

Development Control Committee

Tuesday, 26 May 2009

Present: Councillor Harold Heaton (Chair), Councillor Geoffrey Russell (Vice-Chair), Councillors Ken Ball, Julia Berry, Alistair Bradley, Mike Devaney, David Dickinson, Dennis Edgerley, Keith Iddon, Adrian Lowe, June Molyneaux, Simon Moulton, Mick Muncaster and Ralph Snape

Officers: Jane Meek (Corporate Director (Business)), Chris Moister (Legal Services Manager), Paul Whittingham (Development Control Manager), Dianne Scambler (Democratic and Member Services Officer) and Andy Wiggett (Principal Planning Officer)

Also in attendance: Councillors Debra Platt

09.DC.40 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Judith Boothman, Henry Counce and Roy Lees.

09.DC.41 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 relation to the planning application listed below.

Councillor Harold Heaton – 09/00177/COU

Councillor Geoff Russell – 09/00177/COU

09.DC.42 MINUTES

RESOLVED – That the minutes of the Development Control Committee meeting held on 22 April 2009 be held as a correct record for signing by the Chair.

09.DC.43 APPOINTMENT OF CHAIR FOR PLANNING APPLICATION 09/00177/COU

It was proposed by Councillor Harold Heaton, seconded by Councillor Geoff Russell and was subsequently **RESOLVED to appoint Councillor Michael Devaney as Chair for planning application 09/00177/COU as both the Chair and Vice Chair of the Development Control Committee had declared a prejudicial interest (09.DC.42) for this item.**

09.DC.44 PLANNING APPLICATIONS AWAITING DECISION

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

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

(a) 09/00177/COU - Park View, Runshaw Lane, Euxton, Chorley

(Councillors Harold Heaton and Geoff Russell declared a prejudicial interest and left the meeting for the duration of this item)

(The Committee received representations from a supporter of the application and the applicant)

(The ward representative Councillor Debra Plat also spoke in support of the application)

Application no: 09/00177/COU
Proposal: Retrospective application for the change of use of land used as residential cartilage and an additional area of agricultural land to a mixed use of the land for residential cartilage, agricultural land and the storage of 20 touring caravans.

Location: Park View, Runshaw Lane, Euxton, Chorley

Decision:

It was proposed by Councillor Ken Ball, seconded by Councillor Ralph Snape, and was subsequently **RESOLVED (7:5) with Councillors Ken Ball, Julia Berry, David Dickinson, Keith Iddon, June Molyneaux, Mick Muncaster and Ralph Snape voting for the proposal and Councillors Alistair Bradley, Mike Devaney, Dennis Edgerley, Adrian Lowe and Simon Moulton voting against to grant conditional planning permission subject to compliance with the Town and Country Planning (Consultation) (England) Direction 2009 and identification on conditions to be delegated to the Corporate Director (Business) in consultation with the Chair for planning application 09/00177/COU.**

(b) 09/00137/FUL - 174 Preston Road, Whittle-Le-Woods, Chorley

(The Committee received representations from an objector to the proposals and the applicant's agent)

Application no: 09/00137/FUL
Proposal: Split level extensions (two-storey and basement) to rear of existing restaurant, a single storey extension including link to rear of dining room, both to provide staff accommodation, to include taking down and rebuilding of the wall to Shaw Brow.

Location: 174, Preston Road, Whittle-Le-Woods, Chorley

Decision:

It was proposed by Councillor Ken Ball, seconded by Councillor Mick Muncaster and subsequently **RESOLVED (9:2) to grant planning permission subject to 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. 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, protect the amenities of neighbouring properties and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

3. 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 plan(s)) 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 Nos. GN5 and EM2 of the Adopted Chorley Borough Local Plan Review.

4. The stone wall to the boundary of Shaw Brow shall not be commenced until a sample panel of the wall has been viewed on site and approved in writing by the Local Planning Authority. This shall include a sample of any new natural stone to be used and show the coursing and jointing to be used in the construction of the wall. The construction of the wall shall only be carried out using the approved external facing materials and method of construction and shall take place prior to first occupation of the building/extension(s) hereby approved.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

5. Before any works to implement this permission are commenced full details of the fume extraction and filtration system to be installed at the premises (notwithstanding any such details previously submitted) shall have been submitted to and approved in writing by the Local Planning Authority. The system shall be installed in accordance with the approved details prior to the commencement of the use of the premises hereby permitted and retained in operation at all times thereafter.

Reason: To safeguard the amenities of local residents and in accordance with Policy No. EP21 of the Adopted Chorley Borough Local Plan Review.

6. The integral/attached garage shall be kept freely available for the parking of cars and shall not be converted to living accommodation, 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 in accordance with Policy No.HS9 of the Adopted Chorley Borough Local Plan Review and the adopted Supplementary Planning Guidance Householder Design Guidelines..

7. 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. In addition, it shall specifically give full details of the new hedge to be planted against the boundary with Shaw Brow as shown on Drawing No TR/PL/08/004 including the species, number and distribution of whips to be planted to form the hedge.

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.

8. 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.

9. The roof lights in the bedroom in the south elevation of the owners accommodation shall be positioned a minimum of 2.3m above the mezzanine floor level as shown on Drawing No. TR/PL/08/003A.

Reason: To protect the amenities of the neighbouring property and in accordance with policy HS9 of the Adopted Chorley Borough Local Plan Review.

10. Notwithstanding the provisions of the Town and Country Planning (general Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without modification), no windows or rooflights other than those expressly authorised by this permission, or as subsequently agreed in writing by the Local Planning Authority, shall be inserted at any time in the building/extensions hereby permitted.

Reason: To protect the amenities and privacy of the adjoining properties and in accordance with Policy HS9 of the Adopted Chorley Borough Local Plan Review.

11. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) (drawing no. TR/PIL08/002A) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

Reason: To protect the appearance of the locality and 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.

12. The staff accommodation in the single storey extension hereby permitted shown on drawing no. TR/PL/08/002A and the owners accommodation in the building/extension hereby permitted (the part linked to the main building as shown on drawing no. TR/PL/08/002A) shall remain as staff/owners domestic accommodation only and shall not be incorporated into the restaurant and/or hotel.

Reason: To ensure control is maintained over the future expansion of the restaurant/hotel and to ensure sufficient parking is provided for the use and maintain the amenity of the surrounding properties in accordance with Policies TR4 and HS9 of the Adopted Chorley Borough Local Plan Review.

13. The owners accommodation in the building/extension hereby permitted (the part linked to the main building as shown on drawing no. TR/PL/08/002A) shall remain as staff/owners domestic accommodation linked to the restaurant/hotel and shall not be used as a separate dwelling.

Reason: To ensure a reasonable standard of living for future occupiers of the accommodation in line with policy HS9 of the Adopted Chorley Borough Local Plan Review.

14. Before the building/extension hereby permitted is first occupied, or before the new function room is first used, whichever is the sooner, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. 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. TR4 of the Adopted Chorley Borough Local Plan Review.

15. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building/extension(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. This shall include full details of the type, coursing and jointing of the natural stone to be used in the construction of the external faces of the building(s). The development shall only be carried out using the approved external facing materials in conformity with the approved details.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

16. Before development commences, details of the treatment of the proposed external windows and doors in the extension hereby permitted shall have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the materials to be used and their external finish including any reveal (recess), surrounds, cills or lintels.

Reason: In the interest of character and appearance of the building and in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.

(c) **09/00180/FULMAJ - Land 100m East of 3 Crompton Walk, Buckshaw Avenue, Buckshaw Village, Lancashire**

Application no: 09/00180/FULMAJ
Proposal: Erection of primary school with associated playing fields, 2.4 metre high boundary fence and car park at Buckshaw Village
Location: Land 100m East of 3 Crompton Walk, Buckshaw Avenue, Buckshaw Village, Lancashire

Decision:
It was proposed by Councillor David Dickinson, seconded by Councillor Simon Moulton, and was subsequently **RESOLVED to grant planning permission subject to 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. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, 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 and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.

3. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected on the site (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. In particular the details shall include the full specification of the 2.4 metre high site boundary fence. 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 Nos. GN5 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. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed building (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 of the Adopted Chorley Borough Local Plan Review.

7. 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 of the Adopted Chorley Borough Local Plan Review.

8. Prior to the commencement of the development full details of the renewable and low carbon technology to be incorporated into the building shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall incorporate the approved details, 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. No development shall take place until details of the proposed surface water drainage arrangements for the playing pitches/ fields 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 of the Adopted Chorley Borough Local Plan Review.

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 of the Adopted Chorley Borough Local Plan Review.

09.DC.45 PLANNING APPEALS NOTIFICATION REPORT

The Corporate Director (Business) submitted a report giving notification of eight appeals that had been granted by the County Planning Inspectorate.

RESOLVED – That the report be noted.

09.DC.46 PLANNING APPLICATIONS DETERMINED BY THE CORPORATE DIRECTOR (BUSINESS) IN CONSULTATION WITH THE CHAIR AND VICE CHAIR OF THE COMMITTEE

The Committee received for information, tables listing thirteen applications for Category 'B' development proposals which had been determined by the Corporate Director (Business), the Chair and Vice Chair of the Committee at meetings held on 22 April and 13 May 2009.

RESOLVED – That the tables be noted.

09.DC.47 DELEGATED DECISIONS DETERMINED BY THE CORPORATE DIRECTOR (BUSINESS)

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 9 April and 13 May 2009.

RESOLVED – That the schedule be noted.

Chair