

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 11TH AUGUST 2015, 6.30 PM

COUNCIL CHAMBER, TOWN HALL, CHORLEY

I am now able to enclose, for consideration at the above meeting of the Development Control Committee, the following reports that were unavailable when the agenda was published.

Agenda No	Item	
3D	15/00503/FUL - EUXTON PARK GOLF CENTRE, EUXTON LANE, EUXTON, CHORLEY, PR7 6DL	(Pages 163 - 172)
3N	15/00601/FUL - TWO CORNERS RESIDENTIAL CARE HOME, 179 PRESTON ROAD, WHITTLE-LE-WOODS	(Pages 173 - 184)
4	APPEALS AND OTHER DECISIONS	(Pages 185 - 188)
	Report of the Director of Public Protection, Streetscene and Community (enclosed).	

GARY HALL
CHIEF EXECUTIVE

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Item 3d	15/00503/FUL
Case Officer	Helen Lowe
Ward	Astley and Buckshaw
Proposal	Part retrospective application for retention of wooden stage, bar and metal storage container, and erection of 16 2.7m high wooden posts.
Location	Euxton Park Golf Centre, Euxton Lane, Euxton
Applicant	Insert applicant
Consultation expiry:	3 July 2015
Decision due by:	24 July 2015
Recommendation	Refuse
Executive Summary	The application proposes the retention of a wooden stage and bar area, and metal container that have been sited adjacent to Euxton Park Golf Centre. The applicant also proposes to erect 16 wooden poles to support a canopy in inclement weather. The site is located within the Green Belt. Given the level of ancillary facilities already available on site, and lack of evidence provided by the applicant it is considered that the proposed facilities are not ancillary to the existing uses on site and therefore inappropriate within the Green Belt. No very special circumstances have been put forward. The proposal is accordingly recommended for refusal.

Representations

Euxton Parish Council have confirmed that they have no comments to make on the proposals.		
Cllr Matthew Lynch has requested that the application be determined at Development Control Committee		
In total 0 representations have been received which are summarised below		
Objection	Support	Not specified
Total No. received: 0	Total No. received: 0	Total No. received:0

Consultees

Consultee	Summary of Comments received
LCC Highways	No objection

Assessment

Background

1. The application proposes the retention of a wooden stage and bar area, and metal container that have been sited adjacent to Euxton Park Golf Centre. The stage is 8.43m wide (excluding the steps to the side), with a depth of 4.9m and a maximum height of 3.8m. It has a gently, sloping monopitched roof. The bar measures 6.7m wide, with a depth of 1.7m and a height of 2.8m. A canopy projects 2.9m from the bar area. These elements are also constructed from wood, with metal shutters to the serving area of the bar. The bar area abuts a metal container measuring 6.7m wide, by 2.5m deep, by 2.6m high. The council became aware of the development as the result of an enforcement query.
2. The applicant also proposes to erect 16 wooden poles to support a canopy in inclement weather.
3. The application site is located on the north side of Euxton Lane, on land that was formerly used as a putting green in association with the driving range and golf course. To the north (served by the same vehicular access and parking area) is a Go-karting track (granted permission in 2005, ref. 05/00928/FUL). Beyond this lies the railway line and Buckshaw Village Strategic Site and to the west is Bolton Wanderers Football Club Training Ground.

Supporting statement from applicant

4. The applicant has provided the following in support of the application:
 - The site as one planning unit (see *Burdle*) is an outdoor sport and recreation facility. It is impossible to differentiate on the ground both physically and functionally between the various elements of golf driving range, foot golf, and go-karting. They share the same access and the same parking facilities;
 - The proposed stage will be used for a variety of all year round activities as a play area, foot pool and foot putting. In the summer months it will also serve for community events, plays, shows, parties and some live music events. These are all outdoor recreational and sporting activities;
 - The arguments as to whether a bar is an 'appropriate' facility for outdoor sport and recreation is often a contentious point. Previous policy required it to be 'essential' for outdoor sport and recreation, now it is a lesser test - that of appropriate;
 - The bar is relatively small scale and is linked to the use of the stage in both structural design and location;
 - It will provide much needed revenue to help develop the existing recreational and sporting facilities;
 - If these were entirely solid structures the loss of openness would be substantially greater than it is, and in that respect the design and materials used help to maintain openness with views through the structures;
 - The container is required by licensing to provide secure facilities for the bar;
 - Marginally smaller and lower in height than the bar and located against a mature hedge and tree it is well screened its visual appearance is minimal. Indeed the location of the stage and bar is only readily visible once anyone enters the site itself, the high walls to the west that form the boundary to Bolton FC football training ground means that views into the site are minimal. Whilst visual amenity cannot entirely mitigate for perceived loss of openness, the design of these open structures and their relative obscurity within the site, mean that the impact overall is minimal;
 - Finally encroachment is limited because the structures are hard up against the rear and side walls of existing buildings and it is on areas where there was already hard surfacing and the edge of a putting area. There is no encroachment of built form onto open fields;
 - The proposal is in keeping with paragraph 89 of the NPPF and as such is not inappropriate development in the Green Belt.

Principle of the development

5. The application site is located within the Green Belt. The erection of new buildings within the Green Belt is considered to be inappropriate, except in a very limited number of circumstances, as set out in the National Planning Policy Framework and the Local Plan. One of these exceptions is the provision of appropriate facilities for outdoor sport, outdoor recreation...as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
6. This particular site is located at the very fringes of the Green Belt, and it is this land that is the most vulnerable to the pressures of the development. It is considered that it is this type of land that makes a significant contribution towards those purposes of the Green Belt, such as: to check the unrestricted sprawl of large built up areas; to prevent neighbouring towns merging into one another and to safeguard the countryside from encroachment.
7. The applicant states that they consider the proposals are not inappropriate development in the Green Belt, as the stage would be used for outdoor recreational purposes and the bar would be used in association with the stage. They also state that the stage and bar is part of one single planning unit together with the golf driving range, foot golf and go Karting.
8. It is considered therefore that there are a number of issues to be addressed:
 - Do the facilities proposed constitute a facility for outdoor sport or outdoor recreation?
 - Are the facilities proposed ancillary to an open air sports use?
 - If the answer to both of the above questions, is no, do any very special circumstances exist that outweigh the harm that would be caused by reason of inappropriateness?
 - Should the facilities proposed be more properly be considered as a town centre use?
9. Within the supporting statement it is stated that the facilities are to be used as outdoor recreational and sporting activities, however the premises have been widely advertised locally as a live music venue, with a number of events having already been held at the premises. Although the stage and bar are sited outdoors, it is not considered that these uses are those which rely primarily on open land at this location and are therefore not the type of outdoor sporting and recreational facilities that the Framework is referring to in paragraph 89.
10. However, it is acknowledged that it is possible for buildings within the Green Belt to be considered not inappropriate that are considered to be ancillary to open air sports uses. The applicant states that they consider the proposal to fall within the same planning unit as the golf driving range and go-karting track and that the proposal will provide much needed revenue to help develop the existing recreational and sporting facilities.
11. No further information has been provided about how the proposed development relates to the function of the driving range, golf course and go-karting track or how the bar and stage will support those facilities. When planning consent was granted for the driving range permission was granted for ancillary buildings, and permission for subsequent extensions to that building have also been granted. The permission granted in 2002 (ref. 02/01040/FUL) showed facilities such as a bar area, shop and simulator. A café has been operating from the premises for some time. No evidence has been put forward by the applicant to demonstrate why the proposed bar and stage facilities are necessary or how they relate to the existing uses on site, even if they can be considered to fall within one planning unit.
12. Policy HW1 of the emerging Local Plan states that ancillary development for an existing open space, sport or recreational facility will be permitted if all of the following criteria are met:
 - i. It is in connection with and will enhance the recreational and/or amenity value of the open space;

- ii. It will not have a detrimental effect on any site of nature conservation value;
 - iii. It does not result in the loss of any other sporting facility on the site.
13. As discussed above, it is considered that the link between the existing and the proposed facilities has not been adequately demonstrated. It is considered that due to the nature of the existing uses it does not have any nature conservation value. However, the structures are adjacent on the putting green, an area that appears to be used for seating during events.
14. Given the level of ancillary facilities already available on site and lack of evidence provided by the applicant it is considered that the proposed facilities are not ancillary to the existing uses on site and therefore inappropriate within the Green Belt. No very special circumstances have been put forward.
15. Furthermore, the Framework is clear that a sequential approach must be applied to planning applications that involve main town centre uses. Leisure and retail development are defined as main town centre uses (paragraph 23). This is reiterated in policy EP9 of the Local Plan. Out of centre locations should only be considered where suitable sites within town or edge of centre locations are not available. The Framework states that preference should be given to sites that are well connected to the town centre. Although the site is within the Green Belt, it is acknowledged that the site is easily accessible, and located within walking distance of a relatively built up area.

Design and Appearance

16. It is acknowledged that both the stage and the bar are not significant structures and that there is some screening from Euxton Lane by the existing hedge. They are of a similar height to the existing buildings on site and would be seen in the context of those buildings. Whilst there would be a visual impact, the significance would be moderate and limited to views from Euxton Lane.
17. It is considered that the design and appearance of the facilities is acceptable in accordance with policy BNE1 of the Local Plan.
18. Although the proposals may not be visually intrusive however, this does not mean that they will not cause harm to the openness of the Green Belt. It has been established however, in case law, that openness and visual impact are different concepts in terms of Green Belt policy. Openness is the freedom from built development. The proposal would result in additional development, albeit small, within the Green Belt and result in an increased level of activity at the site.

Neighbour Amenity

19. No information on the intended hours of operation have been provided by the applicant. Recent events were advertised as running from 7pm until 11pm. The nearest residential properties are Woodcock Fold Cottage, approximately 66m to the south west and properties on Mimosa close, approximately 190m to the south east. These are separated from the application site by Euxton Lane, a busy road.
20. The premises licence allows opening hours of 8am until 11.30pm, seven days a week and performance of live music from 11am until 11pm Monday to Friday and 10am until 11pm Saturdays and Sundays. It is considered that if the application were to be recommended for approval a suitable condition restricting the hours of opening could be imposed.
21. There is an existing parking area utilised by all of the adjacent uses. No objections have been raised by LCC Highways.

Overall Conclusion

22. The proposals are considered to form inappropriate development in the Green Belt. They do not constitute an outdoor sport and recreation facility, nor has it been demonstrated that they are ancillary to such a facility. No very special circumstances have been put forward. The development is accordingly recommended for refusal.

Planning Policies

23. In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposals has had regard to guidance contained with the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

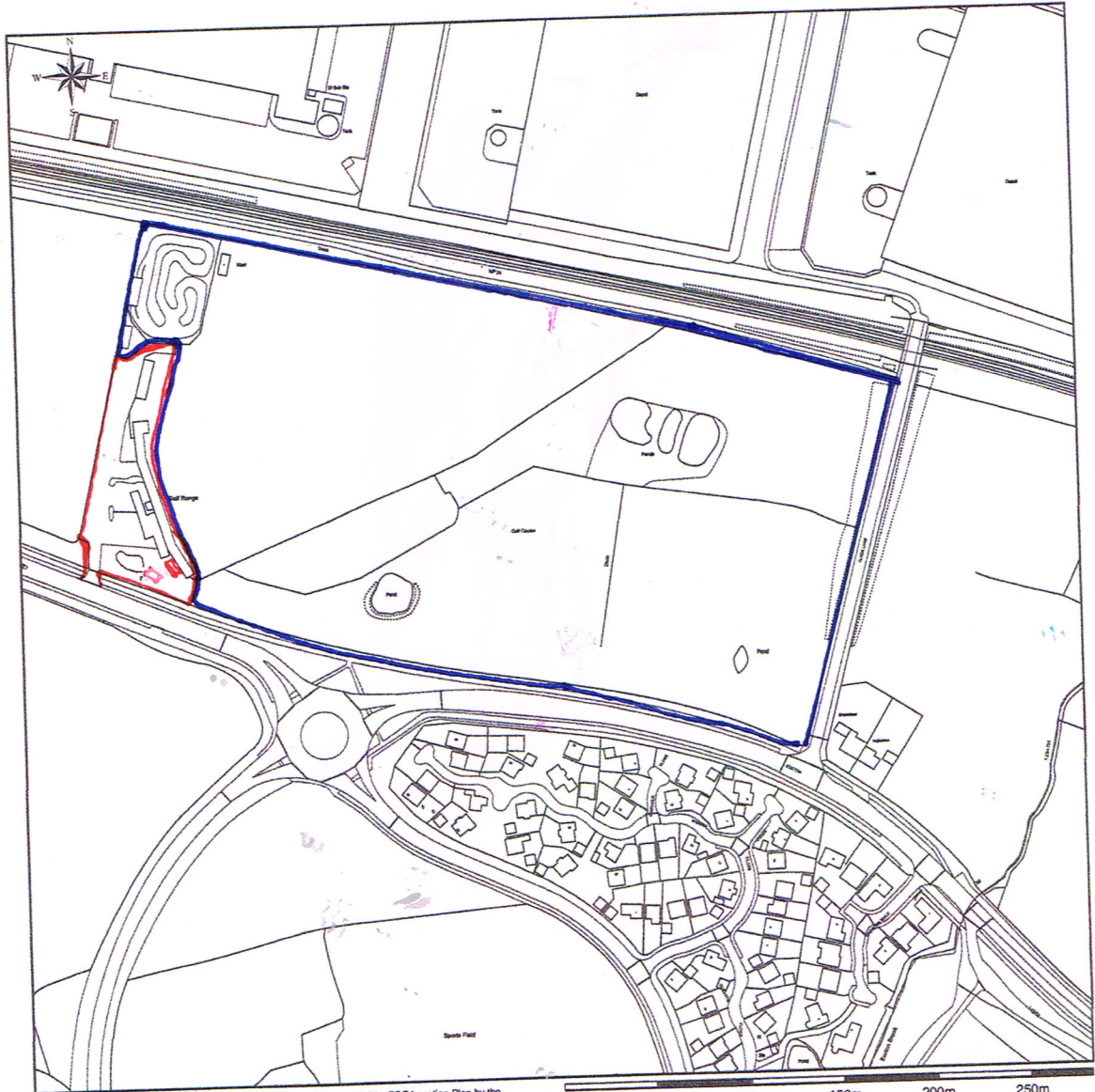
Planning History

Reference	Description	Decision	Date
76/00016/FUL	Lorry Park	Refused	26 April 1976
88/00703/FUL	Use of land as Golf Driving Range incorporating car parking and floodlighting and erection of driving booths and club shop	Approved	29 November 1988
89/00605/ADV	Wall mounted illuminated entrance sign	Approved	29 September 1989
90/00716/FULMAJ	Extension to existing golf driving range, construction of pitch and putt course, extension to building, amendments to approved plans, additional booth and crazy golf, roof mounted floodlights, relocated flagpoles and practise bunker etc.	Approved	25 September 1990
02/00257/FUL	Extension to existing club house	Approved	8 May 2002
02/01040/FUL	Extension to existing club house	Approved	24 December 2002
05/00549/FUL	Creation of Go-Kart track	Refused	15 July 2005
05/00928/FUL	Creation of Go-Kart track	Approved	26 October 2005

Suggested Reason for Refusal

The proposed development is located within the Green Belt as defined in the Adopted Local Plan Review 2012-2026. The proposed development would be inappropriate within the Green Belt, as defined in the Framework. There are insufficient very special circumstances to outweigh the harm that would be caused to the Green Belt by reason of inappropriateness, and to the openness of the Green Belt as a result of the proposals.

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Item 3n	15/00601/FUL
Case Officer	Iain Crossland
Ward	Clayton-le-Woods and Whittle-le-Woods Ward
Proposal	Erection of detached dwelling with amendments to existing vehicular access and increased height of boundary wall
Location	Two Corners Residential Care Home 179 Preston Road Whittle-Le-Woods Chorley PR6 7PR
Applicant	Mrs Nadia Ghaffoor
Consultation expiry:	31 July 2015
Decision due by:	21 August 2015

Recommendation

It is recommended that this application is approved subject to conditions

Representations

Whittle Le Woods Parish Council - Have expressed concern only regarding the height of the wall. If it is to be over two metres tall, then the Parish Council would disapprove.

In total 11 representations have been received from 7 addresses which cite the following grounds of objection:

- Highway safety concerns due to increase in width of access and wall height increase.
- Impact on privacy through overlooking
- Impact on character of the area
- Potential to convert and introduce other uses
- No justification to fell trees.
- Any trees that are removed should be replaced

Consultees

Consultee	Summary of Comments received
Conservation Officer	Considers that the proposed development is acceptable and comments that it will preserve the appearance of the adjacent listed building and will sustain the significance of this designated heritage asset and that of the heritage assets, the locally listed buildings, on the opposite side of Preston Road.
LCC Highways Officer	Has no highway objection to the proposed development.

The Site

1. The application site comprises a previously developed vacant plot, following the demolition of the Two Corners Residential Care Home, located in a prominent location between the A6 Preston Road and Dawson Lane, within the settlement area of Whittle Le Woods. The site is approximately 0.17Ha in area and is characterised by mature trees, some of which are protected by Tree preservation Orders (TPOs), and a stone wall adjacent to the highway.
2. The recently demolished residential care home was a large white rendered building of traditional design, set in extensive gardens and with a vehicular access to the A6, which remains in situ.
3. The area is of a suburban character consisting of a range of dwelling types and designs spread along the A6. Although the majority of buildings in the area are faced in stone there are also examples of buildings faced in render, buff brick and red brick.

The Proposal

4. The proposed development involves the erection of a detached dwelling with amendments to the existing vehicular access and an increase in the height of the boundary wall.
5. The proposed dwelling would be largely sited upon the footprint of the previous building. The main body of the building would measure approximately 19m by 16m, with a flat roofed single storey projection to the south elevation to accommodate garage space. There would be a balcony over part of this single storey element with a 1m high balustrade. The dwelling would have a ridge and eaves height of approximately 9.4m and 6m respectively and would be faced in brick and natural stone with the roof laid in slate. The dwelling would have a traditional form with a number of contemporary features including full length windows.
6. The driveway would be resurfaced and realigned to create a parking area. The existing vehicular access to Preston Road would be widened by approximately 2.3m through altering the wall and extending the dropped kerb. The entrance gates would be set back by approximately 5m from the highway to allow for a vehicle standing area.
7. The existing boundary wall varies in height, and it is proposed to build the wall up to one consistent level to match the higher part of the wall.
8. It is proposed to remove four trees, none of which are protected, and two groups of immature trees.

Assessment

The main issues to consider are as follows:-

Issue 1 – Principle of development

Issue 2 – Impact on character and appearance of the locality

Issue 3 – Impact on neighbour amenity

Issue 4 – Impact on highways/access

Issue 5 – Impact on designated heritage asset

Issue 6 – Trees

Issue 7 – Section 106

Principle of the Development

9. The application site is located in the core settlement area of Whittle Le Woods. The Chorley Local Plan 2012 - 2026 states that within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development.
10. Criteria (d) of Policy 1 of the Central Lancashire Core Strategy states that some growth and investment will be encouraged in specific Urban Local Service Centres to help meet local housing and employment needs. Whittle Le Woods is identified as one of the Urban Local Service Centres.
11. As such, the principle of the development is considered to be acceptable in this case, subject to other material planning considerations.

12. Policy BNE1 of the Local Plan 2012-2026 states that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.

Design and impact on the character of the area

13. The proposed dwelling would be located on a large corner plot between Preston Road and Dawson Lane. It would have a ridge and eaves height of approximately 9.4m and 6m respectively, and would effectively form a two storey dwelling with accommodation in the roof space. It would be of an imposing scale appropriate to this particular corner plot, which is in a prominent location. The plot is large and Preston Road is characterised by large detached dwellings of bespoke design in this area. As such a large bespoke dwelling of this nature is consistent with the character of Preston Road.
14. The proposed dwelling would be faced in brick with stone detailing and features and the roof would be laid in slates. The brick type is not specified at this stage and it is recommended that the brick type to be used is confirmed by condition prior to the commencement of the development following the grant of any planning permission. Although it is noted that local sandstone is the predominant facing material used at buildings along this part of Preston Road, there are also examples of buildings faced in render, buff brick and red brick. As such the proposed dwelling, whilst appearing distinct, would include stone detailing that would reference the stone faced properties nearby. In addition to this the relatively isolated position of the site in relation to nearby dwellings would avoid the design and materials resulting in an incongruous appearance. It is noted that the use of brick is common throughout Whittle Le Woods and the site is not located in a conservation area.
15. The siting would be consistent with the position of the previous building that has been demolished and is consistent with other properties along Preston Road. Although the principal elevation of the dwelling would not face Preston Road, there would be a suitably detailed elevation facing the highway, which would help to maintain an active street frontage, and present an adequate level of design interest. It is also noted that many of the large detached dwellings along Preston Road do not face directly onto the road. As such the dwelling would be in keeping with the street scene and character of the area.
16. The increased width of the vehicular access would have little impact on the street scene, reflecting the type of vehicular access used at other properties along Preston Road. Raising the height of the wall to a consistent height using matching stone and copings would retain the existing character of the site, whilst improving the security of the site for the owners. This would not detract from the appearance or character of the area.
17. The development is therefore considered to be in accordance with Policy BNE1 of the Chorley Local Plan 2012 – 2026 and it is not considered that it will detract from or have an adverse impact on the street scene.

Impact on neighbour amenity

18. The application site is bound to the north by Dawson Lane, to the east by Preston Road, to the west by a woodland and to the south by The Lodge, 177 Preston Road, which is a commercial office.
19. The nearest property at The Lodge, 177 Preston Road is in commercial use as an office. As such there are no issues to consider in relation to private residential amenity.
20. The nearest neighbouring dwellings are all on the opposite side of Preston Road to the east and are located at least 30m away from the proposed dwelling. The proposed dwelling would have windows to habitable rooms at first and second floor facing 182 and 184 Preston Road. These windows would be located approximately 33m and 37m respectively from these dwellings which are separated by the road itself, and would not provide any views of the rear gardens at the properties. Any resultant impact on privacy is therefore considered to be acceptable by virtue of

the substantial degree of separation. Such a degree of separation also ensures that there would be no unacceptable impact on light or outlook.

21. The proposed dwelling would have windows to habitable rooms and a balcony facing south. The nearest residential dwellings to the south are at Dunscair and Half Moon House and are separated from the application site by the access to Shaw Hill Golf Club, the office at 177 Preston Road and numerous trees. The balcony would be located approximately 43m from Dunscair and 47m from Half Moon House and it would not provide any views of the rear gardens of these properties. Any impact on privacy is therefore considered to be acceptable by virtue of the substantial degree of separation. Such a degree of separation also ensures that there would be no unacceptable impact on light or outlook.
22. The dwelling at Lynwood would be located approximately 50m to the south of the proposed dwelling and the relationship with this property is also considered to be acceptable.

Impact on highways/access

23. The proposal involves the erection of a detached dwelling of more than four bedrooms and raising the height of the lower section of the existing boundary wall to the same level as the taller sections. It is noted that there is already an existing vehicular access to Preston Road from the site. This would be widened and reconfigured as part of this proposal. The site was previously occupied by a care home, which generated a higher level of traffic than a single residential property would, therefore the impact of this proposal on traffic movements would be less than that generated through the previous use of the site.
24. The boundary wall is adjacent a public highway, however, the existing footway along Preston Road would enable vehicles leaving Dawson Lane to sufficiently pull out to look out for hazards before undertaking turning manoeuvres. It is therefore considered that the proposal will not adversely impact upon visibility at Preston Road/Dawson Lane. The height of the proposed boundary wall is not fully detailed on the submitted plans, therefore it is recommended that this be confirmed through a condition requiring full details to be submitted for approval prior to the commencement of development.
25. The proposed dwelling requires three parking spaces to be provided. A double garage is proposed with the third space accommodated within curtilage which appears large enough to cater for the parking needs of the intended future expansion of the second floor of the building. It is noted that there is no maximum limit for the number of car parking spaces to be provided.
26. The applicant's proposal for altering the existing access is acceptable, but the distance along the centre line of the access from the back of the public footway to the proposed gate posts must not be less than 5.0m to prevent vehicles straddling the footway while waiting for the gate to be opened. The proposed site plans demonstrate that this would be achieved.
27. No objections have been raised by LCC Highways and it is therefore considered that there would be no harm to highway safety as a result of the proposed development.

Impact on designated heritage asset

28. The site is immediately to the north of the former lodge to Shaw Hill, which is a grade II listed building. It is also opposite 176 to 182 Preston Road, which are four cottages that are included on the Chorley Council Approved List of Locally Important Buildings, approved by the Council's Executive Cabinet on 29 March 2001.
29. The proposal is to erect a detached dwelling on the site. It is to be located in almost exactly the same position, and with a broadly similar footprint to the building that previously occupied the site.
30. There are a number of mature trees within and just outside the site, particularly on the northern and eastern sides such that much of the proposed dwelling will be screened from view.
31. The proposal also includes the raising the height of the boundary wall, which to some extent will screen views into the site from the opposite side of Preston Road.

32. The design chosen has a contemporary touch to a traditional form, which although taller than the previous building, is considered to be appropriate to the location where Preston Road includes a significant number of substantial villas. The design carefully allows for a lower element to be placed closest to the listed building, albeit with a roof terrace above the single storey section.
33. As such it is considered that the appearance of the listed building will be preserved and that the significance of this designated heritage asset will be sustained. Furthermore the appearance of the locally important buildings will be preserved and the significance with which they are imbued will also be sustained. As such it is considered that the proposed development accords with S.66 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

Trees

34. It is noted that a number of trees on the site are protected either by an individual Tree Preservation Order (TPOs) or a group TPO. An Arboricultural Impact Assessment has been submitted by the applicant as part of the planning application. This identifies four trees and two groups of young trees to be felled as part of the development with a justification for their removal. The trees to be felled are also identified on the proposed site plan. These are assessed below:
35. T2 (Goat Willow) is not protected by a TPO. It has a short remaining life expectancy and is not considered worthy of protection. Felling is therefore considered to be appropriate.
36. T8 (Common Oak) is a dead stump 5m in height. This has very little amenity value and felling is considered appropriate.
37. T12 (Beech) is not protected by a TPO. It is heavily suppressed by a neighbouring tree and is not worthy of protection therefore felling is considered to be appropriate. The loss of this tree can be adequately mitigated through the provision of new tree planting with a suitable moderate to large growing species, and a condition is recommended to secure this.
38. T13 (Myrobalan Plum) is not protected by a TPO. It is not worthy of protection due to its low public amenity value therefore felling is considered to be appropriate. The loss of this tree can be adequately mitigated through the provision of new tree planting with a suitable moderate to large growing species, and a condition is recommended to secure this.
39. A group of 1no. Sycamore, 1no. Goat Willow, and 1no. Silver Birch is identified for removal. These are young self-seeded trees which make no contribution to public amenity or the character of the area. Felling is therefore considered to be appropriate.
40. A group of approximately 5no. elder trees is also identified for removal. These are young self-seeded trees which make no contribution to public amenity or the character of the area. Felling is therefore considered to be appropriate.
41. There is a large existing area of concrete hard-surfacing in the south-eastern corner of the site, which currently encroaches over the majority of the northern half of the calculated root protection area (RPA) of tree T1 and part of the RPA of tree T10, which are protected by TPOs. As adequate protection of the RPA of retained trees T1 and T10 will be necessary as part of this process, it is therefore essential that special working methods are employed to remove and replace the existing hard-surface. In this respect the current hard-surface over the RPA of trees T1 and T10 are to be carefully broken out and the existing levels below it retained as they are, with the new block paving set on top of the levels. It is recommended that a condition is attached to ensure this approach.

Section 106 Agreement

42. The National Planning Practice Guidance was updated by Government on 28 November 2014 in respect of contributions for affordable housing and tariff style planning obligations. These measures were introduced to support small scale developers by reducing disproportionate burdens on developer contributions. The updated guidance confirms that such contributions should not be sought from small scale and self-build development. In particular, the guidance

states that contributions should not be sought from developments of 10 units or less, and which have a maximum combined gross floorspace of no more than 1000m².

43. This development involves the erection of one dwelling, which is below the 10 unit threshold and also has a combined gross floorspace of less than 1000m².
44. In the case of this development there is no evidence at this time, which is directly related to the development, to seek a contribution towards public open space contrary to the national guidance.

Other matters

45. Concerns have been raised about the potential to convert the dwelling and introduce other uses. However, this application is for the erection of a single dwellinghouse and has been assessed as such. The introduction of other uses is not indicated within this application and the introduction of other uses that are non-domestic residential uses would be subject to further assessment through the need to apply for planning permission.

Overall Conclusion

46. It is considered that the proposed development on this site is acceptable due to the sustainable credentials of the site and its characteristics along with the objectives of Policy 1 of the Core Strategy which encourages some growth in Whittle le Woods. The impact on the appearance and character of the area are acceptable as the dwelling is appropriately designed, is of an appropriate scale and relates well to the street scene. There will be no adverse impact on neighbour amenity or highway safety.
47. The impact on trees has been assessed with no protected trees identified for removal. In addition the significance of the designated heritage asset at the former lodge to Shaw Hill would be sustained.
48. The development is accordingly recommended for approval subject to conditions.

Planning Policies

49. In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposals has had regard to guidance contained with the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

Ref: 13/00516/DEMCON Decision: Approved Decision Date: 15 August 2013
Description: Demolition of vacant care home

Ref: 85/00310/FUL Decision: Approved Decision Date: 9 July 1985
Description: Change of use to rest home for elderly people

Ref: 81/00168/FUL Decision: Approved Decision Date: 6 April 1981
Description: Conversion of existing garages to games room and erection of new double garage

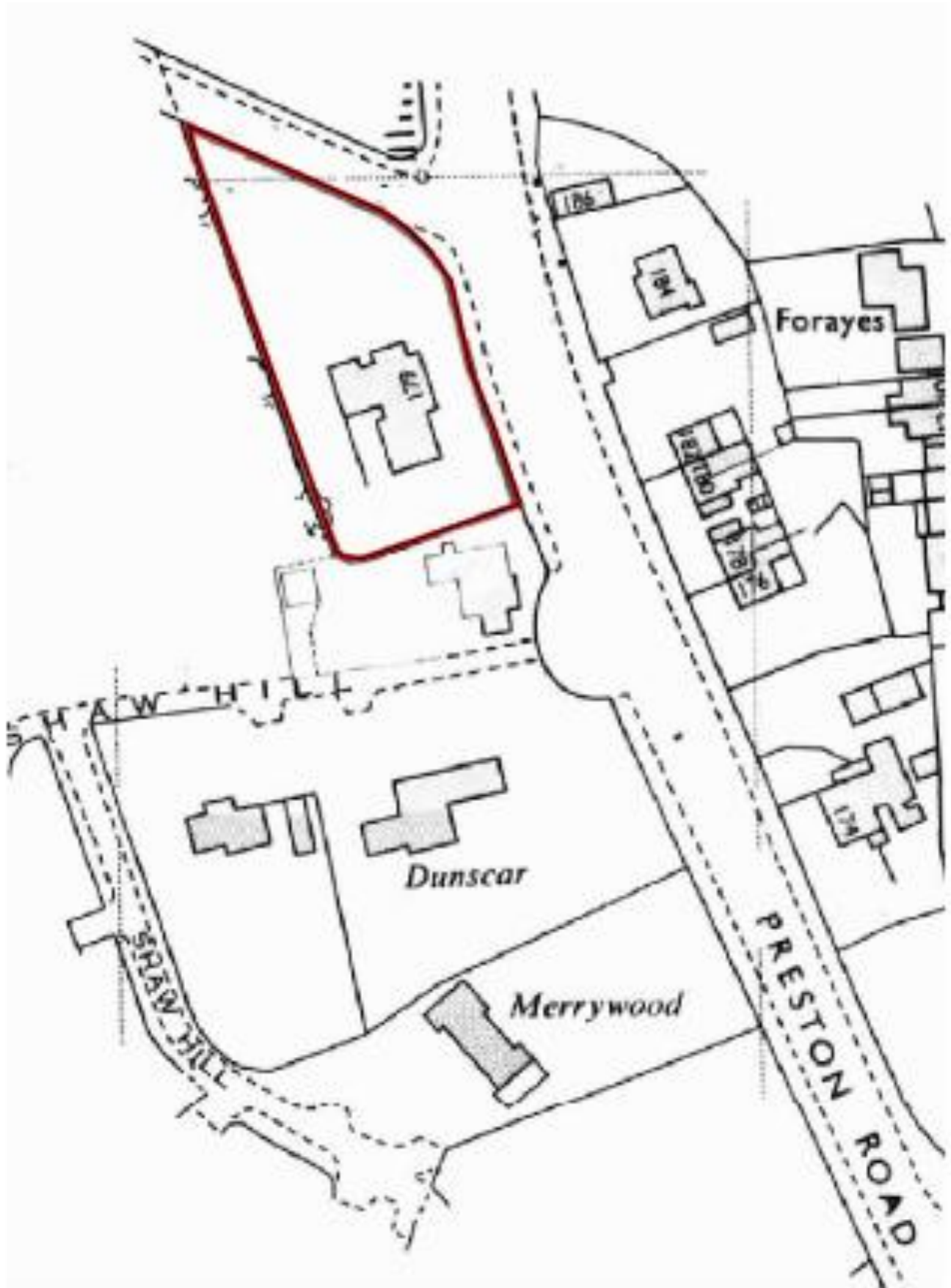
Suggested Conditions

No.	Condition
1.	<p>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</p>
2.	<p>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.</p>
3.	<p>Notwithstanding the details shown on the submitted plans, the proposed car parking and turning areas 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</p>
4.	<p>Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on the approved plans) shall have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not 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. Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents</p>
5.	<p>A scheme for the landscaping of the development and its surroundings shall be submitted prior to the commencement of the development. These details shall include 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, proposed finished levels, means of enclosure, minor artefacts and structures. Landscaping proposals should comprise only native plant communities appropriate to the natural area.</p> <p>All hard and soft landscape works shall be carried out in accordance with the approved details within 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.</p> <p>Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.</p>
6.	<p>Prior to the commencement of development 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.</p>

7.	<p>The parking and garaging and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained out and made available in accordance with the approved plan prior to the first occupation of the dwellings hereby permitted and such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).</p> <p>Reason: To ensure provision of adequate off-street parking facilities within the site</p>
8.	<p>No development shall take place until details of the proposed foul and surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. No part of the development shall be occupied until the approved foul and surface water drainage arrangements have been fully implemented.</p> <p>Reason: To secure proper drainage and to prevent flooding</p>
9.	<p>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 BS5837:2012 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.</p> <p><i>Reason: To safeguard the trees to be retained.</i></p>
10.	<p>The to removal and replacement the hard-surfacing located within the root protection area of trees T1, T10 and T11 identified on drawing number PL01B shall be undertaken using a 'no-dig' cellular confinement system method of construction or other similar method which have previously been agreed in writing by the Local Planning Authority.</p> <p><i>Reason: To ensure the continued protection of the trees</i></p>
11.	<p>All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.</p> <p>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.</p>
12.	<p>Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.</p> <p>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. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate.</p>
13.	<p>No dwelling hereby approved shall be occupied until a SAP assessment (Standard</p>

	<p>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.</p> <p>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.</p>												
<p>14.</p>	<p>The development shall be carried out in accordance with the following plans:</p> <table border="0"> <thead> <tr> <th data-bbox="320 658 432 680">Plan Ref.</th> <th data-bbox="608 658 772 680">Received On:</th> <th data-bbox="900 658 959 680">Title:</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 685 405 707">PL01B</td> <td data-bbox="608 685 799 707">04 August 2015</td> <td data-bbox="900 685 1230 707">Location Plan and Site Plan</td> </tr> <tr> <td data-bbox="320 712 405 734">PL02A</td> <td data-bbox="608 712 762 734">23 July 2015</td> <td data-bbox="900 712 1267 734">Proposed plans and elevations</td> </tr> <tr> <td data-bbox="320 739 405 761">PL03B</td> <td data-bbox="608 739 799 761">04 August 2015</td> <td data-bbox="900 739 1267 761">Proposed plans and elevations</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning</p>	Plan Ref.	Received On:	Title:	PL01B	04 August 2015	Location Plan and Site Plan	PL02A	23 July 2015	Proposed plans and elevations	PL03B	04 August 2015	Proposed plans and elevations
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PL03B	04 August 2015	Proposed plans and elevations											

Location Plan



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Report of	Meeting	Date
Director of Public Protection, Streetscene and Community	Development Control Committee	11 August 2015

PLANNING APPEALS AND DECISIONS RECEIVED FROM LANCASHIRE COUNTY COUNCIL AND OTHER BODIES BETWEEN 20 MAY AND 4 AUGUST 2015

PLANNING APPEALS LODGED

1. Appeal by Mr Aslam Mohammed against the delegated decision to Refused Extension GPD for Proposed single storey rear extension measuring 7.9m in depth, 15.4m in width, 2.5m high to the eaves and 4m maximum height to the ridge at Khamillah, Dawbers Lane, Euxton, Chorley, PR7 6EQ, (Planning Application: 15/00252/PDE, Inspectorate Reference:). Inspectorate letter received 13 July 2015.
2. Appeal by Mr John Stuttard against the delegated decision to Refuse Full Planning Permission for Erection of a first floor side extension over existing garage, partial conversion of garage to create living annex and erection of a detached double garage. at 130 Southport Road, Ulmes Walton, Leyland, PR26 8LN, (Planning Application: 15/00121/FUL, Inspectorate Reference: APP/D2320/D/15/3062048). Inspectorate letter received 01 June 2015.
3. Appeal by Thomas Mawdsley Building Contractors against the delegated decision to Refuse Full Planning Permission for Proposed detached bungalow with integral garage. at Land 30 Metres North Of 1, Stocks Court, Heskin, , (Planning Application: 14/00963/FUL, Inspectorate Reference: APP/D2320/W/15/3035864). Inspectorate letter received 20 May 2015.
4. Appeal by Mr Derek Nuttall against the delegated decision to Refuse Outline Planning Permission for Infill development of a two-storey dwelling in the side garden of Cumbria House at Cumbria , Dawson Lane, Whittle-Le-Woods, Chorley, PR6 7DT(Planning Application: 14/01164/OUT, Inspectorate Reference: APP/D2320/W/15/3130080). Inspectorate letter received 16 July 2015.

PLANNING APPEALS DISMISSED

5. Appeal by Mrs Susan Betts against the Development Control Committee decision to Refuse Full Planning Permission for 2 no. new detached houses at Land 45M West Of 31, Washington Lane, Euxton, , (Planning Application: 14/00819/FUL, Inspectorate Reference: APP/D2320/W/15/3002477). Inspectorate letter received 09 January 2015.
6. Appeal by Mr & Mrs Elston against the delegated decision to Refuse Outline Planning Permission for Outline application (all matters reserved) for demolition of 3 no. buildings and hardstanding and erection of 5 no. detached dwellings at Lydiate Farm, 12 Lydiate Lane, Eccleston, Chorley, PR7 6LY, (Planning Application: 14/00555/OUT, Inspectorate Reference: APP/D2320/W/15/3003979). Inspectorate letter received 04 February 2015.
7. Appeal by Mr A. Love against the delegated decision to Refuse Full Planning Permission for Part two storey and part first floor rear extension and replacement of pitched roofs to existing flat roofs also incorporating the extension

at 55 Lydiate Lane, Eccleston, Chorley, PR7 6LX, (Planning Application: 14/01317/FUL, Inspectorate Reference: APP/D2320/D/15/3010663). Inspectorate letter received 27 March 2015.

PLANNING APPEALS ALLOWED

8. Appeal by Mr And Mrs A.F. Dovaston against the delegated decision to Refuse Outline Planning Permission for Outline application for construction of 1no. new dwelling following demolition of existing stable block (all matters reserved except access) at 25 Preston Road, Whittle-Le-Woods, Chorley, PR6 7PE(Planning Application: 14/00961/OUT, Inspectorate Reference: APP/D2320/W/15/3003117). Inspectorate letter received 20 January 2015.
9. Appeal by Mr Kevin Fayle against the delegated decision to Refusal of Retrospective Permission for Retrospective planning application for the creation of an area of hardstanding associated with the agricultural land holding on the opposite side of Dawbers Lane at Fayle Transport, Fir Tree Farm, Dawbers Lane, Euxton, Chorley, PR7 6EE, (Planning Application: 14/01187/FUL, Inspectorate Reference: APP/D2320/W/15/3003118). Inspectorate letter received 21 January 2015.

PLANNING APPEALS WITHDRAWN

10. None.

ENFORCEMENT APPEALS LODGED

11. Appeal by Mr Mark Widdowson against Appeal against at 17 Withnell Fold, Withnell, Chorley, PR6 8BA, (Enforcement Case: 15/00163/NBLD, Inspectorate Reference:). Inspectorate letter received 18 June 2015.
12. Appeal by Mr David Ingram against Appeal against at Ingram Contractors, Lichfield Road, Chorley, PR7 2EA, (Enforcement Case: 14/00195/OTHER, Inspectorate Reference: APP/D2320/C/15/3128790). Inspectorate letter received 06 July 2015.

ENFORCEMENT APPEALS DISMISSED

13. None.

ENFORCEMENT APPEALS ALLOWED

14. None.

ENFORCEMENT APPEALS WITHDRAWN

15. None.

HIGH HEDGES APPEALS LODGED

16. None.

HIGH HEDGES APPEAL DECISIONS

17. None.

LANCASHIRE COUNTY COUNCIL DECISIONS

18. None.

All papers and notifications are viewable at Civic Offices, Union Street, Chorley or online at www.chorley.gov.uk/planning.

JAMIE CARSON
DIRECTOR PUBLIC PROTECTION, STREETSCENE AND COMMUNITY

Report Author	Ext	Date	Doc ID
Paul Whittingham	5349	04/08/15	***

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