

Date: 8 November 2017
Our Ref: 17/00616/FULMAJ
Please ask for: Mr Iain Crossland

Tony Lawson
LMP Ltd
213 Preston Road
Whittle-le-Woods
Chorley
PR6 7PS
United Kingdom

Planning Application

Dear Mr Lawson,

Proposal: Erection of 10 dwellings including access and parking
Location: Mind Chorley, South Ribble And Blackburn 208 Stump Lane Chorley PR6 0AT
Reference: 17/00616/FULMAJ

Please find attached the Decision Notice in respect of the above application. The 'important notes' attached to the notice should be read carefully, they will help you to understand this decision, your rights and other things you may have to do.

Chief Planning Officer
Chorley Council

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PLANNING PERMISSION

Town and Country Planning Act 1990

Applicant:

Mr P Andrews
c/o Agent

Agent:

Tony Lawson
LMP Ltd 213 Preston Road Whittle-le-Woods Chorley PR6 7PS United Kingdom

Application Number	Date Received
17/00616/FULMAJ	15 June 2017

The Development:

Erection of 10 dwellings including access and parking

Location:

Mind Chorley, South Ribble And Blackburn 208 Stump Lane Chorley PR6 0AT

Chorley Borough Council (the Local Planning Authority) gives notice of its decision to grant **Planning Permission** for the development, subject to the following conditions -

1. The Development shall only be carried out in accordance with the approved plans, except as may otherwise be specifically required by any other condition of this permission.
Reason: To define the permission and in the interests of the proper development of the site.
2. The proposed development must be begun not later than three years from the date of this permission.
Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall be carried out in accordance with the approved plans below:

Title	Plan Ref	Received On
Location plan	17/035/L01	15 June 2017
Proposed site plan	17/035/P01	15 June 2017
Plots 1 - 2	17/035/P06	15 June 2017
Plots 3 - 4	17/035/P07	15 June 2017
Plots 5 - 10	17/035/P08	15 June 2017
Single detached garage	17/035/P09	15 June 2017

Reason: For the avoidance of doubt and in the interests of proper planning.

4. Prior to the commencement of development, other than demolition and enabling works, samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.
Reason: To ensure that the materials used are visually appropriate to the locality.

5. Due to the proposed sensitive end-use (residential housing with gardens), the development should not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures.

The report should include an initial desk study, site walkover and risk assessment. If the initial study identifies the potential for contamination to exist on site, the scope of a further study and site investigation

must then be agreed in writing with Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures.

The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

Reason: It is the applicant's responsibility to properly address any land contamination issues, to ensure the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012). A Desk Study Report should include a desk study and site reconnaissance (walk over) and preliminary risk assessment as defined in 'CLR 11: Model Procedures for the Management of Land Contamination' (Environment Agency, 2004).

6. 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.

7. Before the development hereby permitted is first commenced, other than enabling works, full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.

8. Prior to the commencement of any development, other than enabling works, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the National Planning Policy Framework and National Planning Practice Guidance.

9. Prior to the occupation or use of the development hereby permitted a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
- b. Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

10. 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.

11. The parking and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to the occupation of the dwelling(s) and first use of the commercial units they serve; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015).

Reason: To ensure provision of adequate off-street parking facilities within the site.

12. Notwithstanding the details shown on the submitted plans, the proposed driveway/hardsurfacing to the front of the property shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway), unless otherwise agreed to in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to prevent flooding.

13. The development hereby approved shall be carried out in full accordance with Construction Method Statement received on 01 November 2017, or in accordance with an alternative Construction Method Statement that has received the prior written approval of the Local Planning Authority.

Reason: in the interests of highway safety and to protect the amenities of the nearby residents.

14. Prior to the commencement of the development other than enabling works details of a scheme for the construction of the site access shall be submitted to and approved in writing by the Local Planning Authority.

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

15. No part of the development hereby approved shall be occupied until the approved scheme for the construction of the site access has been constructed and completed in accordance with the scheme details.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

16. Facilities shall be provided for the cleaning of the wheels of vehicles leaving the site, before the development hereby permitted is first commenced and thereafter retained at all times during construction of the development.

Reason: To prevent the tracking of mud and/or the deposit of loose material on to the highway, in the interests of highway safety.

17. The development hereby permitted shall be completed in accordance with the approved details and SAP assessments (Standard Assessment Procedure) received 06 November 2017 demonstrating that the dwellings will meet the required Dwelling Emission Rate.

Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.

18. No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.

Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.

19. Prior to the construction/provision of any services, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a super-fast broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works within the site boundary only.

Reason: To ensure a sustainable form of development.

Please Note: The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the NPPF.

United Utilities comments:

A public sewer crosses this site and we may not permit building over it. We will require an access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with our Developer Engineer at wastewaterdeveloperservices@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.

Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

The applicant can discuss any of the above with Developer Engineer, Graham Perry, by email at wastewaterdeveloperservices@uuplc.co.uk.

The applicant is advised that all planning permissions granted on or after the 1st September 2013 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at <http://chorley.gov.uk/Pages/AtoZ/Planning-Policy.aspx>

The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Community Services for further information by emailing the County Council's Highways Development Control Section on lhscustomerservice@lancashire.gov.uk or by writing to the Highways Development Control Manager, Lancashire County Council, Cuerden Depot, Cuerden Way, Bamber Bridge, Preston, PR5 6BS, quoting the planning application number in either case.

Please note: You are informed that the responsibility for the safe remediation of the site rests with the developer.

This decision has been made having regard to the policies of the Development Plan which comprises the Adopted Central Lancashire Core Strategy (2012) and the Adopted Chorley Local Plan 2012-2026 and all other relevant planning policy and guidance including National Policy (the Framework), supplementary planning guidance and supplementary planning documents and Corporate documents of the Council.

Signed:

Date: 8 November 2017

Chief Planning Officer, Chorley Council

Please read the notes attached to this notice carefully. They will help you to understand this decision, your rights and other things you may have to do. Further information is available at chorley.gov.uk/planning.

PLANNING PERMISSION

Important Notes

1. This decision is to grant planning permission. No work may be carried out until all conditions which may have been imposed are satisfied as required.
2. This decision is to grant planning permission only. This decision does not imply or grant any other form of consent or approval which may separately be required under the Planning Acts or any other Act, Byelaw, Order or Regulation. This permission is not:
 - i) an approval under the Building Regulations;
 - ii) a Listed Building Consent or Conservation Area Consent for demolition or other works;
 - iii) a consent to display advertisements;
 - iv) a consent to top, lop, prune, fell or carry out any other works to a protected tree or a tree in a Conservation Area;
 - v) an authority to close, divert, or in any way block a public footpath, a public bridleway or public highway.
 - vi) an authority to carry out any works within the public highway (e.g. to form or alter a footway crossing);
 - vii) an indication that the requirements of any other legislation (e.g. public safety, pollution control or food hygiene) have been satisfied.
3. This permission is for the development described only. Carrying out of a different form of development could result in enforcement action. You should therefore seek advice in writing from the Development Control team on any proposed amendment or alteration.
4. Certain animals species (e.g. Barn Owls) are afforded special legal protection under the Wildlife and Countryside Act 1981. It is an offence to intentionally disturb such protected species.
5. If you are building or carrying out excavation in the vicinity of other buildings you may have a duty under the Party Wall Act 1996 to notify the owner of that property of your intentions.
6. You can usually appeal to the Secretary of State for Communities and Local Government against conditions imposed by the Council. Further details are below. However, it may help to discuss the position with Council officers first.
7. We aim to provide a fair and helpful service. Should you be unclear about any aspect of this decision, wish to discuss the decision, are concerned that the application was not dealt with properly, or have any comments on the Council's planning service, please [contact us](#).

Statement of applicant's rights in accordance with article 22 of The Town and Country Planning (General Development Procedure) Order 1995

Appeals to the Secretary of State

8. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990. You must do so within six months of the date of this notice. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

You can appeal online at www.planningportal.gov.uk/pcs to complete an appeals form which you can get from the Planning Inspectorate, Room 3/18A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Direct Line: 0117 372 8562). The Inspectorate will publish details of your appeal on the Planning Portal website. This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.