

Chief Executive's Office

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Your Ref:
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Date: 9 December 2005

Chorley
Borough Council

Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

Chief Executive:
Jeffrey W Davies MA LLM

Dear Councillor

A meeting of the Development Control Committee is to be held in the Council Chamber, Town Hall, Chorley on Tuesday, 20th December, 2005 at 6.30 pm.

May I please advise all Members that there will be no Planning Training Session taking place before Development Control Committee on this occasion. The Session's will recommence in the New Year.

A G E N D A

1. **Apologies for absence**
2. **Declarations of Any Interests**

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

3. **Minutes (Pages 1 - 10)**

To confirm as a correct record the minutes of the meeting of the Development Control Committee held on 29 November 2005.

4. **Appeals Report (Pages 11 - 12)**

Report of Head of Development and Regeneration (enclosed).

5. **Planning Applications Awaiting Decision (Pages 13 - 114)**

Report of Head of Development and Regeneration (enclosed).

A. 1 05/00969/OUTMAJ Gillibrand Hall Grounds
Grosvenor Road

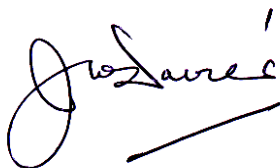
Continued....

Chorley Lancashire

| | | |
|------|-----------------|---|
| A. 2 | 05/00970/OUTMAJ | Gillibrand Hall Grounds Grosvenor Road Chorley Lancashire |
| A.3 | 05/00971/OUTMAJ | Land South Of Copper Works West Of Gillibrand North And West Of Southlands Clover Road Chorley |
| A.4 | 05/00972/OUTMAJ | Land South Of Copper Works West Of Gillibrand North And West Of Southlands Clover Road Chorley |
| A.5 | 05/01002/OUTMAJ | Wyevale Garden Centre 338 Southport Road Ulnes Walton Lancashire PR26 8LQ |
| A.6 | 05/01006/OUTMAJ | Former Railway Cutting East Of Blackburn Brow Chorley Lancashire |
| B.1 | 05/00670/REM | Land South Of Copper Works West Of Gillibrand North And West Of Southlands Clover Road Chorley |
| B.2 | 05/00876/FUL | Sitchcroft Farm Brown House Lane Wheelton Lancashire PR6 8HR |
| B.3 | 05/00921/FUL | Clayton Hall Stables Spring Meadow Clayton-Le-Woods Lancashire PR25 5SP |
| B.4 | 05/01003/OUT | Wyevale Garden Centre 338 Southport Road Ulnes Walton Lancashire PR26 8LQ |
| B.5 | 05/01042/FUL | DP Cold Planing Chapel Lane Coppull Lancashire PR7 4NB |
| B.6 | 05/01058/FUL | The Thyme And Plaice 37 Wigan Lane Coppull Lancashire PR7 4BN |
| B.7 | 05/01073/FUL | Old Farm Pit Hall Lane Mawdesley Lancashire |
| B.8 | 05/01093/FUL | Land Adjacent Railway And Off Stump Lane Chorley Lancashire |
| B.9 | 05/01132/FUL | Dalbank Ulnes Walton Lane Ulnes Walton Lancashire PR26 8LT |

6. **Planning Applications determined by 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. (Pages 115 - 138)
 - (b) A list of planning applications determined by the Chief Officer under delegated powers between 17 November and 7 December 2005 (Pages 139 - 154)
7. **Proposed Enforcement Action**
 - (a) Clayton Hall Stables, Spring Meadow, Clayton-le-Woods (Pages 155 - 162)
Report of Head of Development and Regeneration (enclosed).
 - (b) 40 Hawkshead Avenue, Euxton (Pages 163 - 168)
Report of Head of Development and Regeneration (enclosed).
 - (c) Dalbank, Ulmes Walton Lane, Ulmes Walton (Pages 169 - 172)
Report of Head of Development and Regeneration (enclosed).
9. **Objection to TPO 4 (Anderton) 2005 (Pages 173 - 176)**
Report of Head of Development and Regeneration (enclosed).
10. **Any other item(s) that the Chair decides is/are urgent**

Yours sincerely



Chief Executive

Encs

Distribution

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

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

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

ان معلومات کا ترجمہ آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون
کیجئے: 01257 515823

Development Control Committee**Tuesday, 29 November 2005**

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

Also in attendance: Councillors Mrs D Dickinson, Lennox and R Snape

05.DC.46 WELCOME TO OFFICER

The Chair welcomed Helen Lowe. Planning Officer who was attending her first meeting of the Committee.

05.DC.47 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Counce.

05.DC.48 DECLARATIONS OF ANY INTERESTS

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

Councillor Parr – Item 5, A1:Planning Application 05/00556/REMMAJ
Item 8 Planning Application 05/00569/FUL

Councillor Whittaker – Item 5, A1 Planning Application 05/00556/REMMAJ

05.DC.49 MINUTES

RESOLVED – That the minutes of the meeting of the Development Control Committee held on 25 October 2005 be confirmed as a true record and signed by the Chair.

05.DC.50 PLANNING POLICY STATEMENT 9 AND GOVERNMENT CIRCULAR - BIODIVERSITY AND GEOLOGICAL CONSERVATION

The Head of Development Regeneration presented a report advising Members of the publication of Planning Policy Statement 9 (PPS9) on Biodiversity and Geological Conservation and an accompanying circular.

Chorley Borough has a significant number of identified sites that are important for biodiversity and geographical conservation, so PPS9 will be an important document for both drafting policies for the LDF and making development control decisions. The policies in PPS9 do not depart significantly from previous guidance in PPG9, which is already mirrored in policies in the Chorley Borough Local Plan Review.

Unlike draft PPS9, PPS9 clearly states that the aim of planning decisions should be to prevent harm to biodiversity and geographical conservation interests.

As a whole the policies in PPS9 should not necessitate major changes in terms of policy direction with regard to biodiversity and geological conservation in the Borough, although overall there is now stronger backing for these environmental interests in respect for these sought from developers.

RESOLVED – That the report be noted.

05.DC.51 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 six developments, one appeal that had been dismissed, one appeal that had been withdrawn and one appeal that had been allowed by the planning inspectorate.

The Committee were also notified of four enforcement appeals that had been lodged, two enforcement appeals that had been dismissed and three appeals that had been granted by the Lancashire County Council.

RESOLVED – That the report be noted.

05.DC.52 PLANNING APPLICATIONS AWAITING DECISIONS

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.

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

(Councillor Whittaker declared an interest in the following application; he stayed in the meeting but took no part in the discussion or voting on the proposal).

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:
 It was moved by Councillor Heaton, seconded by Councillor Edgerley and subsequently **RESOLVED that the Reserved Matters Application be granted subject to the following conditions:**

1. This consent relates to the following plans:

| Plan Ref. | Received On: | Title: |
|------------------|---------------------|--|
| G-P2-P13-LP | 27 May 2005 | Location Plan |
| ***** | 27 May 2005 | Site Plan |
| SK/GBP13/ENG | 27 May 2005 | Outline Engineering Proposal |
| G-P13-MAT | 27 May 2005 | Materials Schedule |
| ***** | 27 May 2005 | Landscape Structure Plan |
| G-P-01 GFP + ELE | 27 May 2005 | Plots 1 – 9 |
| G-P-01 FFP + SFP | 27 May 2005 | Plots 1 – 9 |
| G-P-02 FP | 27 May 2005 | Apartment Block, Plots 10 - 17 & Plots 30 – 37 |
| G-P-02 ELE | 27 May 2005 | Apartment Block, Plots 10 - 17 & Plots 30 – 37 |
| G-P-03 | 27 May 2005 | Apartment Block, Plots 18 – 29 |
| G-P-03 ELE | 27 May 2005 | Apartment Block, Plots 18 – 29 |
| G-P-04 FP + ELE | 27 May 2005 | Plots 38 – 43 |
| G-P13-SS A | 27 May 2005 | Street Scene Elevations |
| G-P13-ED | 27 May 2005 | Entrance Detail |
| G-P13-QG | 27 May 2005 | Quadruple Linked Garage |
| M-TG1-B1 A | 27 May 2005 | Triple Garage Detail H2 |
| L4036G1.1 B1 | 27 May 2005 | Linked Pyramid Garage Details |

M-SG2-B1 + G1

27 May 2005

Single Garage Details

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

2. 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 Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

Application No: 05/00888/OUTMAJ

Proposal: Outline application for residential development (0.5 ha)(ref application 02/01260)

Location: Land to Rear of 243-281 Preston Road Clayton-Le-Woods

Decision:

It was proposed by Councillor Heaton, seconded and subsequently **RESOLVED** to refuse the outline planning permission for the following reasons:

1. The proposed development when considered in the context of latest housing site monitoring information would contribute towards an inappropriate excess in housing supply provision. The proposal would therefore be contrary to :

- 1) the provisions of Policy HS6 of the Adopted Chorley Borough Local Plan Review;
- 2) Approved Interim Supplementary Planning Guidance on Windfall Housing Developments, together with
- 3) the aims and objectives of the emerging Lancashire Structure Plan and the Regional Spatial Strategy for the North West.

Insufficient justification has been made within the application submissions to warrant the release of the site for development even within the boundary of the settlement.

Application No: 05/00527/FUL

Proposal: Retrospective application for a temporary agricultural workers caravan to be sited for a period of two years.

Location: Lostock Bridge Farm Ulmes Walton Lane Ulmes Walton

Decision:

It was **RESOLVED** that planning permission be refused for the following reasons:

1. The proposed development would be located within the Green Belt as defined by the approved Lancashire Structure Plan and the Adopted Chorley Borough Local Plan Review where planning permission for new dwellings will not be granted unless required for agriculture or there are very special circumstances. There are not considered to be sufficient agricultural or other special circumstances in this instance to justify the retention of the caravan. The farming enterprise in question is not newly established, therefore a temporary dwelling is inappropriate. The proposal does not accord with the guidance set out in Annex A of PPS 7 or policy HS14 of the Adopted Chorley Borough Local Plan review. The proposal is therefore also contrary to policy DC1 of the Adopted Chorley Borough Local Plan Review, Policy 4 of the Structure Plan and PPG 2.

2. The siting of the caravan is such that it would adversely impact upon the essentially open and rural character of the area and the Council is not satisfied that the siting minimises this impact, contrary to the provisions of PPG2 , PPS7 and policies DC1 and HS15 of the Adopted Chorley Borough Local Plan Review.

3. The proposed development when considered in the context of latest housing site monitoring information would contribute towards an inappropriate excess

in housing supply provision. In the absence of a satisfactory agricultural justification the proposal is contrary to :

- Approved Interim Supplementary Planning Guidance on Windfall Housing Developments, together with
- the aims and objectives of the Policy 12 of the Joint Lancashire Structure Plan and Regional Planning guidance for the North West.

Application No: 05/00558/OUT

Proposal: Outline application for a detached dormer bungalow (agricultural workers dwelling).

Location: Lostock Bridge Farm Ulnes Walton Lane Ulnes Walton

Decision:

It was **RESOLVED** that planning permission be refused for the following reasons:

1. The proposed development would be located within the Green Belt as defined by the approved Lancashire Structure Plan and the Adopted Chorley Borough Local Plan Review where planning permission for new dwellings will not be granted unless required for agriculture or there are very special circumstances. There are not considered to be sufficient agricultural or other special circumstances in this instance to justify the erection of a dwelling. The proposal does not accord with the guidance set out in Annex A of PPS 7 or policy HS14 of the Adopted Chorley Borough Local Plan review. The proposal is therefore also contrary to policy DC1 of the Adopted Chorley Borough Local Plan Review, Policy 4 of the Structure Plan and PPG 2.

2. The proposed development, when considered in the context of latest housing site monitoring information, would contribute towards an inappropriate excess in housing supply provision. In the absence of a satisfactory agricultural justification the proposal is contrary to :

- Approved Interim Supplementary Planning Guidance on Windfall Housing Developments, together with
- Policy 12 of the Joint Lancashire Structure Plan and Regional Planning Guidance for the North West.

Application No: 05/00976/COU

Proposal: Change of Use from residential to a mixed use of residential and childminding business.

Location: 19 Edgefield Astley Village

Decision:

It was moved Councillor Brownlee, seconded by Councillor S Smith and subsequently **RESOLVED (20:1)** that permission be granted subject to the following conditions:

1. The development hereby approved shall be implemented within three years of the date of this permission.

Reason: Required to be imposed pursuant to section 92 of the Town and Country Planning Act 1990

2. No more than six children shall be minded at any time.

Reason: To protect the residential amenities of nearby residents and in accordance with policy EP20 of the Adopted Chorley Borough Local Plan Review.

3. The use hereby permitted shall be restricted to those hours between 0700 hours and 1900 hours Monday to Friday.

Reason: To protect the residential amenities of nearby residents and in accordance with policy EP20 of the Adopted Chorley Borough Local Plan Review.

Application No:05/01042/FUL

Proposal: Extension of existing 15m AGL Vodaphone Ltd mobile phone mast to 18m to accommodate 6no antennas for use by O2 Ltd and the relocation of 6no antennas for use by Vodaphone Ltd as well as 4no additional equipment cabinets for use by O2 Ltd and associated ancillary development within the existing compound.

Location: DP Cold Planing Chapel Lane Coppull

Decision:

It was moved by Councillor Walker, seconded by Councillor R Lees and subsequently **RESOLVED (19:2) for the application to be deferred to allow further negotiations with the applicant with regards to re-siting.**

05.DC.53 PLANNING APPLICATIONS DETERMINED BY DELEGATED POWERS.

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

The Committee received for information, reports by the Head of Development Regeneration on the 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: 05/00606/FUL

Proposal: Erection of Stable block (three loose boxes).

Location: School Field Coppice Lane Heapey

Decision: Conditional permission

Application No: 05/00748/FUL

Proposal: Construction of two stable blocks and formation of wildlife pond.

Location: Brown Hill Farm Copthurst Lane Whittle-Le-Woods

Decision: Refused

Application No: 05/00945/TPO

Proposal: Approximately 6 metres of hedgerow to be cut back and reduced height (TPO 3 (Eccleston) 1991)

Location: 18A Chaucer Close Eccleston Chorley

Decision: Part Consent/Part Refusal of Tree Works

Application No: 05/01015/TPO

Proposal: Proposed felling of tree on boundary with Town Lane.

Location: Tri Metals Foundry Ltd Low Mill Town Lane Whittle-Le-Woods

Decision: Consent

Application No: 05/01030/ADV

Proposal: Display of 3 internally illuminated advertisements

Location: Granada Travel Lodge Preston Road Clayton-Le-Woods

Decision: Consent

RESOLVED – That the report be noted.

- (b) **A list of planning applications determined by the Chief Officer under delegated powers between 13 October and 16 November 2005.**

The Head of Development 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 13 October and 16 November 2005.

RESOLVED – That the schedule be noted.

05.DC.54 SITE INSPECTION SUB-COMMITTEE

The Committee received the minutes of the meeting of the Site Inspection Sub-Committee held on 16 November 2005.

The Sub-Committee had visited, at the request of the Development Control Committee, the sites of the following applications.

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

Planning Application 05/00569/FUL which sought approval to demolish an existing bungalow and construct a two storey house with detached double garage and workshop and associated external works at the Croftlands, Grape Lane, Croston. The Sub-Committee after taking all the factors into account, recommended the Development Control Committee to grant conditional planning permission for the proposal.

It was moved by Councillor Whittaker and seconded by Councillor Iddon that the application be refused.

An amendment was moved by the Chair (Councillor A Lowe), seconded by Councillor Edgerley that planning permission be granted. On being put to the vote, the amendment was carried (16:4). **It was subsequently RESOLVED that planning permission be granted subject to the following conditions.**

1. The approved plans are:

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

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

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

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

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

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5, DC8A, HT3, HT7 and HS4 of the Adopted Chorley Borough Local Plan Review.

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

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

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

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

6. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy Nos. GN5 and HT7 of the Adopted Chorley Borough Local Plan Review.

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

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

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

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

9. The doors in the south east elevation of the garage shall be side hung and constructed in timber. Side hung timber doors shall be retained at all times thereafter.

Reason: To ensure a visually satisfactory form of development and to protect the appearance of the locality and in accordance with Policy Nos. GN5 and HT7 of the Adopted Chorley Borough Local Plan Review.

The Environment Agency has made the following comments: as the proposed dwelling would replace an existing dwelling the Agency has no objection in principle to the proposed development, but would recommend that the floor levels of the proposed replacement home are set as high as is acceptable in order to reduce the risk from flooding, and not less than 600mm above existing ground floor level.

It is also recommended that the developer incorporates measure to reduce flood risk and damage.

The floor levels of the proposed dwelling are not shown at present as being at least 600mm above ground floor level. In achieving this, the bulk and scale of the proposed dwelling may have to be altered. The need for this rise in floor levels needs to be carefully considered. There may also be alternatives to simply raising the floor level. It has not been possible to explore these issues prior to the item coming to Committee. However, it is considered that there is likely to be an acceptable solution.

As there is an existing dwelling on the site, and the applicant has indicated that the floor levels proposed replacement dwelling would be at the same level as those of the existing dwelling it is considered that the occupants of the proposed dwelling be at no greater risk from flooding than at present. It is therefore recommended that the following condition and informative are added:

10. 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.

Planning Application 05/00500/FUL sought approval for the construction of tennis court and associated walls, fences and works at The Old Rectory, High Street, Mawdesley. The Sub-Committee after taking all the factors into account, recommended the Development Control refuse planning permission for the following reasons:

1. The proposed development would impact on the openness of the Green Belt by virtue of the hardstanding and fencing required for the construction of the tennis courts and as such would be contrary to policy DC1 of the Adopted Chorley Borough Local Plan Review.
2. The proposed development would impact on the amenities of those visiting the adjoining graveyard where quiet contemplation is currently enjoyed and as such would be contrary to policy EP 20 of the Adopted Chorley Borough Local Plan Review.

It was moved by Councillor Whittaker, seconded by Councillor Culshaw and subsequently **RESOLVED that the application be refused in line with the Site Inspection Sub-Committee's recommendations.**

Planning application 05/00686/FUL sought approval for the subdivision of an existing dwelling and associated works to form two new dwellings at Fairview, Harbour Lane, Wheelton.

The Committee accepted the Sub-Committee's recommendation. It was moved by Councillor Culshaw, seconded by the Chair (Councillor A Lowe) and subsequently **RESOLVED to grant planning permission subject to the following conditions:**

1. The development hereby approved must be begun within three years of the date of the approval

2. The development hereby permitted shall be carried out in accordance with the revised plans submitted on

Reason: for the avoidance of doubt and in accordance with policy GN5 of the Adopted Chorley Borough Local Plan.

3. Before the development hereby approved is commenced full details of all boundary treatments shall be submitted to and approved by the Local Planning Authority such details as approved shall be implemented in full before the occupation of the dwellings.

Reason: To protect the appearance of the locality and the amenities of adjoining residents and in accordance with policy GN5 of the Adopted Chorley Borough Local Plan.

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 the amenities of adjoining residents and in accordance with policy GN5 of the Adopted Chorley Borough Local Plan.

5. The car parking layout shall be implemented in full before the occupation of the dwellings.

Reason: To protect the interests of users of the highway and in accordance with policy TR4 of the Adopted Chorley Borough Local Plan.

6. The car parking layout shall be implemented in full before the occupation of the dwellings and shall be retained thereafter.

Reason: To protect the interests of users of the highway and in accordance with policy TR4 of the Adopted Chorley Borough Local Plan.

05.DC.55 ENFORCEMENT ITEM, LOSTOCK BRIDGE FARM, ULNES WALTON

The Head of Development Regeneration submitted a report seeking the Committee's instructions in respect of the instigation of enforcement action to remove a residential caravan at Lostock Bridge Farm, Ulnes Walton Lane, Ulnes Walton.

RESOLVED:

That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control – without planning permission, a change of use of the land from agricultural and the siting of the residential caravan has occurred.

Requirement of the Enforcement Notice

Remove the caravan from the land and discontinue use of land.

Period for compliance

Six months.

Reasons:

The development is contrary to policies DC1, HS14 and HS15 of the Adopted Chorley Borough Local Plan Review, Planning Policy Guidance Note 2, Planning Policy Statement 7, being inappropriate development and harmful to the character and appearance of the Green Belt. There is no agricultural justification or no special circumstances to justify an exception to the presumption against inappropriate development in the Green Belt.

05.DC.56 ANY OTHER ITEM(S) THAT THE CHAIR DECIDES IS/ARE URGENT

05.DC.57 ADDENDUM

Chair

| Report of | Meeting | Date |
|--------------------------------------|-------------------------------|------------|
| Head of Development and Regeneration | Development Control Committee | 20.12.2005 |

PLANNING APPEALS AND DECISIONS - NOTIFICATION

PURPOSE OF REPORT

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

CORPORATE PRIORITIES

2. This report does not affect the corporate priorities

RISK ISSUES

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

PLANNING APPEALS LODGED

4. Appeal by Mr & Mrs Monks against the refusal of Planning Permission for the erection of a first floor extension to front at 8 Manor Way, Coppull (Application No. 05/00781/FUL).
5. Appeal by T-Mobile (UK) Ltd against the refusal of Planning Permission for installation of 3 No. telecommunications antennas and 3 No. equipment cabinets on the rooftop at Coppull Enterprise Centre, Mill Lane, Coppull (Application No 05/00878/FUL)
6. Appeal by T-Mobile (UK) Ltd against the refusal of Listed Building Consent for installation of 3 No. telecommunications antennas and 3 No. equipment cabinets on the rooftop at Coppull Enterprise Centre, Mill Lane, Coppull (Application No 05/00879/LBC)

The above appeals will be dealt with by the exchange of written representations

NOTIFICATION OF DECISIONS MADE BY LCC

7. Notification of planning permission for a single storey extension with link to existing building to provide new ICT Centre, together with the formation of 8 No. staff and 2 No. disabled car parking spaces at The Woodlands Centre, Southport Road, Chorley (Application NO 05/00451/LCC)

RECOMMENDATION(S)

8. That the report be noted

J E MEEK
 HEAD OF DEVELOPMENT AND REGENERATION

| Background Papers | | | |
|-----------------------------|-------------|--------------|----------------------------|
| Document | Date | File | Place of Inspection |
| 4. Letter from Inspectorate | 02.12.2005 | 05/00781/FUL | Union Street Offices |
| 5. Letter from Inspectorate | 02.12.2005 | 05/00878/FUL | " " " |
| 6. Letter from Inspectorate | 02.12.2005 | 05/00879/LBC | " " " |
| 7. Letter from L.C.C. | 14.11.2005 | 05/00451/LCC | " " " |

| Report Author | Ext | Date | Doc ID |
|----------------------|------------|-------------|-----------------|
| Paul Sudworth | 5346 | 8.12.2005 | ADMINREP/REPORT |

Report

| Report of | Meeting | Date |
|--------------------------------------|-------------------------------|------------|
| Head of Development and Regeneration | Development Control Committee | 20.12.2005 |

PLANNING APPLICATIONS AWAITING DECISION

| Item | Application | Recommendation | Location |
|------|-----------------|--|--|
| A. 1 | 05/00969/OUTMAJ | Outline App Permitted subject to SEC 106 | Gillibrand Hall Grounds Grosvenor Road Chorley Lancashire |
| A. 2 | 05/00970/OUTMAJ | Outline App Permitted subject to SEC 106 | Gillibrand Hall Grounds Grosvenor Road Chorley Lancashire |
| A. 3 | 05/00971/OUTMAJ | Permit Outline Planning Permission | Land South Of Copper Works Wood West Of Gillibrand North And West Of Southlands Clover Road Chorley Lancashire |
| A. 4 | 05/00972/OUTMAJ | Permit Outline Planning Permission | Land South Of Copper Works Wood West Of Gillibrand North And West Of Southlands Clover Road Chorley Lancashire |
| A. 5 | 05/01002/OUTMAJ | Permit Outline Planning Permission | Wyevale Garden Centre 338 Southport Road Ulnes Walton Lancashire PR26 8LQ |
| A. 6 | 05/01006/OUTMAJ | Refusal of Outline Planning Permission | Former Railway Cutting East Of Blackburn Brow Chorley Lancashire |
| B. 1 | 05/00670/REM | Approve Reserved Matters | Land South Of Copper Works Wood West Of Gillibrand North And West Of South Clover Road Chorley Lancashire |
| B. 2 | 05/00876/FUL | Refuse Full Planning Permission | Sitchcroft Farm Brown House Lane Wheelton Lancashire PR6 8HR |
| B. 3 | 05/00921/FUL | Refuse Full Planning Permission | Clayton Hall Stables Spring Meadow Clayton-Le-Woods Lancashire PR25 5SP |
| B. 4 | 05/01003/OUT | Permit Full Planning Permission | Wyevale Garden Centre 338 Southport Road Ulnes Walton Lancashire PR26 8LQ |
| B. 5 | 05/01042/FUL | Permit Full Planning Permission | DP Cold Planing Chapel Lane Coppull Lancashire PR7 4NB |
| B. 6 | 05/01058/FUL | Refuse Full Planning Permission | The Thyme And Plaice 37 Wigan Lane Coppull Lancashire PR7 4BN |
| B. 7 | 05/01073/FUL | Permit Full Planning Permission | Old Farm Pit Hall Lane Mawdesley Lancashire |
| B. 8 | 05/01093/FUL | Permit Full Planning Permission | Land Adjacent Railway And Off Stump Lane Chorley Lancashire |
| B. 9 | 05/01132/FUL | Refuse Full Planning Permission | Dalbank Ulnes Walton Lane Ulnes Walton Lancashire PR26 8LT |

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|------------------------------------|--|
| Item A. 1 | 05/00969/OUTMAJ Outline App Permitted subject to SEC 106 |
| Case Officer | Mrs Wendy Gudger |
| Ward | Chorley South West |
| Proposal | Modification of condition no.1 of Planning Permission 03/1017/FUL to extend the period for the submission of reserved matters until 3/11/2007, |
| Location | Gillibrand Hall Grounds Grosvenor Road Chorley Lancashire |
| Applicant | Redrow Homes (Lancs) Ltd |
| Background | <p>An outline application was approved in July 2000 in respect of the development of this site; all matters were reserved for subsequent approval; duplicate reserved matters applications were approved last year but the applicants still wish to extend the period for further reserved matters submissions on this site.</p> <p>In the eventuality of any subsequent changes being made to the layout/dwelling types on this site, the applicants consider it would be beneficial to be able to extend the reserved matters period up until November 2007.</p> |
| Proposal | The application involves the extension of time for reserved matters until November 2007. |
| Policy | <p>The site is an allocated housing site within the Adopted Chorley Borough Local Plan Review.</p> <p>Both residential development on the main Gillibrand site and that within the grounds of Gillibrand Hall are covered by housing allocations in the Adopted Chorley Borough Local Plan Review HS1.6 and HS1.18 respectively.</p> |
| Planning History | <ul style="list-style-type: none"> • 9/00/166 – Outline planning permission for residential development within the grounds of Gillibrand Hall. • 9/03/522 & 539 – Reserved matters applications in respect of the above for 87 dwellings • 9/00/1017 – Outline planning permission for residential development |
| Applicant's Case | As described above in 'background' section. |
| Consultee Responses | LCC Statagic Planning has no objections to the development. |
| Third Party Representations | None received. |
| Assessment | The applicants have previously had permission for an extension to the period for reserved matters submissions on the main Gillibrand development. The Gillibrand Hall development would be accessed through the main development and off the Gillibrand Link Road. |

The site is a very complex one to develop given that the Hall itself is being retained as a separate planning unit outside the scope of the current applications but is a Grade 2 listed building whose setting still needs to be preserved. Besides this, the grounds are covered by substantial areas of TPO protected trees and there are archaeological issues in terms of evidence of a former medieval moated manor house within the application site area.

A reserved matters application has been approved for the full development of the site taking into account all the above issues. That development has not yet been implemented and is still extant. However the applicant wishes to keep options open with regard to minor replans and plot substitutions to enhance the development of this site and so consequently is requesting the extension of time as submitted.

The applicant has also been unable to implement the approved reserved matters due to delays in providing access to the site.

As stated, the application site is a housing allocation in the Adopted Local Plan Review and further applications could be covered by means of full applications which would not be subject to the Windfall Housing SPG. A further two years would normally appear a little excessive for a site of this size but it is unusual in that it is being developed in association with and through adjacent development. This site would be developed any time within that two year period.

Since the earlier approval of the outline consent there have also been changing circumstances. These relate in particular to affordable housing. There is a condition on the permission that requires affordable housing to be provided although it is phrased in a rather vague way. The Housing Investment Manager accepts that the provision of affordable housing on site may not enable the provision of affordable housing on the main Gillibrand development. Consequently a commuted sum in lieu of on site provision is required. This will require the provision of a Section 106 Agreement. The original outline consent was granted subject to a section 106 Agreement for woodland management and it is proposed to add a clause requiring a commuted sum for affordable housing.

On balance it is considered there are no valid or sustainable reasons to refuse this application and accordingly planning permission ought to be granted subject to a Section 106 Agreement.

Recommendation: Outline App Permitted subject to SEC 106

Conditions

1. Application for approval of the reserved matters must be made to the Council as Local Planning Authority before the 3 November 2007 and the development hereby permitted must be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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

2. Before the development hereby permitted is first commenced, full details of the following reserved matters (namely means of access, siting, design, external appearance

of buildings 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.

3. The reserved matters for the means of access shall accord with the following. Means of vehicular access to the development, including all construction traffic but excepting emergency access, shall only be taken from the site referred to as HS1.6 in the Chorley Borough Local Plan Review and the Gillibrand Link Road as identified in Policy TR3.1 of the Chorley Borough Local Plan Review, in accordance with Policy HS2 of the Chorley Borough Local Plan Review. Details of the emergency access to the site shall include the measures to be implemented to ensure that this access is only available for use in an emergency. The approved measures shall be implemented in full prior to the occupation of any dwelling.

Reason: In the interests of highway safety on Rookery Close, Grosvenor Road and Thirlmere Road.

4. Prior to the submission for approval of the details of any reserved matters, there shall have been submitted to and approved in writing by the Local Planning Authority a Development Brief for the site. The Development Brief shall indicate the characteristics of the site and surrounding area which would influence the form, design and layout of the development and include an illustrative plan indicating how the site may be developed in accordance with the influencing factors identified. The reserved matters submitted thereafter shall have full regard to the influencing factors identified.

Reason: To ensure that an acceptable form of development for the site is achieved having regard to the characteristics of the site and its surroundings.

5. No development shall take place until:

- a) a scheme for monitoring landfill gas migration has been submitted to and approved in writing by the Local Planning Authority;
- b) all monitoring specified in the approved scheme (submitted under a) above), has been carried out and the results of the monitoring exercise, together with recommendations and specific proposals to render the site capable of development for housing have been submitted to the Local Planning Authority; and
- c) the Local Planning Authority has given written approval to the development proceeding having regard to the results of the monitoring exercise and the recommendations and proposals submitted under b) above), and the carrying out of any required works in a manner and to a timetable to be agreed in writing with the Local Planning Authority. Upon completion of the works of remediation and treatment, a Validation Report shall be submitted to the Local Planning Authority.

Reason: In the interests of safety and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.

6. No development shall take place until a scheme for the provision of public open space and play areas has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted to include full details of all play and other equipment to be provided.

Reason: To ensure adequate provision for public open space and play areas within the development and in accordance with Policy Nos. HS20 and HS21 of the Adopted Chorley Borough Local Plan Review.

7. Before the development hereby permitted is first commenced, full details of the phasing of provision and equipping of public open space and play areas shall have been submitted to and approved in writing by the Local Planning Authority. The provision and equipping of such areas to be thereafter carried out in strict accordance with the approved details.

Reason: To ensure adequate provision for public open space and play areas within the development and in accordance with Policy Nos. HS20 and HS21 of the Adopted Chorley Borough Local Plan Review.

8. The first application for approval of reserved matters shall be accompanied by a tree survey detailing the position, species, stature, health, branch spread and amenity value of all trees and hedgerows within the site and the proposals for their retention/treatment.

Reason: In the interests of the visual amenities of the area.

9. 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.

10. 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.

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

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

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

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

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 and EP19 of the Adopted Chorley Borough Local Plan Review.

14. 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.

15. No part of the development hereby permitted shall be occupied or used until a means of vehicular access has been constructed in accordance with the approved plans.

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

16. 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 GN5 of the Adopted Chorley Borough Local Plan Review.

17. No development shall take place until a programme of archaeological work has been implemented in accordance with a scheme of investigation which has previously been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is situated within an area of known archaeological interest and, as such, the site should be appropriately excavated and the remains recorded and in accordance with Policy Nos. HT11 and HT12 of the Adopted Chorley Borough Local Plan Review.

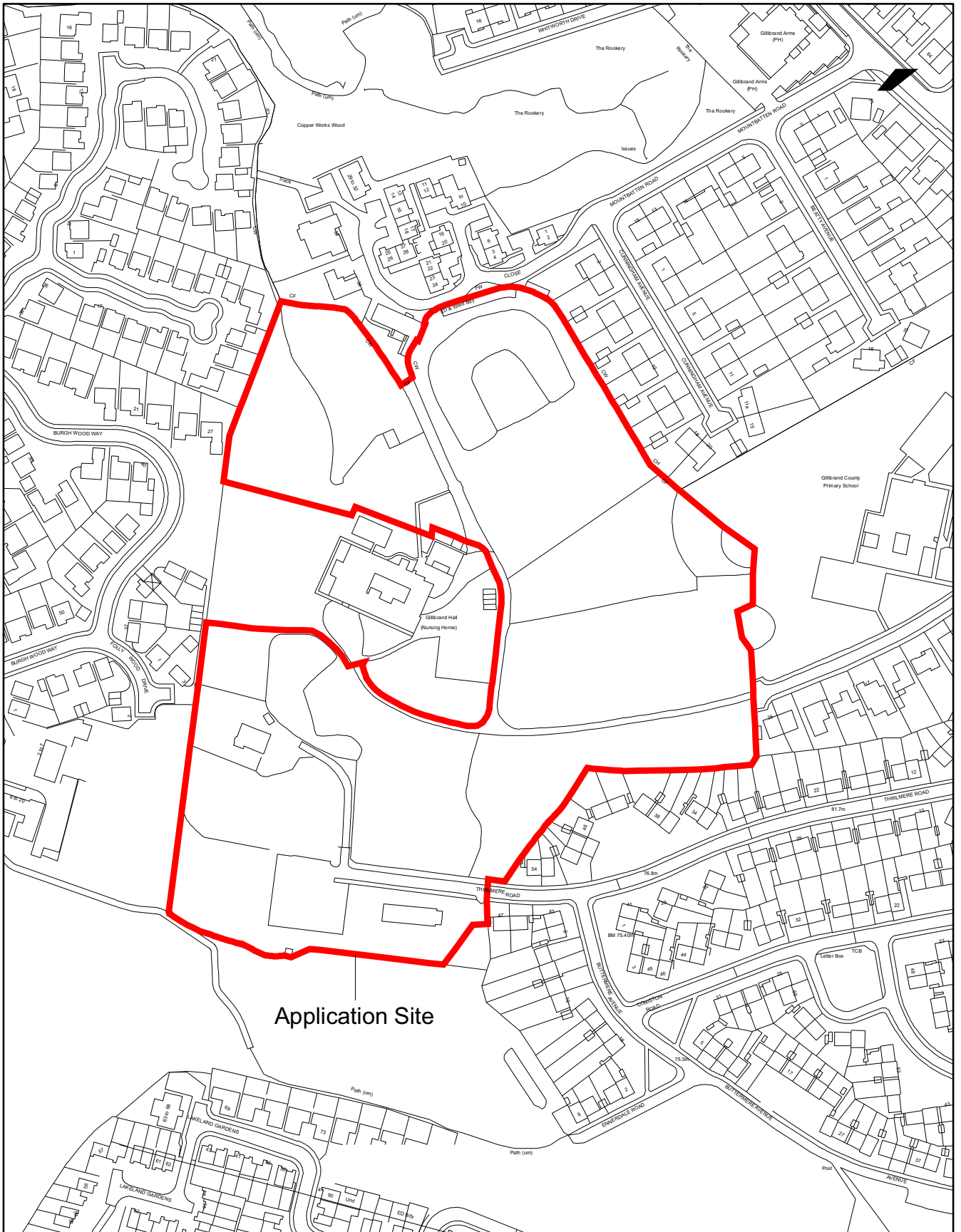
18. The reserved matters submission shall include provision that no less than 20% of the housing units to be built on the site shall be Affordable Housing, and shall include details of the time at which such Affordable Housing is to be provided (with reference to the development of the other parts of the site), the type of Affordable Housing to be provided and the means of ensuring that the benefits of the Affordable Housing shall be enjoyed by successive as well as initial occupiers of such Affordable Housing. The Affordable Housing shall be provided and subsequently retained as Affordable Housing in accordance with the details as approved in writing by the Local Planning Authority.

Reason: To ensure the provision of affordable housing to assist in meeting local housing needs.

19. No development shall take place until a woodland management Plan (comprising a scheme of works for the long term maintenance and management of the woodland areas) has been submitted to and approved in writing by the Local Planning Authority. The woodland areas shall thereafter be managed and maintained in accordance with the approved details.

Reason: In the interests of the visual amenity of the area and nature conservation.

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Application Site

Jane E Meek BSc(Hons) DipTP MRTPI
 Head of Development and Regeneration
 Chorley Borough Council

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| Application Number: 05/00969/OUTMAJ | Grid Ref: E: 357333 N: 416884 | Scale: 1:2500 | Agenda Item No. A. 1 |
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Item A. 2 05/00970/OUTMAJ Outline App Permitted subject to SEC 106

Case Officer Mrs Wendy Gudger

Ward Chorley South West

Proposal Modification of condition no.1 of Planning Permission 03/1017/FUL to extend the period for the submission of reserved matters until 3/11/2007 (Duplicate),

Location Gillibrand Hall Grounds Grosvenor Road Chorley Lancashire

Applicant Redrow Homes (Lancs) Ltd

See Report for Application No 05/00969/OUTMAJ

Recommendation: Outline App Permitted subject to SEC 106

Conditions

1. Application for approval of the reserved matters must be made to the Council as Local Planning Authority before the 3 November 2007 and the development hereby permitted must be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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

2. Before the development hereby permitted is first commenced, full details of the following reserved matters (namely means of access, siting, design, external appearance of buildings 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.

3. The reserved matters for the means of access shall accord with the following. Means of vehicular access to the development, including all construction traffic but excepting emergency access, shall only be taken from the site referred to as HS1.6 in the Chorley Borough Local Plan Review and the Gillibrand Link Road as identified in Policy TR3.1 of the Chorley Borough Local Plan Review, in accordance with Policy HS2 of the Chorley Borough Local Plan Review. Details of the emergency access to the site shall include the measures to be implemented to ensure that this access is only available for use in an emergency. The approved measures shall be implemented in full prior to the occupation of any dwelling.

Reason: In the interests of highway safety on Rookery Close, Grosvenor Road and Thirlmere Road.

4. Prior to the submission for approval of the details of any reserved matters, there shall have been submitted to and approved in writing by the Local Planning Authority a Development Brief for the site. The Development Brief shall indicate the characteristics of the site and surrounding area which would influence the form, design and layout of the development and include an illustrative plan indicating how the site may be developed in accordance with the influencing factors identified. The reserved matters submitted thereafter shall have full regard to the influencing factors identified.

Reason: To ensure that an acceptable form of development for the site is achieved having regard to the characteristics of the site and its surroundings.

5. No development shall take place until:

- a) a scheme for monitoring landfill gas migration has been submitted to and approved in writing by the Local Planning Authority;
- b) all monitoring specified in the approved scheme (submitted under a) above), has been carried out and the results of the monitoring exercise, together with recommendations and specific proposals to render the site capable of development for housing have been submitted to the Local Planning Authority; and
- c) the Local Planning Authority has given written approval to the development proceeding having regard to the results of the monitoring exercise and the recommendations and proposals submitted under b) above), and the carrying out of any required works in a manner and to a timetable to be agreed in writing with the Local Planning Authority. Upon completion of the works of remediation and treatment, a Validation Report shall be submitted to the Local Planning Authority.

Reason: In the interests of safety and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.

6. No development shall take place until a scheme for the provision of public open space and play areas has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted to include full details of all play and other equipment to be provided.

Reason: To ensure adequate provision for public open space and play areas within the development and in accordance with Policy Nos. HS20 and HS21 of the Adopted Chorley Borough Local Plan Review.

7. Before the development hereby permitted is first commenced, full details of the phasing of provision and equipping of public open space and play areas shall have been submitted to and approved in writing by the Local Planning Authority. The provision and equipping of such areas to be thereafter carried out in strict accordance with the approved details.

Reason: To ensure adequate provision for public open space and play areas within the development and in accordance with Policy Nos. HS20 and HS21 of the Adopted Chorley Borough Local Plan Review.

8. The first application for approval of reserved matters shall be accompanied by a tree survey detailing the position, species, stature, health, branch spread and amenity value of all trees and hedgerows within the site and the proposals for their retention/treatment.

Reason: In the interests of the visual amenities of the area.

9. 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.

10. 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.

11. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab levels (all relative to ground

levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall only be carried out in conformity with the approved details.

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

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

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

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 and EP19 of the Adopted Chorley Borough Local Plan Review.

14. 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.

15. No part of the development hereby permitted shall be occupied or used until a means of vehicular access has been constructed in accordance with the approved plans.

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

16. 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 GN5 of the Adopted Chorley Borough Local Plan Review.

17. No development shall take place until a programme of archaeological work has been implemented in accordance with a scheme of investigation which has previously been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is situated within an area of known archaeological interest and, as such, the site should be appropriately excavated and the remains recorded and in accordance with Policy Nos. HT11 and HT12 of the Adopted Chorley Borough Local Plan Review.

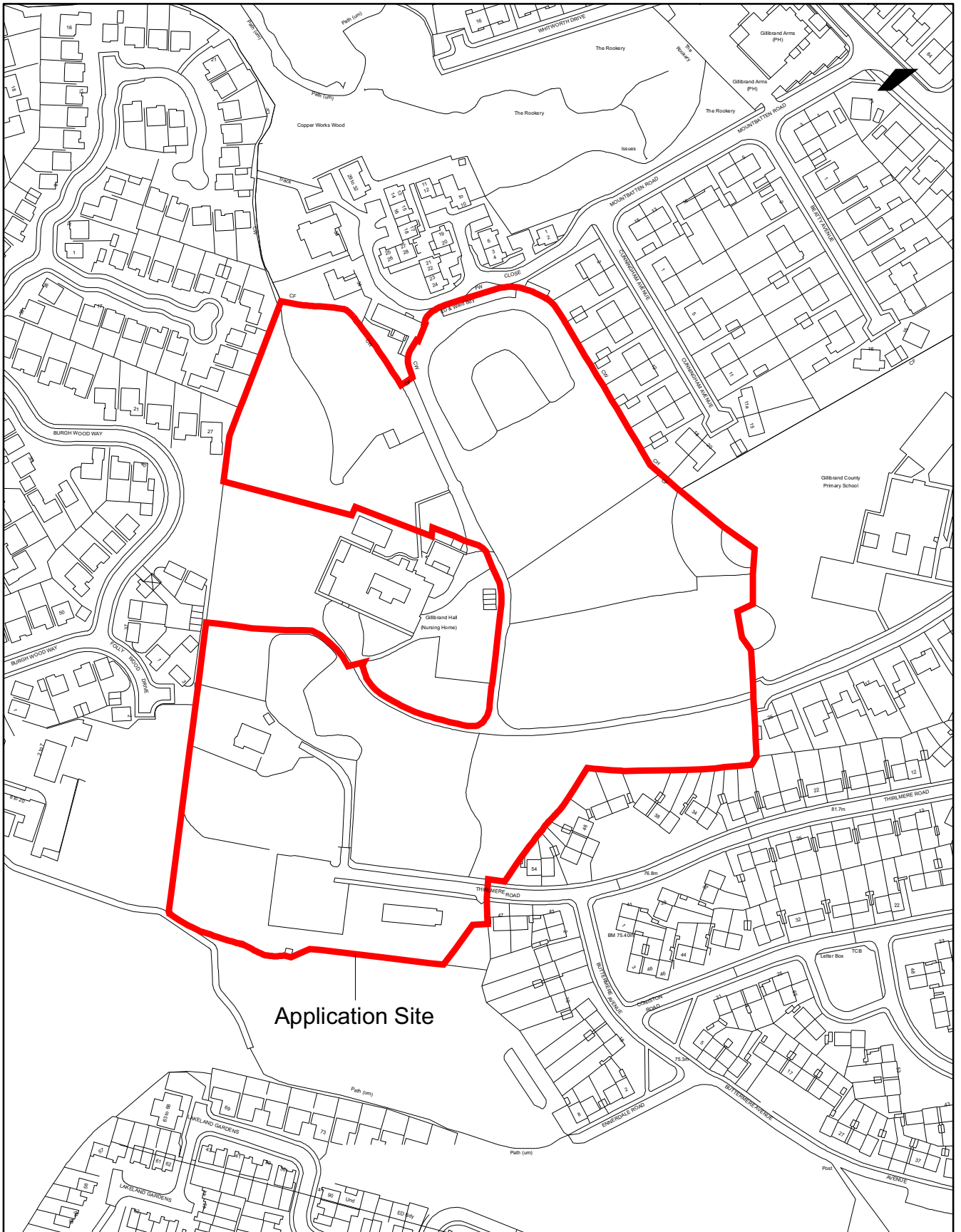
18. The reserved matters submission shall include provision that no less than 20% of the housing units to be built on the site shall be Affordable Housing, and shall include details of the time at which such Affordable Housing is to be provided (with reference to the development of the other parts of the site), the type of Affordable Housing to be provided

and the means of ensuring that the benefits of the Affordable Housing shall be enjoyed by successive as well as initial occupiers of such Affordable Housing. The Affordable Housing shall be provided and subsequently retained as Affordable Housing in accordance with the details as approved in writing by the Local Planning Authority.

Reason: To ensure the provision of affordable housing to assist in meeting local housing needs.

19. No development shall take place until a woodland management Plan (comprising a scheme of works for the long term maintenance and management of the woodland areas) has been submitted to and approved in writing by the Local Planning Authority. The woodland areas shall thereafter be managed and maintained in accordance with the approved details.

Reason: In the interests of the visual amenity of the area and nature conservation.



Application Site

Jane E Meek BSc(Hons) DipTP MRTPI
 Head of Development and Regeneration
 Chorley Borough Council

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Application Number:
05/00970/OUTMAJ

Grid Ref:
E: 357333
N: 416884

Scale:
1:2500

Agenda Item No.
A. 2

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|---------------------|--|---|
| Item A. 3 | 05/00971/OUTMAJ | Permit Outline Planning Permission |
| Case Officer | Mrs Wendy Gudger | |
| Ward | Chorley South West | |
| Proposal | Modification of condition no.1 of Planning Permission 03/00726/FULMAJ to extend the period for the submission of reserved matters until 3/11/2007, | |
| Location | Land South Of Copper Works Wood West Of Gillibrand North And West Of Southlands Clover Road Chorley Lancashire | |
| Applicant | Redrow Homes (Lancs) Ltd / Taylor Woodrow | |
| Background | <p>Outline planning permission was granted on the Gillibrand site in 1997 for housing development and associated community facilities on approximately 30 hectares of land. A standard reserved matters condition was attached which required all matters to be submitted by November 1999.</p> <p>A reserved matters application for 505 houses was approved in 1999. The planning permission is still live and work is ongoing by three separate companies, Redrow Lancashire, Redrow NW and Taylor Woodrow.</p> <p>An application to extend the period of submission of reserved matters up until November 2003 was approved in April 2001.</p> <p>It is estimated that the majority of dwellings approved are completed or are in development at the current time.</p> | |
| Proposal | The application involves the extension of the period for the submission of Reserved Matters until 3 rd November 2007. | |
| History | <ul style="list-style-type: none"> • Original outline: 9/96/727 – Approved July 1997. • Approval of reserved matters: 98/301 – Approved February 1999. • Variation of reserved matters until November 2003: 01/150 – Approved April 2001. • Variation of reserved matters until November 2005: 03/00726- Approved May 2004 • Various other approved applications modifying the layout of plots or house types in replans of phases or portions of phases. | |
| Policy | <p>The site is allocated for housing development in the Adopted Borough Local Plan Review.</p> <p>PPG3 Housing is considered relevant.</p> | |

Consultee Responses

- Environment Agency – No objections.
- LCC (Strategic Planning) – No objections.

Third Party Representations

None

Assessment

As stated, the principle of the development has been established by not only the Development Plan allocations but also the planning permissions already granted and activated. Also the Council have already accepted an extended time period for the submissions of reserved matters.

Housing development on site is now almost completed with only the three parcels for affordable housing and the formerly allocated school site which now has a permission for housing remaining. There has been discussion the remaining affordable housing parcels and applications for development are likely to be submitted in the new year

The key issue now is whether there has been a change in planning considerations which may affect how this further application will be determined and whether it is pertinent to grant what would be a third extension of time for this nature of proposal.

With regard to the former, it is not considered that there is any significant change in circumstances, planning policy or Central Government Guidance that is relevant to this proposal. Upon the requirement, or indeed necessity, to extend the time period by a further two years, it is not considered that this would be inappropriate in the context of the permissions that have been granted for reserved matters and discussions held on the affordable housing parcels. A favourable recommendation is therefore put forward.

Recommendation: Permit Outline Planning Permission**Conditions**

1. Application for approval of the reserved matters must be made to the Council as Local Planning Authority before the 3 November 2007 and the development hereby permitted must be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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

2. Prior to the submission of approval of any reserved matters there shall have been submitted to and approved in writing by the Local Authority a Master Plan for the whole of the application site. The Master Plan shall incorporate the main principles for development of the site as outlined in the Site Development Brief and the illustrative Layout Plan which accompanied the outline planning application. In particular, the Master Plan shall indicate the extent of each housing development parcel and the means of vehicular access thereto; the main internal road network; the areas to be reserved for a shop, primary school and community centre and the means of vehicular access thereto; the areas of playing fields, casual play space and ornamental open space; the general location of equipped play areas; and the main cycleway and footpath links

between housing parcels, open space areas, community facilities, shop and land outside of the application site.

Reason: To ensure a comprehensive development of the site.

3. Before the erection of any building is first commenced, full details of all reserved matters (namely the siting, design, external appearance, the means of access to it and the landscaping of its site) relating to that building shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The permission is in outline only.

4. All applications for approval of reserved matters for the siting of buildings shall be accompanied by details of existing and proposed ground levels and proposed building slab levels (all relative to adjoining ground levels). The erection of any such buildings shall not commence until the levels have been approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: In the interests of the appearance of the locality and the amenities of local residents.

5. Prior to the submission of any reserved matters there shall have been submitted to and approved in writing by the Local Planning Authority a scheme those areas of landfill to be retained and those areas of landfill to be removed. Any removal of landfill material shall be completed prior to the commencement of any development, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the safe occupancy of the development.

6. Prior to the commencement of any development and in accordance with a scheme to be prior approved in writing by the Local Planning Authority, there shall have been constructed passive gas venting measures within and around the perimeter of areas of retained landfill and/or a gas migration barrier, except as may otherwise be agreed in writing with the Local Planning Authority.

Reason: In the interests of the safe occupancy of the development.

7. All applications for approval of reserved matters for the siting of buildings shall be accompanied by details of the measures to be incorporated into the buildings to prevent the ingress of landfill gas. The erection of any such building shall not commence until the landfill gas ingression prevention measures have been approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: to protect occupiers from the ingress of landfill gas.

8. No dwellings shall be constructed or garden areas formed within 10 metres of any area of retained landfill.

Reason: In the interests of the safe occupancy of the development.

9. All underground services to be installed within 50 metres of the Lawnwood and Kingsley Wood landfill sites shall be sealed to prevent the migration of landfill gas.

Reason: In the interests of the safe occupancy of the development.

10. No application for approval of any reserved matter shall be made in relation to land within 50 metres of any area of retained landfill until:

- a) A scheme for monitoring landfill gas migration has been submitted to and approved in writing by the Local Planning Authority;
- b) All monitoring specified in the approved scheme (submitted under a) above), has been carried out and the results of the monitoring exercise, together with recommendations and specific proposals to render the site capable of development for housing have been submitted to the Local Planning Authority;
- c) The Local Planning Authority has given written approval to the development proceeding having regard to the results of the monitoring exercise and the recommendations and proposals submitted under b) above, and the carrying out

of any required works in a manner and to a timetable to be agreed in writing with the Local Planning Authority.

Reason: In the interests of the safe occupancy of the development.

11. No part of the site, other than that edged in green on the plan accompanying this notice, may have vehicular access served from Clover Road.

Reason: In the interests of highway safety.

12. Prior to the construction of the complete length of the Gillibrand Link Road, in accordance with planning permission 9/96/00034/CB3 dated 4th April 1996, no more than 400 dwellings may be occupied of which number no more than 200 dwellings may be occupied which are accessed off the southern roundabout access point to the application site.

Reason: In the interests of highway safety.

13. No more than 100 dwellings accessed by only one access point (other than the Gillibrand Link Road or a transitional road linked thereto) may be occupied without the provision of an approved means of emergency vehicular access and no more than 200 dwellings may be occupied without the provision of an approved loop distributor road.

Reason: In the interests of highway safety.

14. Within two years of the commencement of the development a surfaced joint cycleway/footpath link shall be provided between Troutbeck Road/Crook Street and Ennerdale Road and the application site in accordance with details to be agreed in writing with the Local Planning Authority, before the commencement of the development.

Reason: To ensure adequate means of cycle and pedestrian access to the development.

15. Before the commencement of any development there shall have been submitted to and approved in writing by the Local Planning Authority full details of a scheme for playing field provision for Southlands School, including compensatory provision for the loss of playing fields to the Gillibrand Link Road. The approved scheme shall have been implemented in full within one year of the commencement of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure adequate playing field provision is maintained at Southlands School.

16. Before the commencement of any development an approval of all reserved matters for the community centre building shall have been granted by the Local Planning Authority. The community centre building shall have been erected and available for use prior to the occupation of 450 dwellings.

Reason: To ensure the availability of adequate community facilities to serve the development.

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

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.

19. 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 details any changes of ground level or landform.

Reason: In the interests of the amenity of the area.

20. 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.

21. 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.

22. During the construction period, all trees to be retained shall be protected by a chestnut palisade fence of minimum height 1 metre placed at a distance from the tree trunk equivalent to the crown spread of the trees, or as may otherwise 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.

23. 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.

24. Free access to the development site at all reasonable times shall be afforded to any archaeologist nominated by the Local Planning Authority, such access to allow the nominated archaeologist to observe the excavations and record items of interest and finds.

Reason: The site is situated within an area of known archaeological interest.

25. No development shall take place until a scheme for the provision of public open space and play areas has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted to include full details of all play and other equipment to be provided.

Reason: To ensure adequate provision for public open space and play areas within the development.

26. Before the development hereby permitted is first commenced, full details of the phasing of provision and equipping of public open space and play areas shall have been submitted to and approved in writing by the Local Planning Authority. The provision and equipping of such areas to be thereafter carried out in strict accordance with the approved details.

Reason: To ensure adequate provision for public open space and play areas within the development.

27. Before the development hereby permitted is first commenced a scheme for the future management of all areas of public open space shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate provision for public open space and play areas within the development

28. All applications for approval of reserved matters for the siting of buildings shall include full details of areas of public open space and play areas, including play and other equipment to be provided in accordance with Chorley Borough Plan Policy and NPFA requirements. The erection of any such buildings shall not commence until details of areas of public open space and play areas have been approved in writing by the Local Planning Authority. No dwelling, which has a curtilage bounding any area of public open space or play area shown on the approved plans, shall be occupied until that area of public open space or play area has been laid out and equipped in accordance with the approved details.

Reason: To ensure adequate provision for public open space and play areas within the development.

29. Before any development of the shop or community centre 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.

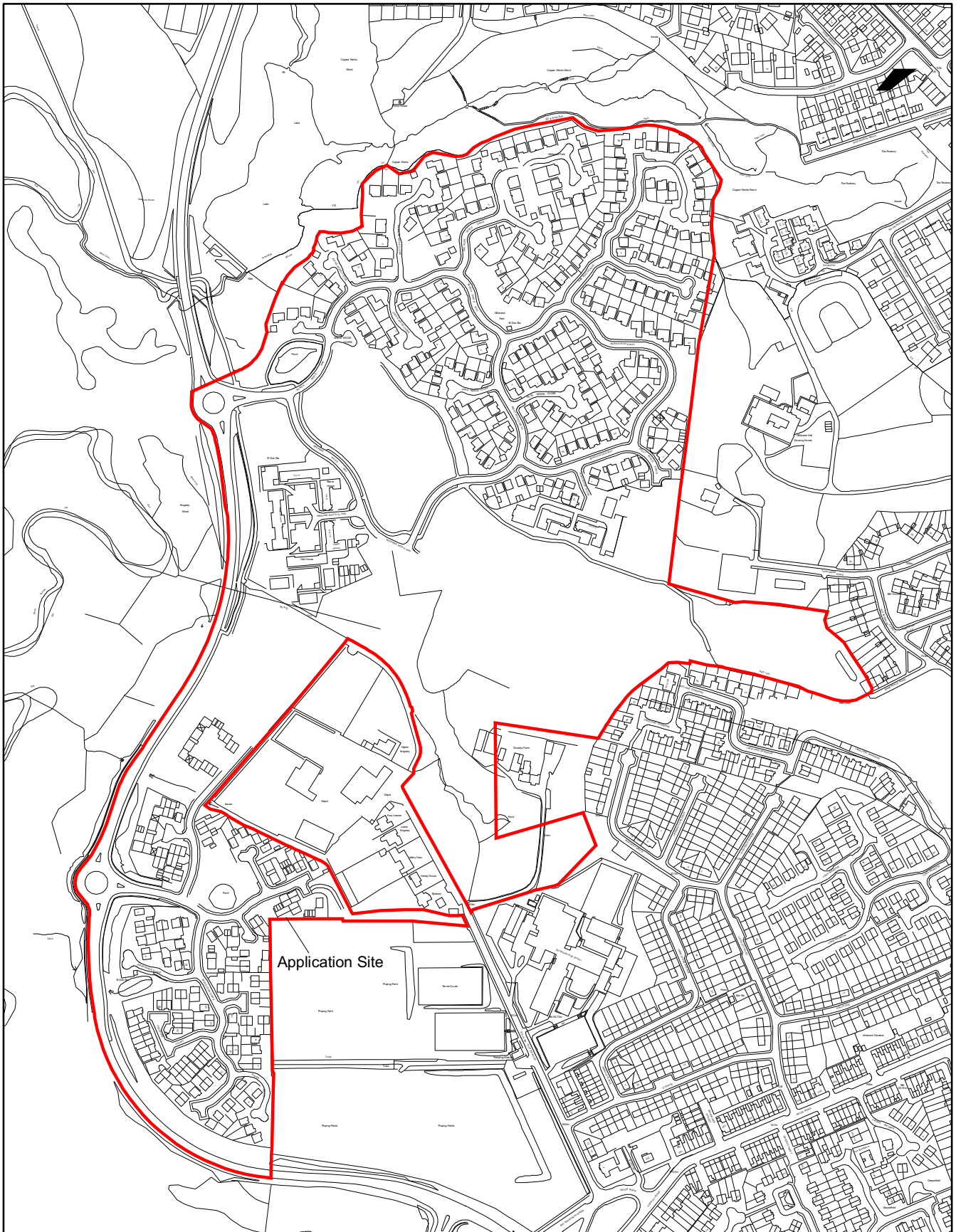
Reason: To ensure adequate on site provision of car parking and manoeuvring areas.

30. 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. The details of the proposed surface water drainage arrangements shall include the measures to attenuate the discharge of surface water to any watercourse.

Reason: To secure proper drainage and to prevent flooding.

31. 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 any dwelling hereby permitted standing within 50 metres of the Lawnwood and Kingsley Wood landfill sites and no garage, shed or other outbuilding shall be erected (other than those expressly authorised by this permission) within 50 metres of the Lawnwood and Kingsley Wood landfill sites, without the prior grant of planning permission.

Reason: In the interests of safe occupancy of the development.



Jane E Meek BSc(Hons) DipTP MRTPI
Head of Development and Regeneration
Chorley Borough Council

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Application Number:
05/00971/OUTMAJ

Grid Ref:
E: 357004
N: 416764

Scale:
1:5000

Agenda Item No.
A. 3

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|---------------------|---|---|
| Item A. 4 | 05/00972/OUTMAJ | Permit Outline Planning Permission |
| Case Officer | Mrs Wendy Gudger | |
| Ward | Chorley South West | |
| Proposal | Modification of condition no.1 of Planning Permission 03/00726/FULMAJ to extend the period for the submission of reserved matters until 3/11/2007 (Duplicate), | |
| Location | Land South Of Copper Works Wood West Of Gillibrand North And West Of Southlands Clover Road Chorley Lancashire | |
| Applicant | Redrow Homes (Lancs) Ltd / Taylor Woodrow | |

Please see report for Application No 05/00971/OUTMAJ

Recommendation: Permit Outline Planning Permission

Conditions

1. Application for approval of the reserved matters must be made to the Council as Local Planning Authority before the 3 November 2007 and the development hereby permitted must be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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

2. Prior to the submission of approval of any reserved matters there shall have been submitted to and approved in writing by the Local Authority a Master Plan for the whole of the application site. The Master Plan shall incorporate the main principles for development of the site as outlined in the Site Development Brief and the illustrative Layout Plan which accompanied the outline planning application. In particular, the Master Plan shall indicate the extent of each housing development parcel and the means of vehicular access thereto; the main internal road network; the areas to be reserved for a shop, primary school and community centre and the means of vehicular access thereto; the areas of playing fields, casual play space and ornamental open space; the general location of equipped play areas; and the main cycleway and footpath links between housing parcels, open space areas, community facilities, shop and land outside of the application site.

Reason: To ensure a comprehensive development of the site.

3. Before the erection of any building is first commenced, full details of all reserved matters (namely the siting, design, external appearance, the means of access to it and the landscaping of its site) relating to that building shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The permission is in outline only.

4. All applications for approval of reserved matters for the siting of buildings shall be accompanied by details of existing and proposed ground levels and proposed building slab levels (all relative to adjoining ground levels). The erection of any such buildings shall not commence until the levels have been approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: In the interests of the appearance of the locality and the amenities of local residents.

5. Prior to the submission of any reserved matters there shall have been submitted to and approved in writing by the Local Planning Authority a scheme those areas of landfill to be retained and those areas of landfill to be removed. Any removal of landfill material shall be completed prior to the commencement of any development, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the safe occupancy of the development.

6. Prior to the commencement of any development and in accordance with a scheme to be prior approved in writing by the Local Planning Authority, there shall have been constructed passive gas venting measures within and around the perimeter of areas of retained landfill and/or a gas migration barrier, except as may otherwise be agreed in writing with the Local Planning Authority.

Reason: In the interests of the safe occupancy of the development.

7. All applications for approval of reserved matters for the siting of buildings shall be accompanied by details of the measures to be incorporated into the buildings to prevent the ingress of landfill gas. The erection of any such building shall not commence until the landfill gas ingression prevention measures have been approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: to protect occupiers from the ingress of landfill gas.

8. No dwellings shall be constructed or garden areas formed within 10 metres of any area of retained landfill.

Reason: In the interests of the safe occupancy of the development.

9. All underground services to be installed within 50 metres of the Lawnwood and Kingsley Wood landfill sites shall be sealed to prevent the migration of landfill gas.

Reason: In the interests of the safe occupancy of the development.

10. No application for approval of any reserved matter shall be made in relation to land within 50 metres of any area of retained landfill until:

- a) A scheme for monitoring landfill gas migration has been submitted to and approved in writing by the Local Planning Authority;
- b) All monitoring specified in the approved scheme (submitted under a) above), has been carried out and the results of the monitoring exercise, together with recommendations and specific proposals to render the site capable of development for housing have been submitted to the Local Planning Authority;
- c) The Local Planning Authority has given written approval to the development proceeding having regard to the results of the monitoring exercise and the recommendations and proposals submitted under b) above, and the carrying out of any required works in a manner and to a timetable to be agreed in writing with the Local Planning Authority.

Reason: In the interests of the safe occupancy of the development.

11. No part of the site, other than that edged in green on the plan accompanying this notice, may have vehicular access served from Clover Road.

Reason: In the interests of highway safety.

12. Prior to the construction of the complete length of the Gillibrand Link Road, in accordance with planning permission 9/96/00034/CB3 dated 4th April 1996, no more than 400 dwellings may be occupied of which number no more than 200 dwellings may be occupied which are accessed off the southern roundabout access point to the application site.

Reason: In the interests of highway safety.

13. No more than 100 dwellings accessed by only one access point (other than the Gillibrand Link Road or a transitional road linked thereto) may be occupied without the provision of an approved means of emergency vehicular access and no more than 200 dwellings may be occupied without the provision of an approved loop distributor road.

Reason: In the interests of highway safety.

14. Within two years of the commencement of the development a surfaced joint cycleway/footpath link shall be provided between Troutbeck Road/Crook Street and Ennerdale Road and the application site in accordance with details to be agreed in writing with the Local Planning Authority, before the commencement of the development.

Reason: To ensure adequate means of cycle and pedestrian access to the development.

15. Before the commencement of any development there shall have been submitted to and approved in writing by the Local Planning Authority full details of a scheme for playing field provision for Southlands School, including compensatory provision for the loss of playing fields to the Gillibrand Link Road. The approved scheme shall have been implemented in full within one year of the commencement of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure adequate playing field provision is maintained at Southlands School.

16. Before the commencement of any development an approval of all reserved matters for the community centre building shall have been granted by the Local Planning Authority. The community centre building shall have been erected and available for use prior to the occupation of 450 dwellings.

Reason: To ensure the availability of adequate community facilities to serve the development.

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

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.

19. 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 details any changes of ground level or landform.

Reason: In the interests of the amenity of the area.

20. 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.

21. 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.

22. During the construction period, all trees to be retained shall be protected by a chestnut palisade fence of minimum height 1 metre placed at a distance from the tree trunk equivalent to the crown spread of the trees, or as may otherwise 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.

23. 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.

24. Free access to the development site at all reasonable times shall be afforded to any archaeologist nominated by the Local Planning Authority, such access to allow the nominated archaeologist to observe the excavations and record items of interest and finds.

Reason: The site is situated within an area of known archaeological interest.

25. No development shall take place until a scheme for the provision of public open space and play areas has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted to include full details of all play and other equipment to be provided.

Reason: To ensure adequate provision for public open space and play areas within the development.

26. Before the development hereby permitted is first commenced, full details of the phasing of provision and equipping of public open space and play areas shall have been submitted to and approved in writing by the Local Planning Authority. The provision and equipping of such areas to be thereafter carried out in strict accordance with the approved details.

Reason: To ensure adequate provision for public open space and play areas within the development.

27. Before the development hereby permitted is first commenced a scheme for the future management of all areas of public open space shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate provision for public open space and play areas within the development

28. All applications for approval of reserved matters for the siting of buildings shall include full details of areas of public open space and play areas, including play and other equipment to be provided in accordance with Chorley Borough Plan Policy and NPFA requirements. The erection of any such buildings shall not commence until details of areas of public open space and play areas have been approved in writing by the Local Planning Authority. No dwelling, which has a curtilage bounding any area of public open space or play area shown on the approved plans, shall be occupied until that area of public open space or play area has been laid out and equipped in accordance with the approved details.

Reason: To ensure adequate provision for public open space and play areas within the development.

29. Before any development of the shop or community centre 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.

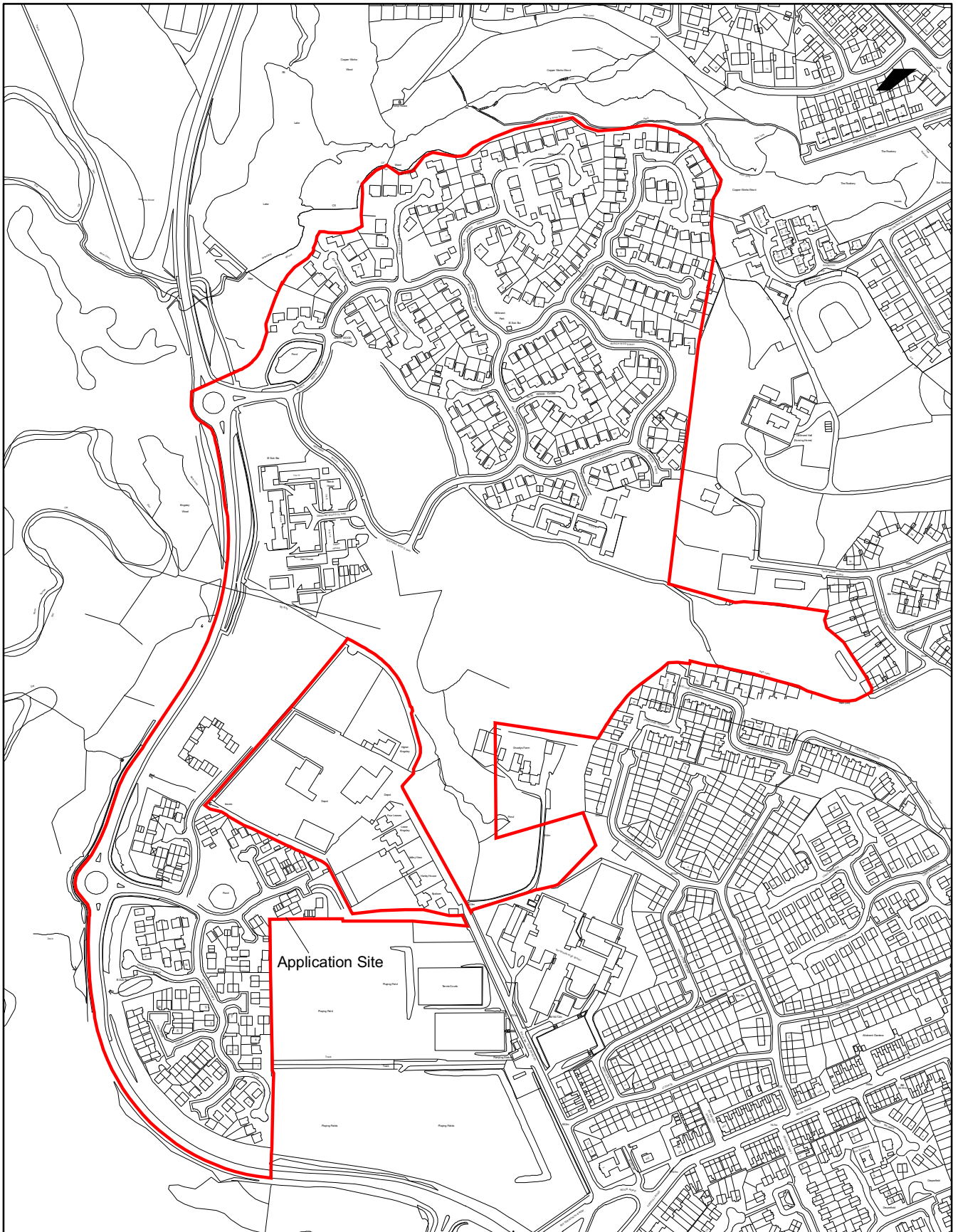
30. No development shall take place until details of the proposed surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented. The details of the proposed surface water drainage arrangements shall include the measures to attenuate the discharge of surface water to any watercourse.

Reason: To secure proper drainage and to prevent flooding.

31. 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 any dwelling hereby permitted standing within 50 metres of the Lawnwood and Kingsley Wood landfill sites and no garage, shed or other outbuilding shall be erected (other than those expressly authorised by this permission) within 50 metres of the Lawnwood and Kingsley Wood landfill sites, without the prior grant of planning permission.

Reason: In the interests of safe occupancy of the development.

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Jane E Meek BSc(Hons) DipTP MRTPI
Head of Development and Regeneration
Chorley Borough Council

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Application Number:
05/00972/OUTMAJ

Grid Ref:
E: 357004
N: 416764

Scale:
1:5000

Agenda Item No.
A. 4

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| | | |
|-------------------------|--|---|
| Item A. 5 | 05/01002/OUTMAJ | Permit Outline Planning Permission |
| Case Officer | Mr Simon Pemberton | |
| Ward | Lostock | |
| Proposal | Proposed re-organisation of garden centre, including alterations to access, erection of horticultural shade house, and extension to existing building, with demolition of existing dwelling and propagation house, | |
| Location | Wyevale Garden Centre 338 Southport Road Ulnes Walton Lancashire PR26 8LQ | |
| Applicant | Wyevale Garden Centre | |
| Proposal | <p>This application is submitted in outline with only siting and means of access included for consideration. It proposes the reorganisation of the existing Wyevale Garden Centre including the demolition of the existing dwelling (see application 9/05/01003/OUT) and propagation house and the alteration and extension of the existing garden centre buildings. This includes the construction of a covered area, alterations to the access arrangements into the building and the construction of an extension to the building. The land is currently used for purposes associated with the garden centre itself or the dwelling to be demolished.</p> <p>The proposed re-organisation and works to the garden centre includes the removal of the following:</p> <ul style="list-style-type: none"> • Store (60 sq m) • Propagation house (1058 sq m) • Horticultural plant shade (235 sq m) • Entrance canopy (65 sq m) <p>In total the removed floorspace amounts to 1418 sq. metres of accommodation. The proposed development then incorporates its replacement with:</p> <ul style="list-style-type: none"> • Garden centre shop extension - 600 square metres • Horticultural plant shade - 375 square metres • Entrance canopy - 65 square metres <p>In addition the outdoor sales and display area is proposed to be re-sited, although it remains a similar size. The number of car parking spaces on the submitted plans remains the same as currently exists. However, the car park area is slightly larger in order to accommodate and increase in the proportion of spaces for mobility impaired and mother and child to 10% of the total. The site access is indicated to remain in its present location, but has been widened to provide a dedicated right turn exit lane.</p> | |
| Site Description | The existing garden centre extends to some 1.854 hectares. It is rectangular in shape, has a site frontage of approximately 135 | |

metres and is 128 metres deep. The site accommodates the Garden Centre covering 1.696ha, which includes garden centre shop, outdoor plant sales areas, garden machinery building (sales, service and repair), store, propagation house, customer and staff car park and standing out ground.

Ferndale, the former dwelling of the founding owners of the garden centre (previous known as Auldene) has a frontage of 28 metres and a vehicular access to Southport Road. The curtilage covers the remaining part of the site (approximately 1624 square metres). The dwelling is sited towards the rear and west of the plot, beyond the tree and is used as temporary accommodation by Wyevale.

Adjoining the site to the east is the dwelling originally associated with the garden centre known as Auldene, but is now unconnected with the garden centre. The Royal Umpire Leisure and Caravan Park adjoins the site to the north and to the South is open farmland.

The site boundaries are well defined particularly along the northern boundary where mounding and dense planting screens the site from the open countryside. The northern sections of the east and west boundaries are also well screened. This screening has been required by previous planning applications on the site.

Policy

The development Plan for the area comprises the Regional Spatial Strategy for the North West 2003 (RPG13), the Joint Lancashire Structure Plan 2005 and the Chorley Borough Local Plan Review 2003. The Local Plan contains policies of most relevance to the current application. In particular policies DC1 and DC8A relating to Green Belt and the replacement or extension of existing dwellings are relevant together with general policies GN5, HS4, HS6, and TR4. Furthermore, a garden centre is a retail use and therefore policies SP1, SP6, and SP8 of the Chorley Borough Local Plan Review 2003 apply and seeks to direct such uses to appropriate locations in or adjacent to existing centres.

Planning History

The relevant planning history of the site is as follows:

Reference: 91/00650/FUL

Description: Extension to Showroom, provision of toilets and canopies, improvements to internal traffic circulation, surfacing overspill car park and service area, erection of barn and additional planting.

Decision: Approved on 29 October 1991

Reference: 94/00880/FUL

Description: Erection of detached building with retail to ground floor and storage space to first floor, on site of existing barn

Decision: Approved on 31 January 1995

Reference: 95/00275/FUL

Description: Erection of storage building and creation of staff parking area with associated mounding and planting

Decision: Approved on 13 June 1995

Reference: 97/00179/COU

Description: Change of use of dwelling to form offices for use in connection with existing garden centre

Decision: Approved on 21 May 1997

Reference: 99/00600/FUL

Description: Erection of enclosing walls/doors to existing canopied entrance area

Decision: Approved on 29 September 1999

Reference: 02/01065/COU

Description: Change of Use of house from office use to residential

Decision: Approved on 2 January 2003

Consultations

No comments have been received from the County Councils Highways Officer. The Parish Council have commented as follows:

- i) The entrance to Wyevale is a notorious accident black spot, in order to accommodate the flow of traffic it is felt that a wider entrance is needed with clear sight lines, to assist with both access and exit from the property. If the centre wishes to increase its turnover this will inevitably result in additional amounts of through traffic and this situation needs to be addressed.
- ii) At peak times the parking currently available is insufficient to cope with demand, the new plans appear to indicate status quo in terms of spaces available, this is most unsatisfactory and will create huge problems unless more is provided.
- iii) The proposals do not give a clear indication as to the type of plants that will be used for screening i.e. native trees or bushes. It is important that the specimens used must be fairly mature and quick growing so as to ensure the commercial frontage is not displayed close to the road.
- iv) There are a number of mature trees around the site and it is felt important to preserve these.

Representations

No letters of objection have been received.

Assessment

The site lies within the Green Belt away from existing settlements or built up areas. As discussed in the report for the application for the proposed replacement dwelling, the principle of the demolition of the existing dwelling and the construction of a replacement property is permissible by policies DC1 and DC8A of the Chorley Borough Local Plan Review 2003. It therefore falls to consider issues pertaining to the retail element of the proposed application in terms of predominantly retail policy, Green Belt policy, and access issues. These are dealt with in turn below.

Retail

The site lies in open countryside away from defined shopping and retail areas. Policies SP1, SP6, and SP8 of the Chorley Borough Local Plan Review 2003 apply to new retail developments and seeks to direct them to appropriate locations in or adjacent to existing centres.

There has been a number of incremental additions to the garden centre over the years. Originally it is clear that the propagation house and the surrounding land would have been used for horticultural purposes (i.e. falling within the definition of agriculture), albeit associated with the adjacent garden centre. However, this relationship has changed over time as has the way that those buildings have been considered.

The last major expansion was approved in July 1991 under reference 9/91/00650/FUL. This was for the extension to the main building, provision of toilets and canopies, improvements to internal traffic circulation, surfacing overspill car park and service area, erection of barn and additional planting. The drawing accompanying the application (P2/25/A) clearly showed the Garden Centre application boundary as including all the land within the current red line.

In December 1995 discussions were held with officers regarding proposed alterations to the layout of the garden centre including *the relocation of the conservatory display area and further extension of the space for plant sales*. The plan accompanying the letter (P2/50) showed the Garden Centre planning unit edged in red as indicated by the current application. The dwelling Ferndale was excluded from the Unit but shown as blue land, i.e. under the control of the applicant. On 24th January 1996 the Director of Technical Services replied confirming that the proposals *"relates to space already within the planning "unit" of the garden centre and is in effect an internal re-organisation."*

It is clear that the Council has accepted the propagation house and all the surrounding area as being part of the planning unit of the garden centre. As such the existing buildings could be used for retail purposes without the need for any planning permission. Currently the propagation house is used for storage of goods and is not accessible by visiting members of the public. However, there are no controls in place that could prevent the buildings being used for retail purposes. As a consequence the applicant is legitimate in including this floorspace in the re-organisation. It can be seen from the figures the current proposal will actually represent a net reduction in the footprint of the built development by 378 sq. metres.

Whilst garden centres largely compete with other garden centres, they are a retail function and should be located in the Town Centre. They also sell non-garden items, including books, giftware and cards. However, for the above reasons the submission of a full retail impact assessment is not considered to be required. It would be possible to control the type and nature of goods to be sold by condition. Whilst this has not been recommended it would be open to members should they wish to control the nature of the operations from the site.

Green Belt

The site is located in the Green Belt where there is strict control over new development. The uses and buildings that are identified in PPG2 "Green Belts" and policy DC1 of the Chorley Borough Local Plan Review 2003 do not identify garden centres as being appropriate development in the Green Belt. In preamble to policy DC1 the local plan advises that "...*garden centres*,

where the majority of the goods sold are bought in, are essentially retail uses." As a consequence garden centres may only be granted where there are 'very special circumstances. It is the responsibility of the applicant to prove that such circumstances exist."

In the case of Wyevale Garden Centre, the use already exists and the harm created by the existing development. As discussed above, the Council has previously accepted there are essentially two planning units on the site, the garden centre and the dwelling. Therefore, whilst the application is submitted in outline, if appropriate controls and general terms this is a re-organisation of the site that has no greater impact on the Green Belt.

The applicant has put forward the following arguments in favour of the proposal:

- i) No additional floor space is erected, as the propagation house is to be demolished and overall the building and plant shade footprint is reduced by 378 square metres.
- ii) The existing garden centre retail building is a glasshouse which reflects the horticultural origins of the centre. The proposed building extension would be similar i.e. a glasshouse type structure to reflect the sites history and respect its Green Belt location. Furthermore it will be located at the rear of the existing building and not easily seen from either Southport Road or the surrounding countryside.
- iii) The propagation house, which is to be demolished, is a glasshouse with a footprint of 1058 square metres. The retail building extension is a glasshouse type construction with a footprint of 600 square metres. The roof height of the proposed extension will match that of the existing.
- iv) No greater area of car parking or outdoor retail space is proposed.

Bearing in mind the history of the site and the existing buildings that exist on the site, it is not considered that the proposed reorganisation will result in a significant impact on the Green Belt.

The reorganisation will actually result in a reduced amount of floorspace and spread of buildings across the site. As a consequence these and the arguments identified above are accepted to represent very special circumstances which outweighs the presumption against the development.

This is subject to an appropriate detailed landscaping scheme being submitted and implemented and appropriate controls being placed on further structures on the land. This is particularly the case at the front on the site where it is exposed to views from passing vehicles on the main road. These matters can be appropriately conditioned on any planning approval.

Access

The existing access is directly off Southport Road (the A581). This accesses a car park which is located at the front, side and

rear of the existing garden centre. The proposal does not propose an increase in the amount of car parking provision within the site. The applicants advise that an increase in vehicular movements is not anticipated beyond the 2001 level. Bearing in mind the nature of the lawful planning unit and the fact that this will result in a net decrease of potential floorspace it is not considered that an increase in parking provision could be reasonably secured.

The relocation of all car parking to the rear of the site will allow some improvements to vehicle circulation and reduce conflict with the use of the access and vehicles manoeuvring into parking spaces. The applicants have also proposed to widen the access to make provision for a dedicated right turn exit from the site. This will assist in reducing queuing from exiting vehicles.

At the request of your officers, the applicants have considered whether it would be feasible to provide a dedicated right turn into the site from Southport Road into the site. They advise that this is not possible as the applicant does not control the site frontage, and it is understood that at BT fibre optic cable runs in the verge.

The Highway Authority is looking at possible traffic calming measures for Southport Road. The applicant has indicated that he may be prepared to enter into discussion with the Highway Authority about ways in which the applicant could assist the authority. This is a matter that could be conditioned on any permission.

Conclusion Bearing in mind the points discussed above, the application is recommended for approval subject to the following conditions.

Recommendation: Permit Outline Planning Permission

Conditions

1. (a) Before any development is commenced details of 'Reserved Matters', (that is any matters in respect of which details have not been given in the application and which concern the siting, design or external appearance of the building(s) to which this permission and the application relates, or to the means of access to the building(s) or the landscaping of the site) shall be submitted to and approved in writing by the Local Planning Authority.

(b) An application for approval of all 'Reserved Matters' must be made not later than the expiration of three years beginning with the date of this permission.

(c) The development to which this permission relates must be begun not later than two years from the final approval of the Reserved Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: (a) This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995: (1) of the (b) & (c) These conditions are required to be imposed by Section 92 of the Town and Country Planning Act 1990

2. Prior to the commencement of development plans and particulars showing the provision for the parking and manoeuvring of vehicles within the site shall be submitted to, and approved in writing by, the Local Planning Authority. Such details as agreed shall be laid out and made ready in all respects for use prior to the first occupation of the building to which it is related and thereafter retained unless express planning permission is first obtained.

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

3. Plans and particulars showing a scheme of foul sewers and surface water drains, shall be submitted to, and approved in writing by, the Local Planning Authority, and development shall not be commenced before these details have been approved, unless otherwise agreed in writing. Such works shall be carried out in accordance with the approved details concurrently with the rest of the development and in any event shall be finished before the building is occupied.

Reason: In order that the Council may be satisfied with the details of the proposal and to avoid flooding.

4. Prior to the commencement of development Plans and particulars showing the alignment height and materials of all walls and fences and other means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. Such details as may be agreed shall be implemented in their entirety prior to the first occupation of the building to which these elements relate, maintained for a period of five years and any structural or decorative defect appearing during this period shall be rectified and the enclosure shall thereafter be retained. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order, or any subsequent re-enactment, no additional, gate, fence wall or other means of enclosure shall be constructed without express planning permission first being obtained.

Reason: In order that the Council may be satisfied with the enclosure details of the proposal and its implementation and retention and that no subsequent additional fencing is erected which would otherwise harm the character of the area or the openness and visual amenity of the Green Belt.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any subsequent re-enactment thereof, no structures, engineering operations, buildings shall be erected or other items placed on the land (with the exception of the area indicated for garden buildings and conservatories) unless agreed in writing by the Local Planning Authority or without express planning permission first being obtained.

Reason: In the interests of controlling matters which may be detrimental to the original visual concept to ensure that items are not erected on the land which might adversely affect the visual amenity of the area or the openness of the Green Belt.

6. Prior to the commencement of development, details and samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure that the external appearance of the building(s) is satisfactory.

7. The development hereby approved shall not commence unless and until the existing dwelling known as Ferndale (and its curtilage), the propagation house and store buildings shall have been demolished and all materials cleared from the site (including all associated structures and areas of hardstanding).

Reason: In order to ensure that the development complies with policies on development of land within the Green Belt.

8. Before the buildings hereby approved are brought into use, the alterations to the access indicated on the plans hereby approved shall be completed in their entirety in accordance with a scheme to be approved by the Local Planning Authority in conjunction with the Local Highways Authority. Furthermore the first 4.5 metres of the frontage shall be kept clear of all obstructions in excess of 500mm in height at all times

Reason: In order to ensure appropriate access and visibility is provided for vehicles using the site and in accordance with policy TR4 of the Chorley Borough Local Plan Review 2003.

9. The premises shall be used only as a garden centre and for no other purpose whatsoever, (including any other purpose in Class A1 of the schedule to the Town and Country Planning (Use Classes) Order 1987 or any subsequent re-enactment).

Reason: In order that the Council may be satisfied about the details of proposal due to the particular character and location of this proposal.

10. Details of any floodlighting to be installed shall be submitted to and approved in writing by the Local Planning Authority before any such installation is carried out. The installation shall then be implemented precisely in accordance with these agreed details which shall then not be varied without express written permission. Furthermore, no additional external lighting shall be installed without the express written permission of the Local Planning Authority.

Reason: To safeguard the amenities of the area in accordance with policy GN5 of the Chorley Borough Local Plan Review 2003.

11. The southern boundary with Southport Road shall be planted with a hedge/landscaping belt of species, stock size and planting distance to be agreed in writing with the Local Planning Authority within 9 months of the commencement of the development or such other period as shall be agreed in writing by the Local Planning Authority, and any plants which are found to be dead, damaged or dying during the first five years shall be duly replaced and the hedge / landscaping belt shall thereafter be retained.

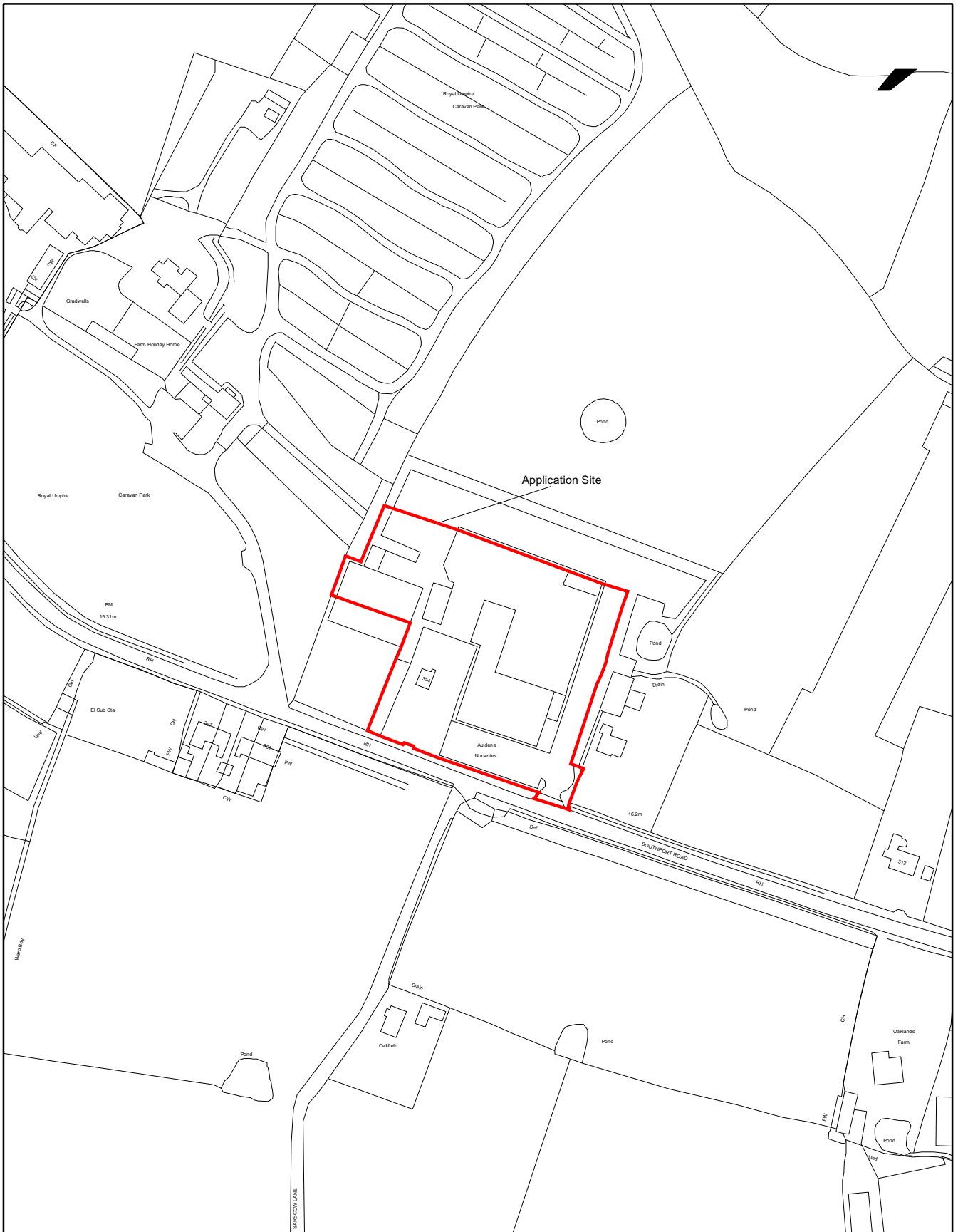
Reason: In the interests of the amenity and the appearance of the locality and in accordance with policy GN5 of the Chorley Borough Local Plan Review 2003.

12. Upon approval of the landscaping details, including any screen walls or fences, pursuant to Condition 1 the new planting shall be carried out during the planting season October/March inclusive, (in accordance with the appropriate British Standards for ground preparation, staking, etc., in BS4428:1989 (1979)) immediately following commencement of the development. Any plants found damaged, dead or dying in the first five years are to be duly replaced and the scheme thereafter retained.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and the locality.

13. The use of the extension to the garden centre, covered area and outdoor sales and display area hereby permitted shall be used solely for the sale of durable gardening requisites and plants together with associated ancillary products and not for the sale of convenience goods, including food, durables of a mass produced type purchased on a weekly basis, fashion clothing, shoes, books, stationery, general electronics, white goods, household electrical equipment, and toys.

Reason: In order to provide certainty over the retail activity in view of the location of the site away from existing centres where it would not be appropriate to allow an open retail use in accordance with policy SP1 of the Chorley Borough Local Plan Review 2003.



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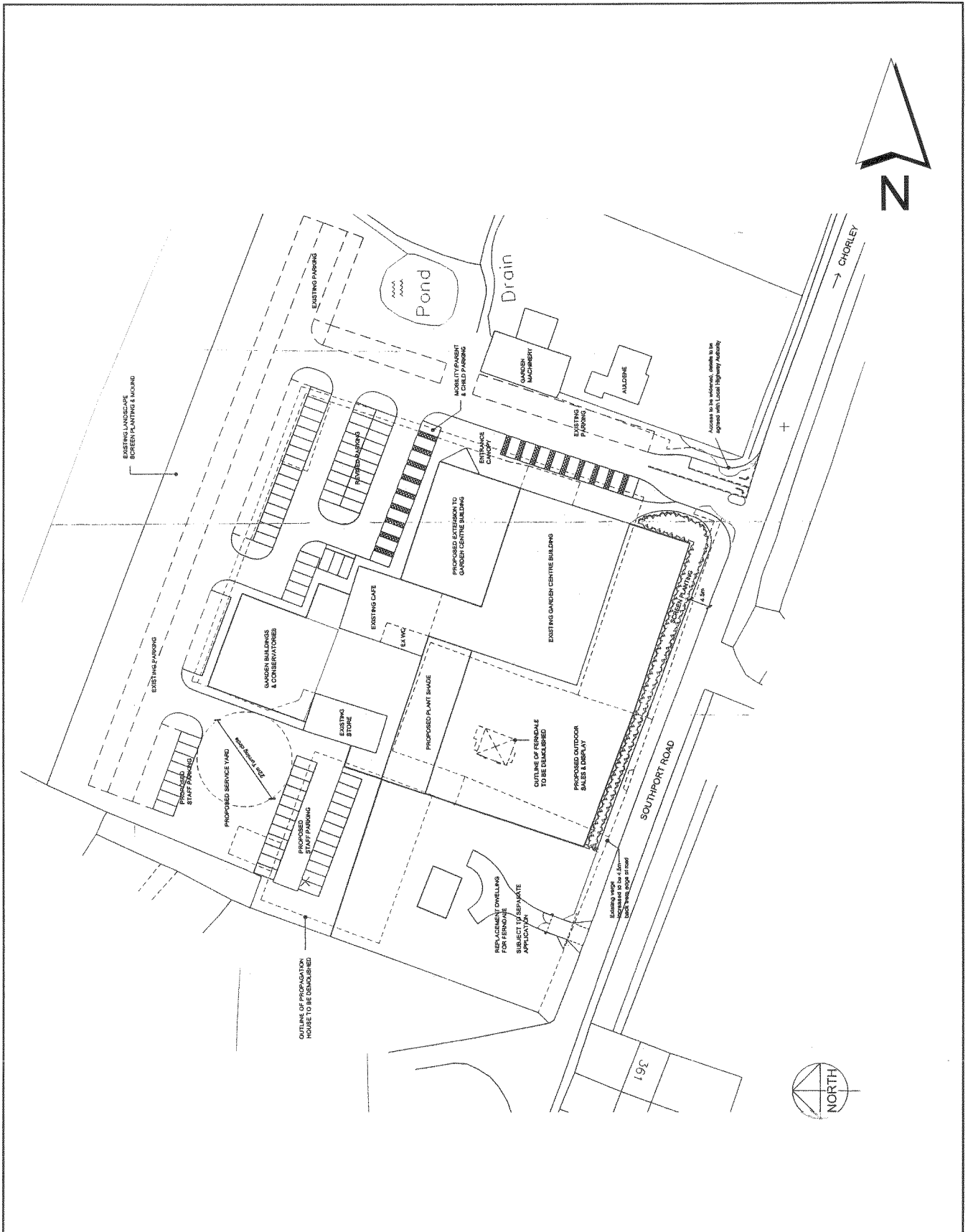
Application Number:
05/01002/OUTMAJ

Grid Ref:
E: 350640
N: 418832

Scale:
1:2500

Agenda Item No.
A. 5

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| <p>Application Number: 05/01002/OUTMAJ</p> | <p>Grid Ref: E: 350640 N: 418832</p> | <p>Scale:</p> | <p>Agenda Item No. A. 5</p> |

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|------------------------|--|---|
| Item A. 6 | 05/01006/OUTMAJ | Refusal of Outline Planning Permission |
| Case Officer | Mr Nigel Robinson | |
| Ward | Chorley North East | |
| Proposal | Outline application for the redevelopment of a 670 metre section of former railway line to form a linear park/recreational walkway and the part filling of land to facilitate the erection of 4 detached dwellings and the construction of a new access road . | |
| Location | Former Railway Cutting East Of Blackburn Brow Chorley Lancashire | |
| Applicant | Thomas Mawdesley And Sons | |
| Background | <p>This is a further application to develop land for residential use and undertake the initial stage of a linear footway/cycleway (670 metres) along the old Blackburn to Brinscall railway line from the bridge under Blackburn Brow. It follows a previous application in 2003 (03/00305) which was refused. Previously, the applicant applied for part filling of the railway cutting in two places to erect 7 houses in addition to the linear route which is part of a project earmarked by LCC for future funded development in the Remade in Lancashire initiative. That application was refused on the grounds of conflict with open countryside policy, prejudicing the control of housing over-supply and detriment to a designated wild life corridor and protected species therein with inadequate measures of mitigation. The site falls within an area of Other Open Countryside within the West Pennine Moors.</p> <p>The current application seeks four detached dwellings with the part filling of the initial 90 metres of the former railway cutting by a maximum depth of fill of 9 metres (10,300 cu.m. of inert sub soil and crushed demolition material). The dwellings would actually be constructed on the top 3 to 4 metres of the incline of the railway cutting. There would also be a different access point to serve both the residential use and the initial period of filling over 3 months. This would be from Blackburn Brow as opposed to Merton Grove. Though there is an existing gated access at this point it is actually unauthorised, and as such the application also applies for a new access. The application is submitted with a planning statement, an ecological statement and a Landscape and Development Appraisal.</p> | |
| Planning Policy | <p>DC2 – Area of Other Open Countryside EP13 – Regeneration of former Chorley/Blackburn railway TR19 – Creation of footpaths, bridleways, cycleways in the Borough DC9 – Safeguard landscape character areas EP9 – Protection of trees/ woodlands EP10 – Landscape assessments of sites EP2 – Protection of biological heritage sites EP3 – Sites of Local Nature Importance EP4 – Protected wildlife species EP5 – Protection of wildlife corridors</p> | |

Windfall Housing SPG

Policies 5 & 12 & 21 - Adopted Joint Lancashire Structure Plan

Relevant policies of the NW Regional Spatial Strategy – ER5 &

PPS 9 – Biodiversity and Geological Conservation.

Planning History 03/00305 – as described above.

**Consultees
Responses**

LCC – Head of Strategic Planning – Proposals contrary to policies 5 & 12 of the JLSP in that no local need is being met by the housing proposal and that it would result in an oversupply of housing supply in the Borough beyond that required in the annualised average rates of provision and given those dwellings with the benefit of planning permission.

LCC Ecologist – Insufficient survey coverage of the Ecological Impact Assessment, restricting itself to only part of the overall development site. The creation of the new linear route will in itself create disturbance to habitats and must be totally surveyed. Great Crested Newts are likely to occur within the application site and in the adjacent Tan House Valley Biological Heritage Site. Inadequate survey/mitigation measures by means of a method statement. Existing trees, some of which will be removed, are likely to support bat roosts. Other comments on breeding birds, badgers. Concern also about culverting the existing watercourse and the implication of potential loss of habitats associated with the channel. Policy 21 of the JLSP requires conservation of natural heritage with adequate mitigation/compensation where necessary. Policy ER5 of the RSS requires strong protection of protected species.

LCC - Remade in Lancashire Section support the proposal for the commencement of the linear walkway, as it is a project they already have earmarked for progression subject to funding.

Head of Environmental Services – requires a condition upon survey/methodology against ground contamination.

United Utilities – No objections.

**Third Party
Representations**

15 individual letters of objection together with a petition of 184 names from 106 households also raising objection to the development. Grounds of appeal can be identified as follows:

- Proposals contrary to current Council restrictions on Windfall Housing in the Borough with no borough wide advantage to the developing of the site to the detriment of this natural landscape; no need for additional housing.
- Adverse impact upon local habitats, wildlife and the open countryside in general: the locality is already a natural haven and does not need developing.
- Substantial tipping proposed as part of the development impacting upon amenity / habitats and highway safety.
- Access/egress from an unauthorised access onto Blackburn Brow on a hill would create highway safety concerns close to the junction with Merton Grove at the brow of the hill; the road is already very busy.
- Character/appearance of locality would be changed beyond reason.

- This is Greenfield development not 'brownfield'.
- Would create a precedent for further similar development.
- No precedent for coming to an alternative decision to that made two years ago; the previous reasons of refusal ought still to stand.
- No guarantees of future maintenance of this future parkland/walkway.

Applicant's Case

The Planning Statement identifies that this is an amended scheme from that previously refused with a reduced number of dwellings and a revised access point away from the residential access road of Merton Grove. The creation of the linear walkway meets the objective of LCC in regenerating the former railway line route, policy EP13. The access has been designed to meet LCC requirements. The proposed dwellings are a natural extension of the existing adjacent estate. Any trees/vegetation to be removed will only have minimal conservation impact. Further ecological survey work has been undertaken to overcome LCC's previous concerns. The land is currently untidy and overgrown.

Proposed housing would not represent a significant visual intrusion in this location given their siting and extensive tree coverage. Indeed, there would be no significant change in the visual characteristics of the whole application site and as such there would be no visual intrusion. There would be wider benefits from the developing the linear park.

The Adopted Windfall SPG identifies situations where exceptions can be made to the appliance of the policy i.e. overriding regeneration proposals. The Local Plan has policy support for reclaiming the railway line and this demonstrates the importance of this as a regeneration proposal.

Assessment

Principle of housing

In land use terms, the proposals must be assessed against policy DC2 covering Areas of Other Open Countryside and therein new speculative built development will not normally be allowed. The substance of the proposal is that the accompanying development of the commencement of the linear park, walk and cycleway ought to facilitate the cumulative proposal by reason of it being a substantial regeneration proposal meeting criteria (f) of the Windfall SPG. Officers' views remain that this site is a limited part of the overall route of a former railway line and not an individual key site identifying major regeneration benefit for the whole Borough.

The residential element is in essence being created on newly tipped land, whose existing character cannot be realistically be adjudged currently as a brownfield site and as such there is even less weight to the applicant's case. The commencement of a linear park/walkway alone would go some way towards complying with the provisions of policy EP13 (c) but the addition of the 4 dwellings would not. The proposal accordingly would be contrary to both policy DC2 of the Adopted Borough Local Plan Review and the Adopted Interim Windfall Housing SPG.

Ecology

It is apparent from the consultation response from LCC Ecologist that both the survey assessment and mitigation are incomplete and

as such it would not be appropriate to assume that there would be no impact upon habitats and their species along the natural corridor that the route of the former railway line now represents (policy EP5). Under these circumstances, the proposals to develop both land for residential use and create the linear park/walkway would be contrary to policies EP5 as well EP4 (safeguarding protected species) and EP3 (local nature interest sites).

Visual Impact

In respect of visual impact while the application is outline form without full design details of the dwelling, sitting is applied for together with sectional detail to identify the levels at which the dwellings would be located. It is therefore considered that it is pertinent to gauge how the grouping together of 4 dwellings on this portion of the application site will impact in the local environment. Although the dwelling would sit below the level of Merton Grove to the north, the proposed dwellings are in effect perched quite high up on the side of the existing embankment to the cutting and would be clearly visible from Blackburn Brow. More critically, in juxtaposition to the natural environment of the residue of the application site they would appear incongruous. The dwellings would appear as a stand alone built development and not viewed as a part of the adjacent residential estate at Great Knowley that starts at Merton Grove.

Highway Issues

Finally in respect of access arrangements and highway safety, the senior traffic engineer of LCC advises that he could not substantiate a refusal upon the access to the site from Blackburn Brow but that the submitted details for the configuration of the access are not satisfactory while the reduced width of the proposed carriageway to 3 metres would not facilitate sufficient room for service vehicles or visitors to properties. Refusal is recommended upon the highway details.

Conclusion Upon the basis of the above it is recommended that planning permission be refused.

Recommendation: Refusal of Outline Planning Permission

Reasons

1. The proposed development would conflict with the provisions of policy DC2 of the Adopted Chorley Borough Local Plan which considers development in areas of Other Open Countryside. It is considered that the erection of four detached dwellings would be contrary to the terms of that policy in that there is a policy presumption against development other than that needed for the purposes of agriculture, forestry or other uses appropriate to a rural area. Furthermore, given the location of the site in the West Pennine Moors, the resultant built development in juxtaposition to the natural environment amidst which it is set would appear incongruous and out of character.

2. The proposed development when considered in the context of latest housing site monitoring information would contribute towards an inappropriate excess in housing supply provision. The proposal would therefore be contrary to:

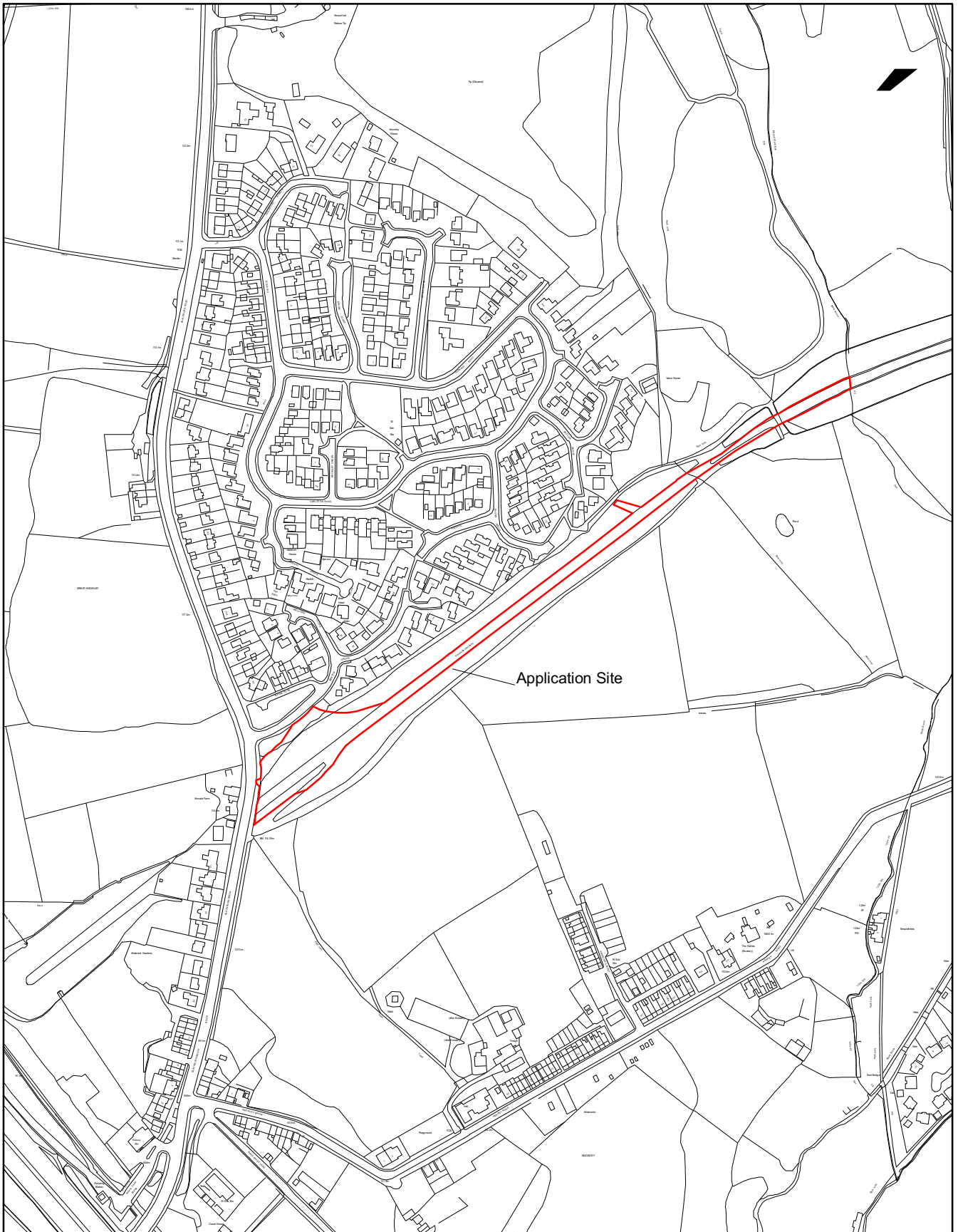
- 1) Approved Interim Supplementary Planning Guidance on Windfall Housing Developments, together with
- 2) the aims and objectives of the Joint Lancashire Structure Plan and Regional Planning guidance for the North West.

Insufficient justification has been submitted to otherwise warrant the release of land for residential development as an exception to the normal presumption against development in an area of other open countryside.

3. The proposed development is set within a designated wildlife corridor, under the provisions of Policy EP5 of the Adopted Chorley Borough Local Plan Review, along the linear route of a former railway line which has become a natural environment with many habitats and which allows for the migration and dispersal of species. Upon the basis of the submitted information, the applicants have not demonstrated that there will be no adverse affect upon wildlife and habitats along this important corridor. Protected species are safeguarded under the provisions of policy EP4 and new development will not be allowed where it has not been demonstrated that there will be no adverse impact upon those species. Furthermore, Policy EP3 requires the protection of sites of local nature importance but it has not been demonstrated by reason of adequate measures of mitigation or compensation that such protection has been brought forward. It is considered that the proposed development is contrary to both policies EP4 and EP3.

4. The proposed details of the means of access are considered unacceptable by reason of the configuration of the access point onto Blackburn Brow without the provision of footways on either side of the access road and the inadequate width of the access road. As such the resultant conditions would be detrimental to pedestrian safety and the safe use of the highway which ought not be obstructed by parked cars or service vehicles in conditions of reduced road width. The proposed access and highway arrangements would accordingly be contrary to the provisions of Policy TR4 of the Adopted Chorley Borough Local Plan Review.

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Application Number:
05/01006/OUTMAJ

Grid Ref:
E: 359526
N: 419282

Scale:
1:5000

Agenda Item No.
A. 6

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| Item B. 1 | 05/00670/REM | Approve Reserved Matters |
| Case Officer | Mrs Wendy Gudger | |
| Ward | Chorley South West | |
| Proposal | Reserved Matters Application for formation of access road to serve parcel 8 and the Gillibrand Hall housing site, area of road 361m2 | |
| Location | Land South Of Copper Works Wood West Of Gillibrand North And West Of South Clover Road Chorley Lancashire | |
| Applicant | Redrow Homes (Lancs) Ltd | |
| Proposal | The application involves the formation of an access road to serve Parcel 8 and the Gillibrand Hall housing site. It is required by condition on the approval for Gillibrand Hall that the development is served from the link road. This application will ensure that the Gillibrand Hall site can be served from the main Gillibrand estate as required. | |
| History | Outline planning permission 00/00166 and subsequent extensions of time have been granted for the development of Gillibrand Hall. There is an extant reserved matters application for the development of Gillibrand Hall for 87 dwellings | |
| Policy | The site is allocated for housing development in the Adopted Borough Local Plan Review. TR4 Highway Development Control Criteria | |
| Consultee Responses | Head of Public Space Services has no comments LCC (highways) have no objections | |
| Third Party Representations | Three letters of objection have been received from local residents. Objections refer to:- <ul style="list-style-type: none"> • The existing roads are too narrow and the estate roads were not designed to be link or access roads. • Construction traffic at times made it difficult to access their drives. • Damage has been caused by construction traffic due to impatience. • Drivers of construction traffic have been rude and abusive. • Years of construction traffic have been suffered and enough is enough. • Roads are constantly full of mud and are dangerous as vehicles were slipping on the road. • There will be an increase in road traffic accidents especially where children are likely to play. | |
| Assessment | The principle of the development has been established by not only the Development Plan allocations but also the planning permissions already granted. It has always been the intention to | |

serve Gillibrand Hall through the main Gillibrand estate and that development has been conditioned accordingly.

Access is also required to serve parcel 8 which is one of the last remaining affordable housing plots.

There is a ransom strip between the Gillibrand Hall and Gillibrand estate sites that is owned by the Council. Separate negotiations between the Council and the applicants are ongoing and the District Valuer is currently assessing the value of the strip. This does not impact upon the planning considerations and is a completely separate matter.

Residents have raised concerns about the impact of traffic on their amenities and also highway safety. Both the County and Borough Engineers have raised no objections to the proposal. The Gillibrand estate was designed in such a way as to allow access to Gillibrand Hall and the approved development. The Gillibrand Hall site was also conditioned at the outline stage that access must be taken from the link road.

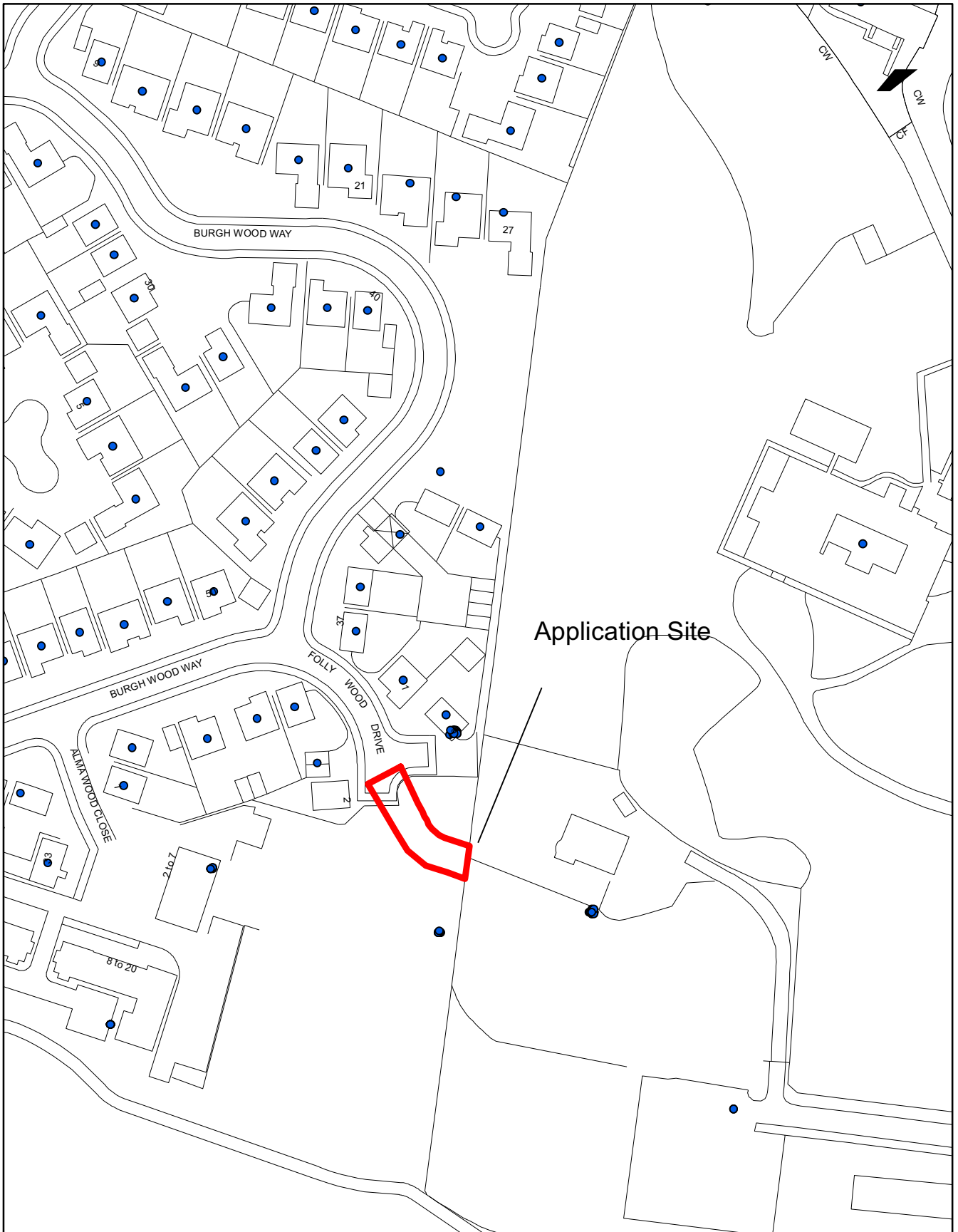
Residents have genuine concerns relating to highway safety however no objections have been raised by the highway engineers and the development is considered to comply with Policy TR4 of the Adopted Chorley Borough Local Plan.

Conclusion The development is considered to be acceptable and complies with the relevant Local Plan policies and is a requirement of a condition on the Gillibrand Hall approval.

Recommendation: Approve Reserved Matters

Conditions

1. The development must be commenced within five years of the date of this permission.
Reason: Required to be implemented pursuant to Section 92 of the Town and Country Planning Act 1990.
 2. The redundant turning head adjoining plot 137 shall be removed and the land reinstated in accordance with a scheme to be submitted and approved by the Local Planning Authority. Such a scheme as approved shall be implemented in full within 6 months of the completion of the first dwelling on the Gillibrand Hall development or as otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of residential amenity and in accordance with policy GN5 of the Adopted Chorley Borough Local Plan.
 3. Before development commences details of the surfacing of the road shall be submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be implemented in full either by completion of development on Parcel 8 or completion of the Gillibrand Hall development whichever is the sooner or unless otherwise agreed in writing with the Local Planning Authority..
Reason: In the interests of users of the highway and in accordance with policy TR4 of the Adopted Chorley Borough Local Plan
-



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Application Number:
05/00670/REM

Grid Ref:
E:357004
N:416764

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Agenda Item No.
B. 1

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| Item B. 2 | 05/00876/FUL | Refuse Full Planning Permission |
| Case Officer | Mr David Stirzaker | |
| Ward | Wheelton And Withnell | |
| Proposal | Retrospective application for the erection of link corridor between two buildings, | |
| Location | Sitchcroft Farm Brown House Lane Wheelton LancashirePR6 8HR | |
| Applicant | Mr S R Pearson | |
| Proposal | This retrospective application seeks to regularise the erection of a single storey link extension between the detached dwelling house known as Sitchcroft Farm and a recently erected domestic outbuilding (03/00896/FUL) within the residential curtilage. The property is located in the Green Belt just outside of the Wheelton settlement on Brown House Lane, which is just north of the A674 (Blackburn Road). | |
| Planning Policy | DC1 - Green Belts GN5 - Building Design DC8A - Replacement Dwellings & Extensions in Green Belt SPG - House Extension Design Guidelines (HEDG) PPG2 - Green Belts | |
| Planning History | 04/01087/FUL - Erection of stable block, consisting of 6 stables, tack room; hay store and a midden area (permitted). 04/00286/FUL – Erection of stable block (withdrawn). 03/01061/FUL – Erection of stable block (withdrawn). 03/00896/FUL - Demolition of existing workshops and construction of building to house games room, gymnasium & storage areas (permitted). 90/00647/FUL - Two-storey side extension (permitted). 81/00089FUL - Kitchen extension (permitted). | |
| Representations | No letters of objection have been received in relation to the application from local residents. | |
| Consultations | Wheelton Parish Council requested copies of the plans but to date no comments have been received in relation to the application. Any comments received from the Parish Council accordingly will be added to the addendum. | |
| Assessment | The main issue for consideration in relation to this application is the impact of the link extension upon the open and rural character of the Green Belt within which the property is located. PPG2 is pertinent to this application and states “ <i>Provided that it does not result in disproportionate additions over and above the size of the original building, the extension or alteration of dwellings is not inappropriate in Green Belts</i> ”. Policy No. DC8A in reflecting the guidance in PPG2 stipulates that extensions should not result in a significant increase in the volume | |

of the original dwelling. The Council's HEDG are more specific in that the guidance contained in PPG2 on additions to properties in the Green Belt has been interpreted as being a permissible maximum of between 50% - 70% of its original volume.

The applicant's property has already been extended by approximately 88% of its original volume. This is a result of additions to the property in the form of a single storey rear extension (81/00089/FUL) and a two-storey side extension (90/00647/FUL). In accordance with PPG2, by definition, the principle of further extensions to the property is considered to be inappropriate development.

Notwithstanding this, the link extension has joined the said outbuilding (03/00896/FUL) to the main house. By virtue of this the outbuilding now constitutes an extension to the house, which takes the volume by which the dwelling has been extended well over the 70% maximum specified in the HEDG, which reflects the guidance in PPG2 and Policy No. DC8A.

The link is visible from the adjacent footpath no. 23 to the west whereby the open view between the house and outbuilding that previously existed is no longer attainable. The link extension also has the effect of merging the house and the outbuilding resulting in the creation of a large mass of built development in the Green Belt to the detriment of its openness.

Conclusion

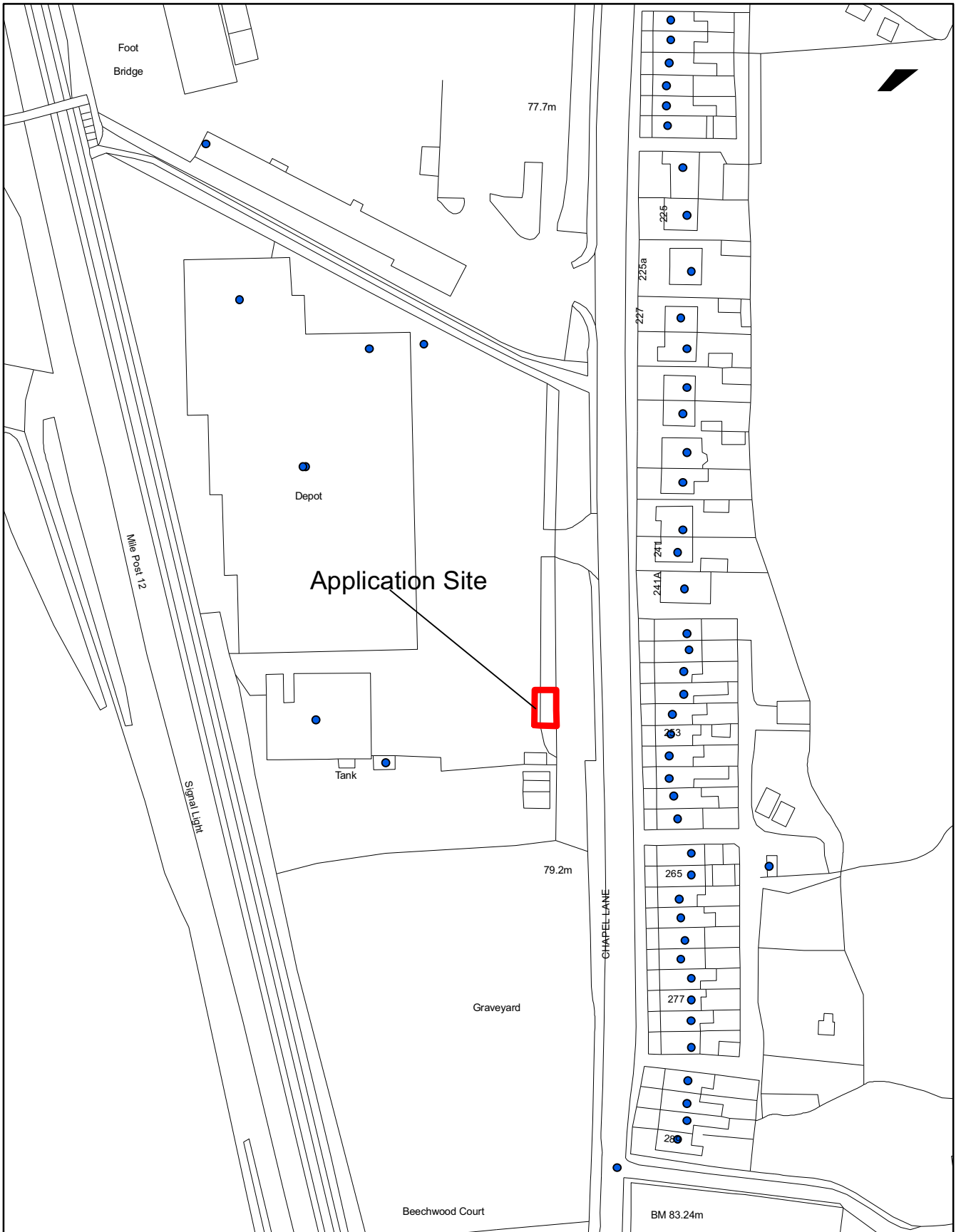
On the basis of the above, it is considered that the link extension, by virtue of its effect of joining the outbuilding to the main house results in detrimental harm to the open and rural character of the Green Belt contrary to the House Extension Design Guidelines, Policy No. DC8A of the Adopted Chorley Borough Local Plan Review and PPG2. Accordingly, it is recommended that planning permission be refused.

As this application has been submitted in retrospect, Committee will find a further report at the end of this agenda, seeking authorisation for enforcement action to be taken requiring the removal of the link extension.

Recommendation: Refuse Full Planning Permission

Reasons

1. The link extension is located on a residential property located within the Green Belt as defined by the Joint Lancashire Structure Plan 2001 - 2016 and the Adopted Chorley Borough Local Plan Review. The link extension has resulted in the recently erected domestic outbuilding becoming an extension to the property, which has already been substantially extended. The resultant dwelling has a detrimental impact upon the open and rural character of the Green Belt. Accordingly, the link extension is contrary to Policy DC8A of the Chorley Borough Local Plan Review, the Council's approved House Extension Design Guidelines and PPG2, which all seek to resist major extensions to existing dwellings located in the Green Belt which significantly increase their impact on the open and rural character and appearance of the Green Belt.



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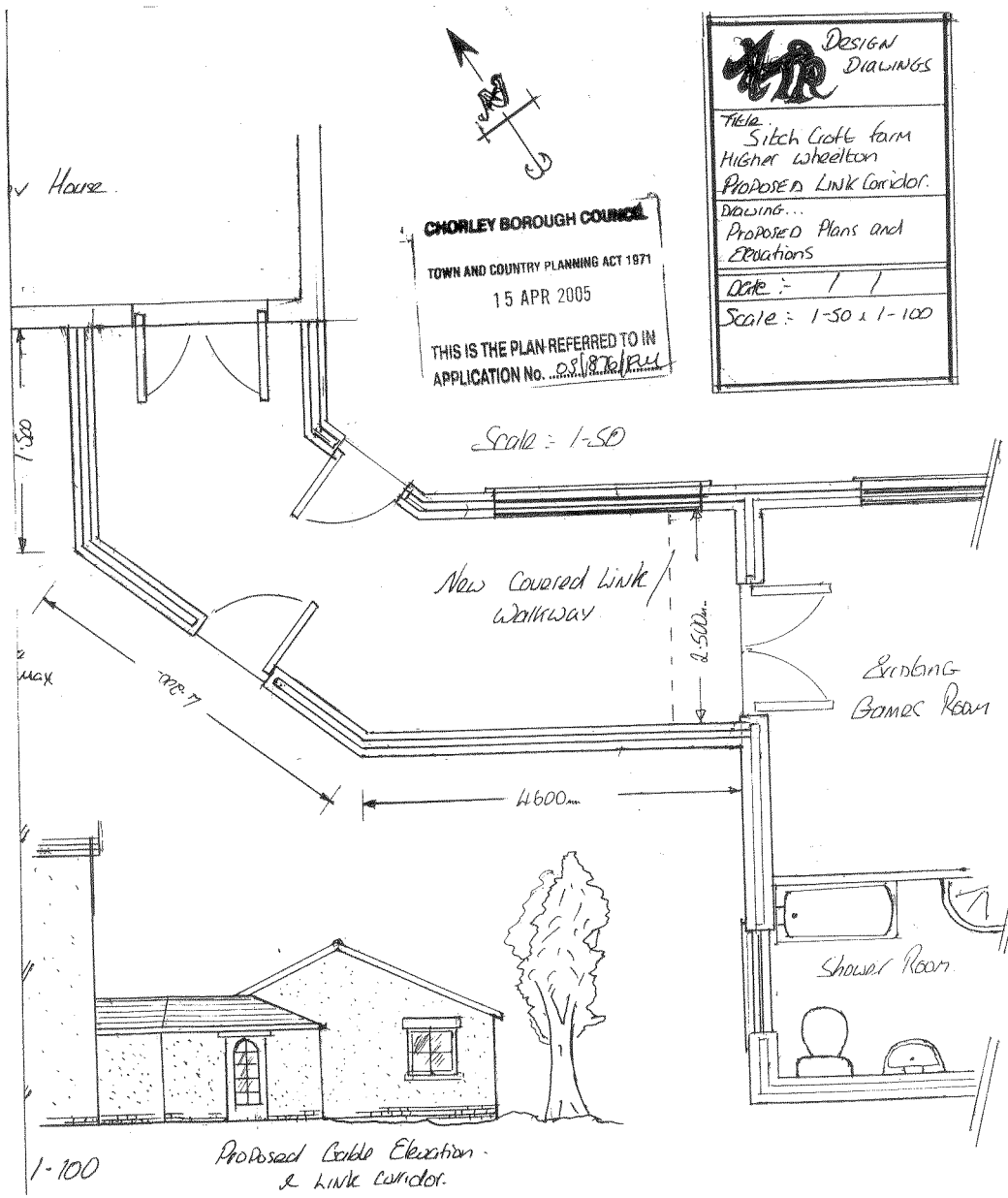
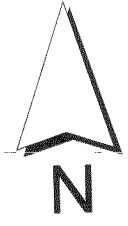
Application Number:
05/01042/FUL

Grid Ref:
E:356676
N:413688

Scale:
1:1,250

Agenda Item No.
B. 5

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| Jane E Meek BSc(Hons) DipTP MRTPI Head of Development and Regeneration Chorley Borough Council | | 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 Number: 05/00876/FUL | Grid Ref: E: 360838 N: 422410 | Scale: 1:1 | Agenda Item No. B. 2 |

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| Item B. 3 | 05/00921/FUL | Refuse Full Planning Permission |
| Case Officer | Mr David Stirzaker | |
| Ward | Clayton-le-Woods West And Cuerden | |
| Proposal | Erection of stables and siting of mobile home, | |
| Location | Clayton Hall Stables Spring Meadow Clayton-Le-Woods LancashirePR25 5SP | |
| Applicant | Mr J Manning | |
| Proposal | <p>This application proposes the erection of foaling stables and provision of a mobile to be utilised as a dwelling. The applicant has submitted a business plan and states that the mobile home is required to enable a person to be on site round the clock in connection with the foaling stables.</p> <p>Clayton Hall Stables have a long established use and are located just outside of the Clayton Le Woods settlement area in the Green Belt to the southeast of the Spring Meadow estate. They also lie within the Cuerden Valley Park and are just east of Clayton Hall, which is a Scheduled Ancient Monument (SAM) and comprises of a demolished 17th century hall with moats and adjacent fishponds.</p> <p>The applicant is currently residing on the site in a smaller mobile home, which does not have the benefit of planning permission. Several small timber outbuildings have also been erected and a large area of hardstanding has been created. A separate report appears elsewhere on this agenda seeking Committee's authorisation to issue an enforcement notice to secure the removal of the caravan, outbuildings and remedial works to remove the hardstanding.</p> | |
| Planning Policy | GN5 - Building Design & Retaining Landscape Features DC1 - Development in the Green Belt. HT11 - Archaeological Sites of National Importance. HS14 - Agricultural Workers Dwellings & Agricultural Occupancy. LT8.3 - Valley Parks. SPG - Development Involving Horses. PPG2 - Green Belts. PPS7 - Sustainable Development in Rural Areas (Annex A) | |
| Planning History | 05/00792/FUL – Retrospective planning application for the formation of a manege measuring 40m by 20m (permitted) | |
| Representations | <p>One letter of objection has been received along with a letter from Lindsay Hoyle MP asking that the comments made in the objection letter be taken into account when the application is determined. The objections received can be summarised as follows: -</p> <ul style="list-style-type: none"> • The mobile home is completely out of character with the environment, is unnecessary for the purpose stated and blocks the open aspect of the landscape. | |

- Similarly the proposed extra stables will block the open aspect of the landscape and will be detrimental to the Scheduled Ancient Monument of Clayton Hall.
- The proposed expansion in the capacity of the stables will place undue pressure on the infrastructure, particularly the farm track and water supply that are not designed to cope with the extra volume.
- The car park which has already been created without planning permission, seriously changes the rural nature of the area and will attract greater pressure on this small area of tranquillity.
- There are increased risks to walkers, children and dogs as a consequence of the increased traffic.
- The proposals are at significant variance from the Council's policy document on Development Involving Horses, falling well short of the requirements to protect the environment.
- It is detrimental to the sustenance of wild life in the vicinity.

Consultations

Clayton Le Woods Parish Council have objected to the application as the mobile home is proposed adjacent to a heritage site, which is currently being restored although it is stated that no objections would be raised if the mobile home is only on site for a temporary period.

The Council's Urban Designer/Conservation Officer has objected to the application citing the proximity of the development to the SAM (Clayton Hall), which is located to the west of the application site.

The County Land Agent has commented that the scale of the enterprise proposed does not justify the provision of onsite accommodation.

LCC (Highways), The Head of Environmental Services and The Head of Public Space Services (Engineering Services Group) raise no objections to the application.

Assessment

For the purposes of this application, it is appropriate to apply annex A of PPS7 in that the same criteria for agricultural and horticultural workers dwellings are applicable.

In terms of the requirement for the mobile home, the County Land Agent has undertaken an assessment of the proposal and concluded that the enterprise being proposed is not such that there is a functional need for the provision of a permanent dwelling on site. It is noted that the site is in close proximity to existing residential accommodation hence it is not considered that the site is too remote to be managed from elsewhere. The proposal does not therefore accord with Policy HS14 of the Local Plan and the criteria set out in annex A of PPS7.

As detailed, the application site is adjacent to a SAM (Clayton Hall). The Council's Conservation Officer/Urban Designer has objected to the application in terms of the relationship of the mobile home with the SAM in that it would detract from its setting thus contravening Policy HT14. Notwithstanding this, it is considered that the mobile home in the position proposed being detached from the existing stables building would impact upon the openness of the Green Belt contrary to Policy DC1. The proposal would also be contrary to PPG15 on that no appropriate archaeological assessment of the implications of the development

have been undertake.

With regards to the stables, PPG2 and Policy DC1 do in principle allow this type of development. However, the stables are further detached from the main existing stables building and do not benefit from existing or proposed screening. The stables are substantial in size and would be prominent and widely visible from the public realm hence it is considered they would detrimentally harm the open and rural character of the Green Belt. It is also considered that they would impact upon the setting of the SAM. In this respect the proposal is contrary to Policy Nos. HT11 and DC1 and the SPG on Development Involving Horses. Notwithstanding the above, the proposed development by virtue of its prominent position would undoubtedly detract from the amenity value of Cuerden Valley Park and would therefore be contrary to Policy LT8.3.

Conclusion On the basis of the above, it is recommended that planning permission be refused. Members will also find a report at the end of this agenda relating to the unauthorised caravan, outbuildings and hardstanding areas.

Recommendation: Refuse Full Planning Permission

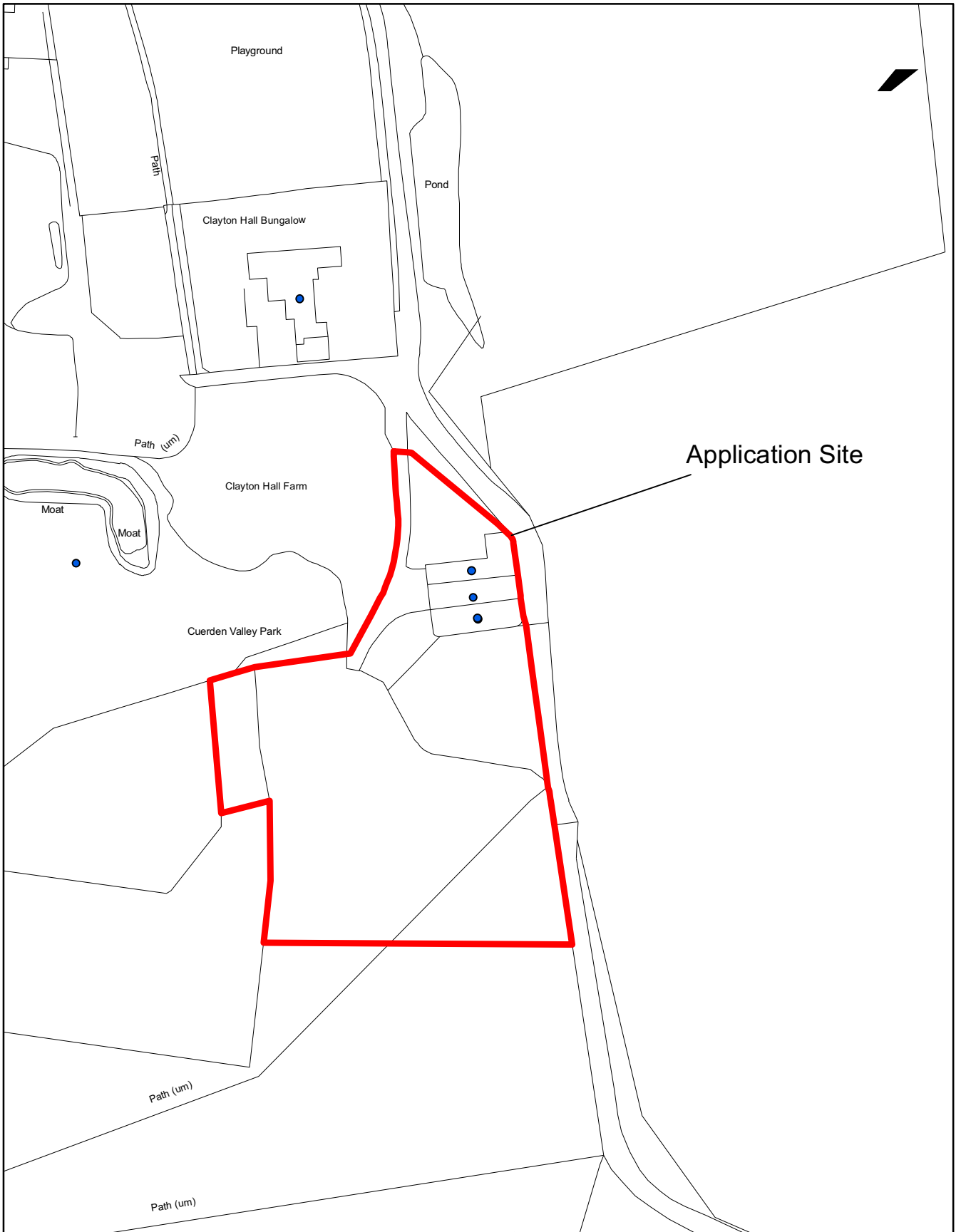
Reasons

1. The proposed development is located within an area of open Green Belt as defined on the Proposals Map for the Adopted Chorley Borough Local Plan Review. No special circumstances have been demonstrated in this application, in that it has not been proven that it is essential for a person(s) to reside on the land at Clayton Hall Stables for the purposes of running and maintaining the proposed horse breeding enterprise. The proposal is accordingly contrary to both Policies DC1 and HS14 of the Adopted Chorley Borough Local Plan Review, and Policy 6 of the Joint Lancashire Structure Plan 2001 - 2016.

2. The proposed stables and mobile home, by virtue of their scale and siting would be detrimental to the character and appearance of the Green Belt and would be prejudicial to the purposes of the Green Belt. The proposed development is therefore contrary to Policy Nos. DC1, GN5 and EP9 of the Adopted Chorley Borough Local Plan Review and the Council's adopted Supplementary Planning Guidance on Development Involving Horses.

3. The proposed stables and mobile home are sited in such a position that they would result in detrimental harm to the setting of the adjacent Scheduled Ancient Monument (Clayton Hall). The proposed development is therefore contrary to Policy No. HT11 of the Adopted Chorley Borough Local Plan Review.

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Application Number:
05/00921/FUL

Grid Ref:
E:356583
N:422042

Scale:
1:1,250

Agenda Item No.
B. 3

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| Item B. 4 | 05/01003/OUT | Permit Full Planning Permission |
| Case Officer | Mr Simon Pemberton | |
| Ward | Lostock | |
| Proposal | Re-location/replacement of existing dwelling, | |
| Location | Wyevale Garden Centre 338 Southport Road Ulnes Walton LancashirePR26 8LQ | |
| Applicant | Wyevale Garden Centre | |
| Proposal | <p>This application is submitted in outline with only means of access included for consideration. It proposes the demolition of the existing dwelling at Wyevale Garden Centre (338 Southport Road) known as Ferndale and the construction of a replacement dwelling on the adjoining land. The adjoining land is currently used for purposes associated with the garden centre itself.</p> <p>The dwelling was historically owned by the garden centre (prior to Wyevale's ownership when it was known as Auldene Garden Centre) and continues to be so. It was recently occupied by a manager of one of the Wyevale Garden Centres. It is unknown whether it is still occupied on this basis. The application is part of a separate submission to reorganise the activity at the garden centre, however, both in policy and functional terms this application is freestanding from that application and can be considered separately. Another application for the reorganisation of the garden centre has been submitted, reference 05/01002/OUTMAJ, and can be found elsewhere on this agenda.</p> <p>The existing dwelling is surrounded on three sides by the garden centre with the main road on the other frontage. The application site and the adjoining land is all relatively flat. The site of the proposed replacement dwelling is currently used mainly for the parking of staff and commercial vehicles and outside storage of goods. There is currently a substantial screen of small trees and bushes on the frontage with the main road (the B5249).</p> | |
| Policy | <p>The development Plan for the area comprises the Regional Spatial Strategy for the North West 2003 (RPG13), the Joint Lancashire Structure Plan 2005 and the Chorley Borough Local Plan Review 2003. The Local Plan contains policies of most relevance to the current application. In particular policies DC1 and DC8A relating to Green Belt and the replacement or extension of existing dwellings are relevant together with general policies GN5, HS4, HS6, and TR4.</p> | |
| Planning History | <p>There is no planning history associated with the dwelling that is of relevance to the current application.</p> | |
| Consultations | <p>The County Councils Highways Officer has raised no objections to the application subject to conditions being imposed requiring the cessation of the use of the existing access, the provision of appropriate visibility splays, the provision of turning facilities, and the hard surfacing of the first 5m. These conditions could be</p> | |

imposed on any grant of outline planning permission.

Representations No letters of objection have been received.

Assessment The site lies within the Green Belt but the principle of a replacement dwelling is permissible by policies DC1 and DC8A of the Chorley Borough Local Plan Review 2003. As the proposal is submitted in outline there is as yet no details as to the size, design or siting of the proposed dwelling. However, the principle is acceptable. The details will need to be considered on any reserved matters application.

The existing property has a frontage measuring 28 metres and a curtilage extending to 1624m². The volume of the existing building is 312.34m³. The applicants have indicated in the supporting statement that the proposed replacement dwelling will not exceed 530m³. This would represent the maximum 70% increase in volume, but could accord with the advice in the House Extension Design Guide. As all matters have been reserved the size of the dwelling will be considered on any reserved matters application, although it should be noted that the maximum is currently a range between 50-70% and it may not necessarily be appropriate to allow an extension up to the maximum of 70%.

Conclusion The application accords with the policies in the Development Plan and is therefore recommended for approval subject to the following conditions.

Recommendation: Permit Full Planning Permission

Conditions

1. (a) Before any development is commenced details of 'Reserved Matters', (that is any matters in respect of which details have not been given in the application and which concern the siting, design or external appearance of the building(s) to which this permission and the application relates, or to the means of access to the building(s) or the landscaping of the site) shall be submitted to and approved in writing by the Local Planning Authority.

(b) An application for approval of all 'Reserved Matters' must be made not later than the expiration of three years beginning with the date of this permission.

(c) The development to which this permission relates must be begun not later than two years from the final approval of the Reserved Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: (a) This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995: (1) of the (b) & (c) These conditions are required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2. Prior to the commencement of development plans and particulars showing the provision for the parking or garaging of cars and associated manoeuvring areas in order to allow vehicles to enter and leave the site in a forward gear in accordance with the Local Planning Authority's current standards, shall be submitted to, and approved in writing by, the Local Planning Authority. Such details as agreed shall be laid out and made ready in all respects for use prior to the first occupation of the building to which it is related and thereafter retained unless express planning permission is first obtained.

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

3. Plans and particulars showing a scheme of foul sewers and surface water drains, shall be submitted to, and approved in writing by, the Local Planning Authority, and development shall not be commenced before these details have been approved, unless otherwise agreed in writing. Such works shall be carried out in accordance with the approved details concurrently with the rest of the development and in any event shall be finished before the building is occupied.

Reason: In order that the Council may be satisfied with the details of the proposal and to avoid flooding.

4. Prior to the commencement of development Plans and particulars showing the alignment height and materials of all walls and fences and other means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. Such details as may be agreed shall be implemented in their entirety prior to the first occupation of the building to which these elements relate, maintained for a period of five years and any structural or decorative defect appearing during this period shall be rectified and the enclosure shall thereafter be retained. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order, or any subsequent re-enactment, no additional, gate, fence wall or other means of enclosure shall be constructed without express planning permission first being obtained.

Reason: In order that the Council may be satisfied with the enclosure details of the proposal and its implementation and retention and that no subsequent additional fencing is erected which would otherwise harm the character of the area or the openness and visual amenity of the Green Belt.

5. Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, or any subsequent re-enactment thereof, no extension to the dwelling, outbuilding, or other works permitted by Class A, B, C, D, E, F, G and H shall be constructed or erected without express planning permission first being obtained.

Reason: In the interests of controlling matters which may be detrimental to the original visual concept and the balance of private space provision.

6. Prior to the commencement of development, details and samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure that the external appearance of the building(s) is satisfactory.

7. The development hereby approved shall not commence unless and until the existing dwelling known as Ferndale and its curtilage shall have been cleared of all structures, hardstanding and other development and the use reverted back to its previously authorised state. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 no development shall take place on this land whatsoever unless express planning permission is first obtained.

Reason: In order to ensure that the development complies with policies on development of land within the Green Belt and the supply of new housing within the Borough.

8. Upon demolition of the existing property and the completion of the other works required by condition 7 above, and prior to the commencement of any construction works associated with the proposed replacement dwelling, the existing access to Ferndale shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular access shall be reinstated in accordance with the Lancashire County Council Specification for the Construction of Estate Roads.

Reason: In order to ensure that no additional accesses are constructed onto this busy main road in accordance with policy TR4 of the Chorley Borough Local Plan Review 2003.

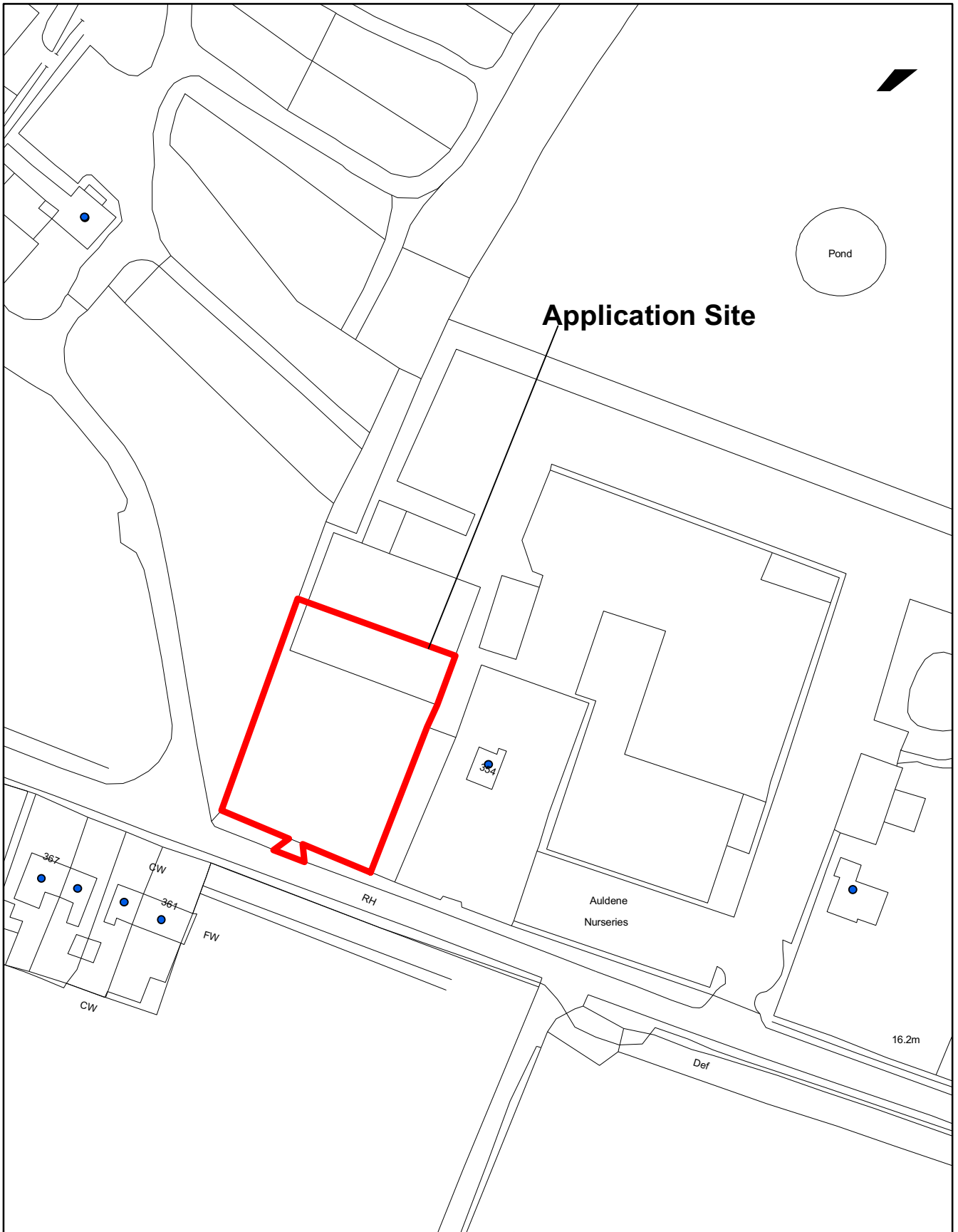
9. Before the access hereby approved is brought into use for vehicular purposes, the part of the access extending from the highway boundary to a minimum distance of 5 metres into the site shall be hardsurfaced with tarmacadam, concrete, block pavements or

other approved materials. Any gates, gateposts, fence or other means of enclosure erected on the site shall be set back from the highway edge by 5 metres unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent loose material being carried onto the public highway causing a danger to other road users in accordance with policy TR4 of the Chorley Borough Local Plan Review 2003.

10. Before the access hereby approved is brought into use for vehicular purposes, a visibility splay equivalent to a 45 degree angle taken from point 5 metres into the site measured from the centre point of the access in each direction has been provided. Such a splay shall be kept clear of all obstruction over 300mm above the level of the verge at all times.

Reason: In order to ensure appropriate visibility is provided for vehicles using the accesses hereby permitted and in accordance with policy TR4 of the Chorley Borough Local Plan Review 2003.



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Application Number:
05/01003/OUT

Grid Ref:
E:350640
N:418832

Scale:
1:1,250

Agenda Item No.
B. 4

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| Item B. 5 | 05/01042/FUL | Permit Full Planning Permission |
| Case Officer | Miss Nicola Bisset | |
| Ward | Coppull | |
| Proposal | Extension of existing 15m AGL Vodafone Ltd mobile phone mast to 18m to accomodate 6no antennas for use by O2 Ltd and the relocation of 6no antennas for use by Vodafone Ltd as well as 4no additional equipment cabinets for use by O2 Ltd and associated ancillary development within the existing compound | |
| Location | DP Cold Planing Chapel Lane Coppull LancashirePR7 4NB | |
| Applicant | Vodafone Ltd, | |

Additional Information

The application was deferred from Development Control Committee on 29th November. The Committee Members requested that consideration was given to moving the mast further to the south of the existing mast closer to the existing industrial building.

This request was put to the agent for the application. After considering the request it has been determined that it will not be possible to move the mast for the following reasons:

- Moving the mast would require the purchase of further land at the site. The site is currently busy with vehicular traffic and parking and the site owner would not like to lose further space in the yard.
- If the mast were moved closer to the industrial building it would be located close to an electricity sub station. There is a lot of high voltage cabling in the area which could not be built over. There would also be the requirement to maintain space around the building for maintenance/emergencies.
- Scope to move the mast in the site is limited and the mast could only be moved approximately 4-4.5 metres to the south.

Therefore the recommendation remains as original for approval as per the Committee Report attached below.

COMMITTEE REPORT**Proposal**

The application is for the extension of the existing 15m Vodafone Mobile phone mast to 18m to accommodate 6 antennas for the use of O2 and the relocation of 6 antennas for use by Vodafone as well as 4 additional equipment cabinets for use by O2 and associated ancillary development within the existing compound.

The application site is located within the boundary of DP Cold Planning Ltd. The site is primarily an industrial site with a large two storey industrial building to the west of the application site. To the immediate east of the application site are a group of trees covered by Tree Preservation Order 9 (Coppull) 1996. These trees act as a partial screen to the site. Also to the east of the site are the semi-detached residential properties located on Chapel

Lane. These properties are located approximately 22 metres away from the application site.

The proposal includes the extension of the existing mast from 15 metres to 18 metres AGL. The height to the top of the relocated Vodafone antennas creates a mast which is 19.5 metres high. The proposed associated equipment includes three O2 equipment cabinets, measuring 0.77 metres by 0.75 metres by 1.94 metres, an electrical meter cabinet, measuring 1 metre by 0.45 metres by 1 metre, and an equipment cabinet, measuring 1.35 metres by 0.7 metres by 1.5 metres.

Planning Policy

The site lies within the urban area of Coppull Village which is identified in policy GN1 of the Adopted Chorley Local Plan Review 2003.

Policy PS12 of the Adopted Chorley Local Plan Review 2003 states that the Borough Council will permit utility services development, where there are no overriding environmental objections to either the siting or appearance of the installation and when all the following criteria are satisfied:

- (a) The development is part of a planned extension
- (b) No operationally suitable alternative sites with less environmental impact are available;
- (c) There is no reasonable possibility of sharing existing facilities
- (d) There is no reasonable possibility of erecting antennae on an existing building or other structure
- (e) The visual impact of the development on the townscape or landscape, including road access works, has been minimised subject to technical limitations.

Planning History

9/95/00245/FUL- Erection of a freestanding 15 metre high telecom mast with 2 omni-directional antennae and 1 dish antenna and the siting of equipment cabinet. Determined that prior approval was not required. This mast was located to the north of the site at the Caravan sales site

9/00/00772/MAS- Siting of telecommunications equipment consisting of 15m tower with panel antennas and 1 equipment cabinet in a fenced compound. Refused for the following reasons:

'1. The development is contrary to Policy P14 of the adopted Chorley Borough Local Plan and Policy PS12 of the Chorley Borough Local Plan Review. In particular, the visual impact of the development has not been minimised in terms of siting and design. The development would have an unacceptable adverse impact on the street scene and the amenity of local residents'

'2. The development would result in the removal of branches of trees which are protected by a Tree Preservation Order and which make a valuable contribution to the visual amenities of the area. The loss of branches would detract from the visual amenities of the trees and reduce the effectiveness of the trees as a visual screen from nearby housing to the existing industrial site and to the proposed development.'

The applicant appealed this decision and the appeal was allowed. The mast has been erected and is the subject of this application.

9/05/00498/TEL- Erection of a 15m slimline monopole tower with two 2G and 3G equipment cabinets. Refused under delegated powers for the following reason:

'The proposed development is contrary to Policy PS12 of the Adopted Chorley Local Plan Review 2003 which seeks to allow such development only where there are no overriding environmental objections. In particular the proposal fails to meet criteria (c) and (e) of Policy PS12 in that mast sharing has not been fully considered and the visual impact of the development has not been minimised.'

The applicants appealed the decision to refuse this application however the appeal has now been withdrawn.

Applicant's Case

The applicant makes the following points:

- The site is part of the strategically planned roll-out of the O2 network in this area and forms part of their public service mobile telecommunications network in the wider area
- No other operationally suitable sites are available which would represent a lower environmental impact than that of the proposed site.
- The proposal does in fact involve a site-share between Vodafone and O2 so is considered the most preferred option in view of national and local planning policy
- A number of existing structures including buildings were investigated on which to locate O2's equipment but these were viewed as being more obtrusive and less likely to gain planning than the site-share proposal which is subject of this application.
- The visual impact of the proposal has been minimised by ensuring that the extension of the existing mast is kept to the minimum level while ensuring that the technical requirements to address the deficit in O2 coverage are achieved.

Representations

Coppull Parish Council objects to the application on the grounds of visual impact for residents of the village and on health and safety grounds.

3 letters of objection have been received from neighbouring residents raising the following concerns:

- Health implications
- The mast would be clearly visible from the properties on Chapel Lane particularly when there is no leaf cover and would dominate the front view.
- Could the mast not be placed on the opposite side of the site near the railway line or near the graveyard?

A petition has also been received from neighbours objecting to the proposal. The petition contains 102 signatures.

Consultations

None received

Assessment

In May 2005 an application was submitted (9/05/00498/TEL) to determine whether prior approval was required for the erection of a 15m slimline monopole tower with two 2G and 3G equipment

cabinets. The site of this proposal was located within the boundary of DP Cold Planning Ltd to the north of the existing Vodafone mast. This application was refused as it was considered that the applicant had not fully considered mast sharing or the design of the proposal and therefore the proposal was contrary to Policy PS12 of the Adopted Chorley Local Plan Review.

The applicants subsequently appealed this decision. The agents, LCC UK, working on behalf of O2 Ltd sent various correspondence to the Council in respect of mast sharing at the site. In August 2005 LCC UK wrote to the Council stating that O2 could accommodate their equipment on the existing Vodafone mast without the need of an extension to the mast. However in September 2005 LCC UK wrote to the Council again to confirm that in order for O2 to meet their required coverage an extension of the existing mast was required. A letter from the Council dated 16th September 2005 confirmed that mast sharing is the preferred option rather than the erection of a new mast. The appeal was subsequently withdrawn and this application submitted.

The main issues to consider are the impact of the proposal on the visual amenities of the area. There are existing trees located to the immediate east of the site. These trees range in height between 12- 14 metres and act as a screen to the existing mast. This screening is obviously reduced in the winter months as the trees are deciduous. The increase in height will result in a mast which is more visible within the area. However the mast is partially screened and the increase in the height of this mast is preferred to the erection of a new mast in the vicinity. The erection of a new mast in the area would clearly have a greater detrimental impact on the visual amenities of the area than the extension of the existing mast.

The design of the mast is a lattice tower design which allows views through the mast. This design minimises the impact of the mast on the visual amenities of the area as it is considered to be less visually intrusive than a solid mast.

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

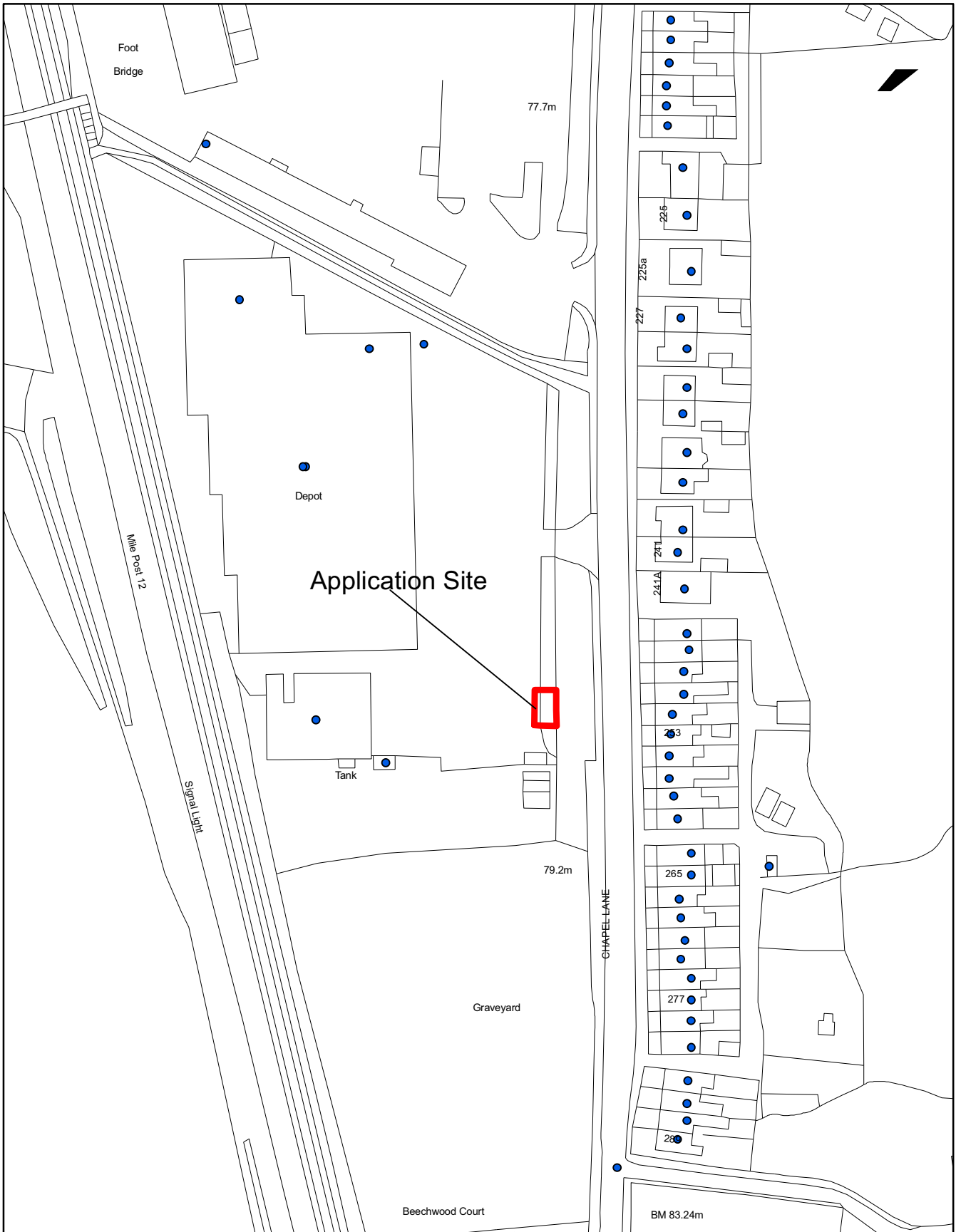
The mast has been designed to provide a mast which minimises the impact of the mast on the visually amenities of the area and the mast will be partly screened by the existing trees along the edge of the site. It is considered that the impact of the extended mast will be minimal and is more preferable than the erection of a new mast. The proposal is therefore considered to be acceptable.

Recommendation: Permit Full Planning 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.



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Application Number:
05/01042/FUL

Grid Ref:
E:356676
N:413688

Scale:
1:1,250

Agenda Item No.
B. 5

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| | | |
|-------------------------|---|--|
| Item B. 6 | 05/01058/FUL | Refuse Full Planning Permission |
| Case Officer | Miss Nicola Bisset | |
| Ward | Coppull | |
| Proposal | Rear single storey extension. (Re-submission of app no 05/00600). | |
| Location | The Thyme And Plaice 37 Wigan Lane Coppull LancashirePR7 4BN | |
| Applicant | Mr G Sever | |
| Proposal | <p>The application is for the erection of a single storey rear extension to incorporate an extension to the kitchen. The proposal measures 3.815 metres long by 5.67 metres wide by 5 metres high to the pitch of the roof. The proposal also incorporates installing a set of steps leading to the existing kitchen. The proposal will be attached to the rear of the existing kitchen. The existing kitchen and toilets were permitted in 1996, application number 9/96/00222/FUL. Although the internal layout of the approved plans show the kitchen in a different location to where it actually is.</p> <p>The property is an end terraced property attached to residential properties and was originally a public house. The property has a higher roof height than the attached residential property, number 35, and is set at an elevated position. Therefore the previous rear extension and the proposed rear extension are also set at a higher level than the attached properties. To the rear of the property is a car park, where the level of parking will be maintained.</p> | |
| Planning Policy | DC1- Development in the Green Belt Planning Policy Guidance Note 2: Green Belts | |
| Planning History | <p>9/96/00222/FUL- Two storey and single storey rear extensions. Permitted May 1996</p> <p>9/05/00600/FUL- Single storey rear extension to form enlarged kitchen, store and staff WC. Refused under delegated powers .</p> | |
| Applicant's Case | <p>The applicant has submitted two letters in support of the application. One letter from Environmental Services which states that additional kitchen working space would be desirable. The second letter is from the applicant raising the following points as an explanation for the need of the proposal:</p> <ol style="list-style-type: none"> 1) There is increasing demand which at present we are unable to fulfil due to the size of the kitchen which is operating to capacity 2) The restaurant is gaining a local and regional reputation which we want to take advantage of by keeping the business in the area 3) At present the size of the kitchen could have problems meeting any future health and safety regulation compromising the future of the business. A letter from the environmental services supporting this is attached | |

- 4) A successful application and work carried out will enable the business to increase the workforce bringing employment and training to an expanding leisure industry.

Representations

Councillor Ball has requested that the application be determined at Planning Committee

2 letters of objection have been received from neighbours raising the following objections:

- Loss of light during the early part of the day
- Loss of privacy
- Noise and disturbance from the kitchen and the car park to the rear
- The noise includes both verbal and car noise
- Create an eyesore

Consultations

Environmental Services have no objection to the proposal

Assessment

The main issues to consider in respect of this proposal is the impact on the Green Belt and the impact on the neighbours. The first application was refused for both of these reasons. This application has been amended in an attempt to create an acceptable proposal, as set out below.

The property is located within the Green Belt. Clear guidance relating to appropriate development is listed within Policy DC1 of the Adopted Chorley Local Plan Review and within PPG2: Green Belts. Only in very special circumstances will other development be allowed in Green Belt locations. The proposal is not considered to be appropriate development within the Green Belt and the applicant has submitted two letters in support of the development. Both letters confirm that the proposal is desirable although not essential and it is considered that the reasons submitted do not constitute very special circumstances. The proposal is therefore contrary to Policy DC1 and PPG2.

The property is attached to a row of residential properties and the impact on the occupiers of these properties is a consideration. This amended proposal has attempted to reduce the impact of the proposal on the neighbours at number 35 Wigan Lane by moving the extension a further 1.75 metres away from the boundary. The proposal is now located 3.3 metres away from the boundary with number 35. This amendment has reduced the impact on the neighbours however it is considered that the proposal will still detrimentally impact on the amenities of the neighbours in terms of creating an overbearing impact. It is considered that if the proposal was relocated a further metre away from the boundary then this would adequately reduce the impact of the proposal on the neighbours.

The current proposal is considered to be unacceptable. Sufficient very special circumstances have not been submitted with the application to overcome the harm that would be caused to the Green Belt by reason of its inappropriateness and it is considered that the proposal will detrimentally impact on the amenities of the neighbours. The proposal is contrary to Policy DC1 and PPG2: Green Belts.

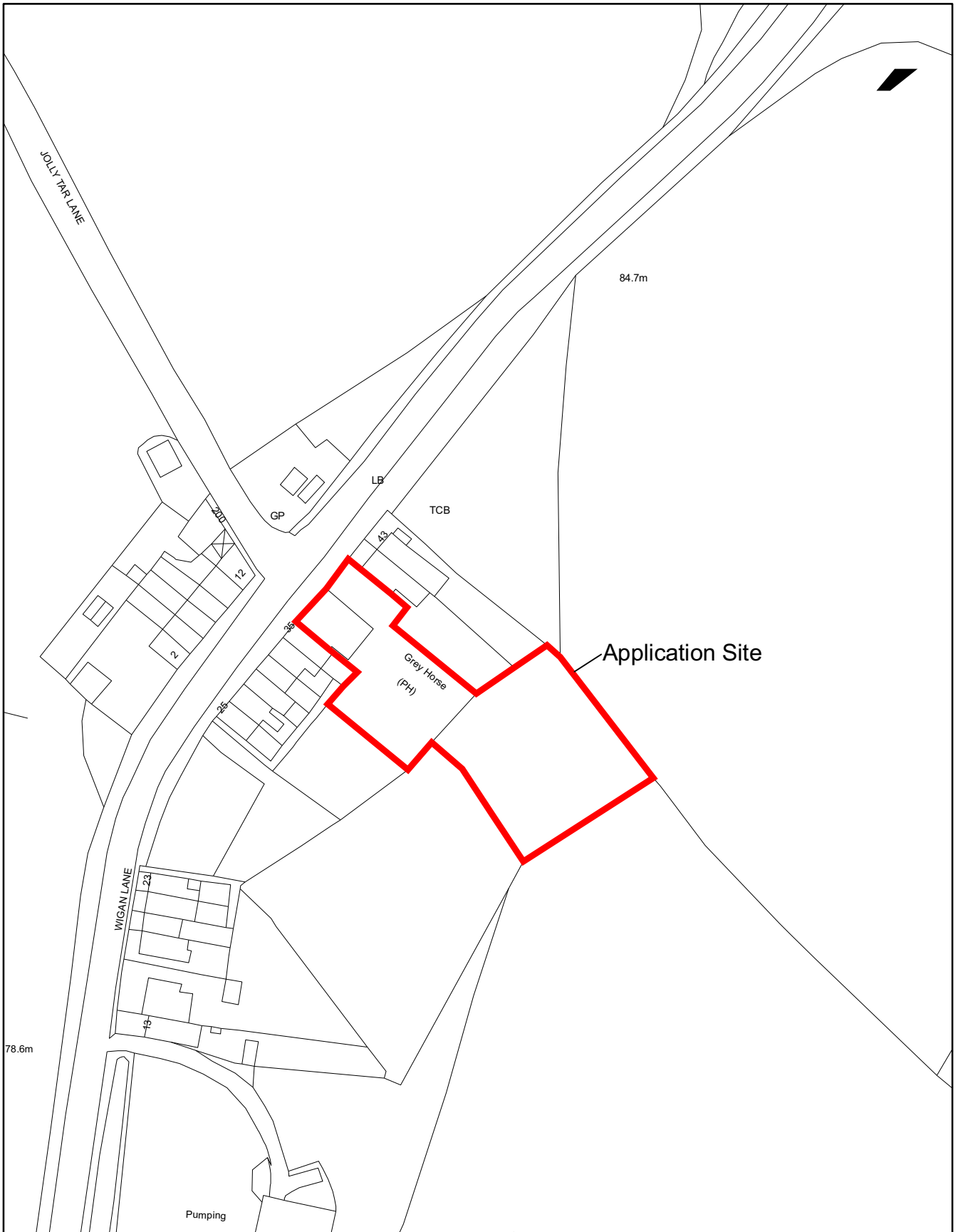
Recommendation: Refuse Full Planning Permission

Reasons

1. The proposed development would be located within the Green Belt as defined by the Adopted Lancashire Structure Plan and the Adopted Chorley Borough Local Plan Review. The proposed development is contrary to Policy DC1 of the Adopted Chorley Borough Local Plan Review which seeks to resist extensions to existing buildings which significantly increase their impact on the character and appearance of the Green Belt. The proposed development is not one which is within the cited criteria to Policy DC1 as being appropriate to the Green Belt, whilst no very special circumstances have been proven that would warrant consideration of the proposal as an exception to the application of the provisions of the policy.

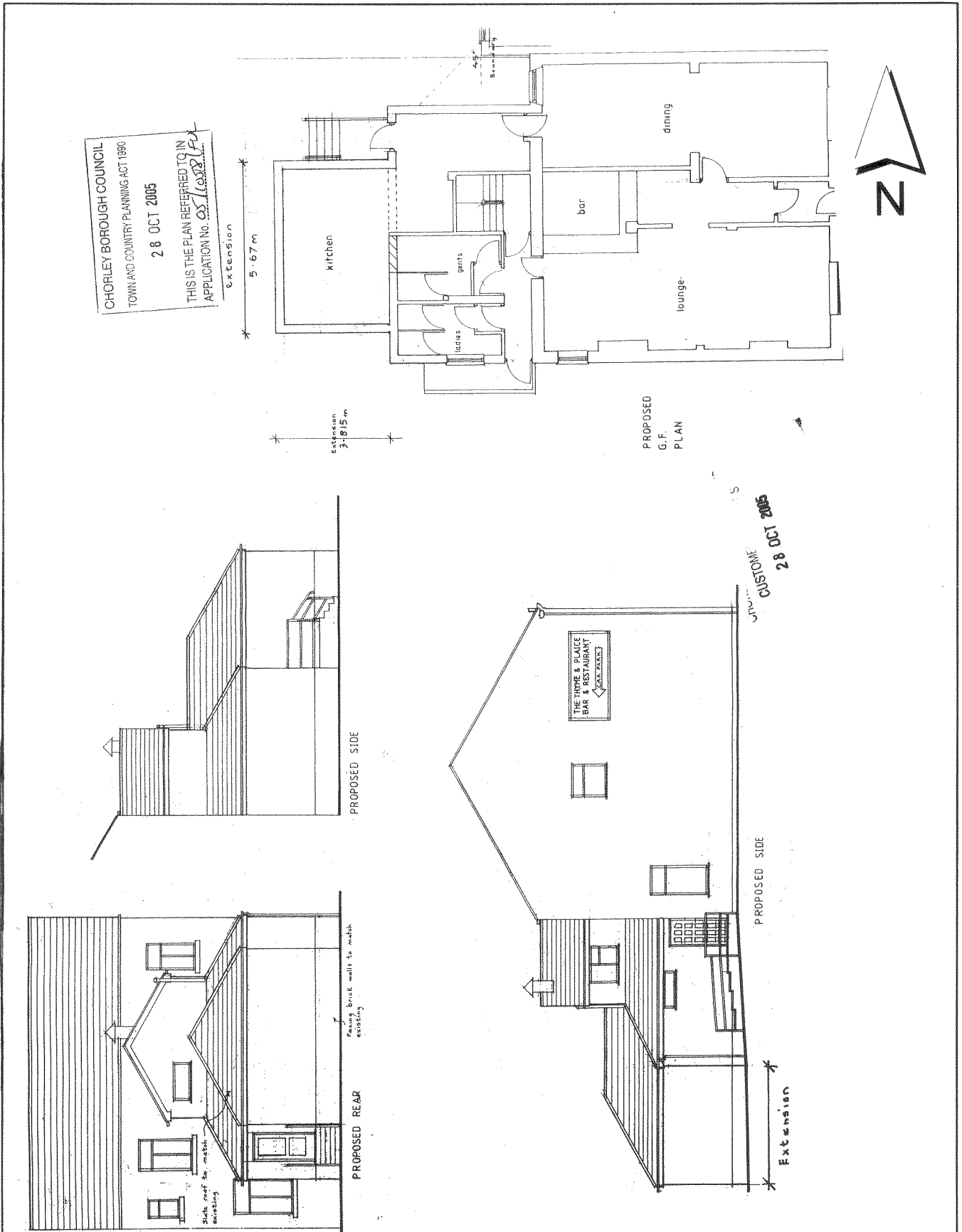
2. The proposal, by reason of the siting, height and depth of the proposed extension, would result in a form of development whose massing adjacent to the site boundary with number 35 Wigan Lane would result in an overbearing impact at the rear of this property. This would reduce the level of amenities that the occupiers of number 35 ought to expect to enjoy.

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| <p>Application Number: 05/01058/FUL</p> | <p>Grid Ref: E: 358356 N: 412817</p> | <p>Scale: 1:1,250</p> | <p>Agenda Item No. B. 6</p> |

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Application Number:

05/01058/FUL

Grid Ref:

E: 358356
 N: 412817

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Agenda Item No.

B. 6

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| Item B. 7 | 05/01073/FUL | Permit Full Planning Permission |
| Case Officer | Mrs Helen Lowe | |
| Ward | Eccleston And Mawdesley | |
| Proposal | Erection of 17.3m high lattice tower, accomodating 3 panel antennas and single 600mm dish, along with 6 equipment cabinets and meter cabinet in fenced enclosure. | |
| Location | Old Farm Pit Hall Lane Mawdesley Lancashire | |
| Applicant | Orange PCS Ltd | |
| Background | <p>This application proposes the erection of a 17.3m high (Total height) telecommunications tower. The tower would be of a lattice design and would accommodate three panel antennas and one 0.6m diameter dish. There would be six equipment cabins and ground level of varying sizes (no exceeding 2.5 cubic metres in volume). The mast and cabins would be within a compound measuring 6m by 6m. The fencing would be 2.15m in height and of a wire mesh finish. It is proposed that the mast would be constructed from steel with a galvanized finish and the cabinets painted Holly Green.</p> | |
| Planning Policy | <p>The application site lies within the Green Belt, as defined in the Adopted Chorley Borough Local Plan Review. The following policies from the Local Plan are considered relevant:</p> <p>DC1 Development within the Green Belt PS12 Utility Services Development</p> <p>The following central government guidance is also considered relevant:</p> <p>PPG2 Green Belts PPG8 Telecommunications</p> | |
| Planning History | There is no relevant planning history. | |
| Consultees Responses | <p>Environmental Services: The application lies within 250m of a former landfill site. The applicant should satisfy himself the risk from landfill gas migration is low to this proposed development.</p> <p>Mawdesley Parish Council: No objection if the mast is used to house antennas for other networks.</p> <p>At time of writing the report comments were being awaited from the Lancashire County Council Ecologist and Lancashire Wildlife Trust.</p> | |
| Third Party Representations | <p>Seven letters of objection have been received from local residents. They make the following comments:</p> <ul style="list-style-type: none"> • The scale and appearance of the proposal is in appropriate; | |

- The proposal would have an adverse impact on the character of the area;
- Impact on property values;
- The site is in the Green Belt and the development is in appropriate as stated in PPG8;
- The site is close to the historic area of Mawdesley and very close to residential areas;
- Risks to public health;
- Mobile phone reception in the area is already adequate.

Applicant's Case Consultations

The applicant states the following in support of their application:

- 17.3m is the minimum height at which the target coverage area of Mawdesley can be satisfactorily afforded in-building network coverage;
- It is considered that there are very special circumstances that can be demonstrated which outweigh the degree of harm to the Green Belt:
- There is a need to improve network coverage to Mawdesley and to implement the 3G network;
- No suitable and available non-Green Belt sites exist;
- The design is the least intrusive form and height has been kept to a practicable minimum;
- The proposed development would be sited adjacent to the boundary of a tree lined field, which already contains several utilitarian structures such as telegraph poles. Due to the nature of the tree-lined field, and abundance of trees in the adjacent field, it is considered that the opportunity for distant and unimpeded views of the proposed mast from beyond the field are limited.
- The proposed base station will comply with ICNIRP guidelines and a certificate of compliance is attached;
- Alternative sites at Towngate Works, Goulding Farm, Business Park New Street, and the Red Lion Public House were considered but were not chosen due to unwillingness of the site provider, potential impact on neighbour amenity and/or inability to engineer satisfactory installation

Assessment

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

With regard to telecommunications development in the Green Belt, PPG8 states that telecommunications development is likely to be inappropriate unless it maintains openness. In appropriate development may only proceed if very special circumstances are demonstrated which outweigh the degree of harm to the Green Belt. The lack of a suitable alternative site that would meet the needs of network coverage or capacity might be considered as very special circumstances.

Policy PS12 of the Adopted Chorley Borough Local Plan Review states that the Council will only permit utility services where there is no overriding environmental objections to either the siting or

appearance of the installation and when all of the following criteria have been met:

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

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

Relating to criterion (b), (c) and (d) the applicant has included details of those sites discounted during a search for sites to cover the Mawdesley area.

Consideration must also be given to the fact that the mast is located within in the Green Belt. The proposed mast would be partially screened, up to approximately half its height, by existing trees and hedges. The nearest property is Mawdesley Hall (a listed building), approximately 160m to the north. The nearest residential properties on Tarnbeck Drive are 180m to the west. A public footpath runs 80m to the west.

In order for the mast to operate effectively it is necessary for the height of the mast to be such that the antenna are above the trees, therefore distant views of the mast would be possible from Tarnbeck Drive and along parts of Hall Lane. It is considered that the surrounding tree coverage and topography would minimise views of the mast to a significant degree. The use of a lattice design is considered to minimise visual intrusion by allowing views through the structure. I am satisfied that the applicant has demonstrated that there exists a need for such a facility in this area and that no alternative, more suitable sites can be found. It is therefore considered that the proposal meets criteria (b) and (e) of policy PS12 and that very special circumstances exist to justify the proposal.

With reference to the concerns of the surrounding residents about possible health implications, PPG8 states that the Government's view is that the Planning system is not the place for determining health safeguards. In their view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for the local planning authority to consider further the health aspects and concerns about them. This proposal meets the ICNIRP guidelines and is therefore in line with PPG8.

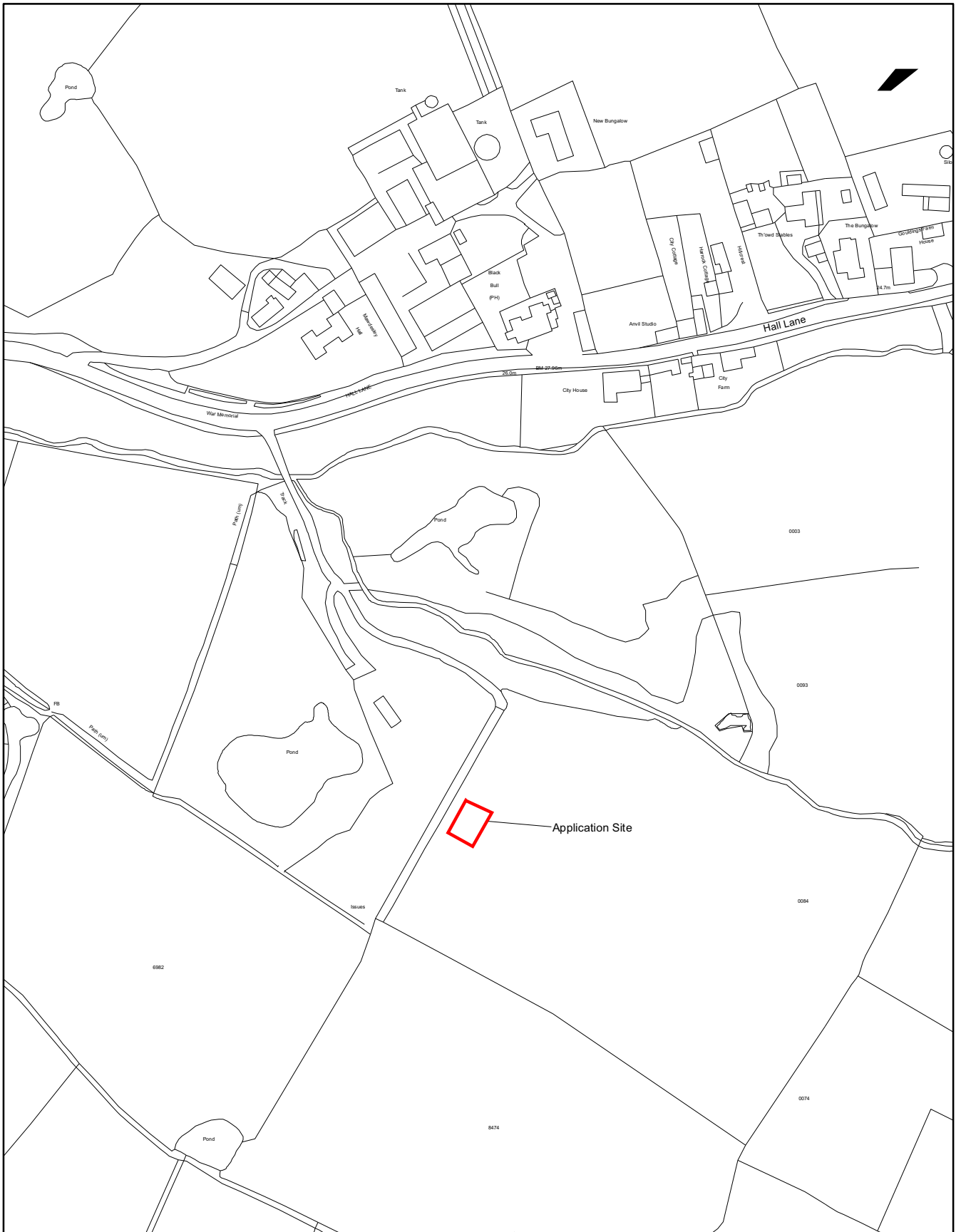
Conclusion Subject to the receipt of satisfactory comments from the County Ecologist and Lancashire Wildlife Trust, the application is recommended for approval.

Recommendation: Permit Full Planning 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.



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Application Number:
05/01073/FUL

Grid Ref:
E: 350281
N: 415171

Scale:
1:2,500

Agenda Item No.
B. 7

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| Item B. 8 | 05/01093/FUL | Permit Full Planning Permission |
| Case Officer | Mr David Stirzaker | |
| Ward | Chorley North East | |
| Proposal | Construction of new Access road on to land designated for future industrial use | |
| Location | Land Adjacent Railway And Off Stump Lane Chorley Lancashire | |
| Applicant | Chorley Business Parks Ltd | |
| Proposal | <p>This application proposes a new vehicular access from Stump Lane onto land that has been allocated for B1 and B2 employment development by virtue of Policy EM1.15 of the Adopted Chorley Borough Local Plan Review. The site is within the main Chorley settlement to the northeast of the town centre and is currently somewhat unkempt and derelict. The site is bounded by the railway-line to the east, factory buildings to the west and a further area of similar unused land and housing to the north.</p> | |
| Planning Policy | GN1 - Main settlement areas GN5 - Building Design & Landscaping EM1.15 - Employment Land Allocations TR4 - Highway Development Control Criteria | |
| Planning History | 05/00247/FUL - Construction of new access road (refused) 04/00117/OUTMAJ - Outline application for residential development with access via Brock Road (refused) 99/00108/ADV - Erection of 20 advertisement hoardings (refused & subsequent appeal dismissed) 99/00107/COU - Temporary parking of caravans and trailers with access from Brock Road (refused) | |
| Representations | <p>Two letters of objection has been received, the contents of which can be summarised as follows: -</p> <ul style="list-style-type: none"> • Stump Lane is a very busy road and doesn't need any extra traffic using it plus no doubt short cuts will be taken through Briercliffe Road which is already used to access a recently developed housing site. • There is already a factory on Stump Lane/Briercliffe Road. • The noise and disruption of industrial units on this site at the back and side of housing is not needed. • The access is proposed on a narrow stretch of road near the railway bridge and could result in tailbacks to the by-pass. | |
| Consultations | <p>The Head of Environmental Services has made no comments on the application.</p> <p>The comments of the Head of Public Space Services (Engineering Services Group) on the amended plans are being awaited. However, no objections were raised to the proposal subject to the certain technical detail changes to the access, which are detailed</p> | |

by the said amended plans.

LCC (Highways) are aware of the pre-application discussions between CBC Highways and the applicant and are therefore happy to support their recommendations on the application.

United Utilities and Railtrack have been consulted on the application but have yet to provide comments. Accordingly, if/when comments are received; they will be reported in the addendum.

Assessment

The applicant has undertaken a traffic survey and has been involved in pre-application discussions with the Council's Head of Public Space Services (Engineering Services Group). As a result of this, a reduced visibility splay on the western side of the access has been deemed acceptable and visibility to the west is satisfactory as existing. Amended plans have been provided to address issues regarding the gradient of the access hence from a highways and traffic perspective, the proposal has now been deemed acceptable. Accordingly, it is considered the access accords with Policy TR4 of the Local Plan.

In visual terms, the access will lead onto a site that is allocated for B1 and B2 employment development. The access will require substantial engineering works to facilitate the required level up to Stump Lane with a retaining wall utilised on the western side whilst the land on the eastern side will be graded to form an embankment.

It is likely the trees adjacent the eastern site boundary will have to be removed as a result of the access. However, it should be borne in mind that the site is allocated for employment use hence it would not be expedient to protect the trees as this may impede the sites development. If and when the site is developed the issue of landscaping will be looked at as part of the normal procedure. Accordingly, it is considered the access will not be detrimental to the character and appearance of the locality thus according with Policy Nos. GN1 and GN5 of the Local Plan.

Notwithstanding this, the provision of the access will enable the site to be developed under Policy EM1.15.

Conclusion

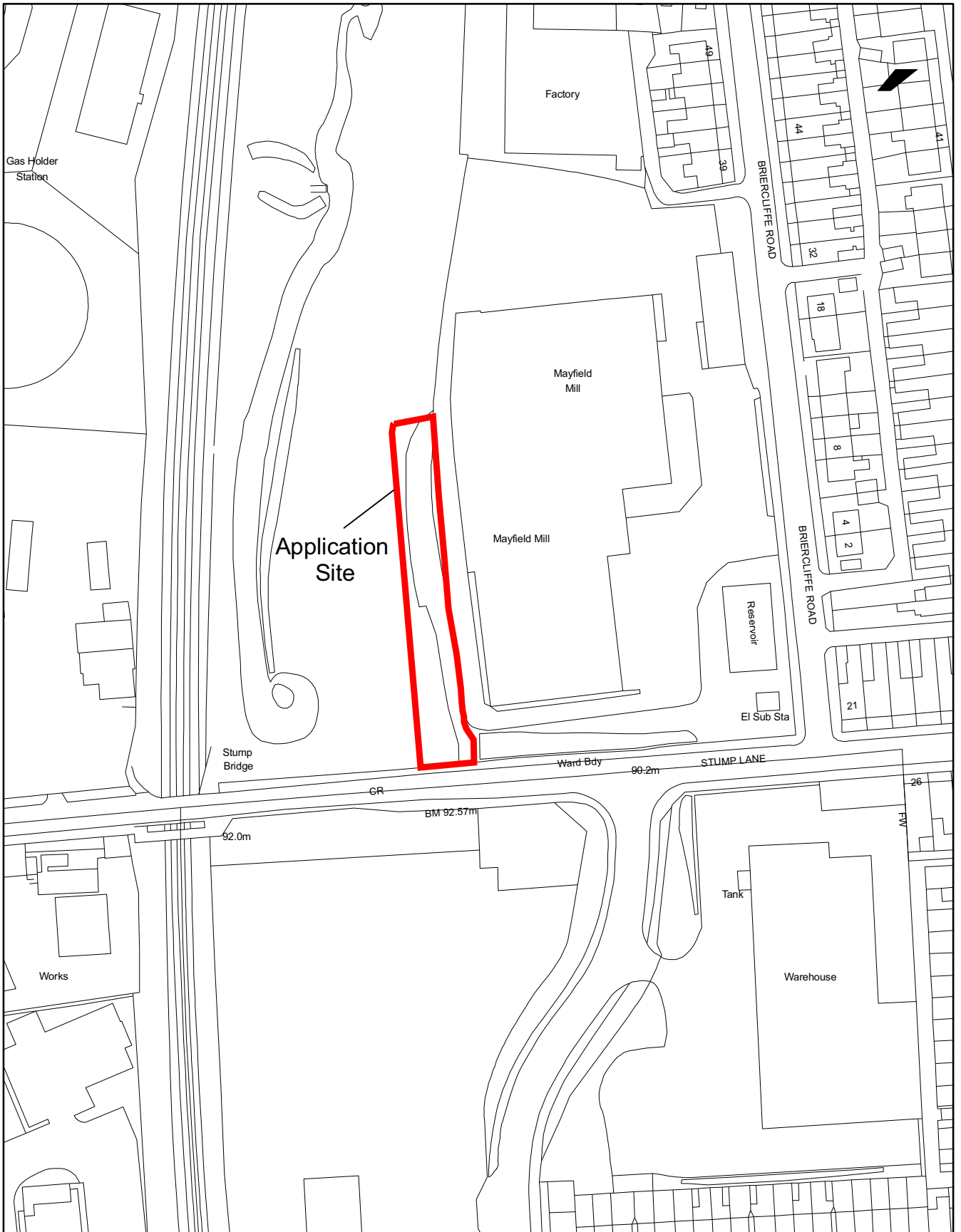
On the basis of the above it is considered that the proposal accords with Policy Nos. GN1, GN5, TR4 and EM1.15. It is therefore recommended that planning permission be granted.

Recommendation: Permit Full Planning Permission

Conditions

1. The development hereby permitted shall be carried out in accordance with the amended plan(s), received on 30 November 2005.

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



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Application Number:
05/01093/FUL

Grid Ref:
E: 358692
N: 418039

Scale:
1:1,250

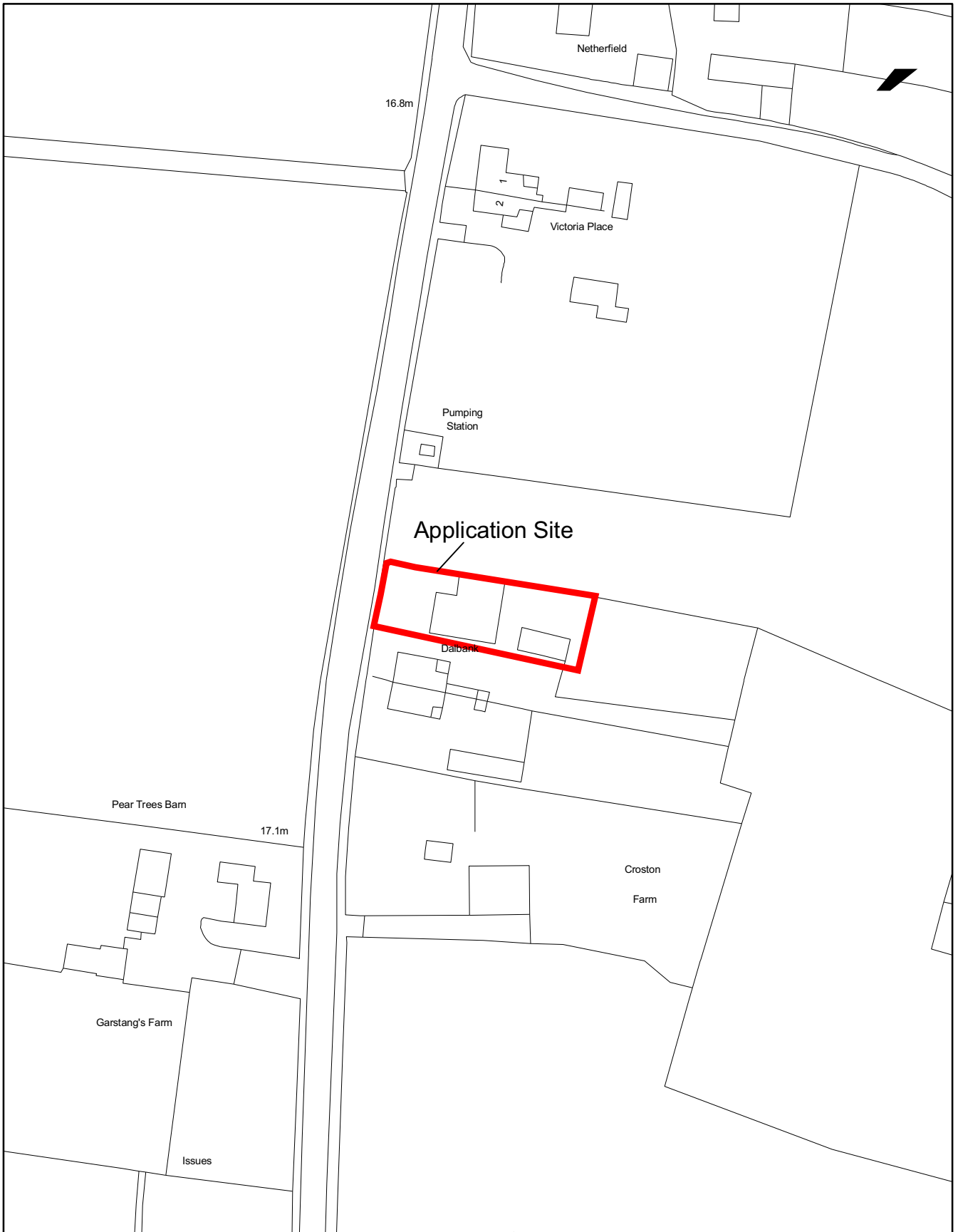
Agenda Item No.
B. 8

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| Item B. 9 | 05/01132/FUL | Refuse Full Planning Permission |
| Case Officer | Mrs Helen Lowe | |
| Ward | Lostock | |
| Proposal | Replace existing building for new steel framed building, | |
| Location | Dalbank Ulnes Walton Lane Ulnes Walton LancashirePR26 8LT | |
| Applicant | A.W. Taylor | |
| Background | This is a retrospective application for the replacement of a building. The new building measures 10.3m by 18.4m by 6.1m high to the ridge. The applicant describes the use as being for the storage, repair and maintenance of agricultural, commercial and motor vehicles. | |
| Planning Policy | The application site lies within the Green Belt, as defined in the Adopted Chorley Borough Local Plan Review. The following policies from the Local Plan are considered relevant: DC1 Development within the Green Belt PPG2 Green Belts | |
| Planning History | There is no planning history for the building that has been replaced. | |
| Consultees Responses | At the time of writing the report no comments had been received from Ulnes Walton Parish Council. No other comments were awaited from other consultees. | |
| Third Party Representations | At the time of writing the report no comments had been received | |
| Assessment | Policy DC1 of the Adopted Chorley Borough Local Plan Review and PPG2 clearly state that in the Green Belt planning permission will not be granted, except in very special circumstances, for development other than one of the specified categories of acceptable uses. This does not include the replacement of industrial buildings. The applicant has provided no information in support of the application, nor has any information been submitted to demonstrate that very special circumstances exist to justify the development. | |
| Conclusion | The application is therefore contrary to the guidance contained in policy DC1 of the Local Plan and PPG2. Subject to the receipt of no further comments, the application is recommended for refusal. As the application is retrospective a separate report has been prepared outlining recommended enforcement action. | |
| Recommendation: | Refuse Full Planning Permission | |

Reasons

1. The development is located within the Green Belt as defined by Policy 2 and the Key Diagram of the Adopted Lancashire Structure Plan and by the Proposals Map of the Adopted Chorley Borough Local Plan Review. The development is contrary to Policy 4 of the Adopted Lancashire Structure Plan and Policy DC1 of the Adopted Chorley Borough Local Plan Review. Within the Green Belt planning permission will not be given, except in very special circumstances for the erection of new buildings other than for the purposes of agriculture, forestry, essential facilities for outdoor sport and recreation, for cemeteries, and other uses which do not conflict with the purposes of including land in it, or limited extension, alteration, or replacement of existing dwellings. The development does not fall within any of these specified categories of development and the applicant has failed to demonstrate that very special circumstances exist to justify the development.



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| <p>Application Number: 05/01132/FUL</p> | <p>Grid Ref: E: 351396 N: 421014</p> | <p>Scale: 1:1,250</p> | <p>Agenda Item No. B. 9</p> |

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Report

| Report of | Meeting | Date |
|--------------------------------------|-------------------------------|------------|
| Head of Development and Regeneration | Development Control Committee | 20.12.2005 |

PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS

| Item | Application | Recommendation | Location |
|------|--------------|---------------------------------|--|
| D. 1 | 05/00830/COU | Refuse Full Planning Permission | Daulby House Farm Meadow Lane Mawdesley Lancashire L40 2QA |
| D. 2 | 05/00868/FUL | Permit Full Planning Permission | 254 The Green Eccleston Lancashire PR7 5TE |
| D. 3 | 05/00987/TPO | Consent for Tree Works | Land Opposite 4 Wentworth Drive Euxton Lancashire |
| D. 4 | 05/01063/FUL | Permit Full Planning Permission | Lotus Garden Chinese Takeaway 237 The Green Eccleston Lancashire PR7 5TF |

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| Item D. 1 | 05/00830/COU Refuse Full Planning Permission |
| Case Officer | Mrs Helen Lowe |
| Ward | Eccleston And Mawdesley |
| Proposal | Additional dormer window on east elevation, enlarge box dormer window on west elevation, Change of use of dwelling to 7 bed home for children with learning difficulties incorporating conversion of garage to activity craft room |
| Location | Daulby House Farm Meadow Lane Mawdesley LancashireL40 2QA |
| Applicant | Mr Peter Watson |
| Background | <p>This application proposes the change of use of an existing dwelling to a 7 bedromed care home for children with learning difficulties (the property would therefore change from class C3 (dwelling houses) to class C2 (residential institutions) of the Town and Country Planning (Uses Classes) Order 1987. In order to facilitate this change of use and provide additional facilities it is also proposed to erect an additional dormer on the east facing elevation and enlarge the dormer on the west elevation. It is also proposed to convert the existing double garage into an activity/craft room. Some minor alterations to the internal layout of the dwelling and existing window openings are also proposed.</p> |
| Planning Policy | <p>The application site lies within the Green Belt, as defined in the Adopted Chorley Borough Local Plan Review. The following policies from the Local Plan are considered relevant:</p> <p>GN5 Building Design and Retaining Existing Landscape Features and Natural Habitats DC1 Green Belt DC7A Conversion of Rural Buildings in the Green Belt EP19 Development and Flood Risk HS17 Sheltered Housing, Rest Homes, Nursing Homes and other special needs housing.</p> <p>The following central government guidance is also considered relevant:</p> <p>PPG2 Green Belts PPG25 Development and Flood risk</p> |
| Planning History | <p>The most recent planning application pertaining to the property was an application for a certificate of lawfulness for existing use as a dwelling, without complying with agricultural occupancy condition No. 2 on 9/75/726, which was approved in March 2004. There were a number of planning applications submitted largely in the 1970s relating to the erection of the dwelling.</p> |

**Consultees
Responses**

Mawdesley Parish Council: no objections.

Lancashire County Council Highways: no objection. Recommend the imposition of a condition requiring the access drive to be paved at the junction with Meadow Lane.

Environment Agency: have advised that the property lies within an area considered to be at high risk from flooding and that due to the change to a more flood sensitive use a flood risk assessment is required. Information was requested from the applicant, which the Agency has made the following comments on:

- Although the scenario suggested by the applicant may be reasonably realistic, floodwater may well exceed 650mm given a breach that took several days to repair;
- Flooding may well be prolonged, as floodbank repair would be difficult until such time as floodwater has abated. This may take several days due to difficulty of access;
- The ground level of the house is 1m above the general adjacent ground level. This would alleviate, but not remove the risk from flooding;
- The house is situated adjacent the floodbank. A breach could result in the home being surrounded by fast moving floodwater;
- Access to the home may be impossible for a prolonged period during a flood event, and considering the nature of the proposed change of use, for this reason the home would be at unacceptable risk from flooding and maintain an objection to the proposal.

**Third Party
Representations**

Two letters have been received from the occupants of the two nearest residential properties. Both request that should permission be granted for the change of use a condition should be imposed restricting residential occupancy to children with learning difficulties and no other purposes within class C2 (residential institutions) of the Town and Country Planning (Use Classes) Order 1987. They consider this to be necessary due to the remoteness of the site to local services/amenities and lack of pedestrian facilities.

Four letters have been received from other nearby residential properties stating that they have not had any problems with flooding during the time that they have been living in the area.

**Applicant's Case
Consultations**

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

- The home is being set up in conjunction with Oliver House School in Astley Village, some children may not be able to travel from their family homes due to distance, therefore provision for accommodation needs to be made;
- To provide service users with choice, it is intended to provide urban, semi-urban and rural accommodation;

- It is intended that a minibus will provide daily transport to and from school, whilst staff transport and a car will allow localized mobility and access to the community. Rufford Railway station also provides good public transport to other local towns;
- It is anticipated that the volume of traffic to and from the home will be no more than that of a large grown up family or busy farm. There will be no delivery vans or other commercial vehicles using the home.
- At any one time there will be between 2 and 7 staff members working at the home.
- In response to the concerns of the Environment Agency regarding flood risk, the applicant has stated the following:
- A traditional large family with young children could be at a higher risk due to their lack of awareness, formal emergency procedures and absence of dedicated awake night staff;
- The seven children will all be ambulant and non will use wheelchairs;
- Children's ages will be between 10 years and 19 years of age;
- The children will, during school terms, attend school between the hours of 09.00hrs to 16.00hrs. During the day one or two staff will be in attendance at the empty home;
- When occupied by children the staffing ration will be one to one;
- Risk assessments will be undertaken on the home including flood risk assessment and practice emergency drill. Such risk assessments are a requirement of registration/inspection bodies;
- The ground floor of the property is 1m above surrounding area and field and the children's bedrooms are at first floor.

Assessment

Green Belt:

Policy DC7A of the Adopted Chorley Borough Local Plan Review and PPG2, state that the re-use of existing buildings in the Green Belt is not inappropriate, providing that a number of specific criteria are met. Whilst a number of these criteria are more applicable to those buildings not previously in any form of residential use, such as farm buildings, a number of the considerations are relevant. In particular, the re-use of a building in the Green Belt should not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land within it. The proposed use would be likely to result in the property being more intensively used than previously (for example through the increased number of likely vehicle movements), however it is considered that the scale and nature of the proposed use is such that the proposal would not have a materially greater impact on the openness and rural character of the Green Belt than the existing use. The proposed external alterations would not significantly impact upon the open and rural character of the area.

Accessibility:

Policy HS17 of the Local Plan states that proposals for special needs housing should be located where the development would be easily accessible by a choice of means of transport. Daulby House is approximately 760m from Rufford Railway Station (although there is no footway along much of the road leading to the station). Services run approximately every 1-1½ hourly between Liverpool Central and Preston Railway Stations, calling at Rufford, Monday to Saturdays. A bus route runs past the property, linking Chorley and Southport (via Eccleston and Mawdeseley). The Service runs three times a day each way. Although these services are clearly limited in their extent, they do provide alternative methods of transport to the private car. Given the relatively small scale nature of the use proposed and the proximity of bus and rail routes, it is considered that a reason for refusal on the grounds of the site being inaccessible and unsustainably located would be difficult to sustain.

Flood risk:

The site has been identified as being within an area considered to be at high risk from flooding. The comments of the applicant are noted, however as the property would fall within the C2 use class, many different types of people requiring nursing care could reside at the property without requiring a change of use. In the future, occupants of the property may not be older children who are fully ambulant. Following Government advice outlined in circular 11/95 it is not considered that it would be either reasonable or enforceable to impose conditions restricting future occupancy of the property to people of a specific age and level of mobility within the C2 use class. A personal condition should only be imposed exceptionally and is not appropriate to a company. In any case, such a condition would still fail to ensure that only people meeting specified criteria occupy the property. Policy EP19 states that development in areas at risk from flooding will only be permitted where a satisfactory standard of flood protection already exists or where mitigation measures will include as part of the planning application. Taking into consideration the comments of the Environment Agency, the standard of protection cannot be considered adequate and the applicant has not proposed further mitigation measures.

Design and appearance:

It is considered that the design, scale, materials and appearance of the proposed extensions and alterations would be acceptable. Although the extension to the existing dormer on the west elevation would result in a dormer of considerable size, it is considered that an adequate proportion of the original roof would remain intact, the dormer would not appear out of character with the existing dwelling and would largely only be visible from within the site itself.

Neighbour amenity:

The boundary of the nearest residential property is approximately 90m from the application property. It is not considered that the proposals would cause any undue detriment to the amenities of neighbouring residential properties.

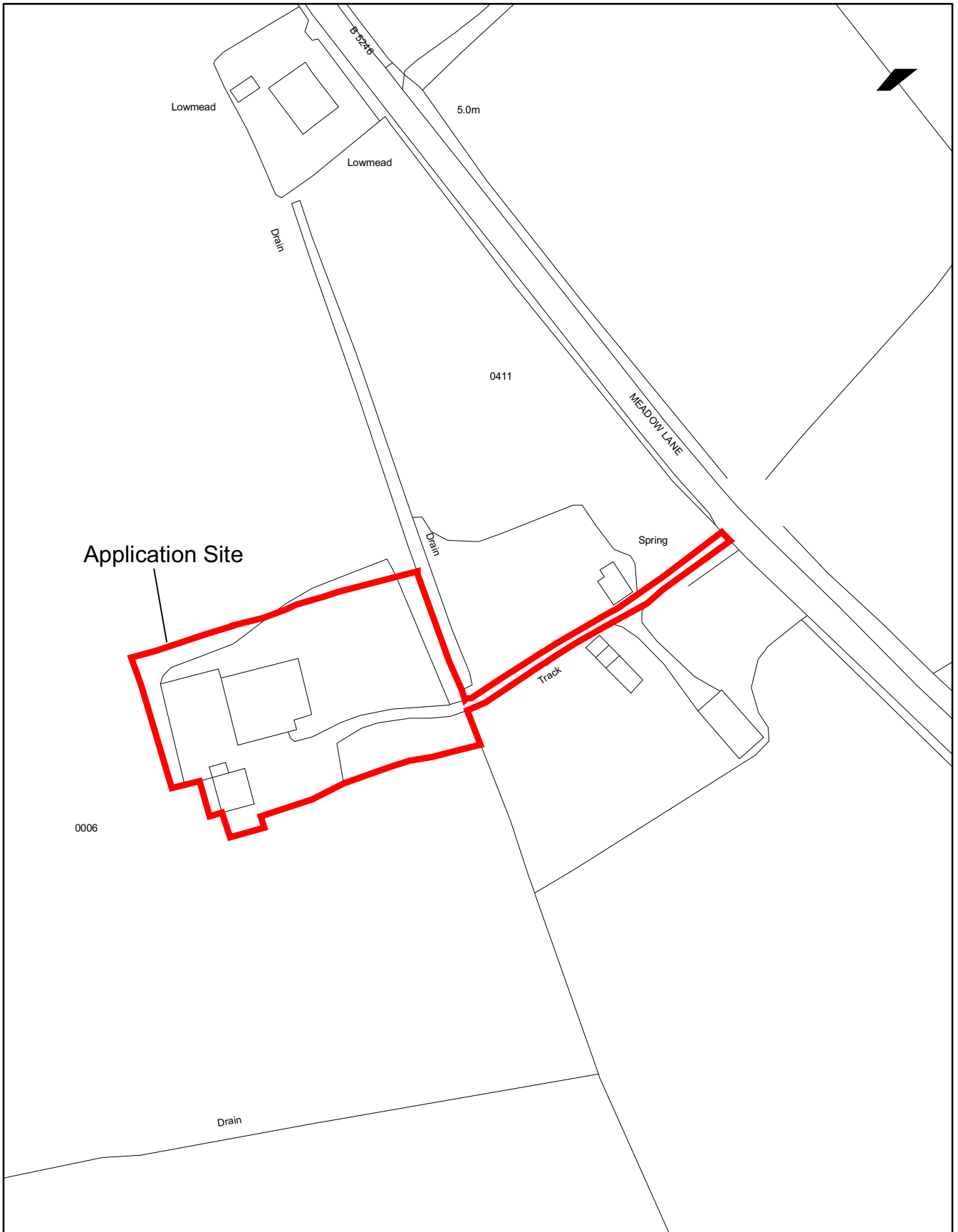
Conclusion The proposal is considered to be acceptable in terms of impact on the Green Belt, highway safety, design and appearance and neighbour amenity. Objections received from the Environment Agency concerning flood risk, however should be given considerable weight and the proposal is accordingly recommended for refusal.

Recommendation: Refuse Full Planning Permission

Reasons

1. The property is located within an area considered to be at high risk from flooding and the proposed use as a residential care home is one, which is considered to be more sensitive to flood risk than the existing single dwelling. The applicant has failed to demonstrate, to the satisfaction of the local planning authority and the Environment Agency, that a satisfactory standard of flood protection exists and that the proposed development would not result in people being at unacceptable risk in the event of a flood event occurring. The proposal is therefore contrary to policy EP19 of the Adopted Chorley Borough Local Plan Review and the advice in PPG25

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| <p>Application Number: 05/00830/COU</p> | <p>Grid Ref: E: 346991 N: 415041</p> | <p>Scale: 1:1250</p> | <p>Agenda Item No. D. 1</p> |

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| Item D. 2 | 05/00868/FUL | Permit Full Planning Permission |
| Case Officer | Mrs Helen Lowe | |
| Ward | Eccleston And Mawdesley | |
| Proposal | Demolition of existing single storey rear extension, including staircase to first floor, erection of new single storey rear extension, including new staircase to first floor, and change of use of first floor to residential apartment. | |
| Location | 254 The Green Eccleston Lancashire PR7 5TE | |
| Applicant | Mrs L Riding | |
| Background | <p>This application proposes the demolition of an existing single storey rear extension and enclosed staircase to first floor and the erection of a new single storey rear extension to No. 254 The Green, Eccleston. It is also proposed to use the first floor as a residential apartment. The ground floor of the premises is presently used as a launderette. The application property is situated at the end of a row of terraced properties, adjacent to the junction of The Green and Sagar Street. All other properties in the row are in residential use.</p> <p>The proposed rear extension would be designed so that the rear roof plane of the existing building would continue over the proposed extension, forming a 'cat slide roof'. This extension would extend the full width of the rear of the property and project in total 4.7m from the rear of the property. Due to the design of the extension a small amount of first floor accommodation would be available in the roof space and a staircase with access from Sagar Street would be provided to give independent access to the proposed first floor apartment. It is proposed to erect a single storey, flat roofed porch (for the launderette) at the rear of this extension, which would be set 1.5m from the boundary with No. 256 The Green, projecting a further 2.7m to the rear. The application originally proposed a balcony to be inserted in the roof and that the proposed extension should fill the entire rear yard area of the premises. The balcony has now been removed and the size of the extension reduced.</p> | |
| Planning Policy | <p>The application site lies within the settlement boundary of Eccleston, as defined in the Adopted Chorley Borough Local Plan Review. The following policies from the Local Plan are considered relevant:</p> <p>GN3 Settlement Policy – Eccleston GN5 Building Design and Retaining Existing Landscape Features and Natural Habitats HS11 Flats Above Retail and Commercial Premises SPG on Windfall Housing House Extension Design Guidelines</p> | |

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| Planning History | <p>9/04/00935/FUL Removal of existing bay window shop front and formation of new bay window shop front Approved 08/09/04</p> <p>9/02/00076/COU Change of use of laundrette to hot food takeaway Refused 18/03/02, Appeal dismissed 15/11/02 Correspondence on this file refers to the first floor of the premises being used presently (December 2002) as offices within B1 use class, although it was not known if this was the lawful use.</p> <p>9/80/00226 Use of first floor as snack bar Approved 24/06/80 It is indicated on the file that the first floor premises were unused at the time this application was submitted.</p> <p>5/5/8576 Furnishings sales room at first floor Approved 25/01/72</p> <p>5/5/7219 Coin operated laundry Approved 24/06/69 The existing use was described as a grocers shop when this application was submitted. This application was for the ground floor.</p> |
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| Consultees Responses | None |
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| Third Party Representations | One letter has been received from the occupants of the adjoining property to the south, No. 256 The Green, objecting to the proposals on the grounds that the proposed balcony would cause a loss of privacy. Neighbours have been reconsulted following the receipt of amended plans and further comments are being awaited at the time of writing the report. |
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Assessment**Neighbour Amenity:**

Although the proposed extension is to a commercial property, it is considered appropriate to apply the Council's House Extension Design Guidelines as the adjoining property to the south, No. 256 The Green is a residential property. Although the proposed extension would provide a small element of first floor accommodation, it is considered more appropriate, due to its size, scale and design, to apply the guidelines for single storey extensions. The proposed flat roofed porch would exceed the 45 degree plus 3m guideline by 1.9m, however it is considered that the proposed extensions would cause no undue loss of amenity to the occupants of the No. 256 The Green for the following reasons:

- The porch would not be immediately adjacent to the boundary;
- There is an existing 1.8m high brick wall on the boundary between the two properties, which is proposed to be replaced by a 2m high wall. The overall height of the porch would be

2.8m. The use of a flat roof minimises the impact of the extension;

- The appearance of the rear of the application property would be improved by the proposed extension;
- The application property is to the north of No. 256, therefore only minimal overshadowing would occur.

Design and Appearance:

The design, scale, size, appearance and proposed materials (to match existing) are considered to be acceptable. At present there are a number of additions and alterations at the rear of the property and structures in the rear yard. It is considered that the proposed extensions would improve and harmonize the appearance of the rear of the property.

Windfall Housing:

As it is unclear from the planning history exactly what the lawful use of the first floor accommodation is at present (the applicant describes it as an apartment), it is considered appropriate to assess the use of the first floor as separate living accommodation against the relevant policies.

The application property lies approximately 140 m south and 180m north of two local shopping centres in Ecclestone, as defined in the Adopted Chorley Borough Local Plan Review. The proposal to convert the first floor into a separate unit of residential accommodation therefore accords with exception (j): the re-use or conversion of empty buildings as it is within 400m of a designated shopping centre.

Policy HS11 of the Adopted Chorley Borough Local Plan Review supports the change of use of the first floor of shops and other commercial properties to flats where there is no undue impact on neighbour amenity, the standard of accommodation to be provided is acceptable and the unit will have independent pedestrian access. The application is considered to accord with all of these criteria.

Local plan policy also seeks to retain existing employment uses where possible (EM4). It appears that the first floor of the property may have been in employment use recently, although it is at present vacant. Given the lack of certainty with regard to the lawful use of the first floor it is considered that only limited weight can be afforded to these policies. This policy also needs to be balanced against the support for flats in policy HS11. In view of the circumstances of this application it is considered that a change of use to residential at the first floor of this property is acceptable.

Highway Safety:

No off road parking is proposed as part of the application. On road parking is available on Sagar Street. It is not considered that a one bedroomed flat would give rise to a significant increase in traffic or prejudice to highway safety.

Conclusion Subject to no further objections being received to the amended plans, the application is accordingly recommended for approval.

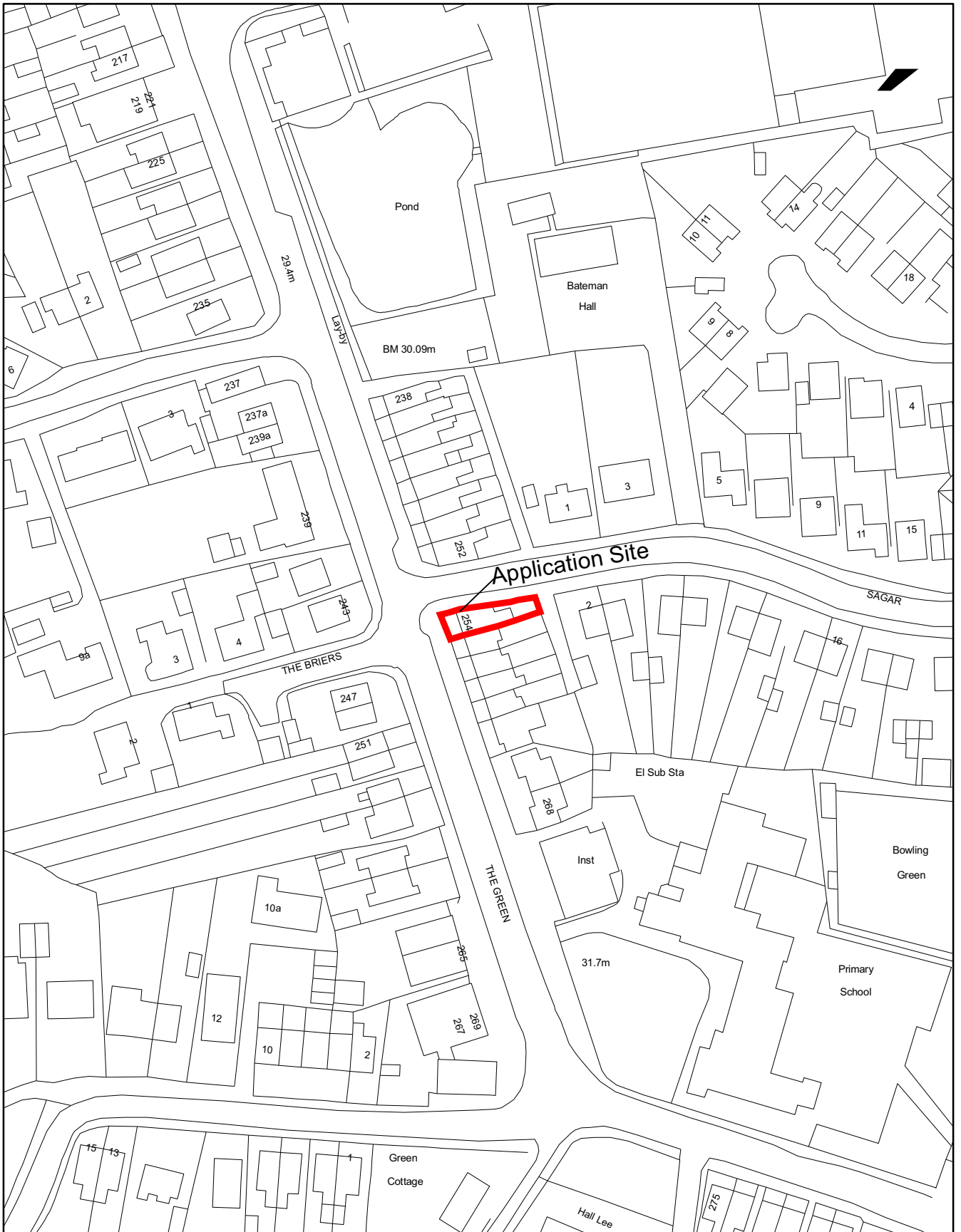
**Recommendation: Permit Full Planning Permission
Conditions**

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. All external facing materials shall match in colour, form and texture those on the existing building.

Reason: In the interests of the visual amenity of the area in general and the existing building in particular and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.



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Chorley Borough Council

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Application Number:

05/00868/FUL

Grid Ref:

E: 352227
N: 416689

Scale:

1:1250

Agenda Item No.

D. 2

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| Item D. 3 | 05/00987/TPO | Consent for Tree Works |
| Case Officer | Miss Helen Green | |
| Ward | Euxton North | |
| Proposal | Felling of tree covered by TPO 1 (Euxton) 1996, | |
| Location | Land Opposite 4 Wentworth Drive Euxton Lancashire | |
| Applicant | Stewart Gower | |
| Proposal | <p>The application proposes the felling of a tree protected by a Tree Preservation Order (TPO 1 Euxton 1996).</p> <p>The tree is a Field Maple and stands at 4 metres tall. The tree is located on land opposite 4 Wentworth Drive in Euxton and forms part of the screening block to Euxton Lane.</p> <p>The reason given by the applicant for making the application is that the tree is located within 500mm of a private drive and the applicant is concerned that in the future the tree will damage the driveway.</p> | |
| Policy | EP9 - Trees and Woodlands | |
| Planning History | There is no relevant planning history | |
| Consultations | <p>The Arboricultural Officer makes the following comments:</p> <ul style="list-style-type: none">• The tree is in good condition;• The tree is young and only stand at 4 metres tall;• The tree is very close to the drive and will become a problem in the future;• Recommends approval of the application and would like to see a replacement tree planted such as an Oak. | |
| Representations | <p>One letter of objection has been received from the Parish Council and one letter has been received from the resident at 3 Carnoustie Drive, which was received after the consultation period close. Objections are made on the following grounds:</p> <ul style="list-style-type: none">• The Parish Council object to any trees covered by TPO to be felled or receive unnecessary works done to them;• There are already significantly fewer trees along this stretch of Euxton Lane following the widening of the road;• The Field Maple is native to Euxton and a haven for wildlife;• The tree is visible when you enter the estate due to its size and positioning; | |

Assessment

The main issues to consider are the health and contribution of the tree to the character and amenity of the area.

The Councils Arboricultural Officer comments that the tree is in good condition and is young standing at only 4 metres tall. The reason given by the applicant for felling the tree appears to be supported by the evidence on the ground. The Arboricultural officer therefore recommends that the application should be approved.

The tree does provide some screening of Euxton Lane to the houses located on Wentworth Drive, However there are a number of other trees also providing screening. Equally the planting of a replacement tree can be conditioned.

Although the comments made by objectors are valid the Arboricultural officer has accepted that the tree is very close to the driveway of 4 Wentworth Drive and in the future will become a problem. This factor outweighs any loss to visual amenity. In time the replacement tree will provide the screening currently afforded to the occupants of the adjacent dwellings.

It is therefore considered that there are no valid reasons to go against the recommendation of the Arboricultural Officer and therefore approval of the application is recommended. The permission should be conditioned to ensure that an appropriate species is planted to replace the tree, which is to be felled.

**Recommendation: Consent for Tree Works
Conditions**

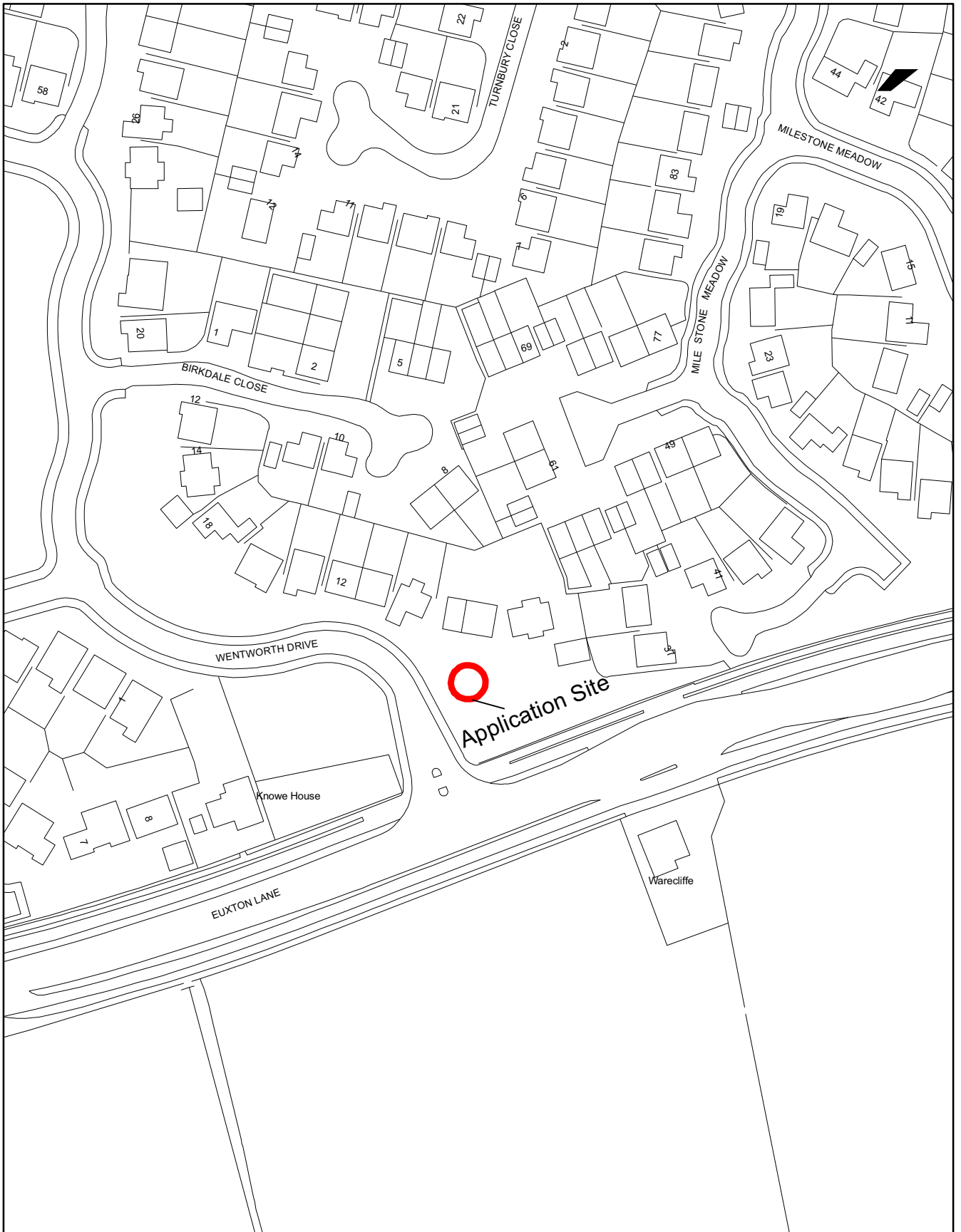
1. Before any tree felling is carried out full details (including species, number, stature and location) of the replacement tree planting shall have been submitted to and approved in writing by the Local Planning Authority. The replacement tree planting shall be carried out in accordance with the approved 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.

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

The felling of a Field Maple on land opposite 4 Wentworth Drive, Euxton, in the location shown on the plan submitted with the application forms.

Reason: To define the consent, to safeguard the appearance and health of the tree(s) and in accordance with Policy Nos. EP9 and HT9 of the Adopted Chorley Borough Local Plan Review.



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| <p>Application Number: 05/00987/TPO</p> | <p>Grid Ref: E: 355650 N: 419817</p> | <p>Scale: 1:1,250</p> | <p>Agenda Item No. D. 3</p> |

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| Item D. 4 | 05/01063/FUL Permit Full Planning Permission |
| Case Officer | Miss Rachael Hulme |
| Ward | Eccleston And Mawdesley |
| Proposal | Retrospective application for the demolition of the existing garage and construction of a staff room with pitched roof |
| Location | Lotus Garden Chinese Takeaway 237 The Green Eccleston Lancashire PR7 5TF |
| Applicant | Mr D Tsang |

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| Background | <p>The property history is listed below;</p> <p>93/00233 – Erection of detached building to house ground floor takeaway and first floor flat. 93/00529 – Demolition of existing and erection of new single storey building for use as a hot food takeaway. 94/00884 – Display of externally illuminated fascia sign. 04/01431 – Erection of single storey extension with pitched roof to the side and rear.</p> |
| Policy | <p>Relevant policies of the Adopted Chorley Borough Local Plan Review are: -</p> <p>GN3 Development in Eccleston GN5 Design</p> |
| Representations | <p>Two letters of objection have been received from neighbouring properties. Their objections refer to: -</p> <ul style="list-style-type: none">• The scale, appearance and design of the extension.• Parking problems• Odour noise and nuisance• The size of the takeaway being inappropriate for the village• Future plans for development and the possible conversion to a restaurant. |
| Assessment | <p>The existing property was granted planning permission under application 93/00529 for a hot food take away. The current proposal relates to the retrospective provision of a staff room incorporating a shower and toilet facilities. There is a condition attached to the permission, which restricts the hours of opening of the premises.</p> <p>The extension is sited to the rear and side of the existing property. It is considered that the extension appears subordinate and reflects the design and materials of the existing building. There is no undue impact on adjoining residents as the proposed</p> |

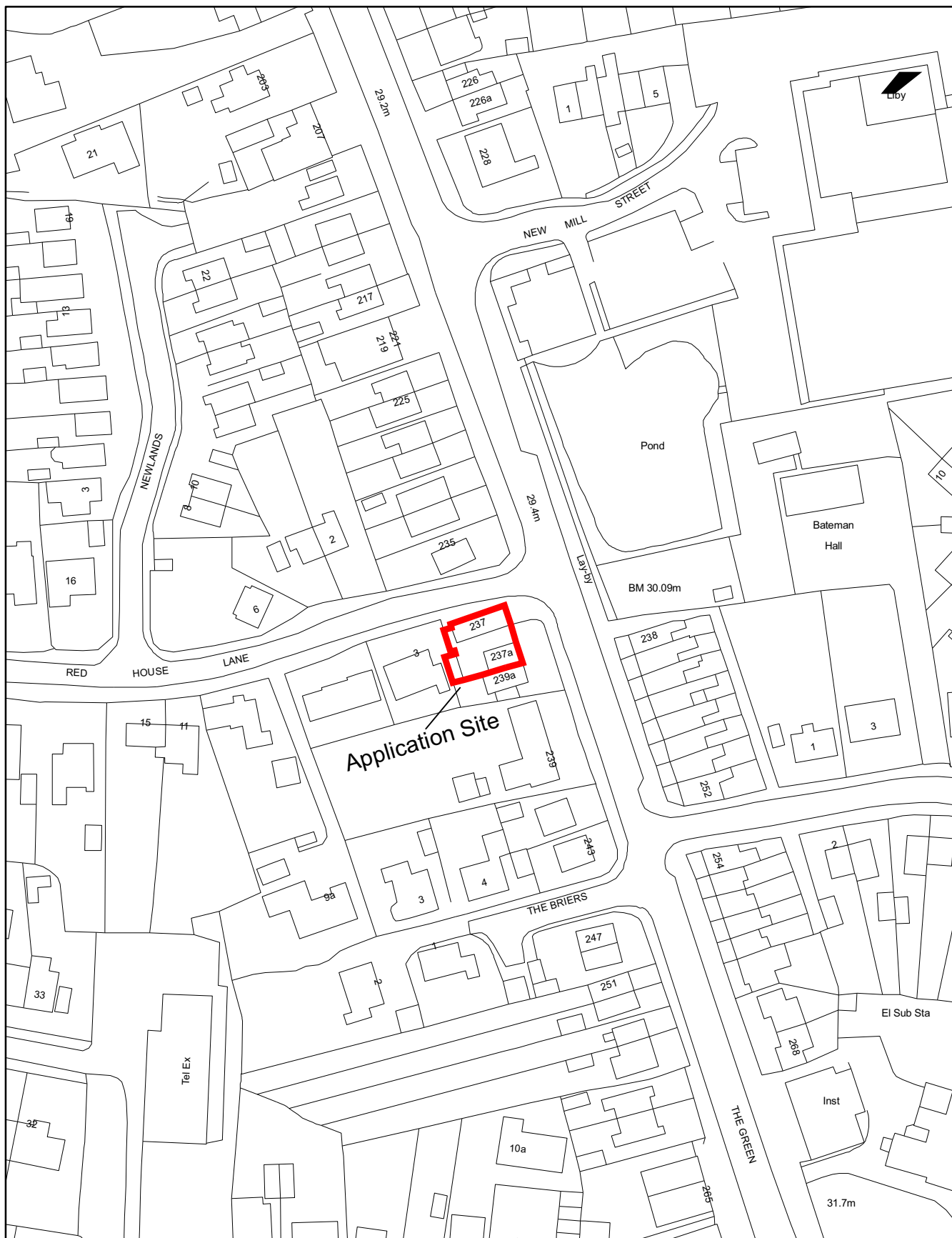
extension is sited in the same location as the garage it replaced. The extension does not overlook any neighbouring properties and there are no windows in the extensions southern elevation, which looks into the rear garden of neighbouring property No.239a. The windows in the extension's east elevation are obscure glazed. It is considered that the development will comply with policies GN3 and GN5 of the Local Plan.

Local residents have raised concerns in that the proposal to extend the premises is likely to materially exacerbate any parking problems, noise, odours or disturbance in the area. The property has an existing lawful use as a hot food takeaway. The proposed development is purely for use as a staff room and it is not considered that this is likely to exacerbate any problems that residents have referred to.

Having regard to the above, it is recommended that planning permission be granted for the proposed application.

**Recommendation: Permit Full Planning Permission
Conditions**

1. The extension shall be used as a staff room in connection with the hot food takeaway and for no other purpose unless first agreed in writing by the Local Planning Authority.
Reason: To protect the amenities of local residents and in accordance with Policies in the Adopted Chorley Borough Local Plan Review.
-



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Application Number:
05/01063/FUL

Grid Ref:
E: 352171
N: 416744

Scale:
1:1,250

Agenda Item No.
D. 4

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| Report of | Meeting | Date |
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| Head of Development and Regeneration | Development Control Committee | 20.12.2005 |

LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

Between 17 November 2005 and 7 December 2005

Plan Ref 04/01410/FUL **Date Received** 10.12.2004 **Decision** Permit Full Planning Permission

Ward: Eccleston And Mawdesley **Date Decided** 21.11.2005

Proposal : Demolish old porch to the rear of the property, rebuild porch to the right side rear, new access, alterations and replacement of some windows.

Location : Bluestone Farm Blue Stone Lane Mawdesley Lancashire L40 2RJ

Applicant: Mr And Mrs P & C Darbyshire Bluestone Farm Blue Stone Lane Mawdesley

Plan Ref 04/01411/LBC **Date Received** 10.12.2004 **Decision** Grant Listed Building Consent

Ward: Eccleston And Mawdesley **Date Decided** 21.11.2005

Proposal : Listed Building Consent to demolish old porch to the rear of the property, rebuild porch to the right side rear, new access, alterations and replacement of some windows

Location : Bluestone Farm Blue Stone Lane Mawdesley Lancashire L40 2RJ

Applicant: Mr And Mrs P & C Darbyshire Bluestone Farm Blue Stone Lane Mawdesley

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| Plan Ref | 05/00581/FUL | Date Received | 31.05.2005 | Decision | Permit Full Planning Permission |
| Ward: | Clayton-le-Woods And Whittle-le-Woods | Date Decided | 02.12.2005 | | |
| Proposal : | Erection of single storey rear extension, and single storey side extension forming secondary triple garage, | | | | |
| Location : | Beechwood Parkside Drive Whittle-Le-Woods Lancashire PR6 7PL | | | | |
| Applicant: | Mr & Mrs R Hughlock Beechwood Parkside Drive Whittle-Le-Woods Lancashire | | | | |
| Plan Ref | 05/00606/FUL | Date Received | 09.06.2005 | Decision | Permit Full Planning Permission |
| Ward: | Pennine | Date Decided | 17.11.2005 | | |
| Proposal : | Erection of stable block (three loose boxes), | | | | |
| Location : | School Field Coppice Lane Heapey Lancashire | | | | |
| Applicant: | S Sharples & M Walker The Coach & Horses 163 Market Street Edenfield Ramsbottom BL0 0HJ | | | | |
| Plan Ref | 05/00671/FUL | Date Received | 28.06.2005 | Decision | Permit Full Planning Permission |
| Ward: | Clayton-le-Woods North | Date Decided | 18.11.2005 | | |
| Proposal : | Two storey extension to rear with thatched roofs | | | | |
| Location : | Smiths Farm Sheep Hill Lane Clayton-Le-Woods Lancashire PR6 7ES | | | | |
| Applicant: | Mr And Mrs Bate Smiths Farm Sheep Hill Lane Clayton-Le-Woods Lancashire | | | | |
| Plan Ref | 05/00743/FUL | Date Received | 20.07.2005 | Decision | Permit Full Planning Permission |
| Ward: | Wheulton And Withnell | Date Decided | 23.11.2005 | | |
| Proposal : | Erection of covered midden, | | | | |
| Location : | Watsons Farm Bolton Road Abbey Village Lancashire PR6 8DY | | | | |
| Applicant: | United Utilities Rivington Water Treatment Works Bolton Road Horwich Bolton | | | | |
| Plan Ref | 05/00784/FUL | Date Received | 27.07.2005 | Decision | Refuse Full Planning Permission |
| Ward: | Pennine | Date Decided | 17.11.2005 | | |
| Proposal : | Construction of two stables blocks and formation of a wildlife pond | | | | |
| Location : | Brown Hill Farm Copthurst Lane Whittle-Le-Woods Lancashire PR6 8LR | | | | |
| Applicant: | Mr Noblet Brown Hill Cottage Copthurst Lane Whittle-le-Woods | | | | |

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| Plan Ref | 05/00792/FUL | Date Received | 02.08.2005 | Decision | Permit retrospective planning permisison |
| Ward: | Clayton-le-Woods West And Cuerden | Date Decided | 22.11.2005 | | |
| Proposal : | Retrospective planning application for the formation of a manege measuring 40m by 20m, | | | | |
| Location : | Clayton Hall Stables Spring Meadow Clayton-Le-Woods Lancashire PR25 5SP | | | | |
| Applicant: | Mr J R Manning 51 Lord Street, Hindley, Wigan, WN2 3EJ | | | | |
| Plan Ref | 05/00833/FUL | Date Received | 16.08.2005 | Decision | Permit Full Planning Permission |
| Ward: | Eccleston And Mawdesley | Date Decided | 17.11.2005 | | |
| Proposal : | Erection of a stable block | | | | |
| Location : | Back House Farm Hall Lane Mawdesley Lancashire L40 2QY | | | | |
| Applicant: | Mr And Mrs S Smith Back House Farm Hall Lane Mawdesley Lancashire L40 2QY | | | | |
| Plan Ref | 05/00846/TPO | Date Received | 19.08.2005 | Decision | Consent for Tree Works |
| Ward: | Adlington & Anderton | Date Decided | 25.11.2005 | | |
| Proposal : | Pruning of the seasons growth hanging over track TPO4 (Anderton) 2005 | | | | |
| Location : | Briarfield Bolton Road Anderton Lancashire PR6 9HW | | | | |
| Applicant: | A J Fox 17 Alderbank, Horwich, Bolton, BL6 7RF | | | | |
| Plan Ref | 05/00886/FUL | Date Received | 02.09.2005 | Decision | Permit Full Planning Permission |
| Ward: | Wheelton And Withnell | Date Decided | 23.11.2005 | | |
| Proposal : | Erection of conservatory, | | | | |
| Location : | 59 Railway Road Brinscall Chorley Lancashire PR6 8RD | | | | |
| Applicant: | Mrs Tattersall 59 Railway Road Brinscall Chorley Lancashire PR6 8RD | | | | |
| Plan Ref | 05/00893/FUL | Date Received | 07.09.2005 | Decision | Permit Full Planning Permission |
| Ward: | Lostock | Date Decided | 02.12.2005 | | |
| Proposal : | Single storey rear extension, provision to form dormer to front and rear and a side extension to form garage | | | | |
| Location : | 71 Drinkhouse Road Croston Lancashire PR26 9JE | | | | |
| Applicant: | Mr And Mrs Tomlinson 71 Drinkhouse Road Croston Lancashire PR26 9JE | | | | |

Plan Ref 05/00907/TPO **Date Received** 15.09.2005 **Decision** Consent for Tree Works

Ward: Euxton North **Date Decided** 18.11.2005

Proposal : Pruning, canopy reduction and removal of deadwood to 3 oak trees covered by TPO 1 (Euxton) 1996

Location : 32 Cherryfields Euxton Lancashire PR7 6JS

Applicant: Mr Moore 32 Cherryfields Euxton Lancashire PR7 6JS

Plan Ref 05/00937/FUL **Date Received** 20.09.2005 **Decision** Refuse Full Planning Permission

Ward: Coppull **Date Decided** 17.11.2005

Proposal : Erection of detached garage and detached swimming pool,

Location : Moss House Farm 63 Coppull Moor Lane Coppull Lancashire PR7 5JB

Applicant: Mr & Mrs Roby Moss House Farm 63 Coppull Moor Lane Coppull Lancashire

Plan Ref 05/00938/TPO **Date Received** 19.09.2005 **Decision** Refuse Consent for Tree Works

Ward: Coppull **Date Decided** 24.11.2005

Proposal : Felling of several black and lombardy poplar trees covered by TPO 7(Coppull) 1997

Location : Trees Along Side Chapel Lane Coppull Lancashire

Applicant: Rowland Homes Ltd Farington House, Stanifield Lane, Leyland, PR25 4AU

Plan Ref 05/00942/FUL **Date Received** 22.09.2005 **Decision** Permit Full Planning Permission

Ward: Eccleston And Mawdesley **Date Decided** 17.11.2005

Proposal : Single storey extension and conservatory to rear and pitched roof over garage

Location : 5 Bradshaw Lane Mawdesley Lancashire L40 3SE

Applicant: Mr & Mrs Parkinson 1 Herons Wharf Appley Bridge Wigan WN6 9ET

Plan Ref 05/00945/TPO **Date Received** 16.09.2005 **Decision** Consent for Tree Works

Ward: Eccleston And Mawdesley **Date Decided** 17.11.2005

Proposal : Approximately 6 metres of hedgerow to be cut back and reduced in height (TPO 3 (Eccleston) 1991)

Location : 18A Chaucer Close Eccleston Chorley Lancashire PR7 5UJ

Applicant: Dr Christopher Forrest 18A Chaucer Close Eccleston Chorley Lancashire PR7 5UJ

Plan Ref 05/00947/FUL **Date Received** 22.09.2005 **Decision** Permit Full Planning Permission

Ward: Brindle And Hoghton **Date Decided** 17.11.2005

Proposal : Erection of garage,
Location : 11 Ollerton Terrace Chorley Road Withnell Lancashire PR6 8BQ
Applicant: Mr J Noblet 11 Ollerton Terrace Chorley Road Withnell Lancashire PR6 8BQ

Plan Ref 05/00950/FUL **Date Received** 22.09.2005 **Decision** Permit Full Planning Permission

Ward: Adlington & Anderton **Date Decided** 17.11.2005

Proposal : Conservatory to the rear
Location : 23 Abbey Grove Adlington Lancashire PR6 9QB
Applicant: Mr And Mrs Chadwick 23 Abbey Grove Adlington Lancashire PR6 9QB

Plan Ref 05/00953/FUL **Date Received** 26.09.2005 **Decision** Permit Full Planning Permission

Ward: Astley And Buckshaw **Date Decided** 21.11.2005

Proposal : Single storey rear extension to ground floor apartment,
Location : 65 Studfold Chorley Lancashire PR7 1UA
Applicant: Mr Douglass, 65 Studfold Chorley Lancashire PR7 1UA

Plan Ref 05/00954/FUL **Date Received** 27.09.2005 **Decision** Permit Full Planning Permission

Ward: Coppull **Date Decided** 18.11.2005

Proposal : Retrospective application for a single storey side extension
Location : 4 Summerfields Coppull Lancashire PR7 4LW
Applicant: Mr And Mrs Degrassi 4 Summerfields Coppull Lancashire PR7 4LW

Plan Ref 05/00955/FUL **Date Received** 26.09.2005 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods North **Date Decided** 17.11.2005

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

Plan Ref 05/00956/FUL **Date Received** 27.09.2005 **Decision** Permit Full Planning Permission

Ward: Chorley South East **Date Decided** 18.11.2005

Proposal : Demolish existing rear detached garage and erect a single storey rear/side extension

Location : 6 Kirkstall Close Chorley Lancashire PR7 3JW

Applicant: Mrs J Campbell 6 Kirkstall Close Chorley Lancashire PR7 3JW

Plan Ref 05/00957/FUL **Date Received** 27.09.2005 **Decision** Refuse Full Planning Permission

Ward: Lostock **Date Decided** 22.11.2005

Proposal : Erection of two storey side extension,

Location : Greenacres Ridley Lane Ulnes Walton Lancashire PR26 9JA

Applicant: Mr & Mrs D Hodge Greenacres Ridley Lane Ulnes Walton Lancashire PR26 9JA

Plan Ref 05/00958/FUL **Date Received** 27.09.2005 **Decision** Permit Full Planning Permission

Ward: Adlington & Anderton **Date Decided** 17.11.2005

Proposal : First floor extension to the rear

Location : 21 Sutton Lane Adlington Chorley Lancashire PR6 9PA

Applicant: Master S Whittaker 21 Sutton Lane Adlington Chorley Lancashire PR6 9PA

Plan Ref 05/00959/TPO **Date Received** 27.09.2005 **Decision** Consent for Tree Works

Ward: Heath Charnock And Rivington **Date Decided** 18.11.2005

Proposal : Crown lifting of tree covered by TPO 1 (Heath Charnock) 1980,

Location : 18 Stonegate Fold Heath Charnock Lancashire PR6 9DX

Applicant: Mr Burdis 18 Stonegate Fold Heath Charnock Lancashire PR6 9DX

Plan Ref 05/00961/FUL **Date Received** 28.09.2005 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 22.11.2005

Proposal : Erection of detached garage to side,

Location : 97 Town Lane Whittle-Le-Woods Lancashire PR6 7DH

Applicant: J Morris 8 The Chines Fulwood Preston PR2 8LD

Plan Ref 05/00962/FUL **Date Received** 28.09.2005 **Decision** Permit Full Planning Permission

Ward: Chorley North West **Date Decided** 22.11.2005

Proposal : Erection of detached garage,
Location : 6 Southport Road Chorley Lancashire PR7 1LB
Applicant: Mr & Mrs Keefe 6 Southport Road Chorley Lancashire PR7 1LB

Plan Ref 05/00966/TPO **Date Received** 29.09.2005 **Decision** Consent for Tree Works

Ward: Pennine **Date Decided** 24.11.2005

Proposal : Felling of two trees covered by TPO 3 (Whittle-Le-Woods) 1977,
Location : Unit 1 White Hill Farm Preston Road Whittle-Le-Woods Lancashire
Applicant: T Bowling Rotherham Top Farmhouse Preston Road Whittle-Le-Woods Lancashire

Plan Ref 05/00967/LBC **Date Received** 29.09.2005 **Decision** Refuse Listed Building Consent

Ward: Brindle And Hoghton **Date Decided** 23.11.2005

Proposal : Listed Building Consent for the formation of access road and car park, and erection of grave diggers store and toilet,
Location : Hoghton Methodist Chapel Chapel Lane Hoghton Lancashire PR5 0RY
Applicant: Rev. R Fisher Superintendent Minister 35 Somerset Avenue Wilpshire Blackburn

Plan Ref 05/00968/FUL **Date Received** 03.10.2005 **Decision** Permit Full Planning Permission

Ward: Wheelton And Withnell **Date Decided** 25.11.2005

Proposal : Erection of first floor side/front extension and single storey side extension,
Location : 17 Sandringham Drive Brinscall Lancashire PR6 8SU
Applicant: Mr S Heaton 17 Sandringham Drive Brinscall Lancashire PR6 8SU

Plan Ref 05/00975/FUL **Date Received** 30.09.2005 **Decision** Permit Full Planning Permission

Ward: Eccleston And Mawdesley **Date Decided** 23.11.2005

Proposal : Erection of two storey side extension,
Location : 71 The Hawthorns Eccleston Chorley Lancashire PR7 5QN
Applicant: Mr & Mrs O'Connel 71 The Hawthorns Eccleston Chorley Lancashire PR7 5QN

| | | | | | |
|-------------------|--|----------------------|------------|-----------------|---------------------------------------|
| Plan Ref | 05/00978/FUL | Date Received | 04.10.2005 | Decision | Permit Full Planning Permission |
| Ward: | Lostock | Date Decided | 24.11.2005 | | |
| Proposal : | Erection of single storey rear extension and insertion of velux roof light in existing roof, | | | | |
| Location : | 42 Lonsdale Drive Croston Lancashire PR26 9SB | | | | |
| Applicant: | Miss Smith & Miss Parker 42 Lonsdale Drive Croston Lancashire PR26 9SB | | | | |
| Plan Ref | 05/00979/FUL | Date Received | 30.09.2005 | Decision | Permit Full Planning Permission |
| Ward: | Eccleston And Mawdesley | Date Decided | 24.11.2005 | | |
| Proposal : | Single storey rear extension | | | | |
| Location : | 35 Red House Lane Eccleston Lancashire PR7 5RH | | | | |
| Applicant: | Mr And Mrs R Kirkby 35 Red House Lane Eccleston Lancashire PR7 5RH | | | | |
| Plan Ref | 05/00981/FUL | Date Received | 03.10.2005 | Decision | Permit Full Planning Permission |
| Ward: | Clayton-le-Woods North | Date Decided | 24.11.2005 | | |
| Proposal : | First floor rear extension and alterations to front of property in connection with conversion of garage to living accommodation, | | | | |
| Location : | 8 Mallards Walk Clayton-Le-Woods Lancashire PR5 6AY | | | | |
| Applicant: | Mr Doug Purnell 8 Mallards Walk Clayton-Le-Woods Lancashire PR5 6AY | | | | |
| Plan Ref | 05/00982/FUL | Date Received | 03.10.2005 | Decision | Refuse Full Planning Permission |
| Ward: | Adlington & Anderton | Date Decided | 21.11.2005 | | |
| Proposal : | Two storey side extension and a detached garage | | | | |
| Location : | Tan Pits Farm New Road Anderton Lancashire PR6 9HG | | | | |
| Applicant: | Mr M Lally C/O Agent | | | | |
| Plan Ref | 05/00983/FUL | Date Received | 04.10.2005 | Decision | Permit Full Planning Permission |
| Ward: | Coppull | Date Decided | 29.11.2005 | | |
| Proposal : | Erection of double garage (partly retrospective), | | | | |
| Location : | Land To The Rear Of 3 & 5 Glover Road Coppull Lancashire | | | | |
| Applicant: | Ms P Johnson 156 Preston Road Whittle-Le-Woods Lancashire PR6 7HE | | | | |

Plan Ref 05/00984/LBC **Date Received** 03.10.2005 **Decision** Refuse
Listed
Building
Consent

Ward: Adlington &
Anderton **Date Decided** 21.11.2005

Proposal : Listed Building Consent for a two storey side extension
Location : Tan Pits Farm New Road Anderton Lancashire PR6 9HG
Applicant: Mr M Lally C/O Agent

Plan Ref 05/00985/FUL **Date Received** 04.10.2005 **Decision** Permit Full
Planning
Permission

Ward: Adlington &
Anderton **Date Decided** 23.11.2005

Proposal : Formation of dormers to front and rear and erection of porch to front,
Location : 1 Anglezarke Road Adlington Chorley Lancashire PR6 9PZ
Applicant: Mr & Mrs Barron 1 Anglezarke Road Adlington Chorley Lancashire PR6 9PZ

Plan Ref 05/00986/FUL **Date Received** 05.10.2005 **Decision** Permit Full
Planning
Permission

Ward: Chorley North
East **Date Decided** 30.11.2005

Proposal : Erection of single storey side extension,
Location : 3 Guildford Avenue Chorley Lancashire PR6 8TG
Applicant: Mr I Strickland 3 Guildford Avenue Chorley Lancashire PR6 8TG

Plan Ref 05/00988/FUL **Date Received** 03.10.2005 **Decision** Permit Full
Planning
Permission

Ward: Euxton North **Date Decided** 25.11.2005

Proposal : Erection of single storey rear extension, first floor rear extension over existing
kitchen and formation of dormer window to rear,
Location : 119 Wigan Road Euxton Lancashire PR7 6JH
Applicant: Mr & Mrs O'Callaghan 119 Wigan Road Euxton Lancashire PR7 6JH

Plan Ref 05/00989/FUL **Date Received** 03.10.2005 **Decision** Permit Full
Planning
Permission

Ward: Chorley North
West **Date Decided** 24.11.2005

Proposal : Erection of two storey rear extension at basement and ground floor level,
Location : 30 Windsor Road Chorley Lancashire PR7 1LN
Applicant: Dr & Mrs Winstanley 30 Windsor Road Chorley Lancashire PR7 1LN

Plan Ref 05/00991/FUL **Date Received** 07.10.2005 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods West And Cuerden **Date Decided** 02.12.2005

Proposal : Conversion and extension of attached double garage to form ground floor extension and first floor extension over garage with front dormer windows
Location : 15 Camellia Drive Clayton-Le-Woods Chorley Lancashire PR25 5RW
Applicant: Mrs Mayhew 15 Camellia Drive Clayton-Le-Woods Chorley Lancashire PR25 5RW

Plan Ref 05/00992/FUL **Date Received** 04.10.2005 **Decision** Refuse Full Planning Permission

Ward: Euxton South **Date Decided** 28.11.2005

Proposal : Retrospective application for the erection of a boundary wall,
Location : 40 Hawkshead Avenue Euxton Chorley Lancashire PR7 6NZ
Applicant: Mr S Conroy 40 Hawkshead Avenue Euxton Chorley Lancashire PR7 6NZ

Plan Ref 05/00993/FUL **Date Received** 03.10.2005 **Decision** Permit Full Planning Permission

Ward: Astley And Buckshaw **Date Decided** 28.11.2005

Proposal : Change of use of first floor from pub/function rooms to form additional teaching accommodation for the existing ground floor school, and two storey side extension to create lift,
Location : Oliver House Hallgate Astley Village Lancashire
Applicant: Mr P Watson Oliver House Hallgate Astley Village Lancashire

Plan Ref 05/00994/FUL **Date Received** 10.10.2005 **Decision** Permit Full Planning Permission

Ward: Chisnall **Date Decided** 05.12.2005

Proposal : Conservatory to the rear
Location : 7 West End Avenue Coppull Lancashire PR7 5DB
Applicant: Mr Ivor Davies 7 West End Avenue Coppull Lancashire PR7 5DB

Plan Ref 05/00995/FUL **Date Received** 10.10.2005 **Decision** Permit Full Planning Permission

Ward: Eccleston And Mawdesley **Date Decided** 02.12.2005

Proposal : First floor side extension
Location : 64 The Hawthorns Eccleston Chorley Lancashire PR7 5QW
Applicant: Mr And Mrs Barlow 64 The Hawthorns Eccleston Chorley Lancashire PR7 5QW

Plan Ref 05/00996/FUL **Date Received** 05.10.2005 **Decision** Permit Full Planning Permission

Ward: Euxton South **Date Decided** 24.11.2005

Proposal : Demolish existing rear conservatory and replace with new
Location : The Bobbin Mill Mill Lane Euxton Chorley Lancashire
Applicant: Mr And Mrs R Adams The Bobbin Mill Mill Lane Euxton Chorley Lancashire

Plan Ref 05/00998/FUL **Date Received** 05.10.2005 **Decision** Permit Full Planning Permission

Ward: Eccleston And Mawdesley **Date Decided** 25.11.2005

Proposal : Proposed garage conversion and a conservatory to the rear,
Location : 157 The Green Eccleston Lancashire PR7 5SA
Applicant: Mr And Mrs D Hannett 159 The Green Eccleston Lancashire PR7 5SA

Plan Ref 05/00999/FUL **Date Received** 06.10.2005 **Decision** Permit Full Planning Permission

Ward: Chorley South West **Date Decided** 28.11.2005

Proposal : Two storey side extension
Location : 120 The Cedars Chorley Lancashire PR7 3RP
Applicant: Mr And Mrs Harrison 120 The Cedars Chorley Lancashire PR7 3RP

Plan Ref 05/01000/FUL **Date Received** 11.10.2005 **Decision** Refuse Full Planning Permission

Ward: Lostock **Date Decided** 06.12.2005

Proposal : Erection of single storey extension (orangery),
Location : 4 Home Farm Mews Grape Lane Croston Lancashire PR26 9JT
Applicant: Mr A Muir 4 Home Farm Mews Grape Lane Croston Lancashire PR26 9JT

Plan Ref 05/01001/FUL **Date Received** 10.10.2005 **Decision** Refuse Full Planning Permission

Ward: Lostock **Date Decided** 06.12.2005

Proposal : Erection of summerhouse,
Location : 4 Home Farm Mews Grape Lane Croston Lancashire PR26 9JT
Applicant: Mr A Muir 4 Home Farm Mews Grape Lane Croston Lancashire PR26 9JT

Plan Ref 05/01005/FUL **Date Received** 12.10.2005 **Decision** Permit Full Planning Permission

Ward: Chorley South West **Date Decided** 28.11.2005

Proposal : Extension to the rear and a front porch
Location : 62 Draperfield Chorley Lancashire PR7 3PL
Applicant: Mr Rook And Miss Bennett 62 Draperfield Chorley Lancashire PR7 3PL

Plan Ref 05/01007/TPO **Date Received** 06.10.2005 **Decision** Consent for Tree Works

Ward: Chisnall **Date Decided** 28.11.2005

Proposal : Felling of one tree covered by TPO 2 (Charnock Richard) 1995 and pruning and removal of deadwood from trees covered by TPO 2 (Charnock Richard) 1995 or TPO 4 (Charnock Richard) 1994,
Location : 31A Church Lane Charnock Richard Lancashire PR7 3RB
Applicant: Mr & Mrs Lawson 31A Church Lane Charnock Richard Lancashire PR7 3RB

Plan Ref 05/01009/COU **Date Received** 07.10.2005 **Decision** Permit Full Planning Permission

Ward: Brindle And Hoghton **Date Decided** 28.11.2005

Proposal : Change of use from a stone store building to a therapy room to be used in conjunction with the rest of the buildings
Location : Foster Care Associates Ollerton Court Ollerton Lane Withnell Lancashire
Applicant: Foster Care Associates North West Ollerton Court Chorley Road Withnell

Plan Ref 05/01010/FUL **Date Received** 10.10.2005 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 24.11.2005

Proposal : Demolition of existing house and erection of new dwelling
Location : The Paddock Dawson Lane Whittle-Le-Woods Lancashire PR6 7DS
Applicant: Mr And Mrs J Smith The Paddock Dawson Lane Whittle-Le-Woods Lancashire

Plan Ref 05/01011/FUL **Date Received** 19.10.2005 **Decision** Permit Full Planning Permission

Ward: Chorley North West **Date Decided** 02.12.2005

Proposal : Single storey rear extension.
Location : 284 Highfield Road North Chorley Lancashire PR7 1PH
Applicant: Mr And Mrs Disley 284 Highfield Road North Chorley Lancashire PR7 1PH

Plan Ref 05/01012/FUL **Date Received** 11.10.2005 **Decision** Refuse Full Planning Permission

Ward: Clayton-le-Woods West And Cuerden **Date Decided** 05.12.2005

Proposal : Erection of a single storey extension to the rear
Location : Calderbanks Shady Lane Clayton-Le-Woods Lancashire PR25 5TA
Applicant: Mr And Mrs Ainscough C/O Agent

Plan Ref 05/01013/FUL **Date Received** 17.10.2005 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods West And Cuerden **Date Decided** 07.12.2005

Proposal : Single storey side extension and conversion of garage.
Location : 3 Cypress Close Clayton-Le-Woods Chorley Lancashire PR25 5TY
Applicant: Mr And Mrs Preedy 3 Cypress Close Clayton-Le-Woods Chorley Lancashire

Plan Ref 05/01014/FUL **Date Received** 11.10.2005 **Decision** Permit Full Planning Permission

Ward: Lostock **Date Decided** 02.12.2005

Proposal : Rear conservatory
Location : 10 Coniston Way Croston Lancashire PR26 9SD
Applicant: Mrs K A Ashcroft 10 Coniston Way Croston Lancashire PR26 9SD

Plan Ref 05/01015/TPO **Date Received** 19.10.2005 **Decision** Consent for Tree Works

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 28.11.2005

Proposal : Proposed felling of tree on boundary with Town Lane.
Location : Tru Metals Foundry Ltd Low Mill Town Lane Whittle-Le-Woods Lancashire
Applicant: Mr J Ainsworth Tru Metals Foundry Ltd Low Mill Town Lane Whittle-Le-Woods

Plan Ref 05/01016/NLA **Date Received** 10.10.2005 **Decision** No objection to NLA consultation

Ward: **Date Decided** 23.11.2005

Proposal : Erection of 6 No stables, ancillary buildings and sand paddock
Location : Land Adjacent To Seven Star Barn, Preston Road Standish
Applicant: Mr And Mrs Taylor Seven Star Barn, Preston Road Standish Wigan

| | | | | | |
|-------------------|--|----------------------|------------|-----------------|---------------------------------|
| Plan Ref | 05/01019/FUL | Date Received | 13.10.2005 | Decision | Permit Full Planning Permission |
| Ward: | Chorley South East | Date Decided | 28.11.2005 | | |
| Proposal : | Proposed replacement shop frontages including formation of secondary entrance. | | | | |
| Location : | Fugi Film Imaging Service 25 Market Place Chorley Lancashire PR7 1DA | | | | |
| Applicant: | Parmar Properties C/O Jones And Company 57 Liverpool Road Penwortham Preston PR1 9XD | | | | |
| Plan Ref | 05/01022/CLPUD | Date Received | 14.10.2005 | Decision | Grant Certificate of Lawfulness |
| Ward: | Eccleston And Mawdesley | Date Decided | 17.11.2005 | | |
| Proposal : | Proposed erection of a single storey building comprising double garage, games room, hobby room, store and toilet with construction of a driveway | | | | |
| Location : | Wrenalls House Ridley Lane Mawdesley Lancashire L40 2RE | | | | |
| Applicant: | Mr And Mrs Hepplestone Wrenalls House Ridley Lane Mawdesley Lancashire | | | | |
| Plan Ref | 05/01023/FUL | Date Received | 11.10.2005 | Decision | Permit Full Planning Permission |
| Ward: | Euxton South | Date Decided | 06.12.2005 | | |
| Proposal : | Two storey side extension | | | | |
| Location : | 48 Regents Way Euxton Chorley Lancashire PR7 6PQ | | | | |
| Applicant: | Mr D Motyka And Miss R McLaughlin 48 Regents Way Euxton Chorley Lancashire | | | | |
| Plan Ref | 05/01024/FUL | Date Received | 13.10.2005 | Decision | Permit Full Planning Permission |
| Ward: | Astley And Buckshaw | Date Decided | 06.12.2005 | | |
| Proposal : | Erection of single storey extensions to side, formation of bay windows to front and rear, and demolition of conservatory, | | | | |
| Location : | 2C The Farthings Astley Village Lancashire PR7 1TP | | | | |
| Applicant: | Mr J Phillips 216 Preston Road Coppull Lancashire PR7 5EB | | | | |
| Plan Ref | 05/01025/FUL | Date Received | 12.10.2005 | Decision | Permit Full Planning Permission |
| Ward: | Chorley East | Date Decided | 05.12.2005 | | |
| Proposal : | Single storey side extension, detached garage, rear conservatory and fence to front of house, | | | | |
| Location : | 32 Grey Heights View Chorley Lancashire PR6 0TN | | | | |
| Applicant: | Mr And Mrs V Winkelen 32 Grey Heights View Chorley Lancashire PR6 0TN | | | | |

Plan Ref 05/01026/FUL **Date Received** 11.10.2005 **Decision** Permit Full Planning Permission

Ward: Eccleston And Mawdesley **Date Decided** 06.12.2005

Proposal : Demolish existing sheds and construct single storey rear extension,
Location : 226A The Green Eccleston Lancashire PR7 5SU
Applicant: Mr Stickley 226A The Green Eccleston Lancashire PR7 5SU

Plan Ref 05/01027/FUL **Date Received** 12.10.2005 **Decision** Permit Full Planning Permission

Ward: Wheelton And Withnell **Date Decided** 07.12.2005

Proposal : Erection of rear conservatory,
Location : 4 Sandringham Drive Brinscall Lancashire PR6 8SU
Applicant: Mr J Valentine 4 Sandringham Drive Brinscall Lancashire PR6 8SU

Plan Ref 05/01028/FUL **Date Received** 14.10.2005 **Decision** Refuse Full Planning Permission

Ward: Chisnall **Date Decided** 06.12.2005

Proposal : Erection of single storey rear extension,
Location : 27 Town Lane Charnock Richard Lancashire PR7 5HP
Applicant: Mr & Mrs Bradshaw 27 Town Lane Charnock Richard Lancashire PR7 5HP

Plan Ref 05/01030/ADV **Date Received** 19.10.2005 **Decision** Advertising Consent

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 29.11.2005

Proposal : Display of 3 internally illuminated advertisements,
Location : Granada Travelodge Preston Road Clayton-Le-Woods Lancashire PR6 7JB
Applicant: Travelodge Hotels Ltd Oxford House Oxford Road Thame Oxon OX9 2AH

Plan Ref 05/01036/TPO **Date Received** 20.10.2005 **Decision** Consent for Tree Works

Ward: Chorley North West **Date Decided** 29.11.2005

Proposal : Crown raising and lifting of 15 trees and felling of 1 tree covered by TPO 1 (Chorley) 1987,
Location : St Marys Roman Catholic Church St Marys Walk Chorley Lancashire PR7 2SE
Applicant: Reverend G Cobham St Marys Roman Catholic Church St Marys Walk Chorley

Plan Ref 05/01039/FUL **Date Received** 20.10.2005 **Decision** Permit Full
Planning
Permission

Ward: Euxton South **Date Decided** 28.11.2005

Proposal : Erection of rear conservatory,
Location : 36 Church Walk Euxton Chorley Lancashire PR7 6HL
Applicant: Dr & Mrs Hunt 36 Church Walk Euxton Chorley Lancashire PR7 6HL

Plan Ref 05/01040/FUL **Date Received** 20.10.2005 **Decision** Permit Full
Planning
Permission

Ward: Lostock **Date Decided** 06.12.2005

Proposal : Formation of vehicular access,
Location : 275 Southport Road Ulmes Walton Lancashire PR26 8LQ
Applicant: Mr W G Mayor 275 Southport Road Ulmes Walton Lancashire PR26 8LQ

Plan Ref 05/01054/TCON **Date Received** 26.10.2005 **Decision** No
objection to
Tree
Works

Ward: Heath Charnock
And Rivington **Date Decided** 05.12.2005

Proposal : Felling of 6 trees and crown lifting of 1 tree within Rivington Conservation Area,
Location : Mill Dam Wood Rivington Lane Rivington Lancashire
Applicant: United Utilities Rivington WTW Bolton Road Horwich Bolton Lancs

Plan Ref 05/01060/FUL **Date Received** 31.10.2005 **Decision** Permit Full
Planning
Permission

Ward: Chorley South
East **Date Decided** 24.11.2005

Proposal : Single storey side and rear extension
Location : 14 Kirkstall Close Chorley Lancashire PR7 3JW
Applicant: Mr And Mrs W May 14 Kirkstall Close Chorley Lancashire PR7 3JW

| Report of | Meeting | Date |
|------------------------------------|-------------------------------|------------|
| Head of Development & Regeneration | Development Control Committee | 20.12.2005 |

ENFORCEMENT ITEM

SITING OF CARAVAN FOR RESIDENTIAL USE ON LAND AT CLAYTON HALL STABLES SPRING MEADOW CLAYTON LE WOODS

PURPOSE OF REPORT

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

CORPORATE PRIORITIES

2. This report does not affect the corporate priorities.

RISK ISSUES

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

BACKGROUND

4. Complaint was received that a static caravan had been brought on to this site; a subsequent site visit carried out confirmed this allegation. It was also seen that a number of items of domestic paraphernalia had also been erected on the land, items such as; sheds, dog kennel, external wooden stair cases, washing line and the formation of a hard standing area to the front of the mobile home. The landowner was written to regarding this change in use of the land and a retrospective planning application was submitted, not for retention of the caravan already on site, but proposing the siting of a larger mobile home together with the erecting of a stable block. This application, 9/05/921/ FUL, has been presented on this agenda with a recommendation for refusal. If Committee Members endorse that recommendation it is expedient to take enforcement action to secure cessation of the use of the land for the stationing of a mobile home for residential purposes and also, to secure the removal of the domestic paraphernalia and hard standing from the land.

POLICY

5. This site is within the designated Green Belt as defined by Policy DC1 of the Adopted Chorley Borough Local Plan Review and is also in close proximity to Clayton Hall, Clayton –le –Woods a Scheduled Ancient Monument, Policy HT11 refers. Within the green belt permission will not be granted, except in very special circumstances for the erection of new dwellings, other than for the purposes of agriculture, forestry, essential facilities for outdoor recreation, cemeteries and for other uses of land which preserve the openness of the green belt and which do not conflict with the purposes of including land within it. Planning policy statement 7: Sustainable development makes it clear that residential use of a caravan would only be appropriate for a temporary period if it is essential to support a new farming activity.

6. Members will find a full copy of the Officers report on the proposal earlier in the Agenda. The main issues in relation to the mobile home are whether it represents appropriate development in the Green Belt and its effect upon the character and appearance of the Green Belt.
7. This land benefits from a historic livery use and the proposals as submitted were subject to consultation with the County Land Agent, who has stated that at this site he does not consider the scale of the enterprise justifies the provision of on site accommodation.
8. The mobile home is sited on open land and it is considered that the siting of the mobile home together with the associated domestic paraphernalia intrudes unnecessarily into the open and rural character of the area. Additionally, the siting of the mobile home is considered to have a detrimental effect upon the site and setting of the Scheduled Ancient Monument, Clayton Hall.
9. The development therefore represents inappropriate development detracting from the character and appearance of the Green Belt and that enforcement action should be taken.
10. With regards to the operational development that has taken place: laying of hard standing and the domestic paraphernalia brought on to the land, these activities do not benefit from any planning permission and is contrary to Policy DC1 & HT11.

COMMENTS OF THE DIRECTOR OF FINANCE

7. No comments.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

8. No comments.

RECOMMENDATION

9. That it is expedient to issue two Enforcement Notices in respect of the following breaches of planning control:
 1. Without planning permission the change in use of the land from livery use to a mixed use of livery and for the siting of a mobile home for residential purposes.
 - (1a) Remedy for Breach
Remove the mobile home from the land edged Red on the attached plan, plan SA/1, and to cease use of that land for the siting of a mobile home for residential purposes.
 - (1b) Period for Compliance
Nine months
 - (1c) Reason
 - i. The development is contrary to Policies DC1 of the Adopted Chorley Borough Local Plan Review, Planning Policy Guidance Note 2, Planning Policy Statement 7, in that the development is inappropriate and harmful to the character and appearance of the Green Belt. There is no justification or no very special circumstances to justify an

exception in this case to the presumption against inappropriate development in the Green Belt.

- ii. The development is contrary to Policy HT11 of the Adopted Chorley Borough Local Plan Review in that the mixed use of the land for livery and for the siting of a mobile home for residential purposes is likely to have a detrimental effect on the site or setting of the Scheduled Ancient Monument of Clayton Hall, Clayton Le Woods.

- 2. Without planning permission the carrying out of operational development on land shown edged Red on the attached plan. That operational development being; the formation of a hard surfaced area, the erecting of two wooden sheds and a dog kennel, and the construction of two wooden balustrades.

(2a) Remedy for Breach

Remove from the land:

- (2ai) the materials that form the hard standing shown hatched on the attached plan, plan SA/2, from the land and return that land to grass sward by re seeding that land
- (2aii) the two wooden sheds marked A and B on the attached plan, SA/2
the two wooden balustrades and stairs marked C and D on the attached plan, SA/2
the wooden dog kennel marked E on the attached plan SA/2

(2b) Periods of Compliance

Three months.

(2c) Reasons

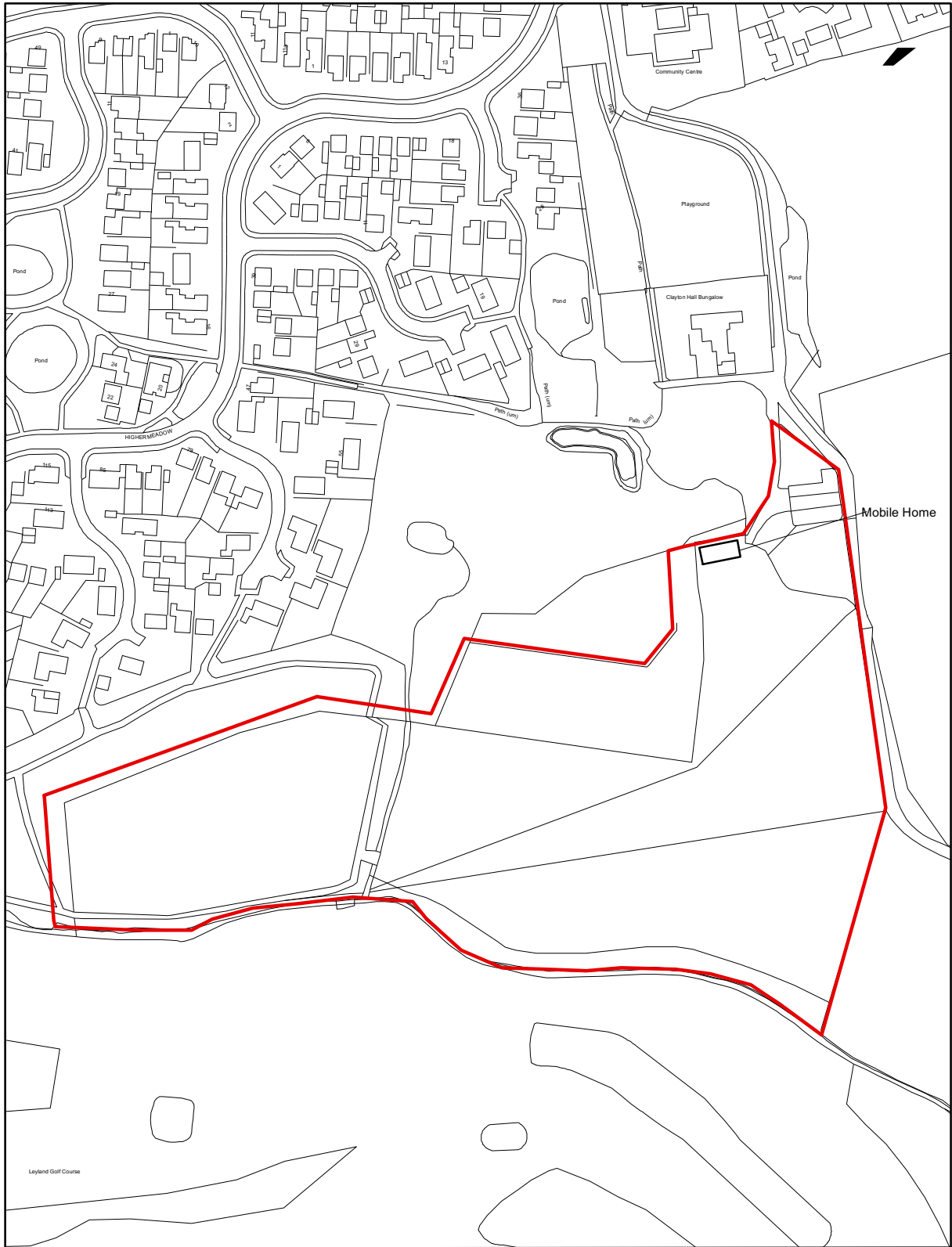
1. The operational development is contrary to Policies DC1 of the Adopted Chorley Borough Local Plan Review, Planning Policy Guidance Note 2, Planning Policy Statement 7, in that the development is inappropriate and harmful to the character and appearance of the Green Belt. There is no justification or no very special circumstances to justify an exception in this case to the presumption against inappropriate development in the Green Belt.

2. The development is contrary to Policy HT11 of the Adopted Chorley Borough Local Plan Review in that the nature of the operational development carried out is likely to have a detrimental effect on the site or setting of the Scheduled Ancient Monument of Clayton Hall, Clayton Le Woods.

JANE E MEEK
HEAD OF DEVELOPMENT & REGENERATION

| Report Author | Ext | Date | Doc ID |
|--------------------------|------|-----------------|----------------------|
| Steve Aldous | 5414 | 01December 2005 | |
| Background Papers | | | |
| Document | Date | File | Place of Inspection |
| Planning Application | | 05/00992/FUL | Union Street Offices |

SA/1



Jane E Meek BSc(Hons) DipTP MRTPI
 Head of Development and Regeneration
 Chorley Borough Council

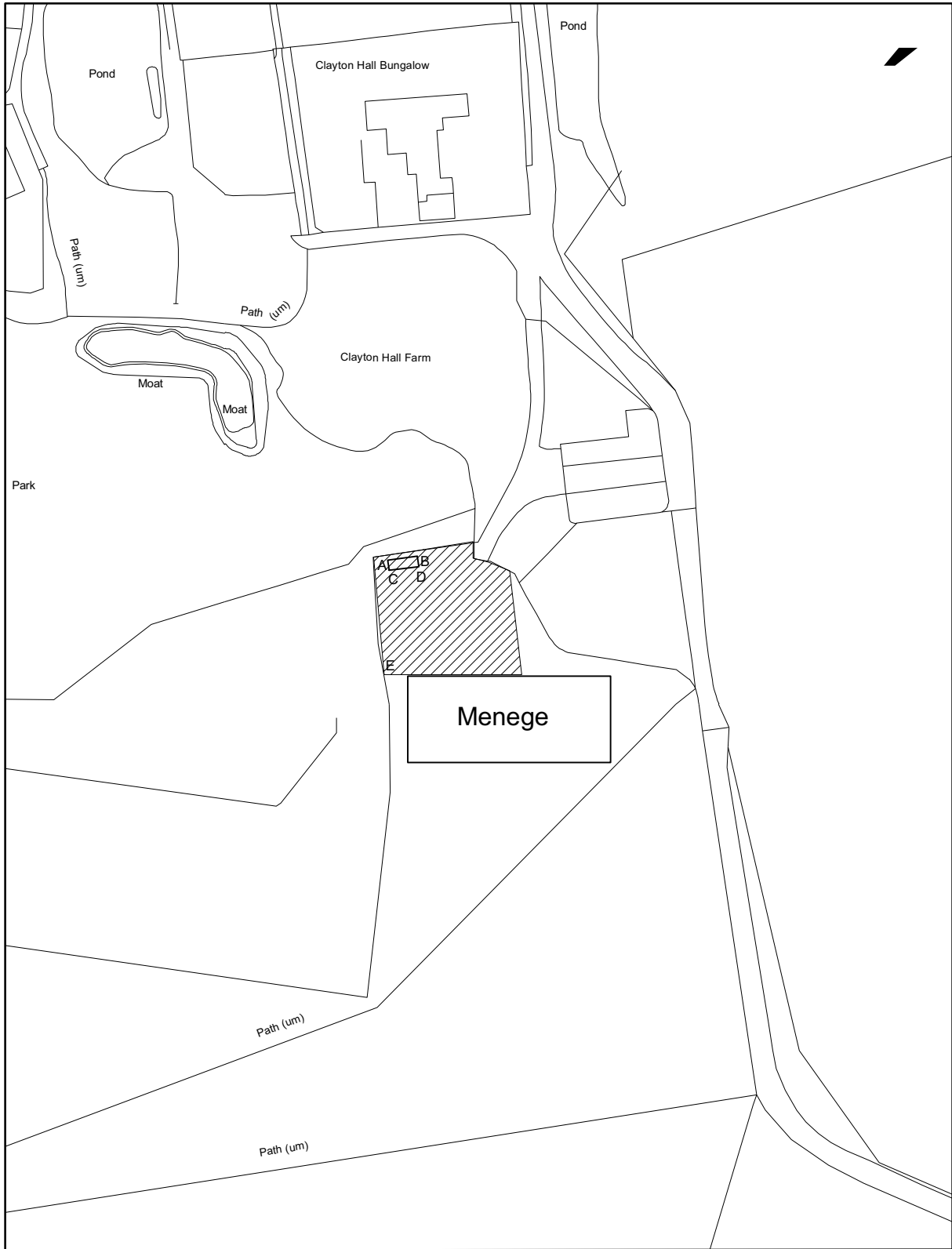
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Enforcement Item:
 Clayton Hall Stables
 Spring Meadow
 Clayton Le Woods

SCALE
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SA/2



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Enforcement Item:
 Clayton Hall Stables
 Spring Meadow
 Clayton Le Woods

SCALE
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| Report of | Meeting | Date |
|------------------------------------|-------------------------------|------------|
| Head of Development & Regeneration | Development Control Committee | 20.12.2005 |

ENFORCEMENT ITEM

ERECTION OF BRICK WALL 0.9M IN HEIGHT AND BRICK PILLARS 2.1M IN HEIGHT ADJACENT TO HIGHWAY USED BY MOTOR VEHICLES – 40 HAWKSHEAD AVENUE EUXTON

PURPOSE OF REPORT

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

CORPORATE PRIORITIES

2. This report does not affect the corporate priorities.

RISK ISSUES

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

BACKGROUND

4. A retrospective planning application for the erection of a boundary wall to property 40 Hawkshead Avenue, Euxton, application 05/00992/FUL refers, has been considered and refused permission. The application proposed a brick wall of height 0.9m along which at 1.8m intervals brick pillars were built to a height of 2.1m; between the pillars close-boarded timber fence panels were to be erected. This property occupies a corner plot where Hawkshead Avenue meets with Highways Avenue.

POLICY

5. The property lies in an area of built settlement. Within such settlement areas Policy GN1 states there is a presumption in favour of appropriate development, subject to normal planning considerations and policies and proposals of the Adopted Chorley Borough Local Plan. Policy GN5 of the Local Plan states that the design of proposed developments will be expected to be well related to their surroundings.

ASSESSMENT

6. The issue to consider is whether the development meets with Policy GN1 and GN5. It is opined that the proposal does not relate well to the immediate surrounding area, which reflects a character of openness evident by minimum boundary treatments at neighbouring properties, which include dwarf walls 0.5m high and vegetation. The proposal will be a prominent feature in the street scene and will have a significantly adverse impact on the character of the street when taking into account the absence of screening at other properties in the immediate area and the prominent corner location occupied by the property.

COMMENTS OF THE DIRECTOR OF FINANCE

7. No comments.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

8. No comments.

RECOMMENDATION

9. That it is expedient to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 in respect of the following breach of planning control - without planning permission the erection of brick pillars adjacent to a highway used by vehicular traffic that are over 1 metre in height.

(a) Remedy for Breach

- i. Reduce the heights of the brick pillars between points A and B, as shown on the attached plan, to a height of 1 metre when measured from ground level, thereby benefiting as permitted development granted by virtue of, Schedule 2, Part 2, Class A, The Town & Country Planning (General Permitted Development) Order 1995.
- ii. Remove all material resultant from the works carried out under 9 (ai) from the land.

(b) Period for Compliance

56 days

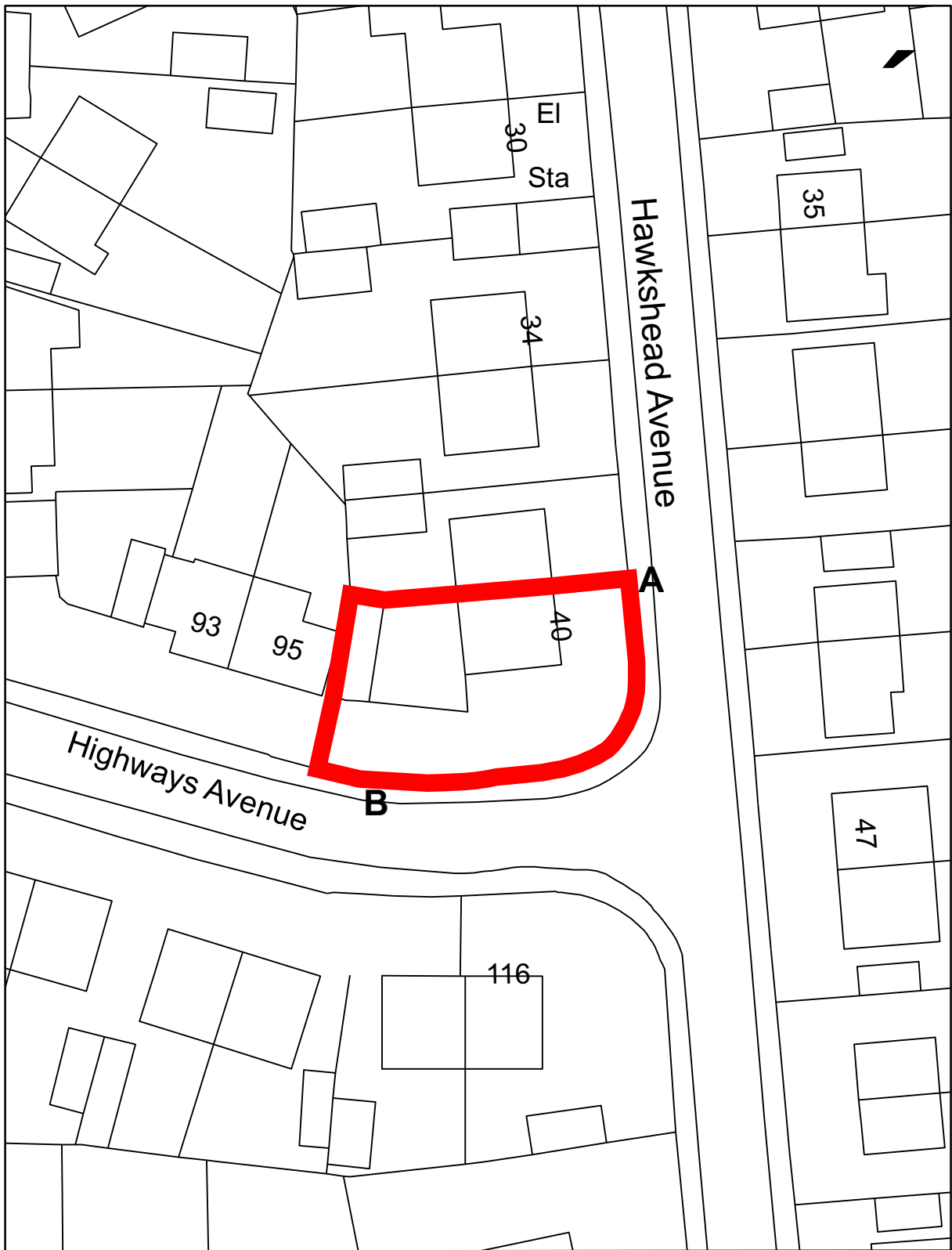
(c) Reason

The height of the brick pillars would be visually obtrusive and detrimental to both the appearance and character of the street and the amenity of the area. This development is inappropriate, as it does not relate well to the immediate surroundings, which reflect a more open and sylvan character with softer boundary treatments. The proposal is therefore contrary to policies GN1 & GN5 of the Adopted Chorley Borough Local Plan Review.

JANE E MEEK
HEAD OF DEVELOPMENT & REGENERATION

| Report Author | Ext | Date | Doc ID |
|--------------------------|------|------------------|----------------------|
| Steve Aldous | 5414 | 28 November 2005 | |
| Background Papers | | | |
| Document | Date | File | Place of Inspection |
| Planning Application | | 05/00992/FUL | Union Street Offices |

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Chorley Borough Council

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Enforcement Item:
40 Hawkshead Avenue
Euxton

SCALE
1:500

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| Report of | Meeting | Date |
|------------------------------------|-------------------------------|------------|
| Head of Development & Regeneration | Development Control Committee | 20.12.2005 |

ENFORCEMENT ITEM

ERECTION OF BUILDING AT DALBANK, ULNES WALTON LANE, ULNES WALTON

PURPOSE OF REPORT

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

CORPORATE PRIORITIES

2. This report does not affect the corporate priorities

RISK ISSUES

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

BACKGROUND

4. A report appears earlier on this Agenda for a retrospective application for the retention of a replacement steel framed building for the storage, repair and maintenance of agricultural, commercial and motor vehicles. My recommendation is for planning permission for the building to be refused. If the committee agrees with the recommendation, given that the application is submitted in retrospect, then it would be expedient to take action for the reasons set out in the main report.

POLICY

5. The site is within the Green Belt as defined by policy DC1 of the Adopted Chorley Borough Local Plan Review. Within the Green Belt permission will not be granted, except in very special circumstances for development other than one of the specified categories of acceptable uses. This does not include the replacement of industrial buildings.
6. Member will find a full copy of my report on the proposal earlier in the Agenda. The main issues to consider are whether the building represents appropriate development in the Green Belt and its effect on the character and appearance of the Green Belt.
7. The applicant has not submitted any information or evidence of very special circumstances, nor am I aware of any other circumstances to justify an exception to the objectives of national or local Green Belt Policy.
8. The building is large in scale and industrial in character and appearance. It is situated in an area of largely open countryside and forms a prominent feature that it considered to be out of character with the open and rural nature of the area.
9. The development therefore represents inappropriate development and detracts from the character and appearance of the Green belt and that enforcement action should be taken.

COMMENTS OF THE DIRECTOR OF FINANCE

10. There are no comments on this report.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

11. There are no comments on this report.

RECOMMENDATION

12. That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control – without planning permission, the erection of a steel framed building.

(a) Remedy for Breach

Demolish the building and remove the materials from the land

(b) Period for compliance

Six months.

(c) Reason

The development is contrary to policy DC1 of the Adopted Chorley Borough Local Plan Review and Planning Policy Guidance Note 2, being inappropriate development and harmful to the character and appearance of the Green Belt. There are no very special circumstances to justify an exception to the presumption against inappropriate development in the Green Belt.

JANE E MEEK
HEAD OF DEVELOPMENT & REGENERATION

| Report Author | Ext | Date | Doc ID |
|----------------------|------|-----------------|----------------------|
| Helen Lowe | 5229 | 7 December 2005 | |
| Background Papers | | | |
| Document | Date | File | Place of Inspection |
| Planning Application | | 05/01132/FUL | Union Street Offices |



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Enforcement Item:
 Dalbank,
 Ulnes Walton Lane,
 Ulnes Walton

SCALE
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Report

| Report of | Meeting | Date | Item No |
|--------------------------------------|-------------------------------|------------|---------|
| Head of Development and Regeneration | Development Control Committee | 20/12/2005 | |

OBJECTION TO TREE PRESERVATION ORDER NO. 4 (ANDERTON) 2005

PURPOSE OF REPORT

1. The purpose of this report is to decide whether to confirm the above Tree Preservation Order (TPO) in light of the objection received.

CORPORATE PRIORITIES

2. This action will contribute towards a greener Chorley.

RISK ISSUES

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

BACKGROUND

5. The trees in question total five in number and are situated on the eastern boundary of Briarfield and on the left hand side of an access track that serves a field and stables to the north. Briarfield is located on Bolton Road in Anderton to the southeast of the main Adlington settlement area.
6. It was brought to the Council's attention that extensive pruning works had been undertaken to a tract of trees adjacent to the trees referred to. Upon visiting the site with the Council's Arboricultural Officer it was considered that the trees were healthy and made a significant contribution to the visual amenities of the locality. The five trees were accordingly made the subject of a TPO.

GROUNDINGS OF OBJECTION

7. One letter of objection has been received from the owner of the field to the north of the access against which the trees abut. These objections can be summarised as follows: -
 - Uncontrolled growth of the trees would prevent access to the field
 - Agricultural equipment will not be able to pass along the access track if the trees are allowed to remain and the trunks and roots continue to expand into the track undamaged

Continued....



- The trees in question are inappropriately planted
- The trees have blocked a land drain running under the track

RESPONSE TO THE GROUNDS OF OBJECTION

8. The TPO does not inhibit routine maintenance works to the trees it allows the Council to control what works are undertaken to the trees so as their ongoing protection is ensured.
9. The objections made to the order are not considered to be of sufficient weight or substance so as to override the ongoing protection of the trees in question.

COMMENTS OF THE DIRECTOR OF FINANCE

10. There are no financial implications to this report.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

11. There are no human resource implications to this report.

CONCLUSION

12. It is considered the trees have an amenity value to the benefit of the public and contribute to the character and appearance of the locality. The protection of a TPO is therefore warranted.

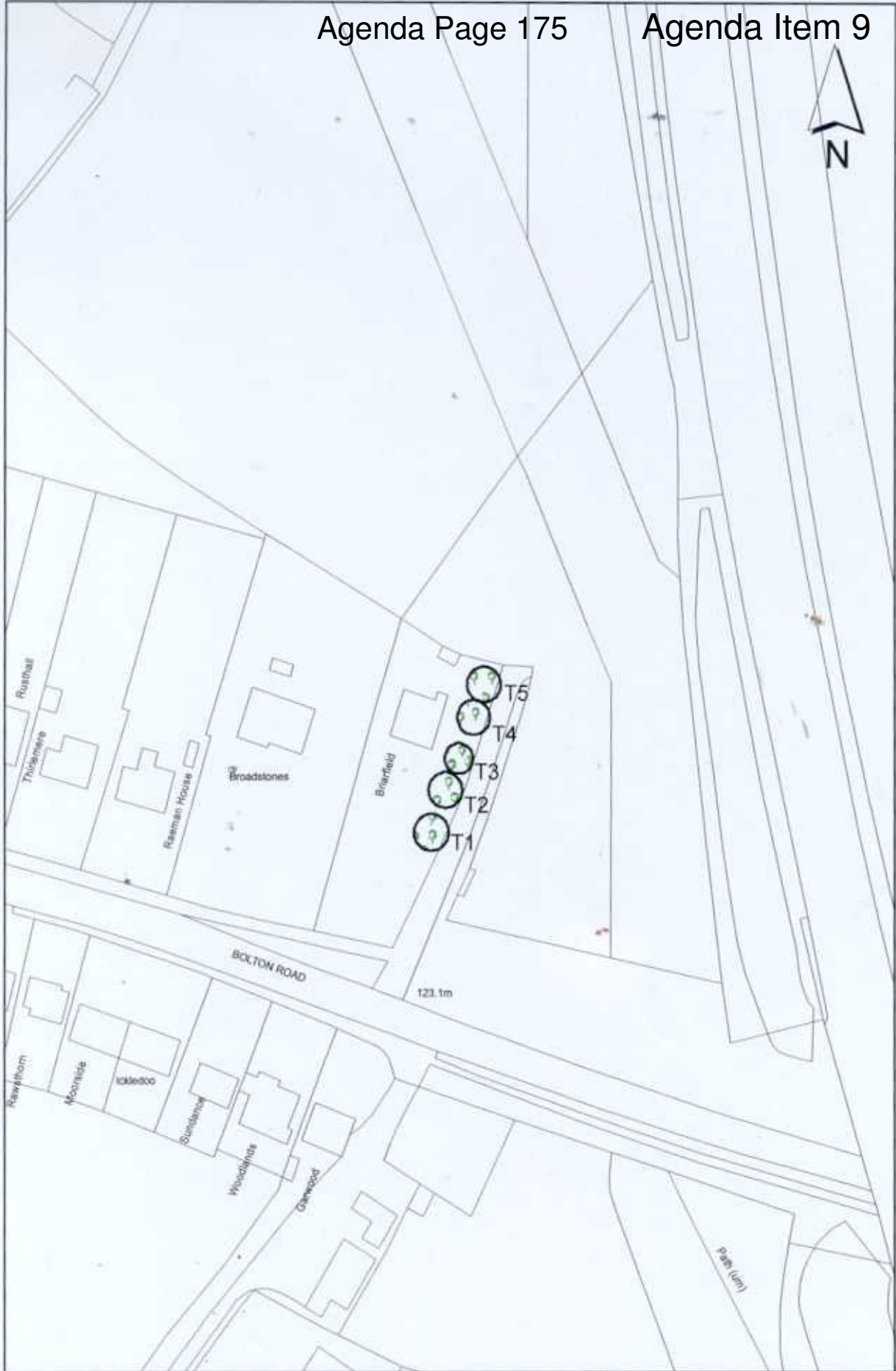
RECOMMENDATION

13. That the order be confirmed.

JANE MEEK
HEAD OF DEVELOPMENT AND REGENERATION

| Report Author | Ext | Date | Doc ID |
|-----------------|------|-------------|--------|
| David Stirzaker | 5223 | 29 Nov 2005 | |

| Background Papers | | | |
|---|----------------------------|--------------------------|-----------------------------|
| Document | Date | File | Place of Inspection |
| Chorley Borough Council Tree Preservation Order NO. 4 (Anderton) 2005 | 13 th July 2005 | TPO No.4 (Anderton) 2005 | Civic Offices, Union Street |



TREE PRESERVATION ORDER
TPO 4 (Anderton) 2005

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