



# Development Control Committee

Agenda and Reports

For consideration on

## Tuesday, 9th March 2010

In the Council Chamber, Town Hall, Chorley

At 6.30 pm



[www.chorley.gov.uk](http://www.chorley.gov.uk)

## **PROCEDURE FOR PUBLIC SPEAKING AT MEETINGS OF THE DEVELOPMENT CONTROL COMMITTEE**

- Persons must give notice of their wish to address the Committee, to the Democratic Services Section by no later than midday, two working days before the day of the meeting. (12 Noon on the Friday prior to the meeting)
- One person to be allowed to address the Committee in favour of the officers recommendations on respective planning applications and one person to be allowed to speak against the officer's recommendations.
- In the event of several people wishing to speak either in favour or against the recommendation, the respective group/s will be requested by the Chair of the Committee to select one spokesperson to address the Committee.
- If a person wishes to speak either in favour or against an application without anyone wishing to present an opposing argument that person will be allowed to address the Committee.
- Each person/group addressing the Committee will be allowed a maximum of three minutes to speak.
- The Committees debate and consideration of the planning applications awaiting decision will only commence after all of the public addresses.

## **ORDER OF SPEAKING AT THE MEETINGS**

1. The Corporate Director (Business) or her representative will describe the proposed development and recommend a decision to the Committee. A presentation on the proposal may also be made.
2. An objector/supporter will be asked to speak, normally for a maximum of three minutes. There will be no second chance to address Committee.
3. A local Councillor who is not a member of the Committee may speak on the proposed development for a maximum of 5 minutes.
4. The applicant or her/his representative will be invited to respond, again for a maximum of three minutes. As with the objector/supporter, there will be no second chance to address Committee.
5. The Development Control Committee, sometimes with further advice from Officers, will then discuss and come to a decision on the application.

There will be no questioning of speakers by Councillors or Officers, and no questioning of Councillors or Offices by speakers.

26 February 2010

Dear Councillor

## **DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 9TH MARCH 2010**

You are invited to attend a meeting of the Development Control Committee is to be held in the Council Chamber, Town Hall, Chorley on Tuesday, 9th March 2010 at 6.30 pm.

### **A G E N D A**

1. **Apologies for absence**

2. **Declarations of Any Interests**

Members are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda. If the interest arises **only** as result of your membership of another public body or one to which you have been appointed by the Council then you only need to declare it if you intend to speak.

If the personal interest is a prejudicial interest, you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

3. **Minutes (Pages 1 - 24)**

To confirm the minutes of the meeting of the Development Control Committee held on 9 February 2010 (enclosed)

4. **Planning applications awaiting decision (Pages 25 - 26)**

A list of planning applications to be determined is enclosed.

Please note that copies of the location and layout plans are included (where applicable) on the agenda. Plans to be considered will be displayed at the meeting or may be viewed in advance by following the links to the current planning applications on our website [http://planning.chorley.gov.uk/PublicAccess/TDC/tdc\\_home.aspx](http://planning.chorley.gov.uk/PublicAccess/TDC/tdc_home.aspx)

- (a) **10/00006/FUL - Land on side of Sidegate Cottage, Pompian Brow, Bretherton**  
(Pages 27 - 34)

Report of Director Partnerships, Planning and Policy (enclosed)

- (b) 10/00101/FUL - The Royal and The Coppice, Shaw Hill, Whittle-Le-Woods (Pages 35 - 44)

Report of Director of Partnerships, Planning and Policy (enclosed)

- (c) 09/00998/FULMAJ - St Mary's Church Hall, Lawrence Lane, Eccleston, Chorley (Pages 45 - 54)

Report of Director of Partnerships, Planning and Policy (enclosed)

- (d) 10/00027/REM - St James C of E Primary School, Devonport Way, Chorley (Pages 55 - 62)

Report of Partnerships, Planning and Policy (enclosed)

- (e) 10/00079/FUL - Pennines, 2 Crosse Hall Lane, Chorley (Pages 63 - 70)

Director of Partnerships, Planning and Policy (enclosed)

5. **Enforcement Report - 7 Well Lane, Brinscall, Chorley** (Pages 71 - 76)

Report of Director of Partnerships, Planning and Policy (enclosed)

6. **Delegated decisions determined by the Director of Partnerships, Planning and Policy in consultation with the Chair and Vice Chair of the Committee** (Pages 77 - 80)

Planning applications delegated on:

9 February 2010

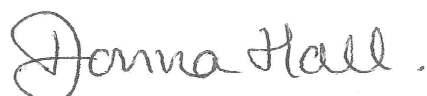
24 February 2010

7. **Delegated decisions determined by the Director of Partnerships, Planning and Policy** (Pages 81 - 90)

Schedule of applications determined between 27 January and 24 February 2010 (enclosed)

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

Yours sincerely



Donna Hall  
Chief Executive

Dianne Scambler  
Democratic and Member Services Officer  
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## **Distribution**

1. Agenda and reports to all members of the Development Control Committee, (Councillor Harold Heaton (Chair), Councillor Geoffrey Russell (Vice-Chair) and Councillors Ken Ball, Julia Berry, Judith Boothman, Alistair Bradley, Henry Counce, Mike Devaney, David Dickinson, Dennis Edgerley, Christopher France, Keith Iddon, Roy Lees, June Molyneaux, Simon Moulton, Mick Muncaster and Ralph Snape) for attendance.
2. Agenda and reports to Lesley-Ann Fenton (Director of Partnerships, Planning and Policy), Jennifer Moore (Head of Planning), Chris Moister (Head of Governance), Paul Whittingham (Development Control Team Leader) and Dianne Scambler (Democratic and Member Services Officer) for attendance.

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

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

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

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**Development Control Committee****Tuesday, 9 February 2010**

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

**Officers:** Jennifer Moore (Head of Planning), Paul Whittingham (Development Control Team Leader), Dianne Scambler (Democratic and Member Services Officer), Helen Lowe (Planning Officer) and Chris Moister (Head of Governance)

**Also in attendance:** Councillor Kevin Joyce (Eccleston and Mawdesley)

**10.DC.119 APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Julia Berry.

**10.DC.120 DECLARATIONS OF ANY INTERESTS**

No declarations of interest were declared.

**10.DC.121 MINUTES**

**RESOLVED – That the minutes of the Development Control Committee meeting held on 12 January 2010 be confirmed as a correct record for signing by the Chair.**

**10.DC.122 PLANNING APPLICATIONS AWAITING DECISION**

The Director of Partnerships, Planning and Policy submitted reports on seven 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.**

**(a) 09/00802/OUTMAJ - Pontins Ltd, Sagar House, Langton Brow, Eccleston, Chorley**

(The Committee received representations from an objector to the proposals and Councillor Kevin Joyce, a Ward representative for Eccleston and Mawdesley)

Application no: 09/00802/OUTMAJ  
Proposal: Outline application for the erection of 70 dwelling houses with associated roads and open spaces.  
Locations: Pontins Ltd, Sagar House, Langton Brow, Eccleston, Chorley  
Decision: It was proposed by Councillor Kevin Joyce, seconded by Councillor Mike Devaney, to approve the planning application.

An amendment to the motion was proposed by Councillor Dennis Edgerley, seconded by Councillor Alistair Bradley, to refuse planning permission on the grounds that fifty

percent of affordable housing on the development was not considered acceptable. Upon being put to the vote the motion was lost (6:10).

The original motion was then put to the vote and was subsequently **RESOLVED (10:6) to grant outline planning permission subject to a Legal Agreement and the following conditions:**

**1. An application for approval of the reserved matters (namely siting, scale, external appearance of the buildings and landscaping 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 application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plans. The development shall only be carried out in conformity with the approved details.**

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

**3. The application for approval of reserved matters shall be accompanied by 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. Each application for approval of Reserved Matters shall be accompanied by full details of the on-site measures to be installed and implemented so as to reduce carbon emissions, by the figure set out in policy SR1 of the Sustainable Resources DPD at the time of commencement of each individual plot, by means of low carbon sources has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall also include full details of the predicted energy use of the development expressed in terms of carbon emissions (If no data specific to the application is available benchmark data will be acceptable) and how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.**

***Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policies EM16 and EM17 of the North West Regional Spatial Strategy and Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.***



5. The applications for approval of Reserved Matters shall demonstrate and provide full details of how the design and layout of the buildings will withstand climate change. The details shall include details of the proposed Code for Sustainable Homes Level, how the proposals minimise energy use and maximise energy efficiency. All dwellings commenced after 1<sup>st</sup> January 2010 will be required to meet Code Level 3, all dwellings commenced after 1<sup>st</sup> January 2013 will be required to meet Code Level 4 and all dwellings commenced after 1<sup>st</sup> January 2016 will be required to meet Code Level 6 of the Codes for Sustainable Homes. The development shall not commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policies EM16 and EM17 of the North West Regional Spatial Strategy and Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*

6. 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.*

7. In accordance with the Lancashire Biodiversity Action Plan Targets the submission of a habitat creation and management plan is required to be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development. The plan shall include methods to establish habitats as well as appropriate aftercare and long term management. The proposed landscaping should comprise only native plant communities appropriate to the area and should enhance habitat connectivity. The existing hedgerows on site shall be retained and where this is not possible then replacement hedgerows will be required as part of the landscaping scheme/habitat creation and management plan. The landscaping thereafter shall accord with the approved plan.

*Reason: To ensure that the retained and re-established habitats that contribute to the Biodiversity Action Plan targets are suitably established and managed. In accordance with Policy ER5 of the North West Regional Spatial Strategy.*

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

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

9. 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 areas so fenced. All excavations within the area so fenced shall be carried out by hand.

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

10. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the making of a photographic record of the building. This must be carried out by a professionally qualified archaeological/building recording consultant or organisation in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority. Upon completion the photographic record shall be submitted to the Local Planning Authority.

*Reason : To ensure and safeguard the recording and inspection of matters of historical importance associated with the building/site and in accordance with Planning Policy Guidance Note 15: Planning and the Historic Environment*

11. 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.*

12. 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.*

13. Notwithstanding the submitted details the application for reserved matters shall be accompanied by full details of the access junction to the site with Langton Brow. The junction thereafter shall be completed in accordance with the approved details 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*

14. Due to the size of development and sensitive end-use, no development shall take place until:

a) a methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2001 'Investigation of potentially contaminated site - Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;

b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;

c) the Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority.

Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals.

*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 Planning Policy Statement 23: Planning and Pollution Control*

15. Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.

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

16. No development shall take place until details of the proposed surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. The details shall include a strategy to attenuate surface water discharges and measures to reduce land flooding from within the site to outside the boundaries of the site. 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 PPS25 Development and Flood Risk*

17. 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.*

18. 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.*

19. The development hereby approved shall be carried out in accordance with the Great Crested Newt Outline Mitigation set out within Section 6 and Appendix 1 of the Great Crested Newt Assessment undertaken by Scott Wilson dated August 2009.

***Reason: To ensure the continued protection and enhancement of Great Crested Newts. In accordance with Government advice contained in PPS9 and Policy EP4 of the Adopted Chorley Borough Local Plan Review.***

20. Prior to the commencement of the development details of a suitable receptor site for any great crested newts (GCN) trapped as a result of exclusion techniques shall be submitted to and approved in writing by the Local Planning Authority. These details should include a Management and Maintenance Plan to run for a minimum of 5 years and Post Development Monitoring for a period of 4 years in accordance with Section 6.1.4 of the GCN Assessment. The development thereafter shall be carried out in accordance with the approved plan.

***Reason: To ensure the continued protection and enhancement of Great Crested Newts. In accordance with Government advice contained in PPS9 and Policy EP4 of the Adopted Chorley Borough Local Plan Review.***

21. Prior to the commencement of the development a scheme for the creation/enhancement of 0.27 hectares of intermediate terrestrial habitat for Great Crested Newts within the development site shall be submitted to and approved in writing by the Local Planning Authority. This should include: planting a dense hedgerow along the northern boundary of the site, retention/enhancement of rough grassland along the north-west boundary and retention/enhancement of rough grassland in the north-east corner of the site. The development thereafter shall be carried out in accordance with the approved details.

***Reason: To ensure the continued protection and enhancement of Great Crested Newts. In accordance with Government advice contained in PPS9 and Policy EP4 of the Adopted Chorley Borough Local Plan Review.***

22. The outline planning permission hereby approved relates to the erection of upto 70 residential units. The application for reserved matters shall not exceed 70 residential units.

***Reason: In the interests of the appropriate development of the site, to prevent intensification in the development of the site and in the interests of the visual amenities of the area. In accordance with Government advice contained in PPS3: Housing and Policy HS4 of the Adopted Chorley Borough Local Plan Review***

23. The approved plans are:

Plan Ref.	Received On:	Title:
1048.10	27th October 2009	Location Plan
S08/148	27th October 2009	Topographical Land Survey
1101.SK10C	15 <sup>th</sup> November 2009	Illustrative Layout

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

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 2, Class A) (or any order revoking and re-enacting that Order) no fences, gates or walls shall be erected within the curtilage of any dwelling constructed along the north-east boundary of the site (other than those expressly authorised by permission).

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

(b) 09/01014/FUL - The Royle and The Coppice, Shaw Hill, Whittle-Le-Woods, Chorley

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

Application no: 09/01014/FUL  
 Proposal: Erection of 7 detached dwellings, garaging and associated infrastructure following demolition of the existing dwellings The Coppice and The Royle  
 Location: The Royle and The Coppice, Shaw Hill< whittle-Le-Woods, Chorley

Decision:  
 It was proposed by Councillor Keith Iddon, seconded by Councillor Chris France, and was subsequently **RESOLVED to refuse planning permission for the following reasons:**

**1. The application is unacceptable in that it lacks sufficient detail in terms of levels and cross sections in relation to properties around the site to enable the impact to be further assessed.**

**2. The proposal is an unacceptable layout which gives rise to adverse impacts on the amenity of properties adjacent to plots 5, 7 and 1 as a result of an adverse relationship between dwellings, differences in levels and unacceptable impact on the streetscene.**

**(c) 09/00825/OUTMAJ - Finnington Industrial Estate, Finnington Lane, Feniscowles, Withnell**

Application no: 09/00825/OUTMAJ  
 Proposal: Demolition of existing buildings, erection of 15 units for mixed use of office and living accommodation, formation of new access to Finnington Lane, landscaping and laying out of new road and parking areas together with provision of washroom/W.C. building for canal-boat users.  
 Location: Finnington Lane Industrial Estate, Finnington Lane, Feniscowles, Withnell

Decision:  
 It was proposed by Councillor David Dickinson, seconded by Councillor Ken Ball, and was subsequently **RESOLVED to grant outline planning permission subject to the following conditions:**

**1. Prior to the commencement of development details of appropriate mitigation measures to prevent pollution of the waterway during and after construction of the proposed development shall be submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.**

***Reason: In order to avoid contamination of the waterway and ground water from wind blow, seepage or spillage in accordance with the guidance in PPS23 – Planning and Pollution Control.***

**2. Notwithstanding the submitted plans prior to the first occupation of the units, details of the proposed boundary treatment (showing height, specification, colour, materials and/or planting) shall first have been submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.**

***Reason: To ensure that the external appearance of the development is satisfactory in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.***

**3. 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.***

4. 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.*

5. Notwithstanding the submitted plans no development shall take place until a detailed scheme for the access in accordance with the plans shown in the report by PSA Design received on the 17<sup>th</sup> November 2009 has been submitted to and agreed in writing by the Local Planning Authority in consultation with the Highway Authority and thereafter implemented in accordance with the agreed plan.

*Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.*

6. The approved units shall be used for a mixed residential and office use (classes C3 and B1(a), (b) of the Use Classes Order) and for no other use unless agreed in writing by the Local Planning Authority.

*Reason: To safeguard the Green Belt from inappropriate development and in accordance with Policy EP13 of the Adopted Chorley Borough Local Plan Review and the guidance in PPS7 - Sustainable Development in Rural Areas.*

7. The application for approval of Reserved Matters shall be accompanied by full details of the predicted energy use of the development expressed in terms of carbon emissions and a schedule setting out how energy efficiency is being addressed, including benchmark data. It will show the on-site measures to be installed and implemented so as to produce a minimum of 10%, or locally set targets (whichever is the higher) in place at the receipt of the reserved matters, of the predicted energy use of the development by means of low carbon energy sources. Appropriate on-site measures include rainwater/brown water recycling. No development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure the proper planning of the area, in line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1 and Chorley Borough Council's Sustainable Resources DPD.*

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

*Reason: The permission is in outline only and in accordance with Policy Nos. GN5 and EP13 of the Adopted Chorley Borough Local Plan Review.*

(d) 09/00738/FULMAJ - Golden Acres Ltd, Plocks Farm, Liverpool Road, Bretherton, Leyland

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

Application no: 09/00738/FULMAJ  
 Proposal: Extensions and alterations to pet food manufacturing facility including an automated finished product store (AFPS); upgraded and new extrusion process lines including a sunken mill; raw material storage; odour abatement (a roofed pine bark based biological filter system including venting chimneys, one 30 metres high); waste water treatment; additional capacity of waste recovery and recycling facilities; landscaping including earth excavation and mounding; related infrastructure.  
 Location: Golden Acres Ltd, Plocks Farm, Liverpool Road, Bretherton Leyland

Decision:  
 It was proposed by Councillor Keith Iddon, seconded by Councillor Mike Devaney, and was subsequently **RESOLVED to grant planning permission subject to it being referred to the Government Office for the North West, the Secretary of State not calling the application in 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 approved plans are:**

Plan Ref.	Received On:	Title:
01	18 <sup>th</sup> September 2009	Existing Layout (July 2009)
02	18 <sup>th</sup> September 2009	Landscape Features
03	18 <sup>th</sup> September 2009	Landscape Structure
11	18 <sup>th</sup> September 2009	Proposed Development of Golden Acres Masterplan
12	18 <sup>th</sup> September 2009	Masterplan
13	18 <sup>th</sup> September 2009	Phasing Detail- Phase One
14	18 <sup>th</sup> September 2009	Phasing Detail- Phase Two
15	18 <sup>th</sup> September 2009	Phasing Detail- Phase Three
16	18 <sup>th</sup> September 2009	Phasing Detail- Phase Four
17	18 <sup>th</sup> September 2009	Phasing Detail- Phase Five
18	18 <sup>th</sup> September 2009	Phasing Detail- Phase Six
19	18 <sup>th</sup> September 2009	Phasing Detail- Phase Seven
20	18 <sup>th</sup> September 2009	Landscape Proposals
50 Rev P01	18 <sup>th</sup> September 2009	Automated Finished Product store elevations
51 Rev P01	18 <sup>th</sup> September 2009	Automated Finished Product store plan
52 Rev P01	18 <sup>th</sup> September 2009	Automated Finished Product Store Roof plan
53 Rev P01	18 <sup>th</sup> September 2009	Pallet Store/ Recycling Building plans and Elevations
Rev P01	18 <sup>th</sup> September 2009	IBC Store/ Raw Materials Elevations
55 Rev P01	18 <sup>th</sup> September 2009	IBC Store/ Raw Materials Plan
56 Rev P01	18 <sup>th</sup> September 2009	IBC Store/ Raw Materials Roof Plan
57 Rev P01	18 <sup>th</sup> September 2009	Impact Mitigation Drawing
58 Rev P01	18 <sup>th</sup> September 2009	Line D/ Intake Building Plan And Elevations
59 Rev P01	18 <sup>th</sup> September 2009	Line D/ Intake Building Roof Plan

60 Rev P01	18 <sup>th</sup> September 2009	Engineers Store and Hot room
61 Rev P01	18 <sup>th</sup> September 2009	Energy Centre and Line C intake
62 Rev P01	18 <sup>th</sup> September 2009	IBC Cleaning Building
63 Rev P01	18 <sup>th</sup> September 2009	Biomass Material Store Plans and Elevations
64 Rev P01	18 <sup>th</sup> September 2009	Bio Beds Roof Plan
65 Rev P01	18 <sup>th</sup> September 2009	Bio Beds Floor Plan
66 Rev P01	18 <sup>th</sup> September 2009	Bio Beds Elevations and sections
67	18 <sup>th</sup> September 2009	Proposed Fan House and Energy centre
103	21 <sup>st</sup> January 2010	Record of Planning Approvals- Buildings and infrastructure

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

3. No development shall commence until a plan showing the phasing of the development has been submitted to and agreed by the Local Planning Authority. Implementation shall be in accordance with that plan unless as otherwise agreed by the Local Planning Authority.

***Reason:*** To ensure effective control over the respective phases of the development hereby permitted.

4. The premises shall be used for the extrusion of agricultural produce for the purposes of animal and pet food production only and for no other purpose (including any other purpose in Class B2 of 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 with or without modification) save for ancillary uses.

***Reason:*** The site is in an area of green belt where development is strictly controlled.

5. The Automated Finished Products Store (AFPS) shall only be used as an ancillary part of the premises to which this planning permission relates. More particularly, it shall not be used other than as expressed in condition 3 above and specifically not as an independent warehouse under Class B8 of 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 with or without modification

***Reason:*** The site is in an area of green belt where development is strictly controlled.

6. Prior to the commencement of each phase of the development samples of all external facing materials to the proposed buildings (notwithstanding any details shown on previously submitted plans and specification) shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

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

7. Prior to the commencement of each phase of the development full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site) shall be submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plans. The development shall only be carried out in conformity with the approved details.



***Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 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 and EM2 of the Adopted Chorley Borough Local Plan Review.***

**9. No part of the development hereby permitted shall be brought into use until a travel plan to promote travel by sustainable modes has been submitted to and approved in writing by the Local Planning Authority. The travel plan shall be implemented in accordance with the timetable to be set out in that plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually to the Local Planning Authority for approval for a period of ten years from the first occupation of the development hereby permitted.**

***Reason: To ensure that the site is as sustainable as possible from a transport perspective***

**10. No development shall take place for any of the phases of the development to be shown on the phasing plan until full details of both hard and soft landscape works (including water features) have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; parking layouts; vehicle access and circulation areas; hard surfacing materials; proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.**

**a. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.**

**b. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.**

**c. No development shall take place until details of earthworks have been submitted to and approved in writing by the local planning authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.**

***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.***

**11. None of the phases of development to be shown on the approved phasing plan shall be commenced until a habitat creation and landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas has been submitted to and approved by the Local Planning Authority. The landscape management plan shall be carried out as approved.**

***Reason: In the interests of nature conservation, to enhance biodiversity and the appearance of the locality. In accordance with Government advice contained in PPS9: Biodiversity and Geological Conservation, Policies EM1 and DP7 of the***

***North West Regional Spatial Strategy and Policy EP4 of the Adopted Chorley Borough Local Plan Review.***

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

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

13. Before any plant installed in Building No. 23 (Line D) on the approved Masterplan 12 becomes operational the Applicant shall have:

- i) Constructed and commissioned the raw material intake Building No. 24 and Building No. 29, on the approved Masterplan in order to minimise odours during the transfer of raw materials from road vehicles to the processing plant, and
- ii) Constructed and commissioned the 3 wet scrubbers and biobeds, being Building No. 32, on the approved Masterplan together with the extraction corridor, Building No. 33 on the approved Masterplan.

***Reason: To ensure that odour released to atmosphere at the point of discharge and transfer of raw materials is minimised, and that the replacement odour abatement plant is built before any replacement production lines become operational.***

14. Within three months after first becoming operational the performance of the 3 wet scrubbers and biofilters (Building No. 32 on the approved Masterplan) shall be assessed. Such assessment shall be in the form of a written report and be by way of three separate olfactometric tests undertaken over a three week period, together with a review of offsite odour impact assessments and odour complaints received from the general public during the operational period. The written report of the olfactometric tests shall analyse the operational conditions during the tests and give an opinion as to the likely performance of the abatement plant to remove odour (based on the test results obtained).

In the event that either:

- i) air off the biofilters has an odour concentration of more than 1,500 ouE/m<sup>3</sup>; or
- ii) the Council's responsible Environmental Health Officer (or any other officer with similar responsibility under a different name), in consultation with the Environment Agency (having reviewed the report and other evidence, including that from boundary odour assessments and any complaints) considers that odour is likely to cause annoyance to local residents as assessed at the site boundary, then within nine months the Applicant shall construct and discharge all treated air from the 3 biofilters via the 30m high dispersal chimney (Building No. 34 on the approved Masterplan) hereby permitted (in the event that it has not been constructed).

***Reason: To ensure that the odour impact on local residents is minimised***

15. Following the construction of 2 additional wet scrubbers and biofilters as proposed (Building No. 32 on the approved Masterplan) the Applicant shall undertake performance testing identical to that required in 13.2(i) above. The

assessment shall be undertaken three months after the additional 2 wet scrubbers and biofilters first become operational.

In the event that all 5 bio filters have:

- (a) on average an odour concentration of more than 1,000 oUE/m<sup>3</sup> and,
- (b) the Council's responsible Environmental Health Officer (or any other officer with that responsibility under a different name), in consultation with the Environment Agency, having reviewed the report and other evidence, including that from boundary odour assessments and any complaints, considers that odour is likely to cause annoyance to local residents as assessed at the site boundary, then within nine months the Applicant shall construct and discharge all treated air from the 5 biofilters via the 30m high dispersal chimney (Building No. 34 on the approved Masterplan) hereby permitted (in the event that it has not been constructed).

*Reason: To ensure that the odour impact on local residents is minimised.*

16. Upon commencement of operations in Building 22, as shown on the approved Masterplan (drawing 12), the rating level of noise from development hereby permitted shall not exceed 44dB(Lar) for 5 minutes between 2300 and 0700 hours daily, recorded in a 'free field' location at properties east of the site on the A59 Liverpool Road. The properties are identified on the approved Masterplan.

*Reason: To secure effective control over noise levels experienced at certain local residential properties close by and in accordance with policy EP20 of the Adopted Chorley Borough Local Plan Review*

17. The monitoring of noise from each phase of the development hereby permitted to be shown on the phasing plan shall be undertaken in accordance with a noise monitoring scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme for each phase shall provide full details of, and justification for, how, where, when and by whom monitoring will be performed. The scheme shall remain in place throughout the operation of the site unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To secure effective control over noise levels experienced at certain local residential properties close by and in accordance with policy EP20 of the Adopted Chorley Borough Local Plan Review*

18. No development shall take place for any of the phases to be shown in the phasing plan, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (a) operating hours during which works of construction or demolition or works incidental thereto shall take place;
- (b) the parking of vehicles of site operatives and visitors;
- (c) loading and unloading of plant and materials;
- (d) storage of plant and materials used in constructing the development;
- (e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (f) wheel washing facilities;
- (g) measures to control the emission of dust and dirt during construction and
- (h) a scheme for recycling/disposing of waste resulting from demolition and construction works.

*Reason: To minimise the impact of construction on the local environment*

19. None of the chimney flues hereby permitted shall be erected until full details of their external appearance (which shall include height, all materials, colours, and the shape of any cones )have been submitted to and approved by the Local Planning Authority in writing.

*Reason: To minimise the impact of the chimney flues on the local environment and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.*

20. No development shall take place until a programme of archaeological work for each of the phases to be shown on the phasing plan have been submitted to and approved in writing by the Local Planning Authority. This scheme shall include a programme of earthwork recording, evaluation trenching and palaeoenvironmental analysis of peat deposits present on the site.

*Reason: To enable archaeologists to record any items of interest and in accordance with Policy Nos. HT11 and HT12 of the Adopted Chorley Borough Local Plan Review.*

21. Details of all external lighting for each phase of the development hereby permitted to be shown on the phasing plan shall be submitted to and approved in writing by the Local Planning Authority before each phase of the development hereby permitted is used. Development shall be carried out in accordance with the approved details.

*Reason: To minimise the impact of the development on the local environment and in accordance with Policy EP21A of the Adopted Chorley Borough Local Plan Review*

22. All the buildings hereby permitted within which people are habitually present shall have a threshold level of 7.02 metres AOD

*Reason: To protect against a 1 in 1000 year tidal flood situation*

23. All access points for the AFPS hereby permitted shall be set above 7.02 metres AOD.

*Reason: To protect against the 1 in 1000 year tidal flood situation*

24. The AFPS hereby permitted shall not be commenced until full details of waterproof membranes to be used to make its structure resistant to groundwater and tidal flood waters have been submitted to and approved by the Local Planning Authority in writing. The development shall only be implemented in accordance with those approved details and they shall be maintained permanently.

*Reason: To protect against the 1 in 1000 year tidal flood situation*

25. No development for any of the phases approved shall be commenced until full details of a sustainable drainage system have been approved. Run off from the new developments in excess of 10 litres per second per hectare (l/s/ha) will be retained and managed on site in that sustainable drainage system.

*Reason: To secure sustainable development principles and in accordance with Policy EP18 of the Adopted Chorley Borough Local Plan Review*

26. Waste water and storage lagoons hereby permitted shall be constructed with a lined or impermeable base.

*Reason: To prevent the percolation of effluent into the ground and in accordance with Policy EP17 of the Adopted Chorley Borough Local Plan Review*

27. 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 areas so fenced. All excavations within the area so fenced shall be carried out by hand.

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

(e) 09/00867/FULMAJ - Land rear of 243-289 Preston Road, Clayton-Le-Woods, Chorley

Application no: 09/00867/FULMAJ

Proposal: Erection of 14 residential properties with associated infrastructure and provision of car parking for existing residents.

Location: Land to rear of 243-289, Preston Road, Clayton-Le-Woods

Decision:

It was proposed by Councillor Mike Devaney, seconded by Councillor David Dickinson, and was subsequently **RESOLVED (9:0) to grant 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. 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 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.*

5. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected 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. 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 No. GN5 of the Adopted Chorley Borough Local Plan Review.*

6. Prior to the commencement of the development a geotechnical investigation of the slopes adjacent to the application site shall be undertaken to ensure the stability of the slope. The investigation shall also include the trees located to the south west boundary to assess the long term impact of the regrading and any safety implications. This investigation shall be submitted to and approved in writing by the Local Planning Authority. Any remedial works required to ensure the continued stability of the ground shall be implemented prior to the commencement of development of the site.

*Reason: To ensure the continued stability of the surrounding land and in accordance with Policy EP15 of the Adopted Chorley Borough Local Plan Review*

7. 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.*

8. 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 details shall include the future management of the proposed existing residents parking spaces detailed on plans reference 07/170 AL005. The site shall thereafter be managed by the approved Management Company.

*Reason: To ensure the satisfactory management of the private driveway, residents parking spaces and refuse storage/ collection at the site and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.*

9. No development shall take place until :

- a) a methodology for investigation and assessment of ground contamination has been submitted to and approved in writing by the Local Planning Authority. The investigation and assessment shall be carried out in accordance with current best practice including British Standard 10175:2001 "Investigation of potentially contaminated sites – Code of Practice". The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;
- b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;

- c) the Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works, a validation report containing any validation sampling results have been submitted to and approved in writing by the Local Planning Authority.

*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*

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

11. No dwelling hereby permitted shall be occupied until the highway alterations to the site access and Preston Road have been completed in accordance with the details shown on plan reference AL(00)-001 , or as 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.*

12. 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*

13. No development shall take place until details of the proposed surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented.

*Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 of the Adopted Chorley Borough Local Plan Review, Policy 24 of the Joint Lancashire Structure Plan and Government advice contained in PPS25: Development and Flood Risk*

- (f) 09/00739/FULMAJ - Group 4N, Land 150m West of Sibbering's Farm, Dawson Lane, Whittle-Le-Woods

Application no: 09/00739/FULMAJ  
 Proposal: Erection of 110 dwellings with associated infrastructure, open space and landscape treatment including a part amendment to the road layout previously approved as part of reserved matters approvals 05/00523/REMMAJ and 05/00525/REMMAJ  
 Location: Group 4N Land 150, West of Sibbering's Farm, Dawson Lane, Whittle-Le-Woods  
 Decision:

It was proposed by Councillor Ken Ball, seconded by Councillor Simon Moulton, and was subsequently **RESOLVED** to grant 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. 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.***

**3. 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.***

**4. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform. In particular the scheme shall include full details of the semi- mature trees, to be planted to the rear of plots 62-63, 75-76 and along the boundary of the site with Jones Farm.**

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

**5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 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. 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 areas so fenced. All excavations within the area so fenced shall be carried out by hand.  
*Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 and HT9 of the Adopted Chorley Borough Local Plan Review.*

7. The development hereby permitted shall not commence until samples of all external facing materials to the proposed buildings (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.

*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. 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.*

9. 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 and EM2 of the Adopted Chorley Borough Local Plan Review.*

10. The garages hereby permitted for plots 1, 2, 9, 17-24, 27, 29, 30, 32, 34, 36, 42, 46, 51, 55, 59, 60, 64-66, 72-74, 79-83, 89, 90, 93-98, 106 and 108, 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: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking and in accordance with Policy No. RT2 of the North West Regional Spatial Strategy*

11. The proposed landscaping should comprise only native plant communities appropriate to the area and should enhance habitat connectivity. In accordance with the Lancashire Biodiversity Action Plan Targets the submission of a habitat creation and management plan is required to be submitted and approved in writing by the Local Planning Authority. The landscaping thereafter shall accord with the approved plan.

*Reason: To ensure that the retained and re-established habitats that contribute to the Biodiversity Action Plan targets are suitably established and managed. In accordance with Policy ER5 of the North West Regional Spatial Strategy*

12. Prior to the first occupation of the development hereby permitted, a Residential Travel Plan shall be submitted to and approved in writing by, the local planning authority. The measures in the agreed Travel Plan shall then thereafter be complied with unless otherwise agreed in writing by the Local Planning Authority.

*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*

13. 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*

14. 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.*

15. The development hereby approved shall be carried out in accordance with the approved surface water regulation system.

*Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS25: Development and Flood Risk*

16. The development hereby approved shall be completed in accordance with the submitted Energy Efficiency Strategy received 17<sup>th</sup> April 2009 (planning reference 07/00953/OUTMAJ).

*Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policies EM16 and EM17 of the North West Regional Spatial Strategy and Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2 Part 1, Class E), or any Order revoking or re-enacting the Order, no garage, shed or other outbuilding shall be erected (other than those expressly authorised by this permission) on plots 12-22, 55-63, 75-78 and 82-86 inclusive.

*Reason: To protect the appearance of the locality, to ensure continued protection of the trees on site and in accordance with Policy Nos. HS4 and EP9 of the Adopted Chorley Borough Local Plan Review.*

18. The approved plans are:

Plan ref:	Received on:	Title:
1046/01 Rev E 2	February 2010	Landscape Plan
BVG4N-P01 Rev D	2 February 2010	Proposed Site Visit
BV-G4N-06 ENG02	25 September 2009	Site Location Plan
BV-G4N-06 ENG03	25 September 2009	Proposed Road Surfaces
08/064/SS	25 September 2009	Proposed Drainage
BV-G4N-06-ENG04	25 September 2009	Proposed Street Scenes
BV-G4N-06-ENG08	25 September 2009	Planning Application Boundary
BV-G4N-06-ENG08 Rev A	3 February 2010	Finished Floor Levels
BE-A-1	18 November 2009	Belfry A
BE-A-2	18 November 2009	Belfry A

BE-B-2	18 November 2009	Belfry B
BE-B-1	18 November 2009	Belfry B
BE-C-2	18 November 2009	Belfry C
BE-C-1	18 November 2009	Belfry C
CA-A-1	18 November 2009	Carnoustie A
CA-A-2	18 November 2009	Carnoustie A
CA-B-2	18 November 2009	Carnoustie B
CA-B-1	18 November 2009	Carnoustie B
CA-C-2	18 November 2009	Carnoustie C
CA-C-1	18 November 2009	Carnoustie C
GL-A-1	18 November 2009	Gleneagles A
GL-A-2	18 November 2009	Gleneagles A
GL-B-2	18 November 2009	Gleneagles B
GL-B-1	18 November 2009	Gleneagles B
GL-C-2	18 November 2009	Gleneagles C
GL-C-1	18 November 2009	Gleneagles C
MU-A-2	18 November 2009	Muirfield A
MU-A-1	18 November 2009	Muirfield A
MU-B-2	18 November 2009	Muirfield B
MU-B-1	18 November 2009	Muirfield B
MU-C-2	18 November 2009	Muirfield C
MU-C-1	18 November 2009	Muirfield C
SU-A-1	18 November 2009	Sunningdale A
SU-A-2	18 November 2009	Sunningdale A
SU-B-2	18 November 2009	Sunningdale B
SU-B-1	18 November 2009	Sunningdale B
SU-C-2	18 November 2009	Sunningdale C
SU-C-1	18 November 2009	Sunningdale C
TR-A-1	18 November 2009	Troon A
TR-A-2	18 November 2009	Troon A
TR-B-2	18 November 2009	Troon B
TR-B-1	18 November 2009	Troon B
TR-C-2	18 November 2009	Troon C
TR-C-1	18 November 2009	Troon C
TU-A-1	18 November 2009	Turnberry A
TU-A-2	18 November 2009	Turnberry A
TU-B-2	18 November 2009	Turnberry B
TU-B-1	18 November 2009	Turnberry B
TU-C-2	18 November 2009	Turnberry C
TU-C-1	18 November 2009	Turnberry C
WE-A-1	18 November 2009	Wentworth A
WE-B-2	18 November 2009	Wentworth B
WE-B-1	18 November 2009	Wentworth B
WE-A-2	18 November 2009	Wentworth A
C5H206	13 October 2009	The Blenheim (Brick)
C5H206	13 October 2009	The Blenheim (Render)
C5H206	13 October 2009	The Blenheim floor plans
C5H199	13 October 2009	The Cheltenham floor plans
C5H199	13 October 2009	The Cheltenham (Brick)
C5H199	13 October 2009	The Cheltenham (Render)
C4H195	13 October 2009	The Richmond floor plans
C4H195	13 October 2009	The Richmond (Brick)
C4H195	13 October 2009	The Richmond (Render)
C6H180	28 January 2010	The Hampstead (Brick)
C6H180	28 January 2010	The Hampstead (Render)
C4H171	13 October 2009	The Balmoral floor plans
C4H171	13 October 2009	The Balmoral (Brick)
C4H171	13 October 2009	The Balmoral (Render)
C4H161	13 October 2009	The Dorchester floor plans

C4H161	13 October 2009	The Dorchester (Brick)
C4H160	13 October 2009	The Westminster floor plans
C4H160	13 October 2009	The Westminster (Brick)
CEH160	13 October 2009	The Westminster (Render)
L-DG01	23 November 2009	6m x 6m Double Garage 3
L-DG02	23 November 2009	6m x 6m Double Garage 2
G-007_VT1	23 November 2009	5.5m x 5.5m Double Garage
Q_DD1	23 November 2009	5.5m x 11m Double Double Garage
L_QDS01	23 November 2009	6m x 12m Quad Double Garage
BV/G4N/ENG/001 Rev A	9 February 2010	Drainage Layout
BV/G4N/ENG/002-1 Rev A	9 February 2010	Longsection Sheet 1
BV/G4N/ENG/002-2 Rev A	9 February 2010	Longsection Sheet 2
BV/G4N/ENG/002-3 Rev A	9 February 2010	Longsection Sheet 3
BV/G4N/ENG/002-4 Rev A	9 February 2010	Longsection Sheet 4
BV/G4N/ENG/002-5 Rev A	9 February 2010	Longsection Sheet 5
BV/G4N/ENG/002-6 Rev A	9 February 2010	Longsection Sheet 6
BV/G4N/ENG/029-1	9 February 2010	Surface Manhole Schematic 1
BV/G4N/ENG/029-2	9 February 2010	Surface Manhole Schematic 2
BV/G4N/ENG/029-3	9 February 2010	Surface Manhole Schematic 3
BV/G4N/ENG/029-4	9 February 2010	Surface Manhole Schematic 4
BV/G4N/ENG/029-5	9 February 2010	Surface Manhole Schematic 5
BV/G4N/ENG/029-6	9 February 2010	Surface Manhole Schematic 6
BV/G4N/ENG/029-7	9 February 2010	Surface Manhole Schematic 7
BV/G4N/ENG/029-8	9 February 2010	Foul Manhole Schematic 8
BV/G4N/ENG/029-9	9 February 2010	Foul Manhole Schematic 9
BV/G4N/ENG/029-10	9 February 2010	Foul Manhole Schematic 10
BV/G4N/ENG/029-11	9 February 2010	Foul Manhole Schematic 11
BV/G4N/ENG/029-12	9 February 2010	Foul Manhole Schematic 12

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

Councillor Alistair Bradley left the meeting.

**(g) 09/00996/OUT - Fairview, Runshaw Lane, Euxton, Chorley**

Councillor Alistair Bradley returned to the meeting.

Application no: 09/00996/OUT  
Proposal: Erection of detached bungalow style residence  
Location: Fairview, Runshaw Lane, Euxton  
Decision:

It was proposed by Councillor Harold Heaton, seconded by Councillor Geoff Russell, and was subsequently **RESOLVED to refuse planning permission for the following reason:**

**The proposed bungalow would be located within the Green Belt as defined by the Chorley Borough Local Plan Review. For a new dwelling to be acceptable in the Green Belt, the site upon which it is proposed must constitute a 'rural infill' plot. In this case, the site on which the bungalow is proposed does not constitute a single plot within an existing substantial built up frontage hence the proposed bungalow is contrary to Policy No. DC4 of the Chorley Borough Local Plan Review and PPG2.**

#### **10.DC.123 PLANNING APPEALS NOTIFICATION REPORT**

The Director of Partnerships, Planning and Policy, submitted a report giving notification of one appeal that had been lodged against the refusal of planning permission, three planning applications that had been dismissed and one appeal that had been allowed. The Committee also received notification of permission for planning made by Lancashire County Council.

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

#### **10.DC.124 DELEGATED DECISIONS DETERMINED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY IN CONSULTATION WITH THE CHAIR AND VICE CHAIR OF THE COMMITTEE**

The Committee received for information tables listing five applications for Category 'B' development proposals which had been determined by the Director of Partnerships, Planning and Policy in consultation with the Chair and Vice Chair of the Committee at meetings held on 24 December 2009 and 27 January 2010.

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

#### **10.DC.125 DELEGATED DECISIONS DETERMINED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY**

The Committee received for information, a schedule listing the remainder of the planning applications determined by the Director of Partnerships, Planning and Policy under delegated powers between 23 December 2009 and 26 January 2010.

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

Chair

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# Report

Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	09.03.2010

## PLANNING APPLICATIONS AWAITING DECISION

Item	Application No.	Recommendation	Location	Proposal
1	10/00006/FUL	Permit (Subject to Legal Agreement)	Land On Site Of Sidegate Cottage Pompian Brow Bretherton Leyland PR26 9AQ	Erection of a detached house on land adjacent to Sidegate Cottage
2	10/00101/FUL	Permit (Subject to Legal Agreement)	The Royal And The Coppice Shaw Hill Whittle-Le-Woods Chorley PR6 7PP	Erection of 7 detached dwellings, garages and associated infrastructure following demolition of the existing dwellings.
3	09/00998/FULMAJ	Permit (Subject to Legal Agreement)	St Marys Church Hall Lawrence Lane Eccleston Chorley PR7 5SJ	Erection of 10 dwellings and associated infrastructure, including demolition of existing buildings
4	10/00027/REM	Approve Reserved Matters	St James C Of E Primary School Devonport Way Chorley PR6 0TE	Erection of 9 Dwellings with new access, road driveway and parking court (Reserve Matters application 08/00100/OUT)
5	10/00079/FUL	Permit (Subject to Legal Agreement)	Pennines 2 Crosse Hall Lane Chorley PR6 0QJ	Demolition of detached bungalow and garage and erection of 8 affordable houses with ancillary parking and enclosures

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**Item 1**                      **10/00006/FUL**                      **Permit (Subject to Legal Agreement)**

**Case Officer**                      **Mrs Helen Lowe**

**Ward**                                      **Lostock**

**Proposal**                              **Erection of a detached house on land adjacent to Sidegate Cottage**

**Location**                              **Land On Site Of Sidegate Cottage Pompian Brow Bretherton Leyland PR26 9AQ**

**Proposal**                              This application proposes the erection of a single detached two storey dwelling (the first floor accommodation is largely provided in the roof space), with an integral garage and new access.

**Location**                              Land to the south of Sidegate Cottage, Pompian Brow, Bretherton

**Summary**                              The main issues to consider in determining the application are considered to be design and appearance, impact on the streetscene/character of the area, impact on highway safety and impact on neighbour amenity.

**Planning Policy**                      GN4 – Settlement Policy – Other Rural Settlements  
GN5 – Buiding Design and Retaining Existing Landscape Features and Natural Habitats  
EP18: Surface Water Runoff  
HS4: Design and Layout of Residential Development  
HS6: Housing windfall Sites  
HS21: Playing Space Requirements  
TR4: Highway Development Control Criteria

**Planning History**                      89/01037/OUT – Outline application for residential development. Approved  
96/00483/OUT – Outline application for erection of five detached dwellings. Withdrawn  
08/01218/FUL - Erection of replacement dwelling with detached garage and new access. Approved  
09/00919/MNMA - Minor amendments to proposed new dwelling (08/01218/Ful). Approved

**Consultees Responses**                      *LCC Highways* – no objections  
*United Utilities* – no objections in principle. A public sewer runs across the site and building over it will not be permitted. The site must be drained on a separate system.  
*Environment Agency* – request a condition requiring details of a scheme for disposal of foul and surface water to be submitted and approved.  
*Director of People and Places* – recommend an informative is attached recommending a desk study to check for contaminated land.  
*Conservation Officer* – The site is outside Bretherton Conservation Area and within the settlement boundary. The design is uninspiring but inoffensive and takes some design cues from other relatively

recent houses constructed in Bretherton. The application is therefore acceptable.

*Bretherton Parish Council* – object to the proposal for the following reasons:

- The overbearing nature of the proposal;
- The elevated position and risk of overlooking, overshadowing, loss of privacy and loss of light;
- Increase in traffic generated; inadequacy of on site parking;
- The sewage system is not considered to be adequate for the number of houses already on the road and neighbouring gardens are occasionally flooded;
- Interference with habitat of birds and wildlife, loss of trees, hedges and orchard;
- The site is extremely close to the Conservation Area and this should be taken into consideration;
- Lack of consultation with residents.

### **Third Party Representations**

In total 19 letters of objection have been received from 11 households. A petition has also been received which has been signed by 24 people, a number of whom have also sent individual letters. They make the following comments:

- The application as never classed as garden and cannot be classed as Brownfield Land (it was an orchard);
- The proposal will lead to more cars and traffic and increased on road parking;
- Loss of another orchard site in Bretherton;
- Inadequate notification (letters not sent to neighbours);
- The site is in a Conservation Area;
- It will be overbearing in appearance and dominate that side of the road;
- There is inadequate drainage in the area and the area is prone to flooding;
- The site notice is poorly positioned on a lamp post in front of Sidegate Cottage (there have been some comments made that it was sited behind the previous site notice);
- It will significantly change the character of the area;
- It will not be in keeping with other properties;
- It represents significant additional development to the original buildings; a third application for another property in the area to the other side of Sidegate cottage is likely to follow;
- It will be visually overbearing and out of keeping with smaller neighbouring properties;
- The proposal does not comply with GN4.

### **Assessment**

Policy GN4 of the re-use of previously developed land can be an appropriate form of development in rural settlements, bearing in mind the scale of any proposed development in relation to its surroundings and the sustainability of the location. Previously developed land is land, which is or was last occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure. As part of the previous application evidence was submitted from a local resident that the land within the red edge of the current application was used as garden area belonging to the cottage, including a vegetable

patch and lawned area. The application forms submitted in 1996 and 1989 refers to the previous land as 'garden'. This appears to be supported by aerial photographs taken in the 1960s. The garden area has not been separated from the existing cartilage of the adjacent dwelling house (Sidegate Cottage) until the recent application for a replacement dwelling.

Given the previous position that has been taken with regard to the status of this land and lack of evidence to the contrary, on balance I consider that this land must be considered to be previously developed.

PPS3 encourages the redevelopment of previously developed land as opposed to developing Greenfield land (although there is no presumption that previously developed land is necessarily suitable for housing development, nor that the whole of the cartilage should be developed). As the proposal is only for one dwelling, there is no affordable housing requirement.

#### *Design and appearance*

The proposed dwelling would be L shaped, with a maximum depth of 13.3m and width of 13.7m. It would be 4.1m high to the eaves and 7.7m high to the ridge. The first floor windows would be set into the eaves. It is proposed to be constructed from painted render and a natural slate roof.

#### *Impact on the street scene/character of the area*

Pompian Brow comprises a wide variety of property styles, sizes and materials. This includes rendered properties, wooden properties, bungalows, and red brick two storey dwellings. There is also no consistent pattern with regard to the proximity of properties to the road. The site is adjacent to the Conservation Area (but not within it). Although the proposed dwelling would be large, it is not considered that the bulk and scale of the dwelling would be such that it would be unduly prominent or obtrusive within the street scene. Given that the Council's Conservation Officer has not raised any objections to the proposal it is not considered that it would be reasonable to refuse the proposal on design grounds or impact on the adjacent conservation area.

#### *Highway Safety*

The proposed dwelling incorporates a double garage (5.9m by 5.5m internally) and there would be sufficient driveway parking for at least 2 cars (a detailed landscaping plan is currently awaited to confirm the details of the exact areas of hard and soft landscaping). It is considered that the location of the property on the application site would allow sufficient space for adequate off street parking for a four bedroom dwelling (3 parking spaces are required in RSS draft parking standards). No objections have been raised by LCC Highways.

#### *Neighbour Amenity*

The proposed dwelling would be 31m from the facing elevation of 2 Norse Cottages to the west and side facing windows in the proposed dwelling would be 37m to facing windows in Elm Cottage to the south. The application site is in a slightly elevated position to the road, however this difference in levels is not considered to significantly impact on the interface standards (further details as regards finished floor levels have been requested from the applicant). There would be a distance of just under 10m between the application property and the dwelling currently under

construction to the north. There are a number of secondary windows in each facing elevation. A boundary treatment has not been specified. It is considered that the proposed dwelling is sufficiently far from neighbouring properties to avoid any undue loss of privacy and overlooking.

*Other matters*

A number of residents have raised concerns with regard to flooding and drainage of the site. The Environment Agency and United Utilities have raised no concerns with the proposals.

Concerns have also been raised with regard to the publicity for the application. Neighbour letters were sent to 11 properties considered to be most directly affected on the 21<sup>st</sup> of January and a site notice posted on the 26<sup>th</sup> of January.

**Conclusion**

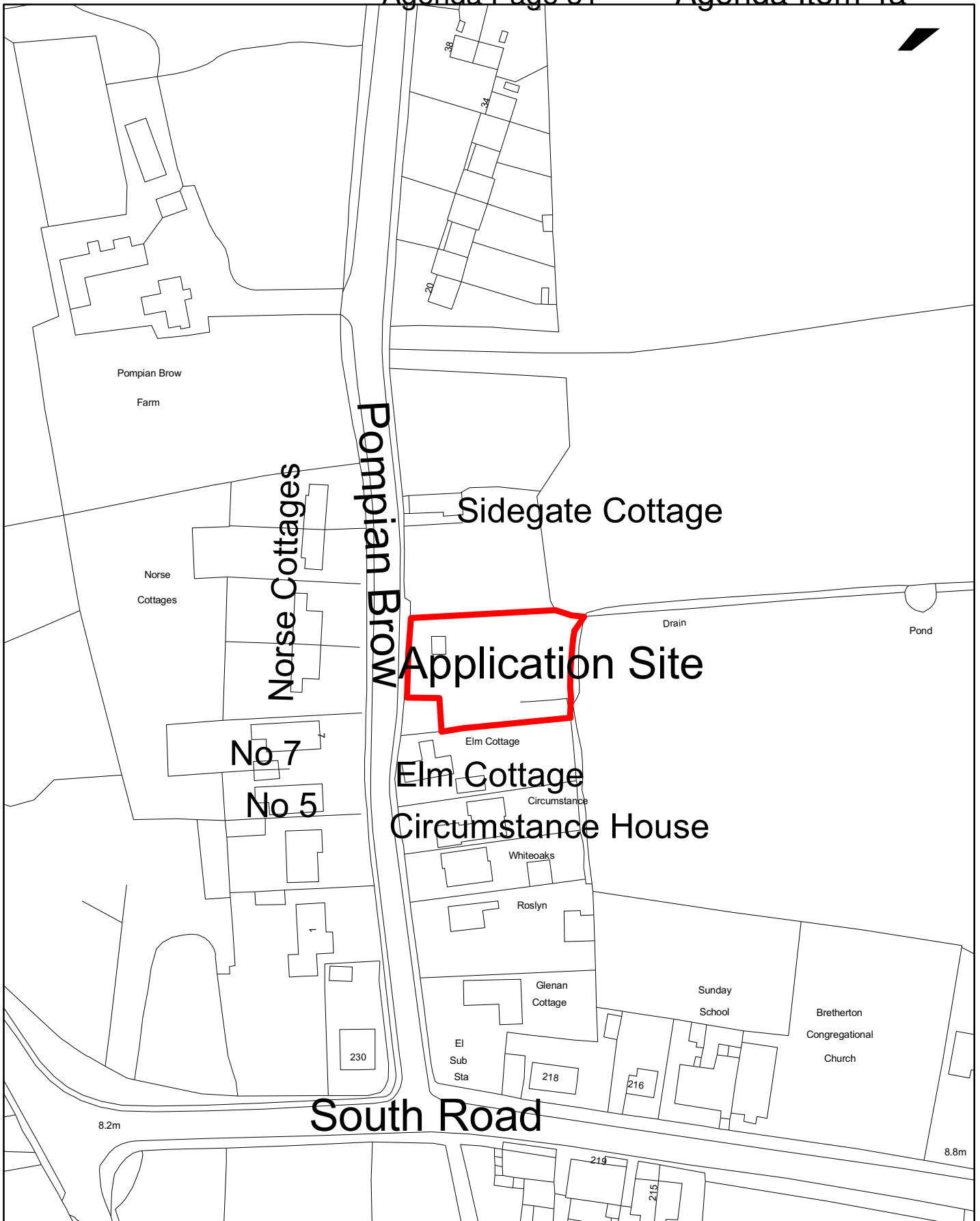
On balance it is considered that the proposal does comply with policy GN4 of the Local Plan in that the site is previously developed land and of a small scale (one dwelling); the design and siting is acceptable and there would be no detrimental impact on highway safety and neighbour amenity. Recommend approval subject to signing of s106 agreement to secure play space contributions.

**Recommendation: Permit (Subject to Legal Agreement)  
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.*

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**Lesley - Ann Fenton**  
 Director of Partnerships, Planning and Policy

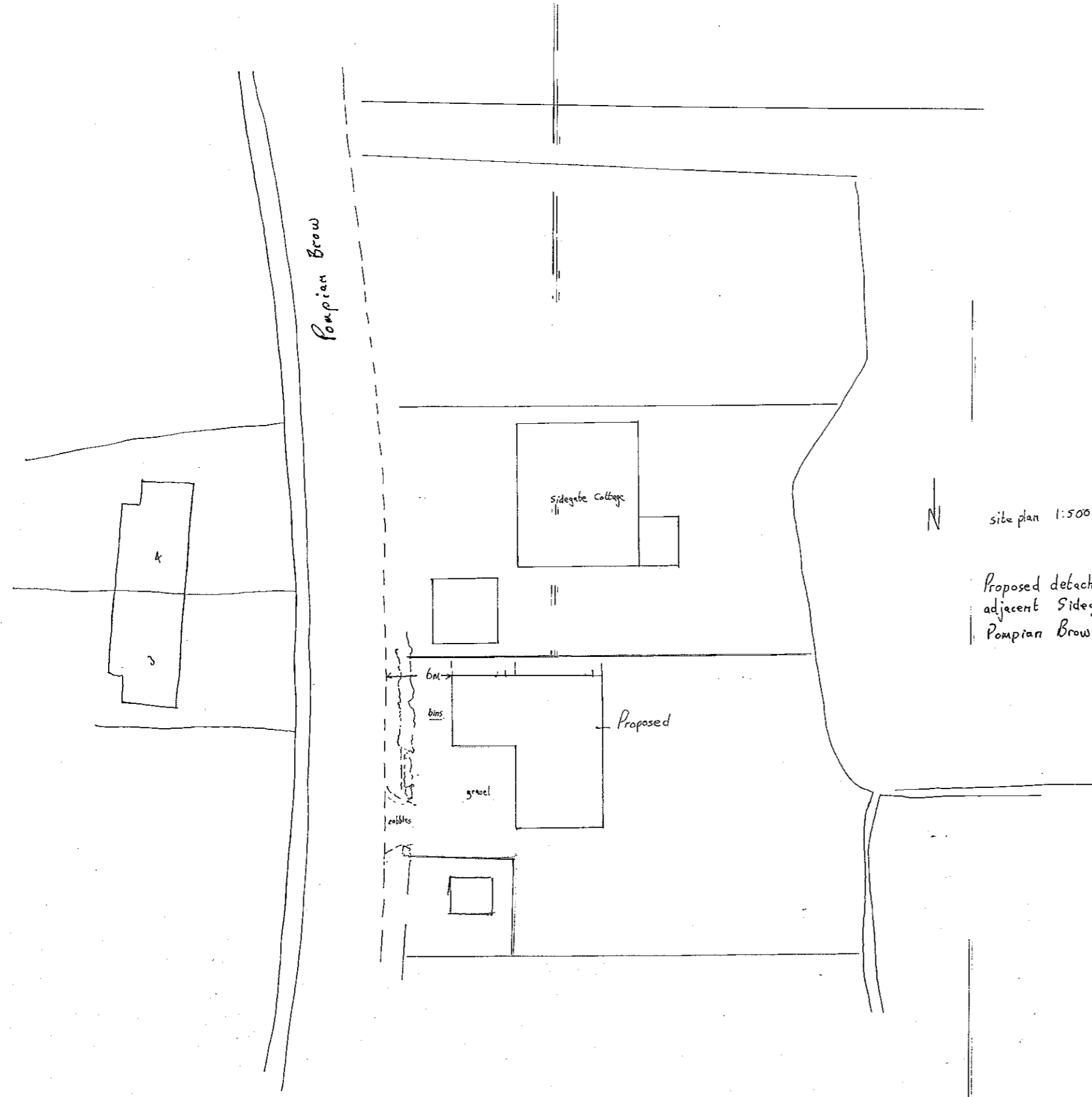
Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Chorley B.C. 100018509

Application No.  
 10/00006/FUL

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**Item 2**                      **10/00101/FUL**                      **Permit (Subject to Legal Agreement)**

**Case Officer**                      **Mr Andy Wiggett**

**Ward**                                      **Clayton-le-Woods And Whittle-le-Woods**

**Proposal**                              **Erection of 7 detached dwellings, garages and associated infrastructure following demolition of the existing dwellings.**

**Location**                              **The Royal And The Coppice Shaw Hill Whittle-Le-Woods Chorley PR6 7PP**

**Applicant**                              **Wainhomes (North West) Limited**

**Proposal**                              The application relates to the demolition of two existing dwellings and their replacement with seven detached houses. The site is part of the Shaw Hill Estate an area of land off the A6 Preston Road in Whittle-le-Woods which has been developed by the erection of individual dwellings served by two private roads. The roads both lead up to the Shaw Hill.

**Background:**                      Planning permission was refused in February for the same number of dwellings on the site but using a different mix of house types. The application was unacceptable due to the adverse impact on adjoining properties and streetscene.  
 Planning permission was granted in October 2007 for a development using the same house types on Spinney Close following the demolition of a dwelling on the site. The current application site is about 35m away.

**Policy**                                      **Chorley Borough Local Plan Review**  
 GN1 - Settlement Policy – Main Settlements  
 GN5 – Building Design  
 HS4 – Design and Layout of Residential Developments  
 HS6 – Housing Windfall Sites  
 SPD – Householder Design Guidance  
**Planning Policy Statement 1 – Delivering Sustainable Development**  
**Planning Policy Statement 3 - Housing**

**Planning History**                      No other relevant planning history.

**Consultations**                      Parish Council - no comments received yet  
 Neighbourhoods – would wish to see a risk assessment carried out with regard to the potential for ground contamination and any necessary remediation.

**Representations**                      16 letters of objection have been received raising the following issues:

- Increased traffic on private road will cause unacceptable damage
- Scale and density of proposed house out of character
- Scheme involves use of private land for access, no deliveries should be made via Shaw Hill Drive
- Noise and disturbance caused by development

- Timing of bat survey
- Stone wall at top of Shaw Hill Drive is of special architectural interest
- Each property on Shaw Hill Drive has its own distinct character what is proposed will not fit in
- Shaw Hill Drive is a private road that will be damaged by the development and will require reinstatement for which Wainhomes should be responsible
- The roads should be made up to adoptable standard
- Letter received from Planning Consultant on behalf of local residents specifying objections as follows:

Local character of surrounding area in terms of density and garden sizes not been considered

Use of standard house types does not take account of local distinctiveness and landform of site

Siting of proposed dwellings facing Shaw Hill ignores well defined existing building line which maintains spaciousness of cul-de-sac

Gainsborough house type adjacent to the Croft will appear overdominant in the streetscene and out of scale with surrounding dwellings

Plot 7 will overshadow adjacent existing dwelling, and for plots 5 and 7 will create a poor frontage to Shaw Hill.

No proposed site levels, cross sections or details of retaining walls which will be required.

No landscaping details submitted

Increased risk of surface water run-off from the proposed development affecting Shaw Hill and the lower lying dwellings

Substitution of house types has brought about an adverse effect on the streetscene of Shaw Hill by locating a detached garage at the edge of the highway

Need to secure retention of the locally important silver birch specimen

Developer has failed to have regard to Policy HS4 and the criteria for new residential development

### **Applicant's Case**

- Site is in a sustainable location
- No standard design of houses in the area with a mix of traditional and modern properties
- Development will further diversify house types available within locality with easy access to shops and facilities

### **Assessment**

There are a number of planning issues that need to be considered, including the principle of the development, the impact on the character of the area and trees, impact on neighbouring properties and highway safety.

#### Principle of Dwellings on the Site

Planning Policy Statement 3: Housing (PPS3) is the national planning guidance that sets out the Government's national policies on housing and is a material consideration in determining planning applications.

PPS3 defines previously developed land (also known as brownfield land) as that which was occupied by a permanent structure,

including the curtilage of the developed land and any associated fixed surface infrastructure. The application site is therefore considered to be previously developed land under this definition. The development of previously developed land is encouraged over the use of greenfield sites. The principle of redevelopment of the site is therefore acceptable in principle in line with planning policy.

It is considered that the proposals are in line with national planning guidance PPS1 and Local Plan Policy GN9 and HS6, in that the site is considered to be located in a sustainable location, accessible via a variety of transport methods with a range of local services in the area.

#### Impact on Character and Appearance of the Area:

The scheme proposes to demolish two dwellings and replace them with seven, therefore resulting in a net increase of five dwellings on the site. In terms of density, PPS3 states that new developments should be at a minimum density of 30 dwellings per hectare. The current proposal at 22 dwellings per hectare is below this density, but it is considered in this case the lower density can be justified in terms of the character of the area, as many of the surrounding properties are large detached dwellings on significant plots. The issue of character has been assessed at numerous appeals and been upheld only in the case of Conservation Areas. It is considered that the nature of the development in the Shaw Hill area does not display a consistent distinctive character sufficient to insist that the use of standard house types is unacceptable. It is not considered that the application could be refused on the number of dwellings proposed being too many for the site or on housing style and type as the scheme is already lower in density than set out in PPS3. The matter of landscaping can be dealt with by the appropriate condition.

#### Highway Safety

In terms of parking each dwelling will have a double garage and driveway, which is considered sufficient to serve the dwellings. The use of the private roads is not a planning issue and is a matter between landowners to resolve. The developer could be asked through the S106 agreement to repair the roads to an acceptable standard if it is damaged by construction traffic perhaps by way of endowing a maintenance fund.

#### Neighbour Amenity

The guidance in PPS1 states that good design should be integrated into the existing urban form and the natural and built environments and PPS3 amplifies this by stating that development should be well integrated with and complement the neighbouring buildings and the local area more generally in terms of scale, density layout and access. To that extent it was considered that the relationship of the Gainsborough house type with adjoining properties was unacceptable. The applicant has attempted to overcome the previous grounds for refusal by deleting the Gainsborough house type and substituting the Richmond house type which utilises a detached double garage located close to the highway on each plot where it is used.

The amended layout indicates floor heights which has enabled the impact to be assessed in relation to Shaw Hill and the adjoining dwellings. The detached garage adjacent to Jardine house would

have a floor level of 91.15m compared with that of 91.3m for the house. Although the garage would be positioned close to the highway in view of the large garage on the front of Jardine House it is not considered that there would be such an adverse impact on the streetscene such as to justify a refusal.

The distance between plot 7 and the bungalow opposite, Bramblewood is 25m, the difference in floor levels is now indicated at 2.6m compared with the previous 3.6m and is no longer considered considered to be overdominant. In relation to The Spinney, amended plans have been received which ensure the new dwelling satisfies the 45 degree rule and floor slab level is some 0.3m lower so as to minimise its impact.

The difference between the first floor windows of the properties on Shaw Hill Drive is 23m and as they are at a similar height to those proposed, this is considered acceptable.

#### Commuted Sum

As this application relates to a net increase of five new dwellings on the site there is a requirement for a financial contribution towards equipped play space. This can only be secured through a Section 106 agreement.

#### Ecological Considerations

The application was accompanied by a bat survey. The results have been assessed and the conclusion by the consultants is that there were no signs of bats or roosts found on the site and very limited potential for this. The provisions of the Conservation Regulations 1994 have been considered in relation to these findings and whilst the immediate area has high potential for bat foraging, there is an abundance of alternative properties.

#### Other Matters

Although the comments made by neighbours regarding possible damage to the road during construction are noted, this is not a planning issue which can be taken into account when determining the application but Members may wish to consider requesting that the applicant to deal with this matter through the S106 agreement as set out earlier in the report.

The issue of surface water run-off can be dealt with through the Building Regulations and the use of permeable materials for drives etc.

#### **Conclusion**

The principle of the re-use of a brown field site is acceptable but the use of standard house types has given rise to problems with the previous application. The amended plan and the use of different house types together with detailed information on levels has enabled a proper assessment to be made. The proposed scheme will not now have an unacceptable impact on the residential amenity of adjoining dwellings or on the streetscene.

#### **Recommendation: Permit (Subject to Legal Agreement) Conditions**

1. 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.*

2. 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.*

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. 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.*

5. 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.*

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. During the construction period, all trees to be retained shall be protected, including specifically the silver birch on the boundary with Jardine House, 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 areas

so fenced. All excavations within the area so fenced shall be carried out by hand.

*Reason: To safeguard the trees to be retained and in accordance with Policy No. EP9 of the Adopted Chorley Borough Local Plan Review.*

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

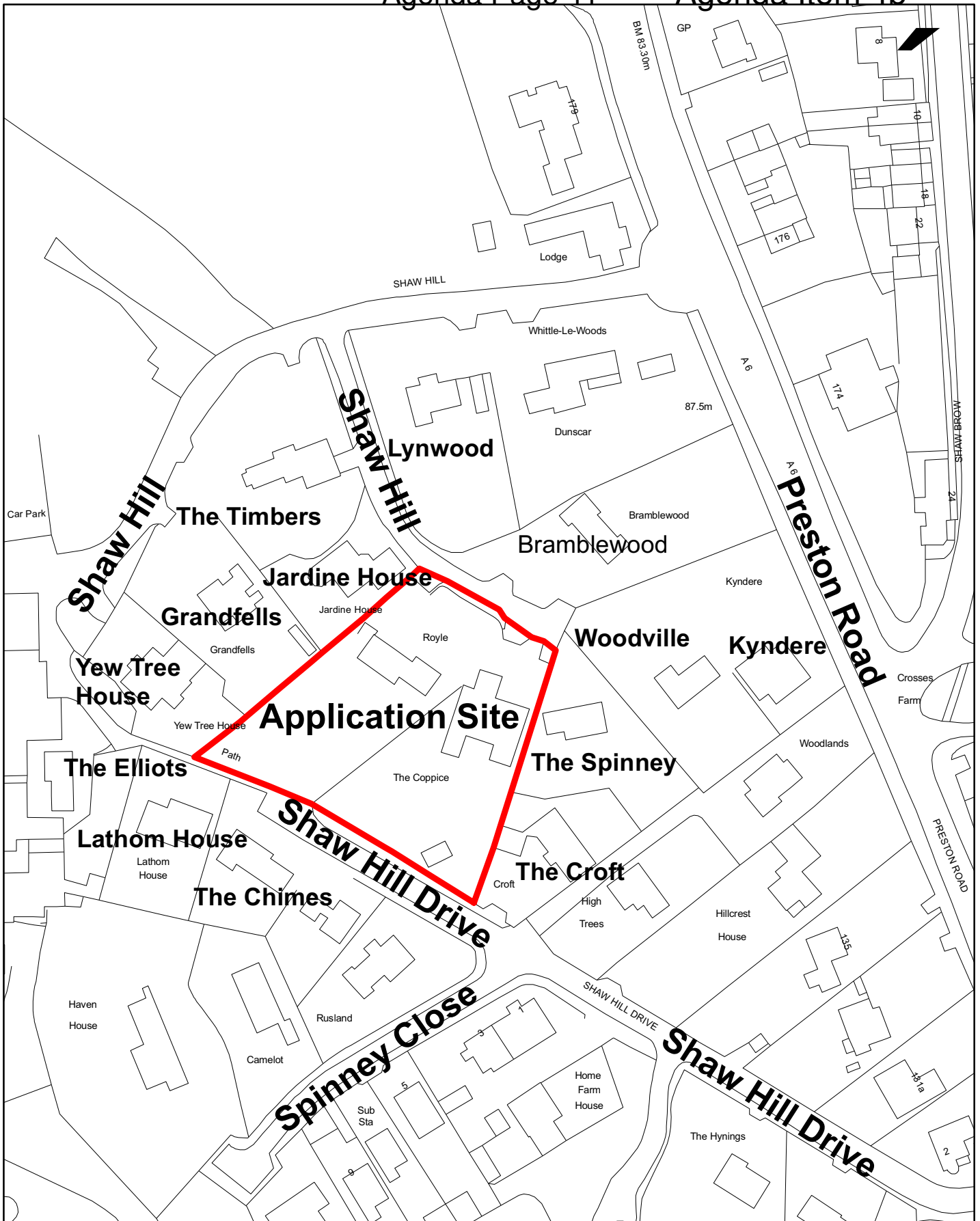
*Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.*

9. The approved plans are:

Plan Ref.	Received On:	Title:
AL002 Rev:		Proposed Site Layout
SO9/319	02.02.2010	Topographical Land Survey
	02.02.2010	House Type Plans
DG-01	02.02.2010	Double Garage
SF/01	02.02.2010	Fencing Details
SF/03	02.02.2010	Fencing Details

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

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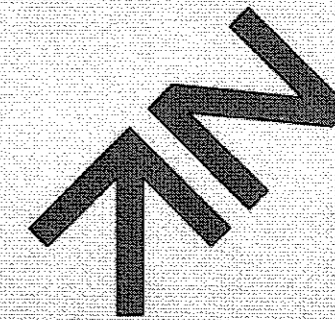
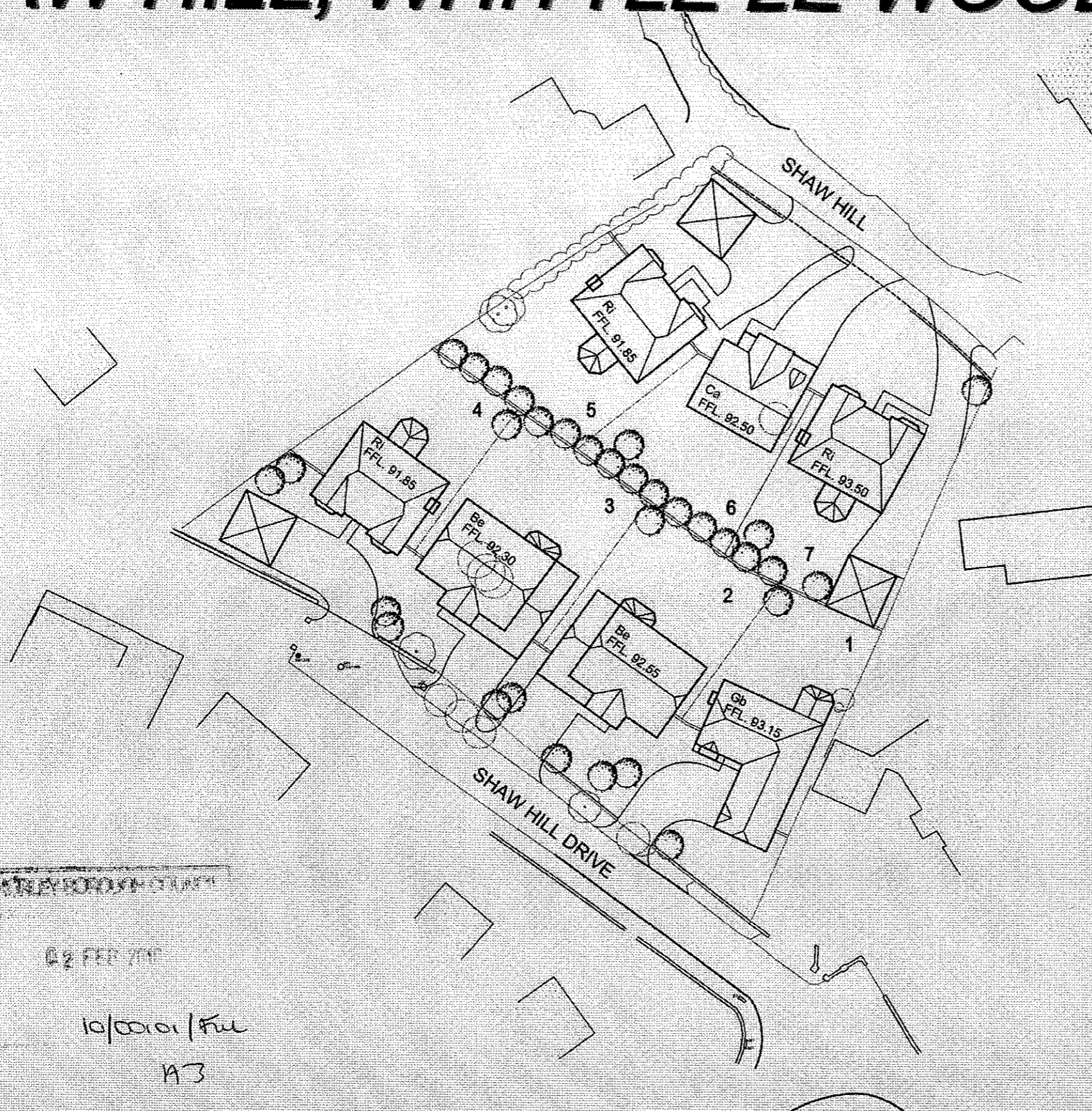


<p><b>Lesley - Ann Fenton</b>                  Director of Partnerships, Planning and Policy</p>		<p>Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Chorley B.C. 100018509</p>	
<p>Application No.</p> <p>10/00101/FUL</p>	<p>Grid Ref:</p> <p>E: 357831                  N: 420919</p>	<p>Scale:</p> <p>1:1,250</p>	<p>2</p>

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# SHAW HILL, WHITTLE LE WOODS.



SCHEDULE	No.
Gb Gainsborough	1
Ri Richmond	3
Be Beaufort	2
Ca Cambridge	1
<b>TOTAL</b>	<b>7</b>

**ENCLOSURES**

	1.8m high screen wall
	1.8m high close boarded screen fence
	0.9m high post and rail fence

**KEY**

	Trees to be removed
	Indicative planting

2

PLANNING

Dwg Name & Location: Z:\Drawings\2009 Jobs\09-041 Wainhomes NW - Shaw Hill, Whittle Le Woods (Site 2)\Drawings\Site layout - 10.dwg

CHITLEY BORDEN STUMP

02 FEB 2010

10/0001/Ful  
A3

	Client: The Royle & Coppice, Shaw Hill, Whittle Le Woods.	Drawing Title: Proposed Site Layout	Job No: 09-041	Drawing No: AL002	Rev:	architecture • building surveying • project management

Agenda Page 43

Agenda Item 4b

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<b>Item 3</b>	<b>09/00998/FULMAJ</b>	<b>Permit (Subject to Legal Agreement)</b>
<b>Case Officer</b>	<b>Mr Andy Wiggett</b>	
<b>Ward</b>	<b>Eccleston And Mawdesley</b>	
<b>Proposal</b>	<b>Erection of 10 dwellings and associated infrastructure, including demolition of existing buildings</b>	
<b>Location</b>	<b>St Marys Church Hall Lawrence Lane Eccleston ChorleyPR7 5SJ</b>	
<b>Applicant</b>	<b>Rowland Homes Ltd</b>	
<b>Policy</b>	<b>Planning Policy Statement 3: Housing</b> <b>Regional Spatial Strategy : Policy L4</b> <b>Chorley Borough Local Plan Review:</b> GN3 GN5 HS4 TR4 LT13.32 DC10	
<b>Planning History</b>	<b>05/00290/INV</b> – Outline application to demolish existing village hall and erect a two storey nursing home with day care facilities, new vehicular access and associated parking – Withdrawn <b>05/00409/INV</b> – Outline application for the demolition of redundant church hall and erection of 80 bed care home for older people with residential, nursing and dementia care needs – Withdrawn <b>05/00939/OUTMAJ</b> – Outline application for the demolition of redundant church hall and erection of 80 bed care home for older people with residential, nursing and dementia care needs – withdrawn <b>06/00666/OUTMAJ</b> – Outline application for the demolition of redundant church hall and erection of 55 bed nursing/care home (Use Class C2) – Withdrawn <b>08/00465/OUTMAJ</b> – Outline application for the demolition of existing building and erection of 11 two storey dwellings – allowed on appeal	
<b>Consultations</b>	Lancashire County Highways – the amended layout is now satisfactory and meets the Highway Authority's requirements. Parish Council – in accordance with the Appeal Inspector's decision, want the S106 money to be spent in Eccleston for enhanced facilities on existing playgrounds. Object to the revised layout with direct accesses onto Lawrence Lane would wish to see a single access scheme approved. United Utilities – no objection provided that the scheme is drained to separate systems. Environmental Protection – the excavation and removal of made ground should be required and a validation/verification report should be provided with photographic and documentary evidence.	
<b>Representations</b>	Two letters of objection have been received raising the following issues	

- The proposed dwellings would erode privacy and natural light from some of the properties in Parr Lane
- Traffic movements as a result of the development will increase congestion and potential for accidents in the area
- Church Hall was formerly a valuable community asset, the loss of the site for dwellings is a gross oversight
- The hedge at the northern boundary of the site needs to be protected during construction work and ground levels retained so that its value for wildlife can be maintained

### **Applicant's Case**

- The application site is previously developed land
- The site is in a sustainable location close to facilities and bus routes
- Layout makes full use of size and shape of the site whilst integrating with the surroundings and into the streetscene
- Site will have low concentrated planting and existing trees retained

### **Assessment**

The main issues connected with the application concern planning policy and impact on the locality with regard to residential amenity of adjacent property, loss of a community facility and open space.

#### *Planning Policy*

Policy GN3 states that development in Ecclestone will be restricted to the development and redevelopment of land wholly within the existing built up extent of the settlement, the re-use of previously developed land, bearing in mind the scale of any proposed development in relation to its surroundings and the sustainability of the location and provides affordable housing. The site meets these criteria as it is located close to the village centre and is intended for two storey housing which will be similar in character to those which adjoin it.

The planning permission granted on appeal is a material consideration with regard to this application to which I have attached significant weight. The appeal Inspector in determining application No.08/00465/OUTMAJ was of the opinion that the redevelopment of the site for residential purposes was acceptable and that the requirements of Policy DC10 have largely been satisfied by the erection of a new church hall. The loss of the allocated play space under Policy LT13.32 is to be compensated for by the improvement of off-site facilities in the local area to be achieved through the S106 agreement. The Parish Council also wish to see this provided in Ecclestone, however, this cannot be secured by a planning condition attached to this application but through the Council's wider Leisure policies. The principle of residential development on the site and hence the determination of this application are linked to seeing that provision in the local area is secured.

The application was accompanied by a geoenvironmental investigation and risk assessment which concluded that elevated levels of arsenic and organic species B(a)P and D(ah)A have been encountered on the site. Remediation measures will be required in any garden areas or areas of soft landscaping in order to mitigate risks. Also, protective water supplies and sterile trenches

will be required where pipes are to be installed in the made ground. These matters can be dealt with by condition.

The application was accompanied by a bat survey carried out in Summer 2009 and a further study in late November which concluded that there were four individual bats present but that the planned works would not have an adverse impact on the population status and/or conservation status of these animal groups in the area. The report recommends that demolition work should not proceed until necessary further surveys have been carried out, that site workers should be briefed about the possible presence of bats, new buildings or structures should be designed to be bat friendly, sufficient bat boxes should be placed on suitable trees to ensure no gap in roost availability.

#### *Residential Amenity*

In view of earlier adverse comments from the Highway Authority concerning the original submitted layout, the applicant has now submitted a revised layout which meets the Council's guidelines for 10 dwellings at a density of 27.0d/ha which is close to the level of 30d//ha advised in PPS3 for new housing developments as the layout reflects the style of housing opposite on The Croft and contrasts with the higher density terraced housing on The Green. The density of the scheme allowed on appeal was 28.6d/ha. The proposed layout will not adversely impact on the amenity of adjoining houses as it satisfies the Council's adopted interface distances having regard to the flat nature of the site. The design of the houses uses standard house types of in brick with tile roofs all of which are detached with 300% off-street parking provision. The current streetscene along The Croft will be maintained by the provision of a replacement close boarded timber fence of 1.4m in height with planting behind. This can be secured by condition.

#### **Conclusion**

The redevelopment of the site for residential purposes is in conformity with planning policy. The outline planning permission granted on appeal is a material consideration that has significant weight attached to it. The Inspector concluded that the criteria in Policy DC10 have been demonstrated to have been met in that a replacement has been provided to a better standard and located next to the Church it is primarily to serve. The issue of open space needs to be settled through the financial contribution applied in the locality. The proposed development as envisaged in the amended layout reflects the character of the surrounding area and meets the necessary development control criteria. Other issues such as ground conditions and bats can be dealt with by planning condition.

#### **Recommendation: Permit (Subject to Legal Agreement) Conditions**

1. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected, specifically to include a 14m high fence along The Croft, (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.*

2. 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.*

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 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.*

4. 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.*

5. During the construction period, all trees and hedges 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 areas so fenced. All excavations within the area so fenced shall be carried out by hand.

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

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 recommendations set out in Part 6 of the report prepared by ADK Environmental Management Ltd received 14<sup>th</sup> December 2009 on bats shall be carried out as specified and the results submitted to and confirmed in writing by the Local Planning Authority.

*Reason: To facilitate the survival of the individual species identified in accordance with Policy EP4 of the Adopted Chorley Borough Local Plan Review*

8. This consent relates to the amended plan, received on 26<sup>th</sup> January 2010.

*Reason: To define the consent and to ensure all works are carried out in a satisfactory manner*

9. The approved plans are:

Plan Ref.	Received On:	Title:
RO46/1	26.01.2010	Planning Layout
5536/01	14.12.2009	Topographic Survey
RO46-100	14.12.2009	House Types
R046-101		
RO46-102		
RO46-103		
RO46-105		
RO46-106		Garage Details
RO46-107		Fence/wall Details
RO46-108		Streetscenes

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

10. 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.*

11. No development shall take place until :

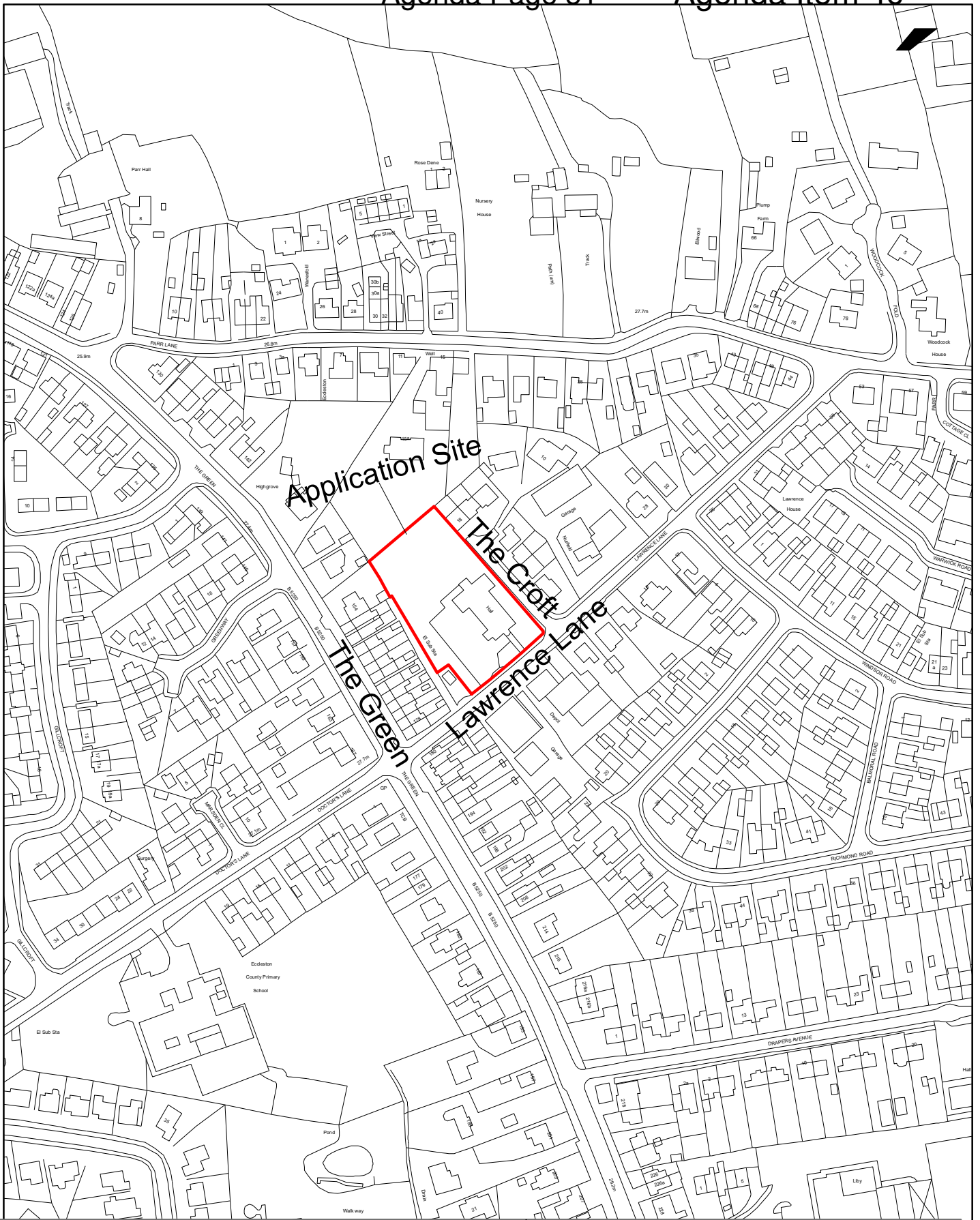
- a) the Local Planning Authority has given written approval to the remediation proposals set out in the report prepared by LK Consult and received on the 3<sup>rd</sup> February, which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works, a validation report containing any validation sampling results have been submitted to and approved in writing by the Local Planning Authority.

*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 the guidance set in PPS23 – Planning and Pollution Control*

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**Lesley - Ann Fenton**  
**Director of Partnerships, Planning and Policy**

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Application No.

09/00998/FULMAJ

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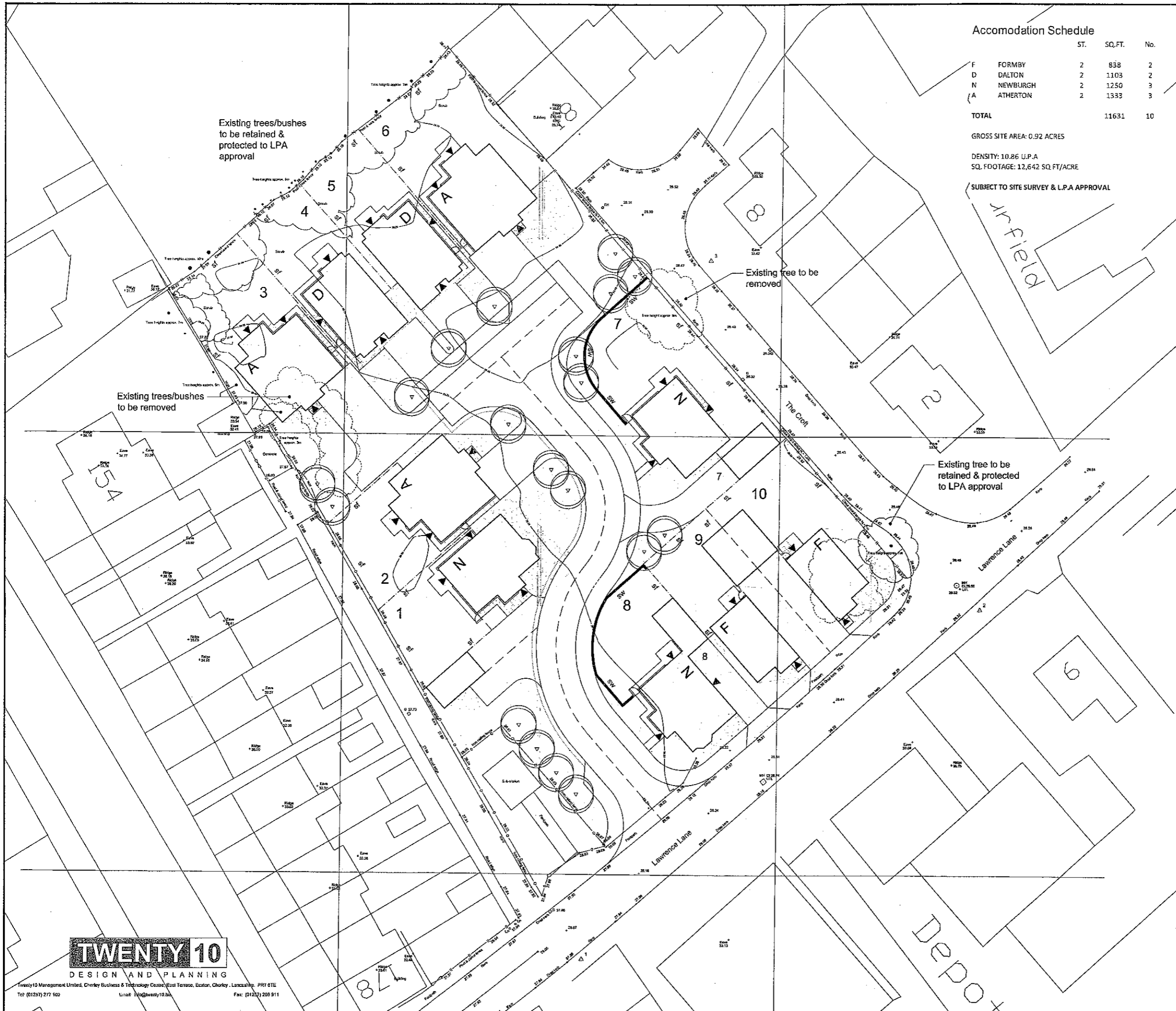
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 N: 417142

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Accommodation Schedule

	ST.	SQ.FT.	No.
F FORMBY	2	838	2
D DALTON	2	1103	2
N NEWBURGH	2	1250	3
A ATHERTON	2	1333	3
<b>TOTAL</b>		<b>11631</b>	<b>10</b>

GROSS SITE AREA: 0.92 ACRES

DENSITY: 10.86 U.P.A

SQ. FOOTAGE: 12,642 SQ. FT./ACRE

SUBJECT TO SITE SURVEY & L.P.A APPROVAL

NOTES

- D PLOTS 8, 9 AND GARAGES FROM LAWRENCE LANE, PLOT 7 RELOCATED AND TURNING HEAD EXTENDED TO HIGHWAYS AUTHORITY COMMENTS. 21.01.10
- C MINOR AMENDMENTS TO CLIENTS INSTRUCTION. 09.12.09
- B PAVING TO PLOTS 1, 8, 9, 10 & 11 AMENDED. 06.11.09
- A LAYOUT RE-PLANNED. 19.10.09

REV	DESCRIPTION	DATE

09 998

3



# Rowland

Rowland Homes Limited  
Farington House, Stanfield Business Park, Stanfield Lane,  
Leyland, Lancashire PR25 4UA  
Tel: 01772 621166 Fax: 01772 623552 www.rowland.co.uk

DRAWING  
**PLANNING LAYOUT**

PROJECT  
**LAWRENCE LANE, ECCLESTON**

SCALE: 1:200 @ A1	REV: D	DRAWING No. RO46/1
DATE: SEPT 09		
DRAWN: TWENTY10		



Twenty10 Management Limited, Chorley Business & Technology Centre, East Terrace, Eccleston, Chorley, Lancashire, PR7 6TE  
Tel: (01283) 217 100 Email: info@twenty10.co.uk Fax: (01283) 220 911

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<b>Item 4</b>	<b>10/00027/REM</b>	<b>Approve Reserved Matters</b>
<b>Case Officer</b>	<b>Mr Andy Wiggett</b>	
<b>Ward</b>	<b>Chorley East</b>	
<b>Proposal</b>	<b>Erection of 9 Dwellings with new access, road driveway and parking court (Reserve Matters application 08/00100/OUT)</b>	
<b>Location</b>	<b>St James C Of E Primary School Devonport Way Chorley PR6 0TE</b>	
<b>Applicant</b>	<b>J B Loughlin (contractors) Ltd</b>	
<b>Proposal</b>	The application is for the approval of the reserved matters set out in the outline permission for 9 dwellings granted in February 2008. The reserved matters were layout, scale, external appearance and landscaping. The access was approved as part of the outline permission.	
<b>Background</b>	This application follows a refusal of an earlier submission in January of this year due to the adverse impact of one of the dwellings adjacent to the property on Eaves Lane.	
<b>Policy</b>	<b>Chorley Borough Local Plan Review:</b> GN1 – Settlement Policy – Main Settlements GN5 – Building Design HS4 – Design and Layout of Residential Developments SPD – Householder Design Guidance	
<b>Planning History</b>	<b>08/00100/OUT</b> – outline application for demolition of training centre building and erection of 9 dwellings with new access road, driveways and car parking court – approved <b>09/00920/REM</b> - Reserved Matters Application for 9 Dwellings House Design, Layout and Landscaping - refused	
<b>Consultations</b>	<b>Neighbourhoods:</b> I have reviewed the attached Phase 1 desk study report (Ref.CL1557, dated 30th November 2009) submitted by LKC in support of application 09/00920/REM  I am satisfied with the contents of the report in making an initial appraisal of site conditions, however LKC has identified potential for ground contamination at this site and makes recommendations for further investigation prior to re-development. I therefore refer to and agree with the recommendations made in section 6.2 of this report for further site investigation works, and require a Phase 2 intrusive investigation, guided by the Phase 1 report. Remedial works will be required where necessary, in accordance with recommendations made in the Phase 1 & 2 investigations. Any remedial works will require validation and approval. <b>Architectural Design and Crime Reduction Advisor:</b> I have concerns with the access passage to the rear on plots 5/6/7, I would ask that a gate be placed at the side of plot 5 to restrict access for residents only. The scheme should be to Secured by Design standards.	
<b>Representations</b>	Four letters of objection received raising the following issues:	

- The difference in level between the site and adjacent houses will lead to loss of privacy, overlooking and loss of light.
- Views of Healey Nab will be obscured and the development will result in a feeling of congestion and overcrowding.
- Concerned that the development will cause highway safety problems in the surrounding area as a result of the extra vehicles parking on the road and close to the exit of Devonport Way.
- Need for Traffic Regulation Orders on that stretch of highway.
- The development is out of place with the surrounding area.
- The proposed trees will grow and take light from the adjoining houses.
- The site levels should be reduced by 1m which would enable the brick retaining walls that are in a poor condition to be removed.

### **Applicant's Case**

- There is an outline approval on the site for nine dwellings
- The site is within a predominantly residential area and in a sustainable location
- The density of the scheme at 39 dwellings per hectare follows the guidelines in PPS3
- The scheme has full provision for off-street parking

### **Assessment**

The outline application indicated the number and location of the dwellings on the site, however, the layout has been amended in this reserved matters application by deleting the proposed three storey house so that all the units will now be two storey but the density remains the same at 39d/ha. The issue that led to the refusal of planning permission in January, namely the relationship of the house on plot 9 with the adjacent property to the west on Eaves Lane has been resolved by changing the house type and moving it further away from the habitable windows so that at 14.5m this satisfies the Council's interface distance. This allows for the 1m difference in levels.

The details submitted, that is of the design of the houses, landscaping, visibility splay on Devonport Way and hard surfacing are all satisfactory. The houses are to be constructed of facing brick with concrete roof tiles and white UPVC windows under brick soldier arches. They will relate to the flats opposite but not to the stone built cottages on Eaves Lane, however, the school was built of brick and there will be no adverse impact on the street scene.

The issue of highway safety was addressed at the outline stage and the S106 agreement includes a contribution towards traffic management on Devonport Way.

The issue of reducing the site level is a valid one but in view of the outline planning permission not one that the Local Planning Authority can require without the agreement of the applicant. The applicant is not willing to reduce the level of the site but the development is reliant on the maintenance of the original retaining walls put in as part of the erection of the school in Victorian times. The walls are not in good condition and it is recommended that their repair be secured by a Grampian condition requiring a structural survey report on them and the necessary works being carried out before development of the site commences. This

condition is justified because the redevelopment of the site for which permission is sought could not be carried out without the maintenance of the existing ground levels and the walls having satisfactory structural integrity to allow the dwelling's foundations to be positioned close to them.

The comments of the Contaminated Land Officer are relevant given the history of the site's development and it is necessary to condition further site investigation and a Phase 2 intrusive investigation and any remedial works found to be necessary

### **Conclusion**

The principle of developing the site and the manner in which it could be carried out have been established by the grant of outline planning permission following the signing of a S106 agreement. The details submitted are acceptable and the issues raised by objectors about access dealt with at the outline stage, overlooking by the amended house type and location and maintenance of ground levels by a condition on the structural integrity of the retaining walls.

### **Recommendation: Approve Reserved Matters Conditions**

1. Before development of the site hereby permitted commences, a survey of the retaining walls around the site shall be carried out by a suitably qualified person of their stability and capability of accommodating the development proposed without affecting neighbouring land. The report shall be submitted to and agreed by the Local Planning Authority and recommendations to show how any instability might be overcome shall be implemented in accordance with the assessment.

*Reason: The Local Planning Authority has reason to believe that the land and walls may be unstable or likely to become so and is adopting the precautionary principle to development as advised in PPG 14 Development on Unstable Land and on accordance with the provisions of Policy EP15 of the Adopted Chorley Borough Local Plan Review.*

2. Notwithstanding the submitted plans a gate shall be provided, before occupation of the dwellings, at the south east corner of plot 5 on the access footpath to the rear of plots 5 – 7.

*Reason: to assist in the prevention of crime and to promote community safety in accordance with the provisions of Policy HS4 of the Adopted Chorley Borough Local Plan Review.*

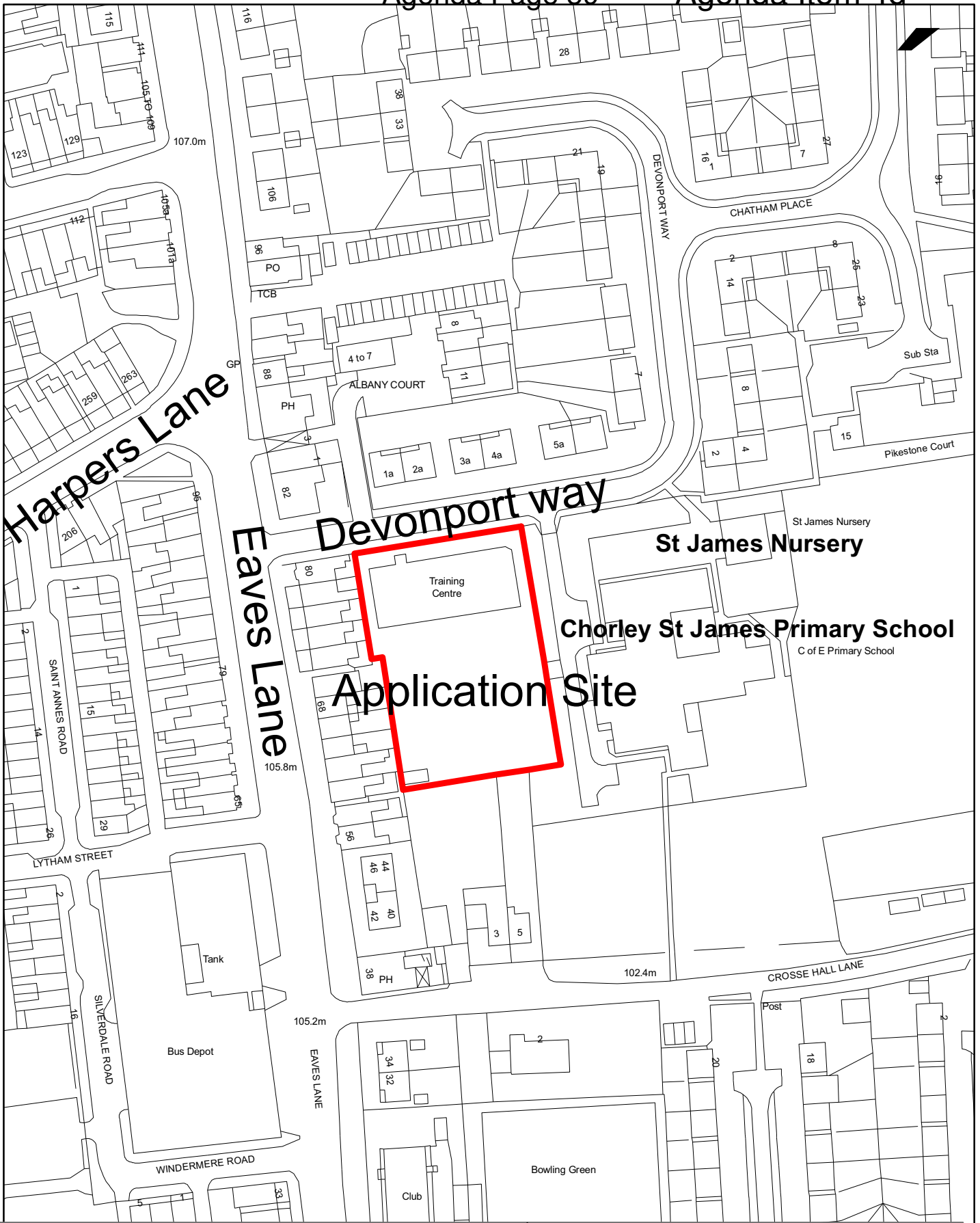
3. No development shall take place until :

- a) A methodology for investigation and assessment of ground contamination has been submitted to and approved in writing by the Local Planning Authority. The investigation and assessment shall be carried out in accordance with current best practice including British Standard 10175:2001 "Investigation of potentially contaminated sites – Code of Practice". The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;
- b) All testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;
- c) The Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works, a validation report containing any validation sampling results have been submitted to and approved in writing by the Local Planning Authority.

*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 the guidance set out in PPS23: Planning and Pollution Control*

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**Lesley - Ann Fenton**  
**Director of Partnerships, Planning and Policy**

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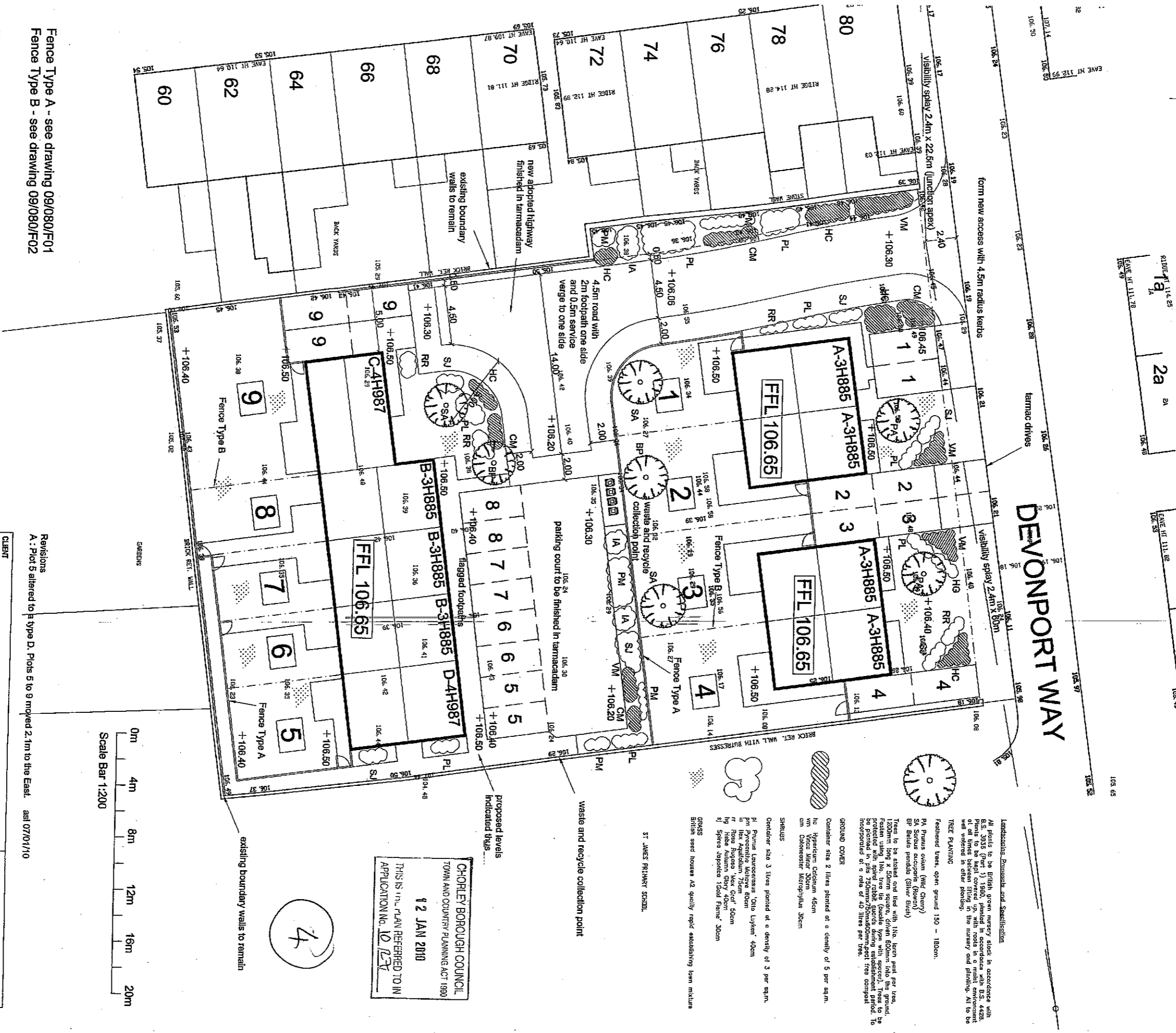
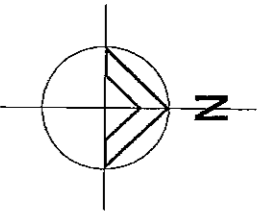
Application No.  
 10/00027/REM

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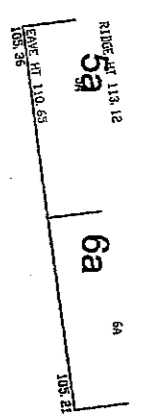
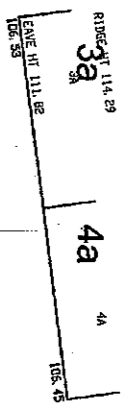
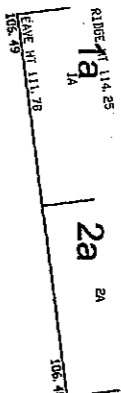
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Site Area = 0.23ha

Fence Type A - see drawing 09/080/F01  
 Fence Type B - see drawing 09/080/F02

Schedule Type Reference	No.	
A	3H885	4
B	3H885	3
C	4H987	1
D	4H987	1
<b>Total</b>		<b>9</b>



# DEVONPORT WAY

**Landscaping, Drainage and Specifications**

All plants to be British green nursery stock in accordance with BS 3333 (Part 1) 1992, planted in accordance with BS 4422. Plants to be kept covered up with roots in a moist environment at all times between lifting in the nursery and planting. All to be well watered in other plantings.

**TREE PLANTING**

Feathered trees, open ground 150 - 180cm.  
 PA Prunus avium (Wild Cherry)  
 SA Sorbus aucuparia (Rowan)  
 BP Betula pendula (Silver Birch)

Trees to be staked and tied with 1No. birch post per tree, 1200mm long x 50mm square, driven 600mm into the ground. Fodder using 1No. tree tie (buckle type with secure). Trees to be secured to soil to reduce the risk of uprooting during establishment period. To be inspected at a rate of 40 litres per tree.

**GROUND COVER**

Container size 2 litres planted at a density of 5 per sqm.  
 hc Hyacinthum, Cytisium 45cm  
 vm Veronica Miller 30cm  
 cm Colchocystis Metroplylas 30cm

**SHRUBS**

Container size 3 litres planted at a density of 3 per sqm.  
 PL Prunus laurocerasus 'Olio Lybent' 40cm  
 pm Prunella vulgaris 60cm  
 lr Ilex Aquifolium 75cm  
 rr Rosa rugosa 'New Gold' 50cm  
 yf Yucca filamentosa 'Dark Form' 30cm

**GRASS**

British seed houses A2 quality topsoil seedbedding lawn mixture

ST JAMES PRIMARY SCHOOL

CHORLEY BOROUGH COUNCIL  
 TOWN AND COUNTRY PLANNING ACT 1990  
 4 2 JAN 2010  
 THIS IS THE PLAN REFERRED TO IN  
 APPLICATION NO. 10 127



Revisions  
 A: Plot 5 altered to a type D. Plots 5 to 9 moved 2.1m to the East. asl 07/01/10

<b>CLIENT</b> JB Loughlin (Contractors) Ltd	<b>WELMP</b> ARCHITECTURAL CONSULTANTS 213 PRESTON ROAD WINTLES-LE-WOODS CHORLEY LANCASHIRE PR6 7JF TEL: 01257 281555 FAX: 01257 281224 www.welmp.co.uk
<b>PROJECT</b> Proposed Residential Development at the Former St Josephs Primary School, Devonport Way, Chorley	
<b>DRAWING TITLE</b> Proposed Site Plan	
<b>DATE</b> 30/01/09	<b>SCALE</b> 1:200@A2
<b>DRAWN</b> JAL	<b>DRWG NO.</b> 09/080/P01
<b>REV</b> A	
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**Item 5**                      **10/00079/FUL**                      **Permit (Subject to Legal Agreement)**

**Case Officer**                      **Mr Andy Wiggett**

**Ward**                                      **Chorley East**

**Proposal**                              **Demolition of detached bungalow and garage and erection of 8 affordable houses with ancillary parking and enclosures**

**Location**                              **Pennines 2 Crosse Hall Lane Chorley PR6 0QJ**

**Applicant**                              **Mr Lee Jackson**

**Proposal**                              The application is a resubmission of one withdrawn in January 2010 for 8 town houses. The revised application is for 8, 2 storey town houses with 150% car parking provision in the form of a central parking court and parking on an area of Council lock up garages. The proposal would require the demolition of the existing bungalow on the site. To the south of the site is the green of the St James bowling Club off Eaves Lane. To the west is a pair of semi-detached bungalows with small rear gardens of 5m in length and to the east, the two storey houses of Valley View. Across the road is the Shepherds Arms public house, two semi-detached houses and the playing fields of the St James C of E Primary School.

**Policy**                                      **Chorley Borough Local Plan Review:**  
**GN1** – Settlement Policy – Main Settlements  
**GN5** – Building Design  
**HS4** – Design and Layout of Residential Developments  
**HS6** – Housing Windfall Sites  
**TR4** – Highway Development Control Criteria

**Planning History**                      **07/01046/FUL:** Demolition of existing detached bungalow and garage and erection of 8 no. town houses with parking.  
Decision: Withdrawn      Decision Date: 8 November 2007

**08/00139/FUL:** Demolition of one detached bungalow and garage and erection of 6no. town houses.  
Decision: Approved      Decision Date: 1 August 2008

**09/00972/FUL:** Demolition of detached bungalow and garage and erection of 8 affordable housing with ancillary parking and enclosures  
Decision: Withdrawn      Decision Date: 22 January 2010

**Consultations**                              **Coal Authority** – standard comments  
**Neighbourhoods Directorate** – require a desktop study of the potential for contamination and any necessary remediation measures.

**Representations**                      One letter of objection has been received raising the following issues:

- Permission exists for 6 dwellings it should not be increased to 8 as it will result in greater congestion on Crosse Hall Lane

**Applicant's Case**

- The site is opposite a school and the road layout should be major considerations
- The level of car parking is inadequate
- The dwellings have been designed in relation to the site having regard to site constraints, relationship to boundaries and of a massing and scale which complements the surrounding built fabric
- 150% parking reflects the sustainability of the site
- All plots respect the stand off distances to adjacent property with rear gardens being 10m to avoid overlooking.
- The gable of plot 8 is 13.4m from the rear of the existing bungalows to the west
- A 400mm high knee rail will be erected along the front boundary and 1.8m high timber fencing is proposed to the rear and side boundaries

**Assessment**

The application is a resubmission which attempts to overcome the criticisms of the original application in terms of overdevelopment of the site. The density has increased to 62 d/ha from 57d/ha. In view of the density and the nature of the space around the dwellings it is recommended that permitted development rights be withdrawn.

*Highways and Car Parking*

The car parking provision has been increased to 1.5 per dwelling which meets the minimum standard set out by the Regional Spatial Strategy with regard to sustainable locations. There have been no objections from the Highway Authority with regard to the application. The level of car parking has been supplemented by incorporating an adjacent piece of land currently occupied by lock-up garages, demolishing these and laying out 4 parking spaces.

*Impact on Neighbour Amenity*

The Plot 8 has been set down by 0.7m from the floor level of the bungalow to the west on Eaves so that there is now a 13.4m distance. At first floor on the side elevation there are no windows but on the ground floor there is a window to a dining kitchen. This is a habitable room and one solution to overcome the overlooking problem is to require a 2m high close boarded fence along this boundary.

With regard to the relationship with the property on Valley Drive, the rear of the proposed dwellings would be in line with the northern elevation of no. 20. There would be no first floor windows and the dining room window on the ground floor would be adjacent to the cleared garage site. As the new houses would be at right angles to those on Valley View, there would be no problem of overlooking. However, with regard to the property across the other side of Crosse Hall Lane to the north, the new houses would have first floor bedroom windows 19m from those opposite. This is less than the recommended guideline adopted by the Council. The issue is one of streetscene in relation to the privacy of the houses opposite as the Government's guidance set out in Manual for Streets (2007) recommends that a separation distance for residential streets of between 12 to 18m is acceptable. This Government guidance was

produced after the Council's Design Guidance was adopted in 2004 and is a material consideration in determining planning applications. As such the proposed dwellings are considered to be acceptable in relation to the houses opposite.

#### *Design and Appearance*

The design of the proposed dwellings is conventional with brick walls, art stone details and flat grey roof tiles and picks up the details and materials of surrounding property. The immediate area includes the Shepherd Arms which is a large three storey property across the road from the site and behind the site there is the large three storey Bowling Club. However, between these two buildings are the semi-detached bungalows. In design terms, therefore, this is a mixed area with no building form predominating. As such it is considered that the new houses would not look out of place in the streetscene.

#### *Ecological Considerations*

The applicant has submitted a bat survey of the bungalow to be demolished and this has been assessed in relation to the provisions of the Conservation (Natural Habitats Etc.) Regulations 1994.

#### **Conclusion**

This amended scheme has addressed the problems of the withdrawn application with regard to the level of car parking. It is a scheme which represents the maximum development potential of the site but it is considered to be acceptable notwithstanding the objections. The layout respects the amenity of adjoining residential properties and the design is not out of place.

#### **Recommendation: Permit (Subject to Legal Agreement) 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. 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. 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.

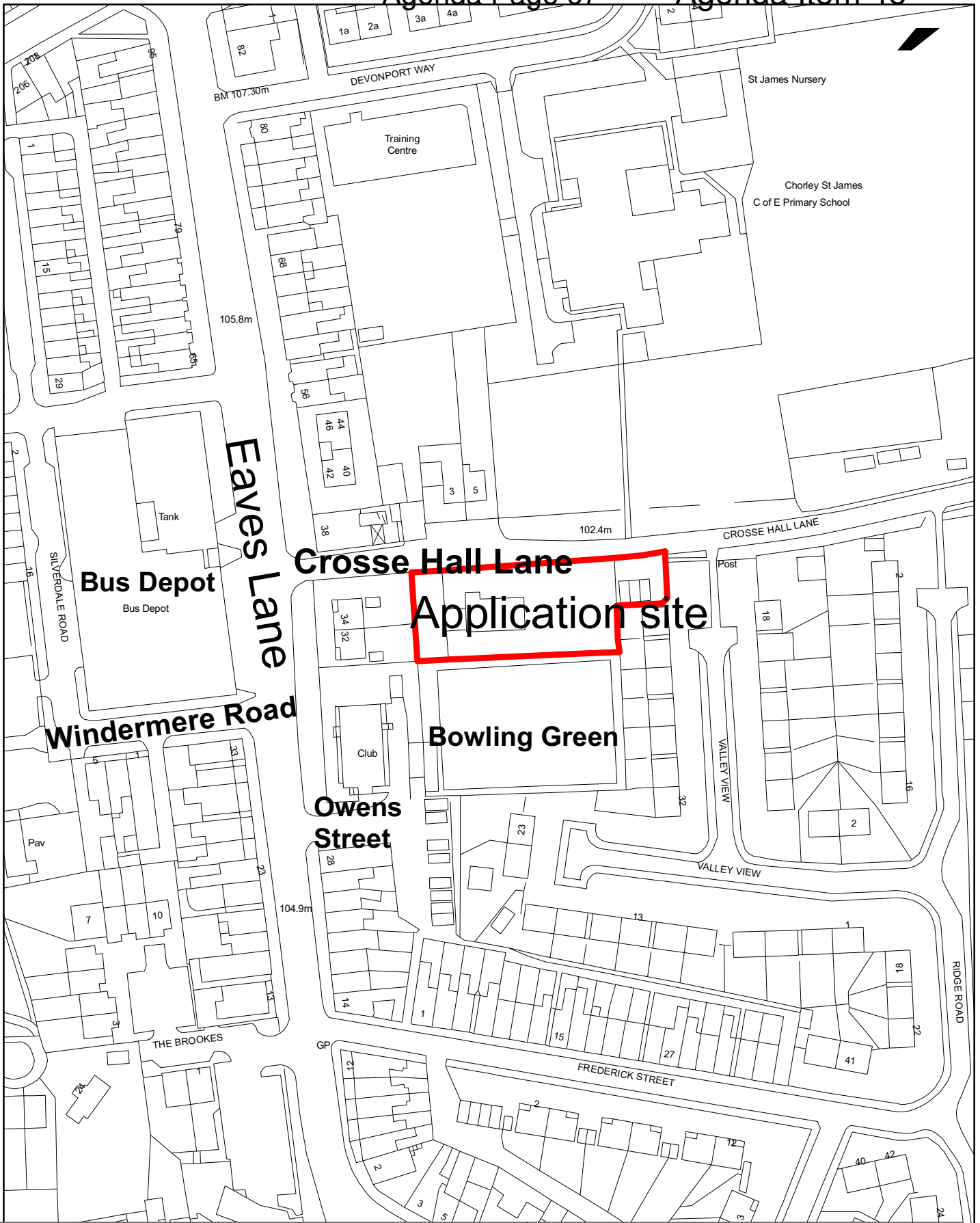
*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

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

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

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**Lesley - Ann Fenton**  
**Director of Partnerships, Planning and Policy**

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Application No.

10/00079/FUL

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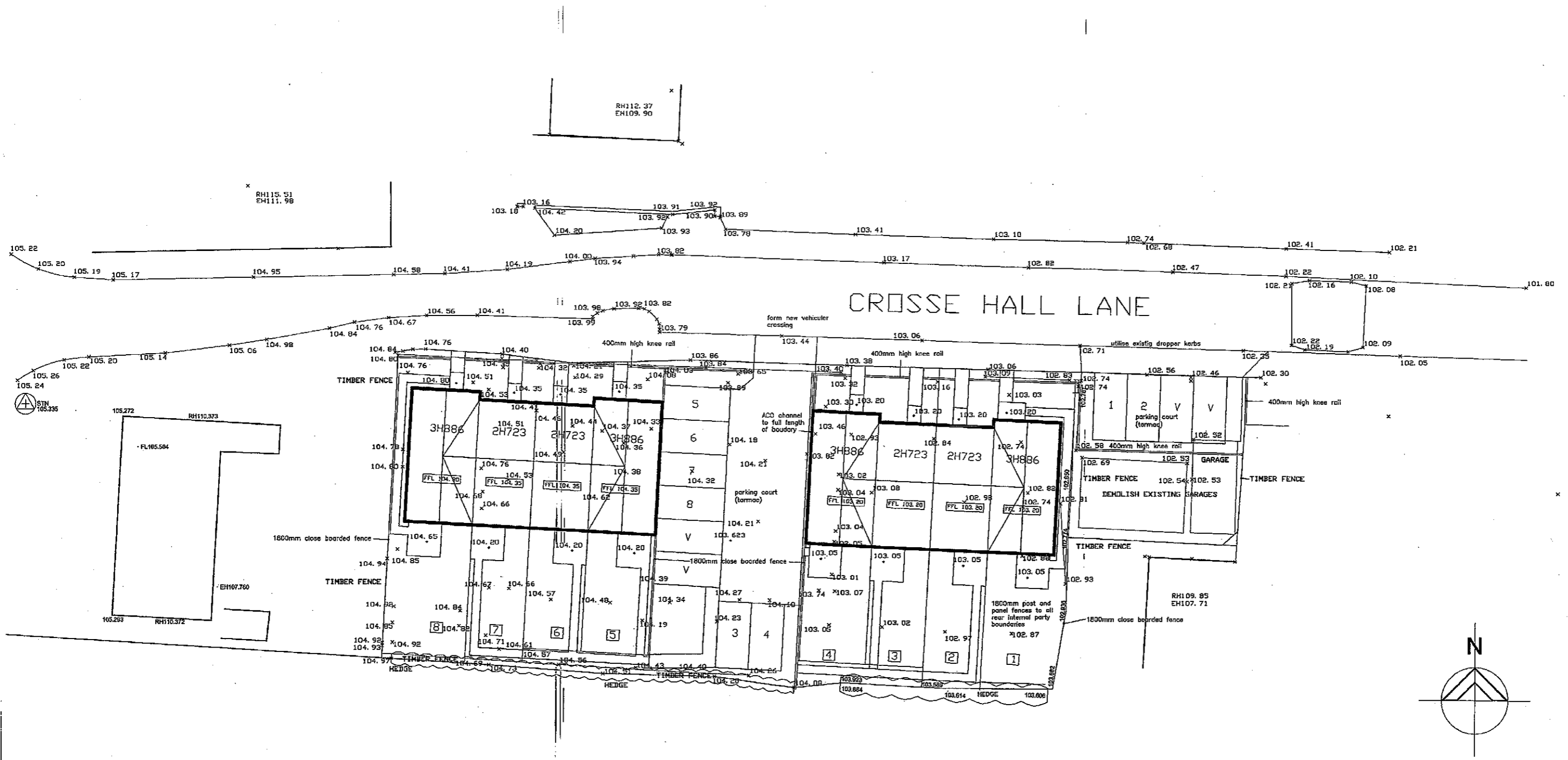
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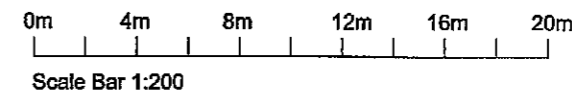
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104.20 proposed levels shown thus  
 104.48 existing levels shown thus



CHORLEY BOROUGH COUNCIL  
 TOWN AND COUNTRY PLANNING ACT 1990  
 29 JAN 2010  
 THIS IS THE PLAN REFERRED TO IN  
 APPLICATION No. 10/19/12w

A2

A Four additional parking spaces added. JRM 28:01:10

5

CLIENT Lee Jackson		 213 PRESTON ROAD WHITTLE-LE-WOODS CHORLEY LANCASHIRE PR6 7PS TEL: 01257 261555 FAX: 01257 267224 www.lmparchitects.co.uk	
PROJECT Proposed Residential Development at 2, Crosse Hall Lane, Chorley.			
DRAWING TITLE Proposed Site Plan			
DATE 16:11:09	SCALE 1:200	DRAWN JRM	DRWG No. 09/060/P02
REV A		© Copyright Lawson Magerison Practice Ltd.	

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Report of	Meeting	Date
Director of Partnerships, Planning & Policy	Development Control Committee	9 March 2010

## ENFORCEMENT ITEM

**TITLE:** Change of Use of Land adjacent to 7 Well Lane Brinscall Chorley PR6 8QX.

### PURPOSE OF REPORT

1. To consider whether it is expedient to take enforcement action to secure cessation of the use of land adjacent to 7 Well Lane, Brinscall, Chorley, PR6 8QX as residential curtilage.

### RECOMMENDATION(S)

2. That it is not expedient to pursue enforcement action to cease the use of the land as residential curtilage as the Council are of the opinion that on the balance of probabilities the land has been used as residential curtilage for a period in excess of 10 years and has therefore become immune from enforcement action.

### EXECUTIVE SUMMARY OF REPORT

3. The issues for consideration in this case are whether on the balance of probabilities the land has been used for a period of ten or more years as residential curtilage.

### Reasons for Recommendations

4. That based on site visits, information from the landowner and complainant, officers reports when conducting site visits for the consideration of planning applications, plans attached to conveyance documents, and Ariel photographs, that on the balance of probabilities the land has been used as residential curtilage for a period in excess of ten years and that there has been no differing intervening use(s). No substantive evidence has been provided by the complainant that contradicts the Councils assessment.

### ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5. The Council considered whether it would be expedient to restrict development of the land by seeking an Article 4 (1) Direction, The Town & Country Planning (General Permitted Development) Order 1995 (as amended). Such a Direction can only be approved by the Secretary of State and seeks to removes permitted development rights from the land. In this instance the property is not a Listed Building nor is it within a designated Conservation Area albeit the adjacent land is within the designated Green Belt. The Governments general approach to the making of Article 4 Directions is that permitted development rights should be withdrawn only in exceptional circumstances, where there is a real and specific threat of development being carried out which would damage an interest of acknowledged importance.

The use of this parcel of land as residential curtilage would not cause such damage as the scope for any permitted development on the land is very limited given the relatively small area of land. Any proposals for development of the land that requires planning permission would be subject to Green Belt Policy.

**CORPORATE PRIORITIES**

6. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	X
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	

**BACKGROUND**

- 7. The Council have a duty under PPG18, Enforcing Planning Control, that when considering any enforcement action the decisive issue should be whether the breach of control would unacceptably affect public amenity or the existing use of land and buildings meriting protection in the public interest.
- 8. This end of terrace property is the last in a terrace of four properties that sit to the South of the junction of Butterworth Brow and Well Lane and is within the settlement area of Brinscall. South of 7 Well Lane is the boundary with the designated Green Belt. The parcel of land subject of this report is immediately to the south of the property and within the designated Green Belt. For ease of reference a block plan of the area is attached to this report.
- 9. The property was, until 1995 in the ownership of United Utilities, a property that they rented out. Upon the death of the previous occupant the property remained vacant for some time, eventually being sold by United Utilities to the present occupant in March 1995. There is no definitive record of the period that the property remained empty. The Land Registry Title Plan clearly records the adjacent parcel of land as being within the title of the property. Additionally, a copy of the conveyance document from United Utilities has been obtained and within that document the description of 7 Well Lane included, "The messuage or dwelling house known as 7 Well Lane". Messuage is defined as a dwelling house with outbuildings and land assigned to its use. The defined boundary of the plan accompanying that document included the parcel of land subject of this report.
- 10. The owner of the property has stated that on purchasing the property from United Utilities the boundary was clearly defined by old fencing, two large sheds were upon the land, and fruit trees had been planted as well as fruit bushes and other ornamental plants. A section of the land had also been used for vegetable growing. There were also old vans and rubbish on the land. Site inspections of the land have been carried out where it was seen that terraced planting beds which suggest domestic use of the land.
- 11. The complainant has been requested, on two separate occasions, to provide some evidence to contradict the use of the land as residential curtilage. In correspondence received from

the complainant he stated that he was unable at this present time to find any photographic evidence but was willing to swear on oath to the fact that no cultivation of the land had taken place within the last 19 years. In that same correspondence the Council are informed that the previous tenant of the land who died some years ago was quite elderly and limited in ability when he, the complainant, moved to the area, although the complainant was told that when he was younger the previous tenant may have tended the land but had not done so whilst the complainant occupied his property. It is of relevance to note that the land in question sits at a lower level than the surrounding properties on Butterworth Brow, it is acknowledged that the site and its use may affect the outlook of those properties however Members will be aware that outlook and view are not material planning considerations.

- 12. Additionally, the complainant has spoken with the Development Control Manager and during conversation informed him that the occupant of number 5 Well Lane used the land in the 1960's when there were garages on the land, vans parked on the land and a herb garden. Such a use indicates use as residential curtilage.
- 13. Since occupation of the property in 1995 the current occupier has submitted two separate planning applications to the Council. Application 04/01167/Ful considered a rear ground and first floor extension and front porch which was granted planning permission on 10 December 2004. Within the body of the Officers report that considered the proposed development it is stated that, "There is a small yard area and garden area located to the side of the property". Planning application 06/00882/Ful for a two storey extension to the rear and front porch was approved on 30 October 2006 and within the body of that Officers report it is stated, "The rear yard area of the applicants property is very small, there is additional side garden area located to the south of the applicants property".
- 14. It may well be that there has, as the complainant states, been a period of inactivity of use of the land as domestic curtilage this being confirmed by the present occupier who during his 15 year occupation did not tend the land for about 10 years but has now tidied the land to continue using it as his residential curtilage. During this dormancy in use there was no intervening differing use.
- 15. Having regard to the Councils duty and with regards to the available evidence that must be assessed under the balance of probabilities there has been no breach of planning control having regard to the current use of the land as garden curtilage.

**ALTERNATIVE REQUIREMENTS**

- 16. Discussed at 5.

**IMPLICATIONS OF REPORT**

- 17. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

Finance		Customer Services	X
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	

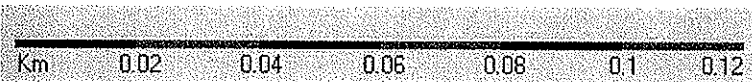
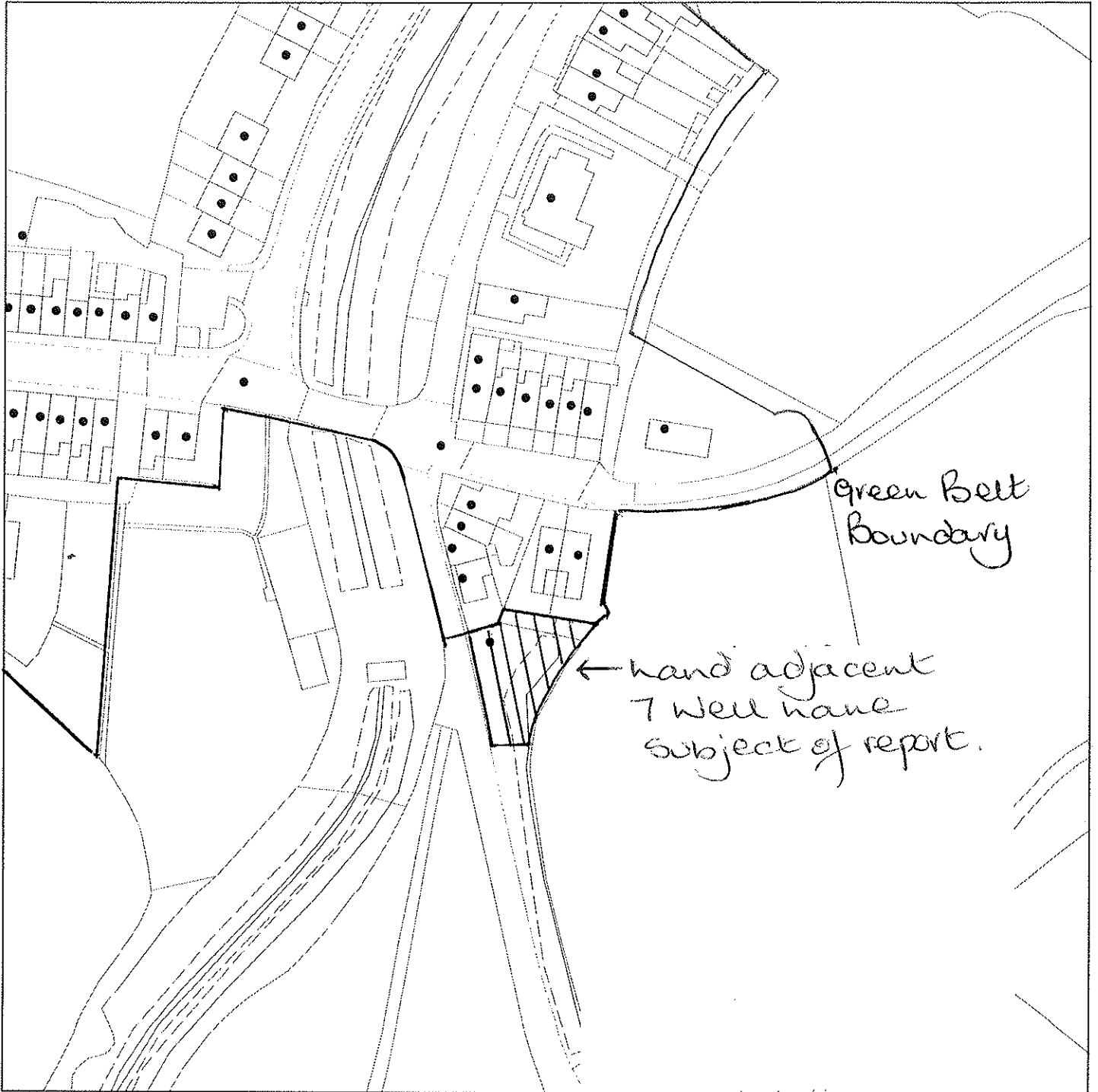
Lesley-Ann Fenton  
 Director of Partnerships, Planning & Policy

Report Author	Ext	Date	Doc ID
Steve Aldous	5414	25 February 2010	08/00165/COU

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AGENDA ITEM 7 WELL LANE



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# Report

Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	09.03.2010

## PLANNING APPLICATIONS DECIDED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY AND THE CHAIR AND VICE-CHAIR OF THE COMMITTEE ON 9 FEBRUARY 2010

Application No.	Recommendation	Location	Proposal
07/01134/FUL	Permit Full Planning Permission	Long Fold Farm North Road Bretherton Lancashire PR26 9AY	Retrospective application to regularise the change of use of parts of the existing buildings from agricultural to commercial use (coach works and vehicle air conditioning company), retrospective application for the retention of an access track and the erection of a new agricultural building.
09/00765/OUT	Refuse Full Planning Permission	Land 53m West Of Belvedere 31 Darlington Street Coppull Lancashire	Outline application for 3 detached dwellings, specifying access and layout (re-submission of application 09/00200/OUT)
09/00937/FUL	Permit Full Planning Permission	Holly Cottage Back Lane Heath Charnock Chorley Lancashire	Amended Access
09/00993/FUL	Permit Full Planning Permission	Land 80m North East Of 21 Delph Way Whittle-Le- Woods Lancashire	Erection of stables block
09/01030/FUL	Permit Full Planning Permission	89 Wigan Road Euxton Chorley Lancashire PR7 6JU	Erection of detached bungalow
09/01032/FUL	Permit (Subject to Legal Agreement)	Land 20m South East Of Windmill Farm Windmill Lane Brindle	Renovation of two stone barns to form two detached dwelling houses
09/00938/FUL	Refuse Full Planning Permission	Holly Cottage Back Lane Heath Charnock Chorley Lancashire	Retention of field track

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# Report



Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	

**PLANNING APPLICATIONS DECIDED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY, THE CHAIR AND VICE-CHAIR OF THE COMMITTEE ON 24<sup>TH</sup> FEBRUARY 2010**

Application No.	Recommendation	Location	Proposal
09/00840/FULMAJ	Permit (Subject to Legal Agreement)	Land 80m North West Of Unit 1 - 2 Chorley North Industrial Park Drumhead Road Chorley	Proposed Office Development

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Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	9 <sup>TH</sup> March 2010

**List of Applications Determined by the Director of Partnerships, Planning and Policy  
Under Delegated Powers**

Between 27<sup>th</sup> January and 24<sup>th</sup> February 2010

**Plan Ref** 09/00242/FUL      **Date Received** 26.03.2009      **Decision** Permit Full  
Planning  
Permission

**Ward:** Chisnall      **Date Decided** 28.01.2010

**Proposal :** New Agricultural Livestock Building

**Location :** Whittle Green Farm Mill Lane Charnock Richard Chorley Lancashire

**Applicant:** Mr Warren Clarke Whittle Green Farm Mill Lane Charnock Richard PR7 5LG

**Plan Ref** 09/00792/TPO      **Date Received** 12.10.2009      **Decision** Consent  
for Tree  
Works

**Ward:** Pennine      **Date Decided** 23.02.2010

**Proposal :** Pruning of 2 Oak Trees at 18 Dunham Drive, Whittle Le Woods

**Location :** 18 Dunham Drive Whittle-Le-Woods Chorley PR6 7DN

**Applicant:** Mrs Julie Andrews 18 Dunham Drive Whittle-Le-Woods Chorley PR6 7DN

**Plan Ref** 09/00870/FUL      **Date Received** 02.11.2009      **Decision** Refuse Full  
Planning  
Permission

**Ward:** Clayton-le-Woods      **Date Decided** 28.01.2010  
West And  
Cuerden

**Proposal :** Demolition of existing garage and shed. Erection of a detached garage.

**Location :** 1 Cunnery Meadow Clayton-Le-Woods Leyland PR25 5RN

**Applicant:** Mr Ian Adamson 1 Cunnery Meadow Clayton-Le-Woods Leyland PR25 5RN

Continued....

**Plan Ref** 09/00889/FUL      **Date Received** 09.11.2009      **Decision** Permit Full Planning Permission

**Ward:** Eccleston And Mawdesley      **Date Decided** 27.01.2010

**Proposal :** Retrospective application for demolition and re-building of dwelling  
**Location :** 1 St Peters Cottages Ridley Lane Mawdesley Ormskirk L40 3SX  
**Applicant:** Mr P Fazakerley 2 St Peters Cottages Ridley Lane Mawdesley Ormskirk L40 3SX

---

**Plan Ref** 09/00892/FUL      **Date Received** 09.11.2009      **Decision** Permit Full Planning Permission

**Ward:** Euxton South      **Date Decided** 04.02.2010

**Proposal :** Erection of a first floor front/side extension over the existing single storey front/side extension (including raising the ridge height). The erection of a part two storey part single storey rear extension and erection of single storey attached garage to the side.  
**Location :** 26 Fieldside Avenue Euxton Chorley PR7 6JF  
**Applicant:** Mr Daniel Gosling 26 Fieldside Avenue Euxton Chorley PR7 6JF

---

**Plan Ref** 09/00923/FUL      **Date Received** 18.11.2009      **Decision** Permit Full Planning Permission

**Ward:** Clayton-le-Woods And Whittle-le-Woods      **Date Decided** 08.02.2010

**Proposal :** Two storey side extension and rear extension to existing double garage  
**Location :** 23 Birch Field Clayton-Le-Woods Chorley PR6 7RE  
**Applicant:** Mr H Drysdale 23 Birch Field Clayton-Le-Woods Chorley PR6 7RE

---

**Plan Ref** 09/00924/FUL      **Date Received** 18.11.2009      **Decision** Refuse Full Planning Permission

**Ward:** Eccleston And Mawdesley      **Date Decided** 01.02.2010

**Proposal :** Two storey side extension to provide granny annexe attached to main dwelling resubmission of refused application 09/00656/FUL  
**Location :** Bannister Green Farm Bannister Lane Eccleston Chorley PR7 5PQ  
**Applicant:** Mr & Mrs Spiby Bannister Green Farm Bannister Lane Chorley PR7 5PQ

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**Plan Ref** 09/00938/FUL      **Date Received** 22.11.2009      **Decision** Refuse Full Planning Permission

**Ward:** Heath Charnock And Rivington      **Date Decided** 15.02.2010

**Proposal :** Retention of Field Track  
**Location :** Holly Cottage Back Lane Heath Charnock Chorley Lancashire  
**Applicant:** Mr B Mercer c/o Cunningham Planning 10a Station Approach Ormskirk Lancs

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**Plan Ref** 09/00946/FUL      **Date Received** 25.11.2009      **Decision** Permit Full Planning Permission

**Ward:** Chorley North East      **Date Decided** 03.02.2010

**Proposal :** Erection of single storey front extension. Erection of conservatory to the rear and changing the existing flat roof to a pitched roof.

**Location :** Corrib 6 Nab Road Chorley PR6 0DY

**Applicant:** Mr John Ward Corrib 6 Nab Road Chorley PR6 0DY

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**Plan Ref** 09/00957/FUL      **Date Received** 27.11.2009      **Decision** Permit Full Planning Permission

**Ward:** Brindle And Hoghton      **Date Decided** 28.01.2010

**Proposal :** Minor alterations to existing Farmhouse and conversion of existing Shippon to residential accommodation (resubmission of planning application 09/00697/FUL)

**Location :** Pippin Street Farm Pippin Street Brindle Chorley PR6 8ND

**Applicant:** Mr David Brown Higher Flash Green Farm Buckholes Lane Higher Wheelton Chorley Lancashire PR6 8JF

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**Plan Ref** 09/00959/TPO      **Date Received** 27.11.2009      **Decision** Consent for Tree Works

**Ward:** Clayton-le-Woods And Whittle-le-Woods      **Date Decided** 15.02.2010

**Proposal :** Prune 1 Tree and Fell 1 tree at 15 Chorley Old Road, Whittle-Le-Woods.

**Location :** 19 Chorley Old Road Whittle-Le-Woods Lancashire PR6 7LB

**Applicant:** Dr David Young 19 Chorley Old Road Whittle-Le-Woods Lancashire PR6 7LB

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**Plan Ref** 09/00971/TPO      **Date Received** 27.11.2009      **Decision** Consent for Tree Works

**Ward:** Clayton-le-Woods And Whittle-le-Woods      **Date Decided** 15.02.2010

**Proposal :** Tree works attached to TPO Low Mill, Whittle-Le-Woods 1975

**Location :** Low Mill Town Lane Whittle-Le-Woods

**Applicant:** Mr John Ainsworth Low Mill Town Lane Whittle-Le-Woods Chorley,Lancs PR6 7OJ

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**Plan Ref** 09/00961/FUL      **Date Received** 30.11.2009      **Decision** Permit Full  
Planning  
Permission

**Ward:** Astley And  
Buckshaw      **Date Decided** 03.02.2010

**Proposal :** Erection of two storey side extension  
**Location :** 59 Studfold Astley Village Chorley Lancashire PR7 1UA  
**Applicant:** Mr Carlo Dellasera 59 Studfold Astley Village Chorley Lancashire PR7 1UA

---

**Plan Ref** 09/00970/FUL      **Date Received** 02.12.2009      **Decision** Permit Full  
Planning  
Permission

**Ward:** Chorley South  
East      **Date Decided** 28.01.2010

**Proposal :** Change of use from B1 to funeral directors and undertakers (A1 use class)  
**Location :** 45 - 47 Pall Mall Chorley Lancashire PR7 3LT  
**Applicant:** The Co-operative Group PO Box 53 New Century House Manchester M60 0AB

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**Plan Ref** 09/00987/FUL      **Date Received** 10.12.2009      **Decision** Permit Full  
Planning  
Permission

**Ward:** Chorley North  
West      **Date Decided** 02.02.2010

**Proposal :** Erection of two storey side and rear extension. Erection of a front canopy  
(Amendment to planning approval 09/00575/FUL)  
**Location :** 46 Southport Road Chorley PR7 1LE  
**Applicant:** Mrs Colette Davis 46 Southport Road Chorley PR7 1LE

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**Plan Ref** 09/00990/FUL      **Date Received** 10.12.2009      **Decision** Permit Full  
Planning  
Permission

**Ward:** Coppull      **Date Decided** 03.02.2010

**Proposal :** Conversion of attached garage to habitable room; erection of single storey side  
extension and erection of detached garage to the front.  
**Location :** 88 Hurst Brook Coppull Chorley PR7 4QY  
**Applicant:** Mr P Green 88 Hurst Brook Coppull Chorley PR7 4QY

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**Plan Ref** 09/00991/FUL      **Date Received** 10.12.2009      **Decision** Permit Full  
Planning  
Permission

**Ward:** Wheelton And  
Withnell      **Date Decided** 02.02.2010

**Proposal :** Erection of two storey rear extension (amendment to planning approval  
09/00416/FUL)  
**Location :** Logwood Mill Farm Brinscall Mill Road Wheelton Chorley PR6 8TD  
**Applicant:** Mrs Kathryn Shaklady Logwood Mill Farm Brinscall Mill Road Wheelton Chorley  
PR6 8TD

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<b>Plan Ref</b>	09/00994/FUL	<b>Date Received</b>	11.12.2009	<b>Decision</b>	Permit Full Planning Permission
<b>Ward:</b>	Wheelton And Withnell	<b>Date Decided</b>	05.02.2010		
<b>Proposal :</b>	Demolition rear porch and detached garage situated to the south of the application site and the erection of a new detached garage on the same footprint, single storey rear extension, two-storey side extension, side conservatory, front porch and to raise the ridge height of the existing dwelling.				
<b>Location :</b>	62 Lodge Bank Brinscall Chorley PR6 8QU				
<b>Applicant:</b>	Mr Lee Mochan 62 Lodge Bank Brinscall Chorley PR6 8QU				

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<b>Plan Ref</b>	09/00993/FUL	<b>Date Received</b>	14.12.2009	<b>Decision</b>	Permit Full Planning Permission
<b>Ward:</b>	Clayton-le-Woods And Whittle-le- Woods	<b>Date Decided</b>	11.02.2010		
<b>Proposal :</b>	Erection of stables block				
<b>Location :</b>	Land 80m North East Of 21 Delph Way Whittle-Le-Woods Lancashire				
<b>Applicant:</b>	Mr M Spellman c/o agent				

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<b>Plan Ref</b>	09/00995/FUL	<b>Date Received</b>	14.12.2009	<b>Decision</b>	Permit Full Planning Permission
<b>Ward:</b>	Clayton-le-Woods West And Cuerden	<b>Date Decided</b>	03.02.2010		
<b>Proposal :</b>	Erection of an outbuilding consisting of garage, car port and store following the demolition of the existing pre-fab garage and timber shed to rear of the house.				
<b>Location :</b>	72 Lancaster Lane Clayton-Le-Woods Leyland PR25 5SP				
<b>Applicant:</b>	Mr & Mrs A C Thompson 72 Lancaster Lane Clayton-Le-Woods Leyland PR25 5SP				

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<b>Plan Ref</b>	09/00999/FUL	<b>Date Received</b>	15.12.2009	<b>Decision</b>	Permit Full Planning Permission
<b>Ward:</b>	Clayton-le-Woods And Whittle-le- Woods	<b>Date Decided</b>	15.02.2010		
<b>Proposal :</b>	Large front dormer and front/side single storey extension				
<b>Location :</b>	2 Holly Close Clayton-Le-Woods Chorley PR6 7JN				
<b>Applicant:</b>	Mr D Russel 2 Holly Close Clayton Le Woods Chorley Lancashire PR6 7JN UK				

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**Plan Ref** 09/01003/FUL      **Date Received** 17.12.2009      **Decision** Permit Full Planning Permission

**Ward:**                              **Date Decided** 11.02.2010

**Proposal :** Substitution of house type on Plot 80, Gillibrand Hall (amendment to Planning approvals reference 08/00949/FULMAJ and 06/00580/REMMAJ)

**Location :** Gillibrand Hall Grounds Grosvenor Road Chorley

**Applicant:** Redrow Homes (Lancashire) Ltd Redrow House 14 Eaton Avenue Buckshaw Village Chorley Lancashire PR7 7NA

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**Plan Ref** 09/01004/FUL      **Date Received** 17.12.2009      **Decision** Permit Full Planning Permission

**Ward:** Wheelton And Withnell      **Date Decided** 12.02.2010

**Proposal :** Single storey rear conservatory extension

**Location :** 119 School Lane Brinscall Chorley PR6 8PS

**Applicant:** Mark Huddart 119 School Lane Brinscall Chorley PR6 8PS

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**Plan Ref** 09/01019/FUL      **Date Received** 17.12.2009      **Decision** Permit Full Planning Permission

**Ward:** Chorley North West      **Date Decided** 11.02.2010

**Proposal :** Replacement shopfront and disabled access

**Location :** S W Confectioners 16 Gillibrand Street Chorley Lancashire PR7 2EJ

**Applicant:** Mr G Watkinson S W Confectioners 16 Gillibrand Street Chorley Lancashire PR7 2EJ

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**Plan Ref** 09/01011/FUL      **Date Received** 21.12.2009      **Decision** Permit Full Planning Permission

**Ward:** Astley And Buckshaw      **Date Decided** 08.02.2010

**Proposal :** Provision of emergency generator (with fence around) in grounds of existing hospice for the use of the hospice and new annexe.

**Location :** Derian House Chancery Road Astley Village Chorley PR7 1DH

**Applicant:** Derian House Trust Chancery Road Astley Village Chorley PR7 1DH

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**Plan Ref** 09/01015/FUL      **Date Received** 21.12.2009      **Decision** Permit Full Planning Permission

**Ward:** Clayton-le-Woods West And Cuerden      **Date Decided** 03.02.2010

**Proposal :** Erection of a single storey extension to the rear of the property

**Location :** 4 Rose Close Clayton-Le-Woods Leyland PR25 5TQ

**Applicant:** Mr & Mrs J & R Burbidge 4 Rose Close Clayton-Le-Woods Leyland PR25 5TQ

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**Plan Ref** 09/01024/FUL      **Date Received** 22.12.2009      **Decision** Permit Full Planning Permission

**Ward:** Euxton North      **Date Decided** 10.02.2010

**Proposal :** Single storey rear extension  
**Location :** 36 The Cherries Euxton Chorley PR7 6NG  
**Applicant:** Mrs C Bolton 36 The Cherries Euxton Chorley PR7 6NG

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**Plan Ref** 09/01025/FUL      **Date Received** 22.12.2009      **Decision** Permit Full Planning Permission

**Ward:** Coppull      **Date Decided** 16.02.2010

**Proposal :** Proposed 2nd storey extension  
**Location :** 14 The Brambles Coppull Chorley PR7 4NW  
**Applicant:** Mr A Whitley 14 The Brambles Coppull Chorley PR7 4NW

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**Plan Ref** 09/01026/FUL      **Date Received** 22.12.2009      **Decision** Permit Full Planning Permission

**Ward:** Clayton-le-Woods North      **Date Decided** 16.02.2010

**Proposal :** Proposed single storey extension to side and rear, paving to front to create parking  
**Location :** 39 Kiln Croft Clayton-Le-Woods Chorley PR6 7UA  
**Applicant:** Mr L Pickup 39 Kiln Croft Clayton-Le-Woods Chorley PR6 7UA

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**Plan Ref** 09/01034/FUL      **Date Received** 22.12.2009      **Decision** Permit Full Planning Permission

**Ward:**      **Date Decided** 10.02.2010

**Proposal :** Engineering works to permanently reduce the volume of water stored in the reservoir  
**Location :** Chorley Reservoir Crosse Hall Lane Chorley Lancashire  
**Applicant:** Dr John Collins Environment Agency Lutra House Dodd Way Walton Summit Bamber Bridge Preston PR5 8GD

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**Plan Ref** 09/01028/FUL      **Date Received** 23.12.2009      **Decision** Permit Full Planning Permission

**Ward:** Chorley South East      **Date Decided** 17.02.2010

**Proposal :** Refurbishment of restaurant and patio area. Change to elevations, which includes the removal of the roof light beams and one drive thru booth. Installation of customer order display. Replacement and new signage.  
**Location :** McDonalds Portland Street Chorley Lancashire PR7 1AQ  
**Applicant:** McDonald's Restaurant Ltd 11-59 High Road East Finchley London N2 8AW

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**Plan Ref** 09/01029/ADV      **Date Received** 23.12.2009      **Decision** Advertising Consent  
**Ward:** Chorley South East      **Date Decided** 17.02.2010

**Proposal :** Various signs in line with refurbishment - 3 Roof Fascias, 5 Freestanding signs, 2 Height Restrictors, 3 Banners and 1 Customer Order Display  
**Location :** McDonalds Portland Street Chorley Lancashire PR7 1AQ  
**Applicant:** McDonald's Restaurant Ltd 11-59 High Road East Finchley London N2 8AW

**Plan Ref** 09/01030/FUL      **Date Received** 23.12.2009      **Decision** Permit Full Planning Permission  
**Ward:** Euxton North      **Date Decided** 17.02.2010

**Proposal :** Erection of detached bungalow  
**Location :** 89 Wigan Road Euxton Chorley Lancashire PR7 6JU  
**Applicant:** Mr Paul Marsden 89 Wigan Road Euxton Chorley Lancashire PR7 6JU

**Plan Ref** 09/01031/CLEUD      **Date Received** 23.12.2009      **Decision** Grant Cert of Lawfulness for Est Use  
**Ward:** Chorley East      **Date Decided** 17.02.2010

**Proposal :** Application for a Certificate of Lawfulness for residential use of front room of the property, that was formerly a shop  
**Location :** 46 Steeley Lane Chorley PR6 0RD  
**Applicant:** Mr Kenneth Hale 64 Rivington View Rivington Road Chorley PR6 0EX

**Plan Ref** 09/01036/FUL      **Date Received** 24.12.2009      **Decision** Application Withdrawn  
**Ward:** Euxton South      **Date Decided** 18.02.2010

**Proposal :** Erection of a detached bungalow style dwelling  
**Location :** West View Runshaw Lane Euxton Chorley PR7 6EX  
**Applicant:** Mr David Entwistle 12 Shore Road Hesketh Bank Preston PR4 6RB

**Plan Ref** 09/01009/CTY      **Date Received** 04.01.2010      **Decision** No objection to LCC Reg 3/4 Application  
**Ward:** Astley And Buckshaw      **Date Decided** 28.01.2010

**Proposal :** New footpath with gate access from Chancery Road  
**Location :** Buckshaw Primary School Chancery Road Astley Village Chorley Lancashire  
**Applicant:** Buckshaw Primary School Chancery Road Astley Village Chorley PR7 1PX

<b>Plan Ref</b>	09/01027/CTY	<b>Date Received</b>	04.01.2010	<b>Decision</b>	No objection to LCC Reg 3/4 Application
<b>Ward:</b>	Chorley South West	<b>Date Decided</b>	03.02.2010		
<b>Proposal :</b>	Demolition of the existing two storey ROSLA block. Construction of a two storey science block, main entrance, new pedestrian access and relocation of vehicular access for deliveries with associated landscaping.				
<b>Location :</b>	Southlands High School Clover Road Chorley PR7 2NL				
<b>Applicant:</b>	Lancashire County Council Children And Young People County Hall P O Box 61 Preston PR1 8RE				
<b>Plan Ref</b>	10/00021/FUL	<b>Date Received</b>	07.01.2010	<b>Decision</b>	Refuse Full Planning Permission
<b>Ward:</b>	Eccleston And Mawdesley	<b>Date Decided</b>	23.02.2010		
<b>Proposal :</b>	Conversion of garage to living accommodation with new roof, dormers to front and rear, new detached double garage and new vehicular entrance.				
<b>Location :</b>	428 Langton Brow Eccleston Chorley Lancashire PR7 5PB				
<b>Applicant:</b>	Mr D Cousins 428 Langton Brow Eccleston Chorley Lancashire PR7 5PB				
<b>Plan Ref</b>	10/00003/CTY	<b>Date Received</b>	08.01.2010	<b>Decision</b>	No objection to LCC Reg 3/4 Application
<b>Ward:</b>	Chorley South East	<b>Date Decided</b>	02.02.2010		
<b>Proposal :</b>	Demolition of existing Weldbank House Daycare Centre and erection of new single storey care centre with car parking and improvement to the existing access road.				
<b>Location :</b>	Chorley Education Support Centre Weldbank Lane Chorley Lancashire PR7 3NQ				
<b>Applicant:</b>	L.C.C. Adult & Community Services Directorate Adult & Community Services HQ East Cliff Offices Preston Lancashire PR1 3EA				
<b>Plan Ref</b>	10/00026/FUL	<b>Date Received</b>	11.01.2010	<b>Decision</b>	Permit Full Planning Permission
<b>Ward:</b>	Wheelton And Withnell	<b>Date Decided</b>	09.02.2010		
<b>Proposal :</b>	Proposed garage and stable buildings				
<b>Location :</b>	Drakeshead Boarding Kennels Willowgarth Lodge Bank Brinscall Chorley				
<b>Applicant:</b>	Mr & Mrs John & Sandra Halstead Brinscall Boarding Kennels & Cattery Lodge Bank Brinscall Chorley PR6 8QU				

**Plan Ref** 10/00028/TCON    **Date Received** 12.01.2010    **Decision** No objection to Tree Works

**Ward:** Lostock    **Date Decided** 19.02.2010

**Proposal :** Felling of 1 Leylandii tree in rear garden.  
**Location :** 49 Town Road Croston Leyland PR26 9RA  
**Applicant:** Mr Douglas Robinson 49 Town Road Croston Leyland PR26 9RA

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**Plan Ref** 10/00039/MNMA    **Date Received** 15.01.2010    **Decision** Minor Non-Material Amendment Accepted

**Ward:** Coppull    **Date Decided** 15.02.2010

**Proposal :** Residential development comprising of 40 dwellings and associated access road.  
**Location :** Land Between Waggon And Horses Public House And Summerfields Chapel Lane Coppull  
**Applicant:** Mr David Hough Arley Homes Northwest Limited The Old Refectory Refectory Lane Winwick Warrington WA2 8LE

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