

Development Control Committee

Tuesday, 28 June 2005

Present: Councillor A Lowe (Chair), Councillor Parr (Vice-Chair), Councillors Ball, Bedford, Birchall, Brown, Brownlee, Culshaw, Davies, D Dickinson, Edgerley, D Gee, T Gray, Heaton, Miss Iddon, R Lees, Livesey, Malpas, Miss Molyneaux, Russell, S Smith, Snow and Whittaker

Also in attendance: Councillors Goldsworthy and Perks

05.DC.41 WELCOME TO OFFICERS

The Chair welcomed Mrs J Meek, currently Head of Economic Regeneration, who would be attending future meetings of the Development Control Committee following her recent promotion to the post of Head of Development and Regeneration with effect from October 2005.

The Chair also introduced Ms D Roberts, the newly appointed Trainee Democratic Services Officer, who was attending her first meeting of the Committee.

05.DC.42 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Counce, Morgan and Mrs J Snape.

05.DC.43 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 respective interest in relation to the Planning Applications indicated below, which were included on the meeting's agenda for determination:

Councillors D Gee, T Gray, Russell and Whittaker - Item 6, A.1:Planning Application 05/00319/LCC.

Councillor Brown - Item 6, B.3:Planning Application 05/00442/FUL.

A number of Members expressed their concerns at the constraints imposed on them by the Local Code of Conduct in Planning Matters, which the Councillors felt was restricting too rigidly their role as Ward Councillors. The Deputy Director of Legal Services reminded the Committee of the provisions of the Local Code of Conduct, with which all Councillors had agreed to comply, and which clarified the roles and responsibilities of Members on planning issues. At the conclusion of the debate, the Chair recommended that the issues and concerns aired by the Committee Members, in addition to a review of the current membership of the Development Control Committee, be raised and discussed at a future meeting of the Standards Committee.

05.DC.44 MINUTES

RESOLVED - That the minutes of the meeting of the Development Control Committee held on 24 May 2005 be confirmed as a correct record and signed by the Chair.

05.DC.45 PLANNING POLICY STATEMENT 6 (PPS6): PLANNING FOR TOWN CENTRES

The Head of Planning Services presented a report on the provisions of the new Planning Policy Statement 6 (PPS.6) entitled 'Planning for Town Centres'.

The new PPS.6 did not place greater emphasis on retail use in comparison with any other town centre uses. It supported the concept that city, town and smaller centres should be the preferred location for retail, leisure, arts, culture and tourism activities at an appropriate scale. A positive plan led approach was advocated along with the promotion of high quality design schemes and the most efficient use of land.

The report pointed out that Consultants had been appointed to undertake a health check of Chorley town centre and to prepare a Town Centre, Retail and Leisure Study and Action Plan, which would accordingly inform the Local Development Framework and town centre work. Subsequently, preferred options for the town centre would be identified for consultation purposes, together with proposed wider policies for retail and leisure. Ultimately a Development Plan Document would be produced for independent examination by the Secretary of State.

RESOLVED - That the report be noted.

05.DC.46 PLANNING APPLICATIONS AND DECISIONS - NOTIFICATION

The Committee received a report of the Head of Planning Services giving notification of the lodging of appeals against the refusal of planning permission for two developments; one appeal that had been withdrawn; one planning appeal that had been dismissed and one appeal that had been allowed by the Planning Inspectorate' and three instances where planning permission had been granted by the Lancashire County Council.

RESOLVED - That the report be noted.

05.DC.47 PLANNING APPLICATION 05/00319/LCC

(Councillors D Gee, T Gray, Russell and Whittaker declared an interest in the following application and each Member left the meeting during the discussion and voting on the proposal).

The Committee's observations had been sought by the Lancashire County Council on the above application for planning permission for the extraction and processing for sale of approximately 4.32 million tonnes of high grade sand from a total area of 68 hectares on land west of the M6 motorway between Dawbers Lane and Runshaw Lane, and north of Runshaw Lane, Euxton, including the construction of a new access road, processing plant with associated stock piling areas, weighbridge and office building, with progressive restoration to agriculture and conservation area.

The application would, ultimately, be determined by the County Council.

It was moved by the Chair (Councillor A Lowe), seconded by the Vice-Chairman (Councillor Parr), and subsequently **RESOLVED (19:0):**

(1) That the Borough Council raises an objection to Planning Application 05/00319/LCC on the following grounds:

- 1. There is insufficient evidence that there are not environmentally less sensitive locations available to supply high grade sand to the local area.**
- 2. The increased HGV traffic on local roads will adversely affect**
 - 1) The amenity of the local community; and**

- 2) Other users of local roads.
3. The applicants have not provided sufficient details to prove that the proposal will comply with the emerging EU limits for air quality objectives for PM₁₀'s which will cover the extraction period. The intended limit value has been ignored in the applicants report.
4. The proposal will be detrimental to the amenities of local residents and to the users of the attractive countryside with contains the application site.

(2) That, in the event of the Lancashire County Council being minded to grant planning permission for the proposal, the County Council be requested to allow the Borough Council the opportunity to voice its objections before the application is determined.

05.DC.48 PLANNING APPLICATIONS AWAITING DECISION

The Head of Planning Services 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 as recorded below:

Application No: 05/00344/FULMAJ
Proposal: Development of 164 residential dwellings, including landscaping, access off Froom Street, and highway improvements to Froom Street/Eaves Lane.
Location: Talbot Mill, Froom Street, Chorley

Decision

It was moved by Councillor Brown, seconded by the Vice-Chairman (Councillor Parr), and subsequently **RESOLVED (21:0)** that permission be refused for the following reasons:

1. The proposal would contribute to an oversupply of housing in the Borough contrary to the provisions of Policy 12 of the Adopted Joint Lancashire Structure Plan.
2. The proposal is contrary to Policy HS5 of the Adopted Chorley Borough Local Plan Review in that it does not make adequate provision for affordable housing.
3. There is still potential for protected species to be affected by the proposed development and insufficient information to confirm the potential impacts or any mitigation needed. The landscaping proposals do not confirm that targets specified in UK and Lancashire Biodiversity Action Plans will be complied with. The development is therefore contrary to Policies EP4 and EP10 of the Adopted Chorley Borough Local Plan Review and Policy ER5 of the North West Regional Planning Guidance/Regional Spatial Strategy.

Application No: 05/00335/FUL
Proposal: Proposed horse breeding facilities, livery stables, ancillary accommodation and alterations to access.
Location: Land adjacent to Heapey Road, Heys Farm, Chapel Lane, Heapey.

Decision:

It was moved by Councillor Heaton, seconded by the Vice-Chairman (Councillor Parr), and subsequently **RESOLVED (21:0)** that permission be granted, subject to the following conditions:

1. - Landscaping Scheme
2. - Landscaping Implementation
3. 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 No. GN5 of the Adopted Chorley Borough Local Plan Review.

4. No external lighting or floodlighting shall be erected or installed without express planning permission first being obtained from the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and to ensure compliance with policy GN5 of the Local Plan.

5. Plans and particulars showing a scheme of foul sewers and surface water drains, shall be submitted to, and approved in writing by, the Local Planning Authority, and development shall not be commenced before these details have been approved, unless otherwise agreed in writing. Such works shall be carried out in accordance with the approved details concurrently with the rest of the development and in any event shall be finished before the building is occupied.

Reason: In order that the Council may be satisfied with the details of the proposal and to avoid flooding or pollution of adjacent watercourse in accordance with policy EP18 of the Local Plan.

6. Plans and particulars showing the alignment height and materials of all walls and fences and other means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority, and development shall not be commenced before these details have been approved. Such details as may be agreed shall be implemented in their entirety prior to the first occupation of the building to which these elements relate, maintained for a period of five years and any structural or decorative defect appearing during this period shall be rectified and the enclosure shall thereafter be retained.

Reason: In order that the Council may be satisfied with the enclosure details of the proposals and its implementation and retention in accordance with policy GN5 of the Local Plan.

7. Prior to commencement of the development a scheme for the protection and mitigation of Great Crested Newts shall be submitted to and agreed in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with those details unless subsequently agreed in writing by the Local Planning Authority.

Reason: In order to ensure adequate on mitigation for the protected species in accordance with policy EP4 of the Local Plan.

8. The existing access shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads concurrent with the formation of the new access.

Reason: To limit the number of access points to, and to maintain the proper construction of the highway.

9. Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned 5m behind the nearside edge of the carriageway and visibility splay fences or walls shall be erected from the gateposts to the existing highway boundary, such splays shall be 45° to the centre line of the access. The gates shall open away from the highway. Should the access remain ungated 45° splays shall be provided between the highway boundary and points on either side of the drive measured 5m back from the nearside edge of the carriageway.

Reason: To permit vehicles to pull clear of the carriageway when entering the site and to assist visibility.

10. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 10m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

11. - Environment Agency Condition 12.

12. - Environment Agency Condition 55.

Application No: 05/00431/COU
Proposal: Change of use of disused telephone exchange to two consulting rooms, ambulant disabled toilet and small reception and first floor storage annexed to existing doctors surgery and addition of side extension.
Location: Granville House Medical Centre, Granville Street, Adlington.

Decision:

It was moved by Councillor Davies, seconded by Councillor Miss Molyneaux, and subsequently **RESOLVED (22:0)** that permission be granted, subject to the following conditions:

1. All windows in the south east facing elevation of the existing building and the extension to it shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter and no additional windows shall be inserted in any other elevation nor shall any roof lights be inserted in any of the roof planes.

Reason: In the interests of the privacy of occupiers of neighbouring property and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

2. Before the use of the two consulting rooms hereby permitted is first commenced, the additional car parking spaces shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car parking spaces shall not thereafter be used for any purpose other than the parking 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.

3. Before the use of the two consulting rooms hereby permitted is brought into use, the provision to park four cycles at the front of the medical centre, in accordance with the approved plans, shall have been made.

Reason: To ensure adequate on site provision for cycle parking and in accordance with Policy No TR16 of the Adopted Chorley Borough Local Plan Review.

4. The approved plans are:

Plan Ref:	Received On:	Title:
sk/0/3A	22 June 2005	Proposed elevations and floor plans
sk/00/3	25 April 2005	Location Plan
sk/00/1	25 April 2005	Proposed car and cycle parking plan
sk/0/2	25 April 2005	Existing elevations and floor plan
sk/00/4	25 April 2005	Section as existing
sk/0/1	24 April 2005	Ground floor plan as proposed

Reason: To define the permission and in the interests of the proper development of the site.

(Councillor Brown declared an interest in the following application and left the meeting during the discussion and voting on the proposal).

Application No: 05/00442/FUL
Proposal: Formation of fenced and floodlit synthetic turn pitch with goal recesses and mowing strip.
Location: Holy Cross R C High School, Burgh Lane, Chorley
Decision:

Councillor Livesey proposed a motion to amend Condition 3 to restrict the use of the synthetic pitch to the hours between 8.00am and 8.00pm on all days. The motion was not seconded.

It was further moved by Councillor Whittaker, seconded by the Vice-Chairman (Councillor Parr), and subsequently **RESOLVED (22:0)** that permission be granted, subject to the following conditions:

1. The approved plans are:

Plan Ref:	Received On:	Title:
HCS.01	12 May 2005	Location Plan
HCS.02	12 May 2005	Levels Plan
-----	03 May 2005	Proposed Pitch Layout
UKS2178	03 May 2005	Lux Levels Plan
HCS 05	03 May 2005	Fence Elevation

Reason: To define the permission and in the interests of the proper development of the site.

2. Before the development hereby permitted is first commenced, full details of the floodlighting (notwithstanding any such detail shown on the previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include the height of the lighting columns, their position around the pitch, the angle of tilt of the lanterns, baffles and lux levels.

Reason: To ensure a visually satisfactory form of development, in the interests of highway safety, to protect the amenities of occupiers of nearby properties and in accordance with Policy No. EP21A of the Adopted Chorley Borough Local Plan Review.

3. The use of the synthetic pitch hereby permitted shall be restricted to the hours between 8:00am and 10:00pm during the week and between 8:00am and 8:00pm at the weekend and the floodlighting shall not be turned on between the hours of 10:00pm and 8:00am during the week and 8:00pm and 8:00am at the weekend.

Reason: To safeguard the amenities of local residents and in accordance with Policy Nos. EP21A and LT16 of the Adopted Chorley Borough Local Plan Review.

Application No: 05/00472/FUL
Proposal: Alterations of first floor premises to provide six new flats, erection of ground floor rear extension with first floor balconies, formation of railings to rear and creation of three residents parking spaces.

Location: 299 - 305 Eaves Lane, Chorley

Decision:
It was moved by Councillor Edgerley, and seconded by the Chair (Councillor A Lowe), that permission be refused.

An amendment was moved by the Vice-Chairman (Councillor Parr), seconded by Councillor Miss Molyneaux, and subsequently **RESOLVED (13:6)** that further consideration of the application be deferred to await the recommendations of the Site Inspection Sub-Committee, following its inspection of the site.

Application No: 05/00506/FUL
Proposal: Erection of builders storage building, to replace existing builders lock-up store.

Location: Builders lock-up, former Telephone Relay Station, Preston Road, Coppull.

Decision:
It was moved by Councillor Heaton, seconded by Councillor Ball, and subsequently **RESOLVED (20:0)** that the permission be granted, subject to the following conditions:

1. 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 EM5 of the Adopted Chorley Borough Local Plan Review.

2. No materials or equipment shall be stored or parked on the site other than inside the building.

Reason: In the interests of the amenity of the area and in accordance with Policy No. EM2 of the Adopted Chorley Borough Local Plan Review.

05.DC.49 PLANNING APPLICATION 04/1405 ERECTION OF REPLACEMENT DWELLING AT SALT PIT FARM, MAWDESLEY

The Head of Planning Services presented a report which explained the relevant policy issues and pertinent factors that had been assessed, together with the reasons for the permission granted to Planning Application 04/1405 by the Officer under his delegated powers. The proposal had involved the demolition of an existing dwelling and two storage buildings at Salt Pit Farm, Salt Pit Lane, Mawdesley and the erection of a new larger dwelling on the site of the storage buildings.

A number of Members expressed concern at the scale of the development, which they contended did not accord with accepted policies.

The Head of Planning Services apologised for the manner in which the application had been processed without Member consultation. The Committee were assured, however, that procedures and practices had since been put in place which should ensure Member input into any future contentious or sensitive development proposals.

RESOLVED - That the reports be noted.

05.DC.50 PLANNING APPLICATIONS DETERMINED BY THE HEAD OF PLANNING SERVICES UNDER DELEGATED POWERS ON SELECTED CASES FOLLOWING CONSULTATION WITH THE CHAIR AND VICE-CHAIR OF THE COMMITTEE

The Committee received, for information, reports by the Head of Planning Services on the following former 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-Chairman of the Committee.

Application No:	05/00770/FUL
Proposal:	Redevelopment of existing forecourt, including replacement of petrol storage tanks, four pumps and extended canopy, re-sited jet wash with glass screens, alterations to existing sales/workshop building to create larger shop, office and store.
Location:	Jubilee Service Station, 65 Preston Road, Whittle-le-Woods.
Decision:	Conditional Permission.

Application No:	05/00443/REM
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Proposal: Reserved Matters application for a detached house and garage.
Location: Land to the rear of 209 - 213 Preston Road, Whittle-le-Woods.
Decision: Conditional Approval.

Application No: 05/00444/ADV
Proposal: Erection of an internally illuminated free standing pole sign.
Location: M6 Motorway Service Area, Northbound, Mill Lane, Charnock Richard.
Decision: Conditional permission.

Application No: 05/00445/ADV
Proposal: Erection of an internally illuminated free standing pole sign.
Location: M6 Motorway Service Area, Southbound, Mill Lane, Charnock Richard.
Decision: Conditional Permission.

Application No: 05/00461/TPO
Proposal: Works to three trees covered by TPO No. 10 (Chorley) 1998.
Location: 14 Rosewood Close, Chorley.
Decision: **Conditional Consent.**

Application No: 05/00490/TEL
Proposal: Prior notification of siting of telecommunications equipment consisting of 10 metre replica telegraph pole, two antennas and two radio equipment housings.
Location: Brettlers Farm, off Chorley Road, Heath Charnock.
Decision: Prior approval not required – Telecom

RESOLVED - That the report be noted.

05.DC.51 PLANNING APPLICATIONS DETERMINED BY THE HEAD OF PLANNING SERVICES UNDER DELEGATED POWERS

The Head of Planning Services presented, for Members' information, a schedule listing the remainder of the planning applications which had been determined by the Chief Officer under his delegated powers between 12 May and 15 June 2005

RESOLVED - That the schedule be noted.

05.DC.52 BUCKSHAW VILLAGE TOUR

The Head of Planning Services advised the Committee of an invitation being issued to Members to attend an organised tour of Buckshaw Village, Euxton on 13 July 2005, as an opportunity for Councillors to inspect the progress of development within the complex.

Chair