

# Development Control Committee

**Tuesday, 25 October 2005**

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

**Also in attendance:** Councillors R Snape

## **05.DC.35 LETTER OF THANKS**

The Chair informed the Committee that he had received a letter from the former Head of Planning Services, Mr Alan Croston thanking the Committee for all their cards, presents and best wishes for the future.

## **05.DC.36 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Birchall, Molyneaux and Snow.

## **05.DC.37 DECLARATIONS OF ANY INTERESTS**

In accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members' Code of Conduct, the following Member declared a retrospective interest in relation to the Planning Application listed below, which was included on the meetings agenda for determination.

Councillor Parr – Item 5, A.3:Planning Application 05/00796/OUTMAJ

## **05.DC.38 MINUTES**

**RESOLVED – That the minutes of the meeting of the Development Control Committee held on 27 September 2005 be confirmed as a correct record and signed by the Chair.**

## **05.DC.39 PLANNING APPEALS AND DECISIONS - NOTIFICATION**

The Committee received a report of the Head of Development and Regeneration giving notification of the lodging of appeals against the refusal of planning permission for eight developments and one appeal where permission had been granted by the planning inspectorate.

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

## **05.DC.40 PLANNING APPLICATIONS AWAITING DECISION**

The Head of Development and Regeneration submitted reports on a number of planning applications to be determined by the Committee.

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

**Application No :** 05/00556/REMMAJ  
**Proposal :** Reserved Matters Application for the erection of 43 dwellings comprising of 15 houses and 28 apartments,  
**Location :** Parcel 13 Land South Of Copper Works Wood West Of Gillibrand North And West Of South Clover Road Chorley  
**Decision:** Application deferred at the request of the Head of Development and Regeneration.

**Application No :** 05/00557/REMMAJ  
**Proposal :** Reserved Matters Application for the erection of 43 dwellings comprising of 15 houses and 28 apartments (duplicate),  
**Location :** Parcel 13 Land South Of Copper Works Wood West Of Gillibrand North And West Of South Clover Road Chorley  
**Decision:** Application deferred at the request of the Head of Development and Regeneration.

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

**Application No :** 05/00796/OUTMAJ  
**Proposal :** Outline application for residential development (Site Area: 3978m<sup>2</sup>),  
**Location :** Land Adjacent Botany Brow Works Mason Street Chorley Lancashire

**Decision:**

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

**1. An application for the approval of the reserved matters 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 either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.**

***Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.***

**2. Before the development hereby permitted is first commenced, full details of all reserved matters (namely the siting, design, external appearance of the dwellings, the means of access thereto and the landscaping of the site) 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, HS4 and TR4 of the Adopted Chorley Borough Local Plan Review.***

**3. The application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels of the dwellings (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plan(s). The**

development shall only be carried out in conformity with the approved level details.

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

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

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

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

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

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

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

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

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

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

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

9. The development hereby permitted shall not commence until full details of the junction between the proposed development site and Botany Brow have been submitted to and approved in writing by the Local Planning Authority. No part of the development hereby permitted shall be occupied until that junction has been constructed in accordance with the approved details.

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

10. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

*Reason: To reduce the risk of flooding.*

11. No development approved by this permission shall be commenced until a desk study has been undertaken and agreed by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential for on site contamination a detailed site investigation should be carried out to establish the degree of and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they will be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.

*Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health.*

**Application No :** 05/00805/FULMAJ

**Proposal :** Erection of two storey office unit comprising of office space, associated storage and services provision, and erection of production unit with associated storage, services, office, first aid room and staff room provision,

**Location :** Land South Of NIS Building Ackhurst Road  
Chorley Lancashire

**Decision:**

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

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

*Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.*

2. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall only be carried out in conformity with the approved details.

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

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

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

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

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

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

*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and EM2 of the Adopted Chorley Borough Local Plan Review.*

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

*Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR8 of the Adopted Chorley Borough Local Plan Review.*

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

*Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 and EP19 of the Adopted Chorley Borough Local Plan Review.*

8. Prior to the commencement of the development a 'Green Commuter/Travel Plan' for the existing and proposed buildings shall have been submitted to and approved in writing by the Council as Local Planning Authority. The 'Green Commuter/Travel Plan' should set out those proposals to be implemented in the coming year to reduce the proportion of all trips to the complex (by staff and visitors) which are made by private car and to specifically encourage the proportion of trips made by other modes of travel. No later than 1 January on each of the following 5 years further 'Green Commuter/Travel Plans' shall be submitted to and approved in writing by the Council as Local Planning Authority. These Plans to include proposals as outlined above and monitoring information to indicate the extent to which travel patterns have been influenced.

*Reason: To encourage modes of travel other than the private car and in accordance with policies TR1, TR4 and TR7.*

**Application No :** 05/00940/FULMAJ

**Proposal :** Proposed extension of caravan dealership and associated parking area for staff and customers,

**Location :** Dave Barron Caravans Chapel Lane Coppull Lancashire

**Decision:**

It was proposed, seconded and subsequently **RESOLVED** that the application be permitted subject to the following conditions:

1. The development hereby permitted shall not commence until full details of the colour, form and texture of all 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 No. GN5 of the Adopted Chorley Borough Local Plan Review.***

**2. Before the use of the car park and extended sales area hereby permitted is first commenced, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.**

***Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR8 of the Adopted Chorley Borough Local Plan Review.***

**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 car park hereby permitted shall be restricted to the following hours of use: -**

**During March to October inclusive; Monday to Saturday between the hours of 7am and 7pm, Wednesdays between the hours of 7am and 9pm and Sundays between the hours of 10am and 6pm**

**During November to February inclusive; Monday to Saturday between the hours of 7am and 6pm and Sundays between the hours of 10am and 6pm**

***Reason: To safeguard the amenities of local residents and in accordance with Policy No. EP20 of the Adopted Chorley Borough Local Plan Review.***

**5. During the hours when car park hereby permitted is not in use, it shall be closed off to vehicular traffic by a secure locked barrier placed at the entrance to the car park, the details of which should first be submitted to and approved in writing by the Local Planning Authority prior to the use of the car park commencing. The secure barrier shall be remain locked at all times thereafter when the car park is vacant.**

***Reason: To protect the amenities of local residents and in accordance with Policy No. GN1 of the Adopted Chorley Borough Local Plan Review.***

**6. The proposed development must be begun not later than 3 years from the date of this permission.**

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

**7. Before the development hereby permitted is first commenced, full details of the lighting to the car park and sales area (notwithstanding any such detail shown on the previously**

submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include a full specification of the low level lighting behind the properties on Poplar Drive and Chapel Lane and shall include the following; the height of the lighting columns or fixtures, their position, the angle of tilt of the lanterns, baffles and lux levels. A plan shall also be submitted detailing the illuminance levels over the car park, sales area and around the periphery of the site to demonstrate light pollution will not harm the living conditions of those properties adjacent to the site.

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

8. Before any development hereby permitted is first commenced, full details of the cycle and motorcycle parking areas shall have been submitted to and approved in writing by the Local Planning Authority. The cycle and motorcycle parking areas shall be provided in accordance with the approved details prior to the first use of the extended sales area and car park hereby permitted and shall not thereafter be used for any purpose other than the parking/storage of cycles and motorcycles.

*Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR8 of the Adopted Chorley Borough Local Plan Review as superseded by Policy 7 of the Joint Lancashire Structure Plan 2001 – 2016.*

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 BS5837:1991 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.

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

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

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

11. The security fence running adjacent to Chapel Lane along the eastern site boundary shall be colour finished dark green and retained as such at all times thereafter.

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

12. No development approved by this permission shall be commenced until:



- a) A desktop study has been undertaken to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
- b) A site investigation has been designed for the site using the information obtained from (a) above. This should be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on site.
- c) The site investigation and associated risk assessment have been undertaken in accordance with details approved in writing by the Local Planning Authority.
- d) A Method Statement and remediation strategy, based on the information obtained from c) above has been submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in strict accordance with the measures approved.

Work shall be carried out and completed in accordance with the approved method statement and remediation strategy referred to in (d) above, and to a timescale agreed in writing by the Local Planning Authority: unless otherwise agreed in writing by the Local Planning Authority.

**Reasons:**

**A) To identify all previous site uses, potential contaminants that might reasonably be expected given those uses and the source of contamination, pathways and receptors.**

**B) To enable:**

- A risk assessment to be undertaken
- Refinement of the conceptual model, and
- The development of a Method Statement and Remediation Strategy

**C) & D) To ensure that the proposed site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site.**

13. The lighting to the car park shall only be turned on in conjunction with the permitted car park opening times. When the sales area and car park is not permitted to be open the lighting shall remain turned off. The car park opening times are as follows:

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During March to October inclusive; Monday to Saturday between the hours of 7am and 7pm, Wednesdays between the hours of 7am and 9pm and Sundays between the hours of 10am and 6pm

During November to February inclusive; Monday to Saturday between the hours of 7am and 6pm and Sundays between the hours of 10am and 6pm

**Reason: To safeguard the amenities of local residents and in accordance with Policy No. EP21A of the Adopted Chorley Borough Local Plan Review.**

**Application No :** 05/00500/FUL

**Proposal :** Construction of tennis court and associated walls, fences and other works

**Location :** The Old Rectory High Street Mawdesley Lancashire L40 3TD

**Decision:**

It was moved by Councillor Whittaker, seconded by Councillor Culshaw and subsequently **RESOLVED (17:1) that further consideration of the application be deferred to await the recommendations of the Site Inspection Sub-Committee, following its inspection of the site.**

**Application No :** 05/00736/FUL  
**Proposal :** Erection of a two storey replacement dwelling,  
**Location :** West Hatch School Lane Mawdesley Lancashire  
L40 3TG

**Decision:**

It was moved by Councillor Culshaw, seconded by Councillor Whittaker and subsequently **RESOLVED that the application be permitted subject to the following conditions:**

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

***Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5, DC8A of the Adopted Chorley Borough Local Plan Review.***

**2. The approved plans are:**

<b>Plan Ref.</b>	<b>Received On:</b>	<b>Title:</b>
<b>LG .B.05.02C</b>	<b>18/07/05</b>	<b>Proposed Site Layout Plan</b>
<b>LG.B.05.03C</b>	<b>ditto</b>	<b>Proposed floor plans</b>
<b>LG.B.05.04 / 05 B</b>	<b>ditto</b>	<b>Proposed elevations</b>
<b>LG.B.05.06</b>	<b>ditto</b>	<b>Volume calculations</b>

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

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

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

**4. 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 hereby permitted (other than those expressly authorised by this permission).**

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

5. Before any development hereby permitted is first commenced, full details of the surfacing, drainage and marking out of the car parking spaces shall have been submitted to and approved in writing by the Local Planning Authority. The spaces shall be provided in accordance with the approved details prior to first occupation of the premises as hereby permitted.

*Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR8 of the Adopted Chorley Borough Local Plan Review.*

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

*Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.*

**Application No :** 05/00819/FUL

**Proposal :** Subdivision of existing property into one dwelling and one retail unit with living accommodation above and two storey side extension (with living accommodation in roof space),

**Location :** 72 New Street Mawdesley Lancashire L40 2QW

**Decision:**

It was proposed by Councillor Culshaw, and seconded by Councillor S Smith that the conditional planning permission be granted.

An amendment was moved by the Chair (Councillor A Lowe), seconded by Councillor Whittaker, that the application be refused. On being put to the vote, the amendment was carried (11:10) and it was subsequently **RESOLVED** that the application be refused for the following reason:

1. The application property lies within a local shopping centre within the rural settlement of Mawdesley, as defined in the Adopted Chorley Borough Local Plan review wherein the loss of such facilities will not be allowed unless it can be demonstrated that there is no demand for such a facility. The applicant has failed to adequately demonstrate that the facility is no longer required, no longer economical viable and that all reasonable efforts have been made to sell or let the property at a realistic price. The proposal is therefore contrary to policies SP6 and DC10 of the Adopted Chorley Borough Local Plan Review and Supplementary Planning Guidance on The Protection of Community Facilities in Rural Areas.

**Application No :** 05/00881/FUL

**Proposal :** Erection of replacement dwelling,

**Location :** 14 Bett Lane Wheelton Chorley Lancashire PR6 8JH

**Decision:**

It was proposed by Councillor S Smith, seconded by Councillor Bell and subsequently **RESOLVED** that the application be approved subject to 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 91 of the Town and Country Planning Act 1990.*

2. 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.*

3. All windows in the ground and first floor of the building's east and west elevations shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter.

*Reason: In the interests of the privacy of occupiers of neighbouring property and in accordance with Policy Nos. GN5, HS4 and HS9 of the Adopted Chorley Borough Local Plan Review.*

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

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

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 plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

*Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

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

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

**Application No :** 05/00928/FUL  
**Proposal :** Creation of Go-Kart track  
**Location :** Land Adjacent Euxton Park Golf Driving Range  
Euxton Lane Euxton Chorley Lancashire

**Decision:** Permission

It was proposed by the Chair (Councillor A Lowe), seconded by Councillor Whittaker and subsequently **RESOLVED (19:2) that the application be permitted subject to 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 91 of the Town and Country Planning Act 1990.***

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

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

**3. Where use of the site for the authorised purposes as a Go-Kart track ceases for a period exceeding 6 months all buildings, hardstanding, fences and other development shall be removed from the land and the land restored in accordance with a scheme to be submitted and approved in writing by the Local Planning authority**

***Reason: To avoid the proliferation of buildings in the Green Belt for which there is not a continuing need and in accordance with Policy Nos. DC1 and GN5 of the Adopted Chorley Borough Local Plan Review.***

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

***Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 and DC1 of the Adopted Chorley Borough Local Plan Review.***

**5. The maximum number of Go-Karts to be operated simultaneously should be restricted to no more than six.**

***Reason: In the interest of the amenities of local residents and in accordance with Policy No. EP20 of the Adopted Chorley Borough Local Plan Review.***

**6. No system of external illumination, other than that shown on the approved plans, shall be installed at the premises hereby approved.**

***Reason: In the interest of the amenities of residential amenities and the visual amenities of the area and in accordance with Policy Nos. EP21A and DC1 of the Adopted Chorley Borough Local Plan Review.***

7. The use hereby permitted shall not be open to customers outside the following times: 09:00 to 21:00 hours Monday to Sunday.

*Reason: In the interest of the amenities of local residents and in accordance with Policy Nos. DC1, EP20 and EP21A of the Adopted Chorley Borough Local Plan Review.*

8. None of the floodlights hereby permitted shall be illuminated outside the following times: 09:00 to 21:00 Monday to Sunday.

*Reason: In the interests of the amenities of local residents and in accordance with Policy Nos. DC1, EP20 and EP21A of the Adopted Chorley Borough Local Plan Review.*

#### **05.DC.41 PLANNING APPLICATIONS DETERMINED BY THE HEAD OF DEVELOPMENT AND REGENERATION UNDER DELEGATED POWERS**

- (a) **A report of the Head of Development and Regeneration on selected cases determined following consultation with the Chair and Vice-Chairman of the Committee is enclosed**

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

**Application No:** 05/00519/ADV  
**Proposal:** Replace existing signage on front elevation of shop, revised signage to petrol filling station including relocated 7m totem pole sign, and various revised directional signage within site,  
**Location:** Tesco Stores Ltd Ackhurst Park Industrial Estate Foxhole Road Chorley Lancashire  
**Decision:** Consent

**Application No:** 05/00542/FUL  
**Proposal:** Relocation of the main entrance door, re-siting of the signage and removal of existing glazed canopy,  
**Location:** Tesco Stores Ltd Ackhurst Park Industrial Estate Foxhole Road Chorley Lancashire  
**Decision:** Permission

**Application No:** 05/00604/FUL  
**Proposal:** Demolish existing garage/store and construct an eight-bed annex, sanitary block extension, conservatory, and replacement detached garage/office building, creation of car parking area, associated landscape works and internal alterations,  
**Location:** Highcliffe Residential Home 226 Preston Road Whittle-Le-Woods Lancashire PR6 7HW

**Decision:** Permission

**Conditions**

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

***Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.***

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

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

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

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

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

***Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.***

**5. No development shall take place until details of the parking layout have 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 parking areas, together with those proposed, details of proposed materials and any changes of ground level or landform.**

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

**6. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) 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 No. GN5 of the Adopted Chorley Borough Local Plan Review.*

**Application No:** 05/00775/TPO  
**Proposal:** Felling of 1 poplar tree and pruning of sycamore tree covered by TPO 1 (Chorley) 1987  
**Location:** Land Adjacent Car Park And To The Rear Of Devonshire Court Peter Street Chorley Lancashire  
**Decision:** Permission

**Conditions**

1. The tree works for which consent is hereby granted are as specified below only, namely: -

- Sycamore Tree identified as T1 on the approved site plan – pruning back 3 lowest branches on car park side by 1.5 metres.
- Poplar Tree identified as T2 on the approved site plan – complete fell.

**Reason:** *To define the consent, to safeguard the appearance and health of the tree(s) and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.*

2. The replacement tree planting shall be carried out in accordance with the approved details within nine months of the tree felling.

**Reason:** *To safeguard the visual amenity of the area and in accordance with Policy No. EP9 of the Adopted Chorley Borough Local Plan Review.*

**Application No:** 05/00787/COU  
**Proposal:** Change of use to domestic curtilage and construction of garage building,  
**Location:** Land Adjacent 46 Cross Keys Drive Whittle Le Woods Lancashire PR6 7TF  
**Decision:** Permission

**Conditions**

1. - Duration of Permission (Timescale) FUL

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

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

**Application No:** 05/00815/COU  
**Proposal:** Erection of commercial 8 bay timber framed cattery unit,  
**Location:** Land Adjacent To 142 Preston Road Coppull Lancashire



**Decision:** Permission

**Conditions**

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

*Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.*

2. The approved plans are:

<b>Plan Ref.</b>	<b>Received On:</b>	<b>Title:</b>
-----	22 September 2005	Location Plan
BC/01	10 August 2005	Site Layout, Floor plan & Elevations

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

3. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

*Reason: To ensure a satisfactory means of drainage and in accordance with Policy No. EP17 the Adopted Chorley Borough Local Plan Review.*

4. The cattery hereby permitted shall only house a maximum of eight cats at any one time and shall only be used for the accommodation of cats and not breeding purposes.

*Reason: To ensure the operation does not grow above what is approved and in the interests of highway safety and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.*

**Application No:** 05/00890/FUL

**Proposal:** Demolish existing community hall and replace with new

**Location:** Brindle Village Hall Water Street Brindle Chorley Lancashire

**Decision:** Permission

**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 91 of the Town and Country Planning Act 1990.*

2. Before the development commences, full details of the treatment of all the proposed windows and doors shall have been submitted to and been approved in writing by the Local Planning Authority. The submitted details shall include the proposed method of construction, the materials to be used, fixing details (including cross sections) and their external finish including any surrounds, sills or lintels.

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

3. Before the development hereby permitted is first commenced, full details of the measures to be incorporated into the

development to prevent the ingress of landfill gas shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall only be constructed in accordance with the approved scheme of landfill gas ingress prevention measures.

*Reason: To protect occupiers from the ingress of landfill gas and in accordance with Policy No. EP16 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 of the Adopted Chorley Borough Local Plan Review.*

**Application No:** 05/00897/TEL  
**Proposal:** Prior Notification of a 14.7m monopole supporting 3 antennas and 1 dish with ancillary development,  
**Location:** Land Adjacent Shaw Hill Bridge Preston Road Whittle-Le-Woods Lancashire  
**Decision:** Prior App not required - Telecom

**Application No:** 05/00899/FUL  
**Proposal:** Retrospective application for alteration to previous planning application (02/00305) for demolition of 1 No dwelling and erection of 3 No dwellings  
**Location:** Premises To Rear Of 79 And 81 Bolton Street Chorley Lancashire  
**Decision:** Permission

**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 91 of the Town and Country Planning Act 1990.*

2. Before the works required for the conversion to the residential use proposed are first commenced, full details of a scheme of soundproofing between the proposed flats and adjoining property shall have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved soundproofing scheme shall be completed before any flat is occupied.

*Reason: In the interests of the amenity of future occupants of the proposed flats and occupants of adjoining property and in accordance with Policy No. EP20 of the Adopted Chorley Borough Local Plan Review.*

3. All windows in the first floor of the building's northwest elevation shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter.

**Reason:** *In the interests of the privacy of occupiers of neighbouring property and in accordance with Policy Nos. GN5, HS4 of the Adopted Chorley Borough Local Plan Review.*

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

**Reason:** *To ensure that the materials used are visually appropriate to the locality and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

**Application No:** 05/00904/TEL  
**Proposal:** Prior notification for the erection of a 11.7m monopole and associated ground cabin,  
**Location:** Land Adjacent Gospel Hall Lichfield Road Chorley Lancashire  
**Decision:** Prior Notification for Telecom - Refusal

**Conditions**

1. The proposed development is contrary to PPG8 and PS12 of the adopted Chorley Borough Local Plan Review in that it will be unduly prominent and intrusive within the street-scene and be detrimental to the character and appearance of the area by reason of its siting and appearance. Furthermore the Council is not satisfied the applicant is seeking to meet their operational needs in a manner which minimises environmental and visual impact.

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

(b) **A list of Planning Applications determined by the Chief Officer under delegated powers between 15 September and 12 October 2005 is enclosed**

The Head of Development and Regeneration presented, for members' information, a schedule listing the remainder of the planning applications which had been determined by the Chief Officer under her delegated powers between 15 September and 12 October 2005.

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

**05.DC.42 TREE PRESERVATION ORDERS - CONFIRMATION**

The Committee were requested to confirm five Tree Preservation Orders in respect of which no objections had been lodged.

**RESOLVED – That the following Tree Preservation Orders be confirmed, without modification, as an unopposed order.**

**TPO No 7 (Euxton) 2004  
TPO No 10 (Heskin) 2004  
TPO No 1 (Coppull) 2005  
TPO No 2 (Adlington) 2005  
TPO No 3 (Chorley) 2005**

**05.DC.43 ANY OTHER ITEM(S) THAT THE CHAIR DECIDES IS/ARE URGENT**

Chair