

## **DEVELOPMENT CONTROL COMMITTEE**

TUESDAY, 17TH JULY 2018, 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 report that provides an update of events that have taken place since the agenda was printed.

**Agenda No    Item**

6        **ADDENDUM**

| (Pages 85 - 88)

GARY HALL  
CHIEF EXECUTIVE

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C O M M I T T E E R E P O R T		
REPORT OF	MEETING	DATE
Director (Customer and Digital)	Development Control Committee	Date 17 July 2018

**ADDENDUM**

**ITEM 3b – 18/00024/FUL – 2 Heath Paddock, Hut Lane, Heath Charnock**

The recommendation remains as per the original report, however, it is not considered that the siting of two additional touring caravans is justified.

(1)No. further representation has been received stating the following:

*I understand you are intending to grant an extension of three years with the two extra caravans, this means more uncertainty for these people including Mrs Linfoots parents who are now in their seventies. This is a total disgrace.*

**The following conditions are recommended:**

No.	Condition									
1.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" style="width: 100%;"> <thead> <tr> <th>Title</th> <th>Drawing Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Location plan</td> <td>N/A</td> <td>06 March 2018</td> </tr> <tr> <td>Utility block plan</td> <td>N/A</td> <td>06 March 2018</td> </tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>	Title	Drawing Reference	Received date	Location plan	N/A	06 March 2018	Utility block plan	N/A	06 March 2018
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Location plan	N/A	06 March 2018								
Utility block plan	N/A	06 March 2018								
2.	<p>The permission shall expire on the 18 July 2021, following which the use shall cease and the land restored in accordance with the requirements specified in condition 4 of this permission.</p> <p><i>Reason: To reserve to the Local Planning Authority control over the long-term use of the land, as the use is inappropriate development in the Green Belt and not acceptable on a permanent basis.</i></p>									
3.	<p>Within 3 months of the expiry of this permission or the land becoming vacant prior to the expiry of planning permission the following works shall be carried out:-</p> <ul style="list-style-type: none"> <li>a) Excavate the hardstanding laid on the site and remove all the hardcore material laid to form the hardstanding from the land.</li> <li>b) Demolish the utility block and its concrete base and remove the materials resulting from the demolition from the land.</li> <li>c) Excavate the septic tank and remove the tank from the land.</li> <li>d) Demolish the electricity supply housing box and remove the materials resulting from the demolition from the land.</li> <li>e) Demolish the entrance pillars and gates from the vehicular access in the north west corner of the application site and remove the materials resulting from the demolition from the land.</li> </ul> <p><i>Reason: To give the Local Authority control over the long term use of the land as</i></p>									

	<i>the operations are inappropriate development in the Green Belt and not acceptable on a permanent basis.</i>
4.	The occupation of the site hereby permitted shall be carried on only by the following and their resident dependants: Mr Michael Linfoot and wife Mrs Patty Linfoot and dependent children. Mr Walter Bird and Mrs Sylvia Bird and grandson Clonus John Boswell. (Born 1994).  <i>Reason: Weight has been given to the personal circumstances of the applicant as a very special circumstance in granting permission for inappropriate development in the Green Belt.</i>
5.	No more than 5 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 2 shall be a mobile home) shall be stationed on the site at any time.  <i>Reason: For the avoidance of doubt and in the interests of proper planning.</i>
6.	No commercial activities shall take place on the land including the storage of materials, plant or equipment.  <i>Reason: In order to protect the amenities of the area and the residential occupiers of dwellings in the vicinity.</i>
7.	No commercial vehicles in excess of 3.5 tonnes shall be stationed, parked or stored on the site.  <i>Reason: In order to protect the amenities of the area and the residential occupiers of dwellings in the vicinity.</i>

**The original report has been amended as follows:**

The application seeks permanent consent for the use of the land for a residential Gypsy and Traveller site involving the siting of two mobile homes and five touring caravans (one of which is for storage only when not away travelling) and retention of the utility block and access.

It is recommended that the application is approved subject to a condition limiting the use for a further 3 years. The report also recommends that the additional two touring caravans applied for to accommodate three gypsy traveller households that do not currently occupy the Hut Lane site can be justified. This was considered to be acceptable on the basis that three years have passed since the previous application was assessed and the need in the GTAA identified, and that the needs of the wider Linfoot family to have access to pitches in Chorley has become more pressing.

The addition of two touring caravans was considered to represent a modest increase in accommodation supporting a very gradual incremental increase in the ability of GTAA households identified by the 2015 study to have a presence in Chorley. Officers in the Council's Planning Policy team confirmed that this would be a reasonable step towards meeting the need identified in the GTAA at this moment in time, and in advance of delivering the Cowling Farm site.

In support of this case the applicant's agent set out in the supporting statement that the GTAA that was published in June 2015 identified the need for 10 pitches in

Chorley up to 2026 and that two of the additional pitches identified in the GTAA are now required to meet the identified need. Those being for:

- Mrs Linfoot's brother John Bird, his wife and their three children aged 16, 14 and 12,
- Mrs Linfoot's sister, Anne Marie Boswell and her husband and their younger son
- Mrs Linfoot's aunt, who is Mrs Birds elder sister.

In order to draft an appropriate condition limiting the use of the site to these additional parties, and establish their connection to the Hut Lane site, names of all the individuals enabled to access the Hut Lane site were requested from the applicant's agent.

These names have not yet been received and at the time of the report preparation certain assumptions were made in relation to the applicant's assertion that the GTAA set out an established need for 10 pitches in Chorley, 8 of which were identified for the extended Linfoot family, despite an allocation of 5 pitches set out in the Chorley Local Plan, and the existing Hut Lane site only providing accommodation equivalent to two pitches.

In researching the wider Linfoot/Bird family connections, and the identified need set out in the GTAA 2015 and at the time of the Chorley Local Plan 2012 to 2026 allocation, further detail has been derived from the background to the evidence base since the committee report was published. This demonstrates that the Cowling Farm site was allocated for 5 pitches based on the current occupiers of Hut Lane in addition to one of the applicant's son's requiring accommodation within the plan period and Mrs Linfoot's brother John Bird, his wife and their three children aged 16, 14 and 12 not having a secure base. Other family members were considered to have secure accommodation and therefore no provision was necessary to meet their need, although their desire to live in Chorley was reflected by the increased need for pitches referred to in the GTAA.

As such it is not considered that an increase in access to the Hut Lane site can be justified given that the Cowling Farm site has not been allocated to accommodate those additional pitches, on the basis that other Gypsy Traveller households have secure accommodation elsewhere.

It is recognised that Mrs Linfoot's brother John Bird, his wife and their three children have a less secure base at present and that the Cowling Farm allocation has been made in consideration of their needs. It is proposed that any planning permission granted should be temporary for a period of 3 years to cover the delivery of the Cowling Farm site. Given that the consent would be temporary linked to the delivery of the Cowling Farm site it is not considered necessary to enable their access to the Hut Lane site at this present time.

Overall it is not considered that the need for increased flexibility to access the Hut Lane site can be justified, given that the need is not as extensive as the applicant's supporting statement suggests in reference to the GTAA 2015.

In conclusion the recommendation remains the same, however, background evidence presented since the report was published indicates that the increased flexibility to access the Hut Lane site cannot be justified.

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**ITEM 3f - 18/00188/FULMAJ – Bibbys Farm, Back Lane, Heath Charnock****The recommendation remains as per the original report**

(3)No. further letters of objection have been received setting out the following issues:

- Impact on highway safety through increased traffic and increase number of people walking in the roads.
- Light pollution
- The camp is now being use by groups other than the scouts
- The current use is spoiling the environment and bringing many more people into the area.
- Litter

(8)No. further letters of support have been received.

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