

Chief Executive's Office

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Date: 18 August 2005

Chorley
Borough Council

Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

Chief Executive:
Jeffrey W Davies MA LLM

Dear Councillor

A meeting of the Development Control Committee is to be held in the Council Chamber, Town Hall, Chorley on Tuesday, 30th August, 2005 at 6.30 pm.

May I please remind all Members of the Council that the meeting will be preceded by a short training session to be given in the Committee Room by the Head of Planning Services and the Deputy Director of Legal Services on probity issues and the Code Conduct on Planning in particular. The training session is due to commence at 5pm and buffet refreshment will be available from 4.30pm. All Councillors are of course welcome to attend this training event.

A G E N D A

1. **Apologies for absence**

2. **Declarations of Any Interests**

Members of the Committee are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct. If the personal interest is a prejudicial interest, then the individual Member should not participate in a discussion on the matter and must withdraw from the Council Chamber and not seek to influence a decision on the matter.

3. **Minutes (Pages 1 - 20)**

To confirm as a correct record the minutes of the meeting of the Development Control Committee held on 26 July 2005.

4. **Structure Plan Statement of Non-Conformity - Matters Arising (Pages 21 - 42)**

Report of the Head of Planning Services (enclosed).

5. **Caravan Uses in the Green Belt (Pages 43 - 46)**

Report of the Head of Planning Services (enclosed).

Continued....

6. **Planning Appeals and Decisions - Notification (Pages 47 - 48)**

Report of Head of Planning Services (enclosed).

7. **Planning Applications Awaiting Decisions (Pages 49 - 106)**

Report of Head of Planning Services (enclosed).

Item	Application	Location
A. 1	05/00425/FULMAJ	Land To The North Of Units 1 And 2 Chorley North Industrial Park Drumhead Road Chorley Lancashire
A. 2	05/00614/FULMAJ	21 - 23 Southport Road Chorley Lancashire PR7 1LB
B. 1	05/00188/FUL	Highfield Farm Jolly Tar Lane Coppull Lancashire PR7 4BJ
B. 2	05/00536/COU	Caravan Bramblewood Nursery Wigan Lane Heath Charnock Lancashire
B. 3	05/00576/FUL	South Miry Fold Farm Briers Brow Wheelton Lancashire PR6 8JN
B. 4	05/00686/FUL	Fairview Harbour Lane Wheelton Chorley Lancashire
B. 5	05/00691/FUL	Wizard Computers 224 Preston Road Whittle-Le-Woods Lancashire PR6 7HW
B. 6	05/00758/FUL	68 Park Road Adlington Lancashire PR7 4JN

8. **Site Inspection Sub-Committee**

To receive and consider the minutes of the meeting of the Site Inspection Sub-Committee held on 23 August 2005 (to follow).

9. **Planning Applications determined by the Head of Planning Services under delegated powers**

(a) A report of the Head of Planning services on selected cases determined following consultation with the Chair and Vice-Chairman of the Committee is enclosed. (Pages 107 - 124)

(b) A list of planning applications determined by the Chief Officer under delegated powers between 14 July and 17 August 2005 is enclosed. (Pages 125 - 140)

10. **Enforcement Items**

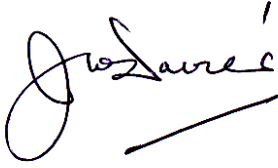
Reports of Head of Planning Services on:

(a) 68 Park Road, Adlington (Pages 141 - 144)

(b) Land to rear of 21 Gorsey Lane, Mawdesley (Pages 145 - 146)

11. **Any other item(s) that the Chair decides is/are urgent**

Yours sincerely



Chief Executive

Encs

Distribution

1. Agenda and reports to all members of the Development Control Committee (Councillor A Lowe (Chair), Councillor Parr (Vice-Chair), Councillors Birchall, Ball, Bedford, Bell, Brown, Brownlee, Caunce, Culshaw, Davies, D Dickinson, Edgerley, D Gee, T Gray, Heaton, Iddon, R Lees, Livesey, Malpas, Miss Molyneaux, Morgan, Russell, Mrs J Snape, Snow, S Smith and Whittaker); Director of Legal Services and Head of Planning Services for attendance.
2. Agenda and reports to all remaining Councillors and Chief Officers for information.

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

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

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

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Development Control Committee**Tuesday, 26 July 2005**

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

05.DC.01 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Birchall, T Gray, Edgerley and Morgan.

05.DC.02 DECLARATIONS OF ANY INTERESTS

In accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Member's 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:

Councillor David Dickinson – Item 6, A1: Planning Application 05/00366/FULMAJ
Councillor Peter Malpas – Item 7: Planning Application 04/01457/OUTMAJ

05.DC.03 MINUTES

RESOLVED – That the minutes of the meeting of the Development Control Committee on 28 June 2005 be confirmed as a correct record and signed by the Chair.

05.DC.04 HIGH HEDGES LEGISLATION

The Head of Planning Services presented a report to explain the requirements of Part 8 of the Anti-social Behaviour Act 2003 that introduces new powers to deal with complaints about high hedges and to enable a fee structure to be set.

Part 8 of the Anti-Social Behaviour Act 2003 and the High Hedges (Appeals) Regulations 2005, gave District Councils powers to deal with complaints about high hedges and came into operation on 1 June 2005. The legislation makes provision for Councils to determine complaints by owners/ occupiers of domestic property adversely affected by evergreen/ semi-evergreen hedges over two metres high.

The legislation requires people to have taken reasonable steps to try and settle their high hedge dispute before complaining to the Council. The Council's role is not to mediate or negotiate between the complainant and the hedge owner but to adjudicate on whether – in the words of the act – the hedge is adversely affecting the complainant's reasonable enjoyment of their property. In doing so, the Council must take account of all relevant factors and must strike a balance between the competing interests of the complainant and hedge owner, as well as the interests of the wider community.

The Government had allowed Council's to decide whether and at what level it was appropriate that fees should be set. The majority of the respondents to the Government's consultation believed that a fee of between £300 - £600 would be sufficient.

The Head of Planning Services recommended the setting of a fee of £500 in order to reflect the Council's costs. This fee would be reviewed subsequently if it became apparent that the level of work was significantly different from that anticipated.

The Council had given delegated power to the Head of Planning Services to decide the complaints, but the setting of the fees was a decision for the Committee.

A number of Councillors considered that the suggested £500 fee was too excessive, but a proposal to charge a lower fee of £135.00 was defeated.

It was moved by the Chair (Councillor A Lowe), seconded by Councillor Harold Heaton and subsequently **RESOLVED (14:9):**

That the report be noted and the Fee for the processing of complaints of high hedges be set at £500.

It was further moved by Councillor A Whittaker, seconded by Councillor R Parr (Vice-Chair) and subsequently **RESOLVED:**

That the officers be given the authority to waive the application fee in extreme cases of hardship.

It was further moved by the Chair (Councillor A Lowe), seconded by Councillor R Parr and subsequently **RESOLVED:**

1. **That the fee be reviewed in 6 months in the light of the number of complaints processed.**
2. **That the Council make representation to the Office of the Deputy Prime Minister expressing disappointment that the problems created by the planting of high hedges had not been addressed.**

05.DC.05 PLANNING APPEALS 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 three 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.

RESOLVED – That the report be noted.

05.DC.06 PLANNING APPLICATIONS AWAITING DECISIONS

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:

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

Application No: 05/00366/FULMAJ
Proposal: Construction of 9 hole golf course, two fishing lakes and two ancillary buildings for use as a clubhouse and machinery/maintenance store.
Location: Moss Side Farm, Bury Lane, Withnell, Chorley
Decision:

It was moved by Councillor H Heaton, seconded by the Chair (Councillor A Lowe) and subsequently **RESOLVED that the application be deferred to allow further negotiations by the Officers with the applicant.**

Application No: 05/00493/FULMAJ

Proposal: Improvements to existing outdoor education centre, including installation of climbing towers, adventure rope courses, all weather pitch, new classroom facility, timber deck for pond dipping, improvements and extensions to footpath network to widen access, and extensive planting works.

Location: The Anderton Centre, New Road, Anderton, Chorley

Decision:

It was moved by Councillor Whittaker, seconded by Councillor H Heaton and subsequently **RESOLVED** that permission be granted, subject to the following conditions:

1. Details and samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority before any on-site work commences. All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure that the external appearance of the building(s) is satisfactory in accordance with policy GN5 of the Chorley Borough Local Plan Review 2003.

2. 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 proposal and its implementation and retention in accordance with policy GN5, and DC1 of the Chorley Borough Local Plan Review 2003.

3. Plans and particulars showing a scheme for land drainage, 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 surface water flooding in accordance with policy EP18 of the Chorley Borough Local Plan Review 2003.

4. The car parking facilities shown on the deposited plan shall be laid out and provided prior to the occupation of any of the buildings; such parking facilities shall thereafter be permanently retained for that purpose.

Reason: To ensure provision of adequate off-street parking facilities within the site in accordance with policy TR4 of the Chorley Borough Local Plan Review 2003.

5. Before the development is commenced, proposals for the landscaping of the site, to include provision for the retention and protection of existing trees and shrubs, if any, thereon, together with any means of enclosure proposed or existing within or along the curtilage of the site shall be submitted to and approved by the District Planning Authority by means of a large scale plan and a written brief. All proposed and existing trees and shrubs shall be correctly described and their positions accurately shown. Upon approval such new planting shall be carried out during the planting season October/March inclusive, in accordance with the appropriate British

Standards for ground preparation, staking, etc., in BS4428:1989 (1979), immediately following commencement of the development. The landscaping shall thereafter be maintained for five years during which time any specimens which are damaged, dead or dying shall be replaced and hence the whole scheme shall thereafter be retained.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and the locality in accordance with policy DC1, GN5 EP9 and EP10 of the Chorley Borough Local Plan Review 2003.

6. A scheme for the protection of existing trees (and hedges) on site showing protective fencing to be erected in accordance with the British Standard specification BS5837:1991 shall be submitted to and approved in writing by this Authority before any development commences on site. The scheme shall be retained throughout the entire construction period and shall be undertaken in its entirety before any site works are commenced. Should any trees (or hedges) die, be damaged or become diseased as a result of the construction works then they shall be replaced in accordance with a written specification, to be submitted to and approved by the Local Planning Authority, within the next available planting season.

Reason: To prevent trees on site from being damaged and in accordance with policy EP9 of the Chorley Borough Local Plan Review 2003.

7. Notwithstanding the original submissions no floodlighting shall be erected or attached to any of the structures hereby permitted without express planning permission first being obtained.

Reason: In order to control any lighting in this sensitive area in order to secure compliance with Policy DC1 and GN5 of the Chorley Borough Local Plan Review 2003.

8. No development hereby permitted shall be commenced unless and until a scheme for the reduction of speed of vehicles using the access to the site has been submitted to and approved by the Local Planning Authority and implemented in its entirety.

Reason: These specified works are seen as a pre-requisite of allowing this development to proceed to achieve a suitable access and to reduce the impact of the vehicles accessing the site on the amenities of adjacent residential dwellings in accordance with policies GN5 and TR4 of the Chorley Borough Local Plan Review 2003.

Application No: 05/00516/OUTMAJ

Proposal: Outline application for residential development (4.42a) with details of siting and means of access and associated open space (2.05a).

Location: Site N1 Lower Burgh Way, Chorley

Decision:

It was moved by Councillor Whittaker, seconded and subsequently **RESOLVED** that permission be granted, subject to the prior completion of a Section 106 Legal Agreement as the following conditions:

1. Before the development hereby permitted is first commenced, full details of the following reserved matters (namely design, external appearance and landscaping) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The permission is in outline only and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

2. This permission shall relate to the submitted application form, plans and supporting documentation or any subsequently appropriately endorsed additional or revised plan.

Reason: To identify the approved plans and for the avoidance of doubt as to what is permitted.

3. 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 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.

Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals. Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for the treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals 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 Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.

4. 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.

5. 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 plan(s)) 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.

6. 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.

7. 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 plan(s). 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.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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 BS5837:1991 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.

14. 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.

15. 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.

16. 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.

17. 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.

18. 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.

19. 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. 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.

Application No: 05/00523/REMMAJ
Proposal: Formation of phase 1 link road to serve residential development
Location: Royal Ordnance Site including Land between Dawson Lane and Euxton Lane, Euxton

Decision:
 It was moved, seconded and subsequently **RESOLVED** that permission be granted subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the amended plan(s) received on 21 July 2005.

Reason: To define the permission and to ensure a satisfactory form of development.

2. The details of the precise specification and location of carriageway crossing points shall be submitted for the approval of the Local Planning Authority prior to the commencement of any construction work on site; the agreed scheme shall be implemented prior to the opening of the road to the public.

Reason: In the interests of securing a satisfactory standard of development for the crossing of the highway in the interests of public safety, and to accord with the provisions of policy TR4 of the Adopted Borough Local Plan Review.

3. Full details of the bus stop locations, stop thresholds and street furniture shall be agreed in writing with the Local Planning Authority prior to the commencement of any construction work on site; the agreed scheme shall be implemented prior to the opening of the road to the public; all bus stops shall be to Quality Bus Stop standard.

Reason: To ensure that adequate and satisfactory arrangements are made for the provision of public transport along the link road; also to accord with

the provisions of policy TR4 of the Adopted Chorley Borough Local Plan Review .

4. That a scheme for the street lighting of the Link Road, hereby approved, shall be submitted for the approval of the Local Planning Authority prior to the commencement of construction of the road, and that this shall be implemented prior to the opening of the road to public traffic.

Reason: To ensure adequate lighting of the carriageways, footways and cycle ways, and in accordance with the provisions of policy TR4 of the Adopted Borough Local Plan Review.

5. That the full details of the drainage infrastructure for the carriageways, footways and cycle ways shall be submitted to and approved by the Local Planning Authority prior to the commencement of any construction works, and that they shall be operative prior to the opening of the highway to the public.

Reason: To ensure satisfactory surface water drainage for the approved highway and to accord with the provisions of policy TR4 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 10 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. No development shall be commenced until full details of finished ground levels of the proposed carriageways together with the footways / cycle ways, in comparison to those of the adjacent land, have been submitted to and approved by the Local Planning Authority; thereafter only the approved levels shall be constructed to on site.

Reason: In order for the Local Planning Authority to retain control over the levels on the carriageways / footways / cycle ways in order to ensure their safe use; also to accord with the provisions of policy TR4 of the Adopted Chorley Borough Local Plan Review.

8. That the full details of the construction of the carriageways, footways and cycle ways, including the finished top surfaces shall be submitted to and approved by the Local Planning Authority prior to the commencement of any construction work on site.

Reason: In order to ensure a satisfactory level of construction of the new road, and in accordance with policy TR4 of the Adopted Chorley Borough Local Plan Review.

9. Notwithstanding the detail shown on the approved plans, two bus stops to Quality Bus Stop Standard shall be provided on the stretch of loop road between the roundabout junction with the A6 east west link road and the first roundabout to the north of the school site. Details including the siting and relationship of the bus stops to the crossing points shall be submitted to and improved by the Local Planning Authority prior to the commencement of works on this element of the approved loop road.

Reason: To ensure that adequate and satisfactory arrangements are made for the provision of public transport along the link road and to accord with the provision of Policy TR4 of the Adopted Chorley Borough Local Plan Review.

Application No: 05/00525/REMMAJ
Proposal: Formation of phase 1 link road to serve residential development (duplicate of planning application 05/00523/REMMAJ)
Location: Royal Ordnance Site including Land between Dawson Lane and Euxton Lane, Euxton

Decision:
 It was moved, seconded and subsequently **RESOLVED** that permission be granted subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the amended plan(s) received on 21 July 2005.

Reason: To define the permission and to ensure a satisfactory form of development.

2. The details of the precise specification and location of carriageway crossing points shall be submitted for the approval of the Local Planning Authority prior to the commencement of any construction work on site; the agreed scheme shall be implemented prior to the opening of the road to the public.

Reason: In the interests of securing a satisfactory standard of development for the crossing of the highway in the interests of public safety, and to accord with the provisions of policy TR4 of the Adopted Borough Local Plan Review.

3. Full details of the bus stop locations, stop thresholds and street furniture shall be agreed in writing with the Local Planning Authority prior to the commencement of any construction work on site; the agreed scheme shall be implemented prior to the opening of the road to the public; all bus stops shall be to Quality Bus Stop standard.

Reason: To ensure that adequate and satisfactory arrangements are made for the provision of public transport along the link road; also to accord with the provisions of policy TR4 of the Adopted Chorley Borough Local Plan Review .

4. That a scheme for the street lighting of the Link Road, hereby approved, shall be submitted for the approval of the Local Planning Authority prior to the commencement of construction of the road, and that this shall be implemented prior to the opening of the road to public traffic.

Reason: To ensure adequate lighting of the carriageways, footways and cycle ways, and in accordance with the provisions of policy TR4 of the Adopted Borough Local Plan Review.

5. That the full details of the drainage infrastructure for the carriageways, footways and cycle ways shall be submitted to and approved by the Local Planning Authority prior to the commencement of any construction works, and that they shall be operative prior to the opening of the highway to the public.

Reason: To ensure satisfactory surface water drainage for the approved highway and to accord with the provisions of policy TR4 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 10 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. No development shall be commenced until full details of finished ground levels of the proposed carriageways together with the footways / cycle ways, in comparison to those of the adjacent land, have been submitted to and approved by the Local Planning Authority; thereafter only the approved levels shall be constructed to on site.

Reason: In order for the Local Planning Authority to retain control over the levels on the carriageways / footways / cycle ways in order to ensure their safe use; also to accord with the provisions of policy TR4 of the Adopted Chorley Borough Local Plan Review.

8. That the full details of the construction of the carriageways, footways and cycle ways, including the finished top surfaces shall be submitted to and approved by the Local Planning Authority prior to the commencement of any construction work on site.

Reason: In order to ensure a satisfactory level of construction of the new road, and in accordance with policy TR4 of the Adopted Chorley Borough Local Plan Review.

9. Notwithstanding the detail shown on the approved plans, two bus stops to Quality Bus Stop Standard shall be provided on the stretch of loop road between the roundabout junction with the A6 east west link road and the first roundabout to the north of the school site. Details including the siting and relationship of the bus stops to the crossing points shall be submitted to and improved by the Local Planning Authority prior to the commencement of works on this element of the approved loop road.

Reason: To ensure that adequate and satisfactory arrangements are made for the provision of public transport along the link road and to accord with the provision of Policy TR4 of the Adopted Chorley Borough Local Plan Review.

Application No: 05/00544/FULMAJ
Proposal: Remediation and reclamation earthworks (site area 35.29 ha).
Location: Royal Ordnance Site including Land between Dawson Lane and Euxton Lane, Euxton

Decision:

It was moved, seconded and subsequently **RESOLVED** that permission be granted subject to the following conditions:

1. This permission shall relate to the submitted application form, plans and supporting documentation or any subsequently appropriately endorsed additional or revised plan.

Reason: To identify the approved plans and for the avoidance of doubt as to what is permitted

2. The site shall be remediated fully in accordance with the Remediation Plan and supporting documentation forming the application received on 24th

May 2005 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is remediated to a satisfactory standard.

3. Written notification of the date of commencement of the development shall be sent to the Local Planning Authority within 7 days of such commencement.

Reason: To enable the Local Planning Authority to effectively monitor the site.

4. No reclamation, landfilling, or restoration (except for the use of pumping equipment and the carrying out of essential maintenance to plant and machinery) shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:

07.30 to 19.30 hours, Mondays to Fridays,

08.00 to 13.00 hours on Saturdays.

No such development shall take place at any time on Sundays or Public Holidays.

Reason: To safeguard the amenity of existing local residents and future residents living on the development site.

5. Working on site shall at all times comply with the Chorley Borough Council "Control of construction and demolition site noise: Information to contractors on prior consent conditions (EHF243)" document, unless otherwise agreed in writing with the local planning authority.

Reason: To safeguard the amenity of existing local residents and future residents living on the development site.

6. No material arising from the remediation works shall be exported from the site (with the exception of scrap metal), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the transportation of waste materials which would result in additional traffic on local highways and be detrimental to the amenity of local residents.

7. Prior to commencement of the development, details of the routing of heavy goods vehicles within the Royal Ordnance site and the access to the local highway network shall be submitted to and approved in writing by the Local Planning Authority and these routes shall be adhered to at all times unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that the movement of vehicles within the site does not impinge upon the amenity of residents during the period of reclamation, and in the interests of highway safety.

8. A written confirmatory sampling and analysis programme to confirm the adequacy of decontamination shall be submitted to the Local Planning Authority and approved in writing within one month of completion of decontamination works on the site.

Reason: To ensure that the site is remediated to a satisfactory standard.

9. Any chemical, oil or fuel storage containers on the site shall be sited on an impervious surface with bund walls; the bunded areas shall be capable of containing 110% of the container or container's total volume and shall enclose within their curtilage all fill and draw pipes, vents gauges and sight glasses. There shall be no drain through the bund floor or walls.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land.

10. Repair, maintenance and fuelling of plant and machinery shall only take place on an impervious surface drained to an interceptor and the contents of the interceptor shall be removed from the site completely.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land.

11. Before the development is commenced, a scheme for the further monitoring of Euxton Brook for assessment purposes prior to the commencement of development and for monthly monitoring of it thereafter throughout the period of remediation of the site shall be submitted and approved in writing by the local planning authority. Monitoring shall thereafter be carried out in accordance with the agreed scheme and the results made available for inspection by the local planning authority and the Environment Agency on request.

Reason: To prevent pollution of controlled waters.

12. Areas of the application site not developed by an end user following a period of 18 months after the date of completion of reclamation works shall be landscaped in accordance with the specification in Remediation Plan P583-00-R5-1A received 24 May 2005 unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the appearance of any reclaimed but undeveloped areas is satisfactory.

Application No: 04/01462/FUL

Proposal: Retrospective application for erection of agricultural livestock/storage building and proposed erection of agricultural livestock building.

Location: Land S of footpath 28 Adjacent Boardmans Heights F Bury Lane, Withnell.

Decision:

It was moved, seconded and subsequently RESOLVED that permission be granted subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the amended plan(s), received on 11 July 2005.

Reason: To define the permission and ensure a satisfactory form of development.

2. If the use of the buildings hereby permitted ceases for a period exceeding 6 months within 10 years of the date of this permission, they shall be removed from the site and the land restored to its original condition prior to development.

Reason: To protect the character and appearance of the area, and avoid the proliferation of buildings in a countryside area for which there is not a continuing need and in accordance with Policy Nos. DC1, EP7 and EP8 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. 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 plan(s). 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 No. GN5 of the Adopted Chorley Borough Local Plan Review.*

Application No: 05/00354/FUL
Proposal: Demolish existing dwelling and construct replacement two storey dwelling.
Location: 97 Rawlinson Lane, Heath Charnock, Chorley

Decision:
 It was moved by Councillor J Molyneaux, seconded by Councillor T Brown, and subsequently **RESOLVED** that permission be granted subject to the following conditions:

1. The approved plans are:

Plan Ref.	Received On:	Title:
	26 July 2005	Site Plan
	24 June 2005	Plans, elevations and sections
	1 April 2005	Location Plan
	1 April 2005	Existing elevations

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 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 plan(s). 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.*

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. 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, DC8A and HS4, of the Adopted Chorley Borough Local Plan Review.

Application No: 05/00513/FUL
Proposal: Erection of replacement dwelling
Location: Jack Green Farm, Oram Road, Brindle
Decision:

It was moved by Councillor Brown, seconded and subsequently **RESOLVED** that permission be granted subject to the following conditions:

1. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason: The proposed dwelling is larger than might normally be permitted so in order to secure the balance of impact of the site this condition is imposed to ensure that the dwelling is available for the occupation of an agricultural worker on the holding in accordance with DC1, DC8a and HS14 of the Chorley Borough Local Plan Review 2003.

2. Prior to the commencement of development plans and particulars showing the provision for the parking and manoeuvring of cars in accordance with the Local Planning Authority's current standards, shall be submitted to, and approved in writing by, the Local Planning Authority. Such details as agreed shall be laid out and made ready in all respects for use prior to the first occupation of the dwelling hereby permitted, and shall thereafter retained.

Reason: In order that the Council may be satisfied with the details of the proposal and to ensure a satisfactory level of off-street vehicle park.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactment thereof no extension to the dwelling, outbuilding, or other works permitted by Class A, B, C, D, E, F, G and H shall be constructed or erected without express planning permission first being obtained.

Reason: In the interests of controlling matters which may be detrimental to the original visual concept and the balance of private space provision and in order to protect the Green belt from further development on this site which may be harmful to its openness and visual amenity in accordance with policy DC1 and DC8a of the Chorley Borough Local Plan Review 2003.

4. Details and samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority before any on-site work commences. All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure that the external appearance of the building(s) is satisfactory in accordance with policies GN5, DC1, and DC8a of the Chorley Borough Local Plan Review 2003.

Application No: 05/00531/CB4
Proposal: Erection of a portable building with disabled access to provide a meeting room for Heathfield Residents Group.
Location: Land adj Garage Block Heathfield, Heath Charnock.
Decision:
 It was moved, seconded and subsequently **RESOLVED** that permission be granted subject to the following conditions:

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

Reason: In the interest of the appearance of the locality and to safeguard the amenities of local residents in accordance with policies GN1 and GN5 of the Adopted Chorley Local Plan Review.

Application No: 05/00553/FUL
Proposal: Retrospective application for the erection of a new boundary wall,
Location: Cam Lane Cottage, Cam Lane, Clayton-Le-Woods, Chorley
This application had been withdrawn.

Application No: 05/00554/FUL
Proposal: Retrospective application for the erection of a stable block,
Location: Cam Lane Cottage, Cam Lane, Clayton-Le-Woods, Chorley
This Application had been withdrawn.

05.DC.07 PLANNING APPLICATION 04/01457/OUTMAJ

Councillor P Malpas declared an interest in the item. He stayed in the meeting but took no part in the discussions or voting on the item.

The Head of Planning Services presented a report advising the Planning Committee on the decision made by the Government Office of the North West on Application: 04/01457/OUTMAJ for the development of land adjacent to the Training Centre, Carr Lane, Chorley for residential purposes.

At the Development Control Committee in April 2005, Members had been minded to grant planning permission for the proposal, subject to the referral of the application to the Government Office of the North West (GONW) as a projected departure from development plan policies.

GONW has now confirmed that they did not intend to call the application in for determination by the Secretary of State and, therefore the Borough Council could now determine the proposal locally.

RESOLVED that planning permission be granted, subject to the prior completion of a Section 106 Legal Agreement and to the following conditions:

1. That a scheme for the implementation of a surface water drainage of the site together with sustainable drainage techniques, and for the foul drainage of the site, shall be agreed with the Local Planning Authority and form part of the detailed reserved matters application; the scheme shall also incorporate a separate system for foul and surface water drainage, while the land drainage system or sub soil drainage water shall not be connected to the public sewer; subsequently the approved scheme shall be implemented as part of the overall site development.

Reason: To ensure satisfactory site drainage for the avoidance of any flood risk, and to accord with Polity EP18 of the Chorley Borough Local Plan Review.

2. The application for the approval of Reserved Matters shall be accompanied by a detailed scheme shall be submitted to the Local Planning Authority for its approval in respect of any alteration to the existing site levels; the scheme shall include a topographic survey including tree canopies together with details of levels as existing and proposed as well as the details of any fill and the transportation methodology; the existing soil levels around the site perimeter trees shall be maintained as existing. Such details shall include existing and proposed cross sections and spot heights.

Reason: In order to retain control over the topography of the site in the interests of safeguarding visual and residential amenity as well as ensuring the longevity of site perimeter trees that will be retained, and in accordance with Policy GN5 of the Local Plan Review.

3. Before the development hereby permitted is first commenced full details of the 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 plan(s). 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. Before development commences full details of mitigation measures required to be implemented by the specialist ecology report (J 1025, June 2005, as submitted by AMEC Earth and Environmental UK) with regard to the protection of protected species including any proposed phasing of measures. Such details as approved including any phasing of measures shall be implemented in full and retained thereafter.

Reason: To enable evaluation of and the safeguarding of protected species, and to accord with Policy Nos. EP4 AND GN5 of the Chorley Borough Local Plan Review.

5. A scheme shall be agreed for the protection of corridors of site perimeter trees, as identified with the Local Planning Authority, during the period of construction works on the site; the areas of trees shall be delineated with

protective fencing no lower than 1.2 metres high as specified in paragraph 8.2.2 to British Standard BS5837: 1991 sited at a distance from the tree trunk equivalent to the outermost branch spread; there shall be no mounding of earth of debris or the storage of building materials within the fenced area.

Reason: In order to safeguard the protection of the trees whilst construction is undertaken in the interest of visual amenity and to accord with the provisions of Policy Nos. GN5 & EP9 of the Adopted Chorley Borough Local Plan Review.

6. The approved plans are:

Plan Ref.	Received On:	Title:
3789/05/A	22/12/04	Location Plan
N20107/DWG/1	22/12/04	Site Access Plan

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

7. The access arrangements to the site, as approved upon drawing no. N20107/DWG/1 shall be constructed, drained, laid out, surfaced and available for public use prior to the first occupation of any of the dwellings on the development site.

Reason: In order to ensure a satisfactory means of vehicular access to the development site, and to accord with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

8. The application for the approval of reserved matters shall be accompanied by a scheme for the provision of public open space for passive use. The scheme shall include a landscaping layout, and shall incorporate a timetable for its implementation.

Reason: In order to provide leisure and recreational opportunities for residents upon the development site and to accord with the provisions of Policy HS19 of the Adopted Chorley Borough Local Plan Review.

05.DC.08 PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS

The Committee received, for information, reports by the Head of Planning Services of 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.

a) Schedule of applications

Application No: 05/00514/FUL
Proposal: Erection of a detached three bedroom L-shaped bungalow. The bungalow is set back from Lawton Close and comprises of a gabled frontage with a secondary bay set back utilising a hipped roof. Two car parking spaces are proposed in front.
Location: Land on Lawton Close and Rear of 383 Blackburn Road, Wheelton Lancashire
Decision: Permit

Application No: 05/00555/COU
Proposal: Change of use from residential to offices (Class A2). The change will not require any external alterations and the internal layout will remain the same.
Location: 25 Halliwell Street, Chorley
Decision: Permit

Application No: 05/00598/FUL
Proposal: Erection of two stables and a hay barn both for private use only

Location: Land on Roscoe Lowe Hill, North of Roscoe Lowe Farm, New Road, Anderton, Lancashire.
Decision: Permit

Application No: 05/00608/COU
Proposal: Change of use of land to domestic curtilage.
Location: Learoy, Preston Road, Charnock Richard, Chorley
Decision: Permit

b) Application No: 05/00549/FUL

The Committee noted the Head of Planning Services under delegated powers had refused application 05/00549/FUL for the creation of a Go-Kart track adjacent to Euxton Park Golf Driving Range, Euxton Lane, Euxton Chorley.

RESOLVED: That the Head of Planning Services be requested to re-open negotiations with the applicant with a view to resubmission of the application.

05.DC.09 DELEGATED DECISIONS

The Head of Planning Services presented, for Members information, a schedule listing the remainder of the planning applications that had been determined by the Chief Officer under his delegated powers between 16 June 2005 and 13 July 2005.

05.DC.10 BANK HALL, BRETHERTON

The Head of Planning Services presented a report to update the Committee on the project to restore the Listed Building. The Listed Building has been the subject of a lengthy restoration campaign led by a local Trust. Eventually a Heritage Lottery Fund (HLF) grant was awarded towards the work and the preparatory steps were underway. However even with a large HLF grant, at current prices there was an emerging shortfall of over £1M.

RESOLVED That the Report be noted.

05.DC.11 ENFORCEMENT ITEM - CAM LANE COTTAGE

The Head of Planning Services presented a Report recommending the instigation of enforcement proceedings to secure the removal of a boundary wall and stable which had been constructed at Cam Lane Cottage, Cam Lane, Clayton-Le-Woods without planning permission.

RESOLVED:

- a) **That it is expedient to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 in respect of the following breaches of planning control –**
1. **without planning permission, the erection of a boundary wall exceeding 2 metres in height.**
 2. **without planning permission, the erection of a stable block.**
- b) **That the Director of Legal Services be authorised to issue an enforcement notice in the following terms**

Requirements of the Enforcement Notice

1. **Reduce the height of the boundary wall to a maximum height of 2 metres**
2. **Demolish the stable block and remove the materials from the land.**

Period for compliance

2 months

Reasons**Wall**

The proposed development would be detrimental to the visual amenities within the Green Belt by reason of its siting, materials and design. The proposal is inappropriate development within the Green Belt and is therefore contrary to Government advice contained in PPG2: Green Belts and Policy DC1 of the Adopted Chorley Borough Local Plan Review.

Stable Block

The proposed development for stables creates an intrusive feature within the area and is detrimental to the surrounding landscape. The proposal is unacceptable by reason of its size, siting and materials. The proposal is contrary to Policy EP8 of the Adopted Chorley Local Plan Review 2003.

Chair

Report of	Meeting	Date
Head of Planning Services	Development Control Committee	30 August 2005

STRUCTURE PLAN STATEMENT OF NON- CONFORMITY – MATTERS ARISING

PURPOSE OF REPORT

1. To inform members that a Statement of Non – Conformity has been served on the Council in relation to certain planning policies within the Chorley Borough Local Plan Review. This impacts on which planning policies are to be used when determining planning applications.

CORPORATE PRIORITIES

2. This does not have any direct implications on the Council’s Corporate Priorities.

RISK ISSUES

3. The report contains no risk issues for consideration by Members.

BACKGROUND

4. The Joint Lancashire Structure Plan (JLSP) was adopted in March 2005. This replaced the former Lancashire Structure Plan 1991-2006 that had provided the strategic policy context for the Chorley Borough Local Plan Review.
5. Unsurprisingly, given that the strategic framework has changed, some of the hundred and fifty- one policies in the Chorley Borough Local Plan Review (CBLPR) do not totally accord with policies in the Joint Lancashire Structure Plan.
6. In a draft statement of non- conformity the County highlighted thirty-two policies in the CBLPR that were considered to be out- of- conformity (see Appendix 2). Following representations made by officers this number has now been reduced to fourteen (Appendix 1).
7. This means that when an application is being determined that the appropriate policy to use may no longer be in the Local Plan but in the Joint Lancashire Structure Plan (JLSP).
8. The following sets out the policy areas where this is most significant:
9. **Settlement Status**
10. Policy GN1 of the Chorley Borough Local Plan Review sets out a wide group of towns, including Chorley Town as being “Main Settlements” which have a presumption in favour of development, subject to other policy requirements. Policies 2, 4 and 5 of the Joint

Lancashire Structure Plan take a more hierarchal stance and differentiate the scale of development allowed.

11. Larger developments are considered to be appropriate to Chorley which is defined as a "Main Town". Adlington, as a Key Service Centre/Market Town, is suitable for development to promote regeneration and support its role as service centre and public transport hub. The other GN1 settlements of Clayton Brook/Green, Clayton-le- Woods, Coppull, Euxton and Whittle-le Woods are considered as being outside of the urban areas and therefore suitable for smaller scale development.
12. **Housing**
13. Policy 12 of the JLSP requires Chorley to provide a **maximum** of 4710 dwellings up to 2016. Given the existing planning permissions on greenfield and brownfield land and additional brownfield contributions according to the Joint Lancashire Structure Plan there is no need for further greenfield sites to be granted planning permission irrespective of whether the land is allocated for housing in the Chorley Borough Local Plan Review.
14. Of the allocations set out in Policy HS1, only 2 hectares of greenfield land, and 0.6 ha. of brownfield land do not have the benefit of planning permission. Any subsequent applications for planning permission will have to be considered under policy 12 of the JLSP.
15. Page 51 of the JLSP sets out a method of calculating the requirement for new housing provision which will be used by your officers to determine planning applications.
16. **Employment**
17. Policy EM1 of the Chorley Borough Local Plan Review is out of conformity as it contains an oversupply of employment land of about 7 hectares. This is explained by a reduction in allocations from 80 hectares to 60 hectares in the new Joint Lancashire Structure Plan and the fact that the land at Buckshaw Village, which previously would have been considered separately, now counts towards the general employment figure. The land at the Regional Investment Site still is calculated separately.
18. It is also out of conformity because it has not differentiated between office uses B1(a) of the Use Classes Order and other forms of employment when allocating land.
19. Specifically, the Botany Bay site allocation is cited as being problematic as any application for the pub, restaurant and leisure uses would be required to satisfy policy 16 of the Joint Lancashire Structure Plan that directs such developments to accessible town centre locations. Hotel developments of over 40 bedrooms would be covered by policy 18 which directs such development to town centres or coastal resorts.
20. Regional Investment Site- Policy EM1a of the Chorley Borough Local Plan Review allocates the site "*exclusively for strategic inward investment of regional significance*". The Joint Lancashire Structure Plan is more specific and reflects the Regional Spatial and Regional Economic Strategies' (2000 & 2003) requirement for the site to support the region's sectoral priorities. Therefore policy 15 of the JLSP states that it will be, "*primarily for high quality generic manufacturing uses and knowledge based uses.*" Policy EM1A is therefore considered to be out- of- conformity and any planning application on the site must then be judged against the JLSP.
21. In response to the Joint Lancashire Structure Plan your officers are intending to undertake an appraisal of existing employment allocations in relation to market requirements and sustainability following the guidance on Employment Review from the ODPM. This is likely to set out which sites are most suitable for different types of employment.

Transport

22. The Council has been using the Joint Authorities' new parking standards since April 2003. However, due to procedural reasons it was not possible to include these standards in the Chorley Borough Local Plan Review. Policies TR8, 16 & 18 are now no longer considered in conformity. Development Control officers will now have to rely on Policy 7 of the JLSP.

23. **Retail**

24. Policies SP1 and SP2 are considered to be out of conformity with the Structure Plan as they do not contain a criterion that refers to the impact of development within Chorley Town Shopping Centre on other centres. Therefore policy 16 of the JLSP should be applied.

25. **Tourism and Leisure**

26. Policies LT1 and LT2 fall foul of the policy 16 of the JLSP as they do not consider impact on other provision elsewhere when development is located within the Chorley Town Shopping Centre, nor do they state the development should be commensurate with its scale and function.

27. Reference is also made to the allocation of Botany Bay for leisure uses (see para. 19 above).

COMMENTS OF THE HEAD OF HUMAN RESOURCES

28. This report has no apparent HR implications.

COMMENTS OF THE DIRECTOR OF FINANCE

29. There are no immediate financial implications associated with this report.

RECOMMENDATION

30. I recommend that the content of the report be noted

ALAN CROSTON
HEAD OF PLANNING SERVICES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Louise Nurser	5281	5 Augsut 05	Louise/reports/JLSP non conformity

Appendix 1

LANCASHIRE COUNTY COUNCIL

ADOPTED CHORLEY BOROUGH LOCAL PLAN

STATEMENT OF NON-CONFORMITY WITH THE ADOPTED JOINT LANCASHIRE STRUCTURE PLAN 2001-2016

In accordance with the requirements of Section 35(c) of the Town and Country Planning Act 1990, Lancashire County Council has considered the Adopted Chorley Borough Local Plan, August 2003, in relation to the policies of the Adopted Joint Lancashire Structure Plan 2001-2016. It is considered that certain policies of the Adopted Chorley Borough Local Plan are not in general conformity with the Replacement Joint Lancashire Structure Plan 2001-2016.

Clive Grimshaw
 Director of Planning
 Lancashire County Council
 PO Box 9
 Guild House
 Cross Street
 PRESTON

POLICIES THAT ARE NOT IN GENERAL CONFORMITY WITH THE ADOPTED JOINT LANCASHIRE STRUCTURE PLAN 2001 – 2016 (JLSP)

Adopted Chorley Borough Local Plan Policy Reference	
GN1 – Settlement Policy – Main Settlements	<p>Policy 2 of the JLSP identifies Principal Urban Areas and Main Towns. Chorley is defined as a ‘Main Town’. Policy 4 of the JLSP identifies Adlington as a Key Service Centre/Market Town. Other settlements in Chorley are subject to the provisions of Policy 5.</p> <p>GN1 refers to Adlington, Chorley Town, Clayton Brook/Green, Clayton-le-Woods, Coppull, Euxton, Whittle-le-Woods, Feniscowles and Horwich as being ‘Main Settlements’.</p> <p>GN1 is not considered to conform to Policies 2, 4 and 5 of the JLSP because it does not differentiate the scale of development that would be appropriate in each settlement.</p>
DC2 – Development in the Area of Other Open Countryside	<p>JLSP Policy 5 allows limited development of new buildings for employment generating uses in the countryside outside villages and other settlements.</p> <p>C2 makes no reference to this and consequently does not conform to the JLSP.</p>

<p>EP2 – County Heritage and Local Nature Reserves.</p>	<p>Policy 21 of the JLSP states that where in exceptional circumstances unavoidable loss or damage to a site or feature or its setting is likely as a result of a proposed development, measures of mitigation and compensation will be required to ensure that there is as a minimum, no net loss.</p> <p>EP2 states “...planning conditions or agreements may be used...” rather than ‘will’. As a result it does not conform to the JLSP.</p>
<p>EP23 – Energy from Renewable Resources</p>	<p>Policy 25 of the JLSP provides a balanced approach to renewable energy development that facilitates the development of renewable energy whilst ensuring the protection of Lancashire’s landscapes and other environmental interests.</p> <p>EP23 fails to provide a balanced approach to development weighing up the wider benefits of development in terms of contribution to targets and also the wider environmental, social and economic benefits. EP23 does not therefore conform to the JLSP in respect to this Policy.</p>
<p>EP24 – Wind Farms</p>	<p>Policy 25 of the JLSP provides a balanced approach to renewable energy development that facilitates the development of renewable energy whilst ensuring the protection of Lancashire’s landscapes and other environmental interests.</p> <p>EP24 fails to provide a balanced approach to development weighing up the wider benefits of development in terms of contribution to targets and also the wider environmental, social and economic benefits. EP24 does not therefore conform to the JLSP in respect to this Policy.</p>
<p>HS1 – Housing Allocations</p>	<p>Policy 12 of the JLSP establishes a housing requirement for Chorley 2001-2016 of 4,710 dwellings. Policy 12 requires an annual housing provision 2001-2006 of 485 dwellings and 2006-2016 of 230 dwellings. These levels, which provide for household change and exclude provision for clearance replacement dwellings, should be regarded as maximum requirements.</p> <p>JLSP Policy 12 also gives priority to the re-use of brownfield sites for housing in preference to greenfield sites. Table 1 of JLSP Policy 12 indicates that no additional greenfield sites are required to provide for household change.</p> <p>The Local Plan makes a total provision of 6857 dwellings that is based on the previous structure plan provision of 6300 dwellings. HS1 allocates 1,592 dwellings, which contributes towards meeting the provision. These allocations include greenfield sites.</p> <p>HS1 does not conform to the JLSP in these respects.</p>
<p>EM1 - Employment Land Allocations</p>	<p>JLSP Policy 14 identifies a provision of 60 hectares of business and industrial land for the period 2001-2016 (30 hectares of which is outside of the Royal Ordnance site, Euxton Strategic Location for Development). JLSP Policy 17 states that the local authorities will need to assess the proportion of land, set out in JLSP Policy 14, which should be allocated to office development (Use Class B1a).</p>

	<p>EM1 allocates 42.46 hectares of employment land to meet a requirement identified in the previous structure plan of about 80 hectares. This represents an over supply of land in relation to the JLSP provision. Furthermore, EMP1 does not quantify the amount of land allocated specifically for office development.</p> <p>In respect of site EM1.9, Policy 16 of the JLSP establishes a hierarchy for town centres in relation to retail, entertainment and leisure development. Outside of those centres retail development must be located in accordance with the sequential approach and it must not significantly harm, alone or in combination with other proposed development, the vitality and viability of any town centres, district centres, local centres or the overall shopping and leisure provision in small towns and rural areas within or adjoining Lancashire.</p> <p>EM1.9 is located outwith a defined town centre and is not therefore considered in the context of the retail, entertainment and leisure hierarchy.</p> <p>Also in respect of site EM1.9, JLSP Policy 18 operates so as to direct major hotel development most appropriately within town centres or coastal resorts. Policy 18 does however state that exceptionally major new hotels may be located elsewhere where a need can be demonstrated, and the site is accessible by public transport. In demonstrating a need it is necessary to indicate that it cannot be met in i) town centres or, if a town centre site is not available, on the edge of town centres; or ii) in coastal resorts.</p> <p>EM1.9 is located outwith both a town centre and a coastal resort. Furthermore, EM1.9 is not accessible by public transport. There is no evidence of need.</p> <p>The Policy does not therefore conform to the JLSP.</p>
<p>EM1A - Regional Investment Site at Royal Ordnance</p>	<p>JLSP Policy 15 allocates land at Royal Ordnance Euxton primarily for high quality generic manufacturing uses and knowledge based industry.</p> <p>EM1A does not specifically include this requirement.</p>
<p>TR8 – Parking Provision Levels</p>	<p>The adopted Parking Standards are maximum standards that should be met. TR8 operates parking standards adopted by the Council, via Appendix 3, which are now obsolete.</p>
<p>TR16 – Cycle Facilities</p>	<p>The adopted parking standards require developments to provide 1 space per 10 car spaces and for developments employing 30 or more full or part time staff long stay covered secure cycle parking.</p> <p>TR16 states that cycle parking facilities are to be provided in town centres, shopping centres, at railway stations and public buildings. The adopted parking standards, which are not referred to in TR16 relate to all development.</p> <p>This does not conform with the JLSP which sets a minimum level that should be met.</p>

<p>TR18 – Provision for pedestrians and Cyclists in New Development</p>	<p>The adopted parking standards require developments to provide 1 space per 10 car spaces and for developments employing 30 or more full or part time staff long stay covered secure cycle parking. TR18 operates parking standards adopted by the Council, via Appendix 3, which are now obsolete.</p>
<p>SP1 – Locations for Major Retail Development</p>	<p>JLSP Policy 16 defines Chorley as a Tier 2 centre. Development therein is required to be consistent with the scale and function of the centre. Furthermore, it states that retail, entertainment and leisure development must not significantly harm, alone or in combination with other proposed development, the vitality and viability of any town centres, district centres, local centres or the overall shopping and leisure provision in small towns and rural areas within or adjoining Lancashire.</p> <p>SP1 only considers vitality and viability of other centres in relation to sites that are not in, or on the edge of Chorley Town Shopping Centre, District or Local Centres as shown on the proposals map. It should relate to these centres also. SP1 does not therefore conform to the JLSP.</p>
<p>SP2 – Retail Allocations</p>	<p>JLSP Policy 16 establishes a retail hierarchy. It states that retail, entertainment and leisure development must not significantly harm, alone or in combination with other proposed development, the vitality and viability of any town centres, district centres, local centres or the overall shopping and leisure provision in small towns and rural areas within or adjoining Lancashire.</p> <p>SP2 does not state that development at the two identified sites will take account of these various factors. SP2 does not therefore conform to the JLSP.</p>
<p>LT1 – Major Tourism and Leisure Development</p>	<p>JLSP Policy 16 defines Chorley as a Tier 2 centre. Development therein is required to be consistent with the scale and function of the centre. Furthermore, it states that retail, entertainment and leisure development must not significantly harm, alone or in combination with other proposed development, the vitality and viability of any town centres, district centres, local centres or the overall shopping and leisure provision in small towns and rural areas within or adjoining Lancashire.</p> <p>LT1 only considers vitality and viability of other centres in relation to sites that are not in, or on the edge of Chorley Town Shopping Centre. It should relate to these centres also. LT1 does not therefore conform to the JLSP.</p>
<p>LT2 – Leisure Allocations</p>	<p>JLSP Policy 16 defines Chorley as a Tier 2 centre. Development therein is required to be consistent with the scale and function of the centre. Furthermore, it states that retail, entertainment and leisure development must not significantly harm, alone or in combination with other proposed development, the vitality and viability of any town centres, district centres, local centres or the overall shopping and leisure provision in small towns and rural areas within or adjoining Lancashire. In respect of LT4 refer to the commentary above that relates to EM1. Site LT4/EM1.9 does not conform to the JLSP.</p>

Appendix 2
LANCASHIRE COUNTY COUNCIL

ADOPTED CHORLEY BOROUGH LOCAL PLAN

DRAFT STATEMENT OF NON-CONFORMITY WITH THE ADOPTED JOINT LANCASHIRE STRUCTURE PLAN 2001-2016

Adopted Chorley Borough Local Plan Policy Reference		Chorley Comments
GN1 – Settlement Policy – Main Settlements	<p>Policy 2 of the JLSP identifies Principal Urban Areas and Main Towns. Chorley is defined as a 'Main Town'. Policy 4 of the JLSP identifies Adlington as a Key Service Centre/Market Town.</p> <p>GN1 refers to Adlington, Chorley Town, Clayton Brook/Green, Clayton-le-Woods, Coppull, Euxton, Whittle-le-Woods, Feniscowles and Howich as being 'Main Settlements' and is not considered to conform to Policy 2.</p>	<p>Do not consider the inconsistencies to be of such an order as to warrant a certificate of non-conformity. For example, the inconsistency with former Lancashire Structure Plan was not considered an issue previously.</p> <p>Moreover, the policy is subject to other policies of the plan. In practical terms the capacity for additional development in the smaller settlements identified is limited.</p>
GN3 – Settlement Policy for Eccleston	<p>Development outside of the settlement hierarchy established in JLSP Policies 2 and 4 fall under the provisions of Policy 5 of the JLSP. In these settlements development is to support rural and urban regeneration by meeting an identified local need for housing. GN3 would allow the development of market housing under (a) and (b). This goes beyond what is allowed under Policy 5. GN3 does not, therefore, conform in this respect.</p>	<p>All windfall housing is subject to policy HS6 which sets out strict criteria for new market housing.</p> <p>Given that the supporting test of policy 5 of the JLPS refers to "most housing development", being of a specialist nature it is reasonable to assume that the policy does not completely preclude a small amount of market housing to "support rural and urban regeneration" where it satisfies other policies of the Chorley Borough Local Plan and the JLSP</p>



<p>GN4 – Other Rural settlements</p>	<p>Development outside of the settlement hierarchy established in JLSP Policies 2 and 4 fall under the provisions of Policy 5 of the JLSP. In these settlements development is to support rural and urban regeneration by meeting an identified local need for housing. GN4 would allow the development of market housing under (a). This goes beyond what is allowed under Policy 5. GN3 does not, therefore, conform in this respect.</p>	<p>Again, this demonstrates a misunderstanding as all windfall housing is subject to policy HS6 which sets out strict criteria for new market housing.</p>
<p>DC2 – Development in the Area of Other Open Countryside</p>	<p>JLSP Policy 5 allows limited development of new buildings for employment generating uses in the countryside outside villages and other settlements. C2 makes no reference to this and consequently does not conform to the JLSP.</p>	<p>The JLSP policy is looser than that set out in the Chorley Local Plan Review. The Structure Plan refers to “limited development of new buildings to meet identified local employment needs will be acceptable in principle outside greenbelts”. Given the special circumstances of development for employment purposes for “identified employment needs” the difference in wording of the two policies is not of such strategic importance to justify being cited as out of conformity.</p>
<p>DC4 – Rural Infilling</p>	<p>Development outside of the settlement hierarchy established in JLSP Policies 2 and 4 fall under the provisions of Policy 5 of the JLSP. In these settlements development is to support rural and urban regeneration by meeting an identified local need for housing. DC4 does not restrict development to sites in identified settlements, nor does it refer to meeting an identified local need. DC4 does not therefore conform to the JLSP.</p>	<p>This level of detail is appropriate to a local plan and is consistent with the policies of the JLSP ie policy 5 of the JLPS refers to “most housing development”, being of a specialist nature and it is reasonable to assume that the policy does not completely preclude a small amount of market housing. Irrespective of the above policy DC4 is subject to policy HS6 and even refers to the Structure Plan housing figures in the policy.</p>

<p>DC5 – Special Provisions for Rural Affordable Housing</p>	<p>Development outside of the settlement hierarchy established in JLSP Policies 2 and 4 fall under the provisions of Policy 5 of the JLSP. It allows limited development of new buildings for employment generating uses in the countryside outside villages and other settlements.</p> <p>DC5 allows local needs affordable housing development in areas adjoining rural settlements. Policy 5 of the JLSP does not support the principle of local needs affordable housing development in the countryside outside villages.</p> <p>DC5 does not therefore conform to the JLSP.</p>	<p>Again. The JLSP should be read as a strategic planning document. It would be inappropriate for it to consider the location of rural affordable housing in the detail set out in policy DC5. Moreover, there is no inconsistency between policy DC5 and the JLSP.</p> <p>Para 6.1.17 refers to “most housing” outside of the settlement hierarchy being for affordable housing.</p> <p>Para 6.3.8 also states that, “the need for affordable housing provision, the amount and its location, will be identified by District Local Authorities as part of their assessment of housing need”.</p> <p>Moreover, the development of land outside of settlements for affordable housing is an accepted “exception” mechanism to provide land at low cost.</p>
<p>DC6 – Major Developed Sites in the Green Belt</p>	<p>JLSP Policy 5 allows development for employment generating uses in the countryside outside villages and other settlements.</p> <p>DC6 does not specifically restrict development to employment generating uses.</p>	<p>However, this policy would be read in conjunction with other policies within both the JLSP and the Chorley Borough Local Plan Review.</p> <p>Therefore it is incorrect to state that it is out of conformity with the JLSP.</p>
<p>DC7A - Conversion of Rural Buildings in the Green Belt</p>	<p>Policy 5 of the JLSP states that in the countryside outside villages building conversions and redevelopment of existing groups of buildings for employment uses will be supported in principle.</p> <p>D7A by permitting the reuse of buildings for residential uses does not conform to JLSP.</p>	<p>This requires to be read in conjunction with policy EM4 and policy HS6. These make clear that conversion to housing uses is not the first choice and that significant evidence must be set out to justify such a use.</p>
<p>DC7B - Conversion of Rural Buildings in Safeguarded Land of Other Open Countryside</p>	<p>Policy 5 of the JLSP states that in the countryside outside villages building conversions and redevelopment of existing groups of buildings for employment uses will be supported in principle.</p>	<p>See above.</p>

<p>EP2 – County Heritage and Local Nature Reserves.</p>	<p>D7B by permitting the reuse of buildings for residential uses does not conform to this Policy.</p> <p>Policy 21 of the JLSP states that where in exceptional circumstances unavoidable loss or damage to a site or feature or its setting is likely as a result of a proposed development, measures of mitigation and compensation will be required to ensure that there is as a minimum, no net loss.</p> <p>EP2 states “...planning conditions or agreements may be used...” rather than ‘will’.</p> <p>As a result it does not conform to the JLSP.</p>	<p>The policy does not replicate that set out in the JLSP. However, this should not mean that the policy is at odds with that in the JLSP. The policy, albeit less strongly worded, makes clear that where required, conditions or legal agreements will be entered into.</p>
<p>EP23 – Energy from Renewable Resources</p>	<p>Policy 25 of the JLSP provides a balanced approach to renewable energy development which facilitates the development of renewable energy whilst ensuring the protection of Lancashire’s landscapes and other environmental interests.</p> <p>EP23 fails to provide a balanced approach to development weighing up the wider benefits of development in terms of contribution to targets and also the wider environmental, social and economic benefits. EP23 does not therefore conform to the JLSP in respect to this Policy.</p>	<p>The policy in the JLSP is more positively worded. However, the Chorley Borough Local Plan Review does preclude wind development,</p>
<p>EP24 – Wind Farms</p>	<p>Policy 25 of the JLSP provides a balanced approach to renewable energy development which facilitates the development of renewable energy whilst ensuring the protection of Lancashire’s landscapes and other environmental interests.</p> <p>EP24 fails to provide a balanced approach to development weighing up the wider benefits of</p>	<p>Policy EP24 sets out the criteria by which applications will be judged. It makes clear that the Council would support wind farms in principle.</p> <p>It is completely in accordance with policy 25 of the JLSP and PPS22 Renewable Energy as at a district level it is setting out amenity criteria.</p> <p>The principle of targets etc is set regionally</p>

	<p>development in terms of contribution to targets and also the wider environmental, social and economic benefits. EP24 does not therefore conform to the JLSP in respect to this Policy.</p>	<p>therefore there is no compunction for there to be reference to them at a district level.</p>
<p>HS1 – Housing Allocations</p>	<p>Policy 12 of the JLSP establishes a housing requirement for Chorley 2001-2016 of 4,710 dwellings. Policy 12 requires an annual housing provision 2001-2006 of 485 dwellings and 2006-2016 of 230 dwellings. These levels, which provide for household change and exclude provision for clearance replacement dwellings, should be regarded as maximum requirements.</p> <p>JLSP Policy 12 also gives priority to the re-use of brownfield sites for housing in preference to greenfield sites. Table 1 of JLSP Policy 12 indicates that no additional greenfields are required to provide for household change.</p> <p>HS1 allocates 1,592 dwellings, which contributes towards meeting a provision of about 6,857 dwellings. These allocations include Greenfield sites.</p> <p>HS1 does not conform to the JLSP in these respects.</p>	<p>Full account was taken of the then emerging Structure Plan housing provision requirements at the time when the Local Plan was being finalised for adoption. Over 400 units worth of housing land (most of it greenfield) as deleted from the Local Plan prior to its adoption. The scope to review these sites was severely constrained by planning permission commitments. However, policy HS6 was modified to closely control new windfall housing development proposals tied to the Structure Plan housing provision level and this was backed up by Supplementary Planning Guidance.</p> <p>Considerable infrastructure investment has already taken place in allocated sites such as Eaves Green.</p>
<p>HS4 – Design and Layout of Residential Developments</p>	<p>The settlement hierarchy of the JLSP is contained in Policies 2 and 4. Settlements outside of this hierarchy fall under the provisions of Policy 5 of the JLSP. Within the Policy 5 settlements development will be supported if, it meets an identified local need for housing.</p> <p>In addition to the above Policy 12 of the JLSP establishes a housing requirement for Chorley 2001-2016 of 4,710 dwellings.</p>	<p>HS4 is a design and layout policy which needs to be read with policies HS6 and the relevant settlement policy. There is no conformity conflict here.</p>

	<p>HS4 does not restrict development to that which meets an identified local need for housing, nor does it restrict itself to those settlements which are addressed by JLSP Policy 5. HS4 implies that, subject to a range of criteria, any residential development proposal will be permitted. This has no regard to the Borough's overall housing requirement as set out in JLSP Policy 12.</p>	
<p>HS6 – Housing Windfall Sites</p>	<p>HS4 does not therefore conform to the JLSP.</p> <p>The settlement hierarchy of the JLSP is contained in Policies 2 and 4. Settlements outside of this hierarchy fall under the provisions of Policy 5 of the JLSP. Within the Policy 5 settlements development will be supported if, it meets an identified local need for housing or community service or by providing for local employment opportunities.</p> <p>In those existing built-up areas which are addressed by JLSP Policy 5, HS6 does not restrict development to that which meets an identified local need for housing.</p>	<p>This is the key policy (HS6) which enables close conformity with Structure Plan provision levels. The policy needs to be read with other policy settlement policies and HS8.</p>
<p>HS7 – Redevelopment for Housing</p>	<p>HS6 does not therefore conform to the JLSP.</p> <p>The settlement hierarchy of the JLSP is contained in Policies 2 and 4. Settlements outside of this hierarchy fall under the provisions of Policy 5 of the JLSP. Within the Policy 5 settlements development will be supported if, it meets an identified local need for housing or community service or by providing for local employment opportunities.</p> <p>In those existing built-up areas which are addressed by JLSP Policy 5, HS7 does not</p>	<p>The potential provision of housing from policy HS7 sites was taken account of when adopting the Local Plan with reduced HS1 allocations and controls under HS6. The HS1 sites represent land which would benefit from housing regeneration.</p>

	<p>restrict development to that which meets an identified local need for housing.</p> <p>In addition to the above Policy 12 of the JLSP establishes a housing requirement for Chorley 2001-2016 of 4,710 dwellings. HS7 has no regard to the borough's overall housing requirement as set out in JLSP Policy 12.</p>	
<p>HS10 – Multiple Occupancy</p>	<p>HS7 does not therefore conform to the JLSP.</p> <p>The settlement hierarchy of the JLSP is contained in Policies 2 and 4. Settlements outside of this hierarchy fall under the provisions of Policy 5 of the JLSP. Within the Policy 5 settlements development will be supported if, it meets an identified local need for housing or community service or by providing for local employment opportunities.</p> <p>HS10 does not operate exclusively in relation to Policy 5 settlements. Furthermore, in those existing built-up areas which are addressed by JLSP Policy 5, HS10 does not restrict development to that which meets an identified local need for housing.</p>	<p>In policy 5 settlements policy HS10 will need to be read in conjunction with the Structure Plan- thus there is no conformity conflict.</p>
<p>HS11 – Flats above Retail and Commercial Premises</p>	<p>HS10 does not therefore conform to the JLSP.</p> <p>The settlement hierarchy of the JLSP is contained in Policies 2 and 4. Settlements outside of this hierarchy fall under the provisions of Policy 5 of the JLSP. Within the Policy 5 settlements development will be supported if, it meets an identified local need for housing or community service or by providing for local employment opportunities.</p> <p>HS11 does not operate exclusively in relation to</p>	<p>As above.</p>

	<p>Policy 5 settlements. Furthermore, in those existing built-up areas that are subject to JLSP Policy 5, HS11 does not restrict development to that which meets an identified local need for housing.</p>	
<p>HS17 – Sheltered Housing, Rest Homes, Nursing Homes and other Special Needs Housing</p>	<p>HS11 does not therefore conform to the JLSP.</p> <p>The settlement hierarchy of the JLSP is contained in Policies 2 and 4. Settlements outside of this hierarchy fall under the provisions of Policy 5 of the JLSP. Within the Policy 5 settlements development will be supported if, it meets an identified local need for housing or community service or by providing for local employment opportunities.</p> <p>HS17 does not restrict itself those ‘other settlements identified in local plans’ as referred to in JLSP Policy 5.</p> <p>HS17 does not therefore conform to the JLSP.</p>	<p>As above.</p>
<p>EM1 - Employment Land Allocations</p>	<p>JLSP Policy 14 identifies a provision of 60 hectares of business and industrial land for the period 2001-2016 (30 hectares of which is outside of the Royal Ordnance site, Euxton Strategic Location for Development). JLSP Policy 17 states that the local authorities will need to assess the proportion of land, set out in JLSP Policy 14, which is should be allocated to office development (Use Class B1a).</p> <p>EM1 allocates 42.46 hectares of employment land to meet a requirement identified in the previous structure plan of about 80 hectares. This represents an over supply of land in relation to the JLSP provision. Furthermore, EMP1 does not quantify the amount of land</p>	<p>The Council are presently undertaking a Review of Employment land in the Borough that will determine which sites should remain allocated. Policy 17 (JLSP) indicates circumstances where capacity for office development is not available, major office development should be located in accordance with the development framework set out in Policy 1 (JLSP0). In respect of office development there is no issue of conformity.</p>

	<p>allocated specifically for office development.</p> <p>In respect of site EM1.9, Policy 16 of the JLSP establishes a hierarchy for town centres in relation to retail, entertainment and leisure development. Outside of those centres retail development must be located in accordance with the sequential approach and it must not significantly harm, alone or in combination with other proposed development, the vitality and viability of any town centres, district centres, local centres or the overall shopping and leisure provision in small towns and rural areas within or adjoining Lancashire.</p> <p>EM1.9 is located outwith a defined town centre and is not therefore considered in the context of the retail, entertainment and leisure hierarchy.</p> <p>Also in respect of site EM1.9, JLSP Policy 18 operates so as to direct major hotel development most appropriately within town centres or coastal resorts. Policy 18 does however state that exceptionally major new hotels may be located elsewhere where a need can be demonstrated, and the site is accessible by public transport. In demonstrating a need it is necessary to indicate that it cannot be met in i) town centres or, if a town centre site is not available, on the edge of town centres; or ii) in coastal resorts.</p> <p>EM1.9 is located outwith both a town centre and a coastal resort. Furthermore, EM1.9 is not accessible by public transport. There is no evidence of need.</p>	<p>Full account was taken of the appropriateness of hotel, public house, office and retail uses as site EM1.9 at the Local Plan Inquiry, including the sequential preference for locating in centres, overall provision and public transport accessibility. The Inquiry Inspector supported hotel, public house and office (as well as other employment) uses of Em 1.9 but not retail.</p> <p>The allocated sites were included in the Local Plan in accordance with the Inspector's recommendation. In effect the Structure Plan's approach has already been taken into account so there is no conformity issue in respect of this site.</p>
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<p>EM1A - Regional Investment Site at Royal Ordnance</p>	<p>The Policy does not therefore conform to the JLSPP.</p> <p>JLSPP Policy 15 allocates land at Royal Ordnance, Euxton primarily for high quality generic manufacturing uses and knowledge based industry.</p> <p>EM1A does not specifically restrict development to these uses.</p>	<p>The Local Plan policy needs to be read in conjunction with the Structure Plan. There is no issue of conformity.</p>
<p>EM2 - Development Criteria for Industrial/Business Development</p>	<p>JLSPP Policy 5 allows the limited development of new buildings to meet identified local employment needs outside green belt areas.</p> <p>EM2 does not refer to local identified employment needs outside green belt areas. The Policy does not therefore conform to the JLSPP.</p>	<p>This is a general policy (EM2) and needs to be read in conjunction with other Local Plan and Structure Plan policies. Therefore, there is no issue of conformity.</p>
<p>EM3 – Diversification of the Rural Economy</p>	<p>JLSPP Policy 5 allows the limited development of new buildings to meet identified local employment needs outside green belt areas.</p> <p>EM3 does not refer to local identified employment needs outside greenbelt areas. The Policy does not therefore conform to the JLSPP.</p>	<p>The Local Plan policy is taking account of local needs- the diversification of the rural economy. Therefore there is no issue of conformity.</p>
<p>EM4 Protection of Employment Sites in Rural Settlements</p>	<p>Development in the countryside outside of the settlement hierarchy established in JLSPP Policies 2 and 5 fall under the provisions of Policy 5 of the JLSPP. In the countryside outside settlements building conversions and redevelopment for employment generating uses will be supported in principle.</p> <p>EM4 allows the conversion and redevelopment of buildings to uses other than employment</p>	<p>PolicyEM4 relates to developments within settlements. Policy 5 does not rule out non-employment conversions. In fact policy 5 states, “Development resulting in the loss of local shopping, leisure, service and employment provision to other uses will not be permitted unless it can be demonstrated that the use is no longer needed by the community”.</p> <p>Policy EM4 sets out the criteria by which to</p>

	generating uses.	judge whether this is the case.
EM5 – Extensions to Rural Enterprises	<p>JLSP Policy 5 allows the limited development of new buildings to meet identified local employment needs outside greenbelt areas.</p> <p>EM5 does not refer to local identified employment needs outside greenbelt areas. The Policy does not therefore conform to the JLSP.</p>	<p>Policy EM5 needs to be read in conjunction with policy 5 of the JLSP therefore there is no issue of conformity.</p>
TR8 – Parking Provision Levels	<p>The adopted Parking Standards are maximum standards which must be met. TR8 operates parking standards adopted by the Council, via Appendix 3, which are now obsolete.</p>	<p>This is true and was at the time of adoption. However, due to procedural reasons it was inappropriate to amend the standards. However, it is made clear on page 143 of the Chorley Borough Local Plan Review that the County's new standards are being used.</p>
TR16 – Cycle Facilities	<p>The adopted parking standards require developments to provide 1 space per 10 car spaces and for developments employing 30 or more full or part time staff long stay covered secure cycle parking.</p> <p>TR16 states that cycle parking facilities are to be provided in town centres, shopping centres, at railway stations and public buildings. The adopted parking standards, which are not referred to in TR16 relate to all development.</p> <p>This does not conform with the JLSP which sets a minimum level which must be met.</p>	<p>See above.</p>
TR18 – Provision for pedestrians and Cyclists in New Development	<p>The adopted parking standards require developments to provide 1 space per 10 car spaces and for developments employing 30 or more full or part time staff long stay covered secure cycle parking.</p>	<p>See above.</p>

	<p>TR18 operates parking standards adopted by the Council, via Appendix 3, which are now obsolete.</p>	
<p>SP1 – Locations for Major Retail Development</p>	<p>JLSP Policy 16 defines Chorley as a Tier 2 centre. Development therein is required to be consistent with the scale and function of the centre. Furthermore, it states that retail, entertainment and leisure development must not significantly harm, alone or in combination with other proposed development, the vitality and viability of any town centres, district centres, local centres or the overall shopping and leisure provision in small towns and rural areas within or adjoining Lancashire.</p> <p>SP1 only considers vitality and viability of other centres in relation to sites which are not in, or on the edge of Chorley Town Shopping Centre, District or Local Centres as shown on the proposals map. It should relate to these centres also. SP1 does not therefore conform to the JLSP.</p>	<p>PPS6 states that where the “proposed development of a site....would substantially increase the attraction of the centre and could increase the impact on other centres, the impact on the other centres will also need to be assessed.”</p> <p>It is accepted that the policy is not in complete accordance with PPS6 but as both PPS6 and policy 16 of the JLSP would all be taken into account when judging any planning proposal it is not considered out of conformity with the JLSP.</p>
<p>SP2 – Retail Allocations</p>	<p>JLSP Policy 16 establishes a retail hierarchy. It states that retail, entertainment and leisure development must not significantly harm, alone or in combination with other proposed development, the vitality and viability of any town centres, district centres, local centres or the overall shopping and leisure provision in small towns and rural areas within or adjoining Lancashire.</p> <p>SP2 does not state that development at the two identified sites will take account of these various factors. SP2 does not therefore conform to the</p>	<p>See above.</p> <p>The majority of these sites have been developed and the point is academic.</p> <p>Nonetheless. Policy SP2 should be read in combination with SP1 and Structure Plan 16.</p>

<p>LT1 – Major Tourism and Leisure Development</p>	<p>JLSP.</p> <p>JLSP Policy 16 defines Chorley as a Tier 2 centre. Development therein is required to be consistent with the scale and function of the centre. Furthermore, it states that retail, entertainment and leisure development must not significantly harm, alone or in combination with other proposed development, the vitality and viability of any town centres, district centres, local centres or the overall shopping and leisure provision in small towns and rural areas within or adjoining Lancashire.</p> <p>LT1 only considers vitality and viability of other centres in relation to sites which are not in, or on the edge of Chorley Town Shopping Centre. It should relate to these centres also. LT1 does not therefore conform to the JLSP.</p>	<p>See comments to policy SP1</p>
<p>LT2 – Leisure Allocations</p>	<p>JLSP Policy 16 defines Chorley as a Tier 2 centre. Development therein is required to be consistent with the scale and function of the centre. Furthermore, it states that retail, entertainment and leisure development must not significantly harm, alone or in combination with other proposed development, the vitality and viability of any town centres, district centres, local centres or the overall shopping and leisure provision in small towns and rural areas within or adjoining Lancashire.</p> <p>In respect of LT4 refer to the commentary above which relates to EM1. Site LT4/EM1.9 does not conform to the JLSP.</p>	<p>As above.</p>

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Report of	Meeting	Date
Head of Planning Services	Development Control Committee	30/08/05

CARAVAN USES IN THE GREEN BELT

PURPOSE OF REPORT

- To advise Members of existing national, regional and local planning policy with regard to caravan uses in the Green Belt.

CORPORATE PRIORITIES

- The policies highlighted in this report will help maintain the openness and visual amenity of the countryside in Chorley. This directly relates to the Council's priority for a greener, cleaner, safer Chorley.

RISK ISSUES

- The report contains no risk issues for consideration by Members.

BACKGROUND

- Since local planning authorities were first invited to consider establishing Green Belts in 1955, the purposes of Green Belt policy and related development control policies set out then remain valid today with little alteration. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open as openness is considered its most important attribute. Along with many other development pressures on the Green Belt, caravan uses present a threat to this openness, particularly as they can appear prominent in the countryside.

GREEN BELT POLICY

- Planning Policy Guidance Note 2: Green Belts** – Current Government guidance on Green Belts is contained in Planning Policy Guidance Note (PPG) 2, revised in 1995. The guidance describes the purposes of including land in Green Belts as:
 - to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns from merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The designation of land as Green Belt does not necessarily infer high landscape quality or nature conservation value and reflects only that the openness of the land is important and should be maintained. Within the Green Belt there is a presumption against inappropriate



development unless there are very special circumstances. Inappropriate development prejudices the purposes of including land in Green Belts and is harmful to its open character. Development, which by virtue of its siting, materials or design would be visually detrimental to the Green Belt, is also inappropriate. PPG2 defines the types of development which are appropriate in the Green Belt. These are reflected in Local Plan Policy DC1 set out in Paragraph 7 below.

6. **Adopted replacement Joint Lancashire Structure Plan 2001-2016** – The general extent of Green Belts across Lancashire was first established in the late 1970s/early 1980s. Policy 6 of the replacement Joint Lancashire Structure Plan, adopted 31st March 2005 states that the general extent of Green Belts will be maintained and outlines the purposes served by Green Belt in Lancashire:
7. **Adopted Chorley Borough Local Plan Review** – The Local Plan defines the precise boundaries of the Green Belt in the Borough. Policy DC1 restricts development in the Green Belt to:
 - for agriculture and forestry;
 - essential facilities for outdoor sport and recreation, cemeteries or other land uses which preserve the openness of the Green Belt and do not conflict with its purposes;
 - limited extension, alternation or replacement of existing dwellings;
 - re-use of existing buildings;
 - limited infilling;
 - affordable housing to meet a local need;
 - re-use, infilling or redevelopment of Major Developed Sites.

Development not falling within one of these categories of appropriate use but would be justifiably located in the countryside maybe permitted if the applicant proves very special circumstances exist and the proposal would not harm the openness of the Green Belt.

CARAVAN USES

8. A significant number of people in the United Kingdom spend their holidays touring with caravans or staying at static caravan holiday sites. The National Caravan Council estimate that there are over 4,000 such sites in the UK and that there are 498,000 touring caravans, 112,000 motorhomes and 335,000 static caravan holiday homes in use. This presents a number of planning issues, particularly in the countryside, regarding the storage of touring caravans when they are not in use and the demand for new and expanded caravan sites. In addition there are 'static' caravans on 'park homes' sites which are permanently occupied as residences.
9. **Storage** – Many private touring caravans are stored upon driveways or otherwise in the gardens of domestic properties when not in use. Under the General Permitted Development Order this does not require planning permission in most circumstances. This also applies to the to houses in the Green Belt. The number of caravans that can be stored at a residential property is not expressly limited, however, it is unlikely many more than two could be allowed without planning permission as they should be 'incidental to the enjoyment of the dwellinghouse'.
10. Outside the curtilage of residential properties, proposals for caravan storage in the Green Belt will be assessed principally in terms of their impact on the openness of the Green Belt. The open storage of caravans in the Green Belt has been held to be inappropriate development and is thus only acceptable in very special circumstances. There may be proposals where there will be little or no impact on openness – for example storage inside former agricultural buildings – and storage in the Green Belt would be likely to be

permissible in such cases unless there were other site-specific concerns - such as regarding access. Caravan storage can be quite feasible in built up areas and represents good use of otherwise un-used land providing it is well screened and has adequate road access.

11. **Holiday sites** – The Local Plan (Policy LT4) sets out criteria for permitting touring caravan sites as a means of attracting visitors to the Borough, particularly as they represent less formal and less permanent rural accommodation and therefore do not have a lasting impact on the countryside. It is however essential that they are appropriately located in order to have minimal impact on the local environment and proposals in the Green Belt also must be acceptable in terms of openness.
12. Static caravans used as holiday homes, even if they are only occupied in the summer months, represent a permanent impact on the countryside. There is no Local Plan policy covering these. The previous Lancashire Structure Plan did contain such a policy but it has not been carried forward to the latest Plan. However such developments are clearly inappropriate in terms of Green Belt policy.
13. **Residential uses** – Permanent occupancy of caravans in the Green Belt constitutes the creation of a new dwelling. The Council's policies on development in the Green Belt and new housing preclude this although exceptions may occur where there is clear agricultural justification. In accordance with Policy HS15 of the Local Plan, temporary permission may be permitted for a residential caravan in the Green Belt where there is a reasonable prospect of a new farming enterprise becoming viable within the medium term and other factors justify an agricultural workers dwelling.

COMMENTS OF THE DIRECTOR OF FINANCE

14. No comments.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

15. There are no apparent Human Resources implications from this report.

CONCLUSION

16. The aim, purpose and objectives of Green Belt policy are well established. There are robust development control policies set out in the Local Plan that are effective in preventing inappropriate development in the Green Belt, including caravan uses which harm openness and visual amenity. Caravan storage, new caravan sites and the extension of existing sites are not completely ruled out prevented in the countryside, however, proposals must not prejudice the purposes of including land in Green Belts.

RECOMMENDATION(S)

17. That the report be noted.

ALAN CROSTON
HEAD OF PLANNING SERVICES

Background Papers			
Document	Date	File	Place of Inspection
Planning Policy Guidance Note 2: Green Belts	January 1995	-	Gillibrand Street Offices, Chorley
The Town and Country Planning (General Permitted Development) Order 1995	June 1995	-	Gillibrand Street Offices, Chorley
National Caravan Council – Frequently Asked Questions	accessed June 2005	-	www.thecaravan.net

Report Author	Ext	Date	Doc ID
Alistair Gemmell	5741	05/07/05	COMREP6.doc

Report of	Meeting	Date
Head of Planning Services	Development Control Committee	30.08.2005

PLANNING APPEALS AND DECISIONS - NOTIFICATION

PURPOSE OF REPORT

1. To advise Committee of notification received from the Planning Inspectorate, since the date of the last meeting, of planning and enforcement appeals which may have been lodged or determined. Also of notification of decisions received from Lancashire County Council and other bodies.

CORPORATE PRIORITIES

2. This report does not affect the corporate priorities

RISK ISSUES

3. The report contains no risk issues for consideration by Members.

PLANNING APPEALS LODGED

4. Appeal by Mr & Mrs Pope against the refusal of planning permission for the erection of first floor side extension and part conversion of garage to family room at 28 Sandringham Drive, Brinscall, Chorley (Application No 05/00295/FUL).
5. Appeal by O2 UK Ltd against the refusal of prior approval for the erection of a 15m slimline monopole tower with two 2G and 3G equipment cabinets at Croston Sheet Metal Ltd, Chapel Lane, Coppull (Application No 05/00498/TEL)

PLANNING APPEALS DISMISSED

6. Appeal by O2 UK Ltd against the refusal of prior approval for the installation of a 15m high telecommunications column, 1 x equipment cabinet, and associated equipment at Land Adjacent Lavinia, Euxton Lane, Euxton (Application No 05/00071/TEL).
7. Appeal by Mr & Mrs Cowie against the refusal of planning permission for an outline application for erection of detached dwelling at Land Adjoining Bimsons Farm, Stocks Lane, Heskin (05/00181/OUT).

NOTIFICATION FROM LANCASHIRE COUNTY COUNCIL

8. Notification of planning permission for variation of condition 1 of Planning Permission 9/03/00728 to allow the retention of existing 8m high litter fence and its subsequent relocation to other phases of the site for the duration of the landfill operations at Rigby

Quarry and Houghton House Landfill Site, The Common, Adlington (Application No 05/00430/CTY)

- 9 Notification of planning permission for variation of condition 1 and 2 of planning permission 9/02/00980 to allow land filling operations to continue until 11/09/2008 and to reduce levels and regrade area F, at Rigby Quarry and Houghton House Landfill Site, The Common, Adlington (Application No 05/00429/CTY)

RECOMMENDATION(S)

- 10 That the report be noted

A D CROSTON
 HEAD OF PLANNING SERVICES

Background Papers			
Document	Date	File	Place of Inspection
4. Letter from Inspectorate	14.07.2005	05/00295/FUL	Union Street Offices
5. Letter from Inspectorate	15.08.2005	05/00498/TEL	“ “ “
6. Letter from Inspectorate	27.07.2005	05/00071/TEL	“ “ “
7. Letter from Inspectorate	10.08.2005	05/00181/OUT	“ “ “
8. Letter from L.C.C.	16.08.2005	05/00430/CTY	“ “ “
9. Letter from L.C.C.	16.08.2005	05/00429/CTY	“ “ “

Report Author	Ext	Date	Doc ID
Paul Sudworth	5346	18.08.2005	ADMINREP/REPORT

Report

Report of	Meeting	Date
Head of Planning Services	Development Control Committee	30.08.2005

PLANNING APPLICATIONS AWAITING DECISION

Item	Application	Recommendation	Location
A. 1	05/00425/FULMAJ	Permit(Section 106)	Land To The North Of Units 1 And 2 Chorley North Industrial Park Drumhead Road Chorley Lancashire
A. 2	05/00614/FULMAJ	Permit	21 - 23 Southport Road Chorley Lancashire PR7 1LB
B. 1	05/00188/FUL	Permit	Highfield Farm Jolly Tar Lane Coppull Lancashire PR7 4BJ
B. 2	05/00536/COU	Permit	Caravan Bramblewood Nursery Wigan Lane Heath Charnock Lancashire
B. 3	05/00576/FUL	Refuse	South Miry Fold Farm Briers Brow Wheelton Lancashire PR6 8JN
B. 4	05/00686/FUL	Refuse	Fairview Harbour Lane Wheelton Chorley Lancashire
B. 5	05/00691/FUL	Permit	Wizard Computers 224 Preston Road Whittle-Le-Woods Lancashire PR6 7HW
B. 6	05/00758/FUL	Refuse	68 Park Road Adlington Lancashire PR7 4JN

Continued....

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Item A. 1	05/00425/FULMAJ	Permit(Section 106)
Case Officer	Mr Nigel Robinson	
Ward	Chorley North East	
Proposal	A Three Storey Office Development (site area 0.18 HA)	
Location	Land To The North Of Units 1 And 2 Chorley North Industrial Park Drumhead Road Chorley Lancashire	
Applicant	The Trustees Of The Scowcroft Family Pension Scheme	
Background	<p>This is a full application for planning permission for the erection of a 3 storey, flat roof block of B1 use offices on a building footprint of 1014 sq.m. The site is currently densely populated by tree planting undertaken at a time of the laying of the infrastructure of the area by the Central Lancashire new Town. The trees are subject to the protection of a tree preservation order. The site is immediately adjacent to existing industrial units 1 & 2 on the Drumhead Road Industrial Estate, which is within the same land ownership as that of the current applicant. The site adjoins a wedge of land adjacent to the M61 up slip road at Chorley North (for vehicles travelling north) which is also densely planted.</p> <p>The site is not specifically allocated for any use on the Proposals Map to the Adopted Local Plan and is merely designated as being within the settlement area. The proposed building has two elements in terms of the main office floor space and a glazed lobby/access linkage which would be to the north western side. The 'office' area has two full floors and then a 'roof' floor and has a maximum height of 10.7 m. The glazed element is somewhat taller at 12.5 m. Thirty one car parking spaces are shown to the rear and side of the building.</p> <p>A transport assessment accompanies the application as does a sequential approach for the development of the site for offices outside the town centre. An ecological survey to assess the site for Great Crested Newts has also been submitted. Finally, a design statement has been submitted to support the rationale behind the form of the building and design principles.</p>	
Planning Policy	Local Plan: GN1; EM1; EM2; EP9; PPS6 re: Central Government policy context upon town centre development and retail development; Policy 17 of Adopted Joint Lancashire Structure Plan upon major office developments; Reg. Spatial Strategy Policies DP1 - 4.	
Planning History	None applicable	
Consultees	LCC Highways (initial consultation): No objection in principle but comments about the substance of the submitted Travel Plan as well as seeking a contribution towards the LCC Kick Start initiative on upgrading local bus services through financial contribution commensurate with the nature of the proposed development. Also comments about the provision of disabled parking spaces. Revised submissions address the comments about the Travel Plan and discussions with the LCC Travel Plan	

Co-ordinator, while a contribution towards the Kick Start scheme agreed with LCC.

Environment Agency (initial consultation): Objected to site development being too close to the bank of the River Chor and its bankside habitats but would accept a six metre buffer zone from the river to the site development envelope; they also identify that if the Council are minded to grant permission then they must attach a condition upon a surface water regulation system.

LCC Planning on strategic matters: No apparent resultant over-provision of business/employment land and as such no strategic objection on this ground; upon transportation, the site is remote from any existing bus services and as such this needs to be addressed through a contribution to the Kick Start initiative referred to above

LCC Ecologist – Raise requirements for further survey work with regard to water voles, bats and breeding birds; this work is being undertaken.

English Nature – views to be reported:

Highways Agency: No objections to the proposal now; the applicants' highway consultants have resolved outstanding issues that overcome any concerns that the HA initially had.

Head of Public Space Services – Arboriculturalist: the site was filled with a cheap woodland mix in order to give a quick and dense fill which has been achieved with a total canopy cover; because of their planting and given no subsequent tree management, the trees are very drawn in stature; many trees will have to be removed as a result of the proposal and therefore if one is seeking their retention en bloc then the only course of action would be to refuse this application.

Third Party Representations

One letter received from a resident in Linden Grove objecting to the development on the grounds of a likely increase in traffic at the Hartwood Hall junction; this junction needs improvements and the further weight of traffic will aggravate the situation; 25 car spaces are indicated but there will be a likely demand for more parking spaces given the 100 employees indicated – there is a 75% shortfall; car parking on the Hartwood Estate by non-residents is already a problem; certainly employees arriving at this site by bus or on foot needs to be encouraged.

Applicant's Case

The proposal would afford a prestigious, high specification £1 million pound development creating 100 job opportunities in the Borough. The building would be assimilated comfortably into the residue of a substantial landscaped belt and would still be well screened from the M61 with many trees retained to the eastern site boundary. Adequate car parking provision is available to meet LCC standards and disabled spaces have been added. A travel plan has been submitted which will be implemented and monitored which can be conditional. A sum of £20,000 plus vat has been offered as a contribution towards the LCC Kick Start initiative upon promoting public transport in Chorley. This has been held to be acceptable by the LCC's public transport team given the limited size of this development package. LCC Highways Section in their

consultation response do not identify any problem with the local highway infrastructure and as such there can be no need for a contribution towards any improvement of such, while the Highways Agency now identify no problems resulting from the development upon the motorway junction. Though the site is covered by a Tree Preservation Order, the merit of the trees has to be queried, and given many can still be retained together with the development of the site then the outward damage is less significant.

Assessment

The main issues are the impact, if any, of the proposed office development upon the ability to be able to attract office development to either town centre locations or other considered appropriately located or allocated by the Development Plan; impact upon the trees on site under the protection of a tree preservation order; transportation issues and car parking provision; relationship of the proposed development to the River Chor; and any implications of the development upon issues of ecological interest.

With regard to the issue of siting an office development upon an un-allocated site outside the town centre and in making an assessment of the applicants' submitted sequential approach as to why the application development is appropriately located, the following conclusions can be drawn. Firstly though the site is not allocated as EM1 employment land, and that is principally that is because it was predominantly developed at an earlier date under the auspices of CLNT, it is sited immediately adjacent to long standing industrial buildings on what is an established industrial estate located with immediate access to the M61 motorway.

The sequential approach identifies that within the central core of the town centre, no existing sites of the scale required have been identified while site clearance/assembly appears difficult given the many adjacent terraced streets and large public buildings. Two possible sites were initially identified very close to the centre in Dole Lane opposite the Town Hall and Water Street, and subsequently three more possible sites have been considered. All these sites have been dismissed as unsuitable either because of the size or shape of the developable site area or that their given their location likely development potential is likely to realise retail value and as such be unaffordable to the applicant. In terms of other allocated land the agent advises that Buckshaw Village is not as centrally located to Chorley and does not facilitate the easy access to the motorway, but in any event the first phase of the Matrix Office Park on Buckshaw is now sold out and this demonstrates the desirability of the provision of new office developments in the Borough. In terms of impact upon the town centre, the approach considers that there is an absence of multi storey office development in the centre of Chorley, which safeguards its original character as a market town. The proposal, it states, will maintain this status quo and not detract from the appearance of the town centre. The agents advise that there has been some advance interest in an office development in this location close to the motorway, while a £1 million investment would not be embarked upon without some likelihood of the site being sold/let.

It is not considered that there is anything in the submissions made above, with which officers fundamentally disagree; the comments made in respect of the possible other sites at the edge of town

centre, are not considered unrealistic particularly where retail values could still be realised; in location terms, the benefits of the site over the town centre probably outweigh the dis-benefits while clearly there will be much shorter journeys from the motorway at peak times when Preston Road into Chorley and back is heavily congested. Policy EM2 of the Borough Plan identifies criteria, as applicable, for the development of new business or industrial premises. The main identified issues here relevant to this application are potential impact upon surface water/drainage, access, design, lay out and allowance for public transport penetration. Surface water drainage is dealt with in a section below, as is public transport. LCC Highways engineer does not object to the access to Drumhead Road, while the overall design and layout of the building and curtilage are considered satisfactory.

Upon transportation matters, consultee responses identify the location of the site is not immediately accessible to public transport, although there are readily available bus services on Preston Road within 500-600 metres of the application site, albeit down/up the steep slope of Drumhead Road to the application site. In order to improve accessibility the applicant is prepared as stated to make a financial contribution to a countywide initiative that intends the improvement and overhaul of public transport in Lancashire on the basis of financial contributions received from developments particularly those warranting accessibility improvements. LCC have confirmed the acceptability of the suggested contribution by the developer and that it would be used to upgrade the local Chorley bus network. The level of on site car parking, including disability provision, accords with the adopted LCC standard. The comments of the third party objection are noted but it would be unrealistic to impose an onerous parking standard which is not justified.

With regard to loss of tree preservation order trees, this is always a difficult issue. Policy EP9 is relevant in terms of assessing the contribution of trees or landscape in a particular setting. The granting of planning permission would in effect take precedent over the TPO and there would be no requirement to apply for felling a specific number of trees. The TPO was instigated in 2003 given the group value of the trees en bloc and the initial expressions of interest in site development. In this case it would be a considerable number of trees out of the total number that would require to be felled. The applicants have cited poor tree condition given their density in juxtaposition to each other and lack of contribution to public amenity in the locality as reasons (together with those of the value of the new development to the Borough) as to why the application proposal ought to override the TPO in the areas of the site where built development and hard surfacing would actually take place. The comments of the Council's arboriculturalist are noted above. Clearly either the trees are maintained for group value and the application is refused, or a decision is made to reflect that the current planting on site is very localised, not really supporting the wider public interest and that weight is given to the economic benefits to the Borough of proposed development and compensatory tree planting sought on other land possibly away from the locality which would benefit from new tree planting. The applicants were approached upon a possible commitment to a £12,000 Council Tree Planting Budget (inclusive of design and implementation)

that would assist in landscaping projects on other sites in the Borough where needed and where there may be a greater public amenity benefit. They have now confirmed that this is acceptable and would enter in a Section 106 Agreement accordingly. On balance, it is felt that overall benefits could be greater from the granting of planning permission on this occasion. This judgment is purely made on this application alone and does not infer any sort precedent that would presume in favour of the felling of protected trees on other sites.

Finally there are issues relating to the location of the site to the River Chor and the habitats therein and potential for great crested newts which are a protected species. As noted above, the Environment Agency have raised concerns about development so close to the river bank with a potential loss of riverside habitats. The applicant’s agents point out that there is a protected 3 metre space before some of the parking spaces are laid out, while in terms of potential flooding problems it is intended that excess run off will be held in underground reservoir tanks for subsequent discharge at times of low peak flow, while the car park will be designed with a permeable surface layer. In terms of the presence or not of great crested newts on the site, the submitted survey identifies none were present; consultation responses from LCC Ecologist and English Nature will be reported to the Committee.

Conclusion

There are clearly a number of complex issues involved in the consideration of this application. The advantages of the proposed development inclusive of the commuted payments to assist in improving the local bus service and in critical tree planting projects are considered to outweigh the somewhat remote nature of the site off a main transportation corridor and the loss of T.P.O. trees on this occasion, while there are no clear cut alternative sites within or close to the town centre. It is felt that on balance the application can be recommended for approval but subject to extensive planning conditions and a section 106 Agreement to cover the commuted sum payments referred to.

Recommendation: Permit(Section 106)

Conditions

1. The approved plans are:

Plan Ref.	Received On:	Title:
3962 05	12/07/05	Site Layout Plan
3962 01	20/04/05	Site Location Plan
3962 02	20/04/05	Tree Felling Plan
3962 06	20/04/05	Floor Plans
3962 08/9	20/04/05	Elevations

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 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 plan(s). 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 of the Adopted Chorley Borough Local Plan Review.

3. No development shall take place until details of the proposed surface water drainage arrangements (inclusive of a surface water regulation system) 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. No part of the development hereby permitted shall be occupied or used 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.

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 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 of the Adopted Chorley Borough Local Plan Review.

8. Before the development hereby permitted is first occupied, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan.; the full details of the car park surface including a cross section shall be submitted to identify appropriate permeability in accordance with adequate site drainage . 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.

9. That the provisions of the Travel Plan associated with the development of the application in accordance with the approved use , as submitted with the application on the 20th April 2005 , shall be implemented in association with the Local Planning Authority in conjunction with Lancashire County Council upon the first occupation of the

building by employees of the beneficiary of the development ; subsequently the Travel Plan shall be monitored by the incumbent occupying company of the premises over a period of no less than ten years and the Plan shall be updated accordingly in association with the Local Planning Authority in conjunction with Lancashire County Council .

Reason: In order to assist in securing more sustainable methods for transportation to and from a single, large scale employer; and to accord with the provisions of policy TR6 of the Adopted Chorley Borough Local Plan Review .

10. Before development commences final details of mitigation measures required to be implemented by the specialist ecological report (ref.) with regard to the safeguarding of protected species including phasing for site clearance and development. There shall be no site clearance measures whatsoever during bird or bat nesting / breeding seasons. All the approved details shall be implemented in full as part of the undertaking of the development and shall be maintained in perpetuity.

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Item A. 2	05/00614/FULMAJ	Permit
Case Officer	Mr Simon Pemberton	
Ward	Chorley North West	
Proposal	Demolish existing two and single storey extensions, form underground car park and construct two and three storey extensions to create 13 apartments with access off Windsor Road,	
Location	21 - 23 Southport Road Chorley Lancashire PR7 1LB	
Applicant	Ruttle Contracting Ltd	

Background

This application proposes the demolition of the existing single storey rear extension, the side conservatory and the two storey side extension and the original two storey rear elements and the construction of two/three storey side and rear extensions, which, together with the conversion of the existing will facilitate the creation of 13 apartments.

Access is proposed utilising the existing onto Windsor Road, from which it is proposed to construct an underground car park beneath the retained buildings and proposed extensions. Parking is provided at a rate of 1 per unit. Pedestrian access will also be off Windsor Road to a new door (serving a central communal hall/stairs) on the side elevation. The existing vehicular access directly onto Southport Road will be removed and the area incorporated into the garden with the boundary wall extended to enclose the area.

The proposal retains the ceiling heights of the original and carries them through the new side extensions. The rear extensions have been shown at modern reduced storey heights in order to reduce the impact on the adjoining properties. This reflects the typical design of the original rear extensions which also had a lower ceiling height.

The 2nd floor of the rear extension relies on dormer windows for light. Both the 2 and 3 storey rear elements have a fully hipped roof with a flat roof in the centre in order to disguise the span of the built form and to reduce the ridge height. This will only be apparent when viewed from the rear.

The site includes the entire curtilage of both 21 and 23 Southport Road that form part of a group of similar villas on this side of Southport Road. They are located on elevated ground at the corner of Southport Road and Windsor Road.

These were originally a pair of tall three storey Edwardian/Victorian villas with two storey elements at the rear latterly used as a single residential care home. They command a prominent position on the highest land in the vicinity at a bend in Southport Road. The existing ridgeline is at least 1 metre higher than the similar styled adjoining property at No 19, and 3 metres higher than No 25 on the other side of Windsor Road.

There have been previous extensions to the property including a single storey conservatory to the east (side), a large flat roof single storey extension to the south (rear), and a two storey to the west (side). These extensions have not been constructed in keeping with the original property, but do appear as subservient elements to the original properties. As a consequence, whilst their design is inappropriate, particularly the two storey side extension which is quite prominent, they do not have any significant impact.

Windsor Road is typified by 2 and 2 storey detached villas. However, immediately to the rear of the site are two bungalows (1 and 1a Windsor Road) set one behind the other. No 1 at the front has a single window facing towards the site. No 1a faces towards the front with a number of primary windows.

The adjacent property on Southport Road (No 19) is of similar design to the dwelling on the site. At the rear it has a large single storey extension. In the courtyard behind the garage and beside the single storey extension is a swimming pool. There are a number of primary and secondary windows facing towards the site. On the gable end of the property are five clear glazed windows and 3 obscure glazed. In the extensions to the rear are further windows, also serving primary accommodations.

Planning Policy

The site is located within the urban area of Chorley but outside the defined Town Centre. The site is not allocated for any specific purposes. The proposal will therefore need to comply with the general policies in the Chorley Borough Local Plan Review. As the proposal relates to windfall residential development any applicant will need to demonstrate how the proposal complies with the adopted SPG on Windfall Housing Developments.

Planning History

There have been four applications in recent years all of which were refused:

03/00814/COU	Change of Use from rest home to residential and demolition of single storey rear extension.
03/00815/COU	Change of Use from rest home to residential.
03/00816/COU	Change of Use from rest home to house in multiple occupation.
03/00817/COU	Change of Use from rest home to offices and surgery for medical and alternative Health Practitioners.

In respect of, other history, there is nothing of immediate relevance to the current application.

Consultees Responses

The Council's Head of Environmental Services has no objection to the application proposals.

At the time of drafting the report no other consultation responses had been received. Any subsequent comments will be reported in the addendum.

**Third Party
Representations**

At the time of drafting the report representations have been received from the residents of 8, 15 and 19 Southport Road and 15 Shaftesbury Place.

The resident of 8 Southport Road supports and endorses the planning application. The resident of 15 Southport Road also supports the application provided the 3 storey element does not protrude any further back than shown on the existing plans. They also hope that the car park is of sufficient size that none of future residents will park in the private entry between 15-17 Southport Road.

The resident of 19 Southport Roads is not completely opposed to the development but has reservations regarding: (1) possible congestion and parking issues arising from the development, (2) the restriction of light to the rearmost part of the property, and (3) the noise and disturbance arising from the development.

The resident of 15 Shaftesbury Place has a number of concerns, including: (1) the impact on the streetscene of Southport and Windsor Roads, (2) that the existing boundary wall shall be retained, (3) the rear extension will adversely affect the evening sunlight to Shaftesbury Place and the passageway to Southport Road, (4) the type of accommodation is out of character with the area, (5) the noise arising from the construction process will adversely affect the amenities of surrounding properties, and (6) The existing trees should be retained as part of the development.

**Applicant's Case
Consultations**

The applicant has submitted a supporting statement and letter setting out the positive aspects of the proposal. These can be summarised as:

1. The proposals represents high quality design and will ensure that an attractive building forming part of a prominent attractive entrance to Chorley will be maintained in beneficial use;
2. Unattractive utilitarian extensions will be removed;
3. That residential use is appropriate in this location;
4. That re-use and conversion of buildings is a priority of regional and local policy;
5. That the proposal does not offend the Council's policy on Windfall Housing;

Assessment

The main issues in respect of the consideration of the current application are:

1. Design and the impact of the character of the area;
2. The amenities of adjoining residents;
3. The relationship to trees;
4. Parking issues; and
5. Windfall Housing Policy.

One of the residents has also raised issues of retention of the existing boundary wall and the noise arising from the construction process. However, the wall is shown as retained on the submitted plans and the issue of noise and disturbance is a matter that is more appropriately controlled under other legislation.

Design and the Character of the Area

In respect of design, the proposal removes the existing extensions that are out of character with both the original dwelling and the wider area. This is a positive factor that weighs in favour of the proposed development. In particular the existing two storey side extension is very prominent in the streetscene. The design and form of this extension is totally out of keeping with the parent property. Its loss and replacement with a more appropriate form of extension will significantly improve the appearance of the dwelling and the character of the area.

The proposal retains the existing building which forms a prominent and attractive part of the character of the area. The loss of these buildings would be most unfortunate. Furthermore, the proposed extensions reflect this character. The fact that the rear elements have become more secondary reflect the traditional pattern of subservient rear elements to the original design.

In conclusion it is considered that the design of the extensions are entirely appropriate and that the retention and extension of the existing in the form proposed will protect and enhance the character of the area.

Amenities

The proposals have been reduced in scale from that originally proposed in order to reduce the impact of the proposal on the amenities of adjoining residential properties.

In particular at the rear the proposal will be within 1.2 metres (at its closest point) of the rear site boundary with 2 bungalows. These bungalows are set approximately a further 9 metres from the boundary. There is a 2 metre high wall on the boundary. The part of the extension close to the boundary will be 2 storeys in height and will be approximately 5.2 metres tall to the eaves.

Only 2 windows are proposed in the rear elevation, both serving en-suite bathrooms. As a result there will be no direct overlooking of the properties to the rear. The bungalows are to the south of the application site. As a consequence there will be no overshadowing of the garden areas or property as a result of the proposed works.

The other property that adjoins the site is No 19 Southport Road. There are 3 windows on the ground floor that look towards this property but due to the boundary wall, will not result in any overlooking of the property. At first floor there are 4 windows. 1 of these serves a communal area, 2 serve a hallway to one of the apartments and the remaining a bedroom window. This bedroom window looks slightly away from No 19 and as such will not result in a significant degree of overlooking towards this property.

Being a semidetached property, No 19 relies on windows on its side elevation for light to a number of rooms. The proposed rear extension will result in some loss of light to this property, particularly in the evening when the sun is low on the horizon. However, it is not considered that the impact of this will be so significant so as to warrant the refusal of planning permission.

Trees

All the trees of any substance are shown for retention on the approved plans. Conditions will need to be imposed which secure the protection of these trees during the course of construction. In this respect it will be necessary for protective fencing to be erected.

Highways

Whilst the detailed comments of the Councils Highways Officer are awaited it is considered that the provision of 1 space per apartment is an appropriate level of parking to be required for a development of this type in a location with easy access to a range of facilities and services. Furthermore, the quantity of traffic that the development would generate would not have a significantly adverse impact on highway safety or congestion.

Windfall SPG

In relation to windfall SPG, current policy restricts the creation of additional dwellings with certain exceptions.

Exception (i) allows for the reversion of the building to the original number of dwellinghouses. This would allow the creation of two substantial dwellings. The applicant advises that this is not practicable being two very large dwellings with only one useable point of access on small plots. They were converted many years ago to a residential care home and have been used for this purpose ever since. This has been the pattern for many of the adjacent properties with many having similar uses.

It is considered unlikely that this option is indeed viable, and can therefore be discounted as a possibility.

Exception (j) allows for the re-use and conversion of empty buildings within 400m of a designated shopping centre and is within 400m of the bus route/railway station. The site fulfils the locational criteria of this exception.

The conversion of the existing buildings including the modern side and rear extensions is a possibility and would be allowable under this exception. However, the retention and re-use of the poorly designed utilitarian side and rear extensions are not desirable and contrasts starkly with the character of the area. In addition such a conversion could not facilitate the creation of the underground parking and as such would be likely to compound existing parking problems in the area.

The existing property is in a poor state of repair, and whilst the building is not listed or in a conservation area, it, together with its neighbours, form a prominent and attractive group of buildings on an important route into the town centre. Their retention as existing or continuing decline would be undesirable, and therefore it is necessary to consider appropriate schemes to re-use the existing site, even if it includes some modest extensions.

It is therefore considered that any harm that might exist by allowing the development is outweighed by other benefits of the development, which are also material considerations. The

proposal removes visually prominent and unattractive extensions and deals with the planning issues affecting the site comprehensively.

It is considered that notwithstanding the extensions the proposal complies with the intention of exception (j) in facilitate the re-use of existing buildings in sustainable locations. Whilst there are other similar properties in the vicinity, none have the prominent inappropriate extensions that exist of this site. It is not therefore considered that a significant precedent will be established through the granting of this planning permission.

Conclusion

It is considered that the proposal complies with the policies in the Development Plan and will not result in any substantive effect on any interests of acknowledged importance.

The application is therefore recommended for approval subject to the receipt/resolution of any fundamental issues raised by statutory consultees by Officers (under delegated authority).

Recommendation: Permit

Conditions

1. Before any development takes place on the site, a plan indicating the timing and phasing of the proposed development, including in particular works to construct the car park and foundations of the building hereby permitted shall be submitted to and approved by the Local Planning Authority. All works shall thereafter be undertaken only within those agreed hours and each phase shall be substantially completed before the next successive phase of the development is commenced.

Reason: To secure the proper development of the site in an orderly manner in accordance with policy GN5 of the Chorley Borough Local Plan Review 2003.

2. 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 proposal and its implementation and retention in accordance with policy GN5 of the Chorley Borough Local Plan Review 2003.

3. Prior to the commencement of development details of works to the existing boundary retaining wall to Southport and Windsor Roads shall have been submitted to and approved in writing by the Local Planning Authority. All works undertaken on site shall be undertaken strictly in accordance with those details unless first agreed in writing with the Local Planning Authority.

Reason: In order that the Council may be satisfied with the enclosure details of the proposal and its implementation and retention in a position adjacent to the highway in accordance with policy GN5 of the Chorley Borough Local Plan Review 2003.

4. The materials and finishes to be employed on the external faces of the development, hereby permitted, shall be identical in every respect to those of the existing building unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory visual relationship of the new development to the existing in accordance with policy GN5 of the Chorley Borough Local Plan Review 2003.

5. The car parking facilities shown on the deposited plan shall be laid out and provided

prior to the occupation of any of the buildings; such parking facilities shall thereafter be permanently retained for that purpose.

Reason: To ensure provision of adequate off-street parking facilities within the site in accordance with policy TR4 of the Chorley Borough Local Plan Review 2003.

6. Both in the first instance and upon all subsequent occasions the hall and landing windows in the first and second floors of the east elevation (such expression to include the roof) shall be glazed with obscure glass and shall either be a fixed light or hung in such a way as to prevent the effect of obscure glazing being negated by reason of overlooking. Furthermore, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any subsequent re-enactment, no further fenestration or door shall be installed in the said elevation without express planning permission.

Reason: To preserve the amenity and privacy of the adjoining property in accordance with policy GN5 and HS7 of the Chorley Borough Local Plan Review 2003.

7. No ground clearance, demolition or construction work shall commence until a chestnut pale or similar form of protective fencing, at least 1.25m high, and supported and braced with scaffolding, as outlined in figure 4 and 5 of BS5837: 1991 'Trees in Relation to Construction'. Within the areas so fenced the existing ground level shall be neither raised nor lowered and there shall be no development or development-related activity of any description including the deposit of spoil or the storage of materials.

Reason: To prevent trees on site from being damaged in accordance with policy GN5 and EP9 of the Chorley Borough Local Plan Review 2003.

8. Before the development is commenced, proposals for the landscaping of the site, to include provision for the retention and protection of existing trees and shrubs, if any, thereon, together with any means of enclosure proposed or existing within or along the curtilage of the site shall be submitted to and approved by the District Planning Authority by means of a large scale plan and a written brief. All proposed and existing trees and shrubs shall be correctly described and their positions accurately shown. Upon approval such new planting shall be carried out during the planting season October/March inclusive, in accordance with the appropriate British Standards for ground preparation, staking, etc., in BS4428:1989 (1979), immediately following commencement of the development. The landscaping shall thereafter be maintained for five years during which time any specimens which are damaged, dead or dying shall be replaced and hence the whole scheme shall thereafter be retained.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and the locality in accordance with policy GN5 of the Chorley Borough Local Plan Review 2003.

9. The existing vehicular access to (*herein name the road*) shall be permanently closed prior to building operations being commenced.

Reason: In the interests of highway safety in accordance with policy TR2 and TR4 of the Chorley Borough Local Plan Review 2003.

10. Concurrently with the development hereby permitted the first 10 metres of the access crossing, measured from the nearside edge of the carriageway, shall be laid out, constructed, hardened and surfaced, to the specification of the Local Planning Authority in conjunction with the Local Highway Authority.

Reason: To ensure free and easy access to and from the highway and to ensure stones, mud, gravel and the like do not result in a hazard on or near the highway in accordance with policy TR4 of the Chorley Borough Local Plan Review 2003.

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Item B. 1	05/00188/FUL	Permit
Case Officer	Mr David Stirzaker	
Ward	Coppull	
Proposal	Erection of replacement dwelling and detached garage with associated external works,	
Location	Highfield Farm Jolly Tar Lane Coppull LancashirePR7 4BJ	
Applicant	Mr D Riding	

Proposal This application proposes the replacement of an existing two storey detached farmhouse with a detached two storey dwelling and detached two car garage on Highfield Farm, Jolly Tar Lane, Coppull. The existing dwelling measures 12.5m wide by 9.3m deep by 6.2m to the ridge. The dwelling is two storey at the front and single storey at the rear utilising a cat slide roof with a small gable roofed porch on the front. The volume of the existing dwelling is approximately 482m³.

The proposed dwelling is two storey in form with a two storey rear extension, which incorporates a similar roof to the rear of the existing dwelling whilst the front incorporates a two storey projecting element with porch at ground floor and en-suite at first floor. The proposed dwelling measures 12.3m wide by 13m deep and 7.3m to the ridge with a volume of 705m³. A double garage is proposed to the rear of the dwelling.

Applicants Case The applicant has provided the following information in support of the application:

- Highfield Farm is owned by David and James Riding (Father & Son). James Riding occupied the existing farmhouse with his partner until mid January 2005. The farmhouse became unsuitable for habitation particularly in winter and the family moved to temporary accommodation. To ensure the essential security and supervision of the farm, a caravan was situated on site, which is occupied at nights either by James Riding or another employee on a rota basis. David Riding lives at Robin Hood Farm, Wrightington and operates a similar operation from this site.
- The Riding family have occupied Highfield Farm for over 100 years and fully intend to both continue and expand the business. There are currently 140 milking cows, 25 young Heifers and 40 calves on site and the total herd will soon be increased to 220 cows. It is intended that within 2 years Highfield Farm will comprise of a 550 acres total dairy unit involving the erection of a new barn (subject to the required planning permission).
- The size of the unit, with the requirement for security, feeding, calving, milking, mucking out, etc. needs constant 24hr attention. Even with the living accommodation afforded by the temporary caravan this

is not ideal and involves lengthy work periods by all concerned.

- Over £100,000 has been invested in Highfield Farm in the last 5 years to provide a new milking parlour and cattle housing.

Planning Policy The site lies within the open countryside and is also designated as Green Belt where policy DC1 and DC8A control the new developments and specifically the replacement of existing dwellings. As the proposal represents a replacement for an existing dwelling the proposal therefore complies with the requirements of the Windfall Housing SPG.

Planning History 9/04/00685/FUL - Erection of replacement dwelling and detached garage and associated external works. This application was refused because it would have appear detached from the existing farm buildings and as a consequence of this considered to be materially larger than the existing dwelling.

Representations No representations from members of the public have been received in relation to the originally submitted and amended plans at the time of preparing this report. If any are received they will be reported in the addendum.

Consultations Coppull Parish Council has no objections to the proposal.

LCC (Ecology) and English Nature advised that surveys for Bats and Great Crested Newts should be undertaken prior to the determination of the application. The applicant duly carried this out and English Nature were then consulted on the survey and now state that if the Council is minded to grant permission, the applicant should be reminded that if Bats or Great Crested Newts are found then work should stop immediately and professional advice be sought as a licence from DEFRA may be required.

Assessment The main issue relates to Green Belt policy and whether the replacement of the existing dwelling with the new dwelling accords with the requisite planning policies.

PPG2 'Green Belts' states that the limited extension, alteration or replacement of existing dwellings is appropriate development. This is amplified in paragraph 3.6, which states "Provided that it does not result in disproportionate additions over and above the size of the original building, the extension or alteration of dwellings is not inappropriate in Green Belts. The replacement of existing dwellings need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces."

Policy DC1 of the Chorley Borough Local Plan Review 2003 states that only the limited extension, alteration or replacement of existing dwellings providing it is in accordance with policy DC8A will be appropriate development. Policy DC8A states that the following criteria should be met:

- the proposed building would not detract from the openness of the Green Belt to a greater extent than the original dwelling;*
- the siting, design, external materials and final character of the dwelling do not detract from its surrounds or from the Landscape Character Area;*

- (c) *the proposed replacement would not be materially larger than the building it replaces nor involve enlarging the residential curtilage; or,*
- (d) *the proposed extension should not result in a significant increase in the volume of the original dwelling.*

This is further amplified in the House Extension Design Guidelines which has been adopted as Supplementary Planning Guidance and states that extensions of existing dwellings in rural areas should not exceed 50-70% of the volume of the original dwelling (that which existed whenever it was built or existed in 1948 whichever is more recent).

The application refused last year (ref no. 9/04/00685/FUL) proposed a dwelling and garage in a position detached from the main cluster of farm buildings in a much more prominent position in the landscape and in terms of its proximity Jolly Tar Lane. By virtue of this, it was considered overall to be materially larger than the original dwelling and planning permission was accordingly refused.

The dwelling and garage now proposed by this application, whilst utilising the same design and volume benefit from being sited in much closer proximity to the farm buildings and are enclosed by existing field boundaries comprising of hedges with interspersed mature trees. Immediately west of the dwelling is a former orchard area and the applicant has agreed to provide a scheme of additional planting to bolster what already exists on site. The garage is deemed to be of an acceptable scale in relation to the house.

The proposed dwelling and garage whilst occupying a different footprint to the original farmhouse will by virtue of their close proximity to the farm buildings, for the most part read as part of the existing cluster of built development. Obviously, they will be slightly more prominent in the Green Belt than the existing dwelling although it is considered on balance that the cumulative impact of the dwelling and garage would not result in significant or detrimental harm to the open and rural character of the Green Belt given they are still in very close proximity to the main farm buildings especially in comparison the application refused in 2004.

With regards to the 46% volume increase of the dwelling over the existing, PPG2 and Policy DC8A state that replacement dwellings should not be materially larger than original dwellings. The Council's adopted House Extension Design Guidelines have interpreted this as being between a maximum of 50-70% of the original volume when a dwelling is being extended in such areas. Accordingly, if the applicant wished to extend the existing farmhouse by 46% of its original size, the principle of such an extension would be acceptable. It is therefore appropriate to apply this to replacement dwellings and the proposal therefore falls under the 50-70% figure. It is therefore not considered to be materially larger than the original dwelling.

The proposed garden curtilage area is deemed to be of an acceptable size in relation to the amenity needs of the house and does not encroach significantly into the Green Belt by virtue of its utilisation of existing field boundaries. A condition is recommended

removing normal permitted development rights associated with gardens thus the erection of garden sheds and other paraphernalia will not be allowed thus helping to preserve the rural character of the locality. It is also felt sufficiently important to control the type of fencing used (if any is required) and the Council will retain control over this by virtue of the recommended condition although anything other than stock proof type fencing is unlikely to be acceptable.

The design of the proposed dwelling both in terms of scale of the accommodation, and its form is reflective of the existing farmhouse it is intended to replace. It is considered that the design of the proposed dwelling is not inappropriate to its rural location and subject to the careful selection of appropriate materials required by condition, it should not appear out of keeping with its immediate surroundings. Furthermore this has to be considered in the light of the relationship to the adjacent farm buildings against which the dwelling is seen from most public vantage points around the periphery of the site and from within in it.

Conclusion Having regard to the above, it is considered that the proposal accords with PPG2, DC8A and the House Extension Design Guidelines. It is therefore recommended that planning permission be granted subject to the following conditions.

Recommendation: Permit

Conditions

1. The approved plans are:

Plan Ref.	Received On:	Title:
2261-04-07/B	16 May 2005	Proposed Site Plan
2261-04-04-C	27 July 2005	Proposed Plans & Elevations
2261-05-10	27 July 2005	Proposed Garage
2261	10 February 2005	Location Plan
2261-04-01	31 January 2005	Existing Plans
2261-04-02	31 January 2005	Existing Elevations & Section
-----	26 May 2005	Bat & Great Crested Newt Survey

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

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 building(s) (notwithstanding any details shown on the 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 DC8A of the Adopted Chorley Borough Local Plan Review.

3. 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 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.

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 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 DC8A of the Adopted Chorley Borough Local Plan Review.

7. 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 plan(s). 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.

8. Prior to the first occupation of the replacement dwelling hereby permitted, the existing mobile home (caravan) shall have been removed from the site and the use of the land upon which the caravan stood shall be restored to agriculture and shall remain as such at all times thereafter.

Reason: The provision of two dwellings on the site would be contrary to the provisions of the adopted Interim Supplementary Planning Guidance on Windfall Housing Developments and Policy No. HS6 of the Adopted Chorley Borough Local Plan Review.

9. The existing soil levels around the base of the trees to be retained shall not be altered.

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.

10. 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 BS5837:1991 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.

11. 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. The dwelling shall not be occupied 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.

12. Prior to the commencement of the development hereby permitted, the existing uninhabitable farmhouse shall have been demolished and all resultant material, except that which will be reused in the construction of the replacement dwelling to which this permission relates, shall have been removed from the site and the land including the residential curtilage associated with the demolished farmhouse shall be restored to agriculture and shall remain as such at all times thereafter.

Reason: The provision of two dwellings on the site would be contrary to the provisions of the adopted Interim Supplementary Planning Guidance on Windfall Housing Developments and Policy No. Hs6 of the Adopted Chorley Borough Local Plan Review.

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Item B. 2	05/00536/COU	Permit
Case Officer	Mr David Stirzaker	
Ward	Heath Charnock And Rivington	
Proposal	Continued temporary use of land for the siting of a residential mobile home for a period of 2 years for occupation by agricultural worker,	
Location	Caravan Bramblewood Nursery Wigan Lane Heath Charnock Lancashire	
Applicant	Mr T Stobbs	

Proposal This retrospective application seeks permission for the ongoing retention of the residential caravan for occupation by Mr & Mrs Stobbs in relation to Bramblewood Nursery, which is located on Wigan Lane, Heath Charnock between the settlements of Adlington and Chorley.

The caravan has been in situ for approx. one year and is currently the subject of an Enforcement Notice served by the Council requiring its removal from the land. This is currently the subject of an appeal for which a hearing is scheduled to take place on 27 September 2005. If planning permission is granted for the caravan, this would obviously be cancelled and the Enforcement Notice withdrawn.

Background Bramblewood Nursery operates on a site of approx. 3.2 hectares (8 acres) and has recently been granted planning permission for a total of four glasshouses. Three of these have been erected adjoining each other forming an 8 bay glasshouse adjacent to an existing poly tunnel and are now being utilised for the growing and production of plants hence the activities taking place on site have notably expanded in the last year. An extant permission for a further glasshouse behind the main sales area has yet to be implemented although it is intended that this glasshouse will be utilised for growing-on tropical and Mediterranean varieties of plants. The applicants derive approx. 20-30% of their income from none nursery related products which are bought in and sold in the existing double span glasshouse which acts as the main sales area for the enterprise. Adjacent to the double span glasshouse is a covered area, which is used for the growing on and also for the display and sale of plants.

Access to the site is from Wigan Lane, which leads onto a car park in front of the main double span glasshouse, referred to above. The caravan is sited behind a line of mature trees at the southern end of the car parking area with access provided by a track, which serves the caravan and the rest of the site.

The applicant has for the last year occupied the mobile home on the site after being obliged to vacate a rented property adjacent the site on Rawlinson Lane.

Planning Policy

The provision of mobile homes to support agricultural/horticultural enterprises are referred to in Paragraph 12 of Annex A of PPS7 as *temporary agricultural dwellings*. It advises that temporary dwellings are appropriate where a dwelling is essential to support a “new farming activity either on a newly created unit or an established one”. In paragraph 12 it lists criteria, which should be satisfied as follows:

- (i) clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);
- (ii) functional need;
- (iii) clear evidence that the proposed enterprise has been planned on a sound financial basis;
- (iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- (v) other normal planning requirements, e.g. on siting and access, are satisfied.

Policy HS15 of the Local Plan states that in such circumstances and where there is a reasonable prospect of viability being achieved within the medium terms (up to 3 years) and other factors would appear to justify an agricultural workers dwelling, the Council may be prepared to grant, subject to all criteria being met, a temporary permission for a residential caravan. Policy HS14 of the Local Plan Review reflects criteria (i) to (iv) of the guidance contained in PPS7 and states that where a new farming enterprise is not yet viable, planning approval for a permanent dwelling will not be granted. It also includes the additional following criteria that such proposals should meet:

- the proposal would not give rise to significant environmental damage, particularly in relation to its impact on the landscape;
- satisfactory vehicular access and parking can be achieved within the site;
- satisfactory public utilities, including drainage facilities are available.

The site is also in the Green Belt whereby Policy DC1 sets out the presumption against inappropriate development in such areas and Policy GN5 provides design guidance.

Planning History

05/00217/FUL - Erection of Agricultural Workers Dwelling(refused)

04/00817/FUL- Erection of Agricultural Workers Dwelling (refused)

04/00731/FUL - Erection of replacement glasshouse (permitted)

04/00208/FUL - Temporary use of mobile home as an agricultural dwelling (for period of 3 years) (withdrawn prior to determination)

04/00209/FUL - Erection of propagation glasshouse (permitted)

04/00210/FUL - Erection of production glasshouse (permitted)

04/00211/FUL - Erection of liner production glasshouse (permitted)

03/01016/FUL - Erection of agricultural workers house (refused)

02/00965/FUL - Erection of two storey dwelling for agricultural worker (withdrawn prior to determination)

92/00973/FUL - Outline application for one detached house (refused and a subsequent appeal was dismissed by the Planning Inspectorate)

Representations

As a result of public consultation, six letters of objection have been received, the contents of which can be summarised as follows: -

- The mobile home is an eyesore and its presence is damaging the character of the area
- For many years the residents of Rawlinson Lane have enjoyed non overlooked views to the rear of their properties and the presence of the mobile home is spoiling these views
- The mobile home is wholly inappropriate and not essential to the commercial agricultural operation which exists on site
- There are numerous alternative local residences available
- To allow the mobile home to be retained for a temporary period gives the green light to planning permission being granted for a permanent dwelling
- The land is Green Belt and granting permission would lead to further sub-urbanisation of the area changing the integrity and function of such areas
- There is no good reason why somebody should live on site and there are several properties in the area which could be purchased or rented
- Mr Stobbs (applicant) has not first sought planning permission for the mobile home and therefore the application to retain it should be refused
- Similar businesses operate in the area without the need for a dwelling on site
- The mobile home is not ideally placed in its present location

Consultations

Heath Charnock Parish Council has stated that the mobile home has been sited without the benefit of planning permission and they therefore wish to object to the application on these grounds.

The County Land Agent is of the opinion that there is a functional need for the mobile home and the advice received is detailed below under the *Agricultural Justification* section.

Assessment

The main issues that warrant consideration are as follows: -

Agricultural Justification

The County Land Agent has been consulted on each of the applications referred to in the planning history section and accordingly, several of the reports as well as the one relating to this application are referred to. The comments take account of the guidance in PPS7 referred to above.

In operational terms, The County Land Agent advises that the

main change in the applicant's circumstances relates to the implementation of the three glasshouses granted planning permission in 2004, which have now been erected and are in use. These glasshouses have provided an additional 1075m² floor area, which is subdivided internally to provide a propagation area, production area and growing-on area and as a result of this all plant production now takes place on site. The implementation of these glasshouses is said to have demonstrated a significant commitment by the applicants to expanding the enterprise.

Plants and shrubs are grown from seed, plugs and cuttings. In addition, perennial varieties are purchased and grown on by the applicants to reach a saleable size. Part of the business includes the sale of potted tree varieties including indigenous deciduous as well as Mediterranean species. This aspect of the operation forms a small proportion of the enterprise to the plant and shrub side of the business and it is intended that the glasshouse still to be erected will be utilised for growing-on trees from an early age.

In financial terms, the performance of the business has increased year on year. Copies of the accounts for the year ending 31 January 2004 have been provided by The County Land Agent. At the time of assessing application 05/00217/FUL, the accounts ending 31 January 2005 had not been published although The County Land Agent advises that the nursery's turnover for the year end had been in the region of £90k with a profit of £29k. At the 31 August 2005 the turnover so far has been reported as being in the region of £90k producing a profit of £18k.

It is stated that the nursery operation involves year round plant production, the scale of which requires someone to be readily available at most times to oversee the day to day management issues hence the functional need test has been satisfied.

In summary, it is clear that the expansion recently undertaken by the applicant demonstrates an intention to develop the enterprise and The County Land Agent advises that by virtue of this, a functional need now exists for somebody to be on site to manage the horticultural activities taking place. The applicant has also undertaken significant investment into the enterprise clearly evident by the increasing turnover and profits and the erection of the glasshouses. The applicant has confirmed that a property in the vicinity of the enterprise has not come onto the market since they were obliged to vacate a property they rented on Rawlinson Lane last year, which was held on an Assured Shorthold Tenancy.

Given the caravan has already been in situ for a year, it is considered that the time limit of the permission should be reduced to a period of two years.

Impact on the Green Belt

The current siting of the mobile home is considered to be the most appropriate given the site characteristics. The existing mature trees adjacent to which it is sited, act as a natural screen from Wigan Lane. They also result in the mobile home not appearing unduly prominent in the wider countryside as it is seen against the said trees. The outward impact on the mobile home is also in part mitigated by its close proximity to the main buildings on the site hence from longer distances it does not appear unduly isolated.

This meets with the objectives of criteria (e) of Policy HS15 which states that the proposal should not give rise to significant environmental damage particularly in relation to its impact on the landscape. The mobile home is also considered an exception to the normal policy of development restraint in the Green Belt given the circumstances. It should be borne in mind that the position of the caravan will not prejudice the determination of any subsequent application for a permanent dwelling if/when such an application is received.

Impact on Residential Amenity

The mobile home is sited at the rear of 198 Rawlinson Lane beyond the end of the garden area. It is at present possible for the occupiers of the mobile home to overlook the garden area of this property to the detriment of residential amenity. However, the applicant has indicated a willingness to provide a sympathetic screen to mitigate this harm. An appropriate condition is therefore recommended.

Highways matters

Access to the property is via the existing access to the site off Wigan Lane and ample parking space is available by virtue of the existing car park that serves the Nursery. This satisfies criteria (f) of Policy HS15, which states that satisfactory access and parking should be achievable.

Other matters

In terms of the comments received from members of the public and the Parish Council, the view that the caravan should not have been placed on the site and utilised as living accommodation is concurred with. However, based on an assessment of the merits of the proposal, it is considered that the application is acceptable and it would be unreasonable to refuse the application on this basis. In terms of the comments stating that it is not necessary for somebody to be on site and that numerous other businesses operate in the area without the need for somebody to live on site, The County Land Agent is satisfied that there is a functional need for a person/s to reside on site.

In terms of the Green Belt objections, given the circumstances, the proposal is considered to be an exception to the normal policy of development restraint and is in accordance with PPS7 and Local Plan Policy HS15. This application is in no way a guarantee that planning permission will be granted for a permanent dwelling if/when such an application is received.

Conclusion

On the basis of the above, it is recommended that planning permission be granted for a temporary period of two years. However, as Members will recall, The County Land Agent advises that approx. 20-30% of the applicants income is derived from imported goods/plants etc hence at this juncture, the exact sum of the applicants income which is derived from the horticultural enterprise alone is unclear. The split between the two will accordingly need to be critically assessed if/when an application for a permanent dwelling is submitted. It may be the case that the amount of imported goods sold on site renders the operation more a garden centre than essentially a stand alone horticultural

enterprise. The two year permission therefore affords the applicant the opportunity to attempt to establish Bramblewood Nursery as a viable horticultural enterprise as opposed to a mix of the two.

Recommendation: Permit

Conditions

1. The mobile home hereby permitted and any ancillary equipment, structures or hardstandings shall be removed and the site restored to its former condition before the expiration of two years from the date of this permission.

Reason: The permission is granted on a temporary basis only having regard to the special circumstances advanced in support of the application relating to the need for a dwelling in relation to the horticultural enterprise, on the basis that the mobile home would be inappropriate in the Green Belt on a permanent basis and in accordance with Policy No. HS15 of the Adopted Chorley Borough Local Plan Review.

2. The occupation of the mobile home hereby permitted shall be limited to a person solely or mainly employed at Bramblewood Nursery engaged in the horticultural enterprise and the dependants of such a person.

Reason: To ensure the mobile home is used in accordance with the special circumstances advanced for it, there being a presumption against the erection of dwellings in the Green Belt and in accordance with Policy HS15 of the Adopted Chorley Borough Local Plan Review.

3. Within one month of the date of the permission hereby granted, the details of a scheme to screen the west elevation of the mobile home from the view of the properties on Rawlinson Lane shall have been submitted to and approved in writing by the Local Planning Authority. The approved screen shall be retained at all times thereafter and shall only be removed when the mobile home is removed from the site pursuant to the other condition attached to this permission.

Reason: In the interests of the residential amenities of the occupiers of the adjacent properties and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

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Item B. 3	05/00576/FUL	Refuse
Case Officer	Mr Nigel Robinson	
Ward	Wheelton And Withnell	
Proposal	Revised application for provision of hardstanding for unloading and storage of palletised materials and fodder bales for farm use (approx 250m2)	
Location	South Miry Fold Farm Briers Brow Wheelton LancashirePR6 8JN	
Applicant	Mr J E Banks	

Proposal This is a further partly retrospective application for the laying out of a hardstanding pursuant to the agricultural storage of fodder bales and palleted materials on land at South Miry Fold Farm between the access drive to South Miry Fold Farm and that to Miry Fold Farm in connection with future farming activity at this farm. The land unit measures approximately 22m x 18m x 27m and was previously part of a small field or paddock area. This application represents a follow up to an application for a larger hardstanding area for vehicle, plant/machinery storage and agricultural materials (05/301). That application was refused in May as there was considered to be no justification for such a large area of outside storage when there are buildings still associated with the farm, and that the storage of plant, machinery etc would be particularly intrusive as would the 70m long bund which is already in situ. The bund was also considered visually incongruous and alien in nature in the local landscape. In refusing the application, enforcement proceedings were authorised.

A series of metal sheets and plywood boards are already erected to form an enclosure to part of the site, adjacent to the access drive to Miry Fold Farm and does not require planning permission, being less than two metres in height.

The site is somewhat detached from the existing farm dwelling and the grouping of existing farm buildings. The former is currently occupied separately, while the farm barns and buildings are not utilised and were previously the subject of a 2003 application for conversion to 2 dwellings. A report from the Rural Land Agency Manager at LCC in July 2003 on the application to convert the farm buildings to 2 dwellings identified that the majority of the land on the 31 acre farm was sold by the applicant after a sheep farming operation was ceased.

There are a pair of former Weavers Cottages, now used as a store at Miry Fold Farm, which are listed buildings; it is however not considered that the currently proposed use materially affects the setting of the listed buildings given the intended farming use of the application site and that the authorised uses of the land at both Miry Fold Farm and South Miry Fold Farm is agricultural.

Planning Policy Policy DC1 of the Adopted Borough Local Plan Review identifies a general Green Belt presumption against new development unless

requisite for the purposes of agriculture or forestry or except in very special circumstances; also PPG2 Green Belts is a relevant material consideration and cites the functions of the Green Belt. Maintaining the openness of the Green Belt as a particular function of the application of Green Belt policy nationally and locally. One of the roles of Green Belt policy is to retain and enhance landscapes.

HT3 – Proposals affecting the setting of a listed building should be carefully considered and proposals that would detract from the setting of the listed building ought not to be permitted. The impact or not upon the setting of the listed buildings is discussed.

EP7 – Planning permission will be granted for agricultural development, except where it would materially worsen the impact upon adjacent community or housing interests or upon landscape, in terms of noise, smell or appearance.

Planning History 05/301 – Partly retrospective application for the construction of hardstanding and screen bund (described works as above); application refused for the reasons cited above in the proposal section.

03/00581- Conversion of farm buildings into 2 dwellings, incorporating the provision of a new internal access road within the site; application refused upon Green Belt policy, windfall housing SPG, unsatisfactory vehicular access onto Briers Brow and the visual impact of physical works to create the new access road.

Applicant's Case The application site will only be used to store baled fodder and pallets of agricultural materials; the bund previously constructed will be removed as will the residue of the former application site; the land will be restored; the applicant also advises that work is to commence upon the removal of the bund and reinstatement of the previous site beyond this application. The finish of the hardstanding would be a gravel of a size and colour to be agreed.

Representations 20 items of objection, either through letter or email, stating the following grounds of objection:

- The site is adjacent to a much walked public footpath and the application site is an eyesore of deposited construction material that is a visual eyesore.
- The proposal is contrary to the rural aspect of the site.
- Given the nature of the building materials within the hardstanding area this could compromise public safety.
- The proposal will impact upon local wildlife/birds/hedgerows etc.
- Impact upon the privacy of the adjacent farm with further impact upon their amenity through noise levels and general disturbance
- The proposal does not accord with the strict green belt requirements; there is insufficient accompanying information to substantiate the development.
- Likely increased traffic as a result of the development.
- The development will affect the setting of the listed buildings at Miry Fold Farm.

- The waste materials deposited on site to date is uncontrolled and without planning permission, and must be investigated further.
- The site ownership is contested by Miry Fold Farm.
- The use of the hardstanding will reduce privacy and sunlight to Miry Fold Farm.
- The drainage system has been damaged due the removal of the earth to create the hardstanding; blockages have been caused leaving stagnant water affecting the local water courses that flow into Wheelton Village; further problems may ensue.
- The farm has been sold to another company but the applicant has claimed to be the owner in the application.
- No changes in the issues previously identified upon which permission was refused.
- Rodents will be attracted to the stored haylage.
- The site will be a storage yard, 'similar to a builders yard'.
- Site access road is narrow and unable to take more regular traffic flow.
- A more obscure site could be found for the use if required.

Consultations

Ramblers Association state that the application site is 'near to public footpath No.16'. On the previous application Lancashire County Council Environment Directorate – Countryside Service – identified no obstruction of the public footpath.

Wheelton Parish Council – Object to the proposal upon the grounds of it being an undesirable intrusion into open countryside.

Head of Regeneration – states that the hardstanding would be located close to not only a public footpath but also a pair of listed buildings – the creation of and use of a hardstanding would have an adverse visual impact on the setting of the listed buildings and be contrary to policy HT3; the use of the land could not be adequately controlled by planning condition. The hardstanding would be better located away from this location in closer proximity to the farm buildings at South Miry Fold Farm itself.

Assessment

The main considerations in the determination of this further application are the appropriateness of the nature of the development upon land, and the proposed use of the land in the Green Belt together with an assessment of any harm to the Green Belt and the countryside.

Upon the matter of any impact upon the mentioned listed buildings, although they are within approximately 20 metres of the hardstanding, this is across a track and yard area in front of the buildings. In addition, on the intervening land at Miry Fold Farm, there is a large shed, trailers and miscellaneous stored items, all of which have a more immediate impact upon the setting of the listed buildings than any storage on the application site. Upon the appropriateness or not of the revised hardstanding area, one has to consider whether there is any justification for siting the hardstanding here and not just because it is a location where the applicant has commenced works. One of the main concerns about the previous application was the much larger site area that the

hardstanding would take up which was considered excessive and not justified by the applicant, and the nature of the storage uses upon site which were considered too wide ranging with no schedule of the plant or machinery envisaged or justification for them. Also that there were existing hard surfaced areas and buildings closer to the main farmyard which appeared more appropriate. Storage of plant, vehicles or machinery are now not proposed, while the size of the area has been reduced. However the proposal still involves laying out a hardstanding in very close proximity to a public footpath and the boundary with the neighbours farm. No justification has been put forward by the applicant for the siting, while the applicant's reference to the storage of 'palleted materials' is all encompassing and does not specifically identify any agricultural association. No very special circumstances have been related to override Green Belt policy here, while without this a hardstanding prominently located in an open countryside location is considered to harm the Green Belt. There is no evidence to suggest that the applicant is currently farming the land and that there is as such any need for the hardstanding and in this specific location.

In terms of policy EP7, as the applicant is not farming, then the relevance of policy EP7 to this application is limited. The lower case text to the policy refers to incidences of intensive farming operations close to residential property, which is not the case here at the current time.

Recommendation: Refuse

Reasons

1. The development is contrary to policy DC1 of the Adopted Borough Local Plan Review and the provisions of Planning Policy Guidance Note No2, Green Belts, in that upon land allocated as Green Belt on the Proposals Map to the Local Plan the storage of general palleted materials upon a new hardstanding located in close proximity to a public right of way would represent a significant and undesirable visual intrusion into a prominent location in open countryside openly accessible to the general public. Such a use of the land would be inappropriate in the context of the Green Belt at this location and would impinge upon its openness and result in an unacceptable and unjustified encroachment into a countryside location. To allow new development of land on this occasion without adequate justification as to very special circumstances in a Green Belt location would establish an unwarranted precedent for similar development that cannot be justified, and which the Local Planning Authority would subsequently find difficult to resist.

Item B. 4	05/00686/FUL	Refuse
Case Officer	Miss Nicola Bisset	
Ward	Wheelton And Withnell	
Proposal	Subdivision of existing dwelling and associated works to form two new dwellings	
Location	Fairview Harbour Lane Wheelton Chorley Lancashire	
Applicant	Mr And Mrs Bannister	

Proposal This application proposes altering the internal layout of the property and dividing the property to create two residential units. The property has an existing two-storey rear extension which was permitted in 1979 (79/00386). The proposal incorporates removing this extension and rebuilding it on a slightly smaller footprint than the existing extension.

The proposal also incorporates creating parking to the front of the properties for both properties with turning space. The driveway will be covered with Hexapath or similar to create the impression of a grassed area. There is a hedge proposed to the front boundary of the property and hedges at the rear to the rear boundary and dividing the two rear garden areas. It is also proposed to infill the existing pool.

Planning Policy DC1- Development in the Green Belt.
DC8A- Replacement Dwellings and Extensions in the Green Belt.
PPG2: Green Belts.
Windfall Housing Supplementary Planning Guidance.

Planning History 78/01162- First floor extension. Refused: Out of keeping in terms of scale and design.
79/00386- Dormer extension. Approved.

Applicant's Case The agent has raised the following points in relation to the proposal:

- The external volume is slightly larger with the addition of a pitched roof; however this is more in keeping with the surroundings and in-line with the advice given in Para 3.8 (d) of PPG2.
- The applicants would be willing to retain the flat roof design so that the resulting external volume of the building would be no greater than existing.
- The proposals, in terms of gross internal room square area, require only 15% of the existing structure to be demolished and rebuilt.
- The proposed gross internal room area is slightly less than existing.
- The outline of the building viewed from the open greenbelt would be exactly the same as existing if a flat roof was to be incorporated.
- The footprint of the building would be smaller than existing, with the curtilage of the site becoming slightly

smaller also, with the addition of the hedge to the frontage.

- The proposed driveway would be constructed of Hexapath or similar which creates a grassed appearance.
- Lancashire County Council's Traffic & Development Department have confirmed that they now have no objections against the proposals and that there are in fact benefits to the revised scheme.

Representations

Councillor Smith has requested that the planning application be presented to the Planning Committee instead of being dealt with under delegated powers.

1 letter of objection has been received from a neighbour raising concerns of loss of light and loss of privacy.

1 letter has been received from the attached bungalow stating they have no objections to the proposal but raising concerns about connecting services to the existing septic tank.

Consultations

Environmental Services: have no objections to the proposal.

Lancashire County Council Highways Section: Initially commented on the 12th July 2005 on the originally submitted scheme. The County Council had concerns that visibility from the proposed new vehicular access was considerably below the nationally recommended standard of vision for access. In relation to the scheme originally submitted Lancashire County Council objected to the proposal on the grounds that the restricted vision and lack of turning space within the site would increase the risk of accidents in the area.

The proposal has been amended to address the issues raised by the County Council. The scheme now proposes turning space within the curtilage of the dwellinghouse. In a letter to the agent dated 4th August 2005 the County Council do not object to the scheme subject to the shared turning area being permanently available to both properties.

Assessment

The property is located within the Green Belt. The proposal incorporates subdividing the property to create two dwelling units.

The subdivision of the existing property which will lead to a significant intensification of the use of the site. This will result in a greater level of activity, the need for larger hard surfaced area, divided curtilage using additional fencing and increased pressure for further outbuildings etc. In addition it will also result in twice the quantity of household paraphernalia associated with residential occupation. All this will result in harm to the openness of the green belt and its visual amenities.

As such the proposal is contrary to Policy DC1 of the Adopted Chorley Local Plan Review 2003 and PPG2: Green Belts. PPG2 states that the use of land (and the re-use of existing buildings) should not harm the purposes and objectives of the Green Belt. It is considered that the intensification of the use would detrimentally impact on the openness and visual amenities of the Green Belt.

The policies in the development plan and other guidance seeks to

direct re-use away from residential use. The proposal also incorporates substantial rebuild of an existing structure which indicates that the proposal is not an appropriate re-use of the existing building.

The fact that a harm is small is not in itself a positive factor that weighs in favour of the proposal. As such, although the impact of the change of use might not be as significant as other proposals, it still represents inappropriate development that, by its very definition is harmful to the purposes and objectives of the Green Belt.

The applicant has not put forward any circumstances that are so special that they amount to very special circumstances that outweigh the harm caused by the development and justified change of use and rebuild works. Although the impact of the rebuild is small visually the fact that the harm is small does not make the development appropriate.

The proposal incorporates creating car parking and turning space to the front of the property. This has been amended altering the parking arrangements to the front of the property to allow turning space within the curtilage of the site. This allows cars to exit the drive in a forward direction. This has overcome the initial highway safety concerns raised by Lancashire County Council. This area will be covered with Hexapath, a material which gives a grassed appearance. Even though the applicant has tried to mitigate the impact of this parking area by covering it with grassed material the creation of this area will further urbanise the area which is contrary to Green Belt Policy.

It is considered that the degree of harm the intensification of use has on this Green Belt location and the further urbanisation of the area warrants a refusal of planning permission.

Recommendation: Refuse

Reasons

1. The proposed conversion of the building and the use of the curtilage associated therewith would constitute an incursion of residential development within the Green Belt which would be inappropriate, out of character and contrary to the objectives and purposes of the Green Belt. As such it is contrary to Government advice contained in 'PPG2: Green Belts' and to Policy DC1 of the Adopted Chorley Local Plan Review 2003.

Item B. 5	05/00691/FUL	Permit
Case Officer	Mrs Helen Lowe	
Ward	Clayton-le-Woods And Whittle-le-Woods	
Proposal	Erection of replacement office building	
Location	Wizard Computers 224 Preston Road Whittle-Le-Woods LancashirePR6 7HW	
Applicant	Mr Ashrafi	

Background	This application proposes the erection of a replacement office building at 224 Preston Road, Whittle le Woods. It is proposed to increase the height of the building from 3.7m to 5.3m maximum, in order to create an additional 42m ² storage space at first floor level (giving a total of 92m ²). The ground floor level would be reduced by 0.55m, giving an overall increase in the ridge height of 1.05m.
Planning Policy	The proposal lies within the settlement of Whittle le Woods. Policies TR4 – Highway Development Control Criteria and EM7 – Employment Development in Residential Areas are relevant.
Planning History	The most recent application submitted for this property was for a side extension that was approved in 1988 (ref. 9/88/00597). At this time the property was being used as a hairdressing salon (use class A1). There does not appear to have been an application to change the use of the building to class B1 (offices and light industrial), which is the use the applicants' state that it is currently being used for. However, it is possible that the use of the property for B1 purposes has become lawful since 1988.
Consultees Responses	Lancashire County Council Traffic and Safety: no objections. Chorley Borough Council Public Space Services: The existing parking arrangements are far from ideal with no facility to turn around off the highway on this classified road. The doubling of the accommodation with class B1 office use would potentially increase the number of visits to the office and number of staff employed at the building. Therefore, have reservations on traffic safety grounds. Whittle le Woods Parish Council: no comments.
Third Party Representations	Two letters of objection have been received from neighbouring residential properties. They make the following comments: <ul style="list-style-type: none"> • It would change our view from beautiful surroundings to the back of a shop; • It would block out sunlight; • There are currently problems with customers to Wizard computers parking in front of driveways (both occupants of no. 222 & 228 Preston Road made this comment), if the application means they are planning to increase their business this will get worse; • It would make the traffic situation in the area even more dangerous;

- The building would be extremely intrusive.

Applicant's Case Consultations

The applicant states the following in support of their application:

- The application site lies along the eastern side of Preston Road within a frontage incorporating building line irregularities and characterised by a mixture of building forms providing no overall street rhythm;
- By reducing the ridge finished slab level of the replacement dwelling, it would therefore continue to appear as a building of single storey scale;
- The amenities of neighbouring properties would not be harmed by way of overlooking, overshadowing, loss of privacy outlook or daylight and the proposal would minimise any noticeable impact on the character and appearance of the street scene;
- Given the restricted floor to ceiling height the additional 42m² would be utilised solely for ancillary storage as such there would be no intensification of use or material increase in traffic generations as such the nature and the scale of the operation would continue to remain small scale.

Assessment

The main issues to consider in assessing this application are: impact on the neighbouring residential properties; highway safety and design and appearance.

In terms of neighbour amenity the property that would be the most significantly affected is no. 222 Preston Road which is located immediately to the rear (east) of the application property. The ground floor level of no. 222 Preston Road is approximately 3m higher than that of the application property. There is a distance of 8.5m between the rear of the application property and the front elevation of no. 222.

In view of the reduction of slab levels, and the modest overall increase in height I do not consider that the proposal would have an unduly overbearing or over dominant impact upon the amenities of adjacent residents. In terms of loss of daylight/sunlight and overshadowing, again I consider that due to the difference in levels and also the orientation of the properties this would again be minimal and not sufficient reason to refuse the application.

Lancashire County Council Parking Standards suggest that a B1 (offices) use with a floor area of 92m² in this location should have a maximum of 3 parking spaces. In comparison, if the property were to be used for a purpose falling within the A1 (retail) use class (taking the sales floor area to be 50m² and storage space for 42m²) the maximum number of parking spaces recommended would be 6. Currently there are three parking spaces that are to be retained. Irrespective of the lawfulness, the use of the property for B1 purposes is more appropriate as the parking requirement better matches the provision on site.

The use of the premises for offices is likely to generate less traffic than previous A1 uses. The amount of space to be provided within the roof is limited, due to the low head height of most of the space, whilst it may be possible to slightly increase the number of people

working at the premises; I consider that this could only be to a very limited degree. It is recommended that a condition be attached restricting the use of the property to a B1 use class only and preventing the premises from being used for direct retail sales to visiting members of the public.

Although it would clearly be desirable for traffic both entering and existing the site to be able to do so in a forward gear, the proposals would not result in a worsening of the existing situation.

The design, scale and appearance of the proposed building is considered to be acceptable. Subject to a condition requiring the submission and approval of sample materials it would not form an unduly prominent or incongruous feature within the street scene.

Conclusion The proposal is accordingly recommended for approval.

Recommendation: Permit

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 EM7 of the Adopted Chorley Borough Local Plan Review.

2. The premises hereby approved shall only be used for purposes within Class B1 of the Town and Country Planning (Use Classes) Order 1987. There shall be no direct retail sales to visiting members of the public.

Reason: In the interests of highway safety, to protect the amenities of nearby residents and in accordance with Policy Nos. EM7 and TR4 of the Adopted Chorley Borough Local Plan Review.

Item B. 6	05/00758/FUL	Refuse
Case Officer	Miss Nicola Bisset	
Ward	Adlington & Anderton	
Proposal	Alterations to shop front including installation of roller shutter (retrospective) and ramped disabled access,	
Location	68 Park Road Adlington Lancashire PR7 4JN	
Applicant	Shreeji News & Off Licence	
Proposal	This application seeks planning permission for the retention of external roller shutters and the erection of a disabled access ramp. A separate application (9/05/00759/ADV) has been submitted for the erection of an externally illuminated fascia sign and internally illuminated projecting box sign at the property.	
Planning Policy	SP10- Shopfronts Shopfronts and Signs Supplementary Planning Guidance.	
Planning History	04/01413/FUL- Retrospective application for the erection of a single storey rear extension. Permitted 05/00759/ADV- Erection of an externally illuminated fascia sign and internally illuminated box sign. It is proposed that the fascia sign will be attached to the front of the roller shutter box. The advertisement application will be refused if Committee are minded to refuse this application as the fascia sign relies on the retention of the roller shutters.	
Consultations	Public Space Services: have no objection to the proposal providing that the ramp doesn't extend onto the highway. LCC Highways: have no objection to the proposed ramp.	
Representations	None received	
Assessment	The main issues arising from this application is the impact of the roller shutters on the character and appearance of the buildings and their impact on the street scene. The shutters are solid external shutters on the front of the property. The Supplementary Planning Guidance on Shopfronts and Signs states that solid external shutters will not be acceptable and identifies preferred security measures including laminated glass, stall risers and internal lattice shutters. The shutters are not lattice in design, and have been indicated to be red in colour. By virtue of their design and type the shutters do not allow much light through and they create a very solid appearance particularly when the shop is shut. The proposed ramp will be located at the front door over the existing paved area to the front of the property. The ramp would have handrails located at the side of the ramp which will be 1.3	

metres high at the highest point. The ramp will not be located on the highway, will not detrimentally impact on the amenities of the area or highway safety and will enable disabled access to the property. The proposed ramp is an acceptable proposal and if submitted as a separate planning application is likely to be acceptable.

It is considered that the shutters are contrary to Policy SP10 of the Adopted Chorley Borough Local Plan Review 2003 and the Shopfronts and Signs SPG by virtue of the solid utilitarian appearance the shutters create. The area is predominantly residential and the introduction of roller shutters creates an alien feature within the street scene. The shutters detrimentally impact on the area particularly during the hours when the shop is closed and allowing the shutters to remain would set a dangerous precedent whereby the Council would find it difficult to justify refusal of similar shutters in the area.

Recommendation: Refuse

Reasons

1. The roller shutters are contrary to Policy SP10 of the Adopted Chorley Borough Local Plan Review and the approved Supplementary Planning Guidance on Shopfronts and Signs which both seek to ensure shutters are designed to be in keeping with the character of the premises to which they relate and appropriate in the street scene context.

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Report

Report of	Meeting	Date
Head of Planning Services	Development Control Committee	30.08.2005

PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS

Item	Application	Recommendation	Location
D. 1	05/00711/TEL	Approve - Telecom	Tape Switch Unit 38 Chorley North Industrial Park Drumhead Road Chorley
D. 2	05/00716/TEL	Approve - Telecom	Twin Lakes Industrial Estate Brickcroft Lane Croston Lancashire PR26 9RF
D. 3	05/00734/FUL	Permit	Holy Cross R C High School Burgh Lane Chorley Lancashire PR7 3NT
D. 4	05/00793/FUL	Permit	Chorley Sewage Treatment Works Common Bank Lane Chorley Lancashire PR7 1NR

Continued....

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Item D. 1	05/00711/TEL	Approve - Telecom
Case Officer	Miss Nicola Bisset	
Ward	Chorley North East	
Proposal	Prior Notification of the installation of a 15m high lattice tower supporting 3 antennas, 1 transmission dish with a radio equipment cabinet and ancillary development	
Location	Tape Switch Unit 38 Chorley North Industrial Park Drumhead RoadChorley	
Applicant	T Mobile	
Proposal	<p>This prior notification application proposes the installation of a 15 metre high lattice tower incorporating 3 antennas, 1 transmission dish and radio equipment cabinet. The radio equipment cabinets measures 1.2 metres by 0.75 metres by 1.3 metres. A 2.1 metre high palisade fence is proposed at the boundary of the compound.</p> <p>The application site is located within Chorley North Industrial Park. The proposal site is surrounded by industrial units. To the south of the proposal site are the residential properties on Poppy Avenue and Clayburn Close. To the northeast of the site is the M61 motorway.</p> <p>The installation is required by T-Mobile to improve mobile phone coverage in the area.</p>	
Planning Policy	<p>The site lies within Chorley North Industrial Park close to Chorley Town Centre which is identified in policy GN1 of the Adopted Chorley Local Plan Review 2003.</p> <p>Policy PS12 of the Adopted Chorley Local Plan Review 2003 states that the Borough Council will permit utility services development, where there are no overriding environmental objections to either the siting or appearance of the installation and when all the following criteria are satisfied:</p> <ul style="list-style-type: none"> (a) The development is part of a planned extension. (b) No operationally suitable alternative sites with less environmental impact are available; (c) There is no reasonable possibility of sharing existing facilities. (d) There is no reasonable possibility of erecting antennae on an existing building or other structure. (e) The visual impact of the development on the townscape or landscape, including road access works, has been minimised subject to technical limitations. 	
Planning History	05/00013/TEL- Prior notification of 15m high T-Mobile UK tower, supporting antennas and transmission dish, equipment cabinet and link cabinet. Refused at Committee as the applicants had not demonstrated that there were no alternative sites with less environmental impact contrary to Policy PS12 of the Local Plan.	

- Applicant's Case** The applicant makes the following points:
- The existing installations in the area are not suitable to achieve the appropriate level of service and it is necessary to identify a suitable location for a new installation.
 - No existing buildings in the locality were suitable for roof top installations.
 - The proposed site at Tapeswitch represents the best practicable option for providing the required service. The site provides a level of coverage and it is considered to have the least material impact on amenities and the character of the area.

- Representations** 4 letters has been received from neighbours on Clayburn Close and Poppy Avenue raising the following objections:
- The mast would be an eye sore.
 - The neighbours will still be able to see 5 metres of the mast including the most unsightly parts.
 - Concerned about the proximity of the mast to the residential properties.
 - Would devalue properties.
 - Would be difficult to sell properties in the area.
 - Long term health issues are not yet clear.
 - No evidence exists that the masts are safe.
 - There needs to be something in place to deter this kind of application in built up residential areas.
 - Moving the mast to the far corner of Tapeswitch next to the motorway would hide it from most of the residential properties.
 - What is the 'Beam of Maximum Intensity' as 'no residential property should fall within the beam of maximum intensity where a child might sleep'.

Consultations **Lancashire County Council Highways Section:** have no objection to the proposal

Public Space Services: have no objection to the proposal

Assessment The issues arising from the application to consider are the only siting and design of the proposed development. The application is a prior notification, not a full planning permission, so the issues open to consideration are limited.

The proposal will be located on Chorley North Industrial Park. The M61 motorway is located to the east of the proposal site. The area is made up of large industrial buildings. To the southwest of the site are the residential properties on Poppy Avenue and Clayburn Close. The nearest residential property is approximately 108 metres away. The proposal will be located to the rear of the industrial building.

In terms of the siting, the proposal is located to the rear of an industrial building, within a predominantly industrial area. The building is 9 metres high which will mitigate the impact of the proposal, as it will screen the mast. The mast will be partly visible from the surrounding area over the top of the existing industrial building.

The application was originally submitted proposing a 15 metre high monopole mast. The proposal has been subsequently

amended to a lattice tower construction. The lattice design is designed to be less bulky than other masts and allows views through the mast. The lattice design creates a mast which is less visually intrusive than other designs. The amended design lessens the impact of the proposal when viewed from the motorway.

The siting and design of the proposal ensures that the impact of the proposal has been minimised. The mast will be partly screened by the existing industrial building, a landscaping condition will be attached to screen the equipment at ground level and the lattice design lessens the impact when viewed from the motorway. The original application was refused because alternative sites with less environmental impact had not been considered. This amended application moves the mast further away from the residential properties to lessen the impact on the residents. The proposal is therefore acceptable.

In terms of the concerns of the neighbouring residents, the proposal meets the ICNIRP guidelines and therefore is in line with PPG8, it is not necessary to consider further health aspects and concerns as part of processing this application.

Recommendation: Approve – Telecom

Conditions

1. 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.

2. The development hereby permitted shall be carried out in accordance with the submitted plans, as amended on 12th August 2005

Reason: To define the permission and ensure a satisfactory form of development.

Item D. 2	05/00716/TEL	Approve - Telecom
Case Officer	Mrs Helen Lowe	
Ward	Lostock	
Proposal	Prior notification of the installation of a 15m telecommunications monopole, accommodating five antennas and ground based radio equipment housing,	
Location	Twin Lakes Industrial Estate Brickcroft Lane Croston LancashirePR26 9RF	
Applicant	Hutchinson 3G Ltd	

Background This application proposes the erection of a 15m high telecommunications monopole, with three antennas and two dish antennas. At the base there would be an equipment cabin and a meter cabinet. These would all be surrounded by a 2m high chainlink and barbed wire fence to form a compound 4.5m by 5.6m.

The compound would be located approximately 18m to the rear of an existing industrial unit at the southern most part of Twin Lakes Industrial Estate, Brickcroft Lane, Croston. The south and west a boundary of the industrial estate is surrounded by a belt of planting of trees and shrubs up to approximately 10 m in height. The industrial estate is separated from residential properties to the east on Lonsdale Drive and Langdale Avenue by this planting and a railway line. A public footpath runs between the railway line and the planting to the east, following round the southern corner of the industrial estate before heading towards Railway View.

The nearest residential properties are on Lonsdale Drive approximately 80m away. Oldfields on Railway View is approximately 90m to the south.

Planning Policy PPG8 (Telecommunications) states that the general policy on telecommunications is to facilitate growth of new and existing systems. Where possible the Government encourages the use of existing buildings and mast sharing, to keep new masts to a minimum. It also states that operators should look carefully at materials, colours and design in order to minimise obtrusiveness.

The site lies within the Green Belt as defined in the Adopted Chorley Borough Local Plan Review.

Policy PS12 of the Adopted Chorley Borough Local Plan Review states that the Council will only permit utility services where there is no overriding environmental objections to either the siting or appearance of the installation and when all of the following criteria have been met:

- (a) Development is part of a planned expansion;
- (b) No operational suitable sites elsewhere with less environmental impact;
- (c) No reasonable possibility of sharing existing facilities;

- (d) No reasonable possibility of erecting antennae on an existing building or structure;
- (e) The visual impact of the development on the landscape has been minimised, subject to technical limitation

Planning History

There is an existing 15m monopole at Twin Lakes Industrial Estate; the Council did not require prior approval of the siting and appearance of this installation (ref. 9/01/00442). This mast is approximately 70m north of the current application site.

A further application for another 15m high monopole was received earlier this year (ref. 9/05/00108); the Council did not require prior approval of the siting and appearance of this installation. This mast has not yet being erected, but would be approximately 90m to the north of the current application site.

In 2001 an application for a 15 m high monopole in the same location as that presently proposed was refused (ref. 9/01/00204). This was refused on the grounds that it would have interfered with provision of a satisfactory scheme of buffer planting on the south side of the industrial estate and appear unduly intrusive from the public footpath immediately adjacent. Following the case officers visit to the site this landscaping scheme has clearly been implemented and there is a substantial landscaping buffer on the southern boundary of the industrial estate.

Consultees Responses

None received.

Third Party Representations

One letter has been received from a resident of Lonsdale Drive. They state that the area is being spoiled with phone poles that look a mess and can be dangerous to health.

Applicant's Case

The applicant states the following in support of their application:

- The installation is required to provide 3G coverage to the Croston area.
- 15m is the minimum height possible to allow a signal to be provided over and above the surrounding urban clutter.
- The proposals have been sited as far from direct view points of residential properties as possible whilst being able to provide a signal to the area.
- The proposed development will not appear inappropriate at this location given the utilisation of a minimalist structure that is screened from the surrounding area by the existing railway embankment and trees. The industrial nature of the immediate surroundings is also considered to be an appropriate setting for the installation.

Assessment

Given that the application is a Prior Notification the Council is unable to consider the principle of the application but is restricted to an assessment as to whether prior approval should be sought for the siting and appearance of the proposed development.

With regard to the criteria of policy PS12 of the Adopted Chorley Borough Local Plan Review it is accepted that the proposed development would be part of a planned expansion (criteria (a)).

Information has also been provided by the applicant to demonstrate that a number of alternative site options have been explored, and that there are no suitable buildings in the locality on which equipment could be installed (criteria (d) and (b)). Following pre-application discussion with the planning department it was considered that to share facilities with the existing masts in the area would require redevelopment to a taller and bulkier structure, which would be undesirable (criteria (c)).

It is considered that the proposed compound and ground based equipment would be seen within the context of the industrial estate and it is considered that they would not appear out of place in these surroundings. Due to the presence of the landscaping buffer it would not be possible to see the compound and ground based equipment from the public footpath.

When viewed from within the site, it is considered that the proposed mast would also appear incongruous with the surroundings, however, due to its height it would be possible to view the mast from the wider area. I do not consider that the proposal would detract to an unacceptable extent from the amenities of any residents given the distance of the mast from the nearest residential properties, the existence of natural screening along the southern and eastern boundary of the industrial estate and the slim line design of the mast. Mast sharing in this instance would not reduce the landscape impact in this instance. To do so would result in the erection of a lattice tower of greater height, which would be more apparent than the addition of another monopole (criteria (e)).

Consideration must also be given to the fact that the mast is located within the Green Belt. Taking into account the siting and design of the proposal I do not consider that the proposed mast would cause harm to the openness and rural character of the Green Belt.

The applicant has provided a declaration of conformity with the public exposure guidelines for in the International Commission on Non-Ionising Radiation Protection (ICNIRP). Government advice is that if a proposed mobile phone base station meets ICNIRP guidelines it should not be necessary for a local planning authority to give further consideration to the health aspects and concerns about them.

Conclusion The proposal is accordingly recommended for approval.

Recommendation: Approve – Telecom

Conditions

1. Prior to the commencement of development details of the colour of the proposed development shall be submitted to and approved in writing by the Local Planning Authority.

Item D. 3	05/00734/FUL	Permit
Case Officer	Mr David Stirzaker	
Ward	Chorley South East	
Proposal	Erection of extension to existing sports hall to form new changing/shower facilities with independent entrance,	
Location	Holy Cross R C High School Burgh Lane Chorley LancashirePR7 3NT	
Applicant	School Governors	
Background	This application relates to Holy Cross High School on Burgh Lane, which is located within the main settlement of Chorley to the south of the town centre.	
Proposal	This application proposes a single storey extension to the school as a second phase to the single storey extension approved last year by virtue of 9/04/01403/FUL to provide changing facilities in connection with the recently approved synthetic pitch and the use of the school as a specialist sports college. Members will recall permission was recently granted for the provision of a floodlit synthetic pitch for use by the school and organised community groups, which is to be constructed adjacent to the facilities to which this application relates.	
Policy	GN1 - Main Settlement Policy GN5 - Building Design and Landscaping LT16 - Dual Use of Education Facilities	
Planning History	9/05/00442/FUL - Formation of fenced and floodlit synthetic turf pitch (Permitted) 9/04/01403/FUL - Single storey extension to the rear of the sports hall (Permitted) 9/99/00650/FUL - Single storey extension (Permitted) 9/99/00642/CTY - Engineering Works to create the levels to accommodate adjusted layout of sport pitches including new boundary fence and drainage outfalls (No objections raised) 9/95/00651/FUL - Construction of new classroom block, sports hall and associated changing facilities, provision of all-weather pitch. Creation of temporary access road from Carr Lane to serve Upper School (Permitted)	
Representations	As a result of public consultation, one letter of objection has been received, the contents of which can be summarised as follows: - <ul style="list-style-type: none"> • The extensions and synthetic pitch will result in a loss of privacy and increased noise • Floodlights around the synthetic pitch will result in glare • Additional parking will result from the changes and additions to the school 	

- The leafy character of the area will be changed by the cumulative impact of the extensions, synthetic pitch and use of the school facilities

Consultations No consultations were deemed necessary in relation to this application

Assessment The main issues that warrant consideration are as follows: -

The extension is sited on the southwest elevation of the sports hall utilising a significantly lower roof height. By virtue of this, when the extension is seen from within and outside of the school grounds, it will not appear unduly prominent. In terms of views from the properties on The Bowers to the east, only a short 5.5m section of the extension will project beyond the end of the sports hall hence it is not considered that the extension will result in detrimental harm to the outlook from these properties nor will it appear overbearing.

The design of the extension is reflective of the more modern part of the school to which it adjoins and matching materials are proposed hence the extension will not harm the character and appearance of the locality and the school.

In terms of the objection received citing the cumulative impact of the synthetic pitch and the extensions to the school, Members will recall planning permission has already been granted for the synthetic pitch whereby the report suitably addressed the issues of floodlighting, traffic generation and parking in relation to the use of the pitch.

Conclusion On the basis of the above, it is considered that the proposal meets with the objectives of Policy Nos. GN1, GN5 and LT16. Accordingly, it is recommended that planning permission be granted.

Recommendation: Permit

Conditions

1. 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 No. GN5 of the Adopted Chorley Borough Local Plan Review.

2. The approved plans are:

Plan Ref.	Received On:	Title:
6261P11	20 July 2005	Location Plan of Phase Two Extension
6261-P10	11 July 2005	Proposed Extension To Give Specialist College & Changing Room Areas

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

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Item D. 4	05/00793/FUL	Permit
Case Officer	Mrs Helen Lowe	
Ward	Chorley North West	
Proposal	Replacement of existing 22.5 m lattice tower with 25 m lattice tower to accommodate six O2 antennae, three T-Mobile antennae, three H3G antennae, one 0.6m transmission dish and two 0.3m transmission dishes with associated radio equipment housing and ancillary development,	
Location	Chorley Sewage Treatment Works Common Bank Lane Chorley Lancashire PR7 1NR	
Applicant	O2 (UK) Ltd / T-Mobile UK / Hutchison 3G	

Background This application proposes replacing an existing 22.5m high lattice telecommunications mast with one that is 25m in height (including the antennae). It is proposed to add four equipment cabins. The compound size would remain the same. The application site is located within the grounds of Chorley Sewage Treatment Works, off Common Bank Lane. The nearest residential properties are located on Common Bank Lane, approximately 185 m away. Tesco supermarket is approximately 75 m away and the nearest commercial properties on the nearby industrial estate are approximately 90m away. The intervening land between the sewage treatment works and Foxholes Road (to the north east of the site) is allocated for employment use in the Adopted Chorley Borough Local Plan Review.

Planning Policy The application site lies within the settlement boundary of Chorley as defined in the Adopted Chorley Borough Local Plan Review.

PPG8 (Telecommunications) states that the general policy on telecommunications is to facilitate growth of new and existing systems. Where possible the Government encourages the use of existing buildings and mast sharing, to keep new masts to a minimum. It also states that operators should look carefully at materials, colours and design in order to minimise obtrusiveness.

Policy PS12 of the Adopted Chorley Borough Local Plan Review states that the Council will only permit utility services where there is no overriding environmental objections to either the siting or appearance of the installation and when all of the following criteria have been met:

- (a) Development is part of a planned expansion;
- (b) No operational suitable sites elsewhere with less environmental impact;
- (c) No reasonable possibility of sharing existing facilities;
- (d) No reasonable possibility of erecting antennae on an existing building or structure;
- (e) The visual impact of the development on the landscape has been minimised, subject to technical limitation

Planning History A full planning application for a 20m high lattice tower with 6 antennae giving the structure an overall height of 22.5m, one equipment cabin and 1.8m high chain link fence was approved in February 2003.

Consultees Responses None received

Third Party Representations One letter of objection has been received from one of the occupants of the nearby industrial estate. Their reasons for objection are: the further height increase would make this mast a very visual eyesore to the skyline and adversely detract the appeal of the area.

Applicant's Case The applicant states the following in support of their application:

- The design was chosen as it meets the technical requirements of all 3 operators whilst avoiding the use of 3 separate freestanding ground based structures thereby having less impact on the surrounding setting.
- In order to accommodate the 2 further operators the existing tower will require only a minimal increase in height and it is considered that this will have a neutral effect on the visual amenity and character of the surrounding area.
- It is also considered that the small increase in height will have less impact on the surrounding landscape than two further freestanding ground based structures.
- The lattice nature of the installation allows the surrounding landscape to be viewed through the structure thereby giving it an element of transparency further allowing it to blend into its setting and not stand out as an alien or incongruous feature in this industrial area.

Assessment With regard to the criteria of policy PS12 of the Adopted Chorley Borough Local Plan Review it is accepted that the proposed development is required as part of a planned expansion (criterion (a)). The site is required in order to provide and improve both 2G and 3G coverage and to aid the prevention of call dropping.

Relating to criterion (b) the applicant has not included any details of other sites that were investigated. Rather they state that as the proposed site sharing option complies with local planning policy, no further sites were investigated. They state that they consider that the proposed scheme has a limited impact on the surrounding environment and will not significantly harm the visual amenity or character of the surrounding area.

It is considered that by upgrading an existing site the proposal meets criteria (c) and (d).

Only the uppermost part of the mast is visible from Foxhole Road (due to the topography and existing natural screening) and distant views of the mast are occasionally possible from the public footpath that runs along Common Bank Lane. The proposed equipment cabins and associated ground based equipment would be seen within the context of the sewage treatment works and it is considered that they would not appear out of place in these surroundings. The mast and equipment would also be screened

from the residential properties on Common Bank Lane by existing natural screening. Given the modest increase in height that is proposed, the design of the structure (a lattice) and the largely industrial nature of the wider surroundings it is considered that the proposal would have a limited visual impact. It is considered that one larger mast at single site would be less visually intrusive in a wider sense, than a proliferation of smaller masts across a wider area.

It is therefore considered that criteria (b) and (e) of policy PS12 have been adequately met.

The applicant has provided a declaration of conformity with the public exposure guidelines for in the International Commission on Non-Ionising Radiation Protection (ICNIRP). Government advice is that if a proposed mobile phone base station meets ICNIRP guidelines it should not be necessary for a local planning authority to give further consideration to the health aspects and concerns about them.

Conclusion The proposal is accordingly recommended for approval.

Recommendation: Permit

Conditions

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Report of	Meeting	Date
Head of Planning Services	Development Control Committee	30.08.2005

LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

Between 14 July 2005 and 17 August 2005

Plan Ref 04/00011/FUL **Date Received** 07.01.2004 **Decision** Permit
Ward: Eccleston And **Date Decided** 10.08.2005
Mawdesley

Proposal : Retrospective application for the erection of brick wall and archway,
Location : 249 The Green, Eccleston, Chorley, Lancashire PR7 5TF
Applicant: Mr Roper & Miss Green 249 The Green, Eccleston, Chorley, Lancashire PR7 5TF

Plan Ref 04/01098/FUL **Date Received** 28.09.2004 **Decision** Permit
Ward: Adlington & **Date Decided** 15.08.2005
Anderton

Proposal : Erection of two storey rear extension,
Location : 47 Harrison Road Adlington Chorley Lancashire PR7 4HN
Applicant: Mr S Worsley 47 Harrison Road Adlington Chorley Lancashire PR7 4HN

Plan Ref 04/01363/FUL **Date Received** 01.12.2004 **Decision** Permit
Ward: Eccleston And **Date Decided** 20.07.2005
Mawdesley

Proposal : Erection of a two storey extension to the rear of the property,
Location : Hilton House 6 Towngate Eccleston Lancashire PR7 5QL
Applicant: A.M. & R.K. Dougill Hilton House 6 Towngate Eccleston Lancashire PR7 5QL

Plan Ref 05/00061/FUL **Date Received** 18.01.2005 **Decision** Refuse
Ward: Heath Charnock **Date Decided** 08.08.2005
And Rivington

Proposal : Erection of first floor side extension and porch to front,
Location : Broadlands Long Lane Heath Charnock Lancashire PR6 9EQ
Applicant: Barbara Critchley Broadlands Long Lane Heath Charnock Lancashire PR6 9EQ

Continued....

Plan Ref 05/00150/CTY **Date Received** 16.02.2005 **Decision** No objection
Ward: Clayton-le-Woods **Date Decided** 03.08.2005
 West And
 Cuerden

Proposal : Demolition of existing workshop building and erection of new building on same site for use as waste transfer station,
Location : Clayton Hall Sand Quarry Dawson Lane Whittle-Le-Woods Lancashire
Applicant: Quercia Ltd Clayton Hall Dawson Lane Whittle-Le-Woods Lancashire

Plan Ref 05/00273/FUL **Date Received** 15.03.2005 **Decision** Permit
Ward: Heath Charnock **Date Decided** 08.08.2005
 And Rivington

Proposal : Proposed erection of 4 stables and a store
Location : Barn Opposite Kays Farm And West Of Back Lane Heath Charnock Chorley Lancashire
Applicant: Mr And Mrs J B Mercer Makinson House, Half Acre Lane, Blackrod,, Bolton

Plan Ref 05/00281/FUL **Date Received** 17.03.2005 **Decision** Permit
Ward: Lostock **Date Decided** 01.08.2005

Proposal : Proposed single and two storey side and rear extension
Location : 5 Jubilee Way Croston Chorley Lancashire PR26 9HD
Applicant: Mr Robert Stewart 5 Jubilee Way Croston Chorley Lancashire PR26 9H

Plan Ref 05/00311/FUL **Date Received** 23.03.2005 **Decision** Permit
Ward: Coppull **Date Decided** 18.07.2005

Proposal : Formation of vehicle hardstanding and road crossing,
Location : 30 New Road Coppull Chorley Lancashire PR7 4NP
Applicant: Mr Baldry 30 New Road Coppull Chorley Lancashire PR7 4NP

Plan Ref 05/00348/FUL **Date Received** 14.04.2005 **Decision** Permit
Ward: Adlington & **Date Decided** 18.07.2005
 Anderton

Proposal : Erection of two storey side extension and single storey conservatory to rear,
Location : 30 Mill Street Adlington Lancashire PR6 9QY
Applicant: Mr A Lee 30 Mill Street Adlington Lancashire PR6 9QY

Plan Ref 05/00367/FUL **Date Received** 07.04.2005 **Decision** Permit
Ward: Clayton-le-Woods **Date Decided** 25.07.2005
 West And
 Cuerden

Proposal : Erection of a cantilever carport to the side of the property
Location : Haydock House Wigan Road Clayton-Le-Woods Lancashire PR25 5SD
Applicant: Mr And Mrs Haydock, Haydock House Wigan Road Clayton-Le-Woods Lancashire

Plan Ref 05/00376/FUL **Date Received** 11.04.2005 **Decision** Permit
Ward: Brindle And **Date Decided** 09.08.2005
Hoghton

Proposal : Variation of condition 7 of Planning Permission 03/00203/FUL (as allowed on appeal) to allow the building to be used for livestock and agricultural storage,
Location : Pippin Fold Pippin Street Brindle Lancashire
Applicant: Messrs Dewhurst 165 Chorley Old Road Whittle-Le-Woods Lancashire PR6 7NB

Plan Ref 05/00382/FUL **Date Received** 11.04.2005 **Decision** Permit
Ward: Eccleston And **Date Decided** 21.07.2005
Mawdesley

Proposal : Construction of new access track,
Location : Land At Nursery House Farm Parr Lane Eccleston Lancashire PR7 5SL
Applicant: Mr & Mrs Hockey Turners Farm School Lane Westhead Nr Ormskirk

Plan Ref 05/00434/CON **Date Received** 26.04.2005 **Decision** Permit -
Conservation
Area Consent
Ward: Chorley North **Date Decided** 29.07.2005
East

Proposal : Application for Conservation Area Consent for the demolition of existing building,
Location : The Church Of Jesus Christ Of Latter Day Saints Water Street Chorley Lancashire PR7 1EJ
Applicant: The Church Of Jesus Christ Of Latter Day Saints 75 Warwick Road Solihull West Midlands B91 3DQ

Plan Ref 05/00452/FUL **Date Received** 05.05.2005 **Decision** Permit
Ward: Chisnall **Date Decided** 04.08.2005

Proposal : Erection of two storey extension to side and rear.
Location : 29 Tansley Avenue Coppull Lancashire PR7 5DJ
Applicant: Mrs S Ritchie 29 Tansley Avenue Coppull Lancashire PR7 5DJ

Plan Ref 05/00463/FUL **Date Received** 04.05.2005 **Decision** Permit
Ward: Chorley North **Date Decided** 10.08.2005
West

Proposal : Replacement two storey dwelling,
Location : 105 Devonshire Road Chorley Lancashire PR7 2BY
Applicant: Mr C Brown 107 Devonshire Road Chorley Lancashire PR7 2BY

Plan Ref 05/00512/FUL **Date Received** 18.05.2005 **Decision** Permit
Ward: Heath Charnock **Date Decided** 25.07.2005
And Rivington

Proposal : Dormer conversion involving raising the ridge,
Location : Bell Reno Bolton Road Heath Charnock Lancashire PR7 4AZ
Applicant: Mr & Mrs Durnian Bell Reno Bolton Road Heath Charnock Lancashire PR7 4AZ

Plan Ref 05/00514/FUL **Date Received** 16.05.2005 **Decision** Permit
Ward: Wheelton And **Date Decided** 15.07.2005
 Withnell

Proposal : Erection of detached bungalow,
Location : Land On Lawton Close And Rear Of 383 Blackburn Road Wheelton Lancashire
Applicant: Kaufman & Broad PO Box 418 CHorley Lancs PR6 8XR

Plan Ref 05/00524/FUL **Date Received** 17.05.2005 **Decision** Permit
Ward: Clayton-le-Woods **Date Decided** 25.07.2005
 West And
 Cuerden

Proposal : Erection of front porch, and attached garage to side,
Location : 120 Claughton Avenue Clayton-Le-Woods Leyland Lancashire PR25 5TP
Applicant: Mr D Muncaster 120 Claughton Avenue Clayton-Le-Woods Leyland Lancashire

Plan Ref 05/00530/FUL **Date Received** 19.05.2005 **Decision** Permit
Ward: Eccleston And **Date Decided** 14.07.2005
 Mawdesley

Proposal : Erection of two single storey extensions to side and rear of school,
Location : St Peter And St Pauls R C Primary School Ridley Lane Mawdesley Lancashire
Applicant: SS. Peter And Pauls R C Primary School Ridley Lane Mawdesley Lancashire

Plan Ref 05/00537/FUL **Date Received** 24.05.2005 **Decision** Permit
Ward: Clayton-le-Woods **Date Decided** 18.07.2005
 West And
 Cuerden

Proposal : Rear extension with pitched roof over (raising existing ridge) and rear box dormer window,
Location : 88 Lancaster Lane Clayton-Le-Woods Lancashire PR25 5SP
Applicant: Mr & Mrs Sharrock 88 Lancaster Lane Clayton-Le-Woods Lancashire PR25 5SP

Plan Ref 05/00547/FUL **Date Received** 26.05.2005 **Decision** Permit
Ward: Euxton South **Date Decided** 20.07.2005

Proposal : Single storey extension to the side of the property
Location : 20 Talbot Drive Euxton Lancashire PR7 6PD
Applicant: Mr Brian Dervish 20 Talbot Drive Euxton Lancashire PR7 6PD

Plan Ref 05/00549/FUL **Date Received** 25.05.2005 **Decision** Refuse
Ward: Astley And **Date Decided** 15.07.2005
 Buckshaw

Proposal : Creation of Go-Kart track,
Location : Land Adjacent Euxton Park Golf Driving Range Euxton Lane Euxton Chorley Lancashire
Applicant: Kevin Bentham Loxley Bluestone Lane Mawdesley L40 2RG

Plan Ref 05/00555/COU **Date Received** 27.05.2005 **Decision** Permit
Ward: Chorley South **Date Decided** 15.07.2005
 East

Proposal : Change of use from residential to offices (Class A2),
Location : 25 Halliwell Street Chorley Lancashire PR7 2AL
Applicant: Mrs J Balcombe (Acting On Behalf Of Mrs A Riley) C/o Agent

Plan Ref 05/00559/FUL **Date Received** 26.05.2005 **Decision** Permit
Ward: Coppull **Date Decided** 20.07.2005

Proposal : Two storey side and rear extension
Location : 1 Summerfields Coppull Lancashire PR7 4LW
Applicant: Mr And Mrs Iddon 1 Summerfields Coppull Lancashire PR7 4LW

Plan Ref 05/00562/TPO **Date Received** 26.05.2005 **Decision** Consent
Ward: Euxton North **Date Decided** 14.07.2005

Proposal : Felling of horse chestnut tree covered by TPO 6 (Euxton) 1980,
Location : 2 The Croft Euxton Chorley Lancashire PR7 6LH
Applicant: Mr Tudge 2 The Croft Euxton Chorley Lancashire PR7 6LH

Plan Ref 05/00563/FUL **Date Received** 01.06.2005 **Decision** Refuse
Ward: Clayton-le-Woods **Date Decided** 05.08.2005
 And Whittle-le-
 Woods

Proposal : Proposed forecourt car sales in addition to existing car wash facility .
Location : A6 Car Wash 472 Preston Road Clayton-Le-Woods Chorley Lancashire
Applicant: Mr Ronald McFarlene 71 Maypark Clayton-Le-Woods Bamber Bridge Lancashire

Plan Ref 05/00564/FUL **Date Received** 26.05.2005 **Decision** Permit
Ward: Chorley North **Date Decided** 21.07.2005
 West

Proposal : New shop front, internal alterations and single storey rear extension,
Location : 48 - 50 Pall Mall Chorley Lancashire PR7 2LE
Applicant: William Hill Organisation 15 Mark Lane Leeds LS1 8LB

Plan Ref 05/00565/FUL **Date Received** 24.05.2005 **Decision** Permit
Ward: Euxton North **Date Decided** 14.07.2005

Proposal : Erection of 2m high fence around rear boundary,
Location : 94 Runshaw Lane Euxton Lancashire PR7 6AX
Applicant: Mr Anderton 94 Runshaw Lane Euxton Lancashire PR7 6AX

Plan Ref 05/00567/FUL **Date Received** 31.05.2005 **Decision** Permit
Ward: Wheelton And **Date Decided** 25.07.2005
 Withnell

Proposal : Erection of single storey extension to side,
Location : New Bungalow Bett Lane Wheelton Chorley Lancashire
Applicant: Mr D Walmsley New Bungalow Bett Lane Wheelton Chorley Lancashire PR6 8JH

Plan Ref 05/00568/FUL **Date Received** 26.05.2005 **Decision** Permit
Ward: Pennine **Date Decided** 11.08.2005

Proposal : Extension to garage to form garden room
Location : Westlea 210 Town Lane Whittle-Le-Woods Lancashire PR6 8AJ
Applicant: Mr & Mrs Hemmings C/o Agent

Plan Ref 05/00572/COU **Date Received** 01.06.2005 **Decision** Permit
Ward: Chorley South **Date Decided** 09.08.2005
 East

Proposal : Change of use of first floor to residential flat,
Location : 56 Chapel Street Chorley Lancashire PR7 1BS
Applicant: Style Title Ltd PO Box 418 Chorley PR6 8XR

Plan Ref 05/00573/FUL **Date Received** 26.05.2005 **Decision** Refuse
Ward: Clayton-le-Woods **Date Decided** 14.07.2005
 And Whittle-le-
 Woods

Proposal : Single storey side extension and a garden room to the rear
Location : Kyndere Shaw Hill Whittle-Le-Woods Lancashire PR6 7PP
Applicant: Mr And Mrs Rimmer Kyndere Shaw Hill Whittle-Le-Woods Lancashire PR6 7PP

Plan Ref 05/00575/FUL **Date Received** 31.05.2005 **Decision** Refuse
Ward: Wheelton And **Date Decided** 05.08.2005
 Withnell

Proposal : Erection of conservatory,
Location : Flash Green Farm Cottage Jenny Lane Wheelton Chorley Lancashire
Applicant: Mr & Mrs Cain Flash Green Farm Cottage Jenny Lane Wheelton Chorley
 Lancashire PR6 8JE

Plan Ref 05/00578/FUL **Date Received** 03.06.2005 **Decision** Permit
Ward: Chorley North **Date Decided** 28.07.2005
 West

Proposal : Install insitu, concrete ramp to provide level access to comply with Disability
 Discrimination Act Objectives
Location : Natwest Bank 46 - 48 Market Street Chorley Lancashire PR7 2SE
Applicant: The Royal Bank Of Scotland Group Property And Facilities, Drummond House, 1
 Redheughs Avenue, Edinburgh, EH12 9JW

Plan Ref 05/00579/FUL **Date Received** 02.06.2005 **Decision** Permit
Ward: Chisnall **Date Decided** 25.07.2005

Proposal : Erection of first floor rear extension,
Location : 10 Burwell Avenue Coppull Chorley Lancashire PR7 5DL
Applicant: Mr & Mrs J Turner 10 Burwell Avenue Coppull Chorley Lancashire PR7 5DL

Plan Ref 05/00580/ADV **Date Received** 03.06.2005 **Decision** Consent
Ward: Chorley East **Date Decided** 28.07.2005

Proposal : Erection of 2 non-illuminated signs to elevations and replacement stickers for totem sign,
Location : Plumb Center Unit 2 East Chorley Business Centre East Way Chorley
Applicant: Wolseley UK PO Box 429 Central House Otley Road Harrogate N Yorks HG3 1WR

Plan Ref 05/00582/FUL **Date Received** 01.06.2005 **Decision** Permit
Ward: Clayton-le-Woods **Date Decided** 26.07.2005
West And
Cuerden

Proposal : Single storey rear extension
Location : 20 Cunnery Meadow Clayton-Le-Woods Lancashire PR25 5RL
Applicant: Mr Tony Gilbert 20 Cunnery Meadow Clayton-Le-Woods Lancashire PR25 5RL

Plan Ref 05/00583/FUL **Date Received** 01.06.2005 **Decision** Permit
Ward: Chorley North **Date Decided** 14.07.2005
East

Proposal : Erection of conservatory to rear,
Location : 19 Linden Grove Chorley Lancashire PR6 7BN
Applicant: Mr & Mrs Derbyshire 19 Linden Grove Chorley Lancashire PR6 7BN

Plan Ref 05/00585/FUL **Date Received** 02.06.2005 **Decision** Permit
Ward: Heath Charnock **Date Decided** 28.07.2005
And Rivington

Proposal : Conservatory to the rear of the property
Location : 9 Stonegate Fold Heath Charnock Lancashire PR6 9DX
Applicant: Mr And Mrs Howells 9 Stonegate Fold Heath Charnock Lancashire PR6 9DX

Plan Ref 05/00586/FUL **Date Received** 02.06.2005 **Decision** Permit
Ward: Chorley South **Date Decided** 28.07.2005
East

Proposal : Two storey side extension, pitched roof over garage, extension to bring garage forward at front, and garden store,
Location : Braemar Burgh Lane Chorley Lancashire PR7 3NT
Applicant: Mr & Mrs Hargreaves 8 Chester Avenue Chorley Lancashire PR7 4AG

Plan Ref 05/00588/FUL **Date Received** 02.06.2005 **Decision** Permit
Ward: Clayton-le-Woods **Date Decided** 14.07.2005
 And Whittle-le-Woods

Proposal : Single storey extension and conservatory to rear,
Location : 48 Cedar Field Clayton-Le-Woods Chorley Lancashire PR6 7RW
Applicant: Mr Sutch 48 Cedar Field Clayton-Le-Woods Chorley Lancashire PR6 7RW

Plan Ref 05/00589/FUL **Date Received** 03.06.2005 **Decision** Permit
Ward: Clayton-le-Woods **Date Decided** 29.07.2005
 North

Proposal : Erection of two storey side extension,
Location : 18 Carr Meadow Clayton-Le-Woods Lancashire PR5 8HS
Applicant: Mr & Mrs T Kay 18 Carr Meadow Clayton-Le-Woods Lancashire PR5 8HS

Plan Ref 05/00596/FUL **Date Received** 06.06.2005 **Decision** Permit
Ward: Euxton South **Date Decided** 29.07.2005

Proposal : Erection of rear conservatory,
Location : 6 Fieldside Avenue Euxton Chorley Lancashire PR7 6JF
Applicant: Mr A Southworth 6 Fieldside Avenue Euxton Chorley Lancashire PR7 6JF

Plan Ref 05/00597/FUL **Date Received** 07.06.2005 **Decision** Permit
Ward: Eccleston And **Date Decided** 02.08.2005
 Mawdesley

Proposal : Extension of pond to rear of property by 0.04 hectares
Location : Douglas Villa Meadow Lane Mawdesley Lancashire L40 2QA
Applicant: Mr Alan Munro Douglas Villa Meadow Lane Mawdesley Lancashire L40 2QA

Plan Ref 05/00598/FUL **Date Received** 06.06.2005 **Decision** Permit
Ward: Adlington & **Date Decided** 26.07.2005
 Anderton

Proposal : Erection of hay barn and two stables,
Location : Land On Roscoe Lowe Hill North Of Roscoe Lowe Farm New Road Anderton Lancashire
Applicant: Lorraine Cocker 2 Stoneacre Lostock Bolton BL6 4ND

Plan Ref 05/00599/FUL **Date Received** 02.06.2005 **Decision** Permit
Ward: Clayton-le-Woods **Date Decided** 14.07.2005
 And Whittle-le-Woods

Proposal : Formation of dormer window to front and window alterations to rear,
Location : 1 Manor Road Clayton-Le-Woods Chorley Lancashire PR6 7JG
Applicant: RSG Group

Plan Ref 05/00600/FUL **Date Received** 03.06.2005 **Decision** Refuse
Ward: Coppull **Date Decided** 28.07.2005

Proposal : Single storey rear extension to form enlarged kitchen, store and staff W. C.
Location : The Thyme And Plaice 37 Wigan Lane Coppull Lancashire PR7 4BN
Applicant: Mr G Sever The Thyme And Plaice 37 Wigan Lane Coppull Lancashire PR7 4BN

Plan Ref 05/00602/FUL **Date Received** 07.06.2005 **Decision** Permit
Ward: Clayton-le-Woods **Date Decided** 02.08.2005
And Whittle-le-Woods

Proposal : Erection of wall and gates to front of property,
Location : 5 Spinney Close Whittle-Le-Woods Chorley Lancashire PR6 7PW
Applicant: Dr Akinpelu 5 Spinney Close Whittle-Le-Woods Chorley Lancashire PR6 7PW

Plan Ref 05/00603/FUL **Date Received** 06.06.2005 **Decision** Refuse
Ward: Lostock **Date Decided** 01.08.2005

Proposal : Relocation of joiners workshop to Building C, (to include a variation of condition No 3 on planning permission 9/95/00760/COU to permit the manufacture of other wood products), and the demolition and rebuilding of Building A for domestic use ancillary to the farm house
Location : Jumps Farm 147 South Road Bretherton Lancashire PR26 9AJ
Applicant: Mr J Wignall Jumps Farm 147 South Road Bretherton Lancashire PR26 9AJ

Plan Ref 05/00608/COU **Date Received** 10.06.2005 **Decision** Permit
Ward: Chisnall **Date Decided** 15.07.2005

Proposal : Change of use of land to domestic curtilage,
Location : Learoy Preston Road Charnock Richard Lancashire PR7 5JZ
Applicant: Mr D J Myall Learoy Preston Road Charnock Richard Lancashire PR7 5JZ

Plan Ref 05/00609/FUL **Date Received** 10.06.2005 **Decision** Refuse
Ward: Clayton-le-Woods **Date Decided** 03.08.2005
West And
Cuerden

Proposal : First floor side extension, single storey rear extension and raising of roof to create first floor accomodation,
Location : 77 Lancaster Lane Clayton-Le-Woods Lancashire PR25 5SP
Applicant: Mr & Mrs J Scragg 77 Lancaster Lane Clayton-Le-Woods Lancashire PR25 5SP

Plan Ref 05/00610/FUL **Date Received** 09.06.2005 **Decision** Permit
Ward: Clayton-le-Woods **Date Decided** 04.08.2005
North

Proposal : Demolition of existing rear extension and erection of single storey sun lounge extension to rear,
Location : 4 The Clough Clayton-Le-Woods Chorley Lancashire PR6 7ER
Applicant: Mr & Mrs Brooks 4 The Clough Clayton-Le-Woods Chorley Lancashire PR6 7ER

Plan Ref 05/00611/FUL **Date Received** 10.06.2005 **Decision** Permit
Ward: Brindle And **Date Decided** 03.08.2005
Hoghton

Proposal : Erection of first floor side extension and provision of pitched roofs over existing flat roofs,
Location : Hoad Cottage Sandy Lane Brindle Lancashire PR6 8NA
Applicant: Mr J Wolstenholme Hoad Cottage Sandy Lane Brindle Lancashire PR6 8NA

Plan Ref 05/00612/FUL **Date Received** 08.06.2005 **Decision** Permit
Ward: Chisnall **Date Decided** 03.08.2005

Proposal : Erection of single storey extensions to side and rear,
Location : 249 Coppull Moor Lane Coppull Lancashire PR7 5JA
Applicant: Mr & Mrs Nelson 249 Coppull Moor Lane Coppull Lancashire PR7 5JA

Plan Ref 05/00613/ADV **Date Received** 08.06.2005 **Decision** Consent
Ward: Clayton-le-Woods **Date Decided** 03.08.2005
West And
Cuerden

Proposal : Erection of various externally illuminated signs,
Location : The Hayrick Lancaster Lane Clayton-Le-Woods Lancashire PR25 5RY
Applicant: Spirit Group 107 Station Street Burton-on-Trent DE14 1BZ

Plan Ref 05/00616/FUL **Date Received** 08.06.2005 **Decision** Permit
Ward: Chorley North **Date Decided** 28.07.2005
East

Proposal : Erection of rear conservatory
Location : 24 Mayfield Road Chorley Lancashire PR6 0DG
Applicant: Mr & Mrs Parker 24 Mayfield Road Chorley Lancashire PR6 0DG

Plan Ref 05/00617/FUL **Date Received** 13.06.2005 **Decision** Refuse
Ward: Lostock **Date Decided** 08.08.2005

Proposal : Erection of conservatory to rear,
Location : Willow Cottage 7 Grape Lane Croston Lancashire PR26 9HB
Applicant: Mr Duncan & Miss Rigby Willow Cottage 7 Grape Lane Croston Lancashire

Plan Ref 05/00618/FUL **Date Received** 09.06.2005 **Decision** Permit
Ward: Pennine **Date Decided** 03.08.2005

Proposal : Erection of rear conservatory,
Location : 2 Kestrel Close Heapey Lancashire PR6 9BF
Applicant: Mr & Mrs Reay 2 Kestrel Close Heapey Lancashire PR6 9BF

Plan Ref 05/00619/FUL **Date Received** 10.06.2005 **Decision** Refuse
Ward: Chisnall **Date Decided** 05.08.2005

Proposal : Erection of replacement garage with a studio above
Location : 146 Wood Lane Heskin Lancashire PR7 5NP
Applicant: Mr Howard Rose 146 Wood Lane Heskin Lancashire PR7 5NP

Plan Ref 05/00620/FUL **Date Received** 15.06.2005 **Decision** Permit
Ward: Chorley North **Date Decided** 08.08.2005
East

Proposal : Conversion of garage and utility room to dining area with pitched roof over,
Location : 1 Epsom Close Chorley Lancashire PR6 8TS
Applicant: Mr & Mrs Bonney 1 Epsom Close Chorley Lancashire PR6 8TS

Plan Ref 05/00621/FUL **Date Received** 10.06.2005 **Decision** Permit
Ward: Coppull **Date Decided** 05.08.2005

Proposal : Erection of conservatory to rear,
Location : 223 Chapel Lane Coppull Lancashire PR7 4NA
Applicant: Mrs S Bryan 223 Chapel Lane Coppull Lancashire PR7 4NA

Plan Ref 05/00622/FUL **Date Received** 13.06.2005 **Decision** Permit
Ward: Wheelton And **Date Decided** 29.07.2005
Withnell

Proposal : Erection of two storey extension to side, conservatory to rear and changing of
garage layout,
Location : 502 Blackburn Road Wheelton Lancashire PR6 8JA
Applicant: R A Mather 502 Blackburn Road Wheelton Lancashire PR6 8JA

Plan Ref 05/00624/FUL **Date Received** 13.06.2005 **Decision** Permit
Ward: Chorley North **Date Decided** 05.08.2005
East

Proposal : Side extension over garage
Location : 7 Maple Grove Chorley Lancashire PR6 7BD
Applicant: Mr And Mrs Grimshaw 7 Maple Grove Chorley Lancashire PR6 7BD

Plan Ref 05/00626/COU **Date Received** 15.06.2005 **Decision** Permit
Ward: Chorley North **Date Decided** 10.08.2005
West

Proposal : Change of use of existing use (mixed A1/B1 use) to Tea Rooms (A3)
Location : The Old Stables West Street Chorley Lancashire PR7 2SJ
Applicant: Mr P T Kerfoot Bridge House, Blackburn Road, Wheelton, Chorley PR6 8EY

Plan Ref 05/00627/FUL **Date Received** 10.06.2005 **Decision** Permit
Ward: Clayton-le-Woods **Date Decided** 03.08.2005
North

Proposal : Conservatory to the rear and rear canopy over
Location : 41 Carr Meadow Clayton-Le-Woods Lancashire PR5 8HR
Applicant: Mr Horsefall 41 Carr Meadow Clayton-Le-Woods Lancashire PR5 8HR

Plan Ref 05/00628/FUL **Date Received** 14.06.2005 **Decision** Permit
Ward: Clayton-le-Woods **Date Decided** 08.08.2005
West And
Cuerden

Proposal : Conservatory to the rear
Location : 25 Kirkby Avenue Clayton-Le-Woods Preston Lancashire PR25 5SQ
Applicant: Mr And Mrs Spurr 25 Kirkby Avenue Clayton-Le-Woods Preston Lancashire

Plan Ref 05/00629/FUL **Date Received** 14.06.2005 **Decision** Permit
Ward: Lostock **Date Decided** 09.08.2005

Proposal : Erection of single storey rear extension,
Location : 29 Orchard Mill Drive Croston Lancashire PR26 9RD
Applicant: Mr Finnegan 29 Orchard Mill Drive Croston Lancashire PR26 9RD

Plan Ref 05/00630/TPO **Date Received** 15.06.2005 **Decision** Refuse
Ward: Lostock **Date Decided** 10.08.2005

Proposal : Felling of oak tree (T9) covered by TPO 6 (Ulmes Walton) 1997,
Location : Four Oaks Ulmes Walton Lane Ulmes Walton Lancashire PR26 8LT
Applicant: OCA UK Ltd Goodlass House Goodlass Road Speke Liverpool L24 9HJ

Plan Ref 05/00631/FUL **Date Received** 17.06.2005 **Decision** Refuse
Ward: Chorley South **Date Decided** 11.08.2005
West

Proposal : Two storey side extension and single storey rear extension,
Location : 123 Draperfield Chorley Lancashire PR7 3PP
Applicant: B Fogg 123 Draperfield Chorley Lancashire PR7 3PP

Plan Ref 05/00635/FUL **Date Received** 17.06.2005 **Decision** Permit
Ward: Euxton South **Date Decided** 11.08.2005

Proposal : Erection of single storey extensions to side,
Location : 9 Firbank Euxton Chorley Lancashire PR7 6HP
Applicant: Mr S Thistlethwaite 9 Firbank Euxton Chorley Lancashire PR7 6HP

Plan Ref 05/00636/FUL **Date Received** 20.06.2005 **Decision** Permit
Ward: Lostock **Date Decided** 12.08.2005

Proposal : Erection of outbuilding (incorporating summerhouse and workshop) to rear of property,
Location : Moss Farm Mews South Road Bretherton Lancashire PR26 9AJ
Applicant: David Peacock Moss Farm Mews South Road Bretherton Lancashire PR26 9AJ

Plan Ref 05/00637/LBC **Date Received** 15.06.2005 **Decision** Grant
Ward: Heath Charnock **Date Decided** 10.08.2005
And Rivington

Proposal : Listed Building Consent to re-roof pigeon Tower using existing undamaged stone slates and new from local quarry to match existing,
Location : The Pigeon Tower Rivington Terraced Gardens Rivington Lane Rivington Lancashire
Applicant: United Utilities PLC Central ARea Catchment Team, Rivingtin WTW, Bolton Road, Horwich, Bolton, BL6 7RN

Plan Ref 05/00639/FUL **Date Received** 20.06.2005 **Decision** Permit
Ward: Coppull **Date Decided** 15.08.2005

Proposal : Erection of conservatory to rear,
Location : 66 Netherley Road Coppull Lancashire PR7 5FA
Applicant: Mr & Mrs Unsworth 66 Netherley Road Coppull Lancashire PR7 5FA

Plan Ref 05/00640/FUL **Date Received** 17.06.2005 **Decision** Permit
Ward: Chisnall **Date Decided** 08.08.2005

Proposal : Conservatory to the rear
Location : 146 Chorley Lane Charnock Richard Lancashire PR7 5HB
Applicant: Mr And Mrs Good 146 Chorley Lane Charnock Richard Lancashire PR7 5HB

Plan Ref 05/00641/FUL **Date Received** 21.06.2005 **Decision** Permit
Ward: Chisnall **Date Decided** 16.08.2005

Proposal : Erection of single storey extensions to front and rear,
Location : 21 Meadowlands Charnock Richard Chorley Lancashire PR7 5QH
Applicant: Mr & Mrs Farnworth 21 Meadowlands Charnock Richard Chorley Lancashire

Plan Ref 05/00642/FUL **Date Received** 17.06.2005 **Decision** Permit
Ward: Euxton North **Date Decided** 11.08.2005

Proposal : Extension of front dormer,
Location : 23 Cedar Avenue Euxton Chorley Lancashire PR7 6BB
Applicant: Mr A Pilkington 23 Cedar Avenue Euxton Chorley Lancashire PR7 6BB

Plan Ref 05/00643/FUL **Date Received** 20.06.2005 **Decision** Permit
Ward: Eccleston And Mawdesley **Date Decided** 15.08.2005

Proposal : Erection of conservatory to side,
Location : Rose Cottage 4 Bridge Foot Towngate Eccleston Lancashire
Applicant: R Thompson Rose Cottage 4 Bridge Foot Towngate Eccleston Lancashire

Plan Ref 05/00644/FUL **Date Received** 20.06.2005 **Decision** Permit
Ward: Chorley North West **Date Decided** 15.08.2005

Proposal : Erection of access ramp for disabled use to front of building,
Location : Dental Surgery 8 Dole Lane Chorley Lancashire PR7 2RL
Applicant: Red Rose Dental Group Dental Surgery 8 Dole Lane Chorley Lancashire PR7 2RL

Plan Ref 05/00645/FUL **Date Received** 20.06.2005 **Decision** Permit
Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 16.08.2005

Proposal : Erection of first floor extension to side and formation of pitched roof over front porch,
Location : 9 Preston Road Whittle-Le-Woods Lancashire PR6 7PE
Applicant: Mr & Mrs Turner 9 Preston Road Whittle-Le-Woods Lancashire PR6 7PE

Plan Ref 05/00647/FUL **Date Received** 21.06.2005 **Decision** Permit
Ward: Chorley North West **Date Decided** 16.08.2005

Proposal : Demolish existing single storey extensions/outbuildings and construct replacement single storey extension incorporating garage,
Location : 13 Southport Road Chorley Lancashire PR7 1LB
Applicant: Mr & Mrs Roocroft 13 Southport Road Chorley Lancashire PR7 1LB

Plan Ref 05/00648/CLEUD **Date Received** 21.06.2005 **Decision** Grant
Ward: Chorley South East **Date Decided** 08.08.2005

Proposal : Application for a Certificate of Lawfulness for the use of 108 Pilling Lane as a retail shop with attached bakery (Use Class A1) and as a dwelling house (Use Class C3),
Location : 108 Pilling Lane Chorley Lancashire PR7 3EE
Applicant: Mr & Mrs Mills 108 Pilling Lane Chorley Lancashire PR7 3EE

Plan Ref 05/00649/FUL **Date Received** 22.06.2005 **Decision** Permit
Ward: Chisnall **Date Decided** 17.08.2005

Proposal : Erection of first floor rear extension,
Location : 5 Harrock View Barmskin Lane Heskin Lancashire PR7 5PZ
Applicant: Mr & Mrs Jakulis 5 Harrock View Barmskin Lane Heskin Lancashire PR7 5PZ

Plan Ref 05/00652/FUL **Date Received** 22.06.2005 **Decision** Permit
Ward: Heath Charnock **Date Decided** 09.08.2005
And Rivington

Proposal : Erection of two storey side extension,
Location : 24 Eller Brook Close Heath Charnock Chorley Lancashire PR6 9NQ
Applicant: Mr Caton & Miss Alker 24 Eller Brook Close Heath Charnock Chorley Lancashire

Plan Ref 05/00653/FUL **Date Received** 21.06.2005 **Decision** Permit
Ward: Astley And **Date Decided** 16.08.2005
Buckshaw

Proposal : Two storey side extension,
Location : 56 Wymundsley Chorley Lancashire PR7 1UT
Applicant: Mr & Mrs Riley 25 Cedar Avenue Euxton Chorley Lancashire PR7 6BB

Plan Ref 05/00659/TPO **Date Received** 23.06.2005 **Decision** Consent
Ward: Chorley East **Date Decided** 16.08.2005

Proposal : 15% crown reduction and 3 metre crown lift on Ash and Lime Tree TPO 5 (Chorley) 1995
Location : 7 Bracken Close Chorley Lancashire PR6 0EJ
Applicant: Mr Snape 7 Bracken Close Chorley Lancashire PR6 0EJ

Plan Ref 05/00660/FUL **Date Received** 24.06.2005 **Decision** Permit
Ward: Wheelton And **Date Decided** 16.08.2005
Withnell

Proposal : Single storey side and rear extension
Location : 10 Lodge Bank Brinscall Lancashire PR6 8QU
Applicant: Mr D Taylor 10 Lodge Bank Brinscall Lancashire PR6 8QU

Plan Ref 05/00661/CTY **Date Received** 27.06.2005 **Decision** No objection
Ward: Adlington & **Date Decided** 03.08.2005
Anderton

Proposal : Construction of a landfill gas utilisation compound to control and convert landfill gas into electricity,
Location : Rigby Quarry And Houghton House Landfill Site The Common Adlington Lancashire
Applicant: RPS Planning, Transport And Environment Conrad House Beaufort Square Chepstow Monmouthshire NP16 5EP

Plan Ref 05/00663/AGR **Date Received** 23.06.2005 **Decision** Prior App not required - Agr
Ward: Heath Charnock **Date Decided** 18.07.2005
And Rivington

Proposal : Application for agricultural determination in respect of the proposed erection of a covered midden,
Location : Higher Knoll Farm Rivington Lane Rivington Lancashire BL6 7RZ
Applicant: Mr Needham Higher Knoll Farm Rivington Lane Rivington Lancashire BL6 7RZ

Plan Ref 05/00666/COU **Date Received** 23.06.2005 **Decision** Permit
Ward: Adlington & **Date Decided** 09.08.2005
Anderton

Proposal : Change of use from retail outlet to mortgage advice office,
Location : 6 Babylon Lane Adlington Lancashire PR6 9NN
Applicant: Mr D Arstall 11 Eckersley Close Blackburn BB2 4FA

Plan Ref 05/00669/FUL **Date Received** 24.06.2005 **Decision** Permit
Ward: Adlington & **Date Decided** 09.08.2005
Anderton

Proposal : Erection of single storey side extension and rear conservatory,
Location : 20 Balmoral Adlington Chorley Lancashire PR7 4EL
Applicant: Mr & Mrs Watts 20 Balmoral Adlington Chorley Lancashire PR7 4EL

Plan Ref 05/00707/COU **Date Received** 07.07.2005 **Decision** Permit
Ward: Chorley South **Date Decided** 12.08.2005
East

Proposal : Change of use from offices/showroom to education facility (Use Class D1),
Location : First Floor Offices 57 - 59 Market Street Chorley Lancashire PR7 2SN
Applicant: Mrs H I Pepper T/a Kip McGrath Education Centres (Chorley) C/o Agent

Plan Ref 05/00714/LCC **Date Received** 13.07.2005 **Decision** No objection
Ward: Euxton North **Date Decided** 05.08.2005

Proposal : Replacement 1.6m high vertical bar railings incorporating new pedestrian and
vehicular access gates to boundary on Primrose Hill Road,
Location : Primrose Hill County Primary School Primrose Hill Road Euxton Lancashire PR7
6BA
Applicant: Lancashire County Property Group South Area Office Leyland

Plan Ref 05/00746/AGR **Date Received** 18.07.2005 **Decision** Prior App not
required - Agr
Ward: Chisnall **Date Decided** 12.08.2005

Proposal : Application for agricultural determination in respect of the erection of a replacement
barn,
Location : Orcheton House Farm Wood Lane Heskin Lancashire PR7 5PA
Applicant: GPS (NW) Ltd Orcheton House Farm Wood Lane Heskin Lancashire PR7 5PA

Plan Ref 05/00788/ECC **Date Received** 26.07.2005 **Decision** No objection
Ward: Chorley North **Date Decided** 16.08.2005
West

Proposal : Removal of polycarbonate screen fronting the statue in the grotto and the provision
of a small stone table with inserts to be fixed in the foreground of the grotto
Location : St Marys Roman Catholic Church St Marys Walk Chorley Lancashire PR7 2SE
Applicant: Reverend G Cobham St Marys Presbytery St Marys Walk Chorley Lancashire

Report of	Meeting	Date
Head of Planning Services	Development Control Committee	30.08.2005

ENFORCEMENT ITEM

INSTALLATION OF ROLLER SHUTTER, 68 PARK ROAD, ADLINGTON

PURPOSE OF REPORT

1. To consider whether it is expedient to take enforcement action in respect of the above case.

CORPORATE PRIORITIES

2. This report raises no issues of corporate priorities.

RISK ISSUES

3. The report contains no risk issues for consideration by Members.

BACKGROUND

4. A report appears on this agenda for a retrospective application for planning permission in respect of an unauthorised roller shutter at 68 Park Road, Adlington. My recommendation is for planning permission to be refused. If committee agrees with the recommendation, given that the application is submitted in retrospect, then it would be expedient to take enforcement action for the reasons set out in the main report.

COMMENTS OF THE DIRECTOR OF FINANCE

7. No comments.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

8. No comments.

RECOMMENDATION

9. That it is expedient to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 in respect of the following breach of planning control - without planning permission the installation of an external roller shutter on the front elevation of the building.



Requirements of the Enforcement Notice

Remove the external roller shutter from the front elevation of the building.

Period for Compliance

2 months

Reason

The roller shutter is harmful to the visual amenity of the street scene and contrary to Policy SP10 of the Chorley Borough Local Plan and the Council's Supplementary Planning Guidance on Shop Fronts and Signs which seeks ensure that shop fronts and/or shutters are designed to be in keeping with the character of the building and appropriate in the street scene.

ALAN CROSTON
HEAD OF PLANNING SERVICES

Report Author	Ext	Date	Doc ID
Peter Willacy	5226	15 August 2005	
Background Papers			
Document	Date	File	Place of Inspection
Planning Application		05/00758/FUL	Union Street Offices



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Report of	Meeting	Date
Head of Planning Services	Development Control Committee	30.08.2005

ENFORCEMENT ITEM

LAND AND BUILDING REAR OF 21 GORSEY LANE MAWDESLEY

PURPOSE OF REPORT

1. To consider whether it is expedient to take enforcement action in respect of the above case.

CORPORATE PRIORITIES

2. This report raises no issues of corporate priorities.

RISK ISSUES

3. The report contains no risk issues for consideration by Members.

BACKGROUND

4. Last year an application for a Certificate of Lawful Use in respect of the existing use of the above site Class B1 (Business Use) was refused because the evidence submitted did demonstrate a continuity of the use or that the use fell within Class B1. Since then I have received a number of complaints concerning the use of the building and land both for the repairing of motor vehicles and as a taxi base for the operation of taxi vehicles.

Your officers have carried out site visits in order to establish whether there have been any breaches of planning control. Part of the building is being used as an office in connection with a taxi business the rest of the building is being used in connection with the repair and maintenance of motor vehicles including the use of the land to park vehicles awaiting repair.

POLICY

5. The property lies in an area of built settlement. Within the settlement there is a presumption in favour of appropriate development, subject to normal planning considerations and policies and proposals of the Adopted Chorley Borough Local Plan Review. Policy EM7 of the Local Plan states that small scale employment development will be permitted in areas where housing is the principal land use provided there would be no detriment to the amenity of the area in terms of noise, nuisance, disturbance, environment and car parking.

ASSESSMENT



6. The issue to consider is whether the development has resulted in a loss of amenity to neighbouring properties and the area in general. In terms of visual impact of the development, whilst this may give rise to some loss of outlook due to the parking of vehicles on the site this does not appear to be significant. However, complaints relating to noise generated from activities on the site have been received concerning noise from the revving of car engines, work on vehicles within the building and from taxi vehicles calling at and leaving the property. These indicate that there is a significant loss of amenity to neighbouring residents due to noise and disturbance generated by the uses.

COMMENTS OF THE DIRECTOR OF FINANCE

7. No comments.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

8. No comments.

RECOMMENDATION

9. That it is expedient to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 in respect of the following breach of planning control - without planning permission the change of use of the land and building to a mixed use for the repair of motor vehicles and as an operating base for taxi vehicles.

Requirements of the Enforcement Notice

1. Cease the use of the land and building for the repair of motor vehicles and as an operating base for taxi vehicles.
2. Remove all vehicles under or awaiting repair from the site.
3. Remove all taxi vehicles from the site.

Period for Compliance

6 months

Reason

The development by reason of noise and disturbance resulting from the repair of motor vehicles and the movement of taxi vehicles to and from the site has resulted in a loss of amenity to occupiers of neighbouring property contrary to Policy EM7 of the Adopted Chorley Borough Local Plan.

ALAN CROSTON
HEAD OF PLANNING SERVICES

Report Author	Ext	Date	Doc ID
Peter Willacy	5226	15 August 2005	
Background Papers			
Document	Date	File	Place of Inspection
Application For Certificate of Lawful Use		04/1133/CLEUD	Union Street Offices