



# Development Control Committee

Agenda and Reports

For consideration on

**Tuesday, 11th December  
2012**

In the Council Chamber, Town Hall, Chorley

At 6.30 pm

## **PROCEDURE FOR PUBLIC SPEAKING AT MEETINGS OF THE DEVELOPMENT CONTROL COMMITTEE**

- Persons must give notice of their wish to address the Committee, to the Democratic Services Section by no later than midday, one working days before the day of the meeting (12 Noon on the Monday prior to the meeting).
- One person to be allowed to address the Committee in favour of the officers recommendations on respective planning applications and one person to be allowed to speak against the officer's recommendations.
- In the event of several people wishing to speak either in favour or against the recommendation, the respective group/s will be requested by the Chair of the Committee to select one spokesperson to address the Committee.
- If a person wishes to speak either in favour or against an application without anyone wishing to present an opposing argument that person will be allowed to address the Committee.
- Each person/group addressing the Committee will be allowed a maximum of three minutes to speak.
- The Committees debate and consideration of the planning applications awaiting decision will only commence after all of the public addresses.

**The following procedure is the usual order of speaking but may be varied on the instruction of the Chair**

### **ORDER OF SPEAKING AT THE MEETINGS**

1. The Director Partnership, Planning and Policy or her representative will describe the proposed development and recommend a decision to the Committee. A presentation on the proposal may also be made.
2. An objector/supporter will be asked to speak, normally for a maximum of three minutes. There will be no second chance to address Committee.
3. A local Councillor who is not a member of the Committee may speak on the proposed development for a maximum of five minutes.
4. The applicant or his/her representative will be invited to respond, for a maximum of three minutes. As with the objector/supporter there will be no second chance to address the Committee.
5. The Development Control Committee, sometimes with further advice from Officers, will then discuss and come to a decision on the application.

There will be no questioning of speakers by Councillors or Officers, and no questioning of Councillors or Offices by speakers.

03 December 2012

Dear Councillor

**DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 11TH DECEMBER 2012**

You are invited to attend a meeting of the Development Control Committee to be held in the Council Chamber, Town Hall, Chorley on Tuesday, 11th December 2012 at 6.30 pm.

**Members of the Committee are recommended to arrive at the Town Hall by 6.15pm to appraise themselves of any updates received since the agenda was published, detailed in the addendum, which will be available in the Members Room from 5.30pm.**

**A G E N D A**

7. **Enforcement Report - 10 Blacksmith Walks, Buckshaw Village** (Pages 51 - 56)

Report of Director of Partnership, Planning and Policy (enclosed)

Yours sincerely



Gary Hall  
Chief Executive

Cathryn Filbin  
Democratic and Member Services Officer  
E-mail: [cathryn.filbin@chorley.gov.uk](mailto:cathryn.filbin@chorley.gov.uk)  
Tel: (01257) 515123  
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**Distribution**

1. Agenda and reports to all members of the Development Control Committee, (Councillor Paul Walmsley (Chair), Councillor Dave Rogerson (Vice-Chair) and Councillors Ken Ball, Henry Counce, Jean Cronshaw, John Dalton, David Dickinson, Dennis Edgerley, Christopher France, Danny Gee, Harold Heaton, Steve Holgate, Roy Lees, Greg Morgan and Geoffrey Russell) for attendance.

2. Agenda and reports to Lesley-Ann Fenton (Director of Partnerships, Planning and Policy), Jennifer Moore (Head of Planning), Paul Whittingham (Development Control Team Leader), Cathryn Filbin (Democratic and Member Services Officer) and Alex Jackson (Senior Lawyer) for attendance.
3. Agenda and reports to Development Control Committee reserves for information.

**This information can be made available to you in larger print or on audio tape, or translated into your own language. Please telephone 01257 515118 to access this service.**

આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپکی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون

01257 515823

کیجئے:



Report of	Meeting	Date
Director of Partnerships, Planning & Policy	Development Control Committee	11 December 2012

## ENFORCEMENT ITEM

**TITLE:** Without planning permission the conversion of a garage and pedestrian access pathway to provide additional living accommodation at 10 Blacksmith Walks Chorley.

## PURPOSE OF REPORT

1. To seek authority for the serving of an enforcement notice to remedy the reduction in the level of amenity enjoyed by users of the communal car parking area with the reinstatement of the communal pedestrian access.

## RECOMMENDATION(S)

2. That it is expedient to issue an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990 in respect of the following breach of planning control:

### Alleged Breach

- i. Without planning permission the conversion of a garage and the carrying out of building works to a pedestrian access pathway to provide extended residential accommodation.

### Remedy for Breach

- ii. Remove wall A and window, as shown on the attached plan marked SA1, to soffit level and remove resultant debris from the removal from the site.
- iii. Remove wall B and window, as shown on attached plan marked SA1, to soffit level and remove resultant debris from the removal from the site.
- iv. Remove timber floor and associated insulation between walls A & B and remove resultant debris from the site.
- v. Reinststate external walls between A & B in materials to match the existing dwelling with cavity construction and brickwork to be keyed in to the existing walls.
- vi. Reinststate the paving slabs from removed wall B to the pavement edge. The width of the slabs to be laid equivalent to the width of the removed wall.
- vii. Remove the 8.5 metre length of close boarded timber fence and gate shown on the plan marked SA1.

### Period Of Compliance

- viii. Within 6 months the external walls between A & B are to be reinstated in accordance with step v of the steps required for compliance with the enforcement notice.
- ix. Within 9 months;
  - a. The walls at A & B are to be demolished in accordance with steps ii and iii of the steps required for compliance with the enforcement notice.
  - b. The timber floor is to be removed in accordance with step iv of the steps required for compliance with the enforcement notice.
  - c. The paving slabs are to be reinstated in accordance with step vi of the

- steps required for compliance with the enforcement notice.
- d. The close boarded timber fence and gate are to be removed in accordance with step vii of the steps required for compliance with the enforcement notice.

**Reason**

- x. The development has resulted in the pedestrian permeability of Blacksmiths Walks being reduced, leading to a reduction in the level of amenity enjoyed by the users of the communal car parking area. The development is therefore contrary to Policies HS4(d) and TR4(1) of the Adopted Chorley Council Local Plan.

**EXECUTIVE SUMMARY OF REPORT**

- 3. Members will recall planning application 12/00655/Ful was reported to them at the Committee dated 2 October 2012 where it was resolved to defer the application for a site visit. That was undertaken on 16 October 2012. The application was reported back to Committee on 30 October 2012 where it was resolved to refuse planning permission.

<b>Confidential report</b> Please bold as appropriate	Yes	<b>No</b>
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<b>Key Decision?</b> Please bold as appropriate	Yes	<b>No</b>
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<b>Reason</b> Please bold as appropriate	1, a change in service provision that impacts upon the service revenue budget by £100,000 or more	2, a contract worth £100,000 or more
	3, a new or unprogrammed capital scheme of £100,000 or more	4, Significant impact in environmental, social or physical terms in two or more wards

**REASONS FOR RECOMMENDATION(S)**

**(If the recommendations are accepted)**

- 4. To reinstate the pedestrian permeability previously enjoyed by the residents of Blacksmith Walks.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

- 5. NIL

**CORPORATE PRIORITIES**

- 6. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	x	A strong local economy	
Clean, safe and healthy communities		An ambitious council that does more to meet the needs of residents and the local area	

**BACKGROUND**

- 7. The applicant’s property comprises a ground floor apartment which is part of a small cluster of properties which front on to Blacksmith Walks with vehicle parking to the rear in a courtyard arrangement. The vehicle parking courtyard is accessed from Baker Close via an underpass below number 3 Baker Close. The properties on Blacksmith Walks all front onto a pedestrian walkway.
- 8. There are three first floor apartments on Blacksmith Walks; two of these apartments do not have direct access to the rear parking area, numbers 7 and 11. The incorporation of the pedestrian access by the occupant of number 10 has restricted the occupants of numbers 7 and 11 to a single point of pedestrian entry and egress via Baker Close.
- 9. With regards to the converting of the garage to additional habitable space, the property benefits from two off road spaces, one within the garage the other a designated area to the front of the garage that faces onto the courtyard parking area. The property is a single bedroomed apartment and the County parking standards for this type of property is met with the single off road space. Therefore it is not considered expedient to enforce the cessation of the use of the garage for additional habitable space.

**IMPLICATIONS OF REPORT**

- 10. This report has implications in the following areas and the relevant Directors’ comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area	x	Policy and Communications	

**COMMENTS OF THE STATUTORY FINANCE OFFICER**

- 11. NIL

**COMMENTS OF THE MONITORING OFFICER**

- 12. NIL

DIRECTOR NAME Lesley Anne Fenton  
 DIRECTOR OF Partnerships, Planning & Policy

Report Author	Ext	Date	Doc ID
S Aldous	5414	3 December 2012	NIL

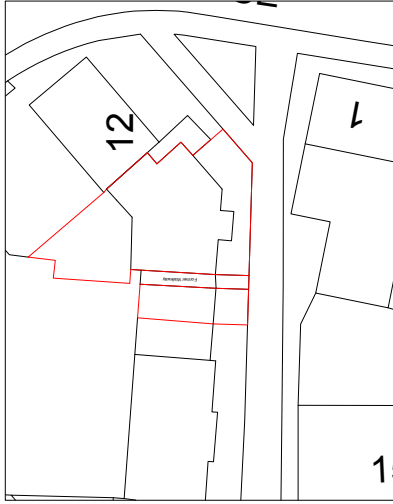
Background Papers			
Document	Date	File	Place of Inspection
Planning Application	17 Sept 12	12/00655/Ful	Union Street Offices

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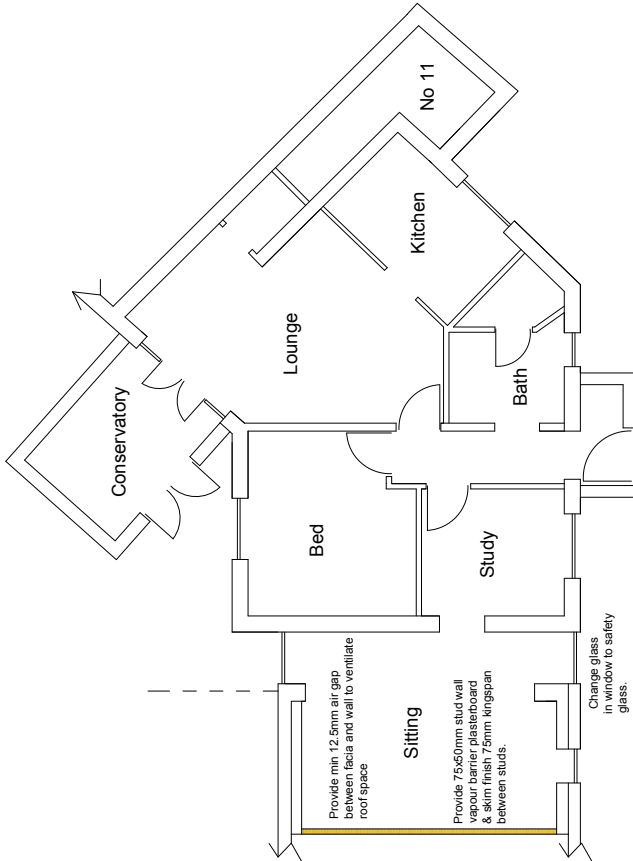




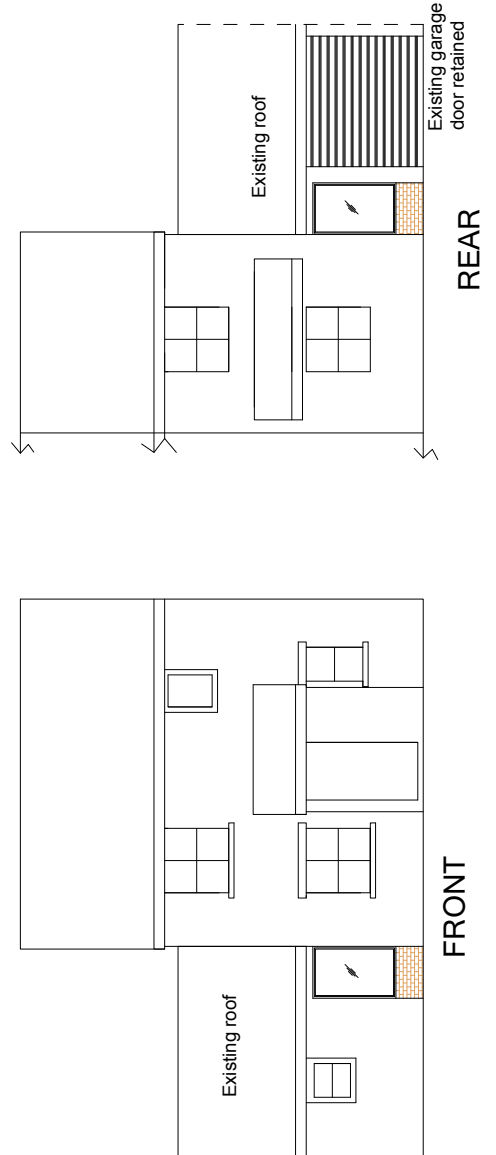
Location Plan 1:1250 N



Site Plan 1:200



LAYOUT



delete as necessary  
Garage & former covered walkway has been converted into sitting room in Aug 2009. All work was undertaken by barratts contractors. The property is a ground floor apartment. planning/building regulation submission not as a working drawing. It used as such all dimensions to be checked on site by contractor. all work to be carried out to satisfaction of local authority. prior to commencement of work on site principal contractor/building owner to produce a method statement with regard to safety of occupiers/ employees during building operations. builder to allow for safe support of existing/new structure during contract.

All electrical work to be carried out to BS7671:2001 and be inspected and tested by a competent person. The Local Authority may request a test certificate under the above BS.

Proposed alterations at: <b>10 Blacksmiths Walks Buckshaw Village Chorley PR7 7BP</b>	
CLIENT:	Mr S Scullor
DATE:	June 2012
SCALE:	1:50
DWG No:	
L.A.:	
AMENDMENTS:	DATE:
<b>ENTWISTLE DESIGN SERVICES</b> 7 Edgefield Ashley Village Chorley PR7 1XH Tel: 01257 274876 E-Mail: poterdext@aol.com	

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