

Planning Committee

Tuesday, 7th February 2023, 6.30 pm

Council Chamber, Town Hall, Chorley and [YouTube](#)

I am now able to enclose, for consideration at the above meeting of the Planning Committee, the following report that provides an update of events that have taken place since the agenda was printed.

Agenda No	Item
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5	Addendum
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| (Pages 3 - 8)

Chris Sinnott
Chief Executive

Electronic copies sent to Members of the Planning Committee

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C O M M I T T E E R E P O R T		
REPORT OF	MEETING	DATE
Head of Planning and Enforcement	Planning Committee	7 February 2023

ADDENDUM

ITEM 3a - 21/00847/OUTMAJ – Land Next To 190 Blackburn Road Heapey

The applicant’s agent has sent an email to the Chair and Vice Chair of Planning Committee to express their concern that the committee report for the application may be misleading for Committee Members. This relates to the summary of findings of the independent transport assessment and the applicant believes the Committee Report should include the conclusion from the Tetra Tech report which states that it doesn’t raise any concerns with regard to the transport implications of the proposal. The applicant’s agent has stated in their email that:

‘This information is central to the Council’s case (if minded to refuse on highway grounds) and should not have been left out of the officer report whether by oversight or intentionally. Either way it is misleading reporting to Members and should not be relied upon, and defending a (minded to) reason for refusal without evidence has the potential to expose the Council to the risk of an award of costs.’

The applicant is of the opinion that *‘the additional highway improvement works would make it [the proposed scheme] financially unviable which is contrary to Government guidance.’*

It is worth stressing that the reporting of this committee item is not to request Member’s decision on the outcome of the application. The applicant’s appeal against the Council’s non-determination of the application has taken the decision out of the Council’s hands and the decision will now rest with the Planning Inspectorate. The item is, therefore, in front of Planning Committee to seek its resolution as to whether it is minded to refuse or approve the application.

As noted in the committee report, as the applicant has appealed to the Planning Inspectorate against the Council’s non-determination of the planning application, there is not the possibility of negotiating the additional suggested highway improvement measures. The suggested additional measures will, therefore, need to be discussed during the forthcoming planning appeal. It will be for the appellant to decide whether to contest the suggested improvement measures or table an enhanced offering of the currently proposed measures as part of the appeal process.

Further to the above, the applicant’s agent notes they consider the additional suggested improvement works would make the scheme unviable. A viability assessment was not submitted by the applicant as part of the planning application and so this would also be something the appellant would need to present during the appeal process.

ITEM 3c - 22/00869/REMAJ – Land South Of Parr Lane, Ecclestone

The recommendation remains as per the original report

(2)No. further representations have been received setting out the following issues:

- A pedestrian access from the development site to Parr Lane should be included.
- Impact of construction traffic and position of welfare units on the amenity of nearby occupiers.
- A particular concern has been raised about the use of double storey welfare units in close proximity to the dwelling at Trigfan.

Officer response: A Traffic Management Plan was submitted contained within a site Construction Management Plan (CMP). LCC Highways reviewed the submitted plan and considered that the requirements in regard to construction traffic, the storage of materials and parking for contractors and/or visitors had been appropriately addressed and raised no objection.

In response to the concerns raised the applicant has confirmed that they are proposing to double stack the cabins, but that they would be orientated to minimise any impacts on the immediate neighbours on the far side of Parr Lane nearest the site and would not be positioned directly opposite the dwelling.

The following conditions are recommended:

No.	Condition																																				
1.	<p>The proposed development must be begun not later than two years from the date of this permission.</p> <p>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>																																				
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="363 1323 1345 2038"> <thead> <tr> <th data-bbox="363 1323 815 1384">Title</th> <th data-bbox="815 1323 1066 1384">Drawing Reference</th> <th data-bbox="1066 1323 1345 1384">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="363 1384 815 1444">Location Plan</td> <td data-bbox="815 1384 1066 1444">LNP1078-LP-01 Rev.B</td> <td data-bbox="1066 1384 1345 1444">06 September 2022</td> </tr> <tr> <td data-bbox="363 1444 815 1505">Proposed Site Layout</td> <td data-bbox="815 1444 1066 1505">LNP1078-DL-01 Rev.D</td> <td data-bbox="1066 1444 1345 1505">07 February 2023</td> </tr> <tr> <td data-bbox="363 1505 815 1565">Development Layout Coloured</td> <td data-bbox="815 1505 1066 1565">LNP1078-DL-01C Rev.D</td> <td data-bbox="1066 1505 1345 1565">07 February 2023</td> </tr> <tr> <td data-bbox="363 1565 815 1626">Landscape Layout</td> <td data-bbox="815 1565 1066 1626">P.1702.22.03 Rev.D</td> <td data-bbox="1066 1565 1345 1626">07 February 2023</td> </tr> <tr> <td data-bbox="363 1626 815 1686">Planting Plan</td> <td data-bbox="815 1626 1066 1686">P.1702.22.04 Rev.C</td> <td data-bbox="1066 1626 1345 1686">07 February 2023</td> </tr> <tr> <td data-bbox="363 1686 815 1747">Open Space Layout</td> <td data-bbox="815 1686 1066 1747">LNP1078-OS01</td> <td data-bbox="1066 1686 1345 1747">11 November 2022</td> </tr> <tr> <td data-bbox="363 1747 815 1807">Housetype Planning Booklet</td> <td data-bbox="815 1747 1066 1807">LNP1078-HT01-V1</td> <td data-bbox="1066 1747 1345 1807">10 August 2022</td> </tr> <tr> <td data-bbox="363 1807 815 1868">Boundary Treatment Booklet</td> <td data-bbox="815 1807 1066 1868">LNP1078-BT01</td> <td data-bbox="1066 1807 1345 1868">10 August 2022</td> </tr> <tr> <td data-bbox="363 1868 815 1928">Materials & Hard Surfacing Layout</td> <td data-bbox="815 1868 1066 1928">LNP1078-MH01 Rev.B</td> <td data-bbox="1066 1868 1345 1928">06 September 2022</td> </tr> <tr> <td data-bbox="363 1928 815 1989">Refuse Strategy Layout</td> <td data-bbox="815 1928 1066 1989">LNP1078-RF01 Rev.B</td> <td data-bbox="1066 1928 1345 1989">06 September 2022</td> </tr> <tr> <td data-bbox="363 1989 815 2038">Proposed Sales Area Layout</td> <td data-bbox="815 1989 1066 2038">L2020-SA-01</td> <td data-bbox="1066 1989 1345 2038">30 January 2023</td> </tr> </tbody> </table>	Title	Drawing Reference	Received date	Location Plan	LNP1078-LP-01 Rev.B	06 September 2022	Proposed Site Layout	LNP1078-DL-01 Rev.D	07 February 2023	Development Layout Coloured	LNP1078-DL-01C Rev.D	07 February 2023	Landscape Layout	P.1702.22.03 Rev.D	07 February 2023	Planting Plan	P.1702.22.04 Rev.C	07 February 2023	Open Space Layout	LNP1078-OS01	11 November 2022	Housetype Planning Booklet	LNP1078-HT01-V1	10 August 2022	Boundary Treatment Booklet	LNP1078-BT01	10 August 2022	Materials & Hard Surfacing Layout	LNP1078-MH01 Rev.B	06 September 2022	Refuse Strategy Layout	LNP1078-RF01 Rev.B	06 September 2022	Proposed Sales Area Layout	L2020-SA-01	30 January 2023
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	Affordable Housing Layout	LNP1078-AH01 Rev.B	06 September 2022
	Reason: For the avoidance of doubt and in the interests of proper planning.		
3.	The external facing materials, detailed on the approved Materials and Hard Surfacing Layout plan (ref. LNP1078-MH01 Rev.B) received on 06.09.2022, shall be used and no others substituted. The development shall be carried out in accordance with the approved details. Reason: To ensure that the materials used are visually appropriate to the locality.		
4.	The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved Preliminary Drainage Design plan (ref. 537-E300 Rev.J). Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.		
5.	No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot, have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development. Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.		
6.	During the construction period, all trees and hedges to be retained within and adjacent to the application site shall be protected in accordance with the Tree Constraints and Draft Protection Drawing (ref. P.1702.22.02) received 10 August 2022, and not withstanding this in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards. Reason: To safeguard the trees to be retained.		
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 earlier, 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.		
8.	The private car parking and manoeuvring areas to be marked out in accordance with the approved plan, before occupation of the associated dwelling and permanently maintained thereafter. Reasons: To allow for the effective use of the parking areas.		
9.	No part of the development hereby approved shall commence, other than preparatory works and site set up, 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 as part of a section 278 agreement, under the Highways Act 1980. Reasons: 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 to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.
10.	<p>Prior to the erection of any dwelling hereby approved details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.</p> <p>Reason: To ensure that satisfactory access, management and maintenance is arrangement to the site before the development hereby permitted becomes operative.</p>
11.	<p>The development hereby permitted shall only be carried out in accordance with the Site Construction Management Plan (ref. AHL-L2020/CMP01v1~ November 2022) received 30 November 2022.</p> <p>Reasons: to protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.</p>
12.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (Schedule 2, Part 1, Classes A and E) or any subsequent re-enactment thereof no extension to the dwellings or erection of outbuildings at plots 1, 2 and 3 shall be erected other than those expressly authorised by this permission.</p> <p>Reason: Due to the presence of geocellular storage in the rear garden areas to these properties, building over which would compromise the effective operation of the surface water drainage system.</p>

ITEM 3f - 22/00719/FUL – St Peters Parish Club, Eaves Lane, Chorley, PR6 0DX

The recommendation remains as per the original report.

One further neighbour letter has been received setting out the following issues:

- The building was erected for the young men of the Parish as they left Brigade (Chorley Lads Brigade as it was then).
 - It should remain as a community resource of some kind.
 - There is absolutely no need for a further food shop when there are two other independent shops within 100 meters and four further shops within a quarter mile.
 - In terms of traffic entering and exiting the site, this is very close to a busy roundabout and at school times is incredibly busy. The safety of the children and their parents/carers needs to be considered.
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ITEM 3i - 23/01179/FULMAJ – NIS Engineering, Common Bank Industrial Estate, Ackhurst Road, Chorley, PR7 1NH

The following conditions have been amended:

4. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include: (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365; (ii) A restricted rate of discharge of surface water agreed with the Local Planning Authority (if it is agreed that infiltration is discounted by the investigations); (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD; (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and (v) Foul and surface water shall drain on separate systems. The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

The applicant has submitted an amended surface water drainage strategy which has been reviewed by United Utilities who now recommend the following condition:

The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Surface Water Drainage Strategy, Ref: PEL-PN0034-DS-02, REV2 Dated 18th January 2023. For the avoidance of doubt surface water must drain at the restricted rate of 5 l/s. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure a satisfactory form of development.

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