

Development Control Committee

Tuesday, 3 February 2009

Present: Councillor Greg Morgan (Chair), Councillor Geoffrey Russell (Vice-Chair), Councillors Julia Berry, Alistair Bradley, Terry Brown, Alan Cain, Henry Counce, David Dickinson, Harold Heaton, Keith Iddon, Roy Lees, Adrian Lowe, June Molyneaux, Simon Moulton and Shaun Smith

Officers: Donna Hall (Chief Executive Chorley Council), Chris Moister (Legal Services Manager), Paul Whittingham (Development Control Manager), Dianne Scambler (Democratic and Member Services Officer) and Lyndsey Cookson (Planning Assistant)

Also in attendance: Councillor Kevin Joyce (Eccleston and Mawdesley)

09.DC.09 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ken Ball and Mick Muncaster.

09.DC.10 DECLARATIONS OF ANY INTERESTS

In accordance with the provisions of the Local Government Act 2000, The Council's Constitution and the Members Code of Conduct, the following Members declared a prejudicial interest in relating to the planning applications listed below:

Councillor Keith Iddon	planning application 08/01107/FUL planning application 08/01181/FUL
Councillor Simon Moulton	planning application 08/01107/FUL
Councillor Geoff Russell	planning application 08/01246/TPO

09.DC.11 MINUTES

RESOLVED – That the minutes of the meeting of the Development Control Committee meeting held on 13 January 2009 be confirmed as a correct record for signing by the Chair.

09.DC.12 PLANNING APPLICATIONS AWAITING DECISION

The Corporate Director (Business) submitted reports on eight applications for planning permission to be determined by the Committee.

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

(a) 08/01181/FUL - The Oaks, Bluestone Lane, Mawdesley

(Councillor Keith Iddon declared a prejudicial interest and left the meeting)

(The Committee received representation from the ward representative, Councillor Kevin Joyce)

Application no:	08/01181/FUL
Proposal:	Demolition of existing outbuildings and extension of existing stable building to create Indoor Riding Arena
Location:	The Oaks, Bluestone Lane, Mawdesley, Ormskirk
Decision:	

It was proposed by Councillor Harold Heaton, seconded by Councillor Simon Moulton, and was subsequently **RESOLVED** to grant full planning permission subject to the following conditions:

1. Where use of the building for the authorised purpose ceases for a period exceeding 6 months within 10 years of its substantial completion it shall be removed from the land and the land shall be restored to its former condition.

Reason: To avoid the proliferation of buildings in the Green Belt for which there is not a continuing need and in accordance with Policy DC1 and EP8 of the Adopted Chorley Borough Local Plan Review.

2. The permission hereby granted is for the use of the building for the private keeping and riding of horses and ponies only. The building shall not be used for any trade or business purposes in connection with the training or schooling of horse and pony riders or for the holding of any events, competitions, trials, horse/pony club meetings or gymkhanas.

Reason: To define the permission and in the interests of the visual amenities and character of the area and in accordance with Policy No. EP8 of the Adopted Chorley Borough Local Plan Review.

3. The development hereby permitted shall not commence until a sample/details of the colour of the plastisol coated profile metal sheeting roof (notwithstanding any details shown on previously submitted plan(s) and specification) has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing colour.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. EP8 of the Adopted Chorley Borough Local Plan Review.

4. The permission hereby granted shall only be for the benefit of The Oaks, Bluestone Lane, Mawdesley, Ormskirk, L40 2RJ and shall not be separated from it either in ownership or use. The use of the building shall principally be limited to the owner of the aforementioned property unless otherwise agreed to in writing by the Local Planning Authority.

Reason: The permission was granted having regard to the special circumstances advanced in support of the application, however the use would be inappropriate to the area unless only carried on by the applicant in the manner specified on the application and in accordance with Policy Nos. EP8 and DC1 of the Adopted Chorley Borough Local Plan Review.

5. The external facing materials detailed on the approved plan(s)/Design and Access Statement 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. EP8 of the Adopted Chorley Borough Local Plan Review.

6. 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.

(b) 08/01107/FUL - 71, Station Road, Croston

(Councillors Keith Iddon and Simon Moulton declared a prejudicial interest and left the meeting)

(The Committee received representation from an objector to the proposals)

Application no: 08/01107/FUL
Proposal: Erection of two detached dwellings
Location: 71, Station Road, Croston, Leyland
Decision:

It was proposed by Councillor Harold Heaton, seconded by Councillor Adrian Lowe, and was subsequently **RESOLVED to grant planning permission subject to a Legal Agreement and the following conditions:**

1. 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.

2. 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.

3. 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.

4. The development hereby permitted shall only be carried out using the ground surfacing materials specified in the approved plans and no others used without the prior written consent of the local planning authority.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area, to prevent an undue increase in surface water run off and in accordance with Policy Nos. GN5, HS4 and EP18 of the Adopted Chorley Borough Local Plan Review.

5. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (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 and HS4 of the Adopted Chorley Borough Local Plan Review.

6. Notwithstanding the details shown on the approved plans the development hereby permitted shall not be commenced until the colour finish of the windows, doors, fascias and soffits has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted 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 and HS4 of the Adopted Chorley Borough Local Plan.

7. Due to the sensitive end-use, the development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. The report should include an initial desk study, site walkover and risk assessment and if the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

Reason: In the interests of safety and in accordance with the guidance in PPS23.

8. 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 and HT9 of the Adopted Chorley Borough Local Plan Review.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, (Schedule 2, Part 1, Classes A(h) and Class E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwelling hereby permitted on plot two .

Reason: In order to prevent the construction of any extensions or outbuildings that would cause harm or damage to the adjacent protected tree (TPO7(Croston) 2008) and to protect the appearance of the locality and in accordance with Policy Nos. GN4 and EP9 of the Adopted Chorley Borough Local Plan Review.

10. No dwelling hereby permitted shall be constructed until a means of vehicular access has been constructed in accordance with the approved plans.

Reason: In the interests of highway safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.

(c) 08/01134/FUL - 704, Preston Road, Clayton-Le-Woods

(The Committee received representations from the applicant's agent in support of the proposals)

Application no: 08/01134/FUL
Proposal: Erection of 2 no. two storey houses, 2 no. bungalows and a new means of access.
Location: Lilac Mount, 704, Preston Road, Clayton-Le-Woods, Chorley
Decision:

It was proposed by Councillor Terry Brown, seconded by Councillor David Dickinson, and was subsequently **RESOLVED to grant planning permission subject to a Legal Agreement and the following conditions:**

1. 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.

2. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings (notwithstanding any details shown on the 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 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 and HS4 of the Adopted Chorley Borough Local Plan Review.

3. 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.

4. No dwelling hereby permitted shall be occupied until that part of the service road which provides access to it from the public highway has been constructed in accordance with the approved plans.

Reason: In the interests of highway safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.

5. 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.

6. 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.

7. The development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. The report should include an initial desk study, site walkover and risk assessment and if the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with the Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

Reason: In the interests of safety and in accordance with the guidance set out in PPS23 – Planning and Pollution Control 2004.

8. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

9. Before development on the site commences a scheme of low level lighting for the access driveway shall be submitted to and approved in writing by the Local Planning Authority, implemented before first occupation of the dwellings and maintained thereafter.

Reason: In the interests of the amenity of occupiers of neighbouring property and in accordance with Policy No. HS9 of the Adopted Chorley Borough Local Plan Review.

(d) 08/01166/OUT - Land 50m North East of Four Leaves, Clover Road, Chorley

Application no: 08/01166/OUT
Proposals: Erection of two detached houses
Location: Land 50m North East of Four Leaves, Clover Road, Chorley
Decision:

It was proposed by Councillor Terry Brown, seconded by Councillor Adrian Lowe, and was subsequently **RESOLVED to grant outline planning permission subject to a Legal Agreement and the following conditions:**

1. 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.

2. The development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. The report should include an initial desk study, site walkover and risk assessment and if the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with the Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

Reason: In the interests of safety and in accordance with the guidance set out in PPS23 – Planning and Pollution Control 2004.

3. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings (notwithstanding any details shown on the 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 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 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. Before the development hereby permitted is first commenced, full details of the measures to be incorporated into the development to prevent the ingress of landfill gas shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall only be constructed in accordance with the approved scheme of landfill gas ingress prevention measures.

Reason: To protect occupiers from the ingress of landfill gas and in accordance with the guidance in PPS23

(e) **08/01170/OUTMAJ - Site of former Social and Athletic Club, Duke Street, Chorley**

Application no: 08/01170/OUTMAJ
Proposal: Outline application for the erection of 71 dwellings including access and scale.

Location: Site of former Social and Athletic Club, Duke Street, Chorley

Decision:

It was proposed by Councillor Adrian Lowe, seconded by Councillor Julia Berry to defer the decision of the application for officers to satisfy Members concerns regarding the Council's compliance with LT14 and the allocation of the Section 106 money.

An amendment to the motion was proposed by Councillor Alan Cain, seconded by Councillor Harold Heaton, to grant permission of the application and for the specifics of the Legal Agreement to be debated in the correct forum, upon being put to the vote the motion was lost (6:8).

The original motion was then put to the vote and it was subsequently **RESOLVED (10:3) to defer the decision of the planning application to the next meeting of the Development Control Committee.**

(f) **08/01147/OUTMAJ - Quarry Road Industrial Estate, Quarry Road, Chorley**

Application no: 08/01147/OUTMAJ
Proposal: Residential development for 76 no. 2, 2.5, 3 and 4 storey mixed dwelling types with associated works.

Location: Quarry Road Industrial Estate, Quarry Road, Chorley

Decision:

It was proposed by Councillor Adrian Lowe, seconded by Councillor Harold Heaton and was subsequently **RESOLVED to grant outline planning permission subject to a Legal Agreement and the following conditions:**

1. 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.

2. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings (notwithstanding any details shown on the 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 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 and HS4 of the Adopted Chorley Borough Local Plan Review.

3. 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.

4. 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.

5. No development shall take place until a survey has been carried out by a competent person of the existing buildings on the site for the presence of bats. The results of the survey shall be made available to the Local Planning Authority and any recommendations for compensation measures should a bat roost be found agreed in writing by the Local Planning Authority before development commences. The necessary works shall be carried out before building work on site commences.

Reason: to secure the preservation of protected species in accordance with Policy EP3 of the Adopted Chorley Borough Local Plan Review.

6. 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.

7. Each application for approval of Reserved Matters shall be accompanied by full details of the predicted energy use of the development expressed in terms of carbon emissions. If no data specific to the application is available benchmark data will be acceptable. A schedule should include how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. It will be flexible enough to show the on-site measures to be installed and implemented so as to reduce carbon emissions by the figure set out in policy SR1 of the Sustainable Resources DPD at the time of commencement of each individual plot by means of low carbon sources. Details shall be submitted for on-site measures to be implemented including rainwater/brown water recycling, the implementation of sustainable urban drainage systems and the provision of storage space for recyclable waste materials and composting. No development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD.

9. The applications for approval of Reserved Matters shall demonstrate and provide full details of how the design and layout of the buildings will withstand climate change. The scheme shall include details of the Code for Sustainable Homes Level, how the proposals minimise energy use and maximise energy efficiency. All dwellings commenced after 2010 will be required to meet Level 3, all dwellings commenced after 2013 will be required to meet Level 4 and all dwellings commenced after 2016 will be required to meet Level 6 of the Codes

for Sustainable Homes. No development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD.

10. 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 types, nature and extent of contamination present to the site, risks to receptors and potential for migration within 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 the guidance in PPS23 – Planning and Pollution

(g) 08/01197/FUL - Goldrush Amusements Ltd, 81 - 83, Market Street, Chorley

Application no: 08/01197/FUL

Proposal: Change of use and conversion to two 2 Bed and 1 Bed apartments.

Location: Goldrush Amusements Ltd, 81 – 83, Market Street, Chorley

Decision:

It was proposed by Councillor Terry Brown, seconded by Councillor Adrian Lowe and was subsequently **RESOLVED to grant planning permission subject to a Legal Agreement and the following conditions:**

1. Before the development hereby permitted is first occupied, provision for cycle parking provision, in accordance with details to be first agreed in writing with the Local Planning Authority, shall have been made.

Reason : To ensure adequate on site provision for cycle parking and in accordance with Policy No. TR18 of the Adopted Chorley Borough Local Plan Review.

2. 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.

(h) 08/01246/TPO - 18, Casterton, Euxton, Chorley

Application no: 08/01246/TPO
Proposal: Pruning of overhanging trees in garden of 18 Casterton,
Euxton covered by TPO 1 (Euxton) 1971
Location: 18, Casterton, Euxton, Chorley

Decision:

It was proposed by Councillor David Dickinson, seconded by Councillor Simon Moulton and was subsequently **RESOLVED to grant consent for the tree works subject to the following condition:**

The tree works for which consent is hereby granted are only specified in the following. The trees are referenced as in the application:

Tree No. 1 – Remove two overhanging limbs from sycamore;

Tree No. 2 – Lift crown of sycamore tree to approximately 3.5m;

Tree No. 3 – Lift crown of beech tree to 3.5m;

Tree No. 4 – Remove ends of the oak tree branches and cut back 3m, and Area

No. 5 – Remove self-seeded trees on southern boundary of TPO area from pumping station to eastern boundary of 18 Casterton.

Reason: To define the consent, to safeguard the appearance and health of the trees in accordance with Policy Nos.EP9 and HT9 of the Adopted Chorley Borough Local Plan Review.

09.DC.13 ENFORCEMENT REPORT - 18 TANYARD CLOSE, COPPULL, CHORLEY

The Corporate Director (Business) submitted a report for Members to consider whether it be expedient to take enforcement action in respect of the erection of a rear balcony at 18, Tanyard Close, Coppull, Chorley.

RESOLVED – That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control:

Without planning permission the erection of a balcony to the rear of 18 Tanyard Close, Coppull, Chorley PR7 5BT.

Remedy for Breach:

Remove the raised balcony, steps and supporting superstructure from the rear elevation of 18 Tanyard Close, Coppull, Chorley, PR7 5BT.

Period for Compliance:

Three Months

Reason:

- (i) The proposed balcony, due to the erect 1.8m high privacy screens, will result in loss of light, create an overbearing impact and create a proposal that is visually intrusive and does not compliment the character and appearance of the original dwelling house. As such the proposal is contrary to Policies GN5 and HS9 of the Adopted Chorley Borough Local Plan Review and the House Extension Design Guidelines.**
- (ii) The proposed balcony would result in an unacceptable loss of privacy to the occupiers of number 17 & 19 Tanyard Close. As such the proposal is considered to be contrary to policies GN5 and HS9 and the Householder Design Guidelines.**

09.DC.14 PLANNING APPEALS AND DECISIONS - NOTIFICATION

The Corporate Director (Business) submitted a report giving notification of two planning appeals that had been dismissed against the refusal of planning permission by the Planning Inspectorate.

RESOLVED – That the report be noted.

09.DC.15 DELEGATED DECISIONS DETERMINED BY THE CORPORATE DIRECTOR (BUSINESS), THE CHAIR AND VICE CHAIR OF THE COMMITTEE

The Committee received for information, tables listing four applications for Category 'B' development proposals which had, or were intended to be, determined by the Corporate Director (Business) under the adopted scheme of delegations, following consultation by the Chair and Vice-Chair of the Committee at meetings held on 13 January and 21 January 2009.

RESOLVED – That the table be noted.

09.DC.16 DELEGATED DECISIONS REPORT

The Committee received for information, a schedule listing the remainder of the planning applications that had been determined by the Corporate Director (Business) under the delegated powers between 19 December 2008 and 21 January 2009.

RESOLVED – That the schedule be noted.

Chair