

Planning Committee

Tuesday, 15th October 2024, 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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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	15 October 2024

ADDENDUM

ITEM 3a – 24/00242/FUL – Rotherham Top Farmhouse, Preston Road, Whittle le Woods, Chorley, PR6 7PG

The recommendation remains as per the original report

The following documents have been submitted since the last Planning Committee held on 10 September 2024 and can be viewed on the planning application file:

- Information pack for members
- Traffic management plan
- Biosecurity plan

ITEM 3b - 24/00557/FUL - 2 Heath Paddock, Hut Lane, Heath Charnock, Chorley, PR6 9FP

The recommendation remains as per the original report

The following conditions are recommended:

No.	Condition												
1.	<p>The proposed development must be begun not later than 31 March 2025.</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" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Title</th> <th style="width: 20%;">Drawing Reference</th> <th style="width: 30%;">Received date</th> </tr> </thead> <tbody> <tr> <td>Location plan</td> <td>N/A</td> <td>01 July 2024</td> </tr> <tr> <td>Proposed site plan</td> <td>N/A</td> <td>01 July 2024</td> </tr> <tr> <td>Utility block plan</td> <td>N/A</td> <td>01 July 2024</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>	Title	Drawing Reference	Received date	Location plan	N/A	01 July 2024	Proposed site plan	N/A	01 July 2024	Utility block plan	N/A	01 July 2024
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Utility block plan	N/A	01 July 2024											
3.	<p>No more than 7 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 3 shall be a mobile home) shall be stationed on the site at any time.</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>												

<p>4.</p>	<p>No commercial activities shall take place on the land other than the storage of materials, plant and equipment on a limited scale subsidiary to the use of the land hereby approved.</p> <p><i>Reason: In order to protect the amenities of the area and the residential occupiers of dwellings in the vicinity.</i></p>
<p>5.</p>	<p>No commercial vehicles in excess of 3.5 tonnes shall be stationed, parked or stored on the site.</p> <p><i>Reason: In order to protect the amenities of the area and the residential occupiers of dwellings in the vicinity.</i></p>

The original report has been amended as follows:

Members will note that a condition identifying a restriction on the occupiers of the site by name is not recommended as it was previously. The applicant has set out that a condition identifying the occupiers of the site by name does not give the family the flexibility to evolve and thrive within their settled home without the need to address the condition each and every time circumstances change, such as marriage, children being born, family members leaving, and the evolution that naturally occurs within a family over time.

Such a condition was previously recommended on the basis of the very specific case that was advanced at the time the temporary consents were granted, whereby the circumstances of those staying on the site was a material consideration in the planning balance, given that the identified need within the Borough for gypsy and traveller sites was evolving and that an alternative site had been identified within the Chorley Local Plan. Following the delivery of the alternative allocated site, it was anticipated that the application site would be vacated.

In the event no progress has been made on the allocated site resulting in the current application that seeks permanent consent, on the basis of the case set out in the Committee Report. This case is not on the basis of individual circumstances, but is in relation to the family forming part of the identified need for gypsy and traveller accommodation in the Borough, their settled situation that has occurred over the 15 years in occupation of the site and the lack of alternative accommodation. On this basis it would not be reasonable to attach a condition setting out named individuals that may occupy the site as this would be intrusive adding an unnecessary burden when the scale of accommodation supported at the site can be adequately controlled through the attachment of a condition limiting the number of caravans that may be present on the site.

Paragraph 97 of the Committee report sets out that a condition was previously attached to the temporary planning permissions restricting commercial activities and the storage of materials, plant and equipment in order to protect the amenities of the area and the residential occupiers of dwellings in the vicinity. Whilst, paragraph 98 sets out that such a condition should be re-imposed, a further letter from the applicant has been received in relation to the wording of this condition. Using their home as a base from which they travel for work is a central feature of Gypsy life (as acknowledged in Planning Policy for Traveller Sites para 16). The condition as previously worded has the potential to constrain the family's ability to earn a living.

For instance, they trade in Christmas trees (not from the site) and need to store them on the land in the run up to Christmas.

The applicant has stated that they have no wish or intention to trade from the site. Given the amount of residential provision and parking etc on the site, the area used for storage of materials, plant and equipment would necessarily be limited, and the site is already well screened. The key concern with commercial activities at a site is around noise disturbance where the amenities of an area and residential occupiers is in issue. As such it is commercial activity at the site that the condition should seek to control, rather than the presence of materials, plant or equipment. It is also noted that the reason for the condition relates to amenity rather than any impact on the Green Belt as set out in the Committee report. It is, therefore, recommended that the condition is worded such that it restricts activity but not storage of materials, plant or equipment, as it would otherwise be unnecessary and unreasonable in the context of a gypsy and traveller site. The condition as recommended on the addendum is considered to meet the tests as set out in the Framework.

ITEM 3c – 23/00981/FULMAJ - Land North Of Town Lane, Town Lane, Whittle-Le-Woods

The recommendation remains as per the original report

At paragraph 20 of the report, the case officer's comments contain an error with regards to the length of the garage for the Oxford house types. It reads 3m in length, whereas this should read 6m in length.

ITEM 3f – 24/00659/OUT - Jack Green Farm, Oram Road, Brindle, Chorley, PR6 8NT

The recommendation has changed as follows:

It is recommended that outline planning permission is granted subject to conditions and S106 securing the following:

- Provision for children/young people = £536

Planning Policy response – (open space)

Amenity Greenspace

Local Plan Policy HS4A sets a standard of 0.73 hectares per 1,000 population.

- The Council does not require contributions for this type of open space from developments of fewer than 11 dwellings.

Provision for children/young people

Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population.

- There is currently a deficit of provision in Clayton East, Brindle and Hoghton ward in relation to this standard, a contribution towards new provision in the ward is therefore required from this development. The amount required is £134 per dwelling. A financial contribution is required for off-site provision at

the following identified scheme for new provision. Site KKP1339.2 - Off Gough Lane play area, Clayton-le-Woods

Parks and Gardens

There is no requirement to provide a new park or garden on-site within this development.

- The Council does not require contributions for this type of open space from developments of fewer than 11 dwellings.

Natural and Semi-Natural Greenspace

There is no requirement to provide new natural/semi natural greenspace on-site within this development.

- The Council does not require contributions for this type of open space from developments of fewer than 11 dwellings.

Allotments

There is no requirement to provide allotment provision on site within this development.

- The Council does not require contributions for this type of open space from developments of fewer than 11 dwellings.

Playing Pitches

- The Council does not require contributions for this type of open space from developments of fewer than 11 dwellings.

THE TOTAL FINANCIAL CONTRIBUTION REQUIRED FROM THIS DEVELOPMENT IS AS FOLLOWS:

Amenity greenspace	= £0
Provision for children/young people	= £536
Parks/Gardens	= £0
Natural/semi-natural	= £0
Allotments	= £0
Playing Pitches	= £0
Total	= £536

The following condition has been amended:

12. The buildings proposed at reserved matters stage shall be restricted to two storeys in height and the built development shall be restricted to the area of land shaded blue and red on approved plan ref. C99-12 SITE PLAN. Reason: To protect the openness of the Green Belt and the character of the area

The condition has been amended to include a section in red on the submitted block plan. This would result in an area greater than permitted under the 2019 planning permission for 3 dwellings. However, there would still be a large section of the wider site returned to Green Belt, with only a small increase in the development area over the 2019 permission.

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