

# Development Control Committee

**Tuesday, 18 August 2009**

**Present:** Councillor Harold Heaton (Chair), Councillor Geoffrey Russell (Vice-Chair), Councillors Ken Ball, Julia Berry, Judith Boothman, Alistair Bradley, Henry Caunce, David Dickinson, Dennis Edgerley, Christopher France, Keith Iddon, Roy Lees, June Molyneaux, Simon Moulton, Mick Muncaster and Ralph Snape

**Officers:** Jane Meek (Corporate Director (Business)), Chris Moister (Legal Services Manager), Paul Whittingham (Development Control Manager) and Cathryn Barrett (Democratic and Member Services Officer)

## **09.DC.64 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Mike Devaney.

## **09.DC.65 DECLARATIONS OF ANY INTERESTS**

In accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct, Councillor Ralph Snape, declared a prejudicial interest in relation to the enforcement report – 39 Highfield Road South.

## **09.DC.66 MINUTES**

**RESOLVED – That the minutes of the meeting of the Development Control Committee meeting held on 21 July 2009 be held as a correct record for signing by the Chair.**

## **09.DC.67 PLANNING APPLICATIONS AWAITING DECISION**

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

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

**(a) 09/00437/COU - Land 65m South of Olde Stoneheath Court (bounded by M61 and Hut Lane) Hut Lane, Heath Charnock**

(The Committee received representation from Ward Councillor Pat Case on the proposals)

(The Committee received representation from an objector to the proposals and the applicant in support of the proposals)

Application no: 09/00437/COU

Proposal: Retrospective application for the use of land for stationing of two mobile homes and up to 14 touring caravans for residential occupation for temporary period of 3 – 4 years with associated development (hard standing, utility building, septic tank, 6 small toilet buildings, second access off Hut Lane, brick pillars and gates)

Location: Land 65m South of 3 Olde Stoneheath Court (bounded by M61 and Hut Lane) Hut Lane, Heath Charnock

Decision: It was proposed by Councillor David Dickinson, seconded by Councillor Ralph Snape, and was subsequently **RESOLVED to refuse full planning permission for the following reasons.**

**1. The site is located within the Green Belt and the development constitutes inappropriate development and so conflicts with Policy DC1, Policy PS14 of the Chorley Borough Local Plan Review, Policy 29 of the Joint Lancashire Structure Plan and PPG2 and Circular 01/2006. Very special circumstances must exist therefore in order to justify planning permission being granted. In this case, the material consideration advanced in support of the application are not considered to be of sufficient weight to justify planning permission being granted.**

**2. The development by reason of its urban appearance is visually detrimental and harmful to the rural character and appearance of the Green Belt contrary to PPG2.**

**3. The development by virtue of its form and appearance is detrimental to the visual amenities of the occupiers of neighbouring property.**

**4. The development is located in open countryside on land which under the sustainable development approach and locational requirements outlined in PPS1 and PPS7 and the sequential test outlined in RSS Policy DP4 should only be considered for development after land (well served by public transport) within and adjacent to urban transport has been developed. The development is therefore contrary to PPS1, PPS7, RSS Policy DP4 and Policy PS14 of the Chorley Local Plan and Policy 29 of the Joint Lancashire Structure Plan, which seek to resist development in the open countryside.**

It was further proposed by Councillor Harold Heaton, seconded by Councillor Geoffrey Russell, and was subsequently **RESOLVED to delegate to the Chair and Corporate Director of Business the authority to issue an appropriate enforcement notice in consultation with the Corporate Director of Governance.**

**(b) 09/00392/FULMAJ - 202 Chorley Old Road, Whittle-le-Woods**

(The Committee heard representations from the ward representative Councillor Greg Morgan on the proposals)

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

Application no: 09/00392/FULMAJ

Proposal: Erection of 14 two storey dwellings and associated infrastructure (following demolition of no. 202 Chorley Old Road)

Location: 202 Chorley Old Road, Whittle-Le-Woods

Decision: It was proposed by Councillor Kenneth Ball, seconded by Councillor David Dickinson, and was subsequently **RESOLVED to refuse full planning permission for the following reasons:**

1. The proposed development, by virtue of the sitting, scale and layout of the properties in relation to the existing dwelling houses, will not provide reasonable privacy and amenity for the residents of neighbouring properties. Inadequate space is retained between the proposed properties and the existing bungalows which are exacerbated by the difference in land level between them. As such the proposal is considered to be contrary to Government advice contained in PPS3, Policy HS4 of the Adopted Chorley Borough Local Plan Review and the Councils Approved Guidelines for New Housing Developments.
2. The proposed development will not respect the surrounding area in terms of scale, design, or building style and will be inappropriate in the context of the area. It is not considered that the proposal relates well to its surroundings which is characterised by bungalows and two-storey stone terraces/cottages. As such the proposal is considered to be contrary to Policy HS4 and GN5 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS1: Delivering Sustainable Development, which states that new residential schemes should respond to their local context and reinforced local distinctiveness, and PPS3: Housing, which states that new residential schemes should be well integrated with and compliment the neighbouring buildings and the local area in terms of scale, density, layout and access.
3. The 'Sustainable Resources Report' submitted as part of the application fails to take account of policy SR1 of the Sustainable Resources Development Plan Document. An 'Energy Efficiency/Resources Conservation Statement' is required for all residential developments of 5 or more dwellings demonstrating how the requirements for each criterion of Policy SR1 have been met. In particular, criteria (b) of Policy SR1 requires appropriate renewable or low carbon energy sources to be installed in order to reduce the carbon emissions of the predicted energy use of the development by at least 10%. Details of the technologies to be installed and how the 10% reduction in carbon emissions will be achieved need to be set out in the 'Energy Efficiency/Resources Conservation Statement' which the application fails to do. The application is therefore contrary to policy SR1 of the Sustainable Resources Development Plan Document.
4. There are mature trees adjacent to the site at no. 206 Chorley Old Road which are visible from public view points on Chorley Old Road. The trees are in a healthy condition, are visually prominent and of attractive appearance, and make a valuable contribution to the visual amenities of the area. Plot 1 will be close to these trees. It is considered that plot 1 is too close to the trees, which will cause them root damage, however no tree constraints plan has been submitted with the application in line with BS 5837:2005 Trees in Relation to Construction. Therefore, the proposal is considered contrary to Policy EP9 in that it may result in the loss of a tree that makes a valuable contribution to the area and there are insufficient special reasons advanced in support of the application to justify their loss.
5. The proposed development is within the settlement boundary of Whittle-le-Woods on unallocated un-developed land. It has not been demonstrated that there are no suitable allocated or previously developed sites available within the settlement and as such the proposal is contrary to HS6 of the Adopted Chorley Borough local Plan Review and PPS3: Housing.
6. The parking provision for the proposed development is inadequate. The properties require three off road parking spaces Plot 4, 6 and 13 do not meet this criterion and others have sub-standard garages. The properties do not provide separate cycle parking provided and the gardens of the properties are limited in size so it is likely that owners of the dwellings will use garages for

storing bicycles of other household items, as well as parking. Therefore a minimum garage size of 6m by 3m is deemed necessary for them to count as a parking space, which the proposed garages do not meet. The older properties on Chorley Old Road do not benefit from cartilage parking and therefore on street parking in the area is at a premium. To avoid exacerbating parking problems on Chorley Old Road it is considered essential to provide sufficient off-road parking. The proposal is therefore considered deficient in parking terms which is likely to result in unacceptable levels of on street parking and have a detrimental effect on the streetscene in terms of visual amenity contrary to policies HS4, TR4 of the Adopted Chorley Borough Local Plan and adopted Supplementary Planning Document Householder Design Guidance, RSS policy RT2, associated Supplementary Planning Document and Manual for Street.

**(c) 09/00507/OUT - Land 35m West of 19 Bannister Lane, Eccleston**

(The Committee heard representations from the ward representative Councillor Kevin Joyce on the proposals)

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

Application no: 09/00507/OUT  
Proposal: Erection of 5 No. 2.5 storey and 1 No. 2 storey houses and associated works  
Location: Land 35m West of 19 Bannister Lane, Eccleston  
Decision:  
It was proposed by Councillor Kenneth Ball, seconded by Councillor Roy Lees to defer the decision to allow Members of the Committee to visit the site of the proposed development.

An amendment to the motion was proposed by Councillor Alister Bradley, seconded by Councillor Keith Iddon, and subsequently **RESOLVED to refuse planning permission on the grounds:**

**1. The proposed development will not respect the surrounding area in terms of scale, design, or building style and will be inappropriate in the context of the area. It is not considered that the proposal relates well to its surroundings which is characterised by bungalows and dormer bungalows. As such the proposal is considered to be contrary to Policy HS4 and GN5 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS1: Delivering Sustainable Development, which states that new residential schemes should respond to their local context and reinforce local distinctiveness, and PPS3: Housing, which states that new residential schemes should be well integrates with the compliment the neighbouring buildings and local area in terms of scale, density, layout and access.**

**(d) 08/01250/FUL - 243, Southport Road, Ulnes Walton**

Application no: 08/01250/FUL  
Proposal: Erection of 1.8m high brick wall with pillars and steel railings  
Location: 243, Southport Road, Ulnes Walton  
Decision:  
It was proposed by Councillor Kenneth Ball, seconded by Councillor Mick Muncaster, and subsequently **RESOLVED to refuse full planning permission for the following reason.**

**1. The proposed development would be detrimental to the safety of highway users by reason of its siting and height. The proposed development would therefore be contrary to policy TR4 of the Adopted Chorley Borough Local Plan.**

It was further proposed by Councillor Harold Heaton, seconded by Councillor Geoffrey Russell, and was subsequently **RESOLVED to delegate to the Chair and Corporate Director of Business the authority to issue an appropriate enforcement notice in consultation with the Corporate Director of Governance.**

**(e) 09/00404/OUTMAJ - Fire Training Centre, Washington Hall, Washington Lane, Euxton, Chorley**

Application no: 09/00404/OUTMAJ  
Proposal: Outline application for the erection of a new community fire station and vehicle appliance facility (renewal of permission 07/00902/OUTMAJ)  
Location: Fire Training Centre, Washington Hall, Washington Lane, Euxton, Chorley

Decision:  
It was proposed by Councillor Dennis Edgerly, seconded by Councillor Julia Berry, and subsequently **RESOLVED to grant outline planning permission subject to the following conditions:**

**1. An application for approval of the reserved matters (namely appearance, scale, landscaping and layout of the site) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.**

***Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.***

**2. The development hereby permitted shall only be carried out in accordance with the details set out within the Design and Access Statement stamp dated 27 May 2009 unless an alternative or variation to the Design and Access Statement has first been submitted to and approved in writing by the Local Planning Authority wherein the development shall only thereafter be carried out in accordance with the amended Design and Access Statement.**

***Reason: To provide a satisfactory form of development and in accordance with Policies GN5 and DC6 of the Adopted Chorley Borough Local Plan Review.***

**3. The development hereby permitted shall be occupied or used until the vehicular accesses have been constructed in accordance with plans, which have been submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority.**

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

**4. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.**

***Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.***

**5. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground-surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.**

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.*

6. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building (notwithstanding any details 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 using the approved external facing materials unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.*

7. Before any development hereby permitted is first commenced, full details of the surfacing, drainage and marking out of all car park and vehicle manoeuvring areas shall have been submitted to and approved in writing by the Local Planning Authority. The car park and vehicle manoeuvring areas shall be provided in accordance with the approved details prior to first occupation of the premises as hereby permitted. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

*Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy RT2 of the North West Regional Spatial Strategy 2008.*

(f) 09/00441/FULMAJ - Formerly Multipart Distribution Limited, Pilling Lane, Chorley

Application no 09/00441/FULMAJ  
Proposal: Substitution of house types and inclusion of electricity sub-station, (amendment to part of site – reserved matters approval 07/01226/REMMAJ).

Location: Formerly Multipart Distribution Limited, Pilling Lane, Chorley

Decision:

It was proposed by Councillor Dennis Edgerly, seconded by Councillor Alistair Bradley, and subsequently **RESOLVED to grant full planning permission subject to the Section 106 Agreement signed by 7 September 2009 and the following conditions:**

1. The proposed development must be begun not later than three years from the date of this permission.

*Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.*

2. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

*Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

3. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the

approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

*Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

4. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavation within the area so fenced shall be carried out by hand.

*Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.*

5. The external facing materials detailed on the approved plans shall be used and no others substituted without the prior written approval of the Local Planning Authority.

*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

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 full details of the colour, form and texture of all hard ground-surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

8. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

*Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.*

9. The development hereby permitted shall be carried out in accordance with the measures set out within the action plan of the Residential Travel Plan dated April 2009 (submitted under application 09/00374/DIS).

*Reason: To reduce the number of car borne trips and to encourage the use of public transport and to accord with Policies TR1 and TR4 of the Adopted Chorley Borough Local Plan Review.*

10. Prior to the commencement of the development full details of the Management Company to deal with the future management and maintenance of the site shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company.

*Reason: To ensure the satisfactory management of the unadopted highways and public open space and in accordance with Policies TR4 and HS21 of the Adopted Chorley Borough Local Plan Review.*

11. The site shall be remediated in accordance with BAE Environmental Remediation Strategy Report (Reference: A0356-02-R1-1). Upon completion of the remediation works a verification/completion report containing any validation sample results shall be submitted to and approved in writing by the Local Planning Authority.

*Reason: To protect the environment and prevent harm to human and health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control.*

12. No dwelling hereby permitted shall be occupied until that part of the service road which provides access to it from the public highway had 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.*

13. The garage hereby permitted shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

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

14. Prior to the commencement of the development full details of the proposed residents consultation procedure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information on how the residents will be kept informed on the progress of the development prior to commencement and during the development period. Additionally details of the main contact/site manager during the development shall be provided to the Local Planning Authority and the residents prior to the commencement of the development. The residents consultation plan shall be implemented and completed in accordance with the approved procedure.

*Reason: To ensure that the existing residents are fully aware of the progress of the development.*

(g) 09/00449/REMAJ - Land Parcel H6, Lancashire Drive, Buckshaw Village, Lancashire

Application no: 09/00449/REMAJ  
Proposal: Reserved matters application for the erection of 227 dwellings with associated garages, roads, sewers and parking spaces for Parcels H6, I (Phase 1) and I (Phase 2). Including a part amendment to the road layout previously approved as part of reserved matters approval 05/00523/REMAJ and 05/00525/REMAJ  
Location: Land Parcel H6, Lancashire Drive, Buckshaw Village, Lancashire  
Decision:



It was proposed by Councillor David Dickinson, seconded by Councillor Keith Iddon, and subsequently **RESOLVED** to grant approved reserved matters planning permission subject to conditions:

1. The proposed development must be begun no later than two years from the date of this permission.

*Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.*

2. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted and approved in writing by the Local Planning Authority. No dwellings shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

*Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

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 completion 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 occupation 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 external facing materials detailed on the approved plans shall be used and no others substituted without the prior written approval for the Local Planning Authority.

*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.*

5. 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 HS9 of the Adopted Chorley Borough Local Plan Review.*

6. 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 dwellings 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.*

7. The garages hereby permitted shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

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

8. Prior to the commencement of the development full details of the bin storage facilities associated with the apartment blocks shall be submitted to and approved in writing by the Local Planning Authority. The bin storage thereafter shall be constructed and retained in accordance with the approved plans.

*Reason: To ensure that adequate refuse storage is provided on site and in accordance with Policy HS4 of the Adopted Chorley Borough Local Plan Review.*

9. Notwithstanding the submitted details, prior to the commencement of the development full details of the proposed railings shall be submitted to and approved in writing by the Local Planning Authority. The railings shall replicate the Buckshaw railings which have been erected throughout Buckshaw Village. The development thereafter shall be carried out in accordance with the approved plans.

*Reason: In the interest of the visual amenities of the area and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.*

10. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

*Reason: To ensure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.*

11. Prior to the commencement of the development full details of the gate treatment, to secure the alleyway between plots 732-734 and plot 731, shall be submitted to and approved in writing by the Local Planning Authority. The gates shall thereafter be retained in perpetuity with access limited to the occupants of plots 731, 732, 733, 734.

*Reason: In the interest of the visual amenities of the area and to reduce any potential security issues. In accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.*

12. Prior to the commencement of the development full details of the communal bin collection points shall be submitted to and approved in writing by the Local Planning Authority. The details shall include their location and the proposed hardsurfacing materials/details of the enclosure. The collection points shall only be utilised for the storage of bins on bin collection days and shall be free of bins at all other times. The collection points shall thereafter be retained in perpetuity.

*Reason: To ensure adequate refuse collection facilities are provided on site and in the interests of the visual amenities of the area. In accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.*

13. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans or as many otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

*Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

14. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

*Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control.*

15. Notwithstanding the submitted details the reserved matters approval hereby granted does not apply to plots 892, 920-922 and 810-816.

*Reason: In the interest of the visual amenities of the area and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.*

16. Notwithstanding the submitted details the development hereby permitted shall not commence until full details of the highway layout, which is capable of being adopted as part of the Section 38 Agreement, have been submitted to and approved in writing by the Local Planning Authority. The highway layout thereafter shall be constructed in accordance with the approved details.

*Reasons: In the interests of highway design and safety and in the interest of achieving an acceptable housing and highway layout. In accordance with guidance contained in Planning Policy Statement 1 and Manual for Streets.*

(h) 09/00461/FUL - Land 10m South West of 14 Saville Street, Chorley

(Councillor Ken Ball left the meeting)

Application no: 09/00461/FUL  
Proposal: Erection of three town houses  
Location: Land 10m South West of 14 Saville Street, Chorley  
Decision:

It was proposed by Councillor David Dickinson, seconded by Councillor Ralph Snape, and subsequently **RESOLVED to grant planning permission subject to Legal Agreement and conditions:**

1. The proposed development must be begun not later than three years from the date of this permission.

*Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.*

2. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings (notwithstanding any details show 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 uses are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

3. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall

have been erected in conformity with the approved details prior to substantial completion of the development.

*Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), of 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.*

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season 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 a 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 HS4 of the Adopted Chorley Borough Local Plan Review.*

7. No development shall take place until a scheme of landscaping had 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 interest of the amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

(i) **09/00463/FUL - Lilac Mount, 704 Preston Road, Clayton-le-Woods**

Application no: 09/00463/FUL  
Proposal: Erection of 3 detached bungalows and associated access  
Location: Lilac Mount, 704, Preston Road. Clayton-Le-Woods  
Decision:

It was proposed by Councillor Dennis Edgerly, seconded by Councillor Keith Iddon, and subsequently **RESOLVED to grant full planning permission subject to a Legal Agreement and the following conditions:**

**1. The proposed development must be begun not later than three years from the date of this permission.**

***Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.***

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

***Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.***

**3. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground-surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.**

***Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.***

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

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

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

***Reason: In the interests of the amenity of occupiers of neighbouring property and in accordance with Policy HS9 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. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.**

***Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.***

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

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

9. No development shall take place until a scheme of landscaping had 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 of landform.

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

(j) 09/00541/FUL - 4, Ewell Close, Chorley

Application no: 09/00541/FUL

Proposal: Demolition of existing bungalow and erection of 8 two storey detached dwellings with associated garages and infrastructure

Location: 4, Ewell Close, Chorley

Decision:

Application withdrawn.

## **09.DC.68 ENFORCEMENT REPORT - 39 HIGHFIELD ROAD SOUTH**

(Councillor Ralph Snape declared a prejudicial interest and left the meeting)

The Corporate Director (Business) submitted a report for Members to consider whether it is expedient to take enforcement action in respect of the replacement garage with hipped roof, front porch and single storey rear extension 39 Highfield Road South, Chorley.

Planning permission was granted on 16 June 2007 for the extensions to the dwelling the initial plan being amended from a pitched roof to a hipped roof following concern raised by the occupier of the adjacent property. NO objections were made to the amended proposal.

A complaint has recently been made to the Council that the materials used for the roofing tiles and a section of the wall to the north facing elevation of the extension are different from those shown on the approved plan.

It was proposed by Councillor Keith Iddon, seconded by Councillor Henry Counce, and subsequently **RESOLVED – That it is not considered expedient to pursue enforcement action.**

**09.DC.69 PLANNING APPEALS NOTIFICATION REPORT**

(Councillor Ralph Snape returned to the meeting)

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

**RESOLVED – That the note be reported.**

**09.DC.70 DELEGATED DECISIONS DETERMINED BY THE CORPORATE DIRECTOR (BUSINESS) IN CONSULTATION WITH THE CHAIR AND VICE CHAIR OF THE COMMITTEE**

The Committee received for information, tables listing 5 application for Category 'B' development proposals which had been determined by the Corporate Director (Business), the Chair and Vice Chair of the Committee at meetings held on 17 July, 21 July and 5 August 2009.

**RESOLVED – That the tables be noted.**

**09.DC.71 DELEGATED DECISIONS DETERMINED BY THE CORPORATE DIRECTOR (BUSINESS)**

The Committee received for information, a schedule listing the remainder of the planning applications determined by the Corporate Director (Business) under delegated powers between 9 July and 4 August 2009.

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

Chair