscape Structure Plan
3649.01A	21 October 09	Landscape Structure Plan
L_TSG01	17 December 09	Triple Single Garage Details
L-DSG01	17 December 09	Double Single Garage
C-SG01	17 December 09	Single Garage
A2A064 Rev A	17 December 09	The Ashdon

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

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

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

4. The development hereby permitted shall not commence until 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 HS9 of the Adopted Chorley Borough Local Plan Review*

5. 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.*

6. 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.*

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

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

8. 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.*

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. The external facing materials, detailed on plan reference BV-i1&2-MS01 Rev B, shall be used and no others substituted without the prior written approval of the Local Planning Authority.

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

11. 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.*

(i) 09/00799/REMMAJ - Parcel F1, Barratt Homes, Central Avenue, Buckshaw Village, Lancashire

Application no: 09/00799/REMMAJ  
Proposal: Proposed re-plan of Parcel F (amendment to previous approval 07/00244/FULMAJ) replacing 52 apartments and houses with 61 houses (retaining 11 dwellings of the previous approval)  
Location: Parcel F1 Barrett Homes, Central Avenue, Buckshaw Village, Lancashire

Decision:  
It was proposed by Councillor Dennis Edgerley, seconded by Councillor Chris France and was subsequently **RESOLVED to grant the Reserved Matters application subject to the following conditions:**

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

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

2. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

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

3. 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.*

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

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

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

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

6. 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*

7. The external facing materials detailed within the submitted Design and Access Statement, namely Terca Woodland Mixture Facing Brick, 2 coat sand/cement render, Marley Modern Smooth Grey roof tiles and Rivendale Fibre Cement Slate, shall be used and no others substituted without the prior written approval of the Local Planning Authority.

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

8. The development hereby permitted shall not commence until full details of the colour, form and texture of the timber cladding to the proposed buildings (notwithstanding any details shown on the previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

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

9. The hard ground- surfacing materials detailed within the submitted Design and Access Statement, namely Pennant Grey Tegular Paving for the main vehicle route, Brindle Block Paving for the parking bays and Buff paving slabs for the access to and around the properties, shall be used and no others substituted without the prior written approval of the Local Planning Authority.

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

10. Before the development hereby permitted is first occupied, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

*Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. RT2 of the North West Regional Spatial Strategy 2008.*

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

*Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking and in accordance with Policy No. RT2 of the North West Regional Spatial Strategy 2008*

12. The approved plans are:

Plan Ref:	Received on:	Title:
351/PL01 Rev M	2 December 09	Planning Layout
351/QUA01 Rev C	2 December 09	Quartz house types plans and Elevations
351/WIN01	13 October 09	Windermere house type plans And elevations
351/ALD01	13 October 09	Alderney House type plans and Elevations
351/KIN01	2 December 09	Kingsville House type plans and Elevations
351/MAI(s)01 Rev A	2 December 09	Maidstone (semi) house type plans and elevations (plots 20 and 21)
351/MAI(s)02 Rev A	13 October 09	Maidstone (semi) house Type plans and elevations (plots 10 and 11)
351/PM401	13 October 09	Palmerston 4 house type plans And elevations
351/BUK01 Rev A	2 December 09	Buckingham house type plans And elevations
351/MAI(D)01	13 October 09	Maidstone (Detached) house type Plans and elevations (plots 8/9)
351/PER&AMB01	2 December 09	Peridot and Amber house type Plans and elevations
351/PER&AMB02	2 December 09	Peridot and Amber house type Plans and elevations (plots 22-26 And 32-36)
351/PEA01 Rev A	13 October 09	Pearl house type plans and Elevations
351/TOP01 Rev B	13 October 09	Topaz house type plans and Elevations
351/OS1	21 October 09	Ordnance Survey
351/BS01	13 October 09	Bin Store detail 01
351/CASS01 Rev D	3 December 09	Plots 42-47, 59-61
351/G 02	13 October 09	Double Garage
WF01 Rev A	13 October 09	Walls and Fences
c-620-01 Rev B	13 October 09	Sort and Hard Landscape proposals
251/TS1	13 October 09	Topographical Survey
293/ED/816 Rev A	13 October 09	Proposed finished floor levels
351/ML01	13 October 09	Materials layout

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

**(j) 09/00804/REMMAJ - Land North Of Main Street And Immediately East Of Coopers Place, Buckshaw Village, Lancashire**

Application no: 09/00804/REMMAJ  
Proposal: Proposed re-plan of Parcel K (amendment to previous approval 05/00106/REMMAJ) replacing apartments, town houses and coach-houses with 27 dwelling houses  
Location: Land North side of Main Street and immediately East of Coopers Place, Buckshaw Village, Lancashire

Decision:  
It was proposed by Councillor Dennis Edgerley, seconded Councillor Keith Iddon, and was subsequently RESOLVED to approve the Reserved Matters application subject to the following conditions:

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

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

**2. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.**

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

**3. 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.***

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

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

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

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

6. 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.*

7. The external facing materials detailed within the submitted Design and Access Statement, namely Terca Woodland Mixture Facing Brick, 2 coat sand/ cement render and Russell Galloway Anthracite Grey roof tiles, shall be used and no others substituted without the prior written approval of the Local Planning Authority.

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

8. The hard ground- surfacing materials detailed within the submitted Design and Access Statement, namely Pennant Grey Tegular Paving for the main vehicle route, Brindle Block Paving for the parking bays and Buff paving slabs for the access to and around the properties, shall be used and no others substituted without the prior written approval of the Local Planning Authority.

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

9. Before the development hereby permitted is first occupied, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

*Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. RT2 of the North West Regional Spatial Strategy 2008.*

10. The approved plans are:

Plan Ref.	Received On:	Title:
03/213/FF01 Rev A	16th October 2009	Proposed Finished Floor Levels
03/00213/PL01 Rev T	16th October 2009	Planning Layout
03/213/HT01B	16th October 2009	Elevations for Plots 168-170
03/213/HT01A	16th October 2009	Plans for Plots 168-170
03/213/HT05A	16th October 2009	Plans for Plots 90-100
03/213/HT05B	16th October 2009	Elevations for Plots 90-100
03/213/HT03	16th October 2009	Plans and Elevations for Plots 101-103
03/213/HT00	16th October 2009	Plans and Elevations for Plot 89
03/213/OS 01(C)	16th October 2009	Ordnance Survey
03/213/TS01	16th October 2009	As Constructed/
Topographical Survey		
c-632-01 Rev A	16th October 2009	Detailed Landscape
Proposals		
03/213/BS01	16th October 2009	Bin Store Detail
WF01 Rev A	16th October 2009	Walls and Fences

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

#### **10.DC.114 PLANNING APPEALS NOTIFICATION REPORT**

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

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

#### **10.DC.115 ENFORCEMENT REPORT - 77 PRESTON ROAD, CHORLEY**

The Director of Partnerships, Planning and Policy submitted a report for Members to consider whether it was expedient to take enforcement action to secure the reduction to the height of the boundary wall, pillars, gate posts, gate and wooden in fill panels to a height of one metre at 77 Preston Road, Chorley.

The property is a large detached dwelling house situated to the west side of Preston Road, Chorley, directly opposite the Hartwood roundabout. The property is within the urban settlement of Chorley. Adjacent to the property is a parcel of land being within the designated Green Belt.

It was proposed by Councillor Ralph Snape, seconded by Councillor Ken Ball, to approve the recommendation set out in the officer's report.

An amendment to the motion was proposed by Councillor Dennis Edgerley, seconded by Councillor Roy Lees, for deferment of the action and upon being put to the vote the motion was lost (5:10)

The original motion was then voted upon and it was subsequently **RESOLVED (10:5) that it is expedient to Issue an Enforcement Notice in respect of the following breach of planning control:**

**That without planning permission the development of a Boundary wall, pillars, gate posts, gates and wooden infill panels that exceeds 1 metre in height.**

##### **Remedy for Breach**

**To reduce the height of the unauthorised means of enclosure erected to the frontage of a parcel of land adjacent to 77 Preston Road, Chorley, to include wall, pillars, gate posts, gates and wooden in fill panels to a height of 1 metre.**

##### **Period for compliance**

**Three months**

##### **Reason:**

**The unauthorised development is contrary to Policy DC1, Chorley Borough Local Plan Review (CBLPR) Adopted Edition dated August 2003, and Policy 6 of the Joint Lancashire Structure Plan and Government advice in PPG2, Green Belts.**



**10.DC.116 DELEGATED DECISIONS DETERMINED BY THE DIRECTOR OF POLICY, PARTNERSHIPS AND PLANNING IN CONSULTATION WITH THE CHAIR AND VICE CHAIR OF COMMITTEE**

The Committee received for information, tables listing six applications for Category 'B' developments proposals which had been determined by the Director of Partnerships, Planning and Policy in consultation with the Chair and Vice Chair of the Committee at meetings held on 8, 18 and 22 December 2009.

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

**10.DC.117 DELEGATED DECISIONS DETERMINED BY THE CORPORATE DIRECTOR (BUSINESS)**

The Committee received for information, a schedule listing the remainder of the planning applications determined by the Director of Partnerships, Planning and Policy under delegated powers between 26 November and 22 December 2009.

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

**10.DC.118 TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 257 PUBLIC PATH DIVERSION ORDER - PART OF PUBLIC FOOTPATH NO. 6 ADLINGTON**

The Director of Transformation submitted a report asking Members to consider an application for the diversion of part of Public Footpath No.6 Adlington, in order to facilitate the development of an affordable housing scheme on land adjacent to Fairview Farm, Adlington.

**RESOLVED – That the Public Path Diversion Order pursuant to Section 257 of the Town and Country Planning Act 1990, be approved in respect of a 158.7 metre length of footpath No. 6 Adlington.**

Chair