

Development Control Committee

Agenda and Reports

For consideration on

Tuesday, 30th March 2010

In the Council Chamber, Town Hall, Chorley

At 6.30 pm



PROCEDURE FOR PUBLIC SPEAKING AT MEETINGS OF THE DEVELOPMENT CONTROL COMMITTEE

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

ORDER OF SPEAKING AT THE MEETINGS

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

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

19 March 2010

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 30TH MARCH 2010

You are invited to attend a meeting of the Development Control Committee is to be held in the Council Chamber, Town Hall, Chorley on Tuesday, 30th March 2010 at 6.30 pm.

A G E N D A

1. **Apologies for absence**

2. **Declarations of Any Interests**

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

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

3. **Minutes (Pages 1 - 6)**

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

4. **Planning applications awaiting decision (Pages 7 - 8)**

A list of planning applications to be determined is enclosed.

Please note that copies of the location and layout plans are included (where applicable) on the agenda. Plans to be considered will be displayed at the meeting or maybe viewed in advance by following the links to the current planning applications on our website <http://www.chorley.gov.uk/index.aspx?articleid=6>

- (a) **10/00101/FUL - The Royal and The Coppice, Shaw Hill, Whittle-Le-Woods, Chorley PR6 7PP (Pages 9 - 18)**

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

- (b) 10/00006/FUL - Land on side of Sidegate Cottage, Pompian Brow, Bretherton, Leyland PR26 9AQ (Pages 19 - 28)

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

- (c) 10/00079/FUL - Pennines, 2 Crosse Hall Lane, Chorley PR6 0AG (Pages 29 - 36)

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

- (d) 09/01016/COU - 225 - 227, Eaves Lane, Chorley PR6 0AG (Pages 37 - 42)

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

- (e) 10/00023/FULMAJ - 96, Lancaster Lane, Clayton-Le-Woods, Leyland PR25 5SP
(Pages 43 - 50)

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

- (f) 10/00122/TEL - Land 5m North West of 2, Studfold, Chancery Road, Astley Village, Chorley (Pages 51 - 60)

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

- (g) 10/00136/FUL - Land 75m South East of Highfield, Southport Road, Chorley
(Pages 61 - 70)

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

5. **Proposed confirmation of Tree Preservation Orders** (Pages 71 - 72)

Report of Director of Transformation (enclosed)

6. **Objection to Tree Preservation Order No. 6 (Whittle-Le-Woods) 2009** (Pages 73 - 78)

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

7. **Objection to Tree Preservation Order No. 8 (Charnock Richard) 2009** (Pages 79 - 84)

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

8. **Objection to Tree Preservation Order No. 12 (Chorley) 2009** (Pages 85 - 90)

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

9. **Town and Country Planning Act 1990 - Section 257 Proposed Public Path Diversion Order Re: Parts of Public Footpaths No's 4 and 19, Chorley** (Pages 91 - 96)

Report of Director of Transformation (enclosed)

10. **Planning Appeals Notification Report** (Pages 97 - 100)

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

11. **Delegated decisions determined by the Director of Partnerships, Planning and Policy in consultation with the Chair and Vice Chair of the Committee (Pages 101 - 104)**

Planning applications delegated on:

9 March 2010 (table enclosed)

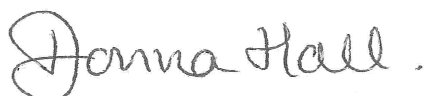
17 March 2010 (table enclosed)

12. **Delegated decisions determined by the Director of Partnerships, Planning and Policy (Pages 105 - 112)**

Schedule of applications determined between 25 February and 17 March 2010 (enclosed)

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

Yours sincerely



Donna Hall
Chief Executive

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Distribution

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

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

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

ان معلومات کا ترجمہ آپکی 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, 9 March 2010**

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

Officers: Jennifer Moore (Head of Planning), Paul Whittingham (Development Control Team Leader), Dianne Scambler (Democratic and Member Services Officer), Andy Wiggett (Principal Planning Officer) and Alex Jackson (Senior Lawyer)

Also in attendance: Councillors John Walker and Greg Morgan (Clayton-Le-Woods and Whittle-Le-woods)

10.DC.126 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Henry Counce and Roy Lees.

10.DC.127 DECLARATIONS OF ANY INTERESTS

In accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct, the following Member declared a prejudicial interest in relation to the planning application listed below:

Councillor Simon Moulton – planning application 10/00006/FUL

10.DC.128 MINUTES

RESOLVED – That subject to the amendment of the following minute:

10.DC.122 It was proposed by Councillor Keith Iddon, seconded by Councillor Mike Devaney to approve the application.

the minutes of the Development Control Committee meeting held on 9 February 2010 be held as a correct record for signing by the Chair.

10.DC.129 PLANNING APPLICATIONS AWAITING DECISION

The Director of Partnerships, Planning and Policy submitted reports on five applications for planning permission to be determined by the Committee.

RESOLVED – That the planning applications, as now submitted, be determined in accordance with the Committee.

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

(Councillor Simon Moulton spoke to the Committee as a ward representative, and then left the meeting; he took no part in the debate or voting)

(The Committee also heard representations from an objector to the proposals)

Application no: 10/00006/FUL
 Proposal: Erection of single detached two storey dwelling (first floor accommodation to be provided in roof space), with an integral garage and new access.
 Location: Land on side of Sidegate Cottage, Pompian Brow, Bretherton, Leyland

Decision:
 It was proposed by Councillor Mick Muncaster, seconded by Councillor Dennis Edgerley, and was subsequently **RESOLVED to defer the decision to allow the Members of the Committee to visit the site of the proposed development.**

(Councillor Simon Moulton returned to the meeting)

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

(The Committee received representations from an objector to the proposals and Councillors Greg Morgan and John Walker both ward representatives for Clayton-Le-Woods and Whittle-Woods)

Application no: 10/00101/FUL
 Proposal: Erection of 7 detached dwellings, garages and associated infrastructure following demolition of existing buildings.
 Location: The Royal and The Coppice, Shaw Hill, Whittle-Le-Woods, Chorley

Decision:
 It was proposed by Councillor Ken Ball, seconded by Councillor Dennis Edgerley, and was subsequently **RESOLVED to defer the decision to allow the Members of the Committee to visit the site of the proposed development.**

(Councillor Alistair Bradley left the meeting)

(c) 10/00079/FUL - Pennines, 2 Crosse Hall Lane, Chorley

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

(Councillor Alistair Bradley returned to the meeting)

Application no: 10/00079/FUL
 Proposal: Demolition of detached bungalow and erection of 8 affordable houses with ancillary parking and enclosures
 Location: Pennines, 2 Crosse Hall Lane, Chorley

Decision:
 It was proposed by Councillor Ken Ball, seconded by Councillor Alistair Bradley, to defer the decision.

An amendment to the motion was proposed by Councillor Harold Heaton, seconded by Councillor Geoff Russell, to grant planning permission, upon being put to the vote, the motion was lost (2-13).

The original motion was then voted upon and was subsequently **RESOLVED (9:0) to defer the decision to request a more comprehensive highways report to be done on the proposals.**

(d) 09/00998/FULMAJ - St Mary's Church Hall, Lawrence Lane, Eccleston, Chorley

Application no: 09/00998/FULMAJ

Proposal: Erection of 10 dwellings and associated infrastructure, including demolition of existing buildings
Location: St Mary's Church Hall, Lawrence Lane, Ecclestone, Chorley
Decision:
It was proposed by Councillor Mike Devaney, seconded by Councillor David Dickinson, and was subsequently **RESOLVED to grant planning permission subject to a Legal Agreement and the following conditions:**

1. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected, specifically to include a 14m high fence along The Croft, (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9. The approved plans are:

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

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

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

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

11. No development shall take place until:

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

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the

proposed end use and in accordance with the guidance set in PPS23 – Planning and Pollution Control

- (e) **10/00027/REM - St James C of E Primary School, Devonport Way, Chorley**

Application: 10/00027/REM
 Proposal: Erection of 9 dwellings with new access, road driveway and parking court (Reserved Matters application 08/00100/OUT)
 Location: St James C of E Primary School, Devonport Way, Chorley
 Decision:

It was proposed by Councillor Ralph Snape, seconded by Councillor Ken Ball and was subsequently **RESOLVED (11:2) to approve the reserved matters application subject to the following conditions:**

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

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

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

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

3. No development shall take place until:

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

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

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

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the

proposed end use and in accordance with the guidance set out in PPS23: Planning and Pollution Control

10.DC.130 ENFORCEMENT REPORT - 7 WELL LANE, BRINSCALL, CHORLEY

The Committee received a report of the Director of Partnerships, Planning and Policy asking Members to consider whether it was expedient to take enforcement action to secure cessation of the use of land adjacent to 7, Well Lane, Brinscall, Chorley as a residential cartilage.

Based on site visits, information from the landowner and complainants, plans attached to conveyance documents and Ariel photographs, Members considered that on the balance of probabilities the land had been used as residential cartilage for a period in excess of ten years and that there had been no different intervening uses.

It was proposed by Councillor Ken Ball, seconded by Councillor David Dickinson, and was subsequently **RESOLVED that it was not expedient to pursue enforcement action.**

10.DC.131 DELEGATED DECISIONS DETERMINED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY IN CONSULTATION WITH THE CHAIR AND VICE CHAIR OF THE COMMITTEE

The Committee received for information tables listing eight applications for Category 'B' development proposals which had been determined by the Director of Partnerships, Planning in consultation with the Chair and Vice Chair of the Committee at meetings held on 9 February and 24 February 2010.

RESOLVED – That the tables be noted.

10.DC.132 DELEGATED DECISIONS DETERMINED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY

The Committee received for information, a schedule listing the remainder of the planning applications determined by the Director of Partnerships, Planning and policy under delegated powers between 27 January and 24 February 2010.

RESOLVED – That the schedule be noted.

10.DC.133 BEST WISHES

The Chair announced that Principal Planning Officer, Andy Wiggett was retiring from the Council and on behalf of himself and the Committee, wished him all the best for the future.

Chair

Report

Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	30.03.2010

PLANNING APPLICATIONS AWAITING DECISION

Item	Application No.	Recommendation	Location	Proposal
1	10/00101/FUL	Permit (Subject to Legal Agreement)	The Royle And The Coppice Shaw Hill Whittle-Le-Woods Chorley PR6 7PP	Erection of 7 detached dwellings, garages and associated infrastructure following demolition of the existing dwellings.
2	10/00006/FUL	Permit (Subject to Legal Agreement)	Land On Site Of Sidegate Cottage Pompian Brow Bretherton Leyland PR26 9AQ	Erection of a detached house on land adjacent to Sidegate Cottage
3	10/00079/FUL	Permit (Subject to Legal Agreement)	Pennines 2 Crosse Hall Lane Chorley PR6 0QJ	Demolition of detached bungalow and garage and erection of 8 affordable houses with ancillary parking and enclosures
4	09/01016/COU	Permit Full Planning Permission	225 - 227 Eaves Lane Chorley Lancashire PR6 0AG	Conversion of retail units to form Doctors Surgery - change of use from A1 to D1
5	10/00023/FULMAJ	Refuse Full Planning Permission	96 Lancaster Lane Clayton-Le-Woods Leyland PR25 5SP	Erection of 10 dwellings and associated infrastructure
6	10/00122/TEL	Prior Notification for Telecom - Refusal	Land 5m North West Of 2 Studfold Chancery Road Astley Village Lancashire	Prior Notificaion for the erection of a 15m pole antenna and 2 associated ground base station equipment cabins (1.48m X 0.35m X 1.5m)
7	10/00136/FUL	Permit Full Planning Permission	Land 75m South East Of Highfield Southport Road Euxton Lancashire	Creation of a public outdoor leisure skate park facility at Yarrow Valley Park

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Item 1	10/00101/FUL	Permit (Subject to Legal Agreement)
Case Officer	Mr Andy Wiggett	
Ward	Clayton-le-Woods And Whittle-le-Woods	
Proposal	Erection of 7 detached dwellings, garages and associated infrastructure following demolition of the existing dwellings.	
Location	The Royle And The Coppice Shaw Hill Whittle-Le-Woods ChorleyPR6 7PP	
Applicant	Wainhomes (North West) Limited	
Proposal	The application relates to the demolition of two existing dwellings and their replacement with seven detached houses. The site is part of the Shaw Hill Estate an area of land off the A6 Preston Road in Whittle-le-Woods which has been developed by the erection of individual dwellings served by two private roads. The roads both lead up to the Shaw Hill.	
Background:	<p>Planning permission was refused in February for the same number of dwellings on the site but using a different mix of house types. The application was unacceptable due to the adverse impact on adjoining properties and streetscene.</p> <p>Planning permission was granted in October 2007 for a development using the same house types on Spinney Close following the demolition of a dwelling on the site. The current application site is about 35m away.</p>	
Policy	<p>Chorley Borough Local Plan Review GN1 - Settlement Policy – Main Settlements GN5 – Building Design HS4 – Design and Layout of Residential Developments HS6 – Housing Windfall Sites SPD – Householder Design Guidance Planning Policy Statement 1 – Delivering Sustainable Development Planning Policy Statement 3 - Housing</p>	
Planning History	No other relevant planning history.	
Consultations	Parish Council - no comments received yet Neighbourhoods – would wish to see a risk assessment carried out with regard to the potential for ground contamination and any necessary remediation.	
Representations	16 letters of objection have been received raising the following issues: <ul style="list-style-type: none"> • Increased traffic on private road will cause unacceptable damage • Scale and density of proposed house out of character • Scheme involves use of private land for access, no deliveries should be made via Shaw Hill Drive • Noise and disturbance caused by development • Timing of bat survey 	

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

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

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

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

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

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

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

No landscaping details submitted

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

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

Need to secure retention of the locally important silver birch specimen

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

Applicant's Case

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

Assessment

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

Principle of Dwellings on the Site

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

PPS3 defines previously developed land (also known as brownfield land) as that which was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The application site is therefore

considered to be previously developed land under this definition. The development of previously developed land is encouraged over the use of greenfield sites. The principle of redevelopment of the site is therefore acceptable in principle in line with planning policy.

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

Impact on Character and Appearance of the Area:

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

Highway Safety

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

Neighbour Amenity

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

The amended layout indicates floor heights which has enabled the impact to be assessed in relation to Shaw Hill and the adjoining dwellings. The detached garage adjacent to Jardine house would have a floor level of 91.15m compared with that of 91.3m for the house. Although the garage would be positioned close to the

highway in view of the large garage on the front of Jardine House it is not considered that their would be such an adverse impact on the streetscene such as to justify a refusal.

The distance between plot 6 and the bungalow opposite, Bramblewood is 25m, the difference in floor levels is now indicated at 2.6m compared with the previous 3.6m and is no longer considered considered to be overdominant. In relation to The Spinney, amended plans have been received which ensure the new dwelling satisfies the 45 degree rule and floor slab level is some 0.3m lower so as to minimise its impact.

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

Commuted Sum

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

Ecological Considerations

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

Other Matters

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

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

Conclusion

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

Recommendation: Permit (Subject to Legal Agreement) Conditions

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

with the Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

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

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

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

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

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

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

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

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

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

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

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

7. During the construction period, all trees to be retained shall be protected, including specifically the silver birch on the boundary with Jardine House, by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped

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

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

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

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

9. Notwithstanding the details of the submitted plans, the proposed driveway shall be constructed using permeable materials on a permeable base, the details of which shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials and shall be retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

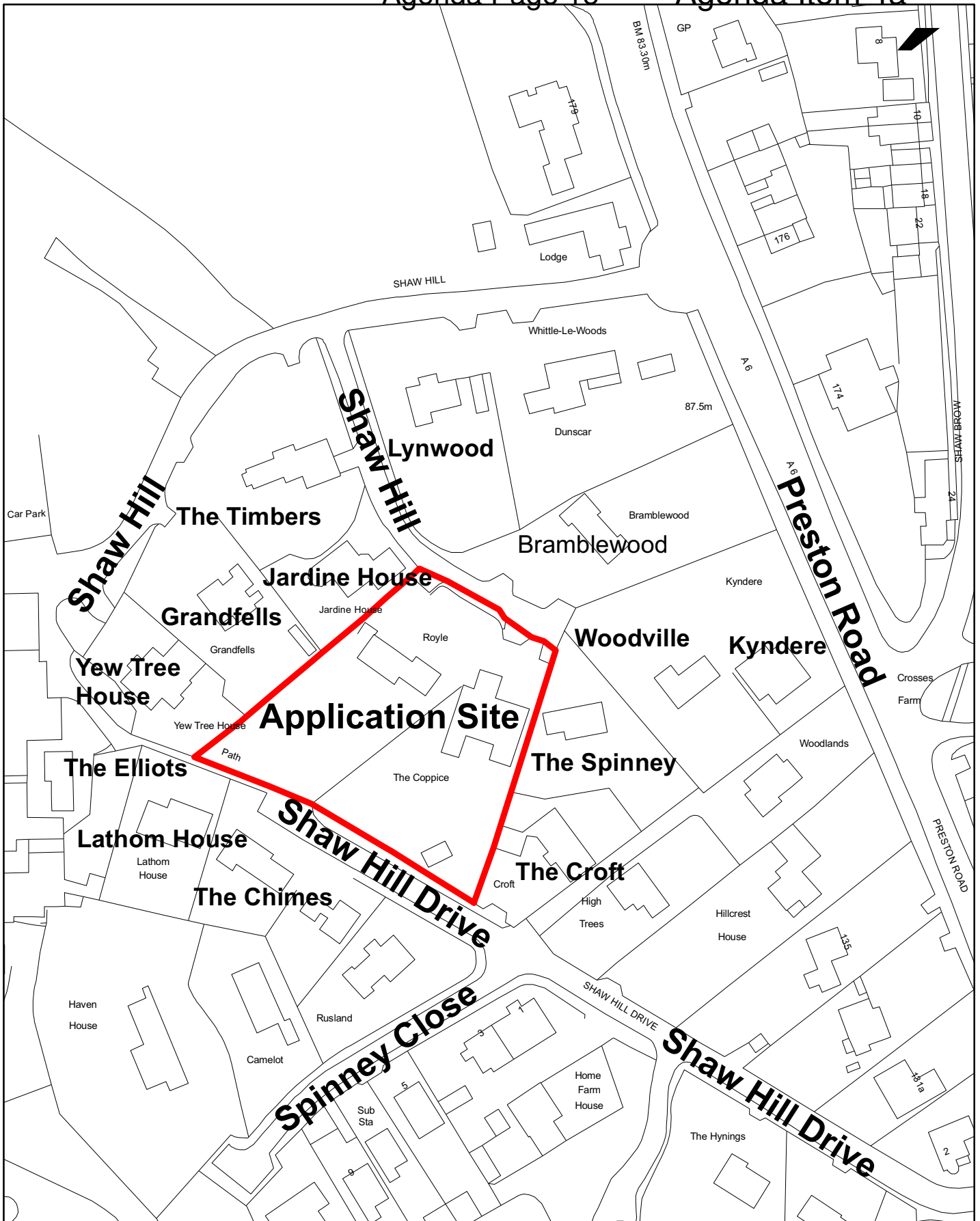
Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run off. In accordance with Policy No.GN5 and EP18 of the adopted Chorley Borough Local Plan Review.

10. No dwelling shall be occupied until a Code for Sustainable Homes 'Post Construction Stage' assessment has been carried out and a final Code Certificate has been issued certifying that the required Code Level and 2 credits under Issue Ene7 has been achieved and the certificate has been submitted to and approved in writing by the Local Planning Authority.

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

11. No phase of the development shall commence until a Design Stage/Interim Code Certificate is submitted to the Local Planning Authority demonstrating that the proposed development will achieve the relevant Code for Sustainable Homes level. All dwellings commenced after 1st January 2010 will be required to meet Code Level 3, all dwellings commenced after 1st January 2013 will be required to meet Code Level 4 and all dwellings commenced after 1st January 2016 will be required to meet Code Level 6. In accordance with Policy SR1 of the Sustainable Resources DPD, renewable or low carbon energy sources must be installed to reduce the predicted carbon emissions of the development by at least 15% (increasing to 20% from 2015). To demonstrate that this has been achieved, the Design Stage/Interim Code Certificate must show that the proposed development will achieve 2 credits within Issue Ene7: Low or Zero Carbon Technologies. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

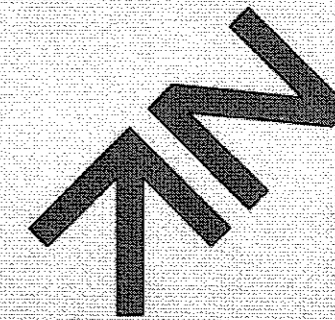
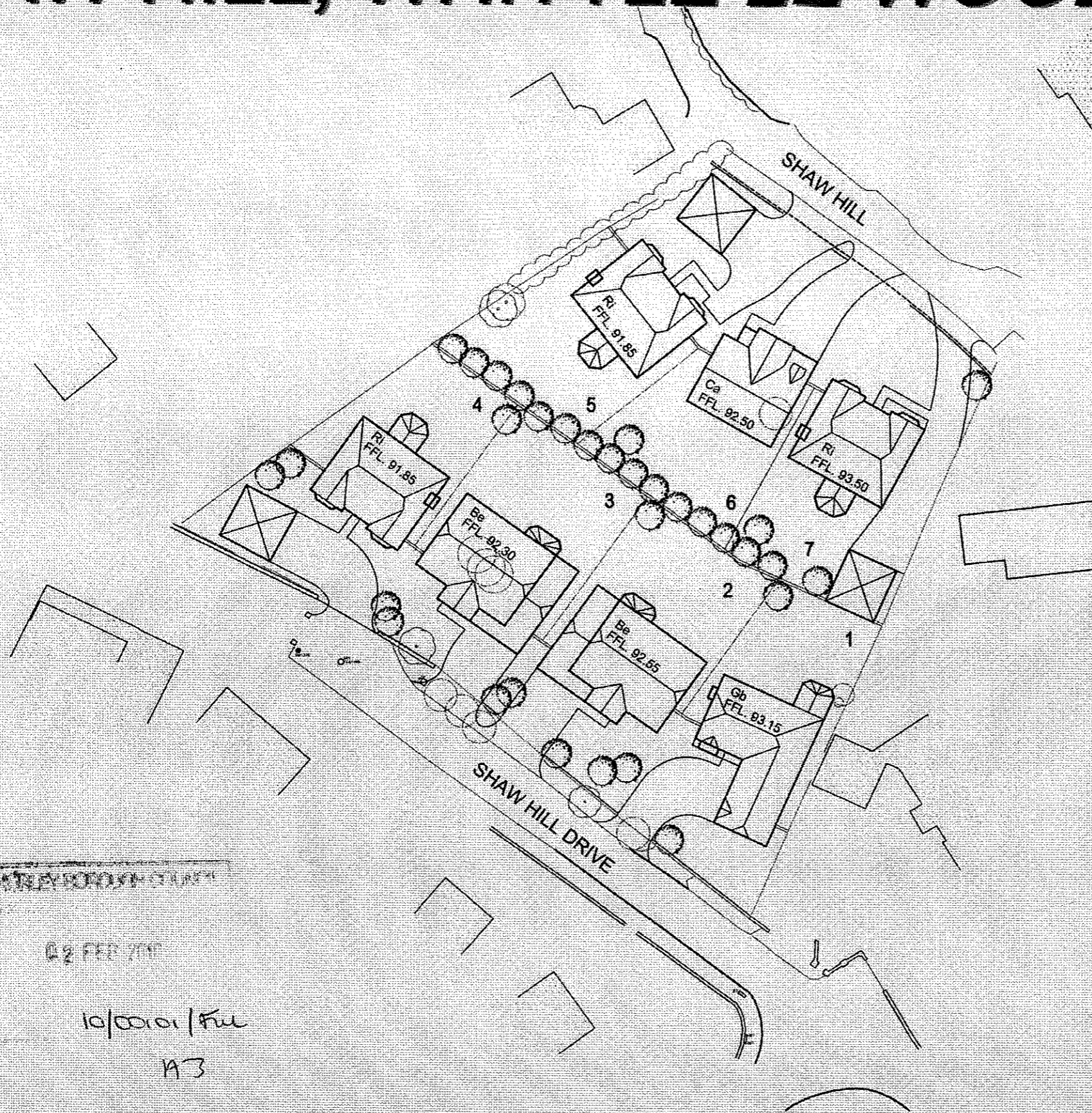
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<p>Lesley - Ann Fenton Director of Partnerships, Planning and Policy</p>		<p>Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes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

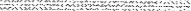

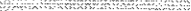
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SHAW HILL, WHITTLE LE WOODS.




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

ENCLOSURES

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

KEY

-  Trees to be removed
-  Indicative planting

2

PLANNING

D:\01 - Name & Location: Z:\Drawings\2009\09-041 Wainhomes NW - Shaw Hill, Cuckley (Site 2)\Drawings\Site layout - 10.dwg



Agenda Page 17

Agenda Item 4a

CHITREY BORDEN COURT

02 FEB 2010

10/0001/Ful
A3

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

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Item 2 **10/00006/FUL** **Permit (Subject to Legal Agreement)**

Case Officer **Mrs Helen Lowe**

Ward **Lostock**

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

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

This application was deferred for a site visit at the previous meeting of the Development Control Committee.

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

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

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

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

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

Consultees Responses

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

but inoffensive and takes some design cues from other relatively recent houses constructed in Bretherton. The application is therefore acceptable.

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

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

Third Party Representations

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

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

Assessment

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

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

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

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

Design and appearance

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

Impact on the street scene/character of the area

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

Highway Safety

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

Neighbour Amenity

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

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

Other matters

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

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

Conclusion

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

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

1. The external facing materials detailed on the approved plan(s) shall be used and no others substituted without the prior written approval of the Local Planning Authority.

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

2. The attached garage shall be kept freely available for the parking of cars and shall not be converted to living accommodation, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or as subsequently amended).

Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking and in accordance with PPG13.

3. Before the first occupation of the property hereby approved, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete or block pavements, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users and in accordance with PPG13.

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

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

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

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 and EM2 of the Adopted Chorley Borough Local Plan Review.

6. The approved plans are:

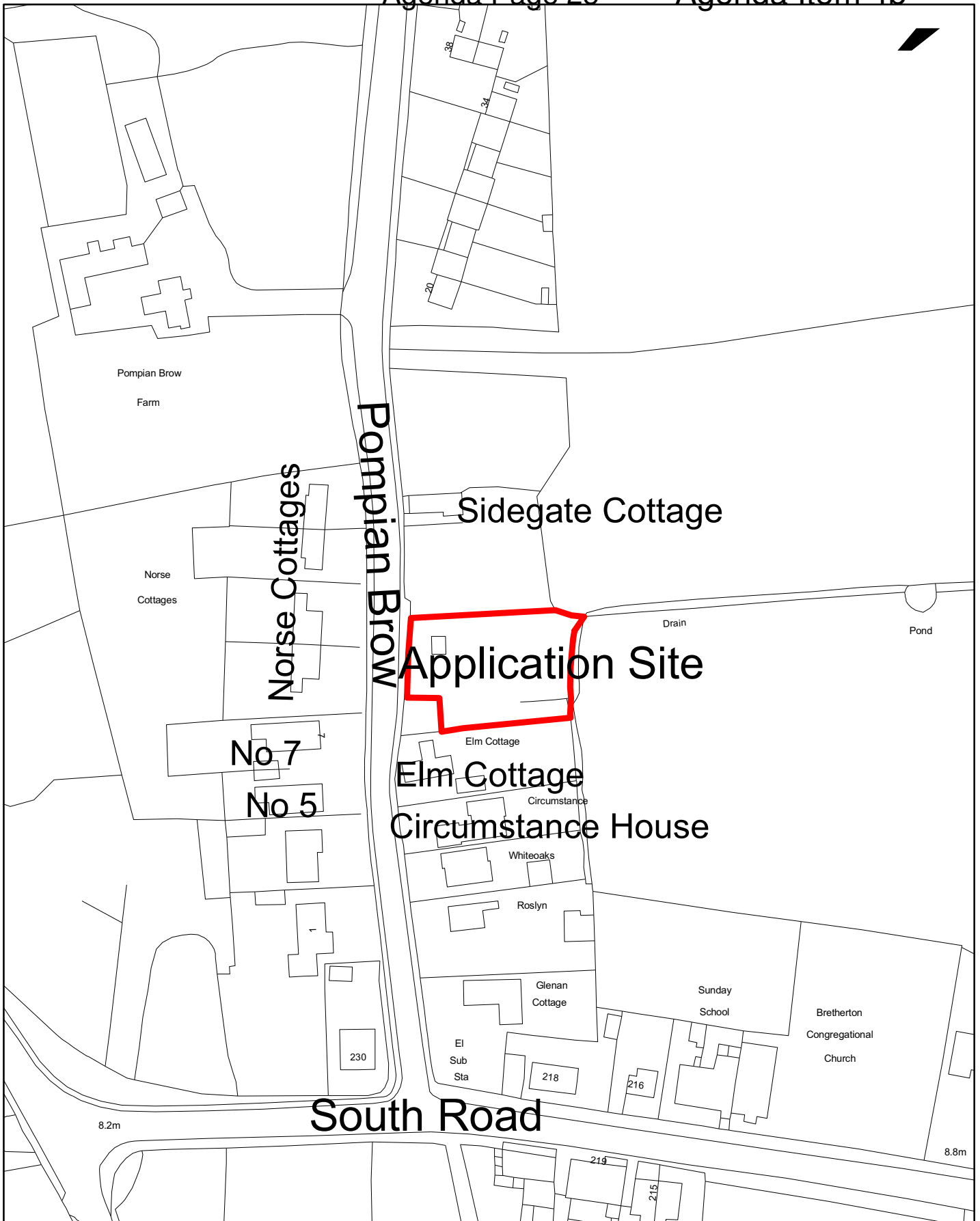
Plan Ref.	Received On:	Title:
	26 th January 2010	Location plan
	18 th January 2010	Site Plan
Y1814/2	4 th January 2010	Proposed elevations
Y18184/1	4 th January 2010	Proposed floor plans
	9 th March 2010	Landscaping and levels

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

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

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

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Lesley - Ann Fenton
 Director of Partnerships, Planning and Policy

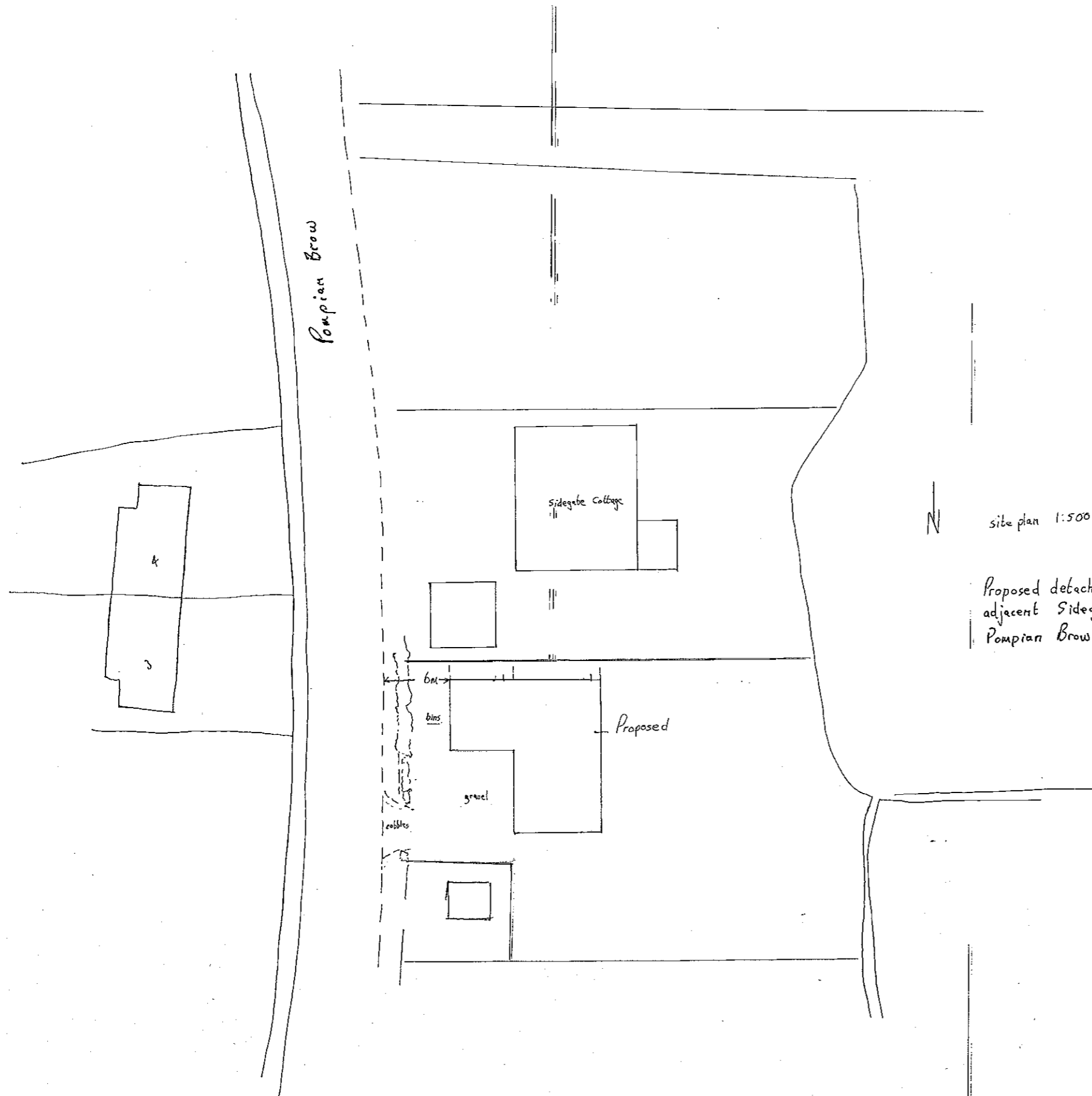
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Application No.
 10/00006/FUL

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Proposed detached dwelling
 adjacent Sidegate Cottage.
 Pompien Brow, Bretterton.

CHORLEY BOROUGH COUNCIL
 TOWN AND C 1990
 18 JAN 2010
 THIS IS A
 APPLICATION No. 10/0006

1

10/0006

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Item 3 **10/00079/FUL** **Permit (Subject to Legal Agreement)**

Case Officer **Mr Andy Wiggett**

Ward **Chorley East**

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

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

Applicant **Mr Lee Jackson**

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

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

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

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

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

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

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

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

Applicant's Case

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

Assessment

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

Highways and Car Parking

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

Impact on Neighbour Amenity

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

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

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

Design and Appearance

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

Ecological Considerations

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

Conclusion

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

Recommendation: Permit (Subject to Legal Agreement) Conditions

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

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

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

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

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

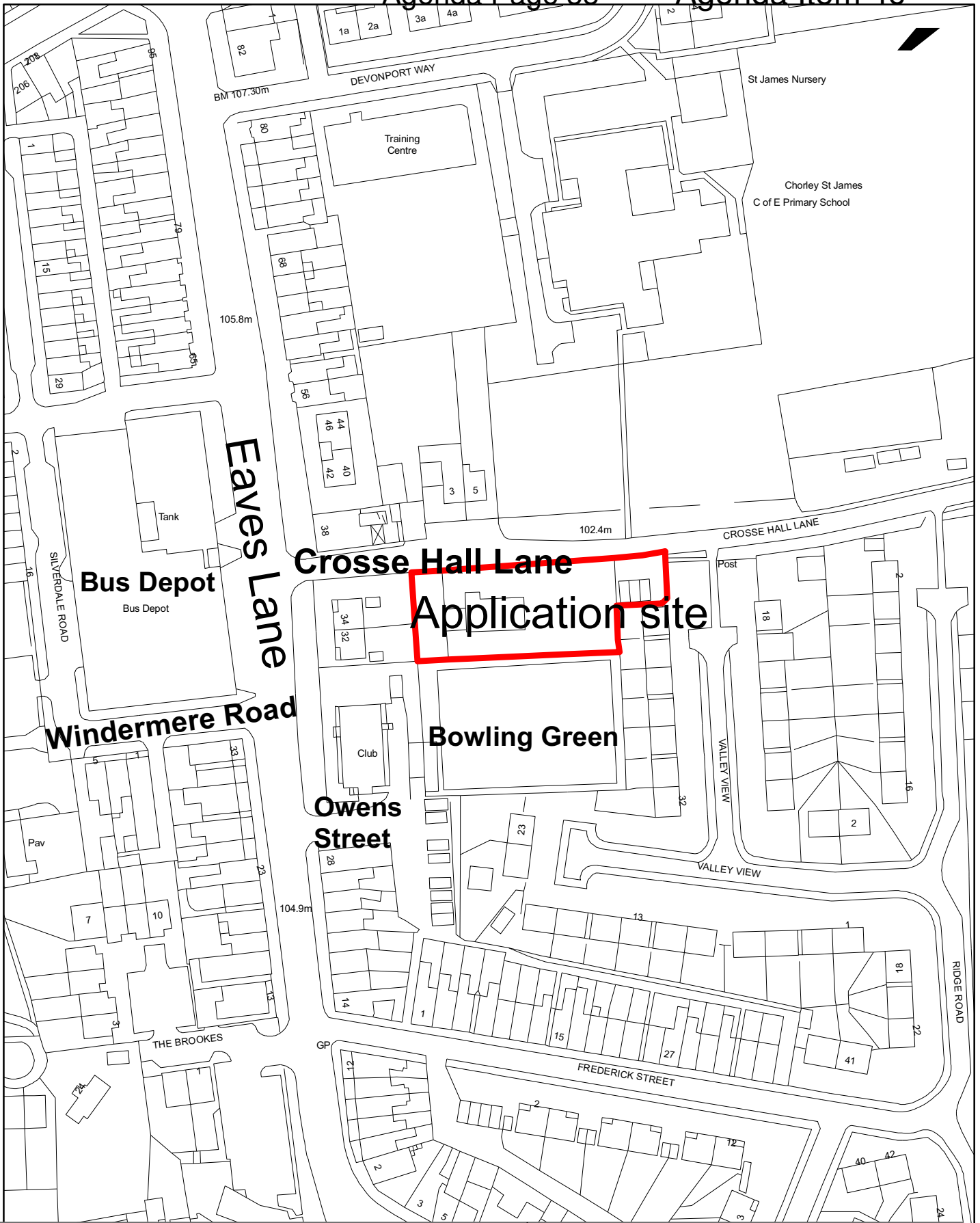
Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

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

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

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

Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.



Lesley - Ann Fenton
Director of Partnerships, Planning and Policy

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Application No.

10/00079/FUL

Grid Ref:

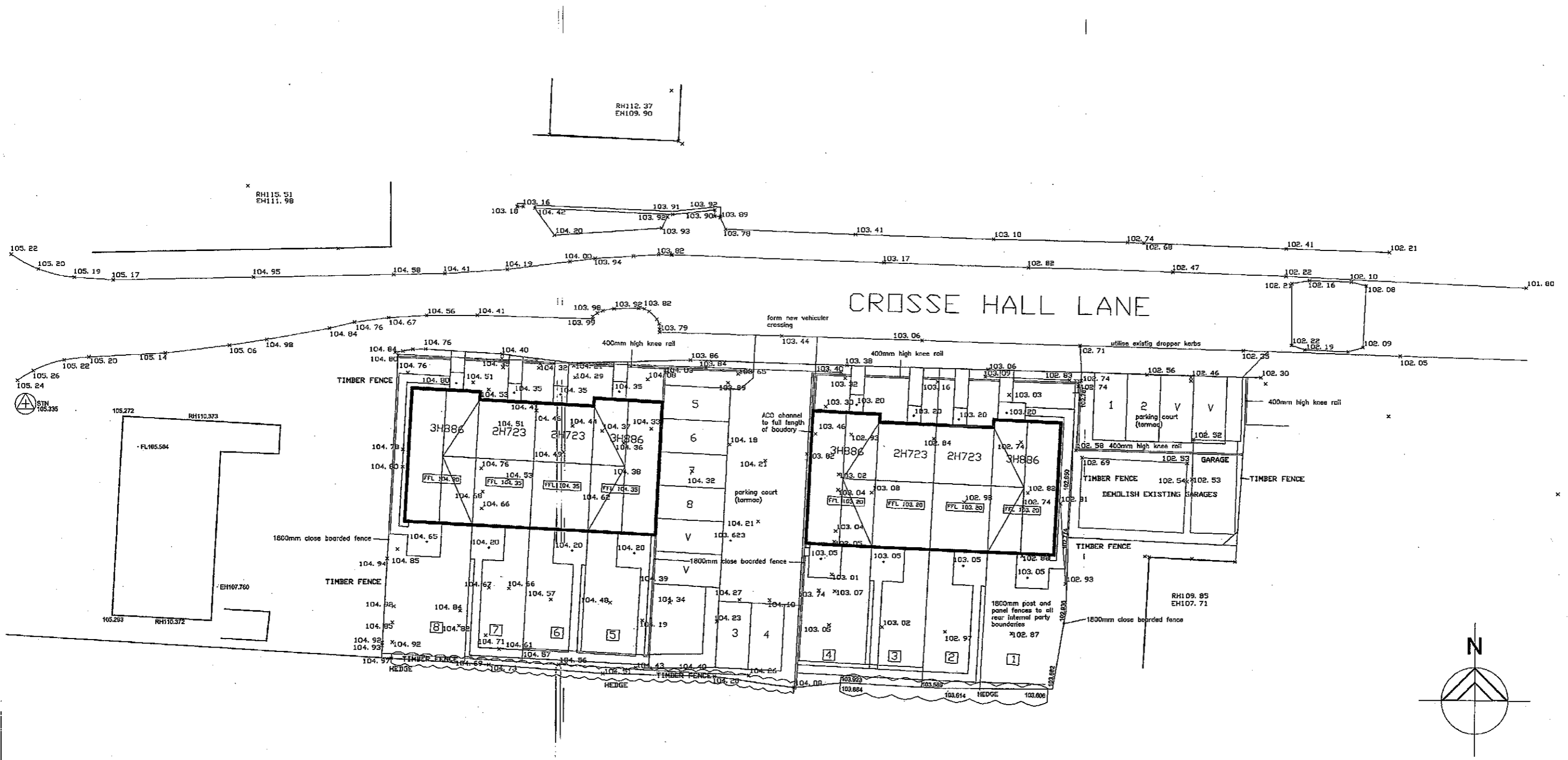
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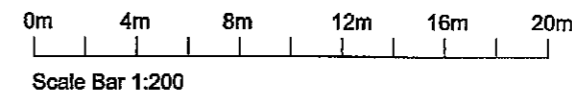
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104.20 proposed levels shown thus
 104.48 existing levels shown thus



CHORLEY BOROUGH COUNCIL
 TOWN AND COUNTRY PLANNING ACT 1990
 29 JAN 2010
 THIS IS THE PLAN REFERRED TO IN
 APPLICATION No. 1019/10

A2

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

5

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

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Item 4 **09/01016/COU** **Permit Full Planning Permission**

Case Officer **Mr Andy Wiggett**

Ward **Chorley East**

Proposal **Conversion of retail units to form Doctors Surgery - change of use from A1 to D1**

Location **225 - 227 Eaves Lane Chorley Lancashire PR6 0AG**

Applicant **J Y Kinsha**

Proposal The proposal involves the conversion of former shop premises to form a doctor's surgery for two GPs and a health nurse. There will be no changes to the front elevation and on the rear elevation an existing door will be built up and a high level window put in its place and the insertion of an additional high level window.

Policy SP6, GN5, TR4

Planning History **07/01151/FUL: Conversion of one shop back into two**
Withdrawn **Decision Date:** 22 November 2007

Consultations Lancashire County Highways – There is a controlled pedestrian crossing directly outside the front of this property and the controlled zone for the same prevents on street parking for staff and patients alike. Nonetheless, it is expected that the catchment area for the surgery will be local and given that there is alternative parking in nearby bays and side streets there are no highway objections.

Representations

- Lack of off –street parking will result in patients and staff parking on adjoining residential streets
- Need a residents parking scheme in the area
- Loss of residential amenity due to potential overlooking from rear windows

Applicant's Case

- proposal is to replace an existing surgery premises 0.5km to the north on Eaves Lane which are becoming inadequate and difficult to comply with DDA
- envisaged that the majority of patients will visit on foot as is the case for with the existing surgery
 - parking is available on Eaves Lane and drop off points for disabled people are close to the premises
 - the building will be secure as there are already shutters to the front windows and the new high level windows will have security grills to the inner faces

Assessment

The property is within a terrace predominantly of shops and is identified on the Local Plan Proposals as being within a neighbourhood shopping centre. The Local Plan explains that these

serve as locations for local and specialist uses, including retailing, food and drink as well as offices.

A doctor's surgery comes within the range of uses appropriate to a local centre and the only issue to be resolved concerns car parking. The Eaves Lane centre has no dedicated off-street parking for any of the units but it is relevant that many patients to the existing premises visit on foot. The Highway Authority have no objections and it is not considered that a refusal on the grounds of lack of parking could be substantiated on appeal.

There will be no problem of overlooking of properties to the rear as the windows proposed are high level and are into the nurses room and a toilet.

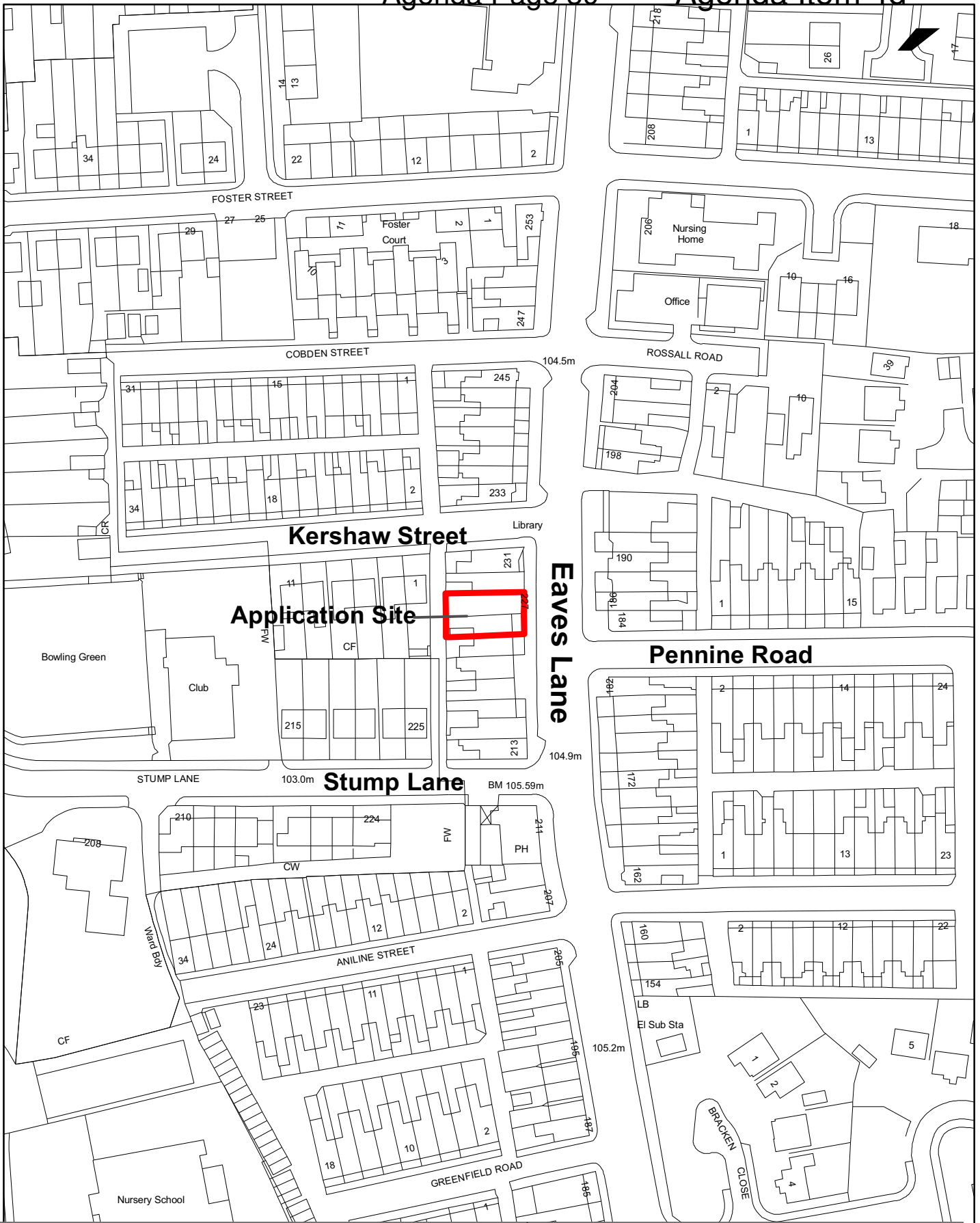
Conclusion

The proposed change of use will replace an existing surgery with larger more usable premises. It is located in the neighbour centre to serve the local community, many of whom may walk. The issue of car parking is relevant but given the nature of the centre the use is unlikely to make the situation worse given that the property could be used for a high traffic generating use such as food and drink. It is considered that the use is a valuable amenity the community benefit of which overcomes the objection on lack of off – street parking.

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 51 of the Planning and Compulsory Purchase Act 2004.



Lesley - Ann Fenton
 Director of Partnerships, Planning and Policy

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Application No.

09/01016/COU

Grid Ref:

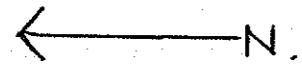
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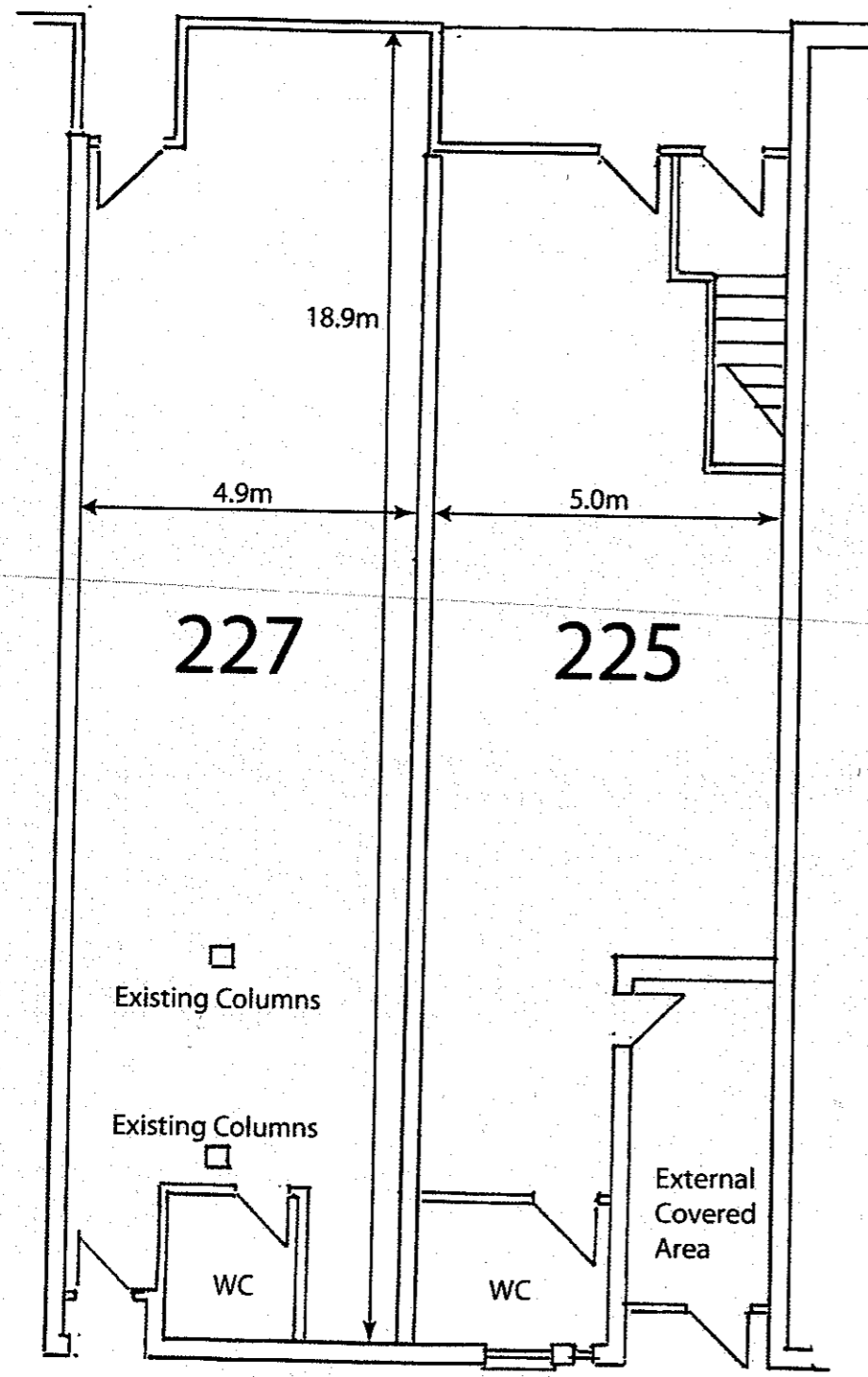
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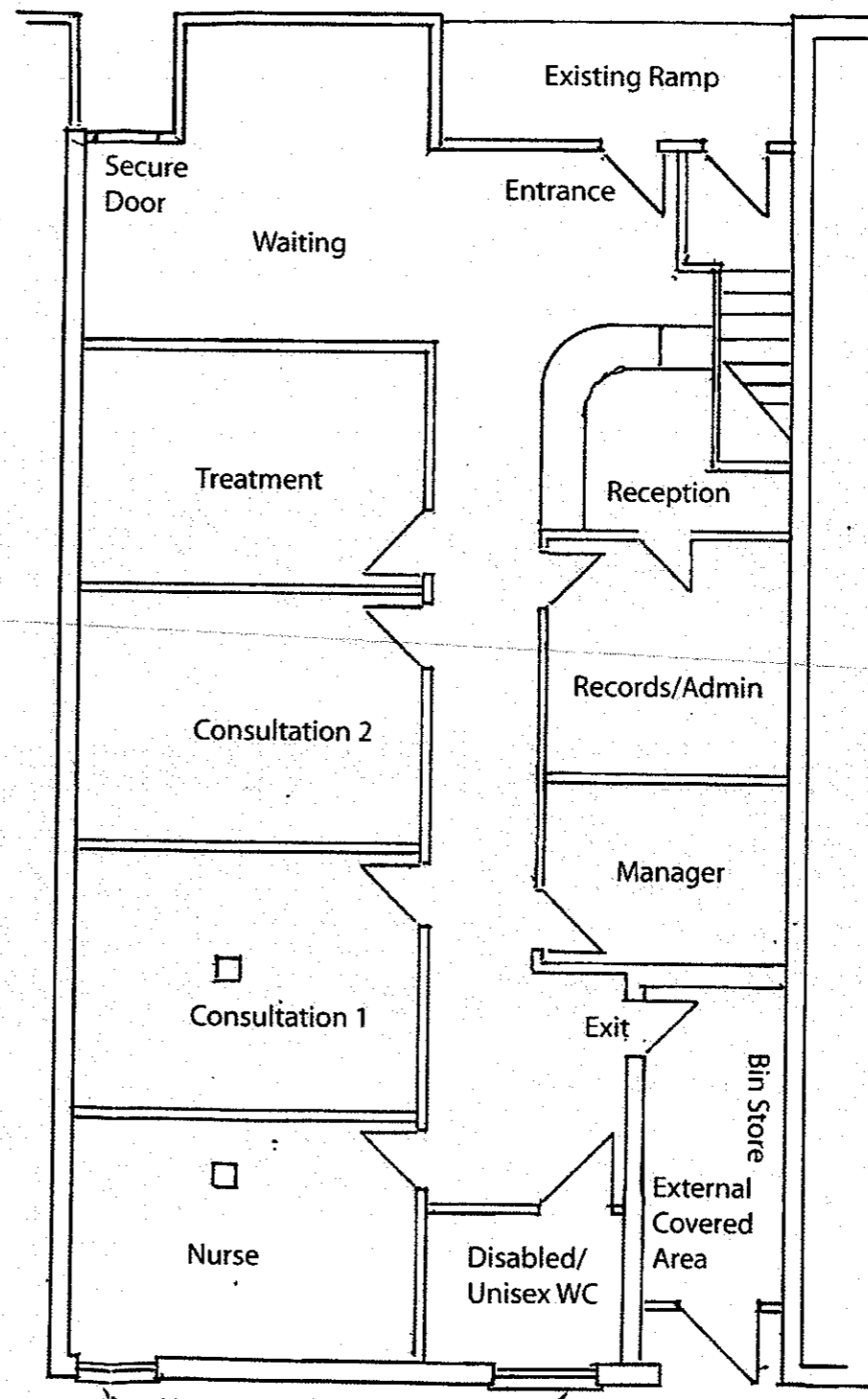
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Note: No proposed works to front elevation



Existing Ground Floor



Note: Build up door opening, forming new window

Proposed Ground Floor

21 DEC 2009
09.10.16

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Item 5	10/00023/FULMAJ	Refuse Full Planning Permission
Case Officer	Mr Andy Wiggett	
Ward	Clayton-le-Woods West And Cuerden	
Proposal	Erection of 10 dwellings and associated infrastructure	
Location	96 Lancaster Lane Clayton-Le-Woods Leyland PR25 5SP	
Applicant	Wainhomes Limited	

Proposal

1. The application concerns the redevelopment of the site of a large bungalow located at the corner of Lancaster Lane and Spring Meadow for 10 two storey dwellings following demolition.

Recommendation

2. It is recommended that the application be refused on design grounds as the scheme put forward is cramped, fails to meet the Council's adopted interface distances and has an adverse impact on the streetscene of this part Lancaster Lane. The proposal would insert two storey dwellings in an area of predominantly single storey dwellings and have dwellings with their rear amenity space orientated towards the main highway at a prominent road junction

Main Issues

3. The main issues for consideration in respect of this planning application are:

- *Site layout and streetscene*
- *Car parking*
- *Landscaping*

Representations

1. 30 letters of objection have been received
2. Parish Council – no comments received

Consultations

3. **The Environment Agency** – no comments
4. **Lancashire County Council (Highways)** -
5. **Chorley's Waste & Contaminated Land Officer** – no comments received
6. **Lancashire County Council (Planning Contributions)** - wish to secure a contribution of £20000 towards transport in the area and £4800 towards waste disposal
7. **Coal Authority** – standard comments

Assessment

Issue 1

8. The site is occupied by a large bungalow set back from the highway with a low boundary wall at the back edge of the footway. There is an extensive landscaped front garden which wraps around the road frontages. Access is taken from Lancaster Lane. To the northeast of the site are bungalows and across Spring Meadow to the

west are other bungalows. To the north across Lancaster Lane are houses set behind a landscaped amenity area and to the south on Spring Meadow there is a mixture of bungalows and houses. PPS3 sets out national criteria to be taken into account in assessing design quality and these are:

- *is easily accessible to community facilities and services with public transport available and the scheme is well laid out so that all the space is used efficiently, is safe, accessible and user friendly*
- *provides or enables good access to community and green and open amenity and recreational space (including playspace) as well as private outdoor space such as residential gardens, patios and balconies*
- *is well integrated with and complements the neighbouring buildings and local area more generally in terms of scale, density, layout and access*
- *facilitates the efficient use of resources during construction and in use and seeks to adapt to and reduce the impact of climate change*
- *takes a design led approach to the provision of car parking space that is well integrated with a high quality public realm and streets that are pedestrian, cycle and vehicle friendly*
- *creates, or enhances, a distinctive character that relates well to the surroundings and supports a sense of local pride and civic identity.*

In relation to these criteria, it is considered that the introduction of two storey dwellings at this prominent location on Lancaster Lane would be incongruous and adversely impact on the streetscene by dominating the adjoining bungalows. In addition, there will be an adverse impact on the streetscene by orientating the properties such that their rear gardens front onto Lancaster Lane with the inevitable pressure to fence this area off to give privacy and the possible visual clutter of sheds etc.

The layout is cramped resulting in the Council's interface distances not being met on plots 7 and 8, with side facing windows reflecting the cramped nature and inappropriate design solution adopted. The interface distances are designed to prevent overlooking from first floor habitable room windows. Overall the proposed layout is not considered to satisfy the relevant criteria in PPS3 and reflecting the guidance that design which is inappropriate in its context should not be accepted, it is recommended for refusal.

Issue 2

9. For new development proposals the Council now uses the draft Regional Parking Standards that are in the course of being approved. The standards in the RSS have been considered at the Examination in Public earlier this month and can be afforded significant weight. These require that 2 and 3 residential properties should have two off-street parking spaces and 4 bedroom and above should have should have three off-street spaces. The two houses which have their access directly off Spring Meadow are both four bedroom and have single integral garages but drives of only 5.5m and therefore, are deficient in spaces.

Issue 3

10. Several mature trees have been removed from the site, however, there are three protected trees on the Lancaster Lane frontage which are retained in the layout. On the southern boundary there is a high Leylandii hedge that the applicant proposes to reduce to 2m in height but if this course of action were to be followed this would result in very little foliage cover or amenity value. Behind the hedge there is a 1.8m high open boarded fence which gives some screening the adjoining bungalows on Spring Meadow. It is considered, however, that landscaping and boundary treatments are essential in this part of the site which can be achieved by a condition.

Section 106 Agreement

11. The applicant has been requested to contribute towards the provision of playspace in the area. It is not considered that the County Council's requests could be substantiated and the developer would not be prepared to contribute.

Overall Conclusion

12. As submitted the layout is unsatisfactory in that it does not comply with the Council's adopted interface distances as there is a cramped relationship between dwellings. The design of the two storey houses on the Lancaster Lane frontage is out of character with the area that is predominantly made up of bungalows and the orientation of the layout with rear gardens fronting onto the road would have an adverse impact on the streetscene.

Other Matters

The application was accompanied by a bat survey that confirmed that there were no bats present in the bungalow and that the proposed development would be unlikely impact on bats in the area. The results have been assessed with regard to the requirements of the Conservation (Natural Habitats Etc) Regulations 1994.

Planning Policies

National Planning Policies:

PPS1, PPS3

North West Regional Spatial Strategy

Policies:

L4

Adopted Chorley Borough Local Plan Review

Policies:

GN5, GN1, HS4, TR4

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

Planning History

None relevant

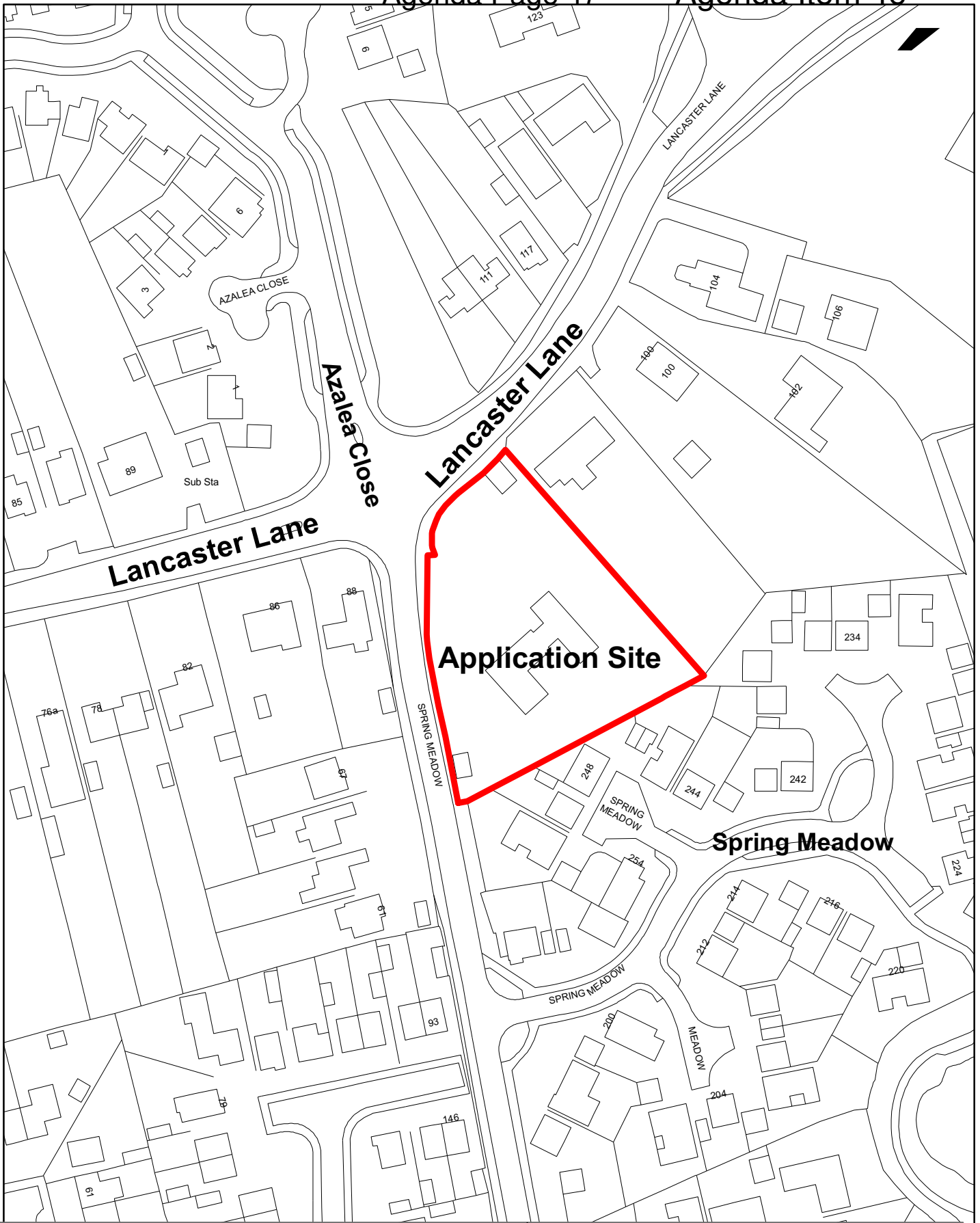
Recommendation: Refuse Full Planning Permission

Reasons

1. The design of the two storey houses on the Lancaster Lane frontage is out of character with area that is predominantly made up of bungalows, the orientation of the layout with rear gardens fronting onto the road would have an adverse impact on the streetscene and is not in accordance with design guidance in the Council's SPG – Design Guidance and as set out in PPS1 and PPS3

2. The proposed layout is unsatisfactory in that it does not meet the Council's adopted interface distances and there is a cramped relationship between dwellings contrary to the provisions of policies GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

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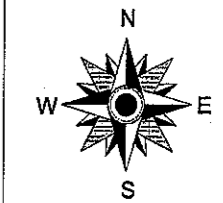
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<p>Application No. 10/00023/FULMAJ</p>	<p>Grid Ref: E: 356463 N: 422563</p>	<p>Scale: 1:1,250</p>	<p>5</p>

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Lancaster Lane, Clayton-Le-Woods



Type	Description	Height	Size	No.
Davy	4 bed detached	2St.	1270 SqFt	3No.
Scott	4 bed detached	2St.	1246 SqFt	1No.
Nightingale	4 bed detached	2St.	1155 Sqft	2No.
Nelson	4 bed detached	2St.	1013 SqFt	1No.
Wren	3 bed detached	2St.	1112 Sqft	2No.
Dunham	2 bed F.O.G	2St.	572 Sqft	1No.
Total			11,175 sqft	10No.
Site Area	0.79 A	0.32 Ha		
Density	12.65 Upa			
FOOTAGE (NETT)	14,145 Sqft/A			



- KEY**
- Trees to be removed
 - Existing trees to be retained.
 - Proposed tree planting.
 - Proposed grass.
 - Proposed shrub planting.
 - Proposed hedge planting.
 - 0.5m Plot divisional fence
 - 1.8m High screen fence
 - 1.8m high brick wall and panel

A	21/01/10	Plot 6 & 7 Repositioned. Changes to plots 8 & 10 Repositioned.	St.
Rev	Date	Reason	Drawn

CHORLEY BOROUGH COUNCIL
RECEIVED
01 FEB 2010
10 23 FULMA

Client: **WAINHOMES**

Drawing Title: **Site Layout.**

Project: **Proposed Residential Development, Lancaster Lane, Clayton-Le-Woods**

Job No	001	Stage	For Approval
Rev	001	Date	Nov 09
1250@A1		ec	

MPSL Planning & Design Ltd
14 Westcott, Enterprise Park, Clowance Avenue,
Trafford Park, Manchester, M17 1QS
Tel: 0161 772 1999
Fax: 0161 772 1988
Email: enquiries@mpsl.co.uk
www.mpsl.co.uk

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Item 6	10/00122/TEL	Prior Notification for Telecom - Refusal
Case Officer	Mr Matthew Banks	
Ward	Astley And Buckshaw	
Proposal	Prior Notificaion for the erection of a 15m pole antenna and 2 associated ground base station equipment cabins (1.48m X 0.35m X 1.5m)	
Location	Land 5m North West Of 2 Studfold Chancery Road Astley Village Lancashire	
Applicant	Telefonica O2 UK Ltd	
Proposal	This application is for a prior notification for the erection of a 15m high pole antenna and two associated ground base station equipment cabins at land 5m north west of No. 2 Studfold, Chancery Road, Astley Village.	
Recommendation	Refusal to grant prior approval; The Council wishes to consider further the siting and design of the proposal.	
Main Issues	Prior Approval applications allow for consultation in respect of a proposal which can be built using Permitted Development Rights. With regards to a telecommunications mast, if the local planning authority does not object to it within 56 days, such developments are deemed to have planning consent. Local planning authorities determine the acceptability of a Prior Approval application only in terms of siting and design. Therefore, the only issues for consideration in determining this application are: - The siting and design of the proposal.	
Representations	To date, a total of 98 letters of objection have been received. It should be noted that of the 98 letters received, 87 are a standard letter signed by different residents. The contents of all the representations can be summarised as follows: - <ul style="list-style-type: none">• The proximity of the mast in relation to the nearby homes and schools makes the site wholly inappropriate;• There are other more suitable locations, including mast sharing arrangements which are not within close proximity to the houses;• The mast, at a height of 15m would be visually intrusive in appearance, forming an unnecessary additional piece of street furniture which would cause serious harm to the surrounding landscape and would be out of keeping with the area;• The mast could distract drivers and cause accidents;• The mast would seriously endanger the health and lives of all people, particularly children in the area by way of radiation;• The submitted plans are misleading, indicting that the height of the nearest property is approximately 8.8m when it actually reaches a height of approximately 5.8m;• The associated equipment boxes would have a detrimental visual appearance on the surrounding	

streetscape.

Astley Village Parish Council have objected to the proposal stating the following:

- The antenna and equipment would be sited too close to a heavily populated area and only 5m from the nearest residential property;
- There are other viable areas for siting the mast within the vicinity;
- The submitted plans were misleading;
- Damage would be caused to the grass verge, forward of the proposal during construction and maintenance;
- There is no safe parking provision for the construction and maintenance of the proposal;
- The Parish Council have provided examples of other more favourable locations, these are:
 - The Rugby Club, which already has an antenna;
 - Westway, which has no nearby properties;
 - Euxton Lane/Westway roundabout, which has no nearby properties;

Consultations

Lancashire County Council (Highways) do not object to the application, but suggest that the apparatus should be located to the south side of the footway/cycleway rather than the north side.

Assessment

This is a prior notification application and therefore the issues to be addressed are the siting, design and external appearance of the proposal.

Planning Policy Guidance 8: Telecommunications (PPG 8) gives guidance on planning for telecommunications development – including radio masts and towers, antennas of all kinds, radio equipment housing, public call boxes, cabinets, poles and overhead wires. It sets out the relevant planning policy and guidance, sets out the prior approval scheme under part 24 of the GDPO and also raises the necessary technical developments within the telecommunications industry.

Policy PS12 of the Local Plan Review states that the 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 of the following criteria are satisfied:

- a) Development is part of a planned expansion;
- b) No operationally suitable alternative sites with less environmental impact are available;
- 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.

The proposed installation is needed to provide 3G coverage to the Astley Hall area of Chorley. The applicants have provided information in accordance with criteria (b), (c) and (d).

PPG 8 states that operators are continually expanding their networks to accommodate customer requirements of service and quality and the greatest demand is in built up areas. With regard to this, the applicant has provided coverage maps indicating the need

for improved coverage in the Astley Village area which is a material consideration in determining the application. With regard to site selection and the associated constraints at alternative sites, the applicant considers the chosen site on Chancery Road as the only viable solution.

The applicant has considered alternative sites which have been discounted through a sequential test. These range from other highway related sites, to sites on a public house, commercial premises and greenfield sites. In addition, site sharing with existing masts has been considered at Washington Lane, Euxton Lane and the Railway line, Chorley. However, in all instances the existing masts are considered too far from the target area to provide the required level of coverage.

With regard to the siting and visual impact of the mast, the applicant argues that given the presence of other linear features in the area and the lack of more suitable alternative sites, the proposed site is the most suitable option. The applicant states that a slim-line monopole would be in keeping with the immediate streetscape and would be viewed in the context of the surrounding street furniture. It is considered that the site at Astley Village is predominately residential in character and has a main road (Chancery Road) with a large adjacent grass verge running through it. The applicant appreciates that the proposal will be visible to pedestrians and road users and there will be localised impact from the development. However, the applicant feels that the trees (situated immediately to the south) will cover its height, and painting it an appropriate colour (green) would soften its backdrop to the road, not causing any significant detrimental impact on neighbour amenity.

PPG8 advises that sharing masts should be a priority to keep the number of masts to a minimum. This has been considered by the applicant; however, because of inadequate coverage problems at existing sites, this would not be viable. PPG 8 also advises on siting and design, stating innovative design solutions may be adopted including those, which look like street furniture. This is not the case here, where it is proposed to erect a monopole, which would rise significantly above the surrounding street furniture by approximately 3m and would appear visible on the skyline. PPG8 suggests a number of factors to consider concerning siting, such as the height of the site in relation to the surrounding land, the existence of topographical features and vegetation, the effect on the skyline, the site when observed from any side and the site in relation to residential properties and others.

The site location is an area comprising many street features on a stretch of highway verge, incorporating cycle track and footway at Chancery Road, Astley Village. The significant elements in the surrounding streetscape are lighting columns, trees separating the adjacent properties from the verge and a backdrop of standard sized two-storey residential properties. Chancery Road is a road which serves a number of residential properties and forms the main route through Astley Village but has a domestic scale to it. The mast is situated on the outside of a bend which is particularly open and sweeping and views from the mast would be visible from a good distance away, exacerbating its prominent visual impact.

The mast will be situated approximately 2.5m from the adjacent

trees lining Chancery Road. Nearby street furniture comprises approximately 12m high streetlights and houses (particularly No. 2 Studfold) which reach a height of no more than 6m. Although the trees situated to the south reach a height of approximately 12m and form a partial backdrop, the surrounding landscaping and housing types are consistently smaller and subordinate to the proposal. This will further increase the masts dominance in the streetscene and serve to draw attention to it as it will be approximately 3m higher than any other features it will be seen in the context of. In this context, the mast would appear very prominent and alien within the immediate area. It has also been noted that although mast sharing between operators is encouraged, single operator poles are slimmer whereas the dual operator poles (as proposed in this case) are more visually prominent and have a greater impact on the streetscene (an example would be the mast found 25m south east of Clayton Green Library, Chorley: 09/00956/TEL). Therefore, it is considered that the mast, by virtue of its height and bulky top heavy nature, would appear a very dominant feature in the area.

It has been noted that the mast will be painted green to try to aid its integration into the immediate streetscape comprising the nearby trees; however, when viewing the mast from both east and west directions, it rises considerably above these trees and so the top of it will be viewed against the skyline. Its green colour will therefore draw attention to its height and will be viewed as a dominant feature rather than sitting inconspicuously alongside the existing lighting columns.

The mast will sit higher than the adjacent streetlights and trees and it is considered that there are no significant street features close enough to the mast to mitigate or significantly reduce its prominence in the streetscene.

It is not considered that the associated ground base stations would be overly prominent within the area and are a common feature found in similar residential neighbourhoods of this nature.

The local planning authority does not consider that the sequential test is thorough enough in looking at alternative sites in the area with a less environmental impact, or enough evidence has been submitted as to why these alternative sites are not comprehensive enough.

Other Matters

PPG8 states that health consideration and public concern can in principle be material considerations in determining planning applications and prior approval applications. However, it remains Central Government's responsibility to decide what measures are necessary to protect public health rather than the local planning authority. It has been noted that a number of residents have raised concerns regarding health, particularly of children in the area. However, in the Government's view, if a proposed mobile phone base station meets the International Commission for Non-Ionising Radiation Protection guidelines (ICNIRP) for public exposure, it is not necessary for the local planning authority to consider further the health aspects and concerns about them in processing such an application. The appellant has confirmed that the apparatus operates well within these guidelines and has provided an 'ICNIRP Declaration' Certificate stating that the mast will fully conform to the relevant guidance on radiation. Taking into account all the circumstances relative to this proposal, I conclude that the perceived concerns about health do not justify a refusal.

Residents have raised concerns with regards to the erection and maintenance of the mast and the consequential impact on the grass verge to which it is sited. However, it is considered that this would not be materially different than if the nearby lamp posts were to undergo maintenance issues, which also would have no specific parking provision. In addition, Lancashire County Council Highways have not objected to the proposal in relation to this issue and it has been noted the mast is designed as a low maintenance structure, with most of the technical upkeep done through the accompanying ground base stations.

With regards to the submitted plans, residents raised concerns that these were misleading as the nearby property No. 2 Studfold was shown as reaching a height of approximately 8.8m, when it is in fact approximately 6m. The applicant has acknowledged that this could be interpreted as misleading and it could show an inaccurate relationship between the mast and nearby features. However, it should be noted that is not a requirement of the applicant to indicate surrounding features such as the house on any submitted plans, though they are often included for information. Although these issues could have an impact on people's interpretation of the proposal, the local planning authority could not refuse the application on these grounds and the application has been assessed on using the correct height of No. 2 Studfold.

Residents have also raised concerns with regards to the detrimental effect that the mast would have on house prices. They also showed concern as to how the mast could potentially cause road traffic incidents and specific damage to the occupiers of No. 2 Studfold.

The effect that such a proposal may have on house prices is not a planning matter and should not be taken into consideration whilst determining this application. With regards to safety concerns in relation to the mast, there have been no objections to the proposal from Lancashire County Highways; therefore it is considered that the siting of the mast is safe in terms of traffic flow and function.

Overall Conclusion It is considered that siting the mast in the location proposed would result in a prominent feature in the streetscene, and although the applicant has tried to design the mast to blend into the surrounding area, it would dominate the existing street furniture and key features such as housing. Locating a tall telecommunications mast here would detrimentally harm the visual amenities of the streetscene/ locality in the position proposed especially as it is positioned on the outside of a bend and therefore, viewed from a number of locations on Chancery Road. It has been noted that efforts have been made to incorporate the mast into the existing streetscape, but is considered that the scale and size of the surrounding features are unsuitable to effectively do this. It is noted that there are other sites in the locality where mast siting would be less intrusive and for the reasons listed above, prior approval should be refused as the proposal would not comply with all the requirements of PPG8 and Policy PS12 of the Local Plan Review.

Planning Policies

National Planning Policies:
Planning Policy Guidance 8: Telecommunications - PPG 8

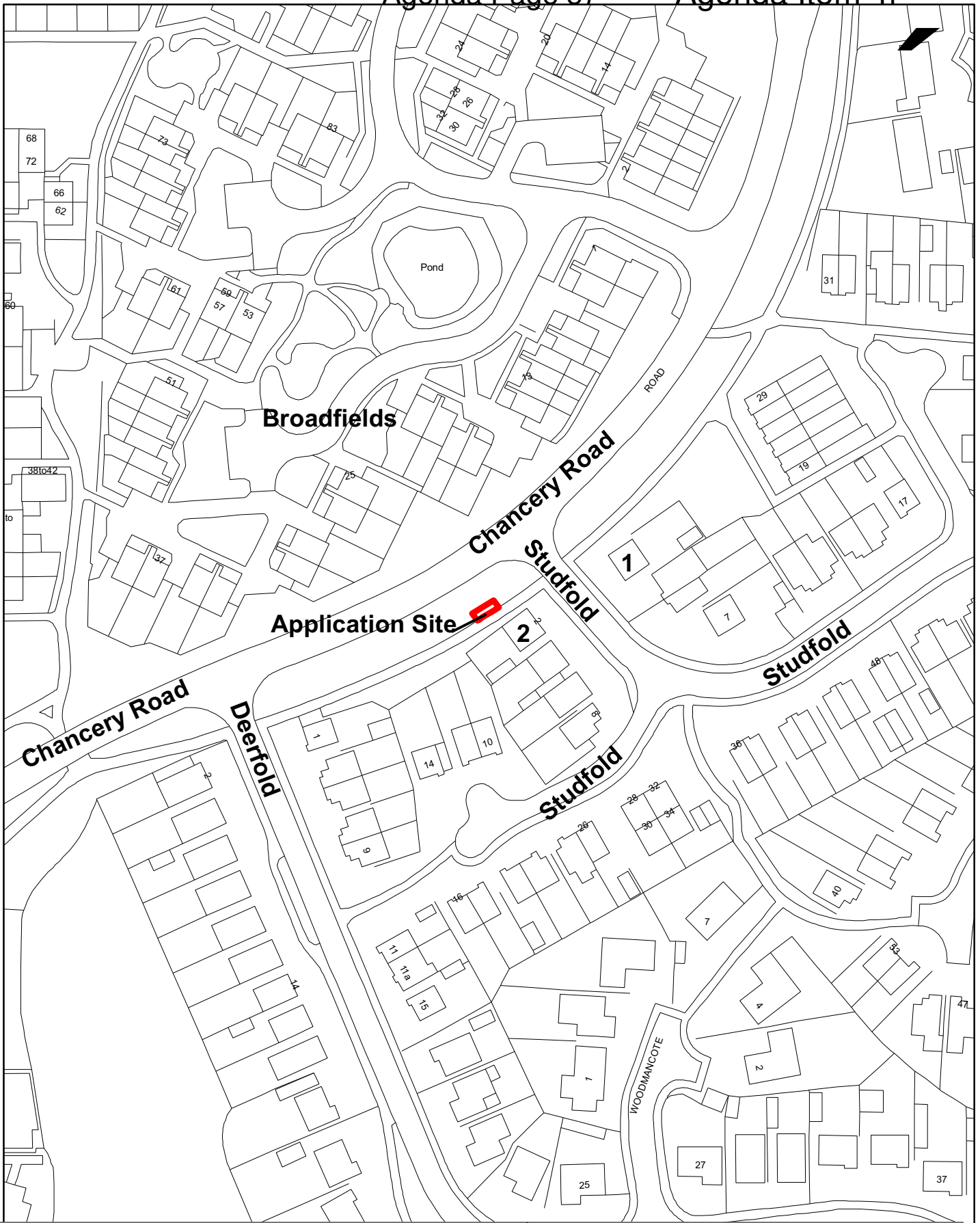
Adopted Chorley Borough Local Plan Review
Policies: GN1 / GN5 / PS12

Planning History There is no relevant history in relation to the application site

Recommendation: Prior Notification for Telecom - Refusal

Reasons

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



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<p>Application No. 10/00122/TEL</p>	<p>Grid Ref: E: 357654 N: 418732</p>	<p>Scale: 1:1,250</p>	<p>6</p>

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ADDITIONAL NOTES
 COLUMN TO BE GREEN TO RAL6009
 CABINETS TO BE GREEN TO RAL6009

PEDESTRIAN & TRAFFIC MANAGEMENT REQUIRED INCLUDING POSSIBLE LANE CLOSURE.
 LIAISE WITH LHA FOR SCHEME APPROVAL.

CABINET DIMENSIONS :
 O2 TYPE G CABINET 1480w x 352d x 1500h
 VODAFONE IBTS CABINET 1480w x 350d x 1500h

NOTES
 1. All dimensions are in millimetres unless stated otherwise.
 2. Site to be provided with adequate safety signage in accordance with o2 standard detail drawing 9391/A

O2 TRANSMISSION DETAILS
 PROPOSED TRANSMISSION LINK PROVIDED BY BT

O2 ANTENNA DETAILS

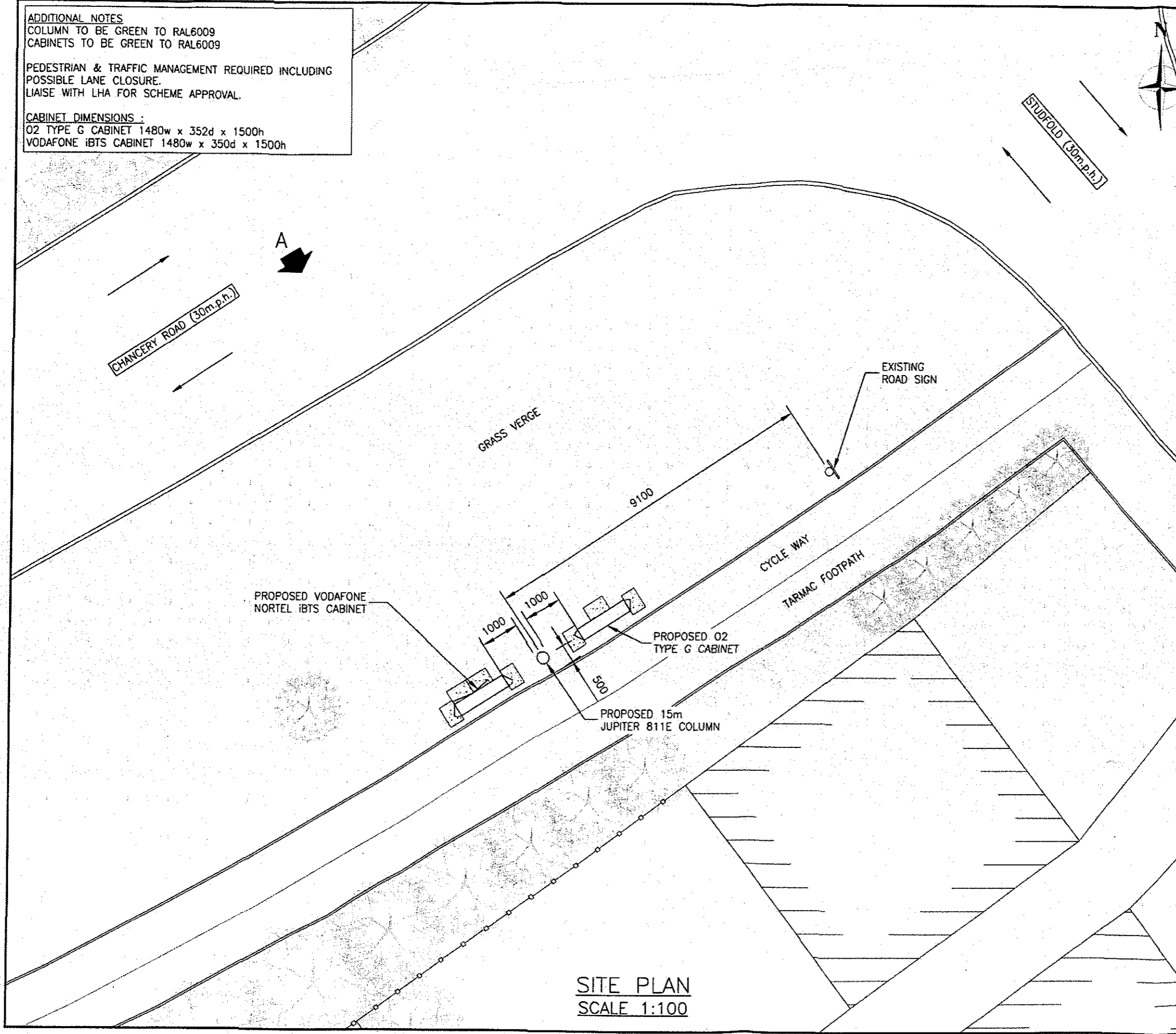
NO.	SIZE	HEIGHT	TYPE	ORIENTATION	JUMPER LENGTH	JUMPER TYPE
PROPOSED TO SERVE O2						
ANT 1	1.3m	14.2m	KATHREIN 65XV10UR13K	TBC	6.0m	1/2"
ANT 2	1.3m	14.2m	KATHREIN 65XV10UR13K	TBC	6.0m	1/2"
ANT 3	1.3m	14.2m	KATHREIN 65XV10UR13K	TBC	6.0m	1/2"
PROPOSED TO SERVE VODAFONE						
ANT 4	1.3m	14.2m	KATHREIN 65XV10UR13K	TBC	6.0m	1/2"
ANT 5	1.3m	14.2m	KATHREIN 65XV10UR13K	TBC	6.0m	1/2"
ANT 6	1.3m	14.2m	KATHREIN 65XV10UR13K	TBC	6.0m	1/2"

ANTENNA HEIGHT IS MEASURED TO CENTRE OF ANTENNA
 FEEDER LENGTHS FROM CABIN/CABINET TO EACH ANTENNA

The proposed installation is compliant with ICNIRP recommendations.
 (Designed in accordance with O2(UK) Datasheet 064 latest issue)

Certified by O2(UK)	Name	Signature	Date
Build Manager			

REV	DATE	DESCRIPTION	DRN	CKD
A	17.11.09	PRELIMINARY ISSUE	JSD	IPB



SITE PLAN
 SCALE 1:100

O2
 O2 (UK) Ltd, 260 Bath Road,
 Slough, Berks SL1 4DX

CSL
 Cellular Systems Limited



Unit 1 Shell Green,
 Bennetts Lane, Widnes,
 Cheshire. WAB 0GW
 Tel : 0151 422 6464
 Fax : 0151 495 1688
 e-mail : enquiries@cellular-systems.co.uk



PLANNING DRAWING
 CHORLEY BOROUGH COUNCIL
 TOWN AND COUNTRY PLANNING ACT 1990

SITE ADDRESS:
 CHANCERY ROAD, 12 FEB 2010
 CHORLEY,
 LANCASHIRE,
 PR7 1UA
 APPLICATION No. 10/0022/TA

DRAWN BY:	JSD	CHECKED:	PB
DATE:	17.11.09	APPROVED:	SEB
SCALE:	AS SHOWN		
JOB No:	C59893		
TITLE:	SITE PLAN		
CELL NAME:	ASTLEY HALL NORTH		
O2 CELL ID No.	Cornerstone CELL ID No.	Vodafone CELL ID No.	
42809	3326	77918	
DRAWING No.	C59893/PL/002		REV. A

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Item 7	10/00136/FUL	Permit Full Planning Permission
Case Officer	Mrs Nicola Hopkins	
Ward	Euxton South	
Proposal	Creation of a public outdoor leisure skate park facility at Yarrow Valley Park	
Location	Land 75m South East Of Highfield Southport Road Euxton Lancashire	
Applicant	Euxton Parish Council	

Proposal

1. The application relates to the creation of a public outdoor leisure skate park facility at the entrance to Yarrow Valley Park. The application site is located adjacent to an existing car park and is occupied by a grassed area with picnic benches.
2. The application has been submitted by Euxton Parish Council. In July 2008 the Parish Council contacted Chorley Council with a view to providing the facility and several sites were considered. Potential sites included the field adjacent to Southport Road, land adjacent to the railway station and James Moorcroft Play Area. All of the sites were ruled out due to restrictions such as land ownership, the size of the land available and access problems.
3. This site is considered to be the most appropriate as it has good access arrangements and it is sited away from neighbouring properties. The site is owned by Chorley Council. and is considered to be the only site available for this facility.

Recommendation

4. It is recommended that this application is granted conditional full planning approval.

Main Issues

5. The main issues for consideration in respect of this planning application are:
 - Green Belt
 - Impact on Valley Park
 - Impact on the Neighbours
 - Highways
 - Noise and Litter
 - Security

Representations

6. 4 letters of objection have been received

Consultations

7. **The Architectural Design and Crime Reduction Advisor** has commented on the scheme
8. **The Council's Parks and Open Spaces Officer (Development)** has confirmed that he is in support of this development. The design will provide a new and unique recreation facility for both the local community and the borough at large

Assessment

Green Belt

9. The site is located within an area designated as Green Belt. Development within the Green Belt is restricted to development which is considered to be appropriate. Inappropriate development

will only be considered where very special circumstances can be demonstrated which outweigh the harm the development will have on the Green Belt.

10. The proposed development incorporates the creation of a public outdoor sports facility which falls within the definition of essential facilities for outdoor sport and recreation which is considered to be appropriate development within the Green Belt.
11. The design of the facility incorporates a mixture of elements set below the existing soil line and above. Sunken elements will be created and the material dug out to create the sunken elements will be utilised to create the higher elements which will create the ramps. The site will be surrounded with grass bund/ mounds to cover the concrete edges of the facility. All of the existing trees and hedges will be preserved on site. The facility will not be fenced and the design, below the existing land level, ensures that the openness of the Green Belt is not impinged upon.
12. The proposals will provide opportunities for outdoor sport and outdoor recreation near urban areas which is one of the objectives of designating Green Belt in accordance with Government advice contained in PPG2: Green Belts.
13. As the proposals fall to be considered appropriate development within the Green Belt and will not adversely impact on the openness or character of the Green Belt the proposals are considered to be acceptable in respect of Policy DC1 and PPG2.

Impact on the Valley Park

14. The application site is located within the boundary of Yarrow Valley Park, which is one of the three Valley Parks located with the Borough. The site is owned by the Council and the Council's Parks and Open Space Officer has confirmed that he is in support of this development.
15. These parks have considerable recreational value due to their location adjacent to the main urban centres of Chorley
16. It is considered that the proposed facility will provide a new and unique recreation facility, which will ensure that the amenity value of the Park for recreation is enhanced and alternative recreation facilities within the Borough are provided. As such the proposals are considered to be acceptable in respect of Policy LT8 of the Local Plan.

Impact on Neighbours

17. The site is located adjacent to the existing car park at the Valley Park. The nearest residential neighbour to the site is Highfield, located to the north west of the application site, which is in excess of 60 metres away from the application site.
18. To the north west of the site the character of the area is mainly residential however the immediate area surrounding the site is relatively open in nature and the facility is set away from the nearby residential properties. The Council's Parks and Open Space Officer considers that due to the size and appeal of the attraction it would not be possible to locate the Skate Park close to residential properties as this would adversely impact on the neighbours amenities. However the location of this site ensures that the facility is close to the residential population who will utilise the facility whilst protecting the neighbours' amenities.
19. Additionally the submitted application forms states that the operational hours of the facility will be during daylight hours. As it is not intended for the facility to be used during the evening this ensures that the neighbours amenities will not be affected by noise through people utilising the facility during the evening.
20. The scheme does not incorporate external lighting which ensures that the facility can only be utilised during daylight hours. In order for the facility to be utilised during the evening lighting would be required and this lighting would require planning permission. However the installation of external lighting within this Green Belt location would not fall to be considered appropriate development and would detract from the character of the Green Belt. Additionally external

lighting would have the potential to create nuisance to the neighbours as the facility could be used during the evening. As such it is unlikely that planning approval would be granted for lighting at this facility.

21. The facility will not be fenced off so it is not possible to enforce conditions in respect of operational hours. Any fencing at the site would also fall to be considered inappropriate development within this Green Belt location and would ensure that the facility creates a prominent feature within the Green Belt detracting from the openness of the area. As such it is unlikely that any proposals to fence the facility would be considered favourably. Fencing the facility would also create management issues in regards to opening and securing the facility.
22. Although the operational hours of this facility cannot be controlled via condition it is considered that the lack of external lighting ensures that use of this facility is restricted to daylight hours which will mitigate any nuisance to the neighbours. Additionally the Parish Council proposes measures to ensure the facility has natural surveillance, which will reduce the potential for people congregating at the facility during the evening.
23. There is an existing shelter located to the west of the application site closer to the residential properties. The Parish Council have not received any nuisance reports in respect of this facility and the Crime Advisor has not raised any concerns in this regard in respect of his comments. As such it is not considered that the facility will increase the potential for nuisance during the evening.

Highways

24. The application site is adjacent to an existing car park facility. The Council's Parks and Open Space Officer has confirmed that Skate Bowls/Plaza's of this nature can attract an older audience with their own transport however the existing car park ensures that this is feasible for this proposal.
25. The site is considered to be in a sustainable location with good road access and is well served by public transport. It is considered that the facility will attract younger people who do not drive hence it is not considered that the proposal will create any highway safety issues.
26. Concerns have been raised in respect of the proximity of the facility to the main road. There is however a hedgerow and knee rail between the application site and the road which acts as a barrier to the highway. Additionally the facility will be located approximately 20 metres from the highway. It is not considered that the siting of the facility will adversely impact on highway safety in the area.

Noise and Litter

27. It is envisaged that the facility will attract young people and children due to the nature of the facility. Concerns have been raised over noise and disturbance from the proposed facility along with the potential for littering.

28. It is considered that the siting of the proposal set away from the nearby residential properties mitigates the impact of noise. Similarly the nature of the facility ensures that it will be used during daytime hours which will ensure that noise generation does not create a nuisance to nearby residents during the evenings.
29. Litter will require a management regime to prevent a nuisance being created. The submitted documentation states that litter bins will be installed along with daily litter picking. This will be secured via condition.

Security

30. Concerns have been raised about the future users of the facility along with the potential for crime and vandalism particularly through lack of supervision. The Council's Architectural Liaison Officer initially commented that this area of land is little used by children so I have no crime or reported data on which to make comment. The main issue is the lack of lighting on the site. He has also confirmed that it is important that the site has good natural surveillance from the road
31. The scheme does not include lighting as it is not intended for the facility to be used during the evening. The Architectural Liaison Officer has been informed of this and has confirmed that his initial comments were based on the fact that the site was to be used during the winter evenings, if this is not to be the case then lighting is not an issue. The lack of lighting ensures that the facility will not create an attraction for people during the evening.
32. It is intended to trim down the existing hedge along the west side of the car park to create a line of sight from the road. Additionally it is proposed to keep the hedge along Southport Road trimmed down to a relatively low level to ensure that the facility is visible from the road. These measures will ensure that there is natural surveillance to the facility which is a requirement of the Architectural Liaison Officer. It also reduces the potential for crime and vandalism by providing a visible facility.

Overall Conclusion

33. The application site is located within the Green Belt however the facility will provide an outdoor sports facility which will secure one of objectives of designating Green Belt and as such falls to be considered appropriate development. It is considered that the siting of the facility and the fact that the facility is only intended to be utilised during the day minimises the impact on the nearby neighbours. The facility will provide an alternative leisure facility within the Borough within the boundary of an existing park and a sustainable location. As such the proposals are considered to be appropriate for this location.

Other Matters

Public Consultation

34. The Parish Council have undertaken extensive consultation including consultation with Chorley Council, Lancashire County Council and Euxton residents. A consultation event was arranged along with workshops with skatepark design companies and a web forum was set up
35. Young people from Euxton have had input into the design of the facility and the facility can be utilised by skateboarders, bmx bike riders and inline skaters.

Non- material planning considerations

36. Concerns have been raised that the facility will result in the loss of a picnic facility which is well utilised during the summer months. Euxton Parish Council, the applicants, have confirmed that the facility will not occupy the whole of this picnic area retaining some of the available amenity space. Additionally the Council's Parks and Open Space Officer fully supports the proposal and has not raised the loss of part of this facility as a concern.

Planning Policies

National Planning Policies:

PPG2, PPG17, PPG24

North West Regional Spatial Strategy
Policies: Policy L1

Adopted Chorley Borough Local Plan Review
Policies: DC1, LT8, EP20

Planning History

96/00047/CB3- Regulation 3 Application for extension of Yarrow Valley Park entailing provision of footpaths, car parks, picnic areas, fencing, signs, interpretation/way-marking signs, landscaping, steps and bridges. Approved April 1996

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 51 of the Planning and Compulsory Purchase Act 2004.

2. The approved plans are:

Plan Ref.	Received On:	Title:
	17 th February 2010	Location Plan
	17 th February	Dimensions and Elevations

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

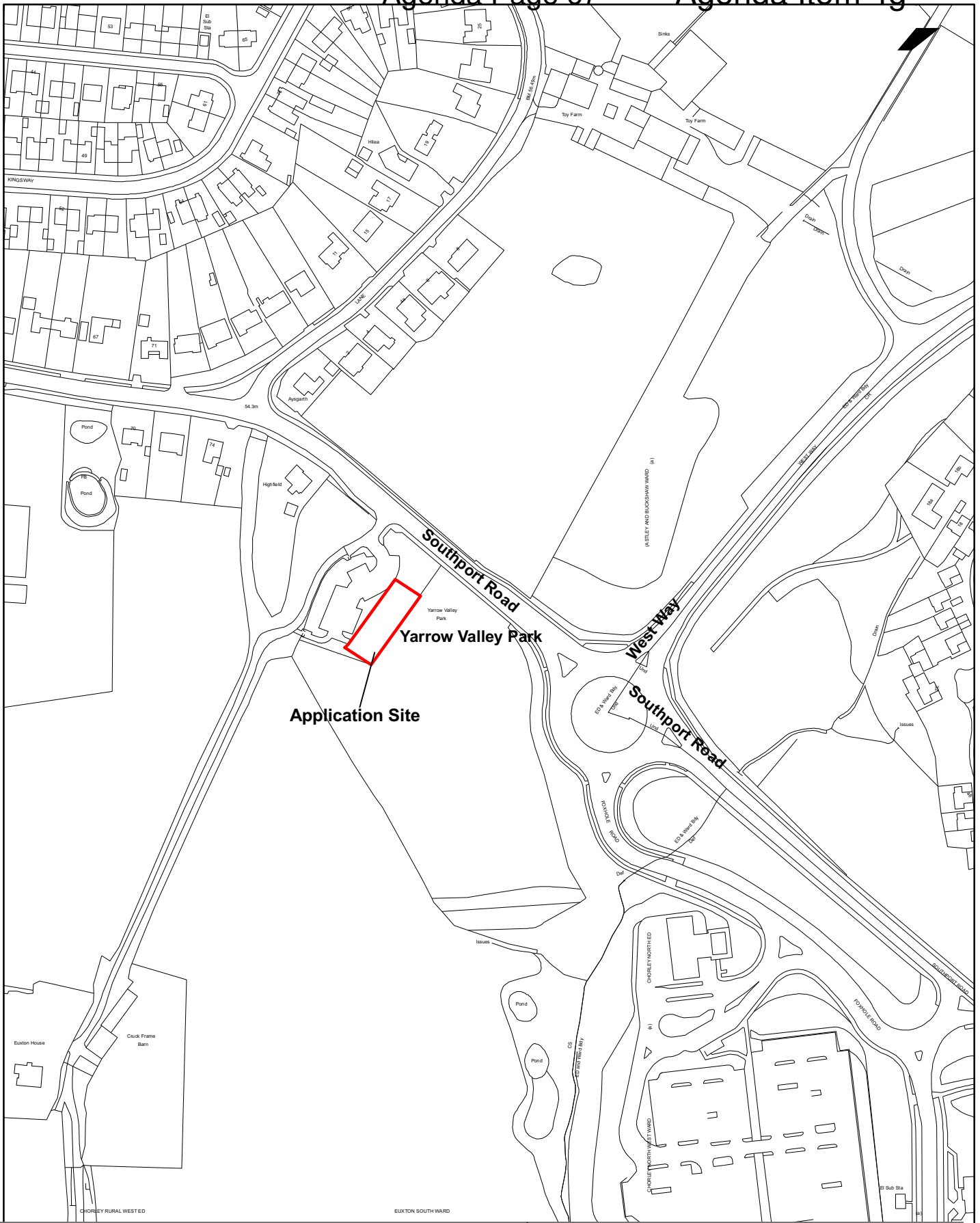
3. Prior to the commencement of the development full details of the litter bins and management regime for litter collection shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the location and specification of the litter bins. The development thereafter shall be carried out in accordance with the approved details and management regime.

Reason: In the interests of the visual amenities of the area and in accordance with Policy GN5 and DC1 of the Adopted Chorley Borough Local Plan Review

4. Prior to the commencement of the development full details of the proposed works to the existing hedgerows to the west, east and north of the site shall be submitted to and approved in writing to the Local Planning Authority. The details shall include full details of the proposed pruning works, a timetable for the works and a management regime for the future maintenance of these hedgerows. The development thereafter shall be carried out in accordance with the approved details and the management regime.

Reason: To ensure that the site benefits from natural surveillance. In accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review

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Lesley - Ann Fenton
Director of Partnerships, Planning and Policy

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Application No.

10/00136/FUL

Grid Ref:

E: 356379
 N: 418307

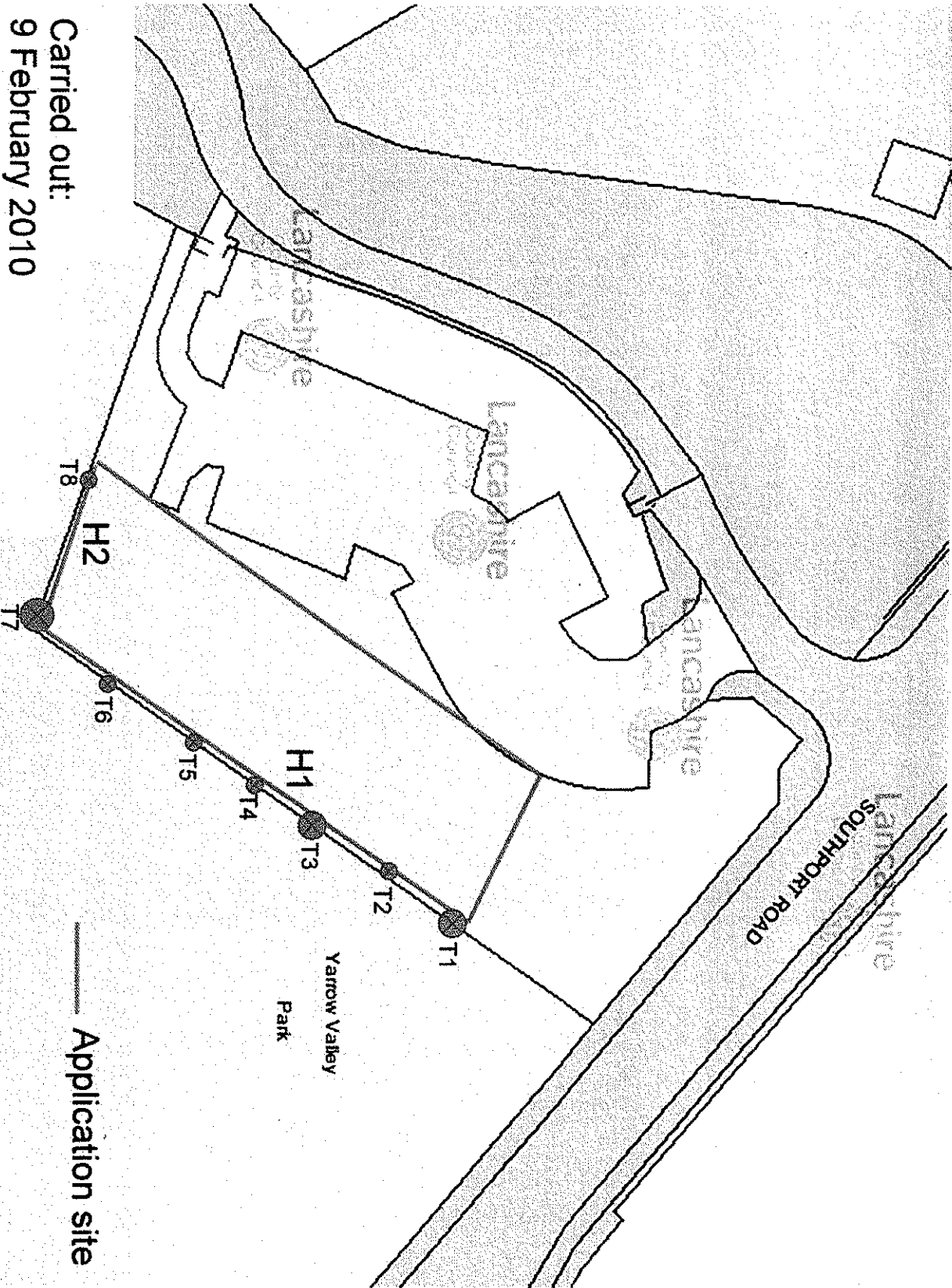
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7

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Tree Survey Plan



Carried out:
9 February 2010

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Report of	Meeting	Date
Director of Transformation	Development Control Committee	30/03/2010

PROPOSED CONFIRMATION OF TREE PRESERVATION ORDERS

PURPOSE OF REPORT

1. To consider formal confirmation of the Tree Preservation Orders as detailed below.

RECOMMENDATION(S)

2. That the following Tree Preservation Orders be formally confirmed without modification:
 - (1) The Chorley Borough Council Tree Preservation Order No. 3 (Clayton le Woods) 2009;
 - (2) The Chorley Borough Council Tree Preservation Order No. 4 (Chorley) 2009.
 - (3) The Chorley Borough Council Tree Preservation Order No. 5 (Whittle le Woods) 2009.
 - (4) The Chorley Borough Council Tree Preservation Order No. 7 (Chorley) 2009.
 - (5) The Chorley Borough Council Tree Preservation Order No. 9 (Mawdesley) 2009.
 - (6) The Chorley Borough Council Tree Preservation Order No. 10 (Whittle le Woods) 2009.

REASONS FOR RECOMMENDATION(S)

2. Formal confirmation of the Orders affords permanent as opposed to provisional legal protection on the trees covered by those Orders.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. No alternatives were considered. Not to have confirmed the Orders would have meant allowing the Orders, and thereby the protection conferred on the trees covered by those Orders, to lapse.

CORPORATE PRIORITIES

4. This report does not relate to any of the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the central Lancashire sub region		Improved access to public services	
Improving equality of opportunity and life chance		Develop the character and feel of Chorley as a good place to live	
Involving People in their Communities		Ensure Chorley is a performing Organisation	



BACKGROUND

- 5. No objections have been received in response to the making of the above Orders. It is therefore, now open to the Council to confirm the above Orders as unopposed Orders. The effect of formally confirming the Orders will be to give permanent legal force to the Orders, as opposed to provisional force, thereby making it an offence on a permanent basis to fell or otherwise lop, prune etc, any of the trees covered by the Orders without first having obtained lawful permission.

DETAILS OF PROPOSALS

- 6. The following Orders were made and served on all those with an interest (owner/occupiers etc.) in the land on which the trees are situated on the dates stated for the following purposes:
 - (i) The Chorley Borough Council Tree Preservation Order No. 3 (Clayton le Woods) 2009, made on 18 June 2009; to protect 3 individual trees situated on land within the front garden of no. 96 Lancaster Lane, Clayton le Woods;
 - (ii) The Chorley Borough Council Tree Preservation Order No. 4 (Chorley) 2009, made on 20 July 2009 to protect 8 individual trees and 13 groups of trees situated on the former “Lex” site, off the east side of Pilling Lane, Chorley.
 - (iii) The Chorley Borough Council Tree Preservation Order No. 5 (Whittle le Woods) 2009, made on 20 July 2009 to protect 3 individual trees and 4 groups of trees on land situated between the north-east side of Langdale Grove and the west side of Chorley Old Road, Whittle le Woods;
 - (iv) The Chorley Borough Council Tree Preservation Order No. 7 (Chorley) 2009, made on 25 September 2009 to protect 15 individual trees situated on land at Park Mills, off Oakwood Road, Chorley.
 - (v) The Chorley Borough Council Tree Preservation Order No. 9 (Mawdesley) 2009, made on 9 November 2009 to protect 5 individual trees and 2 groups of trees situated on land adjoining the east side of Salt Pit Lane Mawdesley.
 - (vi) The Chorley Borough Council Tree Preservation Order No. 10 (Whittle le Woods) 2009, made on 12 November 2009 to protect 5 individual trees in the grounds of four properties (namely Jardine House, Grandfell, Royle and Yew Tree House) at Shaw Hill, Whittle le Woods.

IMPLICATIONS OF REPORT

- 7. This report does not have any implications in relation to any of the following areas:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal			

G HALL
DIRECTOR OF TRANSFORMATION

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
G Fong	5169	16 March 2010	

Report of	Meeting	Date
Director Partnerships, Planning and Policy	Development Control Committee	30 th March 2010

OBJECTION TO TREE PRESERVATION ORDER NO. 6 (WHITTLE LE WOODS) 2009

PURPOSE OF REPORT

1. The purpose of this report is to decide whether or not to confirm the above Tree Preservation Order (TPO) with or without modification in light of an objection received.

RECOMMENDATION(S)

2. That Tree Preservation Order No. 6 (Whittle Le Woods) 2009 be confirmed with modification by way of the Beech tree adjacent to Lucas Lane being deleted from the Order whilst the protection afforded the Sycamore tree adjacent to Preston Road be retained.

EXECUTIVE SUMMARY OF REPORT

3. The purpose of this report is to decide whether to confirm the above Tree Preservation Order with or without modification as the occupier of 100 Preston Road has objected to the Order.
4. The Order was placed on the two of the trees in the garden of 100 Preston Road to protect the trees in case the garden was considered for development or purchased by Wainhomes following the residential development being permitted and constructed to the rear of 102 Preston Road. The trees subject to the Order are a Beech tree adjacent to Lucas Lane and a Sycamore tree adjacent to Preston Road.
5. As Wainhomes have now completed the development and the owner of 100 Preston Road has confirmed in writing as part of the objection to the Order that land would not be sold to Wainhomes, there is no longer considered to be a threat to the trees.
6. The Beech tree adjacent to Lucas Lane is less prominent in the locality that the Sycamore tree which front onto Preston Road. As the Sycamore makes a very significant contribution to the visual amenities of the locality, it is recommended that this tree still be afforded the protection of the Order whilst the Beech tree is removed from the Order for the reason above.

REASONS FOR RECOMMENDATION

(If the recommendations are accepted)

7. It is recommended that the Order be modified so as only the tree adjacent to Preston Road is protected. The reason for this is that the trees are no longer considered to be under threat of felling and/or damage but the tree adjacent to Preston Road makes such a significant contribution to the visual amenities of the locality that it should still be protected. The second

tree adjacent to Lucas Lane is less perceptible in the public realm so does not warrant ongoing protection now the threat to it has diminished.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 8. An alternative option would have been not to protect the trees. However, this means the trees could be felled and the contribution they make to the visual amenities of the locality would be lost.

CORPORATE PRIORITIES

- 9. This report relates to the following Strategic Objectives:

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

BACKGROUND

- 10. Planning permission was granted on land to the rear of 102 Preston Road in March 2008 for residential development. The applicant (Wainhomes) had substantially completed the development towards the middle of 2009 but had also questioned the Council on the potential for providing additional development on land to the rear of 100 Preston Road. As there are mature trees on the site, the Council decided to assess the amenity value and the health of these trees and the decision was made that two of the trees on the site should be made the subject of a Tree Preservation Order.
- 11. Since the preparation and the serving of the Order, Wainhomes have now completed the development to the rear of 102 Preston Road and are no longer on site. Also, the occupier of 100 Preston Road has written to the Council objecting to the Order and stating an approach from Wainhomes to purchase some of the garden of 100 Preston Road was rejected and that the trees have always been looked after in the 50 years of living at the property. On this basis, it is considered that the trees are no longer under risk of being felled or damaged.

IMPLICATIONS OF REPORT

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

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

Lesley Anne Fenton
 Director Partnerships, Planning and Policy

Report Author	Ext	Date	Doc ID
David Stirzaker	5223	15 th March 2010	

Background Papers			
Document	Date	File	Place of Inspection
Chorley Council Tree Preservation Order No. 9 (Chorley) 2009	September 2009	TPO No. 12 (Chorley) 2009	Civic Offices, Union Street

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Report of	Meeting	Date
Director Partnerships, Planning and Policy	Development Control Committee	30 March 2010

**OBJECTION TO TREE PRESERVATION ORDER NO.8
(CHARNOCK RICHARD) 2009**

PURPOSE OF REPORT

1. The purpose of this report is to decide whether or not to confirm the above Tree Preservation Order (TPO) with or without modification in light of the objection received

RECOMMENDATION(S)

2. That Tree Preservation Order No. 8 (Charnock Richard) 2009 be confirmed with modification to amend the description of T2 from (Whitebeam) to (Goat Willow), T8 (Oak) to (Elm) and T10 (Birch) to (Elm).

EXECUTIVE SUMMARY OF REPORT

3. The purpose of this report is to decide whether to confirm the above Tree Preservation Order with or without modification. The Order was placed on the trees after some were felled and the threat to other trees on the land which have a high level of public amenity. Given that a planning application has been submitted for residential development the trees are potentially at risk and their retention can only be safeguarded by confirming the order.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

4. It is recommended that the Order be confirmed as amended. The objections to the order are not substantiated and the correction to the tree species can be done without causing any injustice.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5. The Council could have decided not to protect the trees and allowed them to be felled. However, this would have meant that mature trees which have significant amenity value would have been lost.

CORPORATE PRIORITIES

6. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity		Develop the Character and feel of	X



and life chances		Chorley as a good place to live	
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	

BACKGROUND

7. The land in question had previously been the subject of pre-application discussions to develop the land for housing and a planning application for residential development is currently under consideration. Following reports of tree felling on the site your officers visited and found that a large mature tree within the site had been felled and that other tree works were progress. Given the immediate threat to trees which contribute to the visual amenity of the area it was considered expedient to make a tree preservation order.

OBJECTION

8. One letter of objection has been received on behalf of the owner of the land. The objection is made on the following grounds:-

- the life expectancy of the trees are limited and development of the site presents an opportunity to replace the trees
- that there are procedural errors in the making of the order
- tree species within the order have been wrongly identified

In response to the objection:-

- the Council’s aboricultural officer has met with the landowners agent. His opinion is that the trees are mature but are healthy and there is no aboricultural reason why they should be removed
- The objector contends that the “cover” letter attached to the Order (which the latter describe as the “Regulation 3 Notice”) was remiss in that it did not specify by whom the Order was made, to whom objections might be made, and the date by which such objections should be made. The Order was made and served on 9 October 2009 in response to the felling of trees on the site, which was on-going. The TPO was served on two persons, Metacre Ltd, Lynton House, Ackhurst Park, Chorley, and on the Licensee/s, The Dog & Partridge, Charter Lane, Charnock Richard. The “cover” letter that accompanies service of a TPO does not comprise the “Regulation 3 Notice,” nor is it meant to serve such function. It serves as no more than an albeit necessary introduction to the documents which it accompanies.
- The “Regulation 3 Notice” is in fact in the form of a standard document as set out in Annex 2 to the DETR publication, “Tree Preservation Orders: A Guide to the Law and Good Practice” published in March 2000. The formal notice served in both cases contained the details, which the objector alleges were omitted, as well as specifying the grounds on which the TPO has been made. A site notice was, albeit differing slightly in format, also posted for the purpose of publicising the fact that the trees concerned were now protected by way of a formal TPO. The site notice was not meant to serve as a personal formal notice in the same sense as those served on named individuals, but rather more in the nature of a general public notice.
- It is further contended that the Order map may be in someway defective because it is not dated and thus there can be no certainty that the Map concerned actually relates to the said Order. The Order map bears the Title of the Order, which discloses in broad terms the name of the Order making authority, i.e. Chorley Borough Council, the place to which it relates to, i.e. Charnock Richard, and the year of its making, i.e. 2009. The title on the Map also bears a serial number, i.e. no. 8, which both identifies the overall sequence in which TPOs are made generally

during the course of any one year, and acts further as a means of indentifying the Map as specific to a given TPO. The Order map is not signed, i.e. it lacks an attestation clause. There is no specific ruling on the use of attestation clauses in such circumstances. The inference is presumably that, without a signed copy of a plan in circulation, this could facilitate the substitution of plans. To endeavour such an exercise would however, apart from being wholly opposed to good practice, be extremely difficult given that copies of the Order and Map are widely circulated to all interest parties from the very start of the process.

- Finally, the objector notes the terminology used in the Schedule to the Order in so far as it relates to specifying that no groups or areas of trees, or woodland are covered by the Order, i.e. the use of the word “nil” in this regard instead of the word “none.” The word “nil” was certainly used in TPO’s in former years and the model available by way of internet link to the DETR does not offer a recommended wording, but rather concerned itself solely with supplying model examples/descriptions as regards the inclusion of groups and areas of trees and woodland. Whatever the appropriate terminology, since no groups or areas of trees or woodland are affected I would not consider this to constitute a substantive objection.
- It is accepted that some of the tree species were incorrectly identified in making the order and this can be corrected by varying the order.

IMPLICATIONS OF REPORT

8. This report has implications in the following areas and the relevant Directors’ comments are included:

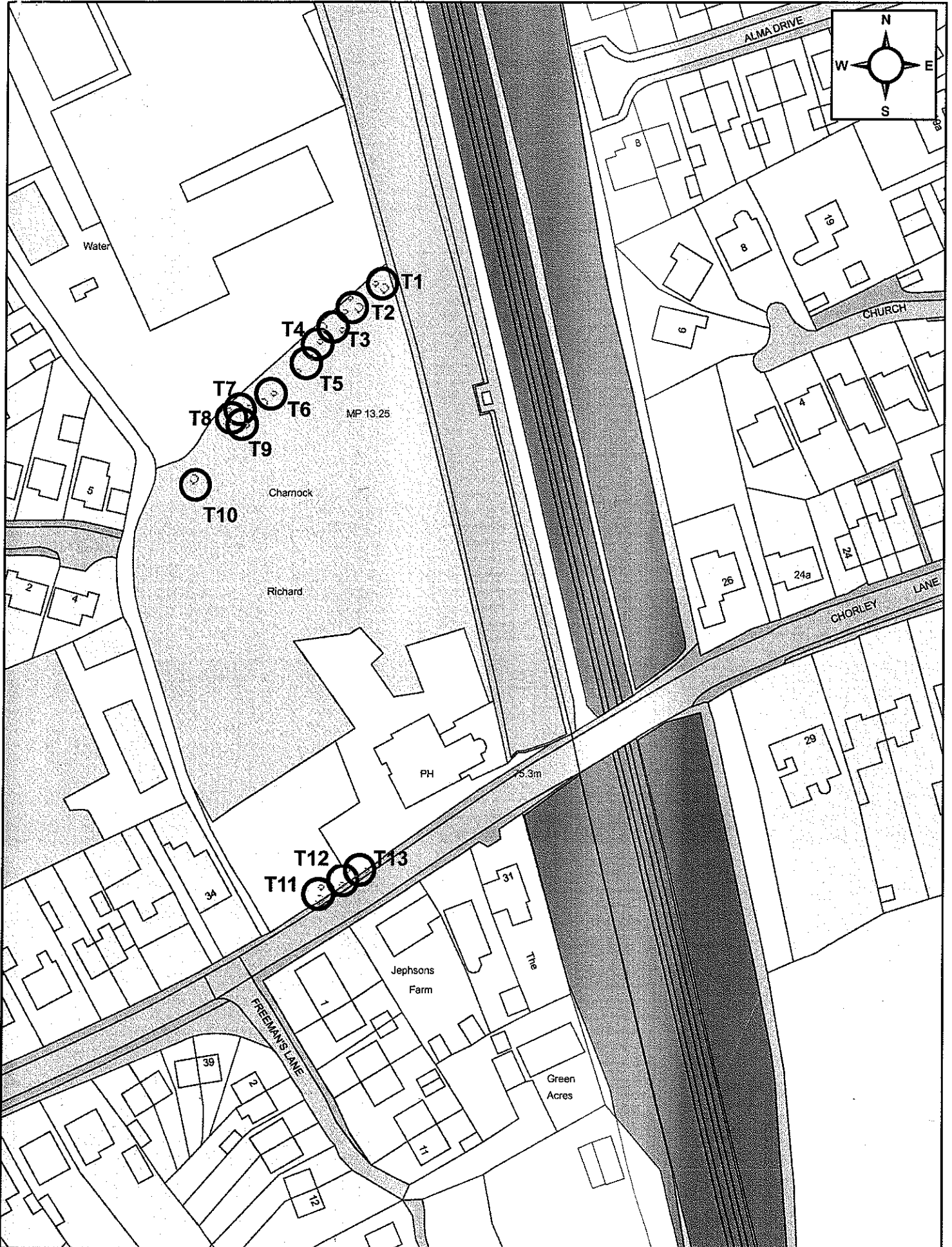
Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	X

Lesley Anne Fenton
 Director Partnerships, Planning and Policy

Report Author	Ext	Date	Doc ID
Peter Willacy	5226	17 March 2010	

Background Papers			
Document	Date	File	Place of Inspection
Chorley Council Tree Preservation Order No. 8 (Charnock Richard)	October 2009	TPO No. 8 (Charnock Richard)	Civic Offices, Union Street

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Report of	Meeting	Date
Director Partnerships, Planning and Policy	Development Control Committee	30 th March 2010

OBJECTION TO TREE PRESERVATION ORDER NO. 12 (CHORLEY) 2009

PURPOSE OF REPORT

1. The purpose of this report is to decide whether or not to confirm the above Tree Preservation Order (TPO) with or without modification in light of an objection received.

RECOMMENDATION(S)

2. That Tree Preservation Order No. 12 (Chorley) 2009 be confirmed without modification.

EXECUTIVE SUMMARY OF REPORT

3. The purpose of this report is to decide whether to confirm the above Tree Preservation Order without modification. The Order was placed on the trees on the site following the submission of a planning application for the residential redevelopment of the former site of St Josephs Primary School, Railway Road, Chorley.
4. The trees appear to be in good health and make a significant contribution to the visual amenities of the locality. The trees would also help to mitigate some of the impact of any future residential on the site providing a screen between the development and the existing properties to the south on St Josephs Place.

REASONS FOR RECOMMENDATION

(If the recommendations are accepted)

5. The objection to the Order from the Parochial Church Council (St Peters Vicarage, Harpers Lane, Chorley) states that as the planning application for the residential development of the site has now been withdrawn, the reason for imposing the Order in the first place no longer exists.
6. The objection to the Order is duly noted. However, the application was withdrawn due to various problems with the details of the application and layout so it is likely that a further planning application will be submitted for residential development on this site in the near future as the 'principle' of residential development on it is acceptable.
7. The Order will therefore ensure the trees are not cleared from the site prior to the submission of a further planning application as developers have done this on other sites in the Borough prior to submitting a planning application. Confirmation of the Order will also ensure the significant contribution made by the trees to the visual amenities of the locality is safeguarded and they are fully considered when the layout of the development is being



designed.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 8. An alternative would have been not to make the trees the subject of the Order. However, this means the trees could be felled and the contribution they make to the visual amenities of the locality would be lost as would the screening of any residential development on the site.

CORPORATE PRIORITIES

- 9. This report relates to the following Strategic Objectives:

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

BACKGROUND

- 10. An outline planning application was submitted on 5th November 2009 proposing the erection of 14 dwellings and an access road on the former site of St Josephs Primary School. The site is on Railway Road from where it is accessed. The school building on the site was demolished several years ago and the site at the moment comprises of a hardstanding and overgrown area of grass.
- 11. The trees which are the subject of the Order are located at the southern end of the site. Some of the trees are located just outside of the site within the grounds of the St Peters Vicarage. However, these trees together with the trees in the site form an attractive group of trees and are close enough to the application site, being right on the boundary, to warrant the protection afforded by the Order in order to ensure they
- 12. The trees make a significant contribution to the visual amenities of the locality and if residential development is permitted on the site in the future, they will act as a screen to the development and also enhance its setting. The trees will also reduce the impact of the development on the existing dwellings to the south on St Josephs Place.

IMPLICATIONS OF REPORT

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

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

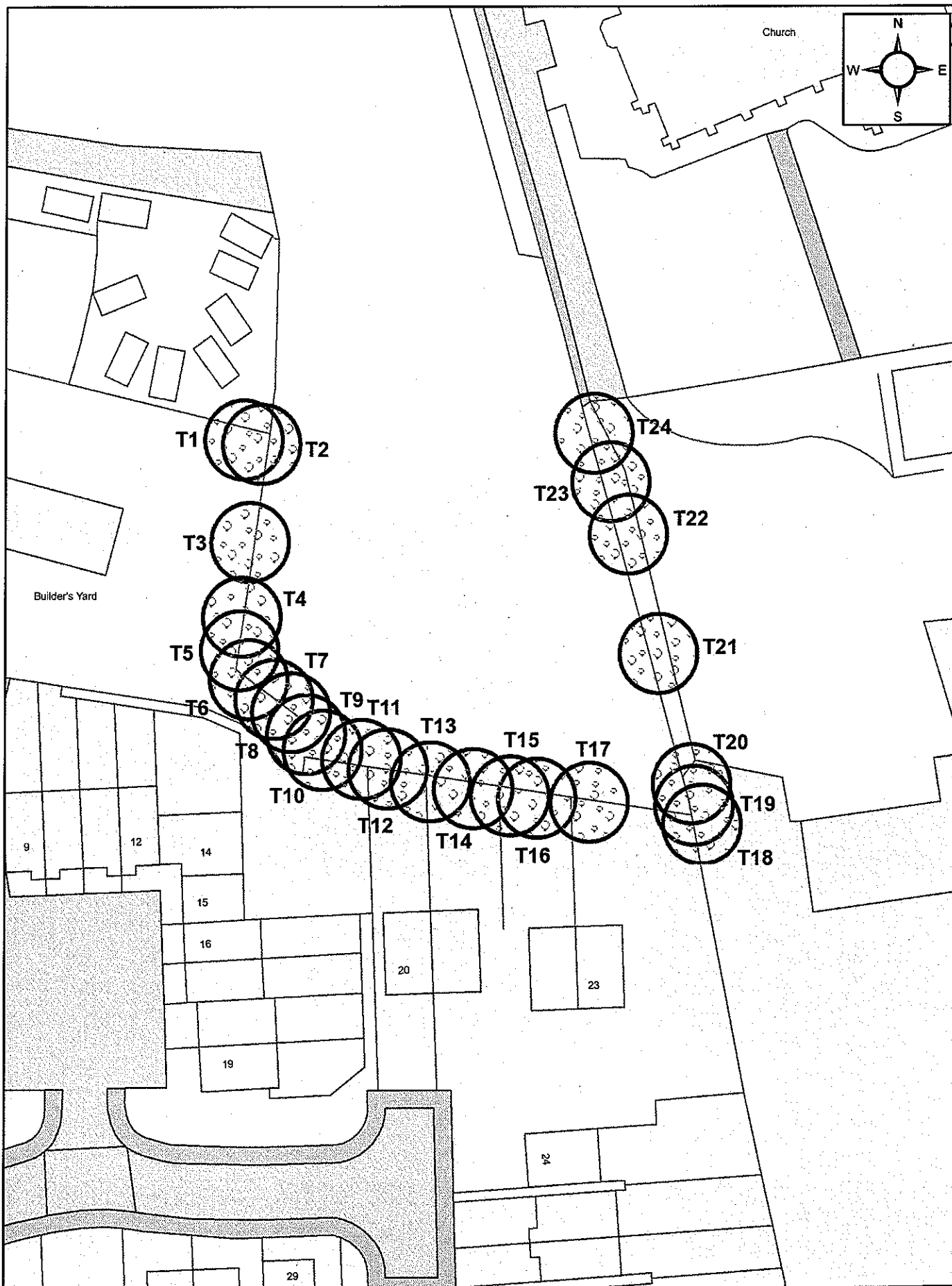
Lesley Anne Fenton
 Director Partnerships, Planning and Policy

Report Author	Ext	Date	Doc ID
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David Stirzaker	5223	15 th March 2010	
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Background Papers			
Document	Date	File	Place of Inspection
Chorley Council Tree Preservation Order No. 9 (Chorley) 2009	December 2009	TPO No. 12 (Chorley) 2009	Civic Offices, Union Street

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Report of	Meeting	Date
Director of Transformation	Development Control Committee	30 March 2010

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 257
 PROPOSED PUBLIC PATH DIVERSION ORDER RE: PARTS OF
 PUBLIC FOOTPATHS NOS 4 AND 19, CHORLEY**

PURPOSE OF REPORT

1. To consider an application submitted by Morris Homes Ltd for the diversion of part of Public Footpaths Nos. 4 and 19, Chorley, in order to facilitate the development of a residential housing estate.

RECOMMENDATION(S)

2. That the making of a Public Path Diversion Order pursuant to Section 257 of the Town and Country Planning Act 1990, be approved, in respect of two lengths of Footpaths Nos. 4 and 19, Chorley, so as to enable the carrying out of development in accordance with the grant of planning permission.

REASONS FOR RECOMMENDATION(S)

3. To facilitate the carrying out of development in accordance with the grant of planning permission in accordance with Part III of the Town and Country Planning Act 1990.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

4. To have rejected the application would have been to compromise the proposed scheme of development in that a right-of-way would continue to subsist on the land concerned and therefore continue to be exercisable in law across the site of the proposed properties.

CORPORATE PRIORITIES

5. This report does not relate to any of the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the central Lancashire sub region		Improved access to public services	
Improving equality of opportunity and life chance		Develop the character and feel of Chorley as a good place to live	
Involving People in their Communities		Ensure Chorley is a performing Organisation	



BACKGROUND

- 6. Public Footpath No. 4 Chorley runs from Crosse Hall Lane in a generally northerly direction across an undeveloped expanse of open land sandwiched between the Black Brook and the M.61 Motorway to Froom Street. The land over which the Footpath runs was formerly pasture land.
- 7. Public Footpath No. 19 Chorley runs from Eaves Lane, by way of Canal Walk, in a generally easterly direction across an undeveloped expanse of open land to the Black Brook, which is crossed by means of a foot-bridge, whereupon the Footpath joins up with public Footpath no. 4.
- 8. Planning permission was granted to Morris Homes Ltd sometime ago to develop the parcel of land bounded by the Leeds-Liverpool Canal on the west, the M.61 Motorway on the east, Crosse Hall Lane on the south and Froom Street on the north for residential housing.

DETAILS OF PROPOSAL

- 9. The two lengths of Footpath No. 4 forming the subject of the application run for a total distance of 234 metres. The first length to be diverted comprises a 118 metre length running from point A on the map attached in a generally northerly direction to point B, which length is to be diverted on the new estate footpath running from point A by way of point E to point B, a total distance of 146 metres. From Point B the Footpath continues along its existing line following a route running across what will remain as amenity open space to point C.
- 10. The second length of Footpath No. 4 forming the subject of the application runs from Point C northwards to Point D on Froom Street, comprising a distance of 116 meters, and is to be diverted on to the new estate road, as marked by the line C-F-G and thence on to the new link-footpath, as marked by the line G-H-D, a total of 147 metres.
- 11. Although the diversion cumulatively comprises a slightly longer route, it is not significantly different in nature (i.e. gradients), extent or direction to the existing route. The end effect of the proposal would also, of course, result in the Footpath being encompassed within a fully urbanised environment.
- 12. The length of Footpath No. 19 forming the subject of the application runs for an approximate distance of 100 metres. The length to be diverted runs from point J on the map attached in a generally easterly direction to point K, which length is to be diverted onto the new estate footpath, i.e. the adopted footway adjoining the carriageway.
- 13. The cost of processing the Public Path Diversion order would be met in full by Morris Homes Ltd.

IMPLICATIONS OF REPORT

- 14. This report does not have any implications in relation to the following areas:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal			

G HALL
DIRECTOR OF TRANSFORMATION

Background Papers			
Document	Date	File	Place of Inspection
E-Mails from Morris Homes Ltd	22 December 2009 4 January 2010 5 January 2010 6 January 2010 11 January 2010 29 January 2010		Town Hall, Chorley

Report Author	Ext	Date	Doc ID
G Fong	5169	15 March 2010	

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Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	30-03-2010

PLANNING APPEALS AND DECISIONS - NOTIFICATION

PURPOSE OF REPORT

- To advise Committee of appeal notifications and decisions received from the Planning Inspectorate and notification of decisions received from Lancashire County Council and other bodies between 25th February and 17th March 2010.

RECOMMENDATION(S)

- That the report be noted.

CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

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

PLANNING APPEALS LODGED

- Appeal by Mr R Stringfellow against the delegated decision to refuse outline planning permission for 3 detached dwellings, specifying access and layout at Land 53m west of Belvedere, 31 Darlington Street, Coppull (Application No. 09/00765/OUT).
- Appeal by Mr & Mrs Gordon Brook against the delegated decision to refuse planning permission for the erection of a detached bungalow with integral garage including new access and driveway at Lyndseybrook Cottage, 179 Chorley Lane, Charnock Richard (Application No. 09/00947/FUL).

PLANNING APPEALS DISMISSED

- None

PLANNING APPEALS ALLOWED

7. None

PLANNING APPEALS WITHDRAWN

8. None

ENFORCEMENT APPEALS LODGED

9. None

ENFORCEMENT APPEALS DISMISSED

10. None

ENFORCEMENT APPEALS ALLOWED

11. None

ENFORCEMENT APPEALS WITHDRAWN

12. None

LANCASHIRE COUNTY COUNCIL DECISIONS

- 13. Planning permission granted for the erection of new single storey day car centre with car parking and improvements to the existing access road at Welbank House, Weldbank Lane, Chorley (Application No. 10/00003/CTY).
- 14. Planning permission granted for the construction of a two storey science block, main entrance, new pedestrian access and relation of vehicular access for deliveries on Clover Road with associated landscaping at Southlands High School, Clover Road, Chorley (Application No. 09/01027/CTY).
- 15. Planning permission granted for the erection of a concrete sectional garage at St Mary RC Primary School, Hornchurch Drive, Chorley (Application No. 09/01008/CTY).

GOVERNMENT OFFICE DECISIONS

15. None

IMPLICATIONS OF REPORT

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

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

LESLEY-ANN FENTON
DIRECTOR OF PARTNERSHIPS, PLANNING AND POILCY

Report Author	Ext	Date	Doc ID
Louise Taylor	5220	18/03/2010	

Background Papers				
	Document	Date	File	Place of Inspection
4	Letter from the Planning Inspectorate	1/3/10	09/00765/OUT	Civic Offices, Union Street, Chorley or online at www.chorley.gov.uk/planning
5	"	2/3/10	09/00947/FUL	
13	Letter from Lancashire County Council	26/2/10	10/00003/CTY	
14	"	8/3/10	09/01027/CTY	
15	"	8/3/10	09/01008/CTY	

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Report



Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	30.03.2010

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

Application No.	Recommendation	Location	Proposal
10/00037/FUL	Permit Full Planning Permission	Heskin Hall Wood Lane Heskin Chorley PR7 5PA	Application to vary condition 11 of permission no. 9/99/00699/COU (change of use and conversion of disused farm buildings to use as extension of antiques centre with car parking) and condition no. 5 of permission 07/00900/FUL (alterations to elevations of existing building and construction of single storey link building), to allow the buildings in the green edge (as shown on drawing no. 1100 rev E) to be used for a farmer's market, butchery and for the sale and display of antiques.
10/00048/FUL	Permit Full Planning Permission	Heskin Hall Wood Lane Heskin Lancashire PR7 5PA	Erection of mezzanine floor within the 'cubical building' (retrospective); side extension to approved 'link building' to provide toilets; two side extensions to butchery to provide additional storage space and a shower room; and the provision of a seating area and outdoor play area for the cafe.

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Report



Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	30.03.2010

PLANNING APPLICATIONS DECIDED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY, THE CHAIR AND VICE-CHAIR OF THE COMMITTEE ON 17TH MARCH 2010

Application No.	Recommendation	Location	Proposal
10/00064/OUT	Permit Outline Planning Permission subject to a Legal Agreement	Methodist Church Blackburn Road Higher Wheelton Chorley Lancashire	Outline application for one detached dwelling (specifying: access, appearance, layout and scale)
10/00084/FUL	Permit Full Planning Permission	McDonalds Portland Street Chorley Lancashire PR7 1AQ	Minor alteration to the drive thru to provide a side-by-side order point, incorporating a new traffic island for signs. Installation of two customer order displays and signage.
10/00085/ADV	Advertising Consent	McDonalds Portland Street Chorley Lancashire PR7 1AQ	Various signs in line with the refurbishment and side by side drive thru lane, 6 freestanding signs, 2 customer order displays, 3 banners and a height restrictor

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Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	30/3/2009

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

Between 25th February and 17th March 2010

Plan Ref	04/01445/FUL	Date Received	21.12.2004	Decision	Refuse Full Planning Permission
Ward:	Chorley North West	Date Decided	08.03.2010		
Proposal :	Construction of a new access, with turning head and parking, to school premises off proposed strategic regional site link road				
Location :	Land Rear Of Waterloo Lodge 171 - 173 Preston Road Chorley Lancashire PR6 7AX				
Applicant:	Waterloo Lodge School Ltd Waterloo Lodge 171 - 173 Preston Road Chorley Lancashire PR6 7AX				
Plan Ref	09/00848/TPO	Date Received	27.10.2009	Decision	Consent for Tree Works
Ward:	Chisnall	Date Decided	08.03.2010		
Proposal :	Pruning of 1 Beech Tree covered by TPO 2 (Charnock Richard) 1995				
Location :	The Cutting 35 Church Lane Charnock Richard Chorley PR7 3RB				
Applicant:	Mr Colin Dingley The Cutting 35 Church Lane Charnock Richard Chorley PR7 3RB				
Plan Ref	09/00948/FUL	Date Received	25.11.2009	Decision	Refuse Full Planning Permission
Ward:	Pennine	Date Decided	03.03.2010		
Proposal :	Works to and conversion of existing barn to form a single dwelling house together with associated works to reinstate the unauthorised development to form part of the existing barn structure				
Location :	Crostones Farm Lucas Lane Whittle-Le-Woods Chorley PR6 7DA				
Applicant:	Mr & Mrs Paul Bettany 13 Birchin Lane Whittle-le-woods Chorley PR6 7NN				

Plan Ref	09/00949/LBC	Date Received	25.11.2009	Decision	Refuse Listed Building Consent
Ward:	Pennine	Date Decided	03.03.2010		
Proposal :	Works to and conversion of existing barn to form a single dwelling house together with associated works to reinstate the unauthorised development to form part of the existing barn structure				
Location :	Crostons Farm Lucas Lane Whittle-Le-Woods Chorley PR6 7DA				
Applicant:	Mr & Mrs Paul Bettany 13 Birchin Lane Whittle-le-woods Chorley PR6 7NN				
Plan Ref	09/00951/TPO	Date Received	25.11.2009	Decision	Consent for Tree Works
Ward:	Euxton North	Date Decided	08.03.2010		
Proposal :	Pruning of 12 trees on link path adjacent to 2 Meadowcroft, Euxton.				
Location :	Footpath Adjacent 89 Runshaw Lane Euxton				
Applicant:	Chorley Borough Council Chorley Borough Council Depot Bengal Street Chorley				
Plan Ref	09/00952/TPO	Date Received	25.11.2009	Decision	Consent for Tree Works
Ward:	Clayton-le-Woods West And Cuerden	Date Decided	08.03.2010		
Proposal :	Felling of 1 tree at 3 Azalea close, Clayton-Le-Woods.				
Location :	3 Azalea Close Clayton-Le-Woods Leyland PR25 5RB				
Applicant:	Mrs Shirley Weaver 3 Azalea Close Clayton-Le-Woods Leyland PR25 5RB				
Plan Ref	09/00955/FUL	Date Received	26.11.2009	Decision	Permit retrospective planning permission
Ward:	Chorley East	Date Decided	10.03.2010		
Proposal :	Conversion of integral garage to living accommodation (retrospective) and proposed provision of additional off street parking space				
Location :	7 Bracken Close Chorley PR6 0EJ				
Applicant:	Mr D N Seddon 7 Bracken Close Chorley PR6 0EJ				
Plan Ref	09/00976/FUL	Date Received	06.12.2009	Decision	Permit Full Planning Permission
Ward:	Wheelton And Withnell	Date Decided	17.03.2010		
Proposal :	New Replacement Changing Rooms				
Location :	Brinscall And Withnell Athletic Club School Lane Brinscall Lancashire PR6 8PT				
Applicant:	BWARA Brinscall And Withnell Athletic Club School Lane Brinscall Lancashire PR6 8PT				

Plan Ref	09/00979/TPO	Date Received	07.12.2009	Decision	Consent for Tree Works
Ward:	Wheelton And Withnell	Date Decided	08.03.2010		
Proposal :	Works to trees covered by TPO 3 (Wheelton and Withnell) 1976				
Location :	Brinscall Hall Dick Lane Brinscall Chorley Lancashire				
Applicant:	Mrs Avril Cairncross Brinscall Hall Dick Lane Brinscall Chorley Lancashire PR6 8QL				
Plan Ref	09/01000/REM	Date Received	16.12.2009	Decision	Approve Reserved Matters
Ward:	Heath Charnock And Rivington	Date Decided	03.03.2010		
Proposal :	Reserved matters application for Appearance, Landscaping and Layout Application No 07/00499/OUT				
Location :	Land 20m North East Of 35 - 37 Chorley Road Heath Charnock Lancashire				
Applicant:	Mr M McCallister 23 Lingfield Road Clayton Manchester M11 4NT				
Plan Ref	09/01001/COU	Date Received	14.12.2009	Decision	Permit Full Planning Permission
Ward:	Chorley North East	Date Decided	10.03.2010		
Proposal :	Change of use of Industrial unit to parking and operation of Limousines				
Location :	Unit 17 Chorley Central Business Park Stump Lane Chorley Lancashire				
Applicant:	Mr Karl England Unit 17 Chorley Central Business Park Stump Lane Chorley				
Plan Ref	09/01005/FUL	Date Received	17.12.2009	Decision	Permit Full Planning Permission
Ward:	Chorley North West	Date Decided	08.03.2010		
Proposal :	Conversion of part of garage to create new enlarged kitchen plus conversion of flat roof to garage with new pitched roof with roof windows				
Location :	18 Isleworth Drive Chorley Lancashire PR7 2PU				
Applicant:	Mr & Mrs Connor 18 Isleworth Drive Chorley PR7 2PU				
Plan Ref	09/01006/FUL	Date Received	18.12.2009	Decision	Permit Full Planning Permission
Ward:	Lostock	Date Decided	01.03.2010		
Proposal :	Front porch and rear dormer extension				
Location :	Mayfield Leyland Lane Ulmes Walton Leyland PR26 8LB				
Applicant:	Mr David Mc Mahon Mayfield Leyland Lane Ulmes Walton Chorley Lancs				

Plan Ref 09/01007/FUL **Date Received** 18.12.2009 **Decision** Permit Full Planning Permission

Ward: Astley And Buckshaw **Date Decided** 03.03.2010

Proposal : Single storey rear sun-room/dining room
Location : 34 Foxcote Astley Village Chorley Lancashire PR7 1XE
Applicant: Mr & Mrs D Shadwell 34 Foxcote Astley Village Chorley Lancashire PR7 1XE UK

Plan Ref 09/01013/FUL **Date Received** 18.12.2009 **Decision** Refuse Full Planning Permission

Ward: Clayton-le-Woods West And Cuerden **Date Decided** 10.03.2010

Proposal : Front and side first floor extensions over existing garage and kitchen
Location : Mansard House Moss Lane Clayton-Le-Woods Leyland PR25 4SE
Applicant: Mr Terry Swift Mansard House Moss Lane Clayton-Le-Woods Leyland

Plan Ref 09/01018/TPO **Date Received** 14.12.2009 **Decision** Consent for Tree Works

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 08.03.2010

Proposal : Felling of one Beech tree covered by TPO 1 (Whittle Le Woods) 1982 on land to the rear of 6 The Walled Garden
Location : 6 The Walled Garden Whittle-Le-Woods Chorley PR6 7PD
Applicant: Mr Matthew Potier Pinnacle TLS Ltd Prescott Road St Helens WA10 3UB

Plan Ref 09/01023/TPO **Date Received** 21.12.2009 **Decision** Consent for Tree Works

Ward: Pennine **Date Decided** 08.03.2010

Proposal : Prune 4 tree's and Fell 1 Oak tree Covered by TPO 7 (Whittle Le Woods) 1996
Location : 16 Dunham Drive Whittle-Le-Woods Chorley PR6 7DN
Applicant: Mr Simon Roscoe 16 Dunham Drive Whittle-Le-Woods Chorley PR6 7DN

Plan Ref 09/01035/FUL **Date Received** 22.12.2009 **Decision** Permit Full Planning Permission

Ward: Euxton North **Date Decided** 05.03.2010

Proposal : Demolition of existing dwelling and erection of replacement dwelling with attached double garage (including changes to garden boundary).
Location : Woodcock Farm Runshaw Lane Euxton Chorley PR7 6HB
Applicant: Mr & Mrs James Deacon Woodcock Farm Runshaw Lane Euxton Chorley PR7 6HB

Plan Ref	10/00005/FUL	Date Received	04.01.2010	Decision	Permit Full Planning Permission
Ward:	Wheelton And Withnell	Date Decided	01.03.2010		
Proposal :	Two storey rear extension including Juliet balcony at first floor level in rear elevation and extension to garage and its part conversion to a study				
Location :	4 Millbrook Close Wheelton Chorley PR6 8JY				
Applicant:	Mr And Mrs D Duke 4 Millbrook Close Wheelton Chorley PR6 8JY				
Plan Ref	10/00008/FUL	Date Received	04.01.2010	Decision	Permit Full Planning Permission
Ward:	Clayton-le-Woods And Whittle-le-Woods	Date Decided	01.03.2010		
Proposal :	Proposed erection of a detached house and integral garage				
Location :	Land Rear Of 209 To 213 Preston Road Whittle-Le-Woods				
Applicant:	Lawson Margerison Partnerships 213 Preston Road Whittle-Le-Woods Chorley PR6 7PS				
Plan Ref	10/00009/FUL	Date Received	04.01.2010	Decision	Permit Full Planning Permission
Ward:	Coppull	Date Decided	01.03.2010		
Proposal :	Proposed single storey extension to side and rear with porch and bay window to front				
Location :	43 Coppull Hall Lane Coppull Chorley Lancashire PR7 4PP				
Applicant:	Mr P Parkinson 43 Coppull Hall Lane Coppull Chorley Lancashire PR7 4PP				
Plan Ref	10/00012/FUL	Date Received	06.01.2010	Decision	Permit Full Planning Permission
Ward:	Chorley North West	Date Decided	03.03.2010		
Proposal :	Demolition of existing conservatory to rear and erection of replacement conservatory				
Location :	46 Stansted Road Chorley Lancashire PR7 2QY				
Applicant:	Mr Kerfoot 46 Stansted Road Chorley Lancashire PR7 2QY				
Plan Ref	10/00014/ADV	Date Received	06.01.2010	Decision	Advertising Consent
Ward:	Chorley South East	Date Decided	03.03.2010		
Proposal :	Display of 4 non-illuminated signs on the roundabout				
Location :	Portland Street Roundabout Adjacent Car Park Clifford Street Chorley				
Applicant:	Mrs Jan Butcher Marketing Force Ltd Suite 1B Cliff House Chevalier Road Felixstowe Suffolk JP11 7EJ				

Plan Ref 10/00015/FUL **Date Received** 08.01.2010 **Decision** Permit Full Planning Permission

Ward: Chisnall **Date Decided** 04.03.2010

Proposal : Two storey rear extension
Location : Crosses Brow Barn Preston Road Charnock Richard Lancashire PR7 5JP
Applicant: Mr Keith Browse Crosses Brow Barn Preston Road Charnock Richard Preston Lancashire PR7 5JP England

Plan Ref 10/00016/ADV **Date Received** 06.01.2010 **Decision** Advertising Consent

Ward: Clayton-le-Woods North **Date Decided** 03.03.2010

Proposal : Display of four non-illuminated signs on the roundabout
Location : Roundabout At Junction Of Preston Road And Clayton Green Road Preston Road Clayton-Le-Woods Lancashire
Applicant: Mrs Jan Butcher Marketing Force Ltd Suite 1B Cliff House Chevalier Road Felixstowe Suffolk JP11 7EJ

Plan Ref 10/00017/ADV **Date Received** 06.01.2010 **Decision** Advertising Consent

Ward: Chorley South East **Date Decided** 03.03.2010

Proposal : Display of three non-illuminated sign on the roundabout
Location : Roundabout At Junction Of Lyons Lane South And Brooke Street Lyons Lane South Chorley Lancashire
Applicant: Mrs Jan Butcher Marketing Force Ltd Suite 1B Cliff House Chevalier Road Felixstowe Suffolk JP11 7EJ

Plan Ref 10/00018/ADV **Date Received** 06.01.2010 **Decision** Advertising Consent

Ward: Chorley South East **Date Decided** 03.03.2010

Proposal : Display of four non-illuminated signs on the roundabout
Location : Roundabout At Junction Of Bolton Street And Lyons Lane South Bolton Street Chorley Lancashire
Applicant: Mrs Jan Butcher Marketing Force Ltd Suite 1B Cliff House Chevalier Road Felixstowe Suffolk JP11 7EJ

Plan Ref 10/00020/TPO **Date Received** 08.01.2010 **Decision** Consent for Tree Works

Ward: Heath Charnock And Rivington **Date Decided** 15.03.2010

Proposal : Pruning of 6 Trees and felling of one
Location : 14 Olde Stoneheath Court Heath Charnock Lancashire PR6 9EH
Applicant: Mr Anthony Mansfield 14 Olde Stoneheath Court Heath Charnock Lancashire

Plan Ref 10/00022/FUL **Date Received** 08.01.2010 **Decision** Refuse Full Planning Permission

Ward: Pennine **Date Decided** 16.03.2010

Proposal : Detached stables and paddock
Location : Wilson Nook Farm Town Lane Whittle-Le-Woods Chorley PR6 8AG
Applicant: Mr Peter Belshaw Wilson Nook Farm Town Lane Whittle-Le-Woods Chorley

Plan Ref 10/00032/FUL **Date Received** 13.01.2010 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 15.03.2010

Proposal : Proposed conservatory to rear of property
Location : 60 Swansey Lane Clayton-Le-Woods Chorley Lancashire PR6 7NR
Applicant: Mrs . Rowbotham 60 Swansey Lane Whittle Le Woods Chorley

Plan Ref 10/00034/CLPUD **Date Received** 14.01.2010 **Decision** Refuse Certificate of Lawfulness Prop

Ward: Heath Charnock And Rivington **Date Decided** 11.03.2010

Proposal : Convert existing hips on roof to gables. New rear tiled dormer. Loft conversion.
Location : 8 Waterford Close Heath Charnock Chorley PR6 9JQ
Applicant: Mr & Mrs Stel 8 Waterford Close Heath Charnock Chorley PR6 9JQ

Plan Ref 10/00036/COU **Date Received** 14.01.2010 **Decision** Permit Full Planning Permission

Ward: Chorley North East **Date Decided** 08.03.2010

Proposal : Change of use of the double garage into a post production studio.
Location : Garage 20m East Of The Swan With Two Necks Hollinshead Street Chorley Lancashire
Applicant: Mr Adam Robinson 61 Bolton Road Chorley PR7 3AU

Plan Ref 10/00037/FUL **Date Received** 18.01.2010 **Decision** Permit Full Planning Permission

Ward: Chisnall **Date Decided** 16.03.2010

Proposal : Application to vary condition 11 of permission no. 9/99/00699/COU (change of use and conversion of disused farm buildings to use as extension of antiques centre with car parking) and condition no. 5 of permission 07/00900/FUL (alterations to elevations of existing building and construction of single storey link building), to allow the buildings in the green edge (as shown on drawing no. 1100 rev E) to be used for a farmer's market, butchery and for the sale and display of antiques.

Location : Heskin Hall Wood Lane Heskin Chorley PR7 5PA
Applicant: The Farmers Market & Craft Centre @ Heskin Hall c/o agent

Plan Ref 10/00042/FUL **Date Received** 19.01.2010 **Decision** Permit Full
 Planning
 Permission

Ward: Chorley South **Date Decided** 15.03.2010
 West

Proposal : Erection of single storey rear extension
Location : 29 Letchworth Place Chorley Lancashire PR7 2HJ
Applicant: Mr & Mrs Walmsley 29 Letchworth Place Chorley Lancashire PR7 2HJ

Plan Ref 10/00048/FUL **Date Received** 20.01.2010 **Decision** Permit Full
 Planning
 Permission

Ward: Chisnall **Date Decided** 16.03.2010

Proposal : Erection of mezzanine floor within the 'cubical building' (retrospective); side extension to approved 'link building' to provide toilets; two side extensions to butchery to provide additional storage space and a shower room; and the provision of a seating area and outdoor play area for the cafe.

Location : Heskin Hall Wood Lane Heskin Lancashire PR7 5PA
Applicant: The Farmers Market And Craft Centre @ Heskin Hall c/o agent

Plan Ref 10/00052/TCON **Date Received** 21.01.2010 **Decision** Consent
 for Tree
 Works

Ward: Lostock **Date Decided** 03.03.2010

Proposal : Removal of 8 trees
Location : Land 45m South Of Manor House Farm Carr Lane Croston
Applicant: Mr Michael Blackburn Lancashire County Council Area Office Cuerden Way
 Bamber Bridge Preston, Lancs PR5 6BS

Plan Ref 10/00109/MNMA **Date Received** 04.02.2010 **Decision** Minor Non-
 Material
 Amendmen
 t Accepted

Ward: Eccleston And **Date Decided** 03.03.2010
 Mawdesley

Proposal : Addition of windows to the rear and side elevation
Location : Ash Farm Barn Blue Stone Lane Mawdesley Lancashire
Applicant: Mr Andrew Mawdesley Thomas Mawdesley Ltd Towngate Works Dark Lane
 Mawdesley Ormskirk L40 2QU