

## Chief Executive's Office

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Date: 21 June 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, 27th September, 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 on the Local Development Framework. The training session is due to commence at 5pm and buffet refreshment will be available from 4.30pm. All Councillors are 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 - 12)**

To confirm as a correct record the minutes of the meeting of the Development Control Committee held on 30<sup>th</sup> August 2005

4. **Planning Appeals and Decisions - Notification (Pages 13 - 14)**

Report of Head of Planning Services (enclosed).

5. **Planning Applications Awaiting Decision (Pages 15 - 110)**

Report of the Head of Planning Services (enclosed).

Item	Application	Location
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Continued....

- |      |                 |   |
|------|-----------------|---|
| A. 1 | 05/00366/FULMAJ | Moss Side Farm, Bury Lane, Withnell,<br>Chorley, Lancashire   |
| A. 2 | 05/00674/FULMAJ | Land To The North Of Northenden Road<br>With Access Off Moss Bank Coppull<br>Chorley Lancashire   |
| A. 3 | 05/00739/REMMAJ | Land To The North Of Primary Distributor<br>Road Royal Ordnance Site Including Land<br>Between Dawson Lne And Euxton Lne<br>Euxton Lane Euxton Lancashire |
|      |                 |   |
| B. 1 | 05/00478/FUL    | 38 Well Orchard Clayton-Le-Woods<br>Lancashire PR5 8HJ  |
| B. 2 | 05/00518/FUL    | Oakfields 197 Runshaw Lane Euxton<br>Chorley Lancashire   |
| B. 3 | 05/00569/FUL    | Croftlands 34 Grape Lane Croston<br>Lancashire PR26 9HB   |
| B. 4 | 05/00738/COU    | 5 Cyclamen Close Clayton-Le-Woods<br>Lancashire PR25 5LW  |
| B. 5 | 05/00800/FUL    | 97 Rawlinson Lane Heath Charnock<br>Lancashire PR7 4DE  |
| B. 6 | 05/00827/FUL    | The Cottage Garden 74A Station Road<br>Croston Lancashire PR26 9RN  |

6. **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 111 - 122)
- (b) A list of Planning Applications determined by the Chief Officer under delegated powers between 18 August and 14 September 2005 is enclosed. (Pages 123 - 136)

7. **Enforcement Report on 38 Well Orchard, Clayton-le-Woods (Pages 137 - 140)**

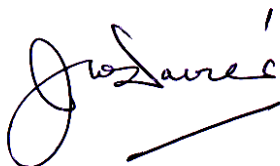
Report of the Head of Planning Services (enclosed).

8. **Report on Appeal Decision at Pike View Farm, New Road, Anderton (Pages 141 - 146)**

Report of the Head of Planning Services (enclosed).

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

Yours sincerely



Chief Executive

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**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 audiotape, 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****30 August 2005**

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

Also in attendance: Councillor Mrs I E Smith.

**05.DC.12 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors Ball, Caunce, Davies and T Gray.

**05.DC.13 DECLARATION OF ANY INTERESTS**

There were no declarations of interests by Members in any of the items or applications on the meeting's agenda.

**05.DC.14 SENIOR SOLICITOR**

The Chair informed the Committee that Ms S Hedges, who attended the meeting in her capacity as Senior Solicitor with the Authority, was due shortly to leave the Council's employ. The Chair thanked Ms Hedges for her work for the Committee and wished her well in the future.

**05.DC.15 MINUTES**

**RESOLVED - That the Minutes of the meeting of the Development Control Committee held on 26 July 2005 be confirmed as a correct record for signature by the Chair.**

**05.DC.16 STRUCTURE PLAN STATEMENT OF NON-CONFORMITY**

The Head of Planning Services presented a report advising Members that the Lancashire County Council had served on the Borough Council a Statement of Non-Conformity in relation to certain planning policies within the Chorley Borough Local Plan Review.

A draft Statement of Non-Conformity issued by the County Council had highlighted some 32 policies in the Borough Local Plan Review that were considered to be out of conformity with the Joint Lancashire Structure Plan. However, following Officer representations, this number had been reduced to 14, and the report commented on the policy areas most significantly affected by the identified conflicts (ie Settlements, Housing, Employment, Transport, Retail, Tourism and Leisure).

The Committee was reminded that some planning applications would in future now need to be determined through use of Joint Lancashire Structure Plan policies.

**RESOLVED - That the report be noted.**

**05.DC.17 CARAVAN USES IN THE GREEN BELT**

The Head of Planning Services presented a report which outlined and clarified the national, regional and local planning policies which related to caravan uses in the

Green Belt.

The report emphasised that adherence to robust development control policies set out in the Local Plan should be effective in preventing inappropriate development in the Green Belt, including caravan uses which harm openness and local amenity. However, caravan storage, new caravan sites and extension of existing sites may, in very special circumstances be permitted where they had little or no impact on amenity.

**RESOLVED - That the report be noted.**

#### **05.DC.18 PLANNING APPEALS AND DECISIONS - NOTIFICATION**

The Committee received a report of the Head of Planning Services giving notification of appeals lodged against the refusal of planning permissions and a prior approval for two developments; one appeal that had been dismissed; and two developments for which planning permission had been granted by the Lancashire County Council.

**RESOLVED - That the report be noted.**

#### **05.DC.19 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:**

**Application No:** 05/00425/FULMAJ  
**Proposal:** Three storey office development (Site area 0.18ha).  
**Location:** Land to the north of Units 1 and 2, Chorley North Industrial Park, Drumhead Road, Chorley.

**Decision:**

It was moved by the Chair (Councillor A Lowe), seconded by Councillor Brownlee, and subsequently **RESOLVED that permission be granted, subject to the prior completion of a Section 106 Legal Agreement to secure the payment of commuted sums to assist in improving the local bus service and critical tree planting projects and to the following conditions:**

**1. The approved plans are:**

<b>Plan Ref</b>	<b>Received on:</b>	<b>Title</b>
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 approval 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.*

**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 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 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 20 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 10 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 of 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 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.

**Application No:** 05/00614/FULMAJ

**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 of Windsor Road.

**Location:** 21 – 23 Southport Road, Chorley.

**Decision:**

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

**Application No:** 05/00188/FUL

**Proposal:** Erection of replacement dwelling and detached garage with associated external works.

**Location:** Highfield Farm, Jolly Tar Lane, Coppull.

**Decision:**

It was moved, recorded, and subsequently **RESOLVED** that permission be granted, subject to the following 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 Plans
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 in 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 in 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 hand 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 sessions 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 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 areas 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.*

**Application No:** 05/00536/COU  
**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

**Decision:**  
 It was moved by Councillor Edgerley, seconded by Councillor Brownlee, and subsequently **RESOLVED that consideration of the application be deferred to await further clarification of issues by the applicant.**

**Application No:** 05/00576/FUL  
**Proposal:** Revised application for provision of hardstanding for unloading and storage of palletised materials and fodder bales for farm use (approx 250 sq m).  
**Location:** South Miry Fold Farm, Briers Brow, Wheelton.

**Decision:**  
 It was moved, seconded, and subsequently **RESOLVED that permission be refused for the following reason:**

1. **The development is contrary to policy DC1 of the Adopted Borough Local Plan Review and the provisions of Planning Policy Guidance Note No 2, Green Belts, in that upon land allocated as Green Belt on the Proposals Map to the Local Plan the storage of general palletted materials upon a new hardstanding located in close proximity to a public right or 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.**

**Application No:** 05/00686/FUL  
**Proposal:** Subdivision of existing dwelling and associated works to form two new dwellings.  
**Location:** Fairview, Harbour Lane, Wheelton.

**Decision:**  
 It was moved by Councillor S Smith, seconded by Councillor D Dickinson, and subsequently **RESOLVED that consideration of the application be deferred to allow the Site Inspection Sub-Committee to visit the site and submit their recommendations to a future meeting of the Development Control Committee.**

**Application No:** 05/00691/FUL  
**Proposal:** Erection of replacement office building.  
**Location:** Wizard Computers, 224 Preston Road, Whittle-le-Woods.  
**Decision:**

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

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

**Reason:** *To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos GN5 and 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.***

**Application No:** 05/00758/FUL  
**Proposal:** Alterations to shop front, including installation of roller shutter (retrospective) and ramped disabled access.  
**Location:** 68 Park Road, Adlington.

**Decision:**  
 It was moved, seconded, and subsequently **RESOLVED** that permission be refused for the following reason:

**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.**

#### **05.DC.21 SITE INSPECTION SUB-COMMITTEE**

The Committee received the minutes of the meeting of the Site Inspection Sub-Committee held on 23 August 2005.

The Sub-Committee had visited, at the request of the Development Control Committee, the site of Planning Application 05/00472/FUL which sought permission to convert the first floor of 303 to 305 Eaves Lane, Chorley from storage and office accommodation associated with the ground floor shops to residential accommodation.

The Committee accepted the Sub-Committee's recommendation and it was **RESOLVED that further consideration of the application be again deferred to enable early discussions between the applicant, the Head of Planning Services, the Head of Public Space Services, the Director of Legal Services and Ward representatives on the parking and balcony issues in general and the applicant's land exchange offer in particular.**

#### **05.DC.21 PLANNING APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

##### (a) Selected Development Proposals

The Committee received, for information, reports of the Head of Planning Services on the following former Category 'B' development proposals, which had, or were intended to be, determined by the Chief Officer under the adopted scheme of delegations, following consultation with the Chair and Vice-Chair of the Committee.

**Application No:** 05/00711/TEL  
**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 Road, Chorley.  
**Decision:** Approve - Telecom

**Application No:** 05/00716/TEL  
**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.  
**Decision:** Approve - Telecom

**Application No:** 05/00734/FUL  
**Proposal:** Erection of extension to existing sports hall to form new changing/shower facilities with independent entrance.  
**Location:** Holy Cross RC High School, Burgh Lane, Chorley  
**Decision:** Conditional Permission

**Application No:** 05/00793/FUL  
**Proposal:** Replacement of existing 22.5m lattice tower with 25m lattice tower to accommodate six 02 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.  
**Decision:** Permission

**RESOLVED - That the reports be noted.**

(b) Schedule of Applications

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 14 July 2005 and 17 August 2005.

**RESOLVED - That the schedule be noted.**

**05.DC.22 ENFORCEMENT ITEMS**

(a) 68 Park Road, Adlington

The Head of Planning Services submitted a report seeking the Committee's instructions in respect of the instigation of enforcement action to secure the removal of an unauthorised roller shutter at 68 Park Road in the light of the Committee's earlier decision to refuse retrospective planning permission for the shutter.

**RESOLVED – (1) That it is expedient to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 in respect of the unauthorised installation of a roller shutter at 68 Park Road, Adlington.**

**(2) That the Director of Legal Services be authorised to issue an Enforcement Notice in the following terms:**

**Requirements of the Enforcement Notice:**

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

**Period for Compliance:**

**2 months.**

**Reason for Issue of Notice**

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 to 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.

(b) Land and building to rear of 21 Gorsey Lane, Mawdesley

The Committee considered a report of the Head of Planning Services drawing attention to the unauthorised use of a building at the rear of 21 Gorsey Lane, Mawdesley as an office in connection with a taxi business and in connection with the repair and maintenance of motor vehicles, including the use of adjacent land for the parking of vehicles awaiting repair.

The Officers considered that enforcement proceedings were warranted on account of the noise nuisance and disturbance to neighbouring residents generated by the unauthorised uses.

**RESOLVED – (1) That it is expedient to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 in respect of the unauthorised change of use of the land and building to the rear of 21 Gorsey Lane, Mawdesley to a mixed use for the repair of motor vehicles and as an operating base for taxi vehicles.**

**(2) That the Director of Legal Services be authorised to issue an Enforcement Notice in the following terms:**

**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 for Issue of Notice:**

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.

Chair

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Report of	Meeting	Date
Head of Planning Services	Development Control Committee	27.09.2005

## 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 P Smith against the refusal of planning permission for an outline application for erection of agricultural workers dwelling (siting & access) at Home Farm, Grape Lane, Croston (Application No 04/01085/OUT)

### PLANNING APPEALS ALLOWED

5. Appeal by Mr & Mrs Clare against the refusal of planning permission for the demolition of existing timber dwelling and erection of new stone dwelling at Pike View Farm, New Road, Anderton (Application No 05/00194/FUL)

### PLANNING APPEALS WITHDRAWN

6. Appeals by Redrow Homes (Lancashire) against the refusal of Reserved Matters applications for the erection of 50 dwellings at Buckshaw Village, Parcel HI Off Dawson Lane, Euxton Lane, Euxton (Application Nos 04/01313/REMMAJ and 04/01306/REMMAJ)

### NOTIFICATION FROM LANCASHIRE COUNTY COUNCIL

7. Notification of planning permission for single storey extension to create new head teachers office, waiting room and additional office accommodation at Southlands High School, Clover Road, Chorley (Application No 05/00634/LCC)
8. Notification of planning permission for a replacement 1.6m high vertical bar railings incorporating new pedestrian and vehicular access gates to boundary on Primrose Hill

Road at Primrose Hill County Primary School, Primrose Hill Road, Euxton (Application No 05/00714/LCC)

**RECOMMENDATION(S)**

9 That the report be noted

A D CROSTON  
HEAD OF PLANNING SERVICES

<b>Background Papers</b>			
<b>Document</b>	<b>Date</b>	<b>File</b>	<b>Place of Inspection</b>
4. Letter from Inspectorate	16.08.2005	05/00164/FUL	Union Street Offices
5. Letter from Inspectorate	31.08.2005	04/01085/OUT	“ “ “
6. Letter from Inspectorate	02.09.2005	04/01303/REMAJ	“ “ “
		04/01306/REMAJ	“ “ “
7. Letter from L.C.C.	18.08.2005	05/00634/LCC	
8. Letter from L.C.C.	24.08.2005	05/00714/LCC	

<b>Report Author</b>	<b>Ext</b>	<b>Date</b>	<b>Doc ID</b>
Paul Sudworth	5346	15.09.2005	ADMINREP/REPORT

# Report

Report of	Meeting	Date
Head of Planning Services	Development Control Committee	27.09.2005

## PLANNING APPLICATIONS AWAITING DECISION

Item	Application	Recommendation	Location
A. 1	05/00366/FULMAJ	Permit (Subject to Section 106)	Moss Side Farm, Bury Lane, Withnell, Chorley, Lancashire
A. 2	05/00674/FULMAJ	Refuse	Land To The North Of Northenden Road With Access Off Moss Bank Coppull Chorley Lancashire
A. 3	05/00739/REMAJ	Refuse	Land To The North Of Primary Distributor Road Royal Ordnance Site Including Land Between Dawson Lne And Euxton Lne Euxton Lane Euxton Lancashire
B. 1	05/00478/FUL	Refuse	38 Well Orchard Clayton-Le-Woods Lancashire PR5 8HJ
B. 2	05/00518/FUL	Permit	Oakfields 197 Runshaw Lane Euxton Chorley Lancashire
B. 3	05/00569/FUL	Permit	Croftlands 34 Grape Lane Croston Lancashire PR26 9HB
B. 4	05/00738/COU	Permit	5 Cyclamen Close Clayton-Le-Woods Lancashire PR25 5LW
B. 5	05/00800/FUL	Permit	97 Rawlinson Lane Heath Charnock Lancashire PR7 4DE
B. 6	05/00827/FUL	Permit	The Cottage Garden 74A Station Road Croston Lancashire PR26 9RN

Continued....

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<b>Item A. 1</b>	<b>05/00366/FULMAJ</b>	<b>Permit (Subject to Section 106)</b>
<b>Case Officer</b>	<b>Mr Nigel Robinson</b>	
<b>Ward</b>	<b>Brindle And Hoghton</b>	
<b>Proposal</b>	<b>Construction of 9 hole golf course, two fishing lakes and two ancillary buildings for use as a clubhouse and machinery / maintenance store ,</b>	
<b>Location</b>	<b>Moss Side Farm, Bury Lane, Withnell, Chorley,Lancashire</b>	
<b>Applicant</b>	<b>Mr Downes,</b>	

**Proposal** This application was deferred at the meeting in July for the applicant to try and address a number of strong concerns officers had about the proposal that had resulted in a recommendation of refusal. The areas that were previously problematical to officers were as follows:

1. The extent of new built development and the facilities proposed in what was originally intended to be a club house building. It was considered that the proposed two storey building was excessive in size and provided extensive facilities that were felt to be inappropriate for a new a modest pay and play nine hole golf course. The clubhouse building would have been visually prominent and harmful to the openness of the Green Belt in this location.
2. The fact that the proposed development did not take into account or attempt to utilise existing buildings at Moss Side Farm.
3. The proposals were not a farm diversification proposal as such and in effect utilises virtually all the agricultural land at Moss Side Farm.
4. The existing ground conditions at Moss Side Farm are already recognised as poor in land drainage terms, yet the proposals did not recognise this and there was no apparent intention to improve conditions to facilitate the laying out of the course. Significant land fill operations on this site importing material could significantly impact both in highway terms along Bury Lane and visually intrusion for long periods while works are undertaken. It was felt that this matter had to be taken into account in the determination of the application.
5. A portion of the proposal course is located on land previously land filled by waste under a County Matter application (02/688) and whose aftercare required five years agricultural use. This was conditioned by LCC and as such the proposal conflicted with the provisions of that condition .

These matters will be reconsidered in the Assessment section

below in the light of further submitted information and consultation with LCC

The application is for a proposed change of use of approximately 60 acres of agricultural land at Moss Side Farm to the laying out of a nine hole, pay and play golf course plus putting green, together with the erection of two ancillary buildings. One now amended in size and to single storey in form, would provide changing facilities a small café area for players and golf shop. The main central section would be 7.7m x 8 m plus two lower side wings at 5m. x 4m. (previously the submission indicated a building of maximum 27m. wide x 14m. deep and with a first floor). Also there would be a machine store adjacent. Both would be built in stone with roughcast render upper gable portions – with a slate roof. A 31 space car park in grasscrete with stone circulation areas would be laid out. In addition the existing access road to the site, approved in 1992, would be widened for the additional traffic use by means of the creation of 4 new passing places. Both the car park and the two buildings are located close to the end of the access road and in immediate proximity to the farm house and buildings to Moss Side Farm. Finally, integral to the laying out of the golf course, two fishing lakes and a linked stream would be constructed to enhance the facilities available at the development.

An application last year for the same development was withdrawn prior to determination upon the basis that there were still outstanding matters that the applicant had not been able to address, particularly with regard to an adequate great crested newt survey.

The land is located on what is a hill top location between Withnell and Abbey Village in the Green Belt as identified upon the Proposals Map for the Adopted Chorley Borough Local Plan Review. It is bounded to the east by Bolton Road for a distance of approx. 100m whilst the south east, north and west boundaries comprise of existing field boundaries. Access to Moss Side Farm and the site is from Bury Lane. A secondary access also exists from Bolton Road, but this would not be used to provide any sort of access to the site for players and would purely be retained as a maintenance access for the site operators and shall be locked when not in use for that purpose.

Three public footpaths cross the site and are not intended to be affected.

#### Planning Policy

- GN5:** Building Design/Retaining Existing Landscape Features & Natural Habitats
- DC1:** Green Belts (In this case essential facilities for sport and recreation)
- EP4:** Species Protection
- EP9:** Trees and Woodlands
- EP10:** Landscape Assessment
- EM3:** Proposals for farm diversification for small scale industrial and commercial development.
- TR4:** Highway Development Control Criteria
- LT12:** Golf, Other Outdoor Sport and Related Development – a priority for new courses will be assessed and then eight site specific criteria will need to be satisfied.
- PPG2:** Green Belts
- PPS9:** Biodiversity & Geological Conservation

**PPG17: Planning for Open Space, Sport & Recreation**

<b>Planning History</b>	04/896/FULMAJ -	Same application development as currently applied for – withdrawn prior to determination .
	02/688/CTY -	Drainage improvements and infill (CBC objected to works)
	01/1036/FUL -	Detached double garage and detached stable block (Permitted)
	01/720/FUL -	Erection of double detached garage and stables (Permitted)
	01/420/COU -	Conversion of existing workshop/office building to residential (Permitted)
	00/853/COU -	Conversion of existing workshop/office building to one dwelling (withdrawn)
	99/542/FUL -	New pitched roof to replace existing on workshop/office building (Permitted)

**Applicant's Case** Initially the applicant's agents advised that :

1. None of the existing farm buildings are suited to the provision of the required new buildings associated with the proposed use; there is a poor quality prefabricated building of poor quality, while another has pp for a change of use to residential (01/420); a further building will be converted to storage for family use.
2. The nature of the land and its location are both suited to the proposed use which represents a farm diversification exercise and which will assist 'social, economic and environmental improvements to the area as a whole'.
3. PPG2 is not contravened in that the proposal would not represent inappropriate development and that the nature of the development would not impinge upon the openness of the Green Belt in this location; policy RU2 encourages farm diversification; PPS7 encourages sustainable development in rural areas – tourism and leisure pursuits are vital to rural economies, especially those that do not harm the character of the countryside.
4. Policy LT12 of the Chorley Borough Local Plan deals with the development of golf courses / driving ranges; such uses are appropriate in countryside areas, including the Green Belt .
5. A report has been prepared to identify the sustainability benefits of this development. The proposed works will include woodland planting, pond creation, benefits for ecological enhancement including nesting environments; these ecological environments are to the benefit of the whole area, while enhancing the playing of the proposed golf course; existing rights of way through the golf course will be maintained for walkers to be able to enjoy the enhanced environment and ecological habitats.
6. There will be social and recreation benefits for residents in the area; the whole community needs improved sporting facilities.

7. In terms of policy LT12: the proposal will enhance the local environment visually and environmentally; there is no distinctive landscape character or that specially identified under the scope of policy DC9; there will be no loss of best quality agricultural land; there will be no harm to issues of conservation interest; there are a limited number of residential properties in the locality – with the closest being that occupied by the applicant; it is not considered that any adjacent residents would suffer harm as a result of the development proposal going ahead; there is access to public transport via a regular bus route along Bolton Road , Abbey Village – the site can then be accessed via a public footpath; LCC’s Senior Traffic Engineer has no objections to the proposal in terms of the site access or its connection to the local traffic network; there will be no harm to the local drainage network in that surface water run off can be accommodated; rights of way will not be interfered with; landscaping is sympathetic and will enhance the locality; new buildings will be sensitively designed and constructed and will compliment the adjacent existing buildings .

### Representations

16 letters have been submitted: The letters of support (5) can be summarised as follows: -

- A golf course and fishing lakes would provide much needed leisure facilities in the immediate area.
- The application would enhance the environment for wildlife and local residents whilst providing a point of differentiation from other villages. The facility proposed would encourage younger people to engage in outdoor activity rather than staying indoors.
- The natural look of the area will not be unduly altered.

The 7 letters of objection can be summarised as follows: -

- There are already plenty of places to fish and play golf in the borough.
- Very few jobs will be provided which is not a reason to spoil the countryside.
- The length of hole no. 7 should be reduced to mitigate the potential danger from stray golf balls encroaching onto Bolton Road.
- Access road to the site is only of single vehicle width.
- The 60mph speed limit on Bury Lane could pose a danger to vehicles leaving the site .
- Golf balls encroaching onto the adjacent land could injure animals.
- Potential exists for light pollution.
- A traffic impact assessment should be considered before the application is determined; St. Joseph’s School is less than ½ mile away and children walk to School – they face dangers from the increased traffic; the junction of Bury Lane and A674 is unsuitable for increased traffic.
- A course in this position could impact financially on other local courses.
- Greater traffic noise will impact upon peace and tranquillity in the area.
- Proposals would not encourage regeneration or social &



economic development in the locality; golfers pay and play and then leave!

- Car parking would be visually intrusive
- The site is not a sustainable location for a golf course – no immediate access to public transport; much additional traffic generated by the proposal.
- The development will not be a local community service.
- Land recently improved for agricultural use, under planning consent, will be taken out of agricultural use for an ‘ artificial ‘ purpose.
- Public rights of way crossing the course will be affected and users prejudiced and face injury.
- The proposal is not an essential facility for sport as required by Policy DC1.
- No significant ecological benefits will accrue.; there are already plenty of streams, ponds, hedgerows etc benefiting wildlife .
- The proposed built development at 638 m<sup>2</sup> is substantial – a potential future licensed restaurant is anticipated; why not use the existing barns to the Farm.
- The size of the course appears impractical – too many holes in too smaller area particularly with regard to the par 5 holes.
- Angling is provided for elsewhere at Withnell Angling Association less than a mile away, while there is also the Leeds / Liverpool canal.
- No need for the additional course demonstrated.
- No need for Bolton Road access.

The 4 letters giving comments are as follows:

- Traffic on the A675, albeit only for maintenance could cause problems – it could also be used for site construction; there have been accidents along this section of Bolton Road on the north side of the Abbey Village and traffic calming is needed by LCC .
- Need to erect safety fencing to protect grazing cattle in the fields of the adjacent New Wicken House Farm. New Wicken House Farm is applying for Environmental Stewardship in terms of improving water quality, reducing soil erosion, improving conditions for natural habitats on the farm as well as improving landscape character; it is hoped that the proposed development will take this into account and be sensitive as well as enhancing the local environment.
- The application does not include a Traffic Impact Assessment (not requested by LCC Highways) but there are concerns about Bury Lane, its ‘ geometry ‘, traffic speed at 60 mph, poor accident record – the speed limit needs adjusting to 30mph consistent with Highfield Golf Course; could highway improvements not be sought .
- Will the granting of planning permission not weaken planning control in the Green Belt
- Would there be a need for floodlights?
- Car park arrangements / screening needs sensitive treatment.
- How will construction work be controlled?
- How will Japanese Knotweed be dealt with?
- How will sewerage matters be dealt with – no mains

## drainage

**Consultations**

The Head of Environmental Services has raised no objection to the application.

The Environment Agency has recommended a condition relating to drainage along with nine informatives.

LCC (Archaeology) raise no objection to the application.

The Ramblers Association have identified that not all the footpaths are marked on the plans and that adequate arrangements are not identified for the footpaths being clearly marked with appropriate signage, not sited near the tee's, not blocked or restricted and being safe for walkers. The Ramblers have been re-consulted with a revised site plan showing the footpaths and measures intended with regard to signage.

LCC (Ecology) have recommended that survey work be undertaken to ascertain the presence of Great Crested Newts and made various other recommendations in relation to breeding Birds, water voles, Japanese Knotweed and Landscaping/Habitat Creation. These matters have been addressed in various reports.

LCC (Highways) have made no objection to the principle of the development and its traffic conditions and traffic generation. However, conditions have been recommended regarding limiting the use of the access to maintenance off Bolton Road, and technical details in relation to the gate position and surfacing whilst an informative is recommended regarding the stopping up or diverting of the footpaths within the site; the senior traffic engineer has subsequently been consulted about highway points raised by third parties; he agrees with the closure of the Bolton Road access but does not consider that the highway conditions in Bury Lane adjacent the site access are sufficiently poor to warrant a refusal of planning permission or traffic calming measures .

English Nature requested that full surveys should be undertaken at the optimal time of year in accordance with English Natures Great Crested Newt mitigation guidelines prior to determination of the application; this has now been done and EN are happy with the scope of this; also prior to determination a water vole survey of the ditches and existing watercourses shall be undertaken; the ditches and a buffer area around them shall be maintained to preserve the habitats therein; appended to any approved application shall be a long term ecological management plan for the development and maintenance of the site; they state that the development of golf courses represent a good opportunity for habitat conservation and the developers / managers should be encouraged to incorporate ecological beneficial schemes on their sites; the plan, including the ditches & other drainage elements should be incorporated into the Plan; it can be ensured that this is conformed with through a S106 Agreement .

LCC (Planning) have commented that in principle the application conforms to strategic planning policy; policy 6 requires the general extent of maintenance of Green Belts in Lancashire; LCC refer to PPG2 & PPG17; new development should be the minimum necessary – function rooms & indoor leisure should be treated as unacceptable; ancillary buildings should not impinge upon the

openness of the Green Belt; they have suggested a section 106 agreement is entered into with the application to limit the range of goods sold in the shop to the pertaining to the golf course and fishing lake; at the time of consultation the plans were not sufficiently clear to have regard to the likely impact of excavation / fill / contours / sections; the Council need to be satisfied that the ground conditions are now satisfactory to enable the development to go ahead without further remediation measures of importation of fill ; they also query the juxtaposition of fishing lakes and the course holes (– although this is a practical and management issue rather than a prime planning consideration); upon ecological matters they refer to the need to survey and protect greater crested newts; the proposals should contribute towards enhancing habitat connectivity ; upon the landscaping proposals – these are generally acceptable and would represent a an enhancement of the locality together with improving the wetland and grassland elements but a number of proposed species are not acceptable.

Lancashire County Council Ecologist states separately the following matters: A] Japanese Knotweed is apparent on the site – its containment is necessary; B] The tree mix needs amending to be sympathetic to the natural rural environment; C] Planting establishment methodology , aftercare and long term management should all be taken into account . These matters have been raised with the applicant's agent.

LCC have also recommended that if the application was to be approved a £20,000 developer contribution be sought to fund walking and cycling improvements in connection with the REMADE in Lancashire programme; the application site is close to the identified REMADE site of the former Chorley / Brinscall railway line, albeit that this is not included in the current priority works programme – but it would provide for a strategic walkway, cycle route, bridleway and nature trail and provide a sustainable linear route; the application site is located to Abbey Village and Withnell and there would be excellent opportunities for public use in the locality linking settlements and facilities; as the proposed facilities would be a reasonably high traffic generator in a rural area, anything that can help bring forward the strategic greenway – which is associated with its purpose – needs to be considered by the Council in assessing the outcome of this application .

CBC Regeneration Section (Landscape Architect) – Makes detailed comments upon the existing landscape character and quality as well as the likely impact of the proposed development with regard to the proposed planting and landscape features. It is recommended that the development of the golf course in this location would not have an adverse impact either on site or in relation to the adjacent landscape.

## **Assessment**

The principal issues for consideration in the determination of this proposal remain: (1) the potential impact upon the Green Belt including visual impact; (2) the acceptability of the development in general land use terms (including the matter of farm diversification) and landscape impact; (3) ground conditions, drainage and cut and fill of the parcels on site; (4) any ecological impact upon species and habitats; (5) traffic and transportation matters; (6) any impact upon residential amenity in the immediate vicinity of the site development, and any other site specific matters; (7) the matter of the extant LCC condition upon land reclamation.

These matters are now considered further, as applicable, under the following headings:

**Green Belt** – The actual physical laying out of land in the Green Belt for the purposes of creating the holes for a golf course has been accepted in principle as an appropriate use subject to landscape assessment. New built development associated with the use may impact visually in the Green Belt or may adversely affect its openness and as such it is important that consideration is given to utilising existing buildings or minimising the size and form of any new buildings.

There are existing buildings at the farm but these are outside the scope of the application site red edge at the applicant's request. The applicant has requested the erection of the new buildings given the existing or proposed uses of those existing particularly in terms of the permitted barn conversion that is already in the course of building work.

The proposed machinery store is relatively modest and external appearance has been improved. The main new building provides the facilities for the course together with a combined area for ancillary golf / fishing equipment. It has been reduced to what is now considered to be an appropriate size compatible with the nature of facilities proposed.

With regard to the physical laying out of the course, despite its hilltop location, it is not felt that this would impinge upon the openness of the Green Belt. Physical changes to the appearance of the landscape and landscaping proposals are primarily dealt with below, but given certain revisions to these matters and the removal of potential alien features in the landscape such as large rocks and boulders it is felt that the course as constructed in sympathy with its surroundings.

The creation of the fishing lakes are not problematical in Green Belt terms. The treatment of the car park area is considered to be acceptable as are four additional passing places upon the existing access road. The total number of spaces is now considered reasonable in respect of the number of persons being at the course at any one time, either playing golf or fishing. The reduction in facilities and the restriction of any separate retail or café / restaurant use requires only provision now for the outdoor recreational users on site.

**Land Use** - In terms of the appropriateness of the proposed land use in this location, policy LT12 is relevant. Priority will be given to new courses where there is a current lack of provision and to the use of derelict or degraded land within urban fringes. There is an existing nine hole golf course at Highfield House Farm, Buckholes Lane in Higher Wheelton that was approved in March 1993. This course is in relatively close proximity to Withnell and Brinscall and is in a similar catchment area for potential golfers travelling a short distance by car. It is not considered however that the issue of priority has been wholly satisfied in the north east of the Borough and this would not represent a reasonable reason of refusal in this case in its own right.

In terms of landscape quality, the site has no outstanding merit

and represents typical gently undulating farmland, albeit in a upland situation. The intended changes to the topography of the site are not dynamic and the applicant advises that the changes will be facilitated from the movement of earth within the site. A golf course does create an artificial landscape with various levels of mown areas. In the case of the application submission, it is considered that the changes to the topography of the site are relatively modest. Those changes will undoubtedly be apparent, particularly from Bolton Road and from public footpaths crossing and in the vicinity of the site. It is not considered however that there will be resultant harm as a consequence of its construction. The appearance of the site would clearly be altered but not to a degree that there would be resultant harm to its immediate setting.

In terms of the issue of identified issue of any farm diversification, the applicant agent has now attempted to overcome concerns on this matter. He states in correspondence that the land in question, though agricultural in nature, is not farmed by the applicant who is not a farmer. It is also not let or rented out for farming purposes. The fact, he states, that the proposal involves all the land at Moss Side Farm are just the circumstances in question, and to develop a golf course you are almost certainly going take in agricultural land. There is no Development Policy that would restrict taking land out of agricultural use, and it is not felt that under the circumstances this point can now be pressed.

The proposed landscaping scheme is now considered acceptable in principle by specialist officers in both the Council's Regeneration section and Lancashire County Council. It has been amended to vary the planting mix in order to omit the certain trees and shrubs which would be alien in this setting. More hawthorn planting has been recommended but no additional tree / shrub planting added to the mix for the avoidance of over planting with too many species in situ in a setting where only a handful would be apparent in a natural setting.

### **Earth Movement, Ground Conditions and Drainage**

The implications of the intended cut and fill exercise is submitted on drawings. Though there are volume calculations presented there is no indication of depth of individual parcels of cut and fill, while there is no methodology to demonstrate why the operations are wholly necessary in certain areas of the course construction. There is no report accompanying them to identify whether any of the works are necessary to improve the drainage of the land for regular daily use as a surface for playing golf. There is no submitted indication as to a programme or timetable of construction of the course and how the excavated spoil, that will have clearly to be moved about the site, will be dealt with in terms of storage on the site. There are visual implications of these works on a site in the countryside, certainly if undertaken over a long period.

The nature of the existing site conditions / overall drainage works previously were not demonstrated satisfactorily. LCC Planning had referred to the land at Moss Side Farm as being poorly drained and that being the reason for the importation of the fill on the land in the 2002 application. The advice from the applicant's agents was previously that there would be no importation of spoil to the site in order to construct the golf course. This remains the

case in terms of bringing any waste material to the site, but the applicant's consultant does confirm that it would be necessary to bring 1764 m<sup>3</sup> of clean stone to site for the purposes of land drainage.

Previously, the necessity for this had been put in the landscaping schedule (1500 m<sup>3</sup>) and was not made clear to officers. The bringing of the stone to site would equate to 89 vehicle trips over a construction period of four months, with one vehicle per day to the existing Bury Lane and Bolton Road access points. The actuality of the likely number of vehicle trips has been verified by LCC, who have expertise in these matters. It is felt that this is not unreasonable and would reduce the likelihood for the dumping of piled aggregates on the site for long periods. Clearly this scenario would have to be conditioned, whilst the permanent closure of the Bolton Road access to the site would have to be conditioned after the period of the construction of the course.

**Consideration of Development Plan Policy** - Upon Policy LT12, the following matters are considered :

Firstly landscape quality ought not to be adversely affected; in terms of agricultural land quality, the land at Moss Side Farm is not classed as grade 1 land and is not understood to be high quality or especially versatile; a portion of it has been recently improved as stated above and it is required to be retained in agricultural use in a five year aftercare programme; a further criteria is that there be no harm to the site in terms of nature conservation value – studies have been undertaken with regard to great crested newts and water voles (both protected species). There was no survey evidence to support the presence of water voles or great crested newts; the proposed development environment is more likely than not to be beneficial to supporting habitats for newts in the future.

In terms of impact upon any adjacent residential amenity, the only property really in direct proximity to the access and buildings for the application site is the applicant's own property which is the farmhouse to the farm; officers view is that any future occupants of the farmhouse and or the barn conversion would buy or rent the properties in the knowledge of the existence of the golf course.

In terms of alternative modes of transport being available to access the site, there is as the applicant's agent identifies, a bus route along Bolton Road with public footpath linkage into the site; however, the likelihood of customers regularly utilising public transport seems unlikely – this scenario might be more compelling if the course intended to offer club hire. With regard to site access and the local traffic network being able to safely accept the demand generated by the course, the Senior Traffic Engineer (LCC) for the area does not feel that there are any access problems and considers that the highway conditions in Bury Lane in immediate proximity to the site access are not unsatisfactory or warrant the introduction of any traffic calming measures. The access off Bolton Road however ought to be closed if planning permission were to be granted.

The satisfaction of other site matters, in criteria 8, such as drainage, public rights of way, landscaping, the design and siting of ancillary buildings has been dealt with in the sections above, while it is not considered that the presence of public footpaths will

impact upon the proposed use and vice versa while signage would be erected on the course; it is not uncommon for footways to cross a golf course.

**Implications of Planning Permission 02/688**

As stated previously, the area of land related to this earlier permission (now implemented) and the siting of hole no.9 on the proposed course overlap; condition no.19 attached by the County Council required a period of five years aftercare for agricultural use and this period has only recently been commenced; a grass crop was to be undertaken in the first year and thereafter cropping and grazing was to be agreed with LCC. As submitted, the layout of the course could not in theory be implemented given the terms of this condition. Discussions with LCC have identified that they would find the re-use of the land in association with a golf course as an acceptable alternative use to that of agriculture. The Head of Legal Services identifies that it would still be appropriate for this Council to grant planning permission, if that is the resolve of the Development Control Committee, as this would grant an alternative use for the land. The onus would then be upon the applicant to deal with the matter of the compliance with the extant condition.

**Conclusion**

Clearly members will recall that this application was previously recommended for refusal, but it was previously accepted in land use terms, highway matters, landscaping and need that there was no fundamental objection to the proposal. But there were outstanding matters, upon which the applicant had not satisfied officers, and hence the recommendation. As identified in the analysis above, these matters have further addressed with revisions and further information submitted. It is now not felt that there is sufficient basis upon which planning permission could be resisted but the granting of any permission would be subject to the imposition of detailed conditions. In addition, a section 106 Agreement would be required to cover the payment of a commuted sum towards the bringing forward of the LCC Remade scheme for the linear walkway / cycle route on the old Chorley / Brinscall railway line.

**Recommendation: Permit (Subject to Section 106)**

**Conditions**

1. The approved plans are:

Plan Ref.	Received On:	Title:
****	****	****

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

2. That prior to the commencement of any development works on site, the applicant / developer shall undertake an ecological survey of the application site to establish the existence or not of any important flora, fauna or other habitats on site. The requisite information shall be presented in an ecological management plan which shall identify any measures of mitigation and enhancement of the ecology of the site over a five year period that the Plan ought to cover.

*Reason : In the interests of maintaining and improving ecological interests on the site and to accord with policies EP5 and EP10 of the Adopted Chorley Borough Local Plan Review .*

3. Prior to the commencement of any development works on site, the applicant / developer shall submit a timetable for the works involved in the construction of the golf course hereby permitted. There shall be no significant construction works undertaken on site, unless otherwise agreed with the Local Planning Authority, during the period of March to July which constitutes the bird breeding season.

*Reason : To ensure that there is a recognised formulated basis upon which to undertake the approved development and to avoid conflict with nature conservation interests on site ; to accord with the provisions of policy EP10 of the Adopted Local Plan Review .*

4. As a part of the construction of the golf course there shall be no exportation of earth or top soil from the site, while the only importation of bulk material shall be that identified in the application submissions in respect of 1764 cubic metres of clean stone for the purposes of improving site drainage. There shall be no importation of any waste material to the site either in addition to the stone identified or in lieu of it. The importation of the stone to the site shall be as submitted in sub section 4 of the letter of Michael Cunningham Planning in that no more than 1 lorry load per day shall be delivered to site via either the Bury Lane or Bolton Road accesses to the site

*Reason : To ensure that the Local Planning Authority are able to maintain control over the construction of the golf course ; importation of waste material to the site or increased traffic movements to import bulk material beyond the specified level would need to be considered further by the Local Planning Authority ; also to accord with policy LT 12 of the Adopted 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 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.*

6. The re-grading of the land shall be undertaken in accordance with the approved plans identified in condition no.2, but shall also be the subject of on-going monitoring on site with the Local Planning Authority; as such, the applicant / developer shall identify to the Local Planning Authority the precise date upon which the course shall be sculptured to meet the form prescribed.

*Reason : To ensure a satisfactory visual appearance in this open countryside situation and to accord with policy LT12 of the Adopted Chorley Borough Local Plan Review .*

7. Before the use of the site hereby permitted is first commenced, full details of facilities to be provided for the cleaning of the wheels of vehicles leaving the site shall be submitted to and approved in writing by the Local Planning Authority. The wheel wash facility shall be provided, in accordance with the approved details, before the use of the site hereby permitted is first commenced and thereafter retained at all times during operation of the site.

*Reason: To prevent the tracking of mud and/or the deposit of loose material upon the highway, in the interests of public safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.*

8. That prior to the commencement of any building works, a composite drainage scheme shall be submitted for the approval of the Local Planning Authority to cover all eventualities of surface water run off from the site.

*Reason : To ensure adequate provision for surface water run off from the site and to accord with policy LT12 of the Adopted Chorley Borough Local Plan Review .*

9. 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.*

10. A scheme shall be submitted to the Local Planning Authority for approval, prior to the first opening of the golf course, for the maintenance and identification of the public footpaths crossing the site and the precise nature for notification to their users in terms of on course signage and hole crossing points being demarked by the availability of audible announcement to users.

*Reason : In the interests of safeguarding public footpaths crossing the approved course and to accord with policy LT12 of the Adopted Chorley Borough Local Plan Review .*

11. The existing site access to the application site from Bolton Road shall be permanently closed following the construction of the golf course and prior to the first opening of the course to the general public. The measures to undertake this shall be approved in writing by the Local Planning Authority.

*Reason : In the interests of highway safety and to accord with the provisions of policy LT21 of the Adopted Chorley Borough Local Plan Review .*

12. Before the golf course hereby approved is first used by the general public, the car park and vehicle manoeuvring areas shall be surfaced in accordance with the approved plan, drained and made available for use. 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.*

13. That prior to the first use of the golf course by the public, the improved scheme for passing places along the site access road from Bury Lane shall be implemented in accordance with the approved plan .

*Reason : In the interests of adequate traffic management in and out of the site , and to accord with the provisions of policy LT12 of the Adopted Chorley Borough Local Plan Review .*

14. Prior to the first opening of the golf course to the public, the first ten metres of the access road to the site from Bury Lane shall be hardsurfaced in a material to be agreed with the Local Planning Authority.

*Reason : In the interests of highway safety at the site junction and to accord with policy LT12 of the Adopted Chorley Borough Local Plan Review .*

15. That notwithstanding the provisions of the approved site plan, the positioning of the proposed ball trap fencing together with its height and colour, shall be agreed in writing with the Local Planning Authority and thereafter only implemented in accordance with the agreed details.

*Reason : In the interests of visual amenity in the locality and to accord with the provisions of policy LT12 of the Adopted Chorley Borough Local Plan Review .*

16. There shall be no floodlighting of the course or any external illumination of the approved buildings.

*Reason : In the interests of visual amenity in this open countryside location and to accord with policy LT12 of the Adopted Chorley Borough Local Plan Review .*

17. The facilities building hereby approved shall be used as a golfers changing area and rest facilities for golfers and fishermen. Ancillary to this main use, there shall be a combined cafe area and golf and fishing tackle shop for users of the facilities on site. The cafe shall only provide snack facilities and not multi course meals, and shall not be available to the general public not using leisure facilities at the golf course / fishing lakes. The cafe shall not be open beyond the opening hours to the course itself . The shop

facilities shall not be open to the public as a general retail outlet.

*Reason : To enable the Local Planning Authority to retain control over the use of this facility; usage beyond those playing golf or fishing may be inappropriate in terms of leisure uses appropriate in the Green Belt and the impact of such usage would have to be considered separately by the Local Planning Authority; also to accord with the provisions with policies LT12, DC1 and SP8 of the Adopted Chorley Borough Local Plan Review .*

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Application No. 05/00366/FULMAJ	Grid Ref: E: 363283 N: 422965	Scale:	Agenda Item No. A.1
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Alan D Croston BA (Hons) MRTPI MCM  
 Head of Planning Services  
 Chorley Borough Council

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 Chorley B.C. 100018509

**GROUND FLOOR**

1:200

shop  
k  
st  
ent

**FRONT ELEVATION**

matching stone

**SIDE**

roughcast

**REAR**

white roughcast

**SIDE**

**PLAN**

Plan shows relationship of main social building + machine store & see separate A4 drawings for elevations.

3/8/05

Main Social Building of Withnell Gaff + Activities Centre, Bury Lane, Withnell, Chorley.

CHORLEY BOROUGH COUNCIL  
 11 AUG 2005  
 THIS IS THE PLAN REFERRED TO IN APPLICATION NO. 05/00366

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<b>Item A. 2</b>	<b>05/00674/FULMAJ</b>	<b>Refuse</b>
<b>Case Officer</b>	<b>Mr Nigel Robinson</b>	
<b>Ward</b>	<b>Coppull</b>	
<b>Proposal</b>	<b>The erection of 16 residential units including optional conservatory positions with associated roads and drainage</b>	
<b>Location</b>	<b>Land To The North Of Northenden Road With Access Off Moss Bank Coppull Chorley Lancashire</b>	
<b>Applicant</b>	<b>Persimmon Homes (Lancashire) Ltd</b>	

**Proposal** This is a full application for the erection of 16 dwellings on land to the north of Northenden Road and accessed by means of Moss Bank. The application is subsequent to an earlier outline approval in July 2001 and to the allocation of the site in the Adopted Local Plan Review (see details below). Two earlier, detailed application last year were both withdrawn by the applicants as initially they were not in a position to supply up to date survey data pertinent to the relevant ecological matters of the site being partly within a Biological Heritage Site, and then on the later application the details were not considered sufficiently complete whilst the site layout was considered poor. The current application is submitted with the full benefit of all requisite details and a re-negotiated site layout. The site is an awkward one to develop given its topography and relation to the adjacent biological heritage site. The siting of dwellings and their types have specifically taken into account with regard to the land which slopes away to the north and the west of the site.

**Planning Policy** HS1 – Housing Allocation (HS 1.29) – 18 Dwellings.  
 HS4 – Site-specific treatments of residential developments.  
 GN5 – Design of proposed developments.  
 EP2- Development likely to have an adverse impact upon Biological Heritage Sites will not be permitted unless there are reasons for overriding the nature conservation issues or adequate mitigation measures / agreements are in place.  
 Policies 5 & 12 of the Joint Lancashire Structure Plan – relevant respectively to local housing need and supporting urban and rural regeneration, and new housing allocations for the Lancashire Boroughs and the consideration of oversupply.

**Planning History** 97/730 – Outline planning permission for 18 dwellings and the construction of an access road subject to S106 Agreement; siting and means of access approved. The outline permission lapsed in 2004 when the applicants were not able to proceed with a true reserved matters application. As such there is no current planning permission for the development of this site.  
 04/717 – Detailed application related to the above outline – 18 dwellings. However it was not a reserved matters submission as the layout varied from that originally approved under the outline approval. Application withdrawn.

04/1452 – Re-submission of 04/717, this application was

recommended for refusal on the grounds of incomplete submitted information and the inadequacy of the site layout. The application was however withdrawn prior to determination.

**Applicant's Case** None submitted.

**Representations** 3 letters of objection development submitted citing the following grounds:

- Effect on trees and wildlife.
- Safety of existing children using Moss Bank which is a residential cul-de-sac; particular dangers will occur to children from the heavy lorries that will access the site during the construction period.
- Noise and mess from construction.
- Disturbance of previously contaminated land when construction commences.
- Future potential parking problems in Moss Bank as a result of this new development.
- The increased traffic will be problematical at the junction of Moss Bank and Park Road; in particular, problems at school times.
- This site is still a green field site – upon which development restrictions are being placed; better sites should be found if the development is necessary.
- Removal of protected hawthorn hedgerows already by the developers.

Also one letter submitted stating concerns about access to maintain and cut an existing boundary hedge at The Nook.

**Consultations** Head of Public Space Services (Engineers) – Comments about highway layout; revisions would be required to make highway arrangements and certain access details work.

Lancashire County Council Environment Directorate – Senior Highway Engineer – Recommends conditions on highway construction and the erection of cycle sheds.

Lancashire County Council Environment Directorate – Head of Planning – Recommends refusal upon policies 5 & 12 of Joint Lancashire Structure Plan. Previously, LCC had sent the Council (29/6/05) a statement of non-conformity of certain policies of the Adopted Borough Local Plan Review with the new JLSP – these include Housing Land Allocations (HS1) with the JLSP policy 12. The objection to this application is upon the basis of an identified oversupply of housing development upon the basis of extant permissions (2455 dwellings at 31/03/04) in comparison to an annualised average rate of provision in the JLSP for Chorley of 485 dwellings up to 2006 and 230 dwellings thereafter up to 2016. LCC consider that there is adequate supply up until the end of 2006 and probably longer given the diminishing level there after. In addition, as the proposal does not support rural or urban regeneration or meet an identified local housing need then the proposal is contrary to the provisions of policy 5 of the JLSP. County are aware of the background to the application and the previous outline permission and two previous detailed submissions, but given that the previous outline consent has lapsed and there are no other permissions for residential



development on the land, then they consider that the greater weight ought to be given to the Adopted Structure Plan policies.

Lancashire County Council also comment upon landscape quality and biodiversity – reconsideration should be given to fencing proposals to include perimeter hedging; mix of planting also needs to be re-assessed .

Environment Agency – Previously recommended condition upon a surface water regulation system; also commented on their concerns that ground water could be contaminated by contaminated land on site Further leachability tests should be undertaken and as required quantitative risk assessment undertaken upon surface waters.

Head of Environmental Services – Comments that the site investigation report for ground conditions and the remediation strategy were approved under the scope of the previous application. A validation report for the works should be submitted for approval upon the completion of the required works.

Ramblers Association – Footpath 23 is near the site and the line of the footpath should be adequately maintained and not become any part of a route for vehicular traffic.

Lancashire County Council Environment Directorate – Ecologist – States upon the initial submissions that there are ecological concerns with regard to the identified boundaries of the Darlington Sidings and Clancutt Brook Biological Heritage Site [BHS] , and that there is no submitted mitigation method statement for the safeguarding of great crested newts. Both matters must be clarified before final comments can be given.

Coppull Parish Council – Wish to object to the proposal - Concern about what investigations have taken place to assess ground contamination, which may include ‘poisonous substances’; also they raise their concerns about detriment to wildlife, trees already having been cut down; they also state that there are not enough local facilities to accommodate more housing in terms of local schools, doctors and dentists.

Economic Regeneration – Landscaping proposals satisfactory but no aftercare proposals for the hedgerows or tree planting.

## **Assessment**

As stated a detailed application has previously been submitted and subsequently withdrawn. The current submission is now for an amended number of dwellings (16, which is less than the allocation) with some modifications to house types and layout, which are now considered to be broadly acceptable. As identified in the consultation responses above, there are considerations in the external treatments that still need to be refined. At the time of writing the report the applicants had not responded to copies of consultation responses sent to them. The matter of land remediation has been considered and subject to the undertaking of the works previously agreed this is not an issue in this application.

The main consideration now in the determination of this application is the issue of housing oversupply resultant from the objection from LCC. The scenario now is that in effect a new

planning application for one of the identified HS1 housing allocation sites as they come forward will have to be considered against the current housing supply situation in Chorley Borough.

When previous residential allocations were reviewed as part of the Local Plan Review process, the original planning permission on this site was extant and the Council could not realistically delete the allocation although it was reviewed down from 33 units to 18 in order to reflect the 'value' of that planning permission. Since the adoption of the Local Plan Review in 2003, circumstances have changed with regard to current policy as identified in the Joint Lancashire Structure Plan that was adopted earlier this year. The JLSP is now an important material consideration, which carries significant weight, as it is the most up to date policy guidance. The latest figures upon housing permission numbers in the Borough were recently published up to date to April 2005 and the total allocations and permissions figure has reduced somewhat to 2232 but this is not entirely unexpected, given the policy of the Council to apply housing restraint practice over the past two years. The position is still one of oversupply with regard to the LCC annualised expectation of the Borough in the Structure Plan period.

### **Conclusions**

Though this is an allocated site in the Local Plan and has had a previous outline approval, there is no current planning permission upon the site. It is a difficult case given the background to the site in terms of the Local Plan and JLSP, the earlier planning permission and then two withdrawn detailed applications. It is however not a case where a reserved matters application was submitted before the expiry of the outline period and was being pursued through to a conclusion. Siting and means of access had been approved at the outline stage, but the current applicants first detailed submission in 2004 varied the siting of the access road considerably, changing dwelling positions well beyond those, which could have been considered under the scope of a reserved matters submission. As such, the only planning permission lapsed in 2004 when reserved matters were not submitted on the outline.

The current housing figures still dictate that supply exceeds the annualised requirement for the Borough and under the requirements of policy 12 of the JLSP there is no justification to grant planning permission for the further 16 dwellings sought here. No material considerations have been put forward by the applicants, while none of the development, brings forward any affordable or special needs housing as an exception to the general market housing.

There are still outstanding items with regard to ecological matters and though these potentially can be resolved prior to any subsequent appeal upon a refusal of planning permission, it is considered appropriate that they form part of a planning refusal.

**Recommendation: Refuse**

### **Reasons**

1. The proposal, by virtue of the net increase to the current identified figure of total allocations and permissions available in Chorley Borough in the Housing Land Availability Survey as at April 2005, would further contribute to an oversupply of housing

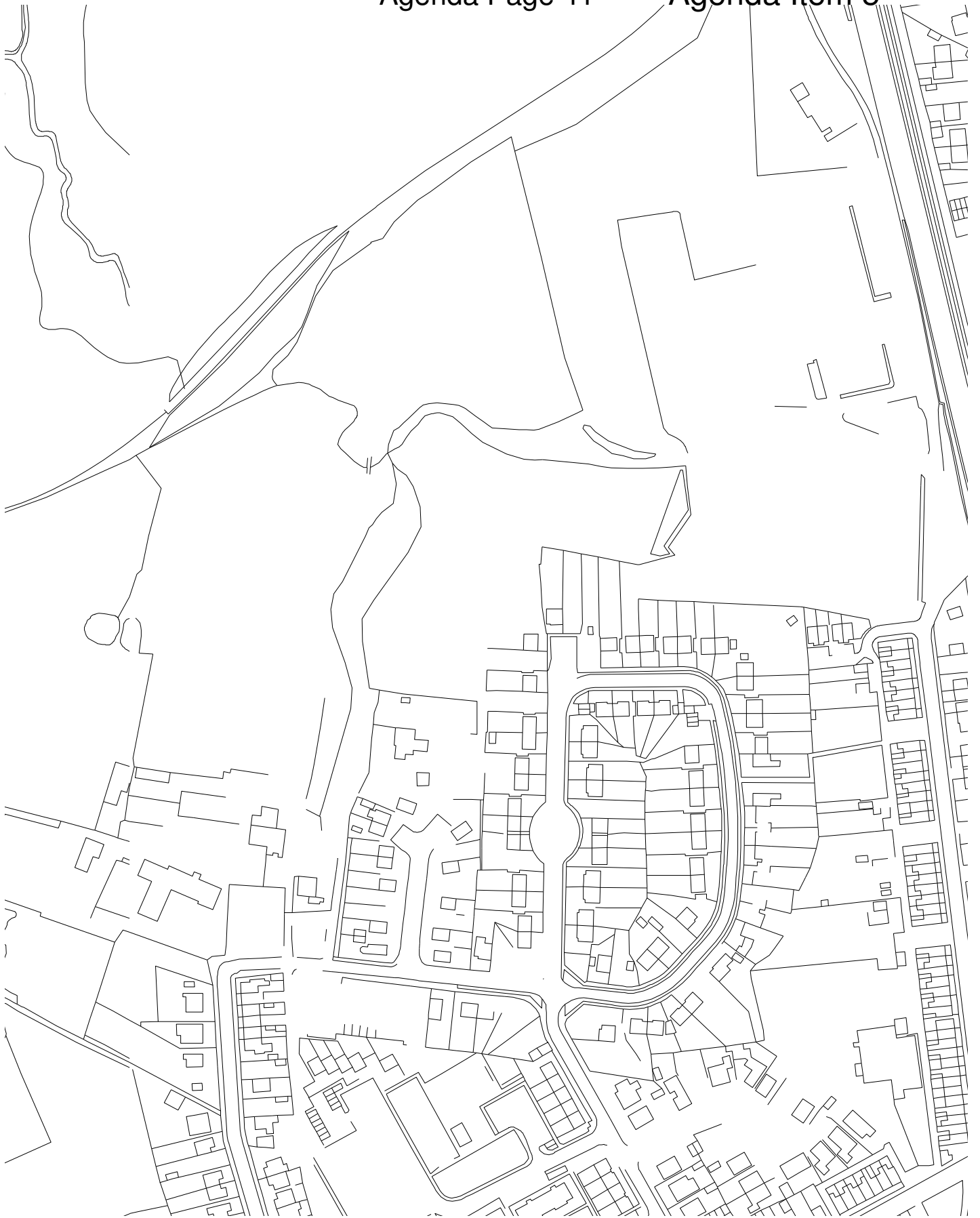
in the Borough contrary to Policy 12 of the Adopted Joint Lancashire Structure Plan which identifies the provision made for the number of new dwellings within the Lancashire Boroughs.

2. The proposal as submitted is contrary to the provisions of Policy 5 of the Joint Lancashire Structure Plan which supports rural or urban regeneration by meeting an identified local need for housing in the relevant demographic location. In the scope of this application, no such case has been presented and none of the proposed housing is affordable housing or is for another specific need of the local community.

3. The substance of the proposals identify that there is still potential for protected species to be affected by the proposed development with insufficient information submitted to confirm that the potential impacts and nature of mitigation measures considered necessary. As such the proposal would be contrary to policy EP4 of the Adopted Chorley Borough Local Plan Review, Planning Policy Statement 9, Biodiversity and Geological Conservation, and policy ER5 of the North West Regional Planning Guidance / Regional Spatial Strategy.

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<b>Item A. 3</b>	<b>05/00739/REMAJ</b>	<b>Refuse</b>
<b>Case Officer</b>	<b>Mr Neil Higson</b>	
<b>Ward</b>	<b>Euxton North</b>	
<b>Proposal</b>	<b>Erection of 36 no. one and two bedroom apartments (Barratt iPad Homes) on 0.4ha of land together with associated parking,</b>	
<b>Location</b>	<b>Land To The North Of Primary Distributor Road Royal Ordnance Site Including Land Between Dawson Lne And Euxton Lne Euxton Lane EuxtonLancashire</b>	
<b>Applicant</b>	<b>Barratt Homes Ltd</b>	
<b>Background</b>	This proposal is one of a number of reserved matters applications submitted for the ongoing development at Buckshaw Village, in accordance with the outline permission granted in 1999, amended in 2002.	
<b>Proposal</b>	<p>The parcel is approximately 0.4ha in size and is an elliptical shape located on the northern side of the distributor loop road adjacent to the boundary of the site with Dawson Lane. It is proposed to erect a 3-storey residential block providing 36 homes in the form of 12 two-bed 3 person and 24 one-bed 2-person apartments. The one-bed flats comprise 383 sq ft (36 sq m) of floor space while the two bed units would be 605 sq ft (56 sq m). 51 parking spaces are to be provided which includes 4 mobility spaces with 4 additional bicycle spaces and 2 motorcycle spaces. These would be provided in the form of a parking court of 12 spaces at the eastern end of the development with the remainder of the spaces forming the northern and western boundaries of the site. Bin stores are to be sited at regular intervals within the parking areas and with the cycle parking to be located within a gatehouse type structure at the western end of the site. This building would be replicated to provide a maintenance store on the opposite side of the vehicle entrance to the site. Landscaping would be provided to all boundaries of the site with the building being centrally located within the layout.</p> <p>The scheme is Barratt's model for providing high density smaller housing units and is of a more contemporary design making use of timber, render and brick to provide an horizontal emphasis. This would be broken by a full height glazed screen under a concave aluminium roof.</p>	
<b>Planning Policy</b>	GN2 – Royal Ordnance Site, Euxton GN5 – Building Design DC6 – Major developed sites in the Green Belt HS4 – Design and Layout of Residential Developments HS5 – Affordable Housing TR4 – Highway Development Control Criteria	
	Joint Replacement Lancashire Structure Plan 2001-2016 – Policy 3 Strategic Locations for Development and Policy 7 Parking	

**Planning History** 97/509/OUT – Outline application for mixed use development  
 02/748/OUTMAJ – Modification of conditions on outline permission for Mixed-use development  
 01/788/REM - Reserved Matters Application for Residential and Commercial/Retail Development including roads, parking areas and landscaping (Village Street and Market Square)

**Representations** Two letters have been received raising objections on the grounds of:

- three storey flats are inappropriate in this location which directly overlooks the Green Belt;
- the height, design and materials would not be conducive to the immediate area being more akin to Salford Quays;
- the futuristic proposal sacrifices the rural nature of the area for blocks of housing of an urban appearance;
- the siting is too close to Dawson Lane for a building of this size;
- could lead to parking on Dawson Lane by people who don't wish to drive around and through the rest of Buckshaw;
- accept the need for the overall development but this proposal is out of keeping with the notion of a "village" environment.

**Consultations** **LCC (Highways)** - has no objection to the principle, Disabled and cycle parking is required in accordance with the Joint Lancashire Structure Plan 2001-2016.

**Head of Public Space Services (Highways)** - None of the areas within the site beyond the access junction would be adoptable.

**Head of Environmental Services** – Should be ensured that the bin stores are large enough to store the continental style bins.

**Multi Agency Problem Solving (MAPS)** – There appears to be no provision for secure fencing to the rear of the development allowing pedestrian access to the site from Dawson Lane and beyond; Maintenance of the landscaping should be agreed to ensure max height of hedges restricted to 1m and tree canopies not below 1.8m above ground level;

The small car park to the east appears to be a blind spot leaving vehicles possibly vulnerable to attack;

The communal areas should be subject to a requirement for low-level lighting.

The developer should be asked to adhere to the principles of Secured by Design.

**The Environment Agency** has no objection to the proposal in principle but the applicant will need to demonstrate that runoff would be restricted to existing rates.

**Health and Safety Executive** – HM Chief Inspector of Explosives has no objections.

**Head of Economic Regeneration** – The Design Code prepared for Buckshaw Village recognises the significance of landmark sites and the opportunity to enhance the townscape through the development of these sites that will provide points of orientation

within the site. It also states that the fact that landmark buildings should never be the predominant features alongside highways as through such a linear consideration of them their emphasis and importance is lost. In relation to such buildings the Design Code also recognises that whilst they are intended to make a statement their character and design must take into account their location.

The site is in a multifaceted location whereby the design, siting and landscaping will be required to sit comfortably within its surroundings whilst linking the development to its immediate and wider context. Situated at the interface between the Buckshaw Village development and the open countryside it is imperative that the design solution achieved at this site sits comfortably in relation to the countryside and the urban form. The site is especially visible within views from the open countryside thus any development needs to be sensitive to this fringe location.

The adjacent residential development to the south provides a more suburban landscape that the development is required to connect with. As proposed there is a mismatch of styles within the vicinity of the site that will make any of form coherent appearance difficult. Therefore the site has the difficult requirement of providing interesting design to terminate the vista whilst providing the solution to connect the built environment to the surrounding landscape. However, whilst not actually engaging Dawson Lane the location of the development does mean that it will be extremely prominent within the context of the lane. Due to the meandering nature of the lane the site will hold supreme prominence terminating the vista as vehicles move south along the lane (west to east) and whilst screened to a certain extent by trees, a substantial building in this location will invariably draw the viewers eye.

The site and its surroundings are reasonably flat and therefore the implications in relation to scale and massing will have to be solved through innovative design rather than topographical arrangements. Care must be taken to ensure that the building whilst being in keeping with its surroundings also provides an interesting visual termination to the vistas affected.

The plot is of a somewhat difficult form being tapered at each end and in order to achieve the desired level of car parking the building has been surrounded on three sides by car parking thereby limiting the opportunity for soft landscaping. The proposed car-parking layout immediately upsets the setting of the building giving the site something of a commercial/office feel to it, which is not really suitable to this fringe location.

### **Assessment**

The development is the latest parcel for which full details are applied for in accordance with the Master plan approved under the outline permission.

Policy GN2 states that high quality and phased development at the Royal Ordnance site will be permitted for purposes appropriate to the concept of an Urban Village. Policy GN5 advises that proposed developments should be well related to their surroundings, including public spaces and with landscaping fully integrated into the overall scheme. The appearance, layout and spacing of new buildings should respect the distinctiveness of the area. Policy HS4 outlines a number of criteria that new housing developments should satisfy. These include creating an interesting visual

environment; respect for the surrounding area in terms of scale, design, layout, building style and materials; providing privacy and amenity for residents; providing safe access; encouraging community safety; and providing adequate facilities to deal with household waste. While Para (b) of DC6 requires that development be in scale and keeping with the main features of the landscape and should integrate with its surroundings.

Based on the comments of the Council's Urban Designer as set out above it is acknowledged that the design of the building is both innovative and imaginative and in the correct context should prove an interesting interpretation of the need for small high-density housing units. The design has a strong vertical proportion and detailing that catches the eye and gives the viewer an indication of fun and contemporary design. However, the siting therefore means that the building sits on its own within something of an island not really connecting either with the development to the south or the rural open countryside to the north. Its innovative design and scale exacerbates this difficulty.

The Design Code requires that landmark buildings never become the predominant component along side highways. Equally the code suggests that landmark buildings should take into account their location in terms of form and character. This site is adjacent to areas of estate housing in a mixture of styles along with some substantial flats. Whilst there is a range of building scales in this location the surrounding buildings are designed in a fairly traditional style with brick and render as the prominent materials. The proposed building is very modern in its materials, design and profile and thus is something of a contrast with its surroundings.

Para (b) of DC6 requires that development be in scale and keeping with the main features of the landscape and should integrate with its surroundings. The proposal does not satisfactorily integrate itself with either the urban forms to the south or with the rural landscape to the north as indicated in the reasons above. Para (h) relates to the impact that the re-development has on the surrounding countryside, again it is contended that the proposal does not sit comfortably with the open countryside and thus is contrary to policy.

Ultimately the issue is not so much about the design per se but rather the site chosen for the building. A solution may be to move the siting to a new location whereby the opportunity may arise for the building to provide a landmark feature whilst providing the link between the commercial and domestic architecture. Therefore a site should be considered somewhere in the area of the transition adjacent to the southern commercial area.

**Conclusion** It is considered that the proposal does not accord with Policies GN5, DC6 and HS4 of the Adopted Chorley Borough Local Plan Review and the Buckshaw Village Residential Design Code and there it is recommended that permission be refused.

**Recommendation: Refuse**

**Reasons**

1. The submitted proposal is of a design, character and appearance that would be at odds with its immediate surroundings failing to satisfactorily integrate with either the

urban form of existing development to the south or the open countryside to the north contrary to the terms of the outline planning permission, the Master Plan and Residential Design Code. The proposal therefore fails to comply with Policies GN2, GN5, DC6 and HS4 of the Adopted Chorley Borough Local Plan Review.

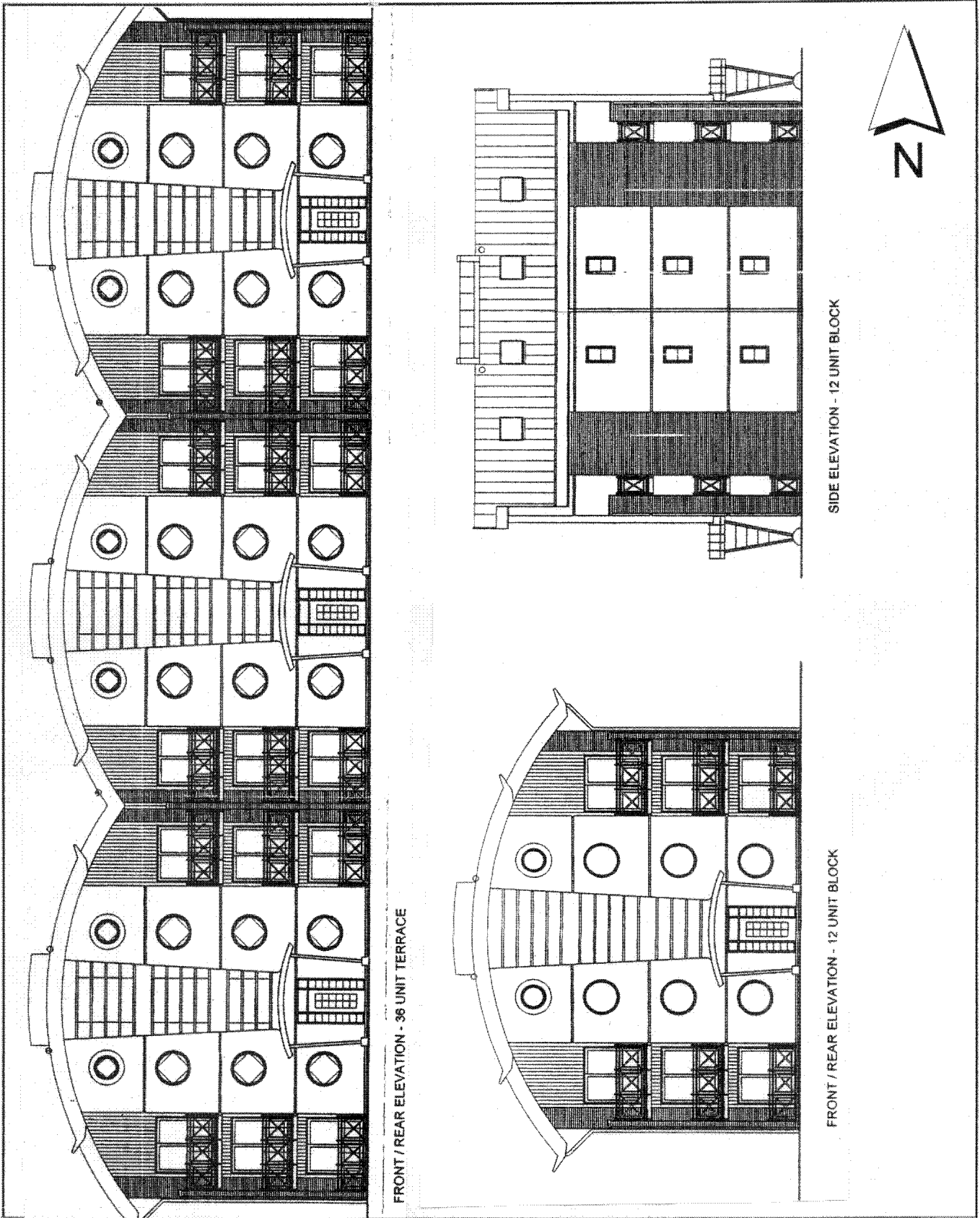
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Alan D Croston BA (Hons) MRTPI MCMl  
 Head of Planning Services  
 Chorley Borough Council

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Application No. <b>05/00739/REMAAJ</b>	Grid Ref: E: 356948 N: 421000	Scale:	Agenda Item No. <b>A. 3</b>
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<b>Item B. 1</b>	<b>05/00478/FUL</b>	<b>Refuse</b>
<b>Case Officer</b>	<b>Mr David Stirzaker</b>	
<b>Ward</b>	<b>Clayton-le-Woods North</b>	
<b>Proposal</b>	<b>Retrospective application for single storey rear extension, conversion of garage to living accommodation and single storey front extensions,</b>	
<b>Location</b>	<b>38 Well Orchard Clayton-Le-Woods Lancashire PR5 8HJ</b>	
<b>Applicant</b>	<b>Mr Hardicker</b>	
<b>Proposal</b>	<p>The property to which this application relates is 38 Well Orchard located within the settlement of Clayton Le Woods to the north of the main Chorley settlement area.</p> <p>This retrospective application seeks to regularise unauthorised works to the property. The extensions and alterations have not been constructed in accordance with the approved plans granted planning permission 29 March 2000 (ref no. 9/00/00027/FUL) and are therefore unauthorised.</p>	
<b>Background</b>	<p>The application has arisen following an enforcement enquiry, where it has been confirmed that the development had not been built in accordance with the approved plans. The development carried out differs from what was originally approved by virtue of a larger porch, a higher roof on the rear single storey element and an increase in the front projection of the converted garage and the roof detail at the front of the property over the lounge extension and porch.</p>	
<b>Planning Policy</b>	<p>GN1: Settlement Policy – Main Settlements  GN5: Building Design  HS9: Residential Extensions in Settlements Excluded from the Green Belt  SPG: House Extension Design Guidelines</p>	
<b>Planning History</b>	<p>Ref No. 9/00/00027/FUL - Single storey front and side extensions incorporating pitched roof over replacement garage/utility room (Permitted)</p> <p>Ref No. 04/00209/DEPPL - An initial complaint was received by the Enforcement Officer in September 2004 concerning the extensions and alterations. It was queried that they had not been built in accordance with the approved plans. It was subsequently discovered this was correct and the Enforcement Officer accordingly informed the owner of the property that a retrospective planning application was required for the development. A planning application was received on 4<sup>th</sup> May 2005, which sought to regularise the unauthorised works to the property.</p>	
<b>Representations</b>	<p>Four letters of objection have been received, the contents of which can be summarised as follows:</p> <ul style="list-style-type: none"> <li>• The original link detached nature of the property has been changed by the conversion of the garage to living</li> </ul>	

accommodation which has resulted in the properties appearing semi-detached

- The rear extension has been built higher than approved and has resulted in light being taken away from the dining room window in the adjacent property
- The applicant has not complied with the obligations under section 3 of the party walls Act 1986 by failing to serve a Party Structure Notice on the occupier 36 Well Orchard
- Garage has now become living accommodation increasing noise levels due to the lack of sound insulation
- The constructional detail of the extension is unsatisfactory
- The occupier is unable to maintain the gable wall of the property
- The ground level to the front and rear of no. 38 Well Orchard has been raised reducing the privacy of the occupiers of 36 Well Orchard
- The front garden has been replaced with a hardstanding
- 38 Well Orchard is now totally out of character with other properties

#### **Consultations**

Clayton Le Woods Parish Council made no comment on the application.

#### **Assessment**

The property is located within a cul-de-sac, which comprises of similar link detached properties and bungalows whereby each of the properties is similar in terms of its design characteristics and materials. The property adjoining the applicants (no. 36 Well Orchard) was linked by the original flat roofed garage between the properties. The plans approved in 2000 proposed the retention of this garage with a new pitched roof above for which notice was served on the occupier of 36 Well Orchard. The garage was also approved to project approx. 0.8m further forward than existing. A bay window to the lounge was approved which incorporated a mono pitch roof above running across to meet the roof continuation of the garage. A Porch was approved with a projecting pediment and exposed timber truss frame supported by galvanised posts.

The original garage has now been converted to living accommodation which projects further forward by 0.8m than the originally approved altered garage. The bay window has now been built as an extension to the lounge with the roof above spanning the front of the house to meet the side elevation of the extended and converted garage. The additional projection of the converted garage and the lounge extension is considered acceptable in terms of its impact on the character and appearance of the streetscene and residential amenity.

However, the originally approved porch projected 2.5m forward of the house measuring 2.1m wide. The porch actually erected projects 3.9m forward of the house and measures 2.8m wide. By virtue of its increased scale and projection it now forms a dominant and incongruous feature in the streetscene to the detriment of its character and appearance as well as that of the applicant's property and is therefore deemed unacceptable.

In terms of the rear extension to the garage, this has been constructed on the same footprint but with a higher roof than was originally approved (2.9m to eaves instead of 2.2m and 4m to the flashing instead of 3.8m). This has significantly changed the impact on the occupiers of the adjacent property by virtue of the height of the side elevation adjacent to the boundary which now forms an over dominant feature to the detriment of outlook whilst also causing additional overshadowing and loss of daylight to the dining room window in the rear of 36 Well Orchard over what was originally approved.

In terms of the objections raised by residents, it should be clarified that the Party Wall act is not a planning issue in this case as notice has been served and the hardstanding areas in the front and rear gardens constitute permitted development. The constructional details of the extension have been dealt with under the Building Regulations. When the original application was approved, no conditions were attached to the permission removing normal permitted development rights hence the conversion of the garage to habitable accommodation would not have required planning permission if the original approval had been properly implemented and such a change carried out thereafter as an amendment.

**Conclusion**

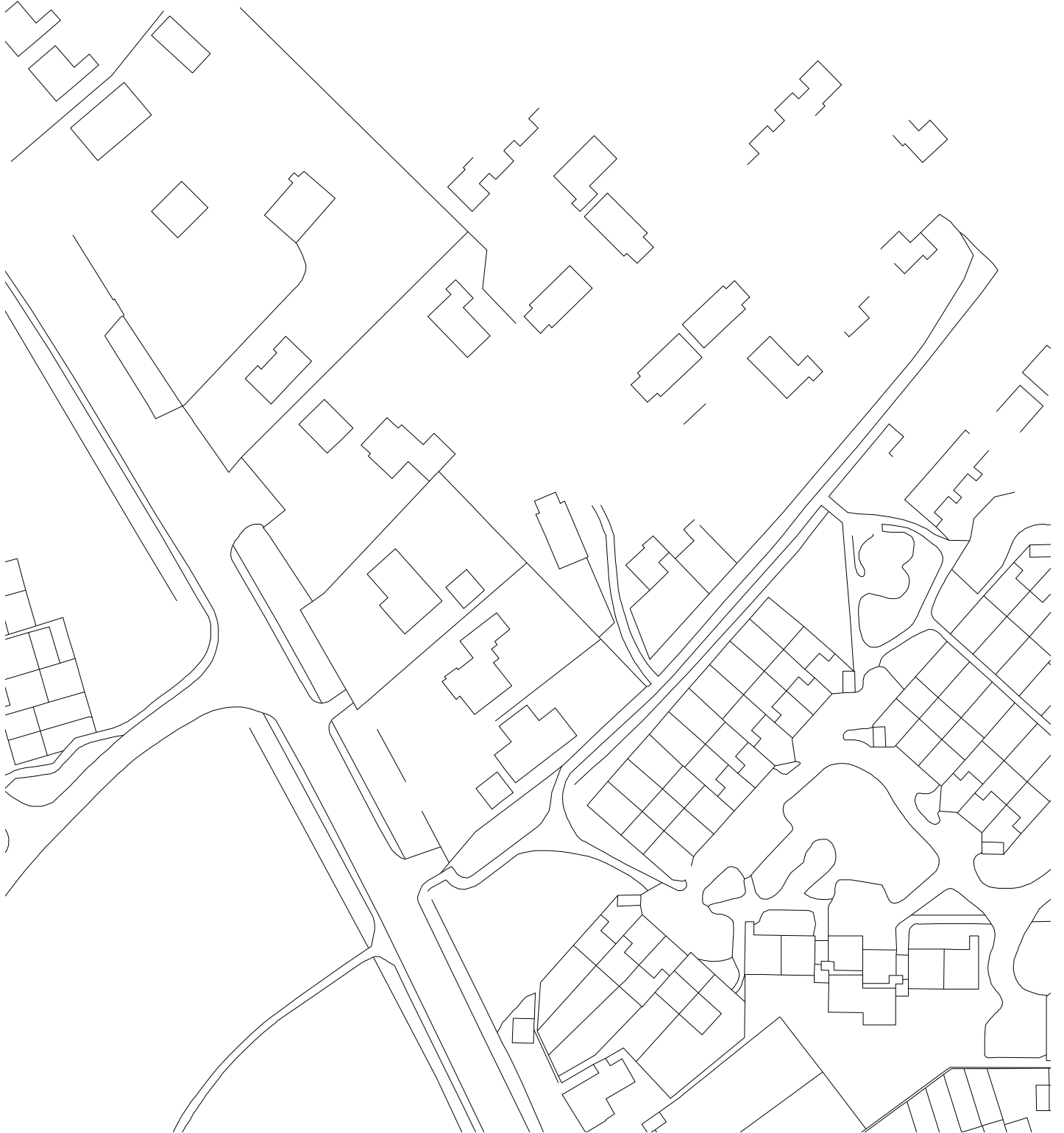
On the basis of the above, it is considered that the porch and increased roof height of the rear extension result in detrimental harm to the character and appearance of the streetscene, the residential amenities of the occupier of the adjacent property and set a precedent whereby the Council would find it difficult to resist similar proposals on adjacent properties. It is therefore recommended that planning permission be refused, as the application is contrary to Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review and the House Extension Design Guidelines.

**Recommendation: Refuse****Reasons**

1. The front porch is contrary to the Council's approved House Extension Design Guidelines and Policy HS9 of the Adopted Chorley Borough Local Plan Review by reason of its design and external appearance. The porch is poorly related visually to the existing dwelling, of poor design and unacceptable scale hence it has resulted in detrimental harm to the character and appearance of the street scene and the applicant's property.
  2. The rear extension is contrary to the Council's approved House Extension Design Guidelines and Policy HS9 of the Adopted Chorley Borough Local Plan Review by its size and siting in relation to neighbouring property. The proposed extension has a detrimental effect on the amenities, which the occupiers of the neighbouring property could reasonably expect to enjoy, in particular due to loss of light, overbearing impact and overshadowing.
  3. Acceptance of the porch and the increase in height of the roof above the rear extension would make it difficult for the Council to resist similar extensions and alterations to neighbouring dwellings resulting in a gradual erosion of the character and appearance of the locality contrary to the House Extension Design Guidelines and Policy Nos. HS9 and GN5 of the Adopted Chorley Borough Local Plan Review.
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<b>Item B. 2</b>	<b>05/00518/FUL</b>	<b>Permit</b>
<b>Case Officer</b>	<b>Miss Caron Taylor</b>	
<b>Ward</b>	<b>Euxton North</b>	
<b>Proposal</b>	<b>Enlargement to existing pond (retrospective)</b>	
<b>Location</b>	<b>Oakfields 197 Runshaw Lane Euxton Chorley Lancashire</b>	
<b>Applicant</b>	<b>Mr And Mrs Parr</b>	

<b>Background</b>	The application is largely retrospective, as much of the work has been undertaken. Oakfields is a detached bungalow situated on Runshaw Lane, Euxton in the Green Belt. The proposals are situated in a field belonging to the applicant, approximately 190m to the east of the application property. There are two dwellings nearby, which are also located to the east of Oakfields, the nearest property Lower House Farm being approximately 80m from the pond.
<b>Proposal</b>	The application is for the enlargement of a pond (largely dried up).
<b>Planning Policy</b>	Policy DC1 covers development in the Green Belt.
<b>Planning History</b>	The pond that is the subject of this application was initially the subject of an enforcement enquiry, which resulted in this application being submitted.
<b>Consultations</b>	Environment Agency: Originally objected. Amended plans have been received and they subsequently withdrew their objection (see details in assessment).
<b>Representations</b>	<p>One letter of objection was received from Lower House Farm, the nearest property to the pond as part of the initial consultation. They objected on the grounds of flooding as there has been a long history of flooding around the properties and any upset of the water drainage system could be crucial. Under re-consultation after amended plans were received this property still wishes to object. Lower House Barn Farm has also written a letter stating they object on the same grounds.</p> <p>Their objections are on the grounds of:</p> <ul style="list-style-type: none"> <li>• They are worried about the intended use of the lake, that it may be used for some sort of fishing club.</li> <li>• They feel that there needs to be some sort of control over the type of fish to be put in the lake so that they would not be an attraction commercially.</li> <li>• If the lake is not lined it will not maintain its water levels and pumping from the Brook will be required. They would like to know if the applicant has an abstraction licence from the Environment Agency to pump water from Holker Brook, and if there is no water in it in the Summer the fish will die, rot and cause a potential health hazard.</li> <li>• They would like to see detailed drawings of the weir system and how it will drain and information on what level the water will be maintained.</li> </ul>

- They would like an undertaking that all the spoil currently spread on the surrounding land will be moved and placed in the areas designated on the latest plan and the bunds are to be completely removed.
- If the pond is to be used for fishing more than 28 days a year will further consents be needed?
- If the lake proves not to be viable will there be a condition that it will be returned to its original state?
- Will any restrictions on the pond be recorded in the land registry so future occupants are also bound by the consent.
- They also commented that the plans are very basic and therefore difficult to comment on and do not portray the correct levels and they are concerned that there will therefore not be tight enough control over the development. They request more detailed plans and the above points addressing before the application is considered so they can reconsider the application.

## Assessment

### Green Belt

The proposal complies with policy DC1 on uses appropriate in the Green Belt as the pond will retain the openness of the Green Belt and does not conflict with its purpose.

### Flooding

Originally the Environment Agency objected to the proposals as infill material had been mounded within a known flood plain. This reduces the flood storage volume from that previously available and therefore may increase the risk of flooding elsewhere. Amended plans have been sought after discussion between the Council, the applicant and the Environment Agency.

The plans now show the infill material moved outside the flood plain, and water levels below existing ground level. This addresses the Environment Agencies concerns over loss of flood storage volume and the Agency therefore removes its objection.

Originally the greater risk (although only marginal) caused by the mounding of infill material within a known floodplain was a legitimate concern. The scheme as amended will actually reduce the risk of flooding to the surrounding land (to there being no pond there). If the applicant does not line the pond then the water will just soak away into the ground, if the pond is lined then this will not cause flooding. The applicant has been liaising with the Environment Agency to avoid the possibility of flooding. The outcome of this is that the pond will incorporate a small weir at one end of the pond and this will be kept at a lower level so if the main pond overflows it will flow into the overspill area. A small channel will also run off the pond into Holker Brook so if the overspill area also fills excess will run into the brook. Potentially a significant amount of flood storage space has been built into the pond, therefore decreasing the risk of flooding. A condition will be placed on the permission requiring details of the weir and channel to be submitted and approved in writing by the Local Planning Authority before any works are undertaken, and also that all spoil previously deposited on the land is moved to only the areas specified on the plans and agreed with the Environment Agency.

Other Issues

The Environment Agency has stated that if fish are to be introduced to the pond, prior written consent will be required. An Abstraction Licence may also be required. An informative will be placed on the permission detailing this as these issues are dealt with under different legislation to the planning system.

The pond is to be a wildlife pond and not used for any commercial purpose, and conditions will be placed on the permission for landscaping details to be submitted to ensure the landscaping is in keeping with the area.

The other issues raised by the objector, are not material planning considerations or are not significant issues which cannot be appropriately dealt with by condition

**Conclusion** The application is recommended for approval as it accords with Policy DC1 of the Adopted Chorley Borough Local Plan Review subject to conditions.

**Recommendation: Permit**

**Conditions**

1. Before any works commence, full details of the system to prevent flooding to be incorporated into the pond shall have been submitted to and approved in writing by the Local Planning Authority.

*Reason: To prevent flooding in line with Policy EP19 of the Adopted Chorley Borough Local Plan Review.*

2. Within 3 months of the date of the planning permission hereby approved the spoil/infill material previously spread over the land shall be removed and the land restored to its previous level. Spoil/infill material shall only be placed in the designated areas as shown on the amended plans received 25<sup>th</sup> August 2005. Details of the distribution of the spoil shall be agreed in writing with the Local Planning Authority prior to the commencement of any development. All works that are undertaken on site shall be strictly in accordance with those approved details.

*Reason: To prevent flooding in accordance with Policy EP19 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 completion of the development, 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 be carried out in accordance with the amended plan(s), received on 25<sup>th</sup> August 2005

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

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<b>Item B. 3</b>	<b>05/00569/FUL</b>	<b>Permit</b>
<b>Case Officer</b>	<b>Mrs Helen Lowe</b>	
<b>Ward</b>	<b>Lostock</b>	
<b>Proposal</b>	<b>Demolish existing bungalow and construct a two storey house with detached double garage and workshop and associated external works,</b>	
<b>Location</b>	<b>Croftlands 34 Grape Lane Croston LancashirePR26 9HB</b>	
<b>Applicant</b>	<b>Mr Thompson</b>	

**Background** This application proposes the erection of a replacement dwelling on Grape Lane in Croston. The existing property is a bungalow, with an attached flat roofed garage and it is proposed to replace this with a two storey house with a detached double garage with pitched roof and attached garden store. The front elevation of the proposed replacement dwelling would be 2 m closer to Grape Lane than the existing dwelling, it would approximately half a metre closer to the southern boundary of the site than the existing bungalow, and 2m further from the north boundary (than the attached garage).

**Planning Policy** The application site is located within the Green Belt, as defined by Policy DC1 of the Adopted Chorley Borough Local Plan Review. Policies GN5 (Building Design and Retaining Existing Landscape Features and Natural Habitats), DC8A (Replacement Dwellings and Extensions in the Green Belt) and HS4 (Design and Layout of Residential Developments) are all applicable.

The Council's House Extension Design Guidelines are also relevant, as is Planning Policy Guidance Note 2 'Green Belts'. PPG2 states that the replacement of existing dwellings in the Green Belt need not be inappropriate, provided that the new dwelling is not materially larger than the dwelling it replaces.

The application site is also located within Croston Conservation Area and the Article 4 area within Croston. Policy HT7 of the Adopted Chorley Borough Local Plan Review seeks to ensure that all development within a Conservation Area will preserve or enhance the character or appearance of that Area. All new development should be of a standard of design which respects the special architectural or historic interest of the Area. Any proposal should meet the following criteria:

- a) The mass, bulk, and height of buildings should be in scale and harmonise with adjoining buildings and the streetscene;
- b) Building materials should be appropriate to the locality and be sympathetic to buildings nearby in terms of type, texture and colour;
- c) Development should be in keeping with the streetscape, roofscape or skyline and should not detract from important views into and out of the area;
- d) Development should retain important landscape features

such as trees, hedges, fences and walls and ensure that open spaces are not adversely affected;

- e) New uses for existing buildings will be encourage where they ensure the retention of existing buildings which make a positive contribution to the areas character or appearance.

Policy HT8 on the Control of Demolition in Conservation Areas states that new buildings should positively contribute to the character/appearance of the Area.

### **Planning History**

Planning permission for the dwelling was granted in 1961. Planning permission for the attached flat roofed garage was also granted in 1961.

### **Consultees Responses**

Croston Parish Council have made the following comments:

- The proposed building is out of character with the surrounding properties (including 32 Grape Lane which is believed to be one of the oldest properties in the village) and, as such, will have a detrimental visual impact on the street scene.
- It does not enhance the Conservation Area and is of a design which may be found on numerous new housing developments throughout the country.

The Lancashire County Council Highways Engineer has advised that there are no objections to this application. The widened entrance would require the extension of the existing vehicular footway crossing. An appropriate condition and informative are suggested.

The Environment Agency standing advice recommends that in Flood Zone 3, this type of development requires a flood risk assessment to be carried out. The applicant has confirmed that the ground floor level of the proposed replacement dwelling will be exactly the same as that of the existing dwelling. This has been forwarded to the Environment Agency and detailed comments are awaited.

The Economic Regeneration and Conservation Officer has made the following observations:

- Croftland (no. 34) is a relatively modern building of undistinguished design and suburban style and layout. It contributes little or nothing to the quality of the conservation area, so demolition, per se, would not be contentious in my view;
- The critical issue from a conservation standpoint is the impact of the replacement dwelling on the conservation area and on the setting of listed buildings in the same street scene (the closest is no. 35 – Grade II listed, cruck framed and thatched roof cottage);
- Development along Grape Lane is noticeably more varied in character than in some other parts of the village. Clusters of properties of different ages are variously sited in relation to the road. The groups of buildings, the open spaces around and between them and clusters of mature trees are all important features of the street scene, as is

the informal relationship between them;

- Due to its scale and design the proposed building would feature prominently within the street scene and must take substantial references from this context if it is not to appear unduly urban and out of place;
- The detached garage and workshop would stand well forward of the new dwelling, to create a space (a cobbled yard) enclosed on two sides by the house and garage with a wall linking them. In principle this type of arrangement could be considered sympathetic to the context.

The Conservation Officer then goes on to suggested a number of possible amendments to the siting and detailed design and conditions that could be attached. Following receipt of amended drawings the Conservation Officer has expressed satisfaction with the design and siting of the proposed dwelling, although expresses some concern over the elaborate nature of the rear elevation.

### **Third Party Representations**

Twelve letters from neighbouring residents have been received in response to the original set of submitted plans. They make the following comments regarding the proposed replacement dwelling:

- It would detract from the character of the neighbouring historic buildings and the Conservation Area and does not make a positive contribution to the Conservation Area;
- It would overshadow and cause loss of light to adjacent properties;
- It would not contribute to the character of Grape Lane and the design is not in keeping with the surrounding properties;
- To describe the proposed replacement as being in the style of a farmhouse is inaccurate. There has also never been a farmhouse near this site on Grape Lane;
- The size is disproportionate to the site and its immediate environment. The scale, appearance and design would dominate the area;
- It would look out of place in this area (it looks like and 'executive' style home from a new estate). The design is too formal and modern;
- What materials will be used?
- The construction of the garage may necessitate the cutting back/eventual loss of the boundary hedge;
- Bringing the garage forward would obscure the view when exiting the site and No. 32 and reduce visibility to road users on the bend, harming highway safety;
- The siting is not in keeping with adjacent properties (being further towards Grape Lane than the existing bungalows);
- What will the workshop be used for? Will it be used for business purposes?
- To argue that the existing bungalow does not have any architectural or historical merit is incorrect. The application should be judged on its own merits. Replacing one unremarkable property with another is not real progress;
- The Architect's comments, particularly regarding No. 36 are inaccurate and incorrect;
- There would be disruption caused during the demolition and construction works.

**Applicant's Case** The applicant has submitted the following in support of the application:

- The existing bungalow was constructed in the mid 1960s and does not possess any architectural or historical merit. It neither reflects the character of the mainly older properties in Grape Lane, nor does it enhance the Conservation Area. The only other similar property is the adjacent dwelling, No. 36;
- The style, scale and materials of the existing bungalow do not allow it to provide a sense of place. The building has a ribbon;
- The replacement dwelling is design ed as a small scale 2 storey building with a 'farmhouse' character both in elevational treatment and internal layout;
- Although two storey the reduced ridge and eaves height keep it in scale with similar 'cottage' properties on Grape Lane;
- Proposed the use of reclaimed brickwork and a pantiled roof together with window details all similar to existing older properties on Grape Lane in order to less the impact of the new building and make it more in keeping with the Conservation Area than the existing property.

**Assessment**

The main issues for consideration in determining this application are: impact on the Conservation Area/nearby Listed Buildings; impact on The Green Belt; Neighbour amenity; Highway Safety and Flood Risk.

*Conservation Area/Listed Buildings*

It is considered that the proposed design and appearance of the replacement dwelling is acceptable and appropriate to the locality. The proposed detailing (such as the brick banding details, exposed rafter ends, window design) to the dwelling in particular ensures that the proposed dwelling would be of a high standard of design. It is recommended that conditions should be attached requiring details to be submitted and approved regarding materials, window fixing, eaves details, rainwater goods, boundary treatment and so on. The existing buildings along this part of Grape Lane vary greatly in scale, form, style and design.

The mass, bulk, and height of buildings is considered to be in scale and harmonise with adjoining buildings and the streetscene. The adjacent property to the north west (No. 32 – Yarrow Place) is a two storey dwelling as are properties to the east. The adjacent property to the south east (No. 36 – Lawnswood) is a bungalow. Further to the north and south properties on Grape Lane are largely two storey, although with considerable variation in height, scale, form and design. Many are located much closer to the road than the existing bungalow. The conservation officer recommended that the siting of the dwelling be amended so that the front elevation was forward of the front elevation of the existing bungalow, as this was felt to be a more sympathetic building line than as existing and also that the dwelling be positioned slightly further to the south than originally proposed in order to give a larger gap between the proposed replacement dwelling and the detached garage. This helps to reduce the scale of building across the site, as viewed from Grape Lane.

The Conservation Officer has expressed some concerns about the massing and complexity of the rear elevation, especially the cat slide roof, which would be visible from the public footpath that runs across the land to the rear. The applicant was asked to give consideration to altering this aspect of the design, but has declined to do so as it would not provide the desired internal layout and considers that there are other such built forms in the locality. The detailing to the front of the dwelling has also been added to the rear. Although some simplification of the rear elevation would reduce the prominence of the building as viewed from the west, it is considered by myself, and the Conservation Officer that this is not sufficient reason to refuse the application and does not conflict with the aims of policy HT7.

It is my opinion, and that of the Conservation Officer, that the existing bungalow on the site has a neutral impact on the Conservation Area. The views of the local residents and the Parish Council are noted, however in view of the fact that the Conservation Officer is satisfied with the proposal, it is considered that the proposal is of a standard that would preserve and enhance the character of Croston Conservation Area.

#### *Green Belt*

The overall bulk and scale of building on the site will undoubtedly be increased by the proposed replacement dwelling. The existing bungalow on the site has an eaves height of 2.6m and a ridge height of 6.1m, whereas the proposed replacement dwelling (being a two storey house) would have an eaves height of 4.4m and a ridge height of 7m. Particularly as the replacement dwelling would be a two storey house, the replacement dwelling could be perceived as being substantially larger than the existing bungalow. However, the actual overall increase in volume of replacement dwelling (not including the proposed detached garage/workroom) as compared to the existing bungalow (including the attached garage) would be approximately 34%. The increase in volume compared to the bungalow as originally built would be approximately 54%. The floor area to be occupied by the replacement dwelling (not including the proposed garage/workroom) is also similar to that of the existing bungalow, albeit on a slightly different footprint. The proposed detached garage/work room would occupy a previously open area between the application property and the adjacent property (No. 32).

The proposed volume increase is within the limits normally considered to be acceptable for the extension and replacement of dwellings in the Green Belt and I consider that the proposed replacement dwelling would not have a materially greater impact upon the Green Belt than the existing dwelling.

A public footpath runs along land to the rear of the application site, and views of the proposed dwelling will be afforded from this footpath. I do not consider that the replacement dwelling would cause harm to the open and rural character of the Green Belt nor detract from the openness of the Green Belt in this particular location, as it would be viewed within the context of an existing line of development. Also, the bulk and scale of the replacement dwelling is not considered to be materially larger than the existing dwelling.

*Neighbour Amenity*

Two ground floor windows and a door are proposed in the north west facing side elevation, to a W.C. and a utility room. A bedroom window is proposed in the first floor elevation. At present there is a hedge, approximately 4m in height along the boundary with the adjacent property - No. 32, which extends from the front boundary, as far back as the rear of the existing bungalow. Beyond this there are a number of mature trees along the boundary and within the garden area of No. 32. There is a first floor bedroom window in the facing elevation of No. 32. At the ground floor there is a garage.

Although the existing hedge would provide a significant degree of screening between the two properties, should it be removed I do not consider that the introduction of two ground floor windows to non-habitable rooms would cause any undue loss of privacy or overlooking to the occupants of No. 32, particularly as the area overlooked is the driveway to No. 32. The applicant has indicated that this hedge would be retained, however the proposed garage would be located in close proximity to this hedge.

The proposed first floor window of the replacement dwelling would be 10m from the boundary with No. 32, this complies with the Council's Guidelines. There would be a distance of 19 m between the two windows. The Council's Guidelines suggest that this distance should be 21m. However, due to No. 32 being set much closer to Grape Lane than the application property (approximately 6.5m closer), the windows would not directly overlook each other. I do not consider that this is sufficient reason to refuse the application.

One set of patio doors (to a kitchen/dining area) are proposed at ground floor level on the south east facing elevation. No windows are proposed at first floor level. These would be 7m from the boundary with No. 36. There are two windows in the facing side elevation of No. 36, these are secondary windows to a lounge and kitchen. There is an existing fence along the boundary that varies in height from 1.75m to 1m. At present the existing bungalow on the application site has secondary windows to a lounge and kitchen that overlook No. 36. These are 3m and 2m from the boundary respectively. It is not considered that changes to this elevation would cause any undue loss of privacy for the occupants of No. 36.

The proposed replacement dwelling would have a number of first floor windows to habitable rooms on the rear elevation. The plans have been amended to remove a proposed rear balcony. This would inevitably introduce an element of overlooking to the garden for the occupants of No. 36 that does not presently exist from the north west. The garden of No. 36 is presently overlooked from the south by the dormer windows to the rear of No. 38 Grape Lane.

With regard to any potential overbearing impact that may be experienced by the occupants of adjacent properties It is considered that for the occupants of no. 32 this is mitigated by the distance between the proposed replacement dwelling and the boundary with No. 32. As the side facing windows at No. 36 are secondary windows and the rear elevation of the proposed replacement dwelling would not extend any further to the rear than the rear elevation of No. 36 it is not considered that the impact of

the replacement dwelling would be so severe as to warrant refusal of the proposals. As the replacement dwelling would be to the north west of No. 36, the level of overshadowing would be minimal.

In view of some of the comments received it is recommended that a condition be attached restricting the use of the garage and workroom only to purposes incidental to the enjoyment of the dwellinghouse and also a condition requiring details of boundary treatments to clarify what is being retained and what is being replaced.

#### *Highway Safety*

In view of the comments from the County Council Highways Engineer, it is not considered that the proposal would cause undue harm to highway safety.

#### *Flood Risk*

Comments are still awaited from the Environment Agency regarding issues of flood risk.

**Conclusion** Subject to no objections being received from the Environment Agency the proposal is recommended for approval.

**Recommendation: Permit**

#### **Conditions**

1. The approved plans are:

Plan Ref.	Received On:	Title:
2473-05-01	16 May 2005	Existing Plans
	16 May 2005	Location Plan
2473-05-20	27 July 2005	Proposed Street Scene
2473-05-02F	22 August 2005	Proposed Elevations

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

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

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

3. The development hereby permitted shall not commence until full details of the colour, form and texture of all 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, DC8A, HT3, HT7 and HS4 of the Adopted Chorley Borough Local Plan Review.*

4. Before the development commences, full details of the treatment of all the proposed windows and doors shall have been submitted to and been approved in writing by the Local Planning Authority. The submitted details shall include the proposed method of

construction, the materials to be used, fixing details (including cross sections) and their external finish including any surrounds, cills or lintels.

*Reason : In the interests of the character and appearance of the building and in accordance with Policy No. HT7 of the Adopted Chorley Borough Local Plan Review.*

5. Before the development commences, full details of the proposed rainwater goods, including the eaves detail, to be used on the building shall have been submitted to and been approved in writing by the Local Planning Authority.

*Reason : In the interests of the character and appearance of the building and in accordance with Policy No. HT7 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 HT7 of the Adopted Chorley Borough Local Plan Review.*

7. The existing vehicular access shall be widened in accordance with the Lancashire County Council specification for the Construction of Estate Roads, prior to the occupation of the approved dwelling.

*Reason: To maintain the proper construction of the highway and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.*

8. The garage and workroom hereby permitted shall only be used for purposes incidental to the enjoyment of the dwellinghouse, including the parking of cars. The garage and workroom shall not be used for any trade or business purposes.

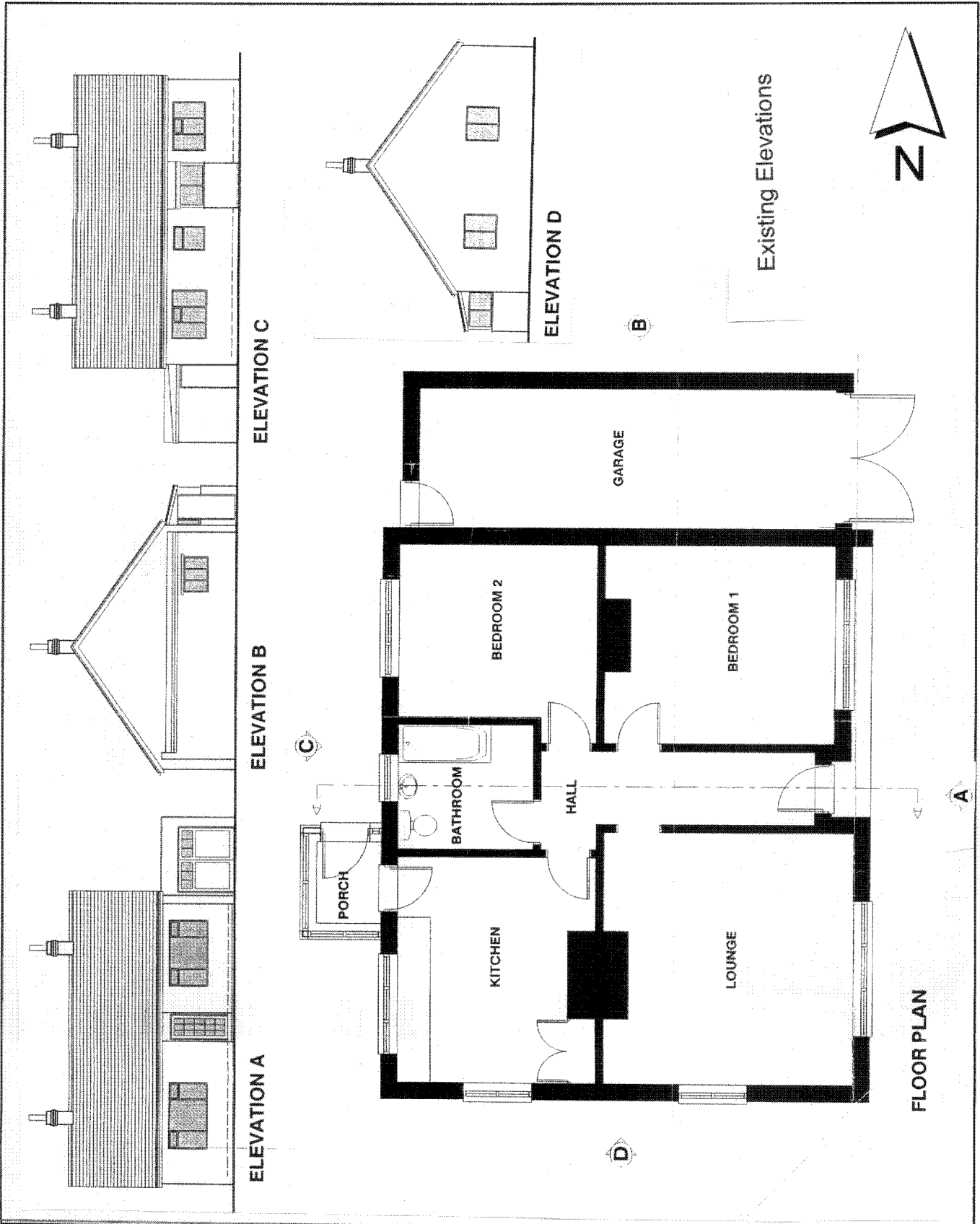
*Reason: In order to safeguard the residential amenity and character of the area and in accordance with Policy Nos. DC8A and HS4 of the Adopted Chorley Borough Local Plan Review.*

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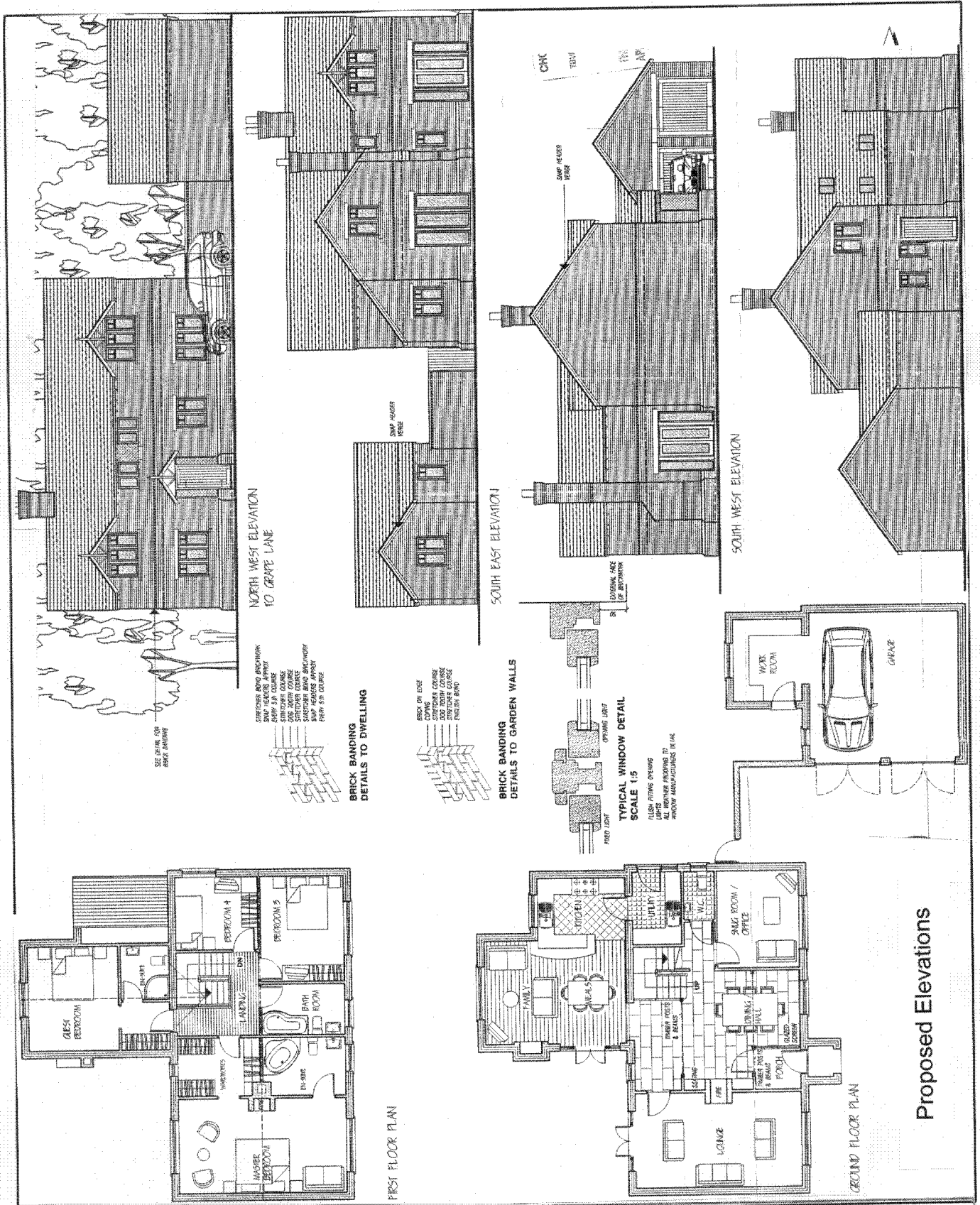


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<p>Application No.                  05/00569/FUL</p>	<p>Grid Ref:                  E: 349241                  N: 418253</p>	<p>Scale:</p>	<p>Agenda Item No.                  B. 3</p>

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Proposed Elevations

Alan D Croston BA (Hons) MRTPI MCM1  
 Head of Planning Services  
 Chorley Borough Council

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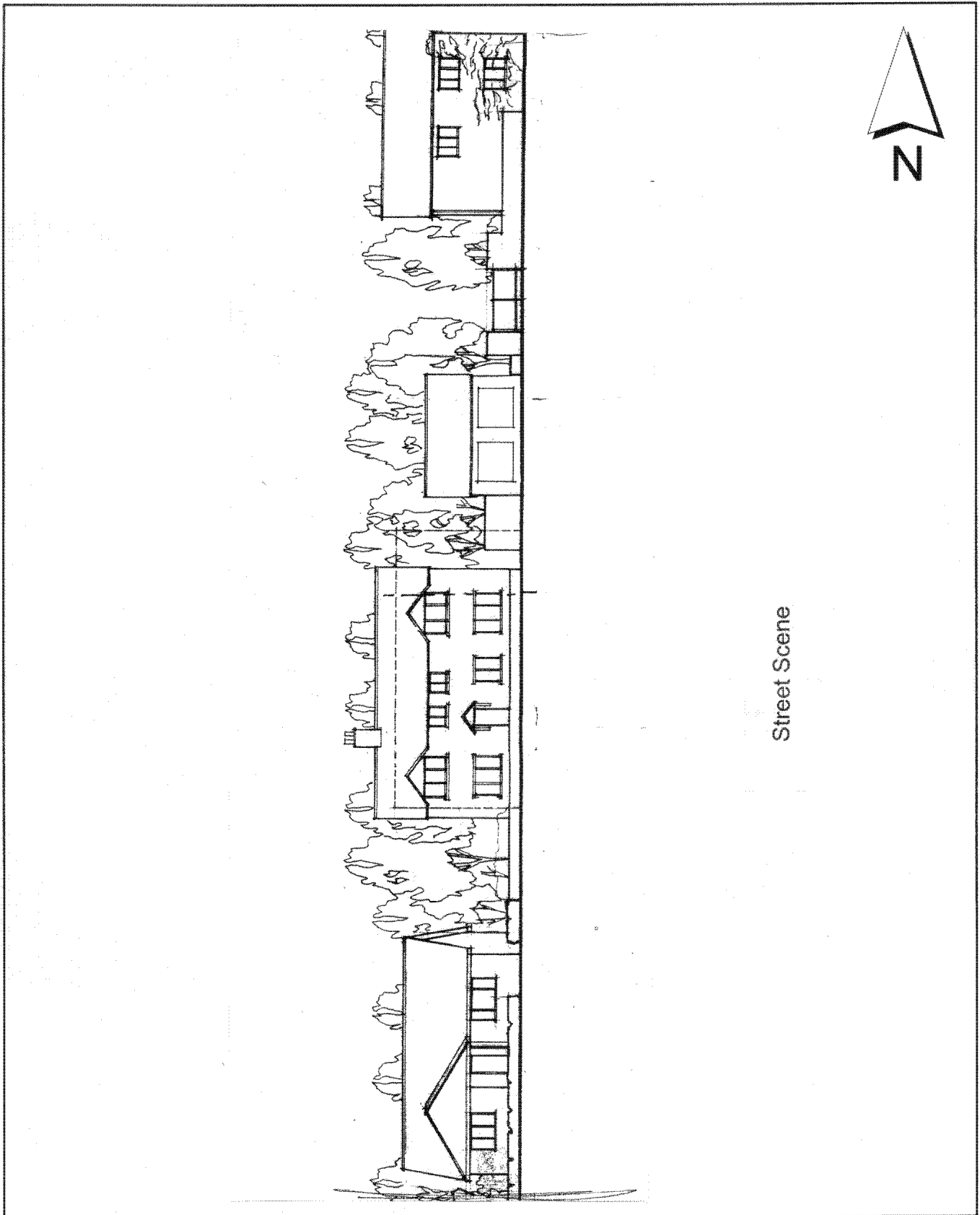
Agenda Item No.  
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Application No. <b>05/00569/FUL</b>	Grid Ref: E: 349241 N: 418253	Scale:	Agenda Item No. <b>B. 3</b>

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<b>Item B. 4</b>	<b>05/00738/COU</b>	<b>Permit</b>
<b>Case Officer</b>	<b>Mr David Stirzaker</b>	
<b>Ward</b>	<b>Clayton-le-Woods West And Cuerden</b>	
<b>Proposal</b>	<b>Change of use of dwelling house to offices to be used for financial advice business (Use Class B1),</b>	
<b>Location</b>	<b>5 Cyclamen Close Clayton-Le-Woods Lancashire PR25 5LW</b>	
<b>Applicant</b>	<b>Mr M W Halstead</b>	

**Proposal** This application proposes the change of use of a modern detached residential property to offices within Use Class B1. The offices are to be used as an administrative base in connection with the applicants independent financial advice business. The property is no. 5 Cyclamen Close which is located within the settlement of Clayton Le Woods to the north of the main Chorley settlement.

The change of use relates to all of the property. The applicant is currently in negotiations to purchase the property and lives next door at no. 4 Cyclamen Close.

**Applicants Case** The applicant has provided the following information in relation to the application: -

- The property will be used as offices without any alterations to the exterior or the internal layout of the property to ensure its resale potential
- The offices being located in the three first floor bedrooms with the ground floor being set out as per a residential property
- Four staff will be employed in the offices (including the applicant) which is to be an administrative base for the applicants independent financial advice business
- Staff vehicles will be parked on the drive at the side of the property which is capable of accommodating three vehicles
- The hours of operation will be 8:00am until 6:00pm Monday to Friday
- No changes will be made to the garden area and the garage will be utilised for the storage of a small amount of garden equipment and tools required to maintain the premises
- The applicant estimates that members of the public will only visit the offices once every three months or four times per year

**Planning Policy** GN1: Settlement Policy – Main Settlements  
EM7: Employment Development in Residential Areas  
New small scale employment development (Use Classes B1, B2, B8, A2), except in the areas of Chorley town centre covered by Policy HS22 will be permitted in areas where housing is the principle land use provided there would be no detriment to the amenity of the area in terms of noise, nuisance, disturbance, environment and car parking.

TR4: Highway Development Control Criteria  
 TR8: Parking Provision Levels

**Planning History** There is no recent planning history relating to the application property.

**Representations** One letter of objection and one letter expressing strong concerns about the application has been received, the contents of which can be summarised as follows:

- Cyclamen Close is a small residential close and the use of no. 5 as offices would undermine the character of the area if there were to be an increase in the number of vehicles entering and leaving the close on a regular basis
- Any additional traffic would affect residents privacy, as would the added noise and disturbance
- Parking on Cyclamen Close is already at a premium and the design of the area is not such that a business could be successfully accommodated without affecting the life of others nearby and the safety of young children living here
- The proposal may lead to more people trying to park on Cyclamen Close
- The property is leasehold and it is not apparent that the applicant has sought permission for the change of use of the property

Two further letters express reservations although they do not raise objections to the application; one letter states that if the following points are required via conditions, the application is supported:

- No visible alterations to the outside façade in the form of signage etc
- Property to be maintained in line with adjacent dwellings including gardens
- No parking of vehicles other than on the driveway
- No business related visitors to be accommodated

The second letter is not against the application but asks that the following be taken into account when the application is considered:

- The potential increase in traffic in what is currently a quite cul-de-sac
- The loss of privacy arising from any visiting customers
- The visible impact as a result of signage or advertisement

**Consultations** Clayton Le Woods Parish Council has made no comment on the application.

The Head of Public Space Services (Engineering & Transportation) has raised no objections to the application.

The Head of Environmental Services has made no comments on the application.

**Assessment** In terms of the impact of the use of the property as offices on the character and appearance of the streetscene and the residential character of the area, the applicant has confirmed that no changes will be undertaken to the exterior or interior of the property and it will be afforded the appearance of a normal residential property.

This will be ensured through the recommended conditions. The garden area is also to be retained as such and this being the case, it is not considered that the proposal would result in a noticeable change to the underlying residential character of Cyclamen Close.

In terms of residential amenity, the hours of use of the premises is to be restricted to between 8:00am and 6:00pm weekdays only via an appropriate condition. The noise and disturbance from the use of the property is considered to be minimal and by virtue of its low key nature it is not considered to be likely to impact on the amenities of adjacent residents. The business will not be open to members of the public calling on spec. On this aspect of the proposal, the Head of Environmental Services had no comment to make.

The staff employed at the premises will be able to park their vehicles on the driveway at the side of the property, which measures 17m from the garage door to the back of the footpath and is therefore capable of accommodating three vehicles which is an acceptable level of parking provision providing one space per employee as the applicant is one of the four staff that will work in the offices. The noise and disturbance resulting from the staff vehicles arriving and leaving the premises would be minimal and it is not unreasonable to compare this to that created by a typical household with several vehicles in its ownership. It should also be noted that no objections have been made on traffic and parking grounds by the Head of Public Space Services. Notwithstanding this, the recommended conditions will impose a limit on the number of staff employed at the premises, which will tie in with the restricted hours of use.

**Conclusion** On the basis of the above, it is considered that the proposal meets with the objectives of Policy Nos. GN1, TR4, TR8 and particularly the specific criteria set out in Policy No. EM7. It is therefore recommended that planning permission be granted subject to the following conditions.

**Recommendation: Permit**

### Conditions

1. The premises shall be used as offices in connection with a financial advice business and for no other purpose (including any other purpose in Part B Class B1 to the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

*Reason: To protect the amenities of local residents and in accordance with Policy Nos. EP7 and EM2 of the Adopted Chorley Borough Local Plan Review.*

2. The use hereby permitted shall be restricted to the hours between 8:00am and 6:00pm on weekdays only.

*Reason: To safeguard the amenities of local residents and in accordance with Policy No. EM7 of the Adopted Chorley Borough Local Plan Review.*

3. No more than four staff shall be employed in the offices at any one time and staff vehicles shall only be parked on the driveway of the premises.

*Reason: To protect the amenities of the adjacent residents and the residential character of the area and in accordance with Policy No. EM7 of the Adopted Chorley Borough Local Plan Review.*

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<b>Item B. 5</b>	<b>05/00800/FUL</b>	<b>Permit</b>
<b>Case Officer</b>	<b>Mrs Helen Lowe</b>	
<b>Ward</b>	<b>Heath Charnock And Rivington</b>	
<b>Proposal</b>	<b>Resiting of proposed dwelling,</b>	
<b>Location</b>	<b>97 Rawlinson Lane Heath Charnock Lancashire PR7 4DE</b>	
<b>Applicant</b>	<b>Mr And Mrs Kirkman</b>	

<b>Background</b>	Members will recall that an application for a replacement dwelling at this address was reported to the Development Control Committee in July. It has since transpired that the site plan submitted was incorrect. The design and size of the replacement dwelling is unaltered from the previous application, however the siting of the dwelling has changed. A site survey has been carried out to ensure that the new site plan accurately reflects the site.
<b>Planning Policy</b>	<p>The application site is located within the Green Belt, as defined by Policy DC1 of the Adopted Chorley Borough Local Plan Review. Policies HS4 (Design and Layout of Residential Developments), GN5 (Building Design and Retaining Existing Landscape Features and Natural Habitats) and DC8A (Replacement Dwellings and Extensions in the Green Belt) are all applicable.</p> <p>The Council's House Extension Design Guidelines are also relevant, as is Planning Policy Guidance Note 2 'Green Belts'. PPG2 states that the replacement of existing dwellings in the Green Belt need not be inappropriate, provided that the new dwelling is not materially larger than the dwelling it replaces.</p>
<b>Planning History</b>	Application 9/05/00354/FUL for a replacement dwelling was approved in July of this year. The existing property on the site has been unaltered since it was built.
<b>Consultees Responses</b>	Heath Charnock Parish Council make no objection to this current application. The dwelling is now to be located where it was previously expected to go.
<b>Third Party Representations</b>	None received.
<b>Applicant's Case</b>	The applicant provides the following in support of the application: The implementation of the previous permission would result in the loss of two mature trees adjacent to the boundary with no. 95 Rawlinson lane. Whilst the resubmission proposes that the replacement would be further from these trees, it would be closer to no. 99 Rawlinson Lane. However, it would be no closer to no. 99 Rawlinson Lane than the existing dwelling. Therefore the amenities of the neighbouring resident would continue to be safeguarded.
<b>Assessment</b>	As the principle of a replacement dwelling of this design has been established by the approval of 05/00354/FUL and the only

difference between the two applications is the location of the proposed dwelling, this is the only matter to be addressed in the report. A copy of the previous report is attached for Member's information (see below).

The main issue of concern is the impact that this alteration would have on the amenities of adjacent residents.

It was stated in the previous report that there would be a distance of 11m between the north facing elevation of the proposed replacement dwelling and the adjacent property (no. 99 Rawlinson Lane). The amended site plan shows the replacement dwelling as being 8 m from no. 99 Rawlinson Lane. The north facing side and east (front) elevations of the replacement dwelling will be in line with the existing north and east elevations of the property. The replacement dwelling would therefore be no closer to no. 99 Rawlinson Lane than the existing dwelling. The replacement dwelling is larger than the existing dwelling and would extend a further 2.5m to the rear than at present. The eaves and ridge height of the proposed replacement dwelling are also higher than those of the existing dwelling. It is not considered, however that this increase in bulk and scale would be unduly detrimental to the occupants of no. 99 Rawlinson Lane, particularly as the bulkiest part of the replacement dwelling would be adjacent to the garage to rear of no. 99.

Two ground floor windows are proposed in the north facing elevation, to a study and family room. No windows are proposed in the first floor elevation. There is a 1.9m high fence along the boundary with no. 99 Rawlinson Lane. It is considered that this screening is sufficient in order to prevent any undue loss of privacy or increase in overlooking to neighbouring residents.

The current application shows that the distance between the south facing elevation of the replacement dwelling and the boundary with no. 95 Rawlinson Lane would be approximately 5m. This would bring the replacement dwelling approximately 4m closer to no. 95 than the existing dwelling. The previous plans showed that the replacement dwelling would be 3m from the boundary and 6m closer than at present (it was incorrectly reported previously that the south facing elevation would be 4m closer).

It would appear that some of the confusion has arisen due to the previous inaccuracies and variations in the site plans that were submitted (several revisions were made). It is considered that the new site plan more accurately reflects the existing site and that the impact upon no. 95 is acceptable.

**Conclusion**                      The proposal is recommended for approval.

**Copy of report to Committee 26 July 2005 for Application No 05/00354/FUL**

**Proposal**                              *This application proposes the erection of a replacement dwelling located on Rawlinson Lane, Heath Charnock.*

**Planning Policy**                      *The application site is located within the Green Belt, as defined by Policy DC1 of the Adopted Chorley Borough Local Plan Review. The Council's House Extension Design Guidelines are also relevant, as is Planning Policy Guidance Note 2 'Green Belts'. PPG2 states that the replacement of existing dwellings in the*

*Green Belt need not be inappropriate, provided that the new dwelling is not materially larger than the dwelling it replaces.*

**Planning History**

*No relevant history, the property has been unaltered since it was built. Permission for the dwelling was granted in 1958 (ref. 5/5/2107).*

**Consultees Responses**

*In response to the final set of amended plans received, the Parish Council commented that there was no objection to the proposals, provided that the footprint is the same as the existing.*

*As the footprint of the proposed dwelling would differ from that of the existing dwelling, this must therefore be considered to be an objection.*

*Environmental Services: risk of landfill gas migration is considered to be low.*

**Third Party Representations**

*One letter has been received from the occupants of an adjacent property stating that if the criteria in determining whether the application is appropriate in terms of scale and suitability are met, then they raise no objection.*

**Assessment**

*Following negotiations with the applicant the proposals have been amended to include a reduction in width of the proposed replacement dwelling from 15.1m to 14.1m and removal of the front gable, so that the dwelling would appear as a dormer bungalow from the front. The applicant was also asked to consider removing/reducing the size of the middle dormer on the front elevation, but they were reluctant to do this.*

*The main issues to consider in determining this application are impact on the Green Belt, design and appearance and neighbour amenity.*

**Green Belt**

*The proposed replacement dwelling would result in the replacement dwelling having a volume approximately 53% greater than that of the existing dwelling. The ridge height of the proposed replacement dwelling is just 0.3 m higher than that of the existing dwelling. The width of the dwelling would increase from 10.3m to 14.1m.*

*The result of the amendments sought is to reduce the visual impact of the proposed dwelling and I consider that the proposed replacement dwelling would not have a materially greater impact upon the Green Belt than the existing dwelling.*

*The design and appearance of the replacement dwelling (as a dormer bungalow) is such that it would not appear substantially larger than the existing dwelling, nor do I consider that it would cause harm to the open and rural character of the Green Belt in this particular location, being located in a ribbon of development.*

**Neighbour amenity**

*Two ground floor windows are proposed in the north facing elevation, to a study and family room. No windows are proposed in the first floor elevation. There is a 1.9m high fence along the*

*boundary with the property to the north (no. 99 Rawlinson Lane) that extends the full length of the side elevation of no. 99. There are a number of ground floor windows to habitable rooms in the south facing elevation of no. 99. There would be a distance of approximately 11m between the side elevation of no. 99 and no. 97*

*It is considered that there is sufficient screening and distance along the boundary between the application property and the adjacent properties to prevent any undue loss of privacy or increase in overlooking to neighbouring residents.*

*With regard to the potential overbearing impact that the proposal may have on the occupants of no. 95 Rawlinson Lane, particularly from within the garden area, the south facing side elevation would be approximately 4m closer to the boundary than the existing dwelling.*

*The ridge height of the proposed dwelling is 6.9m, the eaves to the front 2.8m, 3.3 m to the rear dormer and 4.5 m to the eaves of the rear gable. The ridge height of the existing dwelling is 6.6m, the ridge 2.3m.*

*Although the replacement dwelling would have some increased impact upon the garden area of no. 95 than that caused by the existing dwelling, given that the proposed dwelling is directly to the north of no. 95 (minimising the potential for overshadowing, the presence of screening along the boundary and the large gardens, I do not consider that this is sufficient to warrant refusal of the application.*

#### *Design and appearance*

*This part of Rawlinson Lane comprises a mixture of true and dormer bungalows of individual styles and designs. Many have modern additions and alterations. The replacement dwelling would be set back approximately 30m from the road. It is considered that the design and scale of the proposed dwelling is in keeping with the surroundings and would not form an incongruous or unduly prominent feature within the street scene. The existing dwelling is not of any particular merit in design terms.*

**Conclusion**            *The proposal is accordingly recommended for approval.*

**Recommendation: Permit**

#### **Conditions**

1. 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.*

2. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

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

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

4. The development hereby permitted shall 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.*

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**Proposed Site Plan**

Alan D Croston BA (Hons) MRTPI MCMI  
 Head of Planning Services  
 Chorley Borough Council

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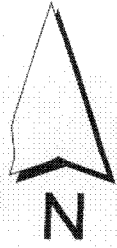
Application No. <b>05/00354/FUL</b>	Grid Ref: E: 359403 N: 414263	Scale: 1:500	Agenda Item No. <b>B. 5</b>
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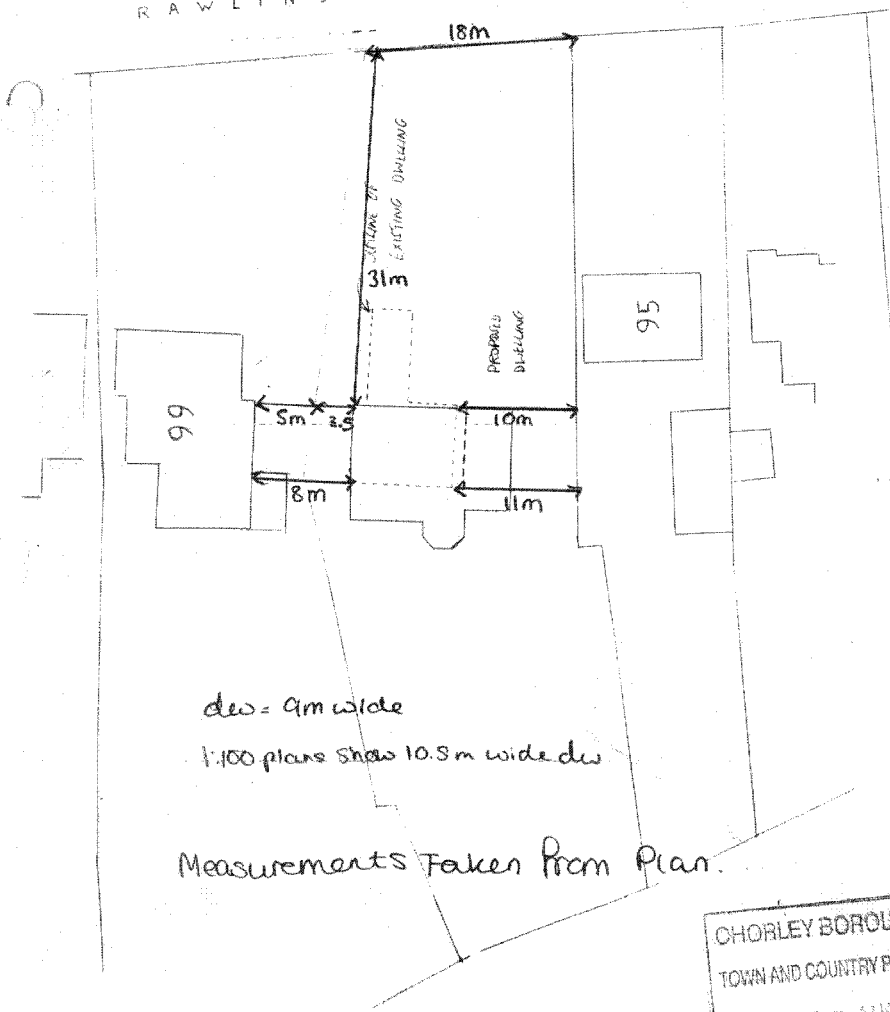
CHORLEY BOROUGH COUNCIL  
 CUSTOMER SERVICES  
 03 AUG 2005



PROPOSED NEW DWELLING  
 97 RAWLINSO N LANE  
 HEATH CHARNOCK.



RAWLINSO N LANE



SITE PLAN (1:500)

des = 9m wide  
 1:100 plans show 10.5m wide des

Measurements Taken From Plan.

CHORLEY BOROUGH COUNCIL  
 TOWN AND COUNTRY PLANNING ACT 1990  
 03 AUG 2005  
 THIS IS THE PLAN REFERRED TO IN  
 APPLICATION No. 05/00800

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<b>Item B. 6</b>	<b>05/00827/FUL</b>	<b>Permit</b>
<b>Case Officer</b>	<b>Miss Caron Taylor</b>	
<b>Ward</b>	<b>Lostock</b>	
<b>Proposal</b>	<b>Demolish existing single storey shop and construct replacement two storey structure with retail on the ground floor and ancillary offices on the 1st floor</b>	
<b>Location</b>	<b>The Cottage Garden 74A Station Road Croston Lancashire PR26 9RN</b>	
<b>Applicant</b>	<b>Mr Jason Hughes</b>	

**Background** This application relates to a single storey vacant greengrocers shop in the village of Croston, outside the conservation area. The shop is on the end of a row of terraced houses. There is a shop and post office at no. 80 at the other end of the terrace.

**Proposal** This proposal seeks to demolish the existing single storey shop and construct a replacement two-storey structure with retail on the ground floor and ancillary offices on the first floor.

**Planning Policy** The property is sited in a Local Shopping Centre in the Adopted Chorley Borough Local Plan Review, therefore it is appropriate to consider the proposals against policy SP6 of the Local Plan. Policy SP6 seeks to retain retail and commercial uses within Local Shopping Centres.

**Planning History** The existing shop is currently vacant but was last used as greengrocers.

**Consultations** The Head of Environmental Services has no objection to the proposals.

LCC Highways have no objection to the proposal.

**Representations** Seven letters of objection have been received from surrounding properties. These letters have been from Nos 66, 68, 72, 74, 81, 83, 85 Station Road.

Their objections are on the grounds of:

- Height of the building, taking away natural light to 66, 72, 83, 81 and 85 Station Road.
- Overlooking and loss of privacy 74, 81 83, and 85 Station Road.
- Highway safety and parking for customers as Station Road is already congested, bearing in mind that adjacent residential properties have no garages.
- The significant increase in bulk and mass of the proposed two storey building over the existing single storey structure.
- Scale of the design.
- That the proposal amount to overdevelopment of a small

plot of land and that only a single storey building is appropriate.

- That the service access to the rear is inadequate.

## Assessment

Policy SP6 seeks to support local shopping centres by refusing proposals other than for retail or commercial use, therefore the proposed A1 use complies with this policy.

The existing shop is attached to the end of a row of terraced properties; there are also terraced properties on the other side of Station Road immediately opposite the site.

The issues pertinent to the consideration of the application, and those raised by the objectors, can broadly be considered under the following headings.

### Design

The current shop on the site is of an unusual design, which does not harmonise well with the other properties in the street scene. The proposals seek to demolish this and replace it with a two-storey structure attached to no. 74 of a design in keeping with the row of traditional terraces. The ground floor of the premises will have a traditional shop front including stall risers, pilasters and cornice. The overall design of the proposals is much more in keeping with the surrounding properties than the current shop.

### Highways

In terms of parking, few properties on Station Road have garages and therefore parking is mainly on-road. However, the existing lawful use of the property is as a shop, and this is therefore a material consideration in deciding the application as this use could be resumed in the existing premises without planning permission being required. In terms of the likely amount of traffic to be generated by the proposal, it is not considered that the proposed shop with an ancillary office (which can only be accessed internally) would result in a significant increase beyond that which could be expected to result from a resumption of the existing lawful A1 use at the site, subject to a condition that the office should remain ancillary to the shop.

### Neighbour Amenity

In terms of neighbour amenity three properties opposite the site on Station Road have objected to the proposals on loss of light and overlooking resulting in a loss of privacy. The proposed ground floor shop will not result in any more overlooking than the current shop. The main issue is the proposed office for the shop at first floor level, which will have two windows in the first floor front elevation facing the terraced properties opposite. There will be approximately 14m between the facing windows at first floor level. It is accepted that this distance is less than that normally sought by the Council, however it would be difficult to justify refusal of the application on these grounds as a similar relationship exists between the existing terraced properties opposite each other on this section of Station Road.

No. 66 Station Road has a ground floor window in its side (south elevation). This property has objected on the grounds that the proposals would overlook this window interfering with the natural light. The distance between the proposals and the window is over 12m. The proposals do not have any windows in the elevation

that will face the side window of no. 66. This therefore complies with the Council's interface guidelines of the distance between a window and a blank wall.

No. 74 is the property that the proposals will be attached to. All windows in the rear of the application property will be obscure glazed so there will be no overlooking to the rear.

The main impact of the proposals will be to no. 72 Station Road, this property is at the end of a row of three that are set back from Station Road. Due to the set back, the front of the properties is roughly in line with the rear of the application property. No. 72 Station Road had a two-storey rear extension permitted in 2001 (application number 01/00671/FUL). This extension although to the rear of the property also extends to the side towards the application property. It has two windows in its front (east) elevation of the extension, the ground floor window serves a kitchen and the first floor window serves a bedroom. The distance between these windows and the rear of the proposals is just over 10m.

The ground floor of the proposals will only have a door and obscure glazed window on the rear so will not result in overlooking to the kitchen of no. 72. At first floor level there are two windows on the rear, one serving a W.C. which it has been confirmed will be obscure glazed, with the other serving an office ancillary to the shop. The issue of overlooking to no. 72 has been raised with the agent and this window has been altered to also be obscure glazed and top opening only. Obscure glazing will be conditioned to ensure that it remains obscured in the future. It is accepted that the proposals will result in some loss of light to the front of this property, however, it is not considered that the impact of this will be so significant as to warrant the refusal of planning permission.

### **Conclusion**

These and the other issues identified by the neighbours are not considered to be so significant so as to warrant the refusal of planning permission. The proposal is therefore recommended for approval as it accords with the policies in the Development Plan and specifically policy SP6 of the Local Plan.

### **Recommendation: Permit**

### **Conditions**

1. All windows in the building's rear (west) elevation shall be fitted with obscure glass in accordance with a scheme to be submitted to and approved by the Local Planning Authority and obscure glazing shall be retained at all times thereafter.

*Reason: In the interests of the privacy of occupiers of neighbouring property and in accordance with Policy Nos. GN5, and HS9 of the Adopted Chorley Borough Local Plan Review.*

2. The development hereby permitted shall be carried out in accordance with the amended plan(s), received on 1<sup>st</sup> September 2005.

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

3. The first floor office hereby permitted shall be occupied and used only in conjunction and ancillary to the ground floor shop and shall not be used as a separate unit.

*Reason: To define the permission and in the interests of the visual amenities and character of the area and in accordance with SP6 of the Adopted Chorley Borough Local Plan Review.*

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without modification), no windows or other openings, unless subsequently agreed in writing by the local planning authority, shall be inserted in the north elevation of the building hereby permitted.

*Reason: To protect the amenities and privacy of the neighbouring properties.*

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# Report

Report of	Meeting	Date
Head of Planning Services	Development Control Committee	27.09.2005

## PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS

Item	Application	Recommendation	Location
D. 1	05/00780/FUL	Permit	Land Diagonally Opposite 22 Viaduct Road Hoghton Lancashire PR5 0SE
D. 2	05/00794/COU	Permit	Shop Unit 12 The Carrington Centre New Mill Street Ecclestone Lancashire

Continued....

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<b>Item D. 1</b>	<b>05/00780/FUL</b>	<b>Permit</b>
<b>Case Officer</b>	<b>Miss Nicola Bisset</b>	
<b>Ward</b>	<b>Brindle And Hoghton</b>	
<b>Proposal</b>	<b>Road level parking spaces with understorage access from lower garden</b>	
<b>Location</b>	<b>Land Diagonally Opposite 22 Viaduct Road Hoghton Lancashire PR5 0SE</b>	
<b>Applicant</b>	<b>Mr J Crook</b>	
<b>Proposal</b>	<p>This application proposes creating parking at road level with underground storage, accessed via the garden.</p> <p>The application site is a plot of land located opposite 14 to 24 Viaduct Road. The properties on Viaduct Road are terraced properties. The site is not within the curtilage of the dwellinghouse and is accessed via a private road. Each of the properties has a similar plot of land opposite their dwellinghouse and the area is located within the Green Belt.</p>	
<b>Planning Policy</b>	DC1- Development in the Green Belt PPG2: Green Belts	
<b>Planning History</b>	No history	
<b>Applicant's Case</b>	<p>The agent has raised the following points:</p> <ul style="list-style-type: none"> <li>• The facility is required as Viaduct Road is a cul de sac and very narrow, the frontages of the properties are also very narrow.</li> <li>• There are some existing areas used for parking at right angles to the road, which have been done due to the restrictive width, safety considerations and the fact that many households now have two vehicles.</li> </ul>	
<b>Representations</b>	<p>Two letters of objection have been received from neighbours raising the following points: -</p> <ul style="list-style-type: none"> <li>• This would be a new construction in the Green Belt and an area of natural landscape, which would contravene the Council's policy.</li> <li>• The appearance would not blend into the area and due to its elevated position would be prominent.</li> <li>• The site is opposite 26 Viaduct Road and the vehicles would cause noise and disturbance to the residents.</li> <li>• A stone structure would be more in keeping with the existing properties and not create an obvious structure.</li> </ul>	
<b>Consultations</b>	LCC Highways: have no objection to the proposal.	
<b>Assessment</b>	The site is located within the Green Belt and incorporates creating	

a road level parking space with storage underneath. The storage area would be accessed via the private garden area.

Within the street scene parking and storage has been created at the neighbouring plots. The immediate plot of land has a sloping driveway at the boundary with the site, a shed below the road level in the garden area and an area of hardstanding at road level. The plot of land opposite number 14 has a hardstanding area at road level and a shed at road level.

When the application was originally submitted the development was proposed to include a dwarf stone wall at road level, with the majority of the structure to have a rendered finish. It was considered that this would create a very prominent feature to the detriment of the visual amenities of the area. The application has been amended and now it is proposed that the whole structure will be constructed out of natural stone. This is considered to be more in keeping with the nearby properties and the area as a whole.

The main consideration is the impact of the proposal on the openness and character of the Green Belt. There are other similar developments within the area and it is considered that in this location the proposal will not detract from the openness of the Green Belt. The proposal incorporates a stone structure, which will be in keeping with the character of the area. The proposal also creates an off street parking area, which decreases the need for on street parking. Therefore it is considered that as the proposal will benefit parking in the area and the impact on the Green Belt in this location will be minimal the proposal is acceptable.

**Recommendation: Permit**

### **Conditions**

1. The development hereby permitted shall be carried out in accordance with the submitted plans, as amended on 31<sup>st</sup> August 2005

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

2. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings (notwithstanding any details shown on the previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy No. DC1 of the Adopted Chorley Borough Local Plan Review.*

3. No waste materials shall be imported onto the site.

*Reason : In the interests of the amenities of local residents and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.*

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<b>Item D. 2</b>	<b>05/00794/COU</b>	<b>Permit</b>
<b>Case Officer</b>	<b>Miss Caron Taylor</b>	
<b>Ward</b>	<b>Eccleston And Mawdesley</b>	
<b>Proposal</b>	<b>Change of use from A1(shop) to A4 (wine bar)</b>	
<b>Location</b>	<b>Shop Unit 12 The Carrington Centre New Mill Street EcclestonLancashire</b>	
<b>Applicant</b>	<b>Mr Adam Boasman</b>	

**Background** This application relates to Unit 12 at the Carrington Centre, Eccleston. This is a local shopping centre within the village inset. The proposals also include an improved entrance for disabled customers incorporating a wider entrance and shallow gradient ramps.

**Policy** The Carrington Centre is allocated as a Local Shopping Centre in the Adopted Chorley Borough Local Plan Review, therefore it is appropriate to consider the proposals against policy SP6 of the Local Plan. Policy SP6 seeks to retain retail and commercial uses within Local Shopping Centres.

**Planning History** Unit 12 was last used as a hairdressing establishment.

**Consultations** Chorley Community Safety Partnership have asked for a number of points to be considered as to the thickness of the glass in the windows, lighting and an alarm system. Although these points are not something to be controlled by planning condition, an informative note will be placed on any permission.

The Head of Environmental Services has no grounds for objection to the application (see assessment regarding opening hours).

Planning Policy has no objections to the proposals.

**Representations** Eccleston Parish Council has no objection in principle to the change of use however, should planning permission be granted for the proposal, they have requested that a condition be imposed to prevent the use of outside tables on the pedestrian walkway area.

Two letters of objection and two letters of support have been received from members of the public.

One objection states that there is already a restaurant, a number of public houses in Eccleston as well as Park Hall nearby. They feel another alcoholic outlet will only add to the noise of late night revelers they already have to put up with.

Another resident has objected as they are concerned about the noise and disturbance such a venue would generate in terms of both traffic and revelers, particularly if drinking were allowed outside the premises. They are also concerned about the problem of disturbance caused by any music played at the premises. They believe that the village has enough drinking venues within the area

as there are 3 pubs, a restaurant and the Institute on The Green/Towngate. In addition they state that there are currently problems with youths congregating on the Carrington Centre and the addition of a venue providing a drinks facility is unlikely to reduce this. The Carrington Centre does not operate 24-hour security cover (it currently ends at 10pm) leaving no facility to control revelers leaving the venue later than 10pm.

One of the letters written in support of the application is from a resident of New Mill Street that leads into the Carrington Centre. They welcome the proposed siting of a security camera as it would deter some of the unruly behaviour, as there has been trouble in the last few years at the Centre. The second letter of support states that they think it is exactly what the village needs. They state they have known the applicant for a number of years and feel he is a suitable person to run a wine bar.

### **Assessment**

Policy SP6 seeks to support local shopping centres by refusing proposals other than for retail or commercial use, therefore the proposed A4 use complies with this policy.

In terms of parking the Carrington Centre has its own car park. In terms of the likely amount of traffic to be generated by the proposal it is not considered that the use would result in a significant increase beyond that which could be expected to result from a resumption of an A1 use at the site. In addition, it is likely to be used when other units on the site have closed. The site is located in an accessible location, close to a bus route that runs along The Green. As the unit is set within the site of the Carrington Centre it will not result in on-road parking.

Although Unit 12 is on the Carrington Centre there is a row of properties on New Street that leads into the site. The nearest of these properties is approximately 30m from Unit 12. The rear gardens of properties on Drapers Avenue also back onto the Carrington Centre car park. There are approximately 8.5m between the application Unit and the garden boundaries of these properties and approximately 47m to the actual dwellings, however there is mature vegetation over 3m in height on the boundary with the properties on Draper Avenue as well as open metal railings. Due to the residential properties close to Unit 12 it is however, considered that there is a need to restrict the hours of operation of the premises to protect the amenities of nearby residents.

The applicants state that their venue is small and unique. The wine bar will be up-market and expect a mature and older clientele and therefore do not envisage any excessive noise or their transport and the wine bar will not be selling draught beers or alcopops. They state that they are equally concerned that they run a quiet and respectable establishment but also a profitable and constructive business and they require more flexibility in the opening hours to enable them to offer their customers the highest quality of dining with fine wines, without the restriction of an earlier closure. The applicant has stated that they would therefore wish any restriction in opening hours to allow them to open until 01.00 Monday to Saturday and until 22.00 on Sundays.

The proposed Sunday hours are considered acceptable, however, given the residential properties nearby 01.00 hours seems excessive as customers would need to pass the properties on New

Mill Street and so some level noise and disturbance is inevitable. Therefore it is opening hours until 24.00midnight is recommended.

Environmental Services have been consulted on the issue of opening hours in terms of noise and disturbance to surrounding properties. They state that if problems arise due to the opening hours being up until midnight, (for which a license will also be required), under the Licensing Act 2003 there is an appeal mechanism which can be triggered by members of the public, the local authority or the police authority, where the conditions of the license (including hours of opening) can be reviewed. Provision is made for complete revocation where circumstances require it. Therefore, there is a procedure in place if the opening hours do cause problems for neighbouring properties.

Therefore it is considered that a restriction in opening hours between 08.00 to 24.00 Monday to Saturday and 10.00am to 10.00pm on Sundays should be imposed upon any permission granted.

The proposal is therefore considered to accord with the aims of the policy SP6 of the Local Plan and approval of the application is recommended.

**Recommendation: Permit**

#### **Conditions**

1. The use hereby permitted shall only operate between 08:00 (8.00am) and 00:00 (midnight) on Mondays to Saturdays, and between 10:00 (10.00am) and 22:00 (10.00pm) on Sundays or Bank or other National Public Holidays.

*Reason: In the interests of the amenity of the area and adjoining and nearby residential properties and in accordance with policy GN5 and SP6 of the Chorley Borough Local Plan Review 2003.*

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Report of	Meeting	Date
Head of Planning Services	Development Control Committee	27.09.2005

### LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

Between 18 August 2005 and 14 September 2005

**Plan Ref** 05/00347/COU      **Date Received** 31.03.2005      **Decision** Permit  
**Ward:** Lostock      **Date Decided** 30.08.2005

**Proposal :** Change of use from residential care home to dwelling (no external or internal alterations)

**Location :** Gradwells Farm Southport Road Ulnes Walton Leyland Lancashire

**Applicant:** Mr And Mrs Aujla C/O Hughes Treacher

**Plan Ref** 05/00396/FUL      **Date Received** 14.04.2005      **Decision** Permit  
**Ward:** Euxton South      **Date Decided** 30.08.2005

**Proposal :** First floor sfront and side extension, two storey rear extension with balconette, alterations to front porch and conversion of part of garage to utility room,

**Location :** 40 Fieldside Avenue Euxton Chorley Lancashire PR7 6JF

**Applicant:** Mr & Mrs Price 40 Fieldside Avenue Euxton Chorley Lancashire PR7 6JF

**Plan Ref** 05/00515/FUL      **Date Received** 17.05.2005      **Decision** Permit  
**Ward:** Chisnall      **Date Decided** 25.08.2005

**Proposal :** Two storey rear extension

**Location :** Barmskin Hall Farm Barmskin Lane Heskin Lancashire PR7 5PT

**Applicant:** Mr And Mrs R Johnson Barmskin Hall Farm Barmskin Lane Heskin Lancashire

**Plan Ref** 05/00517/LBC      **Date Received** 17.05.2005      **Decision** Grant  
**Ward:** Chisnall      **Date Decided** 25.08.2005

**Proposal :** Demolition of single storey and erection of a two storey rear extension

**Location :** Barmskin Hall Farm Barmskin Lane Heskin Lancashire PR7 5PT

**Applicant:** Mr And Mrs R Johnson Barmskin Hall Farm Barmskin Lane Heskin Lancashire

Continued....

**Plan Ref** 05/00590/FUL      **Date Received** 03.06.2005      **Decision** Permit  
**Ward:** Heath Charnock      **Date Decided** 02.09.2005  
And Rivington

**Proposal :** Erection of single storey rear and two storey and single storey side extensions,  
**Location :** 178 Rawlinson Lane Heath Charnock Lancashire PR7 4DJ  
**Applicant:** Mrs O Brownley 178 Rawlinson Lane Heath Charnock Lancashire PR7 4DJ

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**Plan Ref** 05/00592/FUL      **Date Received** 06.06.2005      **Decision** Refuse  
**Ward:** Chorley East      **Date Decided** 02.09.2005

**Proposal :** Erection of detached single garage to side,  
**Location :** 9 Thistle Close Chorley Lancashire PR6 0EZ  
**Applicant:** Mr M B Jennings 9 Thistle Close Chorley Lancashire PR6 0EZ

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**Plan Ref** 05/00623/TPO      **Date Received** 15.06.2005      **Decision** Consent  
**Ward:** Euxton North      **Date Decided** 25.08.2005

**Proposal :** Works to tree branch covered by TPO 1 (Euxton) 1996,  
**Location :** 12 Carnoustie Drive Euxton Chorley Lancashire PR7 6FR  
**Applicant:** Stewart Gower Taylor Woodrow Developments Ltd Taylor Woodrow House The  
Beacons Warrington Road Birchwood Warrington WA3 6XU

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**Plan Ref** 05/00632/ADV      **Date Received** 28.06.2005      **Decision** Consent  
**Ward:** Chorley South      **Date Decided** 19.08.2005  
East

**Proposal :** Retrospective application for the erection of 1 shop sign and 1 projecting sign (both  
internally illuminated),  
**Location :** Unit 10 Market Walk Chorley Lancashire PR7 1DE  
**Applicant:** Mm02 Chester Road Preston Brook Runcorn WA7 3QA

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**Plan Ref** 05/00638/FUL      **Date Received** 17.06.2005      **Decision** Refuse  
**Ward:** Clayton-le-Woods      **Date Decided** 23.08.2005  
North

**Proposal :** Erection of first floor side extension and porch to front,  
**Location :** 79 Maypark Clayton-Le-Woods Bamber Bridge Lancashire PR5 8JE  
**Applicant:** Mr P Tonks 79 Maypark Clayton-Le-Woods Bamber Bridge Lancashire PR5 8JE

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**Plan Ref** 05/00650/FUL      **Date Received** 23.06.2005      **Decision** Refuse  
**Ward:** Adlington &      **Date Decided** 18.08.2005  
Anderton

**Proposal :** Single storey side extension and a side/rear conservatory  
**Location :** 1 - 3 Red House Bridge Adlington Chorley Lancashire PR7 4HX  
**Applicant:** Mr P Bamber 1 - 3 Red House Bridge Adlington Chorley Lancashire PR7 4HX

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**Plan Ref** 05/00651/FUL      **Date Received** 22.06.2005      **Decision** Permit  
**Ward:** Heath Charnock      **Date Decided** 22.08.2005  
And Rivington

**Proposal :** Extension to front dormer and formation of new roof over,  
**Location :** 95 Rawlinson Lane Heath Charnock Lancashire PR7 4DE  
**Applicant:** Mr & Mrs I Gunn 95 Rawlinson Lane Heath Charnock Lancashire PR7 4DE

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**Plan Ref** 05/00655/FUL      **Date Received** 22.06.2005      **Decision** Permit  
**Ward:** Coppull      **Date Decided** 22.08.2005

**Proposal :** Replacement of existing conservatory with single storey rear extension to form a sun-room,  
**Location :** 12 Netherley Road Coppull Chorley Lancashire PR7 5EH  
**Applicant:** Mr Hughes 12 Netherley Road Coppull Chorley Lancashire PR7 5EH

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**Plan Ref** 05/00656/FUL      **Date Received** 23.06.2005      **Decision** Permit  
**Ward:** Chorley North      **Date Decided** 18.08.2005  
West

**Proposal :** Demolition of existing garage, erection of two storey and single storey extension to side and rear and single storey extension to front,  
**Location :** 67 Rookwood Avenue Chorley Lancashire PR7 1RG  
**Applicant:** Mrs Atherton 67 Rookwood Avenue Chorley Lancashire PR7 1RG

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**Plan Ref** 05/00657/FUL      **Date Received** 23.06.2005      **Decision** Permit  
**Ward:** Clayton-le-Woods      **Date Decided** 22.08.2005  
West And  
Cuerden

**Proposal :** Erection of conservatory to rear and conversion of garage to lounge,  
**Location :** 88 Cloughton Avenue Clayton-Le-Woods Leyland Lancashire PR25 5TN  
**Applicant:** Mr & Mrs Knowles 88 Cloughton Avenue Clayton-Le-Woods Leyland Lancashire

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**Plan Ref** 05/00658/FUL      **Date Received** 23.06.2005      **Decision** Refuse  
**Ward:** Eccleston And      **Date Decided** 18.08.2005  
Mawdesley

**Proposal :** First floor side extension above existing garage,  
**Location :** Yew Tree Cottage Smithy Lane Mawdesley Lancashire L40 2QG  
**Applicant:** Mr & Mrs Morton Yew Tree Cottage Smithy Lane Mawdesley Lancashire L40 2QG

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**Plan Ref** 05/00662/ADV      **Date Received** 22.06.2005      **Decision** Consent  
**Ward:** Chorley South      **Date Decided** 01.09.2005  
East

**Proposal :** Retrospective application for the erection of 4 externally illuminated fascia signs and 2 projecting signs,  
**Location :** Unit 3B New Market Street Chorley Lancashire PR7 1BY  
**Applicant:** Carphone Warehouse 1 Portal Way W3 6RS

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**Plan Ref** 05/00664/FUL      **Date Received** 27.06.2005      **Decision** Refuse  
**Ward:** Euxton North      **Date Decided** 22.08.2005

**Proposal :** Two storey side and single storey rear extension,  
**Location :** 60 Runshaw Lane Euxton Lancashire PR7 6AX  
**Applicant:** Sarah McEwen 60 Runshaw Lane Euxton Lancashire PR7 6AX

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**Plan Ref** 05/00668/FUL      **Date Received** 24.06.2005      **Decision** Permit  
**Ward:** Brindle And Hoghton      **Date Decided** 19.08.2005

**Proposal :** Erection of single storey rear extensions,  
**Location :** 103 Chapel Lane Hoghton Lancashire PR5 0RY  
**Applicant:** Mr D McKno 103 Chapel Lane Hoghton Lancashire PR5 0RY

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**Plan Ref** 05/00672/FUL      **Date Received** 29.06.2005      **Decision** Permit  
**Ward:** Chorley North West      **Date Decided** 24.08.2005

**Proposal :** First floor side extension over existing garage, and conversion of garage to living accommodation,  
**Location :** 49 Southport Road Chorley Lancashire PR7 1LF  
**Applicant:** Mr & Mrs Sullivan 49 Southport Road Chorley Lancashire PR7 1LF

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**Plan Ref** 05/00677/FUL      **Date Received** 27.06.2005      **Decision** Permit  
**Ward:** Chorley North West      **Date Decided** 22.08.2005

**Proposal :** Demolish existing garage and construct single and two storey side and rear extension,  
**Location :** 313 Highfield Road North Chorley Lancashire PR7 1PH  
**Applicant:** Mr & Mrs Bleasdale 313 Highfield Road North Chorley Lancashire PR7 1PH

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**Plan Ref** 05/00678/FUL      **Date Received** 29.06.2005      **Decision** Permit  
**Ward:** Coppull      **Date Decided** 22.08.2005

**Proposal :** Alteration to single storey roof extension from previous permission (9/04/00359/FUL),  
**Location :** 158 Spendmore Lane Coppull Lancashire PR7 5BX  
**Applicant:** Eva, Peter & Sylvia Harris 2 Heath End Road Alsager Stoke-On-Trent ST7 2SQ

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**Plan Ref** 05/00679/FUL      **Date Received** 28.06.2005      **Decision** Refuse  
**Ward:** Heath Charnock And Rivington      **Date Decided** 22.08.2005

**Proposal :** Retrospective application for first floor rear extension, utilising flat roof (amendment to scheme previously refused)  
**Location :** 55 The Asshawes Heath Charnock Chorley Lancashire PR6 9JN  
**Applicant:** Mr David Winstanley 55 The Asshawes Heath Charnock Chorley Lancashire

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**Plan Ref** 05/00680/FUL      **Date Received** 30.06.2005      **Decision** Permit  
**Ward:** Clayton-le-Woods      **Date Decided** 22.08.2005  
 West And  
 Cuerden

**Proposal :** First Floor extension to the side of the property over the garage and a front porch  
**Location :** 18 Cuerden Close Cuerden Lancashire PR5 6BX  
**Applicant:** Mr And Mrs I D Francis 18 Cuerden Close Cuerden Lancashire PR5 6BX

**Plan Ref** 05/00681/FUL      **Date Received** 27.06.2005      **Decision** Permit  
**Ward:** Euxton South      **Date Decided** 19.08.2005

**Proposal :** Single storey and two storey rear extensions, front extension to existing garage and porch  
**Location :** 14 Kingsway Euxton Chorley Lancashire PR7 6PP  
**Applicant:** Mr Stephen MacMahon 14 Kingsway Euxton Chorley Lancashire PR7 6PP

**Plan Ref** 05/00682/LBC      **Date Received** 30.06.2005      **Decision** Grant  
**Ward:** Chorley North      **Date Decided** 25.08.2005  
 East

**Proposal :** Replacement of cellar windows, front door and surrounds. Installation of Georgian style gratings to cellar windows and construction of a new door between cellar rooms. Installation of insulation to all cellar room floors and the replacement of cellar staircase. Installation of ceiling to hide pipes and wires.  
**Location :** 14 Park Road Chorley Lancashire PR7 1QN  
**Applicant:** Mr Alistair J Cain 14 Park Road Chorley Lancashire PR7 1QN

**Plan Ref** 05/00690/FUL      **Date Received** 04.07.2005      **Decision** Refuse  
**Ward:** Heath Charnock      **Date Decided** 25.08.2005  
 And Rivington

**Proposal :** Erection of conservatory to rear  
**Location :** 2 Back Lane Heath Charnock Lancashire PR6 9DP  
**Applicant:** Mr Greenhalgh 2 Back Lane Heath Charnock Lancashire PR6 9DP

**Plan Ref** 05/00692/FUL      **Date Received** 04.07.2005      **Decision** Permit  
**Ward:** Chorley South      **Date Decided** 25.08.2005  
 East

**Proposal :** Installation of new aluminium shop front  
**Location :** Unit 3B New Market Street Chorley Lancashire PR7 1BY  
**Applicant:** The Carphone Warehouse 1 Portal Way, London, W3 6RS

**Plan Ref** 05/00694/FUL      **Date Received** 05.07.2005      **Decision** Permit  
**Ward:** Pennine      **Date Decided** 25.08.2005

**Proposal :** Loft conversion with dormer to rear,  
**Location :** 153 Blackburn Road Heapey Lancashire PR6 8EJ  
**Applicant:** Mr & Mrs Waterhouse 153 Blackburn Road Heapey Lancashire PR6 8EJ

**Plan Ref** 05/00695/COU      **Date Received** 06.07.2005      **Decision** Permit  
**Ward:** Brindle And      **Date Decided** 25.08.2005  
Hoghton

**Proposal :** Change of use from Class C2 to single domestic dwelling  
**Location :** Withnell House Rest Home Bury Lane Withnell Lancashire PR6 8BH  
**Applicant:** Mr Nicholas Astley Lynwood Low Hil, Bury Fold Lane, Darwen, BB3 2QG

**Plan Ref** 05/00698/FUL      **Date Received** 07.07.2005      **Decision** Permit  
**Ward:** Clayton-le-Woods      **Date Decided** 30.08.2005  
And Whittle-le-  
Woods

**Proposal :** First floor rear and side extension and a porch to the front  
**Location :** 33 Watkin Road Clayton-Le-Woods Lancashire PR6 7PU  
**Applicant:** Mr And Mrs Heaton 330 Preston Road Whittle-Le-Woods Lancashire PR6 7HZ

**Plan Ref** 05/00699/FUL      **Date Received** 06.07.2005      **Decision** Permit  
**Ward:** Lostock      **Date Decided** 31.08.2005

**Proposal :** Extension of front dormer,  
**Location :** 29 Rectory Close Croston Lancashire PR26 9SH  
**Applicant:** Mr & Mrs Denyer 29 Rectory Close Croston Lancashire PR26 9SH

**Plan Ref** 05/00700/FUL      **Date Received** 05.07.2005      **Decision** Permit  
**Ward:** Heath Charnock      **Date Decided** 25.08.2005  
And Rivington

**Proposal :** Erection of conservatory to rear  
**Location :** 4 Olde Stoneheath Court Heath Charnock Lancashire PR6 9EH  
**Applicant:** Mr & Mrs Yardley 4 Olde Stoneheath Court Heath Charnock Lancashire PR6 9EH

**Plan Ref** 05/00702/CLEUD      **Date Received** 07.07.2005      **Decision** Grant  
**Ward:** Eccleston And      **Date Decided** 01.09.2005  
Mawdesley

**Proposal :** Certificate of Lawfulness for the existing use of the land as a haulage depot including parking, storage, repair and maintenance of 2 No heavy goods vehicles, also the storage of diesel fuel associated with plant machinery  
**Location :** Yard Adj To Marwren Black Moor Road Mawdesley Lancashire L40 2QE  
**Applicant:** Mr And Mrs Marsden Marwren Black Moor Road Mawdesley Lancashire L40 2QE

**Plan Ref** 05/00703/FUL      **Date Received** 08.07.2005      **Decision** Refuse  
**Ward:** Wheelton And      **Date Decided** 02.09.2005  
Withnell

**Proposal :** Construct dwelling attached to existing garage and provide pitched roof over existing garage  
**Location :** The Croft Blackburn Road Wheelton Lancashire PR6 8HL  
**Applicant:** Miss C Sharp The Croft Blackburn Road Wheelton Lancashire PR6 8HL

**Plan Ref** 05/00704/FUL      **Date Received** 07.07.2005      **Decision** Permit  
**Ward:** Adlington &      **Date Decided** 01.09.2005  
Anderton

**Proposal :** Erection of conservatory and provision of garage door on existing carport,  
**Location :** 3 High Lea Adlington Chorley Lancashire PR6 9QW  
**Applicant:** Mr S Wilkinson 3 High Lea Adlington Chorley Lancashire PR6 9QW

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**Plan Ref** 05/00705/FUL      **Date Received** 08.07.2005      **Decision** Permit  
**Ward:** Heath Charnock      **Date Decided** 01.09.2005  
And Rivington

**Proposal :** Demolish existing rear kitchen extension and rebuild of new rear extension and  
new window to first storey above extension  
**Location :** Moorfield Slacks Lane Heath Charnock Lancashire PR6 9EJ  
**Applicant:** Mr And Mrs Birchall Moorfield Slacks Lane Heath Charnock Lancashire PR6 9EJ

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**Plan Ref** 05/00706/FUL      **Date Received** 08.07.2005      **Decision** Permit  
**Ward:** Euxton South      **Date Decided** 01.09.2005

**Proposal :** Two storey side extension and erection of porch to front  
**Location :** 55 Hawkshead Avenue Euxton Chorley Lancashire PR7 6NZ  
**Applicant:** Mrs Brown 55 Hawkshead Avenue Euxton Chorley Lancashire PR7 6NZ

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**Plan Ref** 05/00709/FUL      **Date Received** 07.07.2005      **Decision** Permit  
**Ward:** Eccleston And      **Date Decided** 31.08.2005  
Mawdesley

**Proposal :** Two storey side and rear extension with a pitched roof over extended entrance  
**Location :** 40 Lawrence Lane Eccleston Lancashire PR7 5SJ  
**Applicant:** Mr A Proudlove 40 Lawrence Lane Eccleston Lancashire PR7 5SJ

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**Plan Ref** 05/00710/FUL      **Date Received** 07.07.2005      **Decision** Permit  
**Ward:** Brindle And      **Date Decided** 30.08.2005  
Hoghton

**Proposal :** Amend the size and position of existing garage  
**Location :** 4A Friths Court (plot 11) Brindle Lancashire PR5 0EF  
**Applicant:** Ms Rosemary McQuaid 4A Friths Court Brindle Lancashire PR5 0EF

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**Plan Ref** 05/00711/TEL      **Date Received** 11.07.2005      **Decision** Approve - Telecom  
**Ward:** Chorley North      **Date Decided** 26.08.2005  
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 Road Chorley  
**Applicant:** T Mobile

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**Plan Ref** 05/00712/FUL      **Date Received** 07.07.2005      **Decision** Permit  
**Ward:** Clayton-le-Woods      **Date Decided** 01.09.2005  
 West And  
 Cuerden

**Proposal :** Erection of rear conservatory,  
**Location :** 13 Hunters Road Clayton-Le-Woods Leyland Lancashire PR25 5TT  
**Applicant:** Mr & Mrs Collins 13 Hunters Road Clayton-Le-Woods Leyland Lancashire

**Plan Ref** 05/00713/FUL      **Date Received** 08.07.2005      **Decision** Permit  
**Ward:** Clayton-le-Woods      **Date Decided** 30.08.2005  
 And Whittle-le-  
 Woods

**Proposal :** Erection of two storey rear extension,  
**Location :** 46 Foxglove Drive Whittle-Le-Woods Chorley Lancashire PR6 7SG  
**Applicant:** Mr & Mrs P Stone 46 Foxglove Drive Whittle-Le-Woods Chorley Lancashire

**Plan Ref** 05/00715/FUL      **Date Received** 12.07.2005      **Decision** Permit  
**Ward:** Lostock      **Date Decided** 02.09.2005

**Proposal :** Demolition of existing vacant farm house and outbuildings and erect replacement dwelling and detached garage  
**Location :** Moss Hey Farm North Road Bretherton Lancashire PR26 9AY  
**Applicant:** Mr And Mrs G Tate 56 Fulwood Row, Fulwood, Preston, PR2 5RW

**Plan Ref** 05/00716/TEL      **Date Received** 13.07.2005      **Decision** Approve - Telecom  
**Ward:** Lostock      **Date Decided** 18.08.2005

**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 Lancashire PR26 9RF  
**Applicant:** Hutchinson 3G Ltd C/o Agent

**Plan Ref** 05/00717/FUL      **Date Received** 12.07.2005      **Decision** Permit  
**Ward:** Lostock      **Date Decided** 02.09.2005

**Proposal :** Erection of a stable block, tack room, hay store, feed store, horse shower and creation of sand paddock, new access and midden  
**Location :** Moss Hey Farm North Road Bretherton Lancashire PR26 9AY  
**Applicant:** Mr And Mrs G Tate 56 Fulwood Row, Fulwood, Preston, PR2 5RW

**Plan Ref** 05/00719/COU      **Date Received** 11.07.2005      **Decision** Refuse  
**Ward:** Wheelton And      **Date Decided** 05.09.2005  
 Withnell

**Proposal :** Change of use of building from agriculture to a mixed use of agriculture and non-agricultural storage,  
**Location :** Land East Of Brown House Lane Wheelton Lancashire  
**Applicant:** C Nolan 45 Sandringham Drive Brinscall Lancashire PR6 8SU

**Plan Ref** 05/00720/FUL      **Date Received** 12.07.2005      **Decision** Permit  
**Ward:** Chorley South      **Date Decided** 02.09.2005  
 East

**Proposal :** Retention of public phone kiosk and change of use to form ATM and payphone,  
**Location :** Telephone Kiosk On Corner Of Flat Iron Parade New Market Street Chorley Lancashire  
**Applicant:** Mr A Duncan BT Payphones Ashgrove Telephone Exchange 228 North Anderson Drive Aberdeen Aberdeenshire AB16 5UL

**Plan Ref** 05/00721/FUL      **Date Received** 13.07.2005      **Decision** Permit  
**Ward:** Eccleston And      **Date Decided** 07.09.2005  
 Mawdesley

**Proposal :** Erection of single storey extension to rear,  
**Location :** 39 Tarnbeck Drive Mawdesley Ormskirk Lancashire L40 2RU  
**Applicant:** Mr & Mrs Clegg 39 Tarnbeck Drive Mawdesley Ormskirk Lancashire L40 2RU

**Plan Ref** 05/00722/FUL      **Date Received** 13.07.2005      **Decision** Permit  
**Ward:** Coppull      **Date Decided** 07.09.2005

**Proposal :** Single storey side and rear extension,  
**Location :** 46 Netherley Road Coppull Chorley Lancashire PR7 5EH  
**Applicant:** Mr & Mrs Baines 46 Netherley Road Coppull Chorley Lancashire PR7 5EH

**Plan Ref** 05/00723/FUL      **Date Received** 08.07.2005      **Decision** Permit  
**Ward:** Adlington &      **Date Decided** 02.09.2005  
 Anderton

**Proposal :** Single storey side extension  
**Location :** Sanarima Bolton Road Anderton Lancashire PR6 9HN  
**Applicant:** Mr & Mrs Halstead Sanarima Bolton Road Anderton Lancashire PR6 9HN

**Plan Ref** 05/00725/FUL      **Date Received** 13.07.2005      **Decision** Refuse  
**Ward:** Adlington &      **Date Decided** 06.09.2005  
 Anderton

**Proposal :** Extension to roof to form gable end and formation of rear dormer in new roof,  
**Location :** 4 Mornington Road Adlington Chorley Lancashire PR6 9NX  
**Applicant:** Mr & Mrs Duddle 4 Mornington Road Adlington Chorley Lancashire PR6 9NX

**Plan Ref** 05/00726/TPO      **Date Received** 13.07.2005      **Decision** Consent  
**Ward:** Chisnall      **Date Decided** 07.09.2005

**Proposal :** Felling of 3 trees and canopy reduction of 2 trees covered by TPO 2 (Park Hall, Charnock Richard) 1974,  
**Location :** Camelot Theme Park Park Hall Road Charnock Richard Lancashire PR7 5LP  
**Applicant:** Prime Resorts Ltd Park Hall Hotel, Charnock Richard

**Plan Ref** 05/00727/FUL      **Date Received** 14.07.2005      **Decision** Permit  
**Ward:** Lostock      **Date Decided** 08.09.2005

**Proposal :** Erection of detached garage and store to replace existing,  
**Location :** 44 Grape Lane Croston Lancashire PR26 9HB  
**Applicant:** Mrs Williams 44 Grape Lane Croston Lancashire PR26 9HB

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**Plan Ref** 05/00728/FUL      **Date Received** 15.07.2005      **Decision** Permit  
**Ward:** Chorley South      **Date Decided** 09.09.2005  
West

**Proposal :** First floor side extension over existing garage, conversion of garage to living accommodation and garden store  
**Location :** 37 Woodlands Meadow Chorley Lancashire PR7 3QH  
**Applicant:** Mr & Mrs Chapman, 37 Woodlands Meadow Chorley Lancashire PR7 3QH

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**Plan Ref** 05/00734/FUL      **Date Received** 20.07.2005      **Decision** Permit  
**Ward:** Chorley South      **Date Decided** 18.08.2005  
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 Lancashire PR7 3NT  
**Applicant:** School Governors Holy Cross R C High School Burgh Lane Chorley Lancashire

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**Plan Ref** 05/00735/FUL      **Date Received** 18.07.2005      **Decision** Permit  
**Ward:** Euxton South      **Date Decided** 12.09.2005

**Proposal :** Formation of new access, driveway, turning area, erection of fence to rear, conversion of store room into double garage and demolition of conservatory,  
**Location :** Five Acres Farm Dawbers Lane Euxton Lancashire PR7 6EE  
**Applicant:** Mr Wrigley Whiterigg Alpines Southport Road Ecclestone Chorley

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**Plan Ref** 05/00740/FUL      **Date Received** 18.07.2005      **Decision** Permit  
**Ward:** Astley And      **Date Decided** 12.09.2005  
Buckshaw

**Proposal :** Erection of conservatory to rear,  
**Location :** 1 Columbine Close Euxton Lancashire PR7 1BX  
**Applicant:** Mr & Mrs Ashley 1 Columbine Close Euxton Lancashire PR7 1BX

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**Plan Ref** 05/00741/FUL      **Date Received** 18.07.2005      **Decision** Permit  
**Ward:** Lostock      **Date Decided** 12.09.2005

**Proposal :** Single storey extension to facilitate creation of ancillary annex accommodation,  
**Location :** Willow Cottage 7 Grape Lane Croston Lancashire PR26 9HB  
**Applicant:** Mr D T Duncan Willow Cottage 7 Grape Lane Croston Lancashire PR26 9HB

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**Plan Ref** 05/00744/FUL      **Date Received** 18.07.2005      **Decision** Refuse  
**Ward:** Euxton South      **Date Decided** 12.09.2005

**Proposal :** Front dormer, pitched roof over existing dormer, first floor rear extension and conservatory to rear,  
**Location :** 3 Princess Way Euxton Chorley Lancashire PR7 6PH  
**Applicant:** Mr & Mrs Goldstraw 3 Princess Way Euxton Chorley Lancashire PR7 6PH

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**Plan Ref** 05/00750/FUL      **Date Received** 19.07.2005      **Decision** Permit  
**Ward:** Clayton-le-Woods      **Date Decided** 13.09.2005  
And Whittle-le-Woods

**Proposal :** First floor side extension  
**Location :** 17 Foxglove Drive Whittle-Le-Woods Chorley Lancashire PR6 7SG  
**Applicant:** Mr Wealthy 17 Foxglove Drive Whittle-Le-Woods Chorley Lancashire PR6 7SG

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**Plan Ref** 05/00751/FUL      **Date Received** 19.07.2005      **Decision** Permit  
**Ward:** Eccleston And      **Date Decided** 12.09.2005  
Mawdesley

**Proposal :** Replacement of existing flat roof to annexe with pitched roof,  
**Location :** 1 Coronation Villas Blue Stone Lane Mawdesley Lancashire L40 2RH  
**Applicant:** Mr P Smith 1 Coronation Villas Blue Stone Lane Mawdesley Lancashire L40 2RH

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**Plan Ref** 05/00753/FUL      **Date Received** 20.07.2005      **Decision** Permit  
**Ward:** Euxton South      **Date Decided** 14.09.2005

**Proposal :** Erection of conservatory to rear (retrospective),  
**Location :** 17 Balshaw Lane Euxton Lancashire PR7 6HX  
**Applicant:** Mr & Mrs Bretherton 17 Balshaw Lane Euxton Lancashire PR7 6HX

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**Plan Ref** 05/00754/FUL      **Date Received** 20.07.2005      **Decision** Permit  
**Ward:** Chorley South      **Date Decided** 13.09.2005  
West

**Proposal :** Raise roof to form rooms in the roof and erection of two storey rear extension,  
**Location :** 26 The Cedars Chorley Lancashire PR7 3RH  
**Applicant:** Mr S Cheetham 26 The Cedars Chorley Lancashire PR7 3RH

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**Plan Ref** 05/00755/FUL      **Date Received** 20.07.2005      **Decision** Permit  
**Ward:** Euxton South      **Date Decided** 14.09.2005

**Proposal :** Erection of conservatory to rear  
**Location :** 23 Pennine Avenue Euxton Chorley Lancashire PR7 6PE  
**Applicant:** Mr Farr, 23 Pennine Avenue Euxton Chorley Lancashire PR7 6PE

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**Plan Ref** 05/00759/ADV      **Date Received** 22.07.2005      **Decision** Refuse  
**Ward:** Adlington & Anderton      **Date Decided** 13.09.2005

**Proposal :** Erection of externally illuminated fascia sign and internally illuminated projecting box sign,  
**Location :** 68 Park Road Adlington Lancashire PR7 4JN  
**Applicant:** Shreeji News & Off Licence 68 Park Road Adlington Lancashire PR7 4JN

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**Plan Ref** 05/00766/FUL      **Date Received** 21.07.2005      **Decision** Permit  
**Ward:** Clayton-le-Woods And Whittle-le-Woods      **Date Decided** 14.09.2005

**Proposal :** Erection of rear conservatory,  
**Location :** 4 Bluebell Close Whittle-Le-Woods Chorley Lancashire PR6 7RH  
**Applicant:** Mr & Mrs Lane 4 Bluebell Close Whittle-Le-Woods Chorley Lancashire PR6 7RH

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**Plan Ref** 05/00770/FUL      **Date Received** 21.07.2005      **Decision** Permit  
**Ward:** Chorley South East      **Date Decided** 13.09.2005

**Proposal :** New Timber Shop front  
**Location :** 3 A New Market Street Chorley Lancashire PR7 1BY  
**Applicant:** Fairfax Securities Ltd Fairfax House, 38 The Grove, Ilkey, West Yorkshire,

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**Plan Ref** 05/00771/FUL      **Date Received** 21.07.2005      **Decision** Permit  
**Ward:** Adlington & Anderton      **Date Decided** 13.09.2005

**Proposal :** Two storey side extension and a single storey rear extension  
**Location :** Hawthorne Cottage Anderton Court Bolton Road Anderton Lancashire  
**Applicant:** Mr And Mrs A Taylor Hawthorne Cottage Anderton Court Bolton Road Anderton Lancashire BL6 7RH

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**Plan Ref** 05/00773/FUL      **Date Received** 21.07.2005      **Decision** Permit  
**Ward:** Euxton South      **Date Decided** 14.09.2005

**Proposal :** Demolition of existing garage, store and conservatory, erection of two-storey and single-storey side extension (Renewal of Planning Permission 00/00839/FUL),  
**Location :** Bobbin Mill, Mill Lane, Euxton, Chorley, Lancashire  
**Applicant:** Mr & Mrs Adams Bobbin Mill, Mill Lane, Euxton, Chorley.

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**Plan Ref** 05/00779/FUL      **Date Received** 21.07.2005      **Decision** Permit  
**Ward:** Coppull      **Date Decided** 13.09.2005

**Proposal :** Single storey rear extension  
**Location :** 56 Clayton Gate Coppull Lancashire PR7 4PS  
**Applicant:** Mr And Mrs Brocken 56 Clayton Gate Coppull Lancashire PR7 4PS

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**Plan Ref** 05/00793/FUL  
**Ward:** Chorley North  
West

**Date Received** 14.07.2005  
**Date Decided** 26.08.2005

**Decision** Permit

**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 C/o Agent

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Report of	Meeting	Date
Head of Planning Services	Development Control Committee	27.09.2005

## ENFORCEMENT ITEM

### RETROSPECTIVE APPLICATION FOR SINGLE STOREY REAR EXTENSION, CONVERSION OF GARAGE TO LIVING ACCOMODATION AND SINGLE STOREY FRONT EXTENSIONS

#### 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 separate report appears on this agenda for a retrospective application for planning permission in respect of development not built in accordance with the approved plans at 38 Well Orchard, Clayton Le Woods. My recommendation is for planning permission to be refused. If committee agrees with this 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

5. No comments.

#### COMMENTS OF THE HEAD OF HUMAN RESOURCES

6. No comments.

#### RECOMMENDATION

7. 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
  - Erection of front porch



- Erection of rear single storey extension not in accordance with approval 9/00/00027/FUL

8. It is recommended that the Enforcement Notice require the front porch to be removed and the roof area made good and the roof above the rear extension to be reduced in height in line with that approved by the permission granted in 2000 (ref no. 9/00/00027/FUL).
9. This means the Council is effectively under enforcing by allowing the retention of the front extension, alterations to the garage and its roof and the rear extension in part.

Requirements of the Enforcement Notice

1. Demolish the front porch and removal all materials from the site and make good the roof.
2. Reduce the height of the roof above the rear extension in line with the plans approved by 9/00/00027/FUL, a copy of which is enclosed.

Period for Compliance

3 months

Reasons

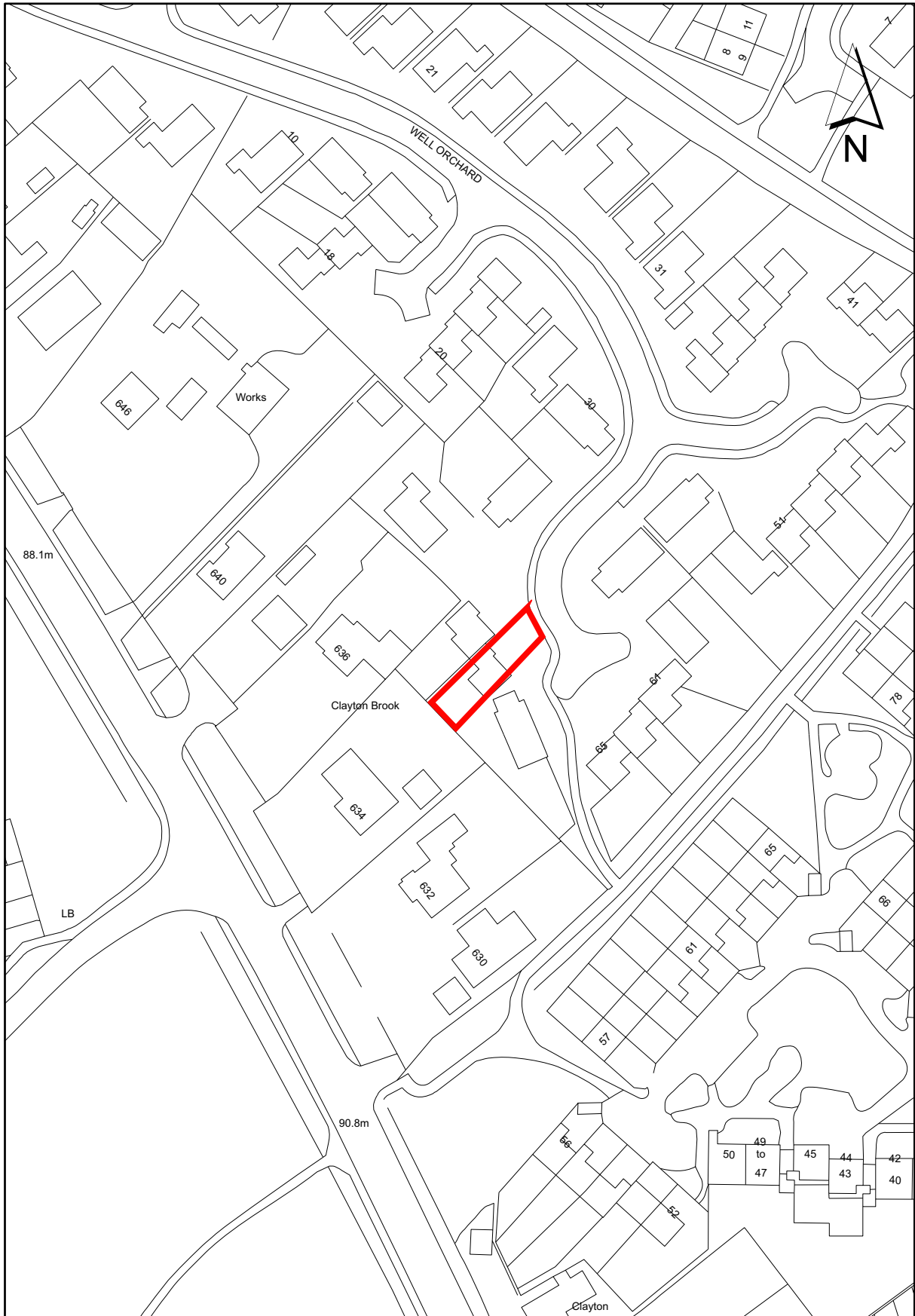
The front porch is contrary to the Council’s approved House Extension Design Guidelines and Policy HS9 of the Adopted Chorley Borough Local Plan Review by reason of its design and external appearance. The porch is poorly related visually to the existing dwelling, of poor design and unacceptable scale hence it has resulted in detrimental harm to the character and appearance of the street scene and the applicant’s property.

The rear extension is contrary to the Council’s approved House Extension Design Guidelines and Policy HS9 of the Adopted Chorley Borough Local Plan Review by its size and siting in relation to neighbouring property. The proposed extension has a detrimental effect on the amenities, which the occupiers of the neighbouring property could reasonably expect to enjoy, in particular due to loss of light, overbearing impact and overshadowing.

Acceptance of the porch and the increase in height of the roof above the rear extension would make it difficult for the Council to resist similar extensions and alterations to neighbouring dwellings resulting in a gradual erosion of the character and appearance of the locality contrary to the House Extension Design Guidelines and Policy Nos. HS9 and GN5 of the Adopted Chorley Borough Local Plan Review.

ALAN CROSTON  
HEAD OF PLANNING SERVICES

Report Author	Ext	Date	Doc ID
David Stirzaker	5223	13 September 2005	
<b>Background Papers</b>			
Document	Date	File	Place of Inspection
Planning Application		05/00478/FUL	Union Street Offices



**ENFORCEMENT ITEM**  
38 Well Orchard  
Clayton-le-Woods

**SCALE**  
1:1,250

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Report of	Meeting	Date
Head of Planning Services	Development Control Committee	27.09.2005

## REPORT ON APPEAL DECISION

### PLANNING APPLICATION REF: 05/00164/FUL, ERECTION OF REPLACEMENT DWELLING, PIKE VIEW FARM, NEW ROAD, ANDERTON.

#### PURPOSE OF REPORT

1. To inform Committee on the details of the above appeal decision as the planning application had been of particular interest to members.

#### CORPORATE PRIORITIES

2. This report raises no issue of corporate priorities.

#### RISK ISSUES

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

#### BACKGROUND

4. In April this year following a lengthy debate the above application was refused by Development Control Committee. Members will recall that the site had a long history which related to the use of a hen cabin as a dwelling which had previously been granted a Certificate of Lawfulness. Committee considered that in their view the development would be materially larger than the original dwelling, the hen cabin, and this would impact on the openness and visual amenity of the Green Belt by virtue of its size and design.
5. The decision to refuse the application was contrary to the officers recommendation which was to approve subject to a number of conditions. The applicant subsequently appealed the Councils decision.

#### THE APPEAL DECISION.

6. The appeal decision was to allow the development subject to conditions. The decision was reported earlier in the agenda. The Planning Inspector in assessing the appeal considered that there were three main issues to consider as follows:
  - a. Whether the proposal would conflict with policies to protect the Green Belt;
  - b. The effect of the proposed development on the character and appearance of the Green Belt; and
  - c. Whether the benefits of the scheme would clearly outweigh any harm resulting from the above issues and justify the development on the basis of very special circumstances.

7. The Inspector commented that the existing dwelling had full permitted development rights which would allow the applicant to extend the property to a certain limit without control. Extensions to the proposed dwelling on the other hand could be controlled by a planning condition and this would reduce the effective difference in size between the two buildings. Given that the overall increase in volume was 31% and the footprint remained the same the Inspector concluded that the proposed development would not be materially larger than the existing and would comply with relevant national and local planning policy.
8. Concerning the character and appearance of the Green Belt the Inspector considered that the development would not intrude or erode into the openness of the Green Belt. There was an acceptance that the house would be more substantial and of domestic appearance. However the Inspector considered that the proposed dwelling was sensitively designed in a simple style which was in keeping with the scale and character of adjoining agricultural buildings. As such the development would not cause unacceptable harm to the character or appearance of the Green Belt.
9. As the dwelling would not be inappropriate in the Green Belt and would cause no harm there was no need to consider very special circumstances put forward by the appellant.

#### **COMMENTS**

10. The appeal decision will be of disappointment to members however the Inspector made it clear that the Certificate of Lawfulness that had been granted gave the status of a permanent dwelling for the appeal building. This would allow full permitted development rights to be utilised. It was also considered that the development would not set a precedent for inappropriate development in the Green Belt.
11. Matters of design and appearance are subjective matters and the Inspector concluded in her opinion that these would not impact on the character of the Green Belt. Greater weight was therefore given to the acceptability of the details for the replacement dwelling. The Planning Inspector has applied relevant national and local planning policy in the assessment of the appeal.
12. There are no policy issues that need to be addressed following the appeal decision.

#### **COMMENTS OF THE DIRECTOR OF FINANCE**

13. No comments.

#### **COMMENTS OF THE HEAD OF HUMAN RESOURCES**

14. No comments.

#### **RECOMMENDATION(S)**

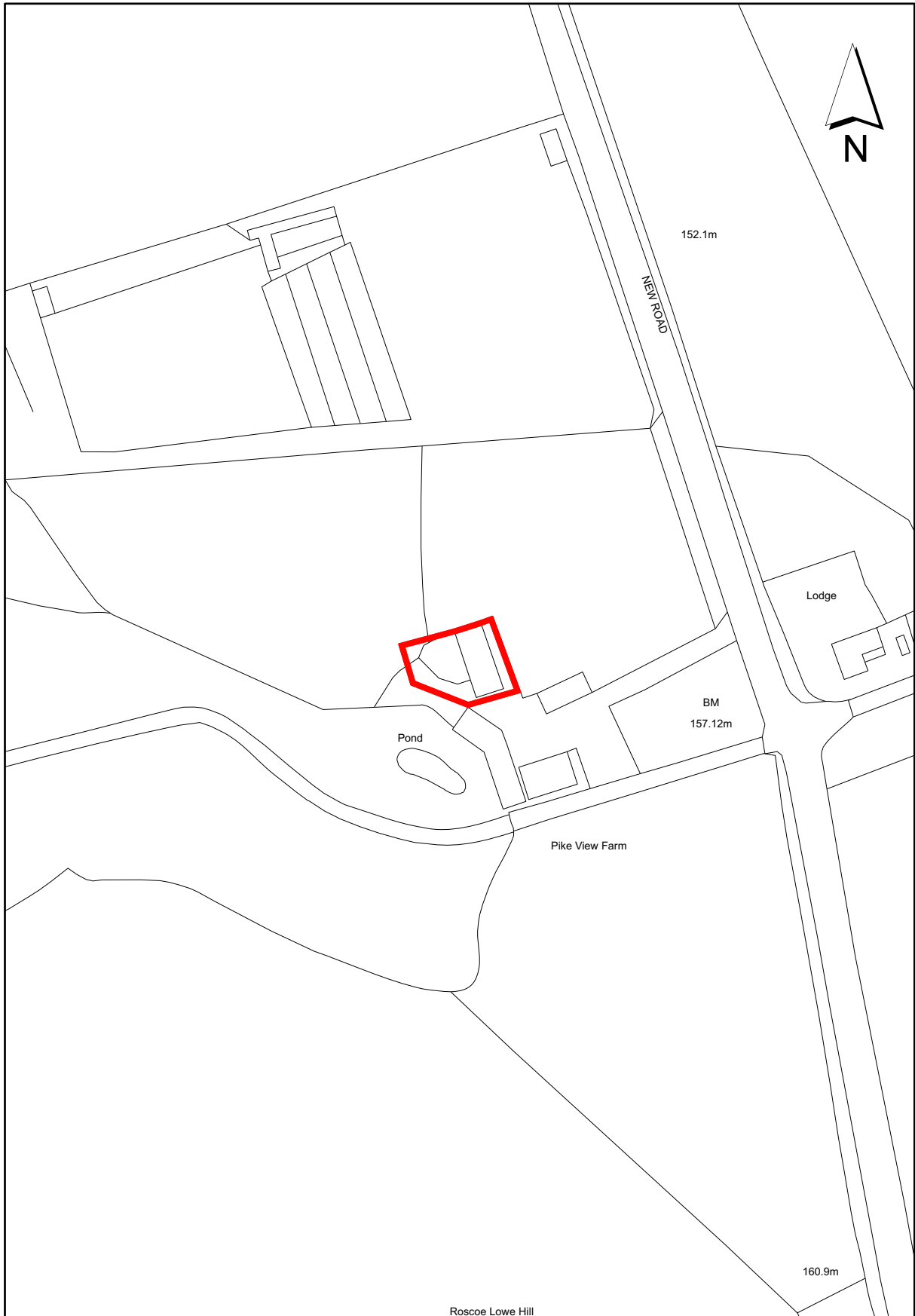
15. That the report be noted for information.

ALAN CROSTON  
HEAD OF PLANNING SERVICES

<b>Background Papers</b>			
<b>Document</b>	<b>Date</b>	<b>File</b>	<b>Place of Inspection</b>
Planning Application		05/00164/FUL	Union Street Offices

<b>Report Author</b>	<b>Ext</b>	<b>Date</b>	<b>Doc ID</b>
Wendy Gudger	5349	15.09.2005	NEWREP

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Pike View Farm  
New Road  
Anderton

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