

Development Control Committee

Tuesday, 13 November 2007

Present: Councillor Harold Heaton (Chair), Councillor David Dickinson (Vice-Chair), Councillors Ken Ball, Eric Bell, Alan Cain, Henry Caunce, Michael Davies, Mike Devaney, Dennis Edgerley, Daniel Gee, Pat Haughton, June Molyneaux and Geoffrey Russell

Officers: Jane Meek (Director of Development and Regeneration), Paul Whittingham (Development Control Manager), Claire Hallwood (Deputy Director of Legal Services), Peter Willacy (Planning Enforcement Officer) and Dianne Scambler (Trainee Democratic Services Officer)

Also in attendance: Councillor Mark Perks

07.DC.120 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Adrian Lowe who was unable to attend as he was on Mayoral duty, Roy Lees, Edward Smith and Ralph Snape

07.DC.121 DECLARATIONS OF ANY INTERESTS

No declarations of interest were received.

07.DC.122 MINUTES

RESOLVED – That the minutes of the meeting of the Development Control Committee held on 9 October 2007 be confirmed as a correct record for signing by the Chair.

07.DC.123 PLANNING APPLICATIONS AWAITING DECISION

The Corporate Director (Business) submitted reports on a number of planning applications to be determined by the Committee.

RESOLVED – That the planning applications, as now submitted, be determined in accordance with the Committee's decisions and recorded below.

(a) A1:07/00953/OUTMAJ - Group 4N, Land 150m West of Sibberings Farm, Dawson Lane, Whittle-Le-Woods

Application No: 07/00953/OUTMAJ
Proposal: Outline application for the redevelopment of the site (7.87 hectares) for 102 dwellings with associated highway infrastructure and landscape treatment.
Location: Group 4N Land 150m West of Sibbering's Farm, Dawson Lane. Whittle-Le-Woods
Decision: It was proposed by Councillor Ken Ball, seconded by Councillor Alan Cain, and subsequently **RESOLVED (12:1) to grant planning permission subject to a Section 106 Agreement and the following conditions:**

1. An application for approval of the reserved matters (namely external appearance of the buildings and landscaping of the site) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. 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 previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. 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, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

3. The application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plans. The development shall only be carried out in conformity with the approved details.

Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

4. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate 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.

Reason: In the interests of the amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

5. 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 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, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

6. 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 BS5837:2005 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. All excavations within the area so fenced shall be carried out by hand.
Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 and HT9 of the Adopted Chorley Borough Local Plan Review.

7. The development hereby permitted shall not commence until samples of all external facing materials to the proposed buildings (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.

8. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

9. The garages hereby permitted shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking and in accordance with Policy No. 7 of the Joint Lancashire Structure Plan

10. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 and EM2 of the Adopted Chorley Borough Local Plan Review.

11. The proposed landscaping should comprise only native plant communities appropriate to the area and should enhance habitat connectivity. In accordance with the Lancashire Biodiversity Action Plan Targets the submission of a habitat creation and management plan is required to be submitted and approved in writing by the Local Planning Authority. The landscaping thereafter shall accord with the approved plan.

Reason: To ensure that the retained and re-established habitats that contribute to the Biodiversity Action Plan targets are suitably established and managed. In accordance with Policy ER5 of the North West Regional Spatial Strategy and Policy 21 of the Joint Lancashire Structure Plan

12. Prior to the first use of the development hereby permitted, a Residential Travel Plan shall be submitted to and approved in writing by, the local planning authority. The measures in the agreed Travel Plan shall then thereafter be complied with unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the number of car borne trips and to encourage the use of public transport and to accord with Policies TR1 and TR4 of the Adopted Chorley Borough Local Plan Review.

13. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the

developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control

14. Prior to the commencement of the development full details of the Management Company to deal with the future management and maintenance of the site shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company.

Reason: To ensure the satisfactory management of the unadopted highways and public open space and in accordance with Policies TR4 and HS21 of the Adopted Chorley Borough Local Plan Review.

15. Prior to the commencement of the development a scheme for the provision and implementation of a surface water regulation system shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved plans.

Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS25: Development and Flood Risk .

16. The site shall be remediated fully in accordance with the Remediation Plan B0019-00-R5-1 unless otherwise agreed in writing by the Local Planning Authority. A post remediation validation report and confirmatory sampling data shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control

17. Prior to the commencement of the development full details of the proposed equipped play area shall be submitted to and approved in writing by the Local Planning Authority. The implementation of the play area shall commence at the same time as the development as a whole and shall be completed prior to the construction of the properties on Plots 36-38.

Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.

18. The development hereby permitted shall be carried out in accordance with the details set out within the Planning, Design and Access Statement, submitted on 15th August 2007, and the addendum to the Planning, Design and Access Statement submitted on 23rd August 2007.

Reason: To provide a satisfactory form of development and in accordance with Policies GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

(b) A2:07/0093/REMMAJ - Site N1, Lower Burgh Way, Chorley

Application No: 07/00993/REMMAJ
Proposal: Reserved Matters application for the erection of 149 dwellings with associated works site area 4.8 hectares
Location: Site N1, Lower Burgh Way, Chorley
Decision:

It was proposed by Councillor Eric Bell, seconded by Councillor Alan Cain, and was subsequently **RESOLVED (12:0) to grant the reserved matters permission subject to the following conditions**

1. The proposed development must be begun not later than two years from the date of this permission or not later than five years from the date of the outline planning permission (reference 05/00516/OUTMAJ)

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review

3. No development shall take place until details of the proposed 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 surface water drainage arrangements have been fully implemented.

Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 and EP19 of the Adopted Chorley Borough Local Plan Review.

4. Before the development hereby permitted is first commenced full details of the means of foul water drainage/disposal shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for foul water drainage/disposal have been completed in accordance with the approved details.

Reason: To ensure proper drainage of the development and in accordance with Policy No. EP17 of the Adopted Chorley Borough Local Plan Review.

5. 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 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, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

6. 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 BS5837:2005 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 area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.

Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.

7. The external facing materials detailed on the approved plan(s) shall be used and no others substituted without the prior written approval of the Local Planning Authority.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5, and HS4 of the Adopted Chorley Borough Local Plan Review.

8. The hard surface materials detailed on the approved plans shall be used and no others substituted without the prior written approval of the Local Planning Authority.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5, and HS4 of the Adopted Chorley Borough Local Plan Review.

9. Before any development hereby permitted is first commenced, full details of the surfacing, drainage and marking out of all car park and vehicle manoeuvring areas shall have been submitted to and approved in writing by the Local Planning Authority. The car park and vehicle manoeuvring areas shall be provided in accordance with the approved details prior to first occupation of the premises as hereby permitted. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR8 of the Adopted Chorley Borough Local Plan Review.

10. No development shall take place until a scheme for the provision of public open space and play areas has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted to include full details of all play and other equipment to be provided.

Reason: To ensure adequate provision for public open space and play areas within the development and in accordance with Policy Nos. HS20 and HS21 of the Adopted Chorley Borough Local Plan Review.

11. Before the development hereby permitted is first commenced, full details of the phasing of provision and equipping of public open space and play areas shall have been submitted to and approved in writing by the Local Planning Authority. The provision and equipping of such areas to be thereafter carried out in strict accordance with the approved details.

Reason: To ensure adequate provision for public open space and play areas within the development and in accordance with Policy Nos. HS20 and HS21 of the Adopted Chorley Borough Local Plan Review.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwellings hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 2, Class A) (or any Order revoking and re-enacting that Order) no fences, gates or walls shall be erected within the curtilage of any dwelling hereby permitted (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality and in accordance with Policy No HS4 of the Adopted Chorley Borough Local Plan Review.

14. Prior to the felling of trees on site a Licensed Ecologist will be required to survey the trees for the presence of bats. If bats are found to be present then full details of the trees and proposed mitigation methods required to ensure the continued protection of the bats shall be submitted to and approved in writing by the Local Planning Authority. The tree works thereafter shall be carried out in accordance with the approved mitigation methods.

Reason: To comply with the practical effect of the Wildlife and Countryside Act 1981 and in accordance with policy EP4 of the Chorley Borough Local Plan Review 2003.

15. Before development commences full details of mitigation measures required to be implemented by the specialist ecology report received on 28 June 2005, as submitted by The Environment Partnership with regard to the protection of protected species on and in the vicinity of the site (including any proposed phasing of measures) shall be submitted to and approved in writing by the Local Planning Authority. Such details as approved including any phasing of measures shall be implemented in full and retained thereafter.

Reason : To comply with the practical effect of the Wildlife and Countryside Act 1981 and in accordance with policy EP4 of the Chorley Borough Local Plan Review 2003.

16. Prior to the commencement of the development full details of the Management Company to deal with the future management and maintenance of the site shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company.

Reason: To ensure the satisfactory management of the unadopted highway features and areas of open space and in accordance with Policies TR4 and HS21 of the Adopted Chorley Borough Local Plan Review.

17. Prior to the occupation of the dwellinghouses hereby approved the lighting columns, detailed on plan reference PL864.100-05 or as may otherwise be agreed in writing with the Local Planning Authority, shall be erected and operational.

Reason: In the interests of the visual amenities of the area and the amenities of the future occupiers. In accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.

18. No development shall take place until:

- a) a methodology for investigation and assessment of ground contamination has been submitted to and approved in writing by the Local Planning Authority. The investigation and assessment shall be carried out in accordance with current best practice including British Standard 10175:2001 "investigation of potentially contaminated sites – Code of Practice" The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential migration with and beyond the site boundary.
- b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority.
- c) The Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable, and monitoring proposals. Upon completion of the remediation works, a validation report containing any validation sampling results have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the

proposed end use and in accordance with Government advice contained in PPS 23: Planning and Pollution Control.

19. Prior to the occupation of the dwelling houses hereby-approved full details of the public art shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the proposed design and location of the public art. The development thereafter shall be carried out in accordance with approved details.

Reason: In the interests of the visual amenities of the area and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review

(c) **A3:07/01051/FULMAJ - Land between Froom Street and Crosse Hall Lane, Chorley**

Application No: 07/01051/FULMAJ
Proposal: House type substitutions, the erection of 3 additional dwellings and minor revisions to roads serving plots 84 – 161. Part amendment to the originally approved layout ref 9/02/00680/REMMAJ (site area 7.83 hectares)

Location: Land between Froom Street and Crosse Hall Lane, Chorley

Decision:

It was proposed by Councillor Danny Gee, seconded by Councillor Patricia Haughton, and subsequently **RESOLVED (11:0) with 1 abstention to grant planning permission subject to the following conditions:**

1. The proposed development must be begun not later than two years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No drainage from the proposed development shall run off into the motorway's drainage system, nor shall any such new development adversely affect any motorway drainage.

Reason: To maintain the stability of the motorway and in accordance with Policy Nos. EP15 and EP18 of the Adopted Chorley Borough Local Plan Review

3. There shall be no development on or adjacent to any motorway embankment that shall put any such embankment or earthworks at risk.

Reason: To maintain the stability of the motorway and in accordance with Policy No. EP15 of the Adopted Chorley Borough Local Plan Review.

4. Before the development hereby permitted is first commenced there shall have been submitted to and approved in writing by the Local Planning Authority a scheme for incorporating archaeological features at the site within the development.

Reason: In the interests of retaining features of archaeological interest at the site.

5. No vehicles shall access the site for the purposes of the construction of the development hereby permitted until after the completion of the development permitted by planning permission 9/98/00208/FUL (for the provision of a new access road and canal bridge) dated 17 February 1999 and thereafter all vehicles entering and leaving the site in connection with the construction of the development hereby permitted shall only do so via the new access road and canal bridge permitted under planning permission 9/98/00208/FUL, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the amenities of local residents and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

6. The development shall be carried out in accordance with the approved scheme for protecting the proposed dwellings from noise from the M61 motorway has been submitted to. The approved schemes referred to are W2715/PJ/22291 (received 19th August 2002) and HB155/04/07/NEW (received 27th September 2002). All works which form part of the approved scheme shall be completed before any of the permitted dwellings are occupied.

Reason: In the interests of the amenity of future occupants of the proposed dwellings and in accordance with Policy EP20 of the Adopted Chorley Borough Local Plan Review.

7. Before any development associated with the erection of houses on plots 84 to 164 are commenced the acoustic and screen mound alongside the M61 motorway, as shown on the previously approved plans, shall have been formed in full. Prior to the first occupation of any dwellings on plots 91 to 134 the previously approved scheme of landscaping to the acoustic and screen mound and a screen fence to its base shall have been implemented in full.

Reason: In the interests of the amenities of the future occupiers of houses within the development and in accordance with Policy EP20 of the Adopted Chorley Borough Local Plan Review

8. Before any development hereby permitted is first commenced the temporary protective metal fencing along the full length and both sides of Black Brook shall have been erected in accordance with the approved details. The fencing, thereafter, shall remain in place at all times during the course of the permitted development being carried out, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the watercourse and prevent debris and construction material from encroaching into this area and in accordance with Policy EP17 of the Adopted Chorley Borough Local Plan Review.

9. The development hereby permitted shall be carried out in accordance with the approved schemes for preventing the use by motorised traffic (except in the case of an emergency) of the pathway link between Froom Street and the estate road adjacent to plot 91 and the pathway link between Crosse Hall Lane and the estate road adjacent to plot 136. Prior to the first occupation of any dwelling within plot 91 and 129-145 the said pathways shall have been fully tarmac surfaced, the approved means of preventing its use by motorised traffic implemented in full and it shall have been made available for use by the public.

Reason: In the interests of highway safety and the amenities of local residents and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review

10. Before the development hereby permitted is first commenced there shall have been submitted to and approved in writing by the Local Planning Authority a method statement for providing protection to protected species during the course of the development and a ten year plan (including provision for protecting all protected species and their habitats) for the maintenance and management of all areas other than garden curtilages and highways. Thereafter, the approved method statement and ten year maintenance and management plan shall be fully complied with and implemented in full.

Reason: In the interests of the visual amenities of the development, the amenities of future residents and nature conservation and in accordance with Policies GN5 and EP4 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS9.

11. The development hereby permitted shall be carried out in accordance with the approved scheme for the provision and implementation of a surface water

regulation system to limit surface water run off from the completed development to existing rates.

Reason: To reduce the increased risk of flooding and in accordance with Government advice contained in PPS25: Development and Flood Risk.

12. The development hereby permitted shall be carried out in accordance with the approved details of the measures to be taken, during the period of construction, to prevent mud and other debris being carried onto the public highway by vehicles leaving the site. The agreed measures shall be implemented in full before commencement of the development and retained in operation until such time as the development is complete.

Reasons: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

13. the development hereby permitted shall be carried out in accordance with the approved details of the existing and proposed ground levels (including bank profiles) within the open space area to be formed alongside Black Brook, the provision to be made for fencing of the brook / land alongside it and the phasing of its provision. The open space area levels shall be formed and the fencing installed in accordance with the approved details.

Reason: In the interests of the safety of future users of the open space area.

14. The site shall be remediated fully in accordance with recommendations made in the Ground Investigation and Remediation Statement Ref: 588/02 Chorley, Crosse Hall Mill Farm (May 2004) by Woodford Consulting Engineers Ltd.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control

15. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwelling(s) hereby permitted, or any garage shed or other outbuilding erected (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

(d) **B1:07/01057/FUL - Stable, Logwood Farm, Brinscall Mill Road, Wheelton, Chorley**

Application No: 07/01057/FUL
Proposal: Detached Garage
Location: Stable, Logwood Mill Farm, Brinscall Mill Road, Wheelton, Chorley
Decision:

It was proposed by Councillor Eric Bell, seconded by Councillor Henry Caunce, and subsequently **RESOLVED (12:0)** to grant planning permission subject to the following conditions:

1. The proposed development must be begun not later than three months from the date of this permission.

Reason: The application is in retrospect and the building at present represents unacceptable development in the Green Belt contrary to Policy DC8A of the Adopted Chorley Borough Local Plan Review.

2. All external facing materials shall match in colour, form and texture those on the existing building.

Reason: In the interests of the visual amenity of the area in general and the existing building in particular and in accordance with Policy Nos. GN5 and DC8A of the Adopted Chorley Borough Local Plan Review.

3. This consent relates only to the following plans:

Plan Ref.	Received On:	Title:
SA/03/06/256A	21 September 2007	Plan and Elevations
	21 September 2007	1:2500 Location Plan

Reason: To define the consent and to ensure all works are carried out in a satisfactory manner.

07.DC.124 PLANNING APPEALS AND DECISIONS - NOTIFICATION REPORT

The Committee received a report of the Corporate Director (Business) giving notification of the lodging of one appeal against the refusal of planning permission, one appeal that had been dismissed and one appeal that had been withdrawn.

RESOLVED – That the report be noted.

07.DC.125 DELEGATED DECISIONS DETERMINED BY THE CORPORATE DIRECTOR (BUSINESS), THE CHAIR AND VICE CHAIR OF THE COMMITTEE

The Committee received for information, a table listing a number of planning applications for Category 'B' development proposals which had, or were intended to be, determined by the Chief Officer under the adopted scheme of delegations, following consultation with the Chair and Vice Chair of the Committee.

(a) **Delegated Decisions - 9 October**

RESOLVED – That the report be noted

(b) **Delegated Decisions - 31 October 2007**

RESOLVED – That the report be noted

07.DC.126 A LIST OF PLANNING APPLICATIONS DETERMINED BY THE CHIEF OFFICER UNDER DELEGATED POWERS BETWEEN 26 SEPTEMBER AND 26 OCTOBER 2007

The Committee received for information a schedule listing the remainder of the planning applications that had been determined by the Corporate Director (Business) under delegated powers between 26 September and 26 October 2007.

RESOLVED – That the schedule be noted.

07.DC.127 STAR LANE, HORWICH VARIATION TO SECTION 106 AGREEMENT

The Corporate Director of Business informed the meeting that approval was sought for amendments to the Section 106 Agreement that had been completed on 19 June 2006 in respect of the development at Star Lane Horwich. Approval was sought to amend the period specified in relation to a Mortgagers power of sale from 12 months as it currently stated in Clause 9.5.6 of the Fourth Schedule of the Agreement to a period of 18 weeks. Secondly, approval to relocate plots 5-9 inclusive of the affordable housing plots, which had the effect that they were located within that part of the development that came within the remit of Bolton Metropolitan Borough Council.

RESOLVED – That the Development Control Committee approve the Star Lane, Horwich variation to the Section 106 Legal Agreement

Chair