



Development Control Committee

Agenda and Reports

For consideration on

Tuesday, 22nd June 2010

In the Council Chamber, Town Hall, Chorley

At 6.30 pm



www.chorley.gov.uk

PROCEDURE FOR PUBLIC SPEAKING AT MEETINGS OF THE DEVELOPMENT CONTROL COMMITTEE

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

ORDER OF SPEAKING AT THE MEETINGS

1. The Director Partnership, Planning and Policy 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.

11 June 2010

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 22 JUNE 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, 22nd June 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 - 8)**

To confirm the minutes of the meeting of then Development Control Committee held on 25 May 2010 (enclosed).

4. **Planning applications awaiting decision (Pages 9 - 10)**

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 of maybe viewed in advance by following the links to the current planning applications on our website http://planning.chorley.gov.uk/PublicAccess/TDC/tdc_home.aspx

- (a) **10/00252/OUTMAJ - The Legacy Rainbow House, Salt Pit Lane, Mawdesley, Ormskirk (Pages 11 - 24)**

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

- (b) 10/00267/FULMAJ - 41 Church Lane, Charnock Richard, Chorley, PR7 5NH
(Pages 25 - 36)

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

- (c) 10/00255/FUL - 1-3 Park Road, Chorley, PR7 1QS (Pages 37 - 42)

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

5. **Enforcement Report - Operational Development Land to the East of 75 The Farthings, Astley Village, Chorley** (Pages 43 - 48)

Report of Director of Partnership, Planning and Policy (enclosed).

6. **Objection to Tree Preservation Order No.4 (Whittle-le-Woods) 2010** (Pages 49 - 50)

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

7. **Planning Appeals Notification Report** (Pages 51 - 54)

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

8. **Delegated decisions determined by the Director of Partnerships, Planning and Policy in consultation with the Chair and Vice Chair of the Committee** (Pages 55 - 58)

Planning applications delegated on:

25 May 2010 (schedule enclosed)

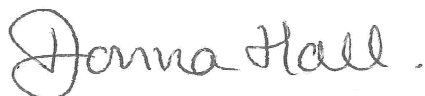
9 June 2010 (schedule enclosed)

9. **Planning applications determined by the Director of Partnerships, Planning and Policy under delegated powers** (Pages 59 - 74)

A schedule of the applications determined between 13 May 2010 and 9 June 2010 (enclosed).

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

Yours sincerely



Donna Hall
Chief Executive

Cathryn.Barrett
Democratic and Member Services Officer
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Distribution

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

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

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

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

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Development Control Committee**Tuesday, 25 May 2010**

Present: Councillor Harold Heaton (Chair), Councillor Geoffrey Russell (Vice-Chair), Councillors Henry Counce, Mike Devaney, David Dickinson, Dennis Edgerley, Christopher France, Roy Lees, Simon Moulton, Mick Muncaster and Ralph Snape

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

Also in attendance: Councillor Alistair Bradley (Chorley South East)

10.DC.155 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor June Molyneux.

10.DC.156 DECLARATIONS OF ANY INTERESTS

There were no declaration of interest declared.

10.DC.157 MINUTES

RESOLVED – That the minutes of the Development Control Committee meeting held on 20 April 2010 be confirmed as a correct record and signed by the Chair.

10.DC.158 PLANNING APPLICATIONS AWAITING DECISION

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

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

(a) 10/00273/OUT - 81A Pall Mall, Chorley, Lancashire PR7 3LT

Application no: 10/00273/OUT
Proposal: Outline application for the erection of 7 dwellings and associated works
Location: Pall Mall Garages and Sheds 81A Pall Mall, Chorley, PR7 1JU
Decision:

It was proposed by Councillor Dennis Edgerley, seconded by Councillor David Dickinson and subsequently **RESOLVED to grant outline planning permission subject to the following conditions and the prior completion of a revised or supplemental section 106 agreement in relation to public open space:**

1. No development approved by this permission shall be commenced until details of the means of foul sewage and a surface water drainage strategy (including attenuation surface discharges from the development to existing rates or less) has been submitted to and approved by the Local Planning Authority. The schemes shall be constructed and completed in accordance with the approved details
Reason: to reduce the risk of flooding and ensure a satisfactory means of drainage and in accordance with Policy Nos. EP18 and EP19 of the Adopted Chorley Borough Local Plan Review.

2. There is a potential for ground contamination at this site. Due to the size of development and sensitive end-use, no development shall take place until:
a) a methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2001 'Investigation of potentially contaminated site - Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;
b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority; c) the Local Planning Authority has given written approval to any remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority. Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals. Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.
Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use, in accordance with PPS23.

3. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.
Reason: In the interests of the amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the

next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

5. The development hereby permitted shall not commence until 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, to ensure that the proposal does not give rise to an undue increase in surface water run off and in accordance with Policy Nos. GN5, EP18 and HS4 of the Adopted Chorley Borough Local Plan Review.

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

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

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

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

8. 1. Each and every application for approval of Reserved Matters shall demonstrate and provide full details of how the design and layout of the buildings will withstand climate change, for example, amongst other things through the use of passive solar design. No phase or sub-phase shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

2. No phase or sub-phase of the development shall commence until a Design Stage assessment and related certification has been submitted to and approved in writing by the Local Planning Authority demonstrating that the proposed development will be constructed to achieve the relevant Code for Sustainable Homes level. All dwellings commenced after 1 January 2010 will be required to meet Code Level 3, all dwellings commenced after 1 January 2013 will be required to meet Code Level 4 and all dwellings commenced after 1 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 certification must show that the proposed development will achieve 2 credits

within Issue Ene 7: 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.

3. 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.

9. No development shall take place until a scheme detailing the treatment of the south facing elevations of no. 73 Pall Mall and No. 18 File Street have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and in accordance with policy no. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

10. The approved plans are:

Plan Ref.	Received On:	Title:
C2904	7 April 2010	Block Plan
C2904	7 April 2010	Location
Plan		
7593 PO1B	20 May 2010	Site Plan

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

11. In accordance with the recommendations set out in section 8 (Advice and Recommendations) of the Bat survey Results dated September 2009, removal of the roof structure on the larger building shall be done carefully by hand.

Reasons: In the interests of species protection and in accordance with Policy EP4 of the adopted Chorley Borough Local Plan Review and PPG9

12. Notwithstanding the details on the approved plans none of the dwellings hereby permitted shall have more than three bedrooms. In order to ensure that a satisfactory layout and adequate amount of off street parking can be provided and in accordance with Policy No. HS4 and TR4 of the Adopted Chorley Borough Local Plan Review.

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

Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

(b) 10/00202/FULMAJ - 9 Queens Road, Chorley, Lancashire, PR7 1JU

Application No: 10/00202/FULMAJ
 Proposals: Demolition of existing redundant building and construction of mixed use scheme including commercial use of ground floor and basement levels and 10 residential apartments on 3 upper floors (extension to the time limit for implementing planning approval reference 04/00937/FULMAJ)
 Location: Garside & Son Plumbers, 5-9 Queens Road, Chorley, PR7 1JU
 Decision:

It was proposed by Councillor Ralph Snape, seconded by Councillor Dennis Edgerley and subsequently **RESOLVED to grant planning permission subject to the following conditions and the prior completion of a section 106 agreement in relation to public open space:**

1. The development hereby permitted shall be carried out in accordance with the amended plan(s), received on 27 January 2005.
Reason: To define the permission and ensure a satisfactory form of development.
2. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.
Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.
3. No development approved by this planning permission shall be commenced until: a) A desktop study has been undertaken to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced. b) A site investigation has been designed for the site using the information obtained from (a) above. This should be submitted to, and approved in writing by the local planning authority prior to that investigation being carried out on the site. c) The site investigation and associated risk assessment have been undertaken in accordance with details approved in writing by the local planning authority .d) A Method Statement and remediation strategy, based on the information obtained from (c) above, has been submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in strict accordance with the measures approved. Work shall be carried out and completed in accordance with the approved method statement and remediation strategy referred to in (d) above, and to a timescale agreed in writing by the local planning authority, unless otherwise agreed in writing by the local planning authority.
Reason: To identify all previous site uses, potential contaminants that might reasonably be expected given those uses and the source of contamination, pathways and receptors; to enable a risk assessment to be undertaken,

refinement of the conceptual model and the development of a Method Statement and Remediation Strategy and to ensure that the proposed site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site, in accordance with Policy EP16 of the Adopted Chorley Borough Local Plan Review.

4. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.
Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.
5. Before the works required for the creation of the residential use are first commenced, full details of a scheme of soundproofing between the proposed flats and adjoining property shall have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved soundproofing scheme shall be completed before any flat is occupied.
Reason: In the interests of the amenity of future occupants of the proposed flats and occupants of adjoining property and in accordance with Policy No. EP20 of the Adopted Chorley Borough Local Plan Review.
6. The proposed development must be begun not later than three years from the date of this permission.
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
7. The ground floor and basement of the premises shall be used for purposes within Class A1, Class A2, or Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 and for no other purpose.
Reason: To protect the amenities of local residents and in accordance with Policies HS4 and EM6 of the Adopted Chorley Borough Local Plan Review.
8. Notwithstanding the details shown on the submitted plans, a full specification of the windows, frames and guard rails shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved specification.
Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.
9. Notwithstanding the detail shown on the front elevation plans, the proposed treatment around the apartment doorway and any signage for the apartments shall be submitted to and approved in writing by the Local Planning Authority in writing before construction commences.
Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.
10. Notwithstanding the notional detail shown on the plans, all proposals for external lighting shall be submitted to and approved in writing by the Local Planning Authority in writing before construction commences.
Reason: To ensure that the materials used are visually appropriate to the

locality and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.

11. The cycle store shall be kept freely available for the storage of cycles at all times and shall not be used for any other purpose.
Reason: To ensure adequate provision is made and maintained for the parking of cycles in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.

10.DC.159 ENFORCEMENT REPORT - SPRINGFIELDS, SANDY LANE, MAWDESLEY

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 in respect of an operational development consisting of the erecting of a wall brick pillars/electronic gated, the formation of hard standings and kerbing on land at Springfields, Sandy Lane, Mawdesley and charge of use of land for the storage of plant machinery and associated equipment.

It was proposed by Councillor Dennis Edgerley, seconded by Councillor David Dickinson, and was subsequently **RESOLVED that it was considered expedient to pursue enforcement action.**

10.DC.160 TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 257 CHORLEY BOROUGH COUNCIL (PUBLIC FOOTPATH NO. 6, ADLINGTON PUBLIC PATH DIVERSION ORDER

The Director of Transformation submitted a report asking Members to consider confirmation of a Public Footpath Diversion Order, in respect of Public Footpath No. 6, Adlington, in order to facilitate the development of an affordable housing scheme.

The proposal to effect the diversion in respect of Public Footpath No. 6, Adlington was approved by the Committee on 12 January 2010, and no objections were received following publication of the proposal in the press and posting of notices on site.

It was proposed by Councillor Dennis Edgerley, and seconded by Councillor David Dickinson, and subsequently **RESOLVED that the Director of Transformation be authorised to confirm as an unopposed order The Chorley Borough Council (Public Footpath No. 6, Adlington) Public Path Diversion Order 2010, made pursuant to Section 257 of the Town and Country Planning Act 1990, formally authorising the diversion of Public Footpath No. 6, Adlington, in order to permit development to be carried out in accordance with the granting of planning permission, namely the construction of affordable housing.**

10.DC.161 PLANNING APPEALS AND DECISIONS - NOTIFICATION

The Director of Partnership, Planning and Policy submitted a report giving notification of two appeals that had been lodged against the refusal of planning permission, two planning applications that had been dismissed and one appeal that had been allowed.

RESOLVED – That the report be noted.

10.DC.162 PLANNING APPLICATIONS DETERMINED BY THE DIRECTOR OF PARTNERSHIP, PLANNING AND POLICY IN CONSULTATION WITH CHAIR AND VICE-CHAIR OF THE COMMITTEE

The Committee received, for information, schedules listing five planning applications for Category 'B' development proposals which had been determined by the Director of Partnership, Planning and Policy in consultation with the Chair and Vice Chair of the Committee at meetings held on 20 April 2010 and 12 May 2010.

RESOLVED – That the schedules be noted.

10.DC.163 PLANNING APPLICATIONS DETERMINED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY UNDER DELEGATED POWERS

The Committee received, for information, a schedule listing planning applications determined by the Director of Partnerships, Planning and Policy under delegated powers between 31 March 2010 and 12 May 2010.

RESOLVED – That the schedule be noted.

Chair

Report

Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	22.06.2010

PLANNING APPLICATIONS AWAITING DECISION

Item	Application No.	Recommendation	Location	Proposal
1	10/00252/OUTMAJ	Refusal of Outline Planning Permission	The Legacy Rainbow House Salt Pit Lane Mawdesley Ormskirk	Outline application for the erection of an activity centre building for therapy and recreation. The erection of free standing lodges (11 No) for the provision of holidays, short breaks, respite for brain injured/disabled children and young people and their siblings. The erection of a unit for the rehabilitation of children and young people with acquired brain injuries. Relocation of the wheel chair park and associated infrastructure works including:- car parking and roadways, servicing, drainage and landscaping
2	10/00267/FULMAJ	Permit Full Planning Permission	41 Church Lane Charnock Richard Chorley Lancashire PR7 5NH	Erection of a glass house, boiler house, machinery store/planting shed and water tank, creation of horticultural growing space and two new access all associated with Pole Green Nursery (opposite)
3	10/00255/FUL	Permit Full Planning Permission	1-3 Park Road Chorley Lancashire PR7 1QS	Change of use of first and second floor of gymnasium to 4 no. one bedroom residential units with access from existing side door and internal alterations to existing gymnasium

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Item 1 **10/00252/OUTMAJ**

Case Officer **Caron Taylor**

Ward **Eccleston And Mawdesley**

Proposal **Outline application for the erection of an activity centre building for therapy and recreation. The erection of free standing lodges (11 No) for the provision of holidays, short breaks, respite for brain injured/disabled children and young people and their siblings. The erection of a unit for the rehabilitation of children and young people with acquired brain injuries. Relocation of the wheel chair park and associated infrastructure works including:- car parking and roadways, servicing, drainage and landscaping**

Location **The Legacy Rainbow House Salt Pit Lane Mawdesley Ormskirk**

Applicant **The Legacy - Rainbow House**

Consultation expiry: 23 June 2010

Application expiry: 30 June 2010

Proposal

1. This application is an outline application for the erection of an activity centre building for therapy and recreation, the erection of free standing lodges (11 No) for the provision of holidays, short breaks, respite for brain injured/disabled children and young people and their siblings. It also includes the erection of a unit for the rehabilitation of children and young people with acquired brain injuries, relocation of the existing wheel chair park and associated infrastructure works including car parking and roadways, servicing, drainage and landscaping

Recommendation

2. It is recommended that the application is refused on the grounds that the proposal is inappropriate development in the Green Belt. It is not considered that case put forward by the applicant outweighs the total harm (in terms of inappropriateness and any other harm) to the Green Belt to justify permitting the proposal.

Main Issues

3. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Any other harm to the Green Belt
 - Access and parking
 - Impact on neighbour amenity
 - Landscaping and trees

History

4. In 1995 a Certificate of Lawfulness was granted for existing industrial buildings at the site.

5. In 2001 (ref: 01/00440/FUL) an application for the erection of stables, formation of exercise area, paddock and associated works was permitted.
6. In 2004 (ref: 04/00165/FUL) an application to demolish the existing building and erect four industrial units (one Class B2, three Class B8) was refused due to the additional size of the proposed building from what existed on the site and that no very special circumstances existed.
7. A further application in 2004 (ref: 04/00781/FUL) for industrial units overcame these issues and was permitted. Although it was judged to be inappropriate development it was considered there were other material considerations that constituted very special circumstances to outweigh the presumption against it, notably the extant permission for the industrial buildings).
8. In 2006 an application was permitted (ref: 06/00023/FUL) for the re-development of industrial site and erection of a Conductive Education Centre for disabled children.
9. In 2009 (ref: 09/00266/FUL) an application for the formation of a play area with wheelchair access and external alterations to former stable building was permitted.

Representations

10. 44 letters of objection have been received to the application. Some letters praise the work of the applicant to date but feel they cannot support further expansion of the site. The reasons for objection can be summarised as:
 - The proposal is in the Green Belt and contrary to policy – it is inappropriate;
 - It will create a precedent in the Green Belt;
 - No objection to facilities but need to be in the right location and this is not it;
 - There are no exceptional circumstances for allowing it;
 - The scale of the proposal is too large for the rural setting and out of keeping with the current development of the area;
 - Impact on neighbouring residents;
 - Increase in noise from the site, as there will be people on site 24 hours a day;
 - There will be light pollution in the countryside as the proposals will be in use until 10pm;
 - Increase in traffic to the site, which is on a dangerous junction with a 60mph limit, narrow footpaths, the proposal will increase the possibility of accidents;
 - Parking at the site will be inadequate, vehicles park on Salt Pit Lane from the present site and when events have been held in the past the police have had to attend. The staffing is proposed to increase from 41 to 111 employees;
 - The traffic figures are underestimates based on their experience of the current operation;
 - It will block views of the open countryside;
 - The site has never been a haulage depot;
 - It will take many years for landscaping to mitigate the development;
 - There are no shops nearby and public transport is sparse;
 - It will be a burden on utility services;
 - A children's nursery providing day care for able bodied children runs from the site, so the special circumstances must be questioned;
 - If some of the facilities proposed are used by other organisations this will increase traffic further;
 - The proposal will spoil the current peaceful surroundings and enjoyment by residents;
 - Wildlife habitats will be destroyed. The surveys submitted are not up to date;
 - The proposal is unnecessary;

- Events in the past have caused damage to grass verges, litter, inadequate parking and damage to property and the proposed sports hall will be used to hold more of them;
- There is a vacant hotel/leisure facility less than 1m away;
- There are concerns about what would happen in the long-term if The Legacy relocated;
- Allowing this application could pave the way for further extension in the future;
- Staff and visitors to the site will not use local facilities/add to the local economy;
- How would the Council ensure that the lodges are only used for disabled children?;
- There is no functional reason for the buildings to be located at this site;
- It would be a commercial venture – not in keeping with the original nature of the site as a charity;
- Refuse at the site is unsightly at present and blows around;

11. **Mawdesley Parish Council** –state they have consulted widely throughout the Parish via a well attended Public Meeting and the canvassing of opinion amongst more than sixty households. Based upon these consultations and its own deliberations, Mawdesley Parish Council wish to object to the application on the following grounds:-

- Inappropriate use in the Green Belt;
- Other harm to the Green Belt would be caused by the scale of the development, particularly the sports hall but also the commercial use to which the development would be put, increasing traffic, noise and pollution which would detract from the peace and quiet normally associated with the Green Belt and disturb the natural habitat;
- A substantial increase in the volume of traffic along both Bluestone Lane and Salt Pit Lane – the latter being an essentially single-track country road flanked by deep ditches on either side;
- A diminution of the visual and open aspects of the Green Belt from nearby vantage points provided by public footpaths and country lanes;
- The creation of an area of light pollution at night which would have an adverse impact even if it were to be managed to a low level;
- The absolute need for such a facility in the proposed site is questionable and in any event, the Parish Council do not consider that the need is sufficient to outweigh the harm which would be caused to the Green Belt;
- The adverse effect that the higher numbers of nursery and pre-school children would have upon the viability of existing nursery and pre-school facilities in the Village;
- The total area of the site as contained within the red line shown on the plans provides scope for future enlargement.

The Parish Council understands that Green Belt policy carries significant weight in terms of the principle of the development and that the other harmful factors noted above are to be weighed in addition. The Council does not believe that the special circumstances argued by the applicant outweigh the totality of the harm which would be caused to the Green Belt should this development be permitted to go ahead.

Consultations

12. **Chorley Planning Policy** – DC1 of the Local Plan is relevant as the site lies within the Green Belt. The proposal does not accord with the exceptions listed in Policy DC1 therefore it is considered inappropriate development in the Green Belt and the applicant must demonstrate very special circumstances. PPG2 states that very special circumstances to justify inappropriate development in the Green Belt must demonstrate that any harm is clearly outweighed by other considerations. This application should be

treated as a departure from the development plan and be referred to the Secretary of State.

13. In their opinion the applicant does not demonstrate that the harm caused to the Green Belt would be outweighed by other considerations. They argue that Policy DC5 of the Local Plan should be applied to this application as this policy accepts inappropriate development in the Green Belt to meet a particular social need and they consider the proposed development to be equally deserving. Affordable housing is listed as an exception to Green Belt policy in PPG2 whereas the proposed use is not, therefore this policy cannot be applied to the application.
14. **Lancashire County Council (Highways)** - Do not object to the proposal. They consider a new access is achievable in to the site and the location as suggested in the indicative plan shown in the Transport Assessment is acceptable. This should provide a visibility splay of 4.5m X 215 metres with a 6metre radius. They would expect a 2.4metre height clearance between the verge and the underside of the tree crown within this splay. In respect of the present access near to the Blue Stone Lane junction, they would realistically expect a 4.5m X 90 m visibility splay from a single access point again with a 6metre radii and all adjacent hedges to be trimmed and maintained to a height of no more than 900mm.
15. **Urban Design** – States that although this is only an outline application, scale is indicated within the scheme and is due to the location, a major consideration. In terms of design the suggested approach for the ‘therapy’ buildings is for an agricultural style as befits this largely agricultural location. The style chosen for the holiday/respice accommodation is for single-storey, small scale timber lodges.
16. In terms of response to context the adoption of an agricultural building style using natural facing materials such as timber together with some elements of render is appropriate, and probably the least intrusive route to take. However the scale of some of the buildings, despite the use of trees for screening, is excessive, particularly in the case of the sports rehabilitation block. No elevation details are provided for this unit, however given the extent of the proposed floor plan the perceived mass of the resultant building it is a cause for concern because of the visual intrusion within the landscape that it will create.
17. The use of small scale lodge or log-cabin style buildings for the holiday/respice accommodation to be finished in natural materials is an honest approach – the buildings are what they are: holiday lodges set in an attractive, peaceful, rural setting. The fact that these are small scale and finished in natural, muted colours will again help them to site more comfortably with their setting.
18. In summary, whilst the design principles adopted are acceptable there is more work required to minimise the impact of the development upon its setting. The main concern remains the unacceptable impact of parts of the development, namely the sports rehabilitation block, upon the location. Unless and until these concerns can be addressed, the application is in their view unacceptable.
19. **Chorley Environmental Protection** – Request condition regarding ground contamination.
20. **Environment Agency** – No objection subject to conditions/informatives.

21. **Lancashire County Council Ecology** – ask for further information in relation to great crested newts and bats, which will be added to the addendum. Subject to this being received they suggest conditions to be applied.

22. **Arboricultural Officer** – Has no objections to the application. The supplied tree survey is a good quality and covers the site well. Walking around and looking at the trees and the proposed building locations there was some concern due to the proximity of the big Hydrotherapy unit to the protected copse, but the proposal for piling the ground instead of strip foundations has reduced these concerns. The proposed entrance at the south end of the site will need the removal of a couple of the non-protected trees, but nothing too major as the existing gateway in the hedgerow will be used. The new entrance and car parking at the top of the site is a little close to the trees, but if hand dug and porous tarmac is used, there should be no problems.

23. **Lancashire County Council – Inclusion and Disability Support Services** – state that the County Council is aware of the services provided by Ms Mawdsley and her team at the Rainbow Legacy. The services are highly regarded by the families who attend the centre. The Rainbow Legacy provides 2 main services;

- As a private provider of nursery education. The County Council supports 4 children currently under the Enhanced Early Years Action Plus scheme.
- As a provider of holidays and short breaks for brain injured and disabled young people and their siblings. They are not aware that the County Council currently supports any children in this service.

However the organisation is also providing a number of 'short breaks' to Children with Disabilities under the Aiming High for Disabled Children initiative, using monies provided by the County Council. These short breaks are based within the centre and make use of the excellent facilities available. No doubt the proposed work will further enhance the provision. They state they are not in a position to comment on the future demand for the services the Rainbow Legacy provides, although experience suggests that demand will continue to grow. They also state that they cannot comment on the County Council's future intentions regarding purchasing places; places are purchased on an individual basis following an assessment of need and a decision about which is the most appropriate provider. With regard to the current planning application, as is normal practice, the County Council adopts a neutral approach and does not have a view whether or not the proposed development should be allowed in the Green Belt.

Assessment

Principle of the development

24. The application site is in the Green Belt. Planning Policy Guidance note 2: Green Belts (PPG2) is national government policy which specifies what is inappropriate development in the Green Belt. The proposed development is inappropriate in terms of PPG2 and the applicant acknowledges this.

25. PPG2 states that there is a general presumption against inappropriate development and such development should not be approved, except in very special circumstances. Inappropriate development is, by definition harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

26. Although it has been established that the development is inappropriate in terms of PPG2, it must also be considered what other harm to the Green Belt, if any (in addition to the in-principle harm arising from the fact of inappropriateness), is caused by it. Harm in this context relates to the purposes of including land in the Green Belt, of which there are five:
- To check the unrestricted sprawl of large built-up areas;
 - To prevent neighbouring towns from merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns;
 - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
27. In terms of this application it is the third purpose that is most at risk, especially as PPG2 states that the most important attribute of Green Belts is their openness. Although the application is only made in outline, scale (covering the height, width and length of each building) is applied for. The proposal involves:
28. Sports therapy rehabilitation unit and adjoining hydrotherapy pool
The largest building with a vaulted ceiling to allow for playing recreational sports, with a traditional sloping roof (as it does not need to meet Sport England's standard for competitions), to a maximum ridge height of 8m with an eaves height of 4.5. The other part of the building including the pool will be single storey.
29. Acquired brain injury unit (with covered walkway to existing building)
Single-storey with ridge height of 4.75m and an eaves height of 3.25m.
30. 11 accommodation lodges (10 plus one night-staff lodge)
Traditional chalet type buildings that will a maximum height of 4m.
31. A Landscape and Visual Impact Assessment accompanies the application. Policy DC9 of the Local Plan states development in rural areas should respect building styles, features and materials that are distinctive of the Landscape Character Areas identified in the Lancashire Landscape Strategy. The Landscape and Visual Impact Assessment concludes in terms of impact on the landscape, that because of the loss of agricultural land to new buildings and facilities within the Green Belt and given the recognition of such pressure in the Lancashire Landscape Strategy, the impact on landscape character to the northern part of the site is deemed to be moderate/adverse during construction and when the site becomes operational. As the proposed planting develops this impact is reduced to a slight negative. The proposed habitat creation and enhancement in the southern half of the site will improve the landscape making a positive contribution.
32. In term of Green Belt it is therefore considered that the proposed buildings will cause harm in respect of the purposes of including land in the Green Belt in that it will impact on the openness of the Green Belt and compromise the purposes of including land within it.
33. As it has been established that the proposal is inappropriate in the Green Belt planning permission should not be granted unless the applicant can establish very special circumstances that outweigh the presumption against it. In determining whether permission should be granted on this basis, the harm caused by it being inappropriate development in the Green Belt added to any other harm, as established above, must be outweighed by very special circumstances.

Applicants Case for Very Special Circumstances

34. Any material consideration can be considered to weigh in favour of a development. A judgment must then be made as to whether they are very special and secondly whether they are sufficient to outweigh the harm. In this case the applicants have made a case for the need for the facilities and to expand the existing facilities on the site rather than relocate or look at a split site scenario. They draw on a number of Government reports to support their case.
35. The applicant advises that there is an absence of detailed data about the number of children who have Special Educational Needs (SEN), what needs they are or where they live, partly because of the multiplicity of variables in terms of the range of disabilities and their severity. There is no multi agency database in all local areas. The report on Parliamentary Hearings on services for disabled children (October 2006) stated the need for improvements in services for all disabled children and their families and recorded the struggle facing many families with disabled children to access even a basic level of services and support. The report also noted that there an increasing number of children requiring rehabilitation following acquiring brain injury. The Legacy has many pupils who have this affliction. Disabled children and their parents need focused assistance in specialist places. The report also called for a spectrum of educational provision to be available in every local area, to ensure that all disabled children can attend a school or provision that meets their needs. The Legacy is helping to meet that need now but wishes to meet those needs more comprehensively by improving the range of facilities on site.
36. On the subject of short breaks the report recommended that families with disabled children should have a statutory minimum entitlement to short break services and goes on to call for local authorities to target funding at providing a flexible menu of short-term breaks, as a proven preventative measure to further costs later. Ultimately it states that help and support with disabilities is a right, not a 'charity' to enable them to lead the same lives as all other citizens.
37. Aiming Higher For Disabled Children Better Support for Families (HM Treasury and Department of Education and Skills) May 2007 noted that the Government believes that disabled children should be considered 'both a local and national priority' and that local authorities have a general duty to safeguard and promote the welfare of children in their area who are in need... to promote the upbringing of such children by their families, by providing a range and level of services appropriate to those children's needs. This obligation comes from The Children's Act 1989 under which disabled children are defined as 'Children in Need'. The report also points out that the public sector has to be proactive in ensuring that disabled people are treated fairly and included in all aspects of policy development (a requirement of The Disability Equality Duty 2005). It also draws attention to the requirements of the Childcare Act 2006 which requires local authorities to have particular regard to the needs of disabled children as part of their new duties to assess the childcare needs of families and secure sufficient childcare to children up to and including age 14.

38. The applicant argues that these factors underline that the Council must go out of its way to overcome the plights of disabled children and their families. The Legacy is meeting a need already but needs to do more and on site. They argue the Council has every reason to recognise the special needs of the children and parents as a justification for making an exception to Green Belt policy, which was aimed at restricting development generally. The subject case is a highly specialist one which should not be thwarted by such a general device aimed at other forms of development with no special need.
39. The lack of facilities sufficient to meet the national need is referred to in numerous places in the report. It singles out short breaks as one of the areas of need and a key recommendation of the report is the provision of facilities for those short breaks which are described as a vital service for disabled children. The agent states that there is irrefutable evidence that our client's assertion about the need to meet a national need for the range of facilities proposed is correct and it is infeasible to expect The Legacy to relocate or operate a 'split site' facility. Notwithstanding this the fact that The Legacy is now performing a role within the SEN framework operated by Lancashire County Council proves not just the bona fide nature of the institution but its necessity.

Assessment of Very Special Circumstances

40. PPG2 states that in view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to Green Belt when considering any planning application or appeal concerning such development. If very special circumstances are demonstrated it will not create a precedent in the Green Belt. The circumstances to be weighed against Green Belt must also be 'very special', not merely special in the sense of unusual or exceptional.
41. It is considered that there are special circumstances in favour of the proposal in the Green Belt but some elements of the application in isolation may be considered more acceptable than others in terms of the purposes of including land in the Green Belt. The wetland habitat and wildflower meadows will enhance the Green Belt and cause minimum, if no harm, to the purposes of including land within a Green Belt. In terms of the holiday lodges, their positioning within the countryside for the purposes for holidays, short breaks and respite is considered to cause less harm to the Green Belt than other parts of the proposal. In addition their siting in the countryside can be seen as crucial to their aim. It is therefore easier for the need for these elements to outweigh the presumption against them.
42. However the other parts of the proposal are more problematic. The proposed Acquired Brain Injury Unit (with covered walkway to the existing building), Sports Therapy Rehabilitation Unit and adjoined Hydrotherapy Pool as well as being inappropriate, cause more harm to the Green Belt in terms of scale and visual amenity than the other elements of the proposal. This total harm is considered to be significant. Although the Council have carefully considered the arguments put forward by the applicant and their agent in favour of the proposal, it is not considered that these circumstances are so very special or that individually or together they carry a weight sufficient to outweigh the harm the proposal will cause to the Green Belt. Also, although there may be a general need in respect of the provision of spaces to meet the needs of children as described in the supporting statement, the Council does not consider there are very special circumstances for it to be on this site.

43. Other matters

Although scale is the only matter applied for at this outline stage, as is required the parameters of the other matters have been included and will be assessed in principle.

Access and Parking

44. In terms of access to the site, Lancashire County Council Highways do not object to the proposal in principle as they consider a new access is achievable into the site, which will form part of any reserved matters application.

45. There is no current policy that specifies a level of car parking for the development. The Regional Spatial Strategy was in preparation, however the new Coalition Government has announced it will abolish it and this it is a material consideration in determining planning applications. However, this guidance had minimum standards for disabled people, rather than the maximums applied to non-disabled spaces. It is therefore considered that a pragmatic approach to parking levels at the site needs to be taken, given the nature of the facilities and that the Council would not wish to see overspill parking on Salt Pit Lane.

46. It is indicated that parking provision on the site will be at a level of 47 spaces, 25 around the school building, 11 near to the sports hall and one for each lodge. The applicant advises that the centre currently employs the equivalent of 37 full time staff which will increase by the equivalent of 5 full time staff. The nature of the centre means that many of the additional staff will have specialist functions and work part time over only a few hours a week. It is therefore considered that parking sufficient to serve the site can be achieved at reserved matters stage if the application is permitted, without having a significant detrimental impact on the Green Belt.

47. Trees and Landscaping

Tree Preservation Order 9 (Mawdesley) 2009 covers many of the trees on the site, notably the woodland area against the west boundary and many of the trees on the east boundary. The Council's Arboricultural Officer has inspected the trees in relation to the application and does not object to the application. Although a new access is indicated on to Salt Pit Lane to serve the lodges, this is only indicative at this stage. However, the Arboricultural Officer advises that this will not result in the removal of any protected trees. It is therefore considered that the proposal would not have an unacceptable impact on trees if it were permitted, subject to appropriate conditions.

48. Although landscaping is not applied for it is considered that a suitable scheme could be implemented at the site if the application were approved, although even when mature the buildings would still have some visually detrimental impact on the Green Belt.

49. Neighbour Amenity

The nearest immediate properties to the proposed development and those most affected by it would be those on Blue Stone Lane, whose rear gardens back onto Salt Pit Lane opposite the site. The rear elevations of these properties face towards the site. It is considered the relationship between these properties and the proposed buildings could be achieved to an acceptable standard at reserved matters stage. The lodges, Sports Therapy and Hydrotherapy buildings would be separated from these properties by a woodland buffer covered by a Tree Preservation Order. The properties closer to the junction with Salt Pit Lane will have a clearer view of the proposed development as there is much less tree coverage, however it is considered a satisfactory relationship can also be achieved at reserved matters stage between these dwellings and the proposed development.

Other

50. Public Footpath 56 runs along the southern boundary of the site. This part of the site will become a wildflower meadow. The relationship of the proposal with this footpath is considered acceptable.

51. Although it is noted that representations have been made regarding use of the existing site by non-disabled children and original permission was for the erection of a Conductive Education Centre for disabled children there was no planning condition restricting it solely for use by disabled children, so little weight can be given to this issue.

Overall Conclusion

52. The application is in the Green Belt where the proposal is inappropriate development. There is a presumption against such development. The applicant has put forward a case for very special circumstances, however it is not considered that the case put forward would outweigh the harm caused to the Green Belt by reason of its inappropriateness, added to other any other harm to the Green Belt and the application is therefore recommended for refusal.

53. If Committee is minded to approve the application contrary to officer recommendation it must be referred to the Secretary of State (Government Office for the North West) as it is inappropriate development in the Green Belt and has a floor space in excess of 1000m², under The Town and Country Planning (Consultation) (England) Direction 2009.

Planning PoliciesNational Planning Policies:

PPS1, PPG2, PPS4, PPS7, PPS25, PPG13, PPS21

Adopted Chorley Borough Local Plan Review

Policies:

DC1, DC9, EP9, EP10, EP18, EP20, EP21A, TR4, LT4

Recommendation: Refusal of Outline Planning Permission**Reasons**

1. The proposed development would be located within the Green Belt. The proposal is inappropriate development in the Green Belt in accordance with Planning Policy Guidance note 2 and reiterated by Chorley Borough Local Plan Review Policy DC1. The applicant has put forward a case for very special circumstances, however it is not considered that the case put forward by the applicant outweighs the total harm (in terms of inappropriateness and other harm in relation to scale) to the Green Belt to justify permitting the proposal.

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CHADSWORTH BOROUGH COUNCIL
 TOWN AND COUNTRY PLANNING

08 APR 2011

THIS IS THE PLAN REFERRED TO IN
 APPLICATION No. 0252

The Legacy Rainbow House -
 Landscape and Visual Impact
 Assessment

Indicative Masterplan

Scale: 1:1250 @ A3
 Reviewed by: CA

Job drawing rev
 4499 SH_GA_90_001

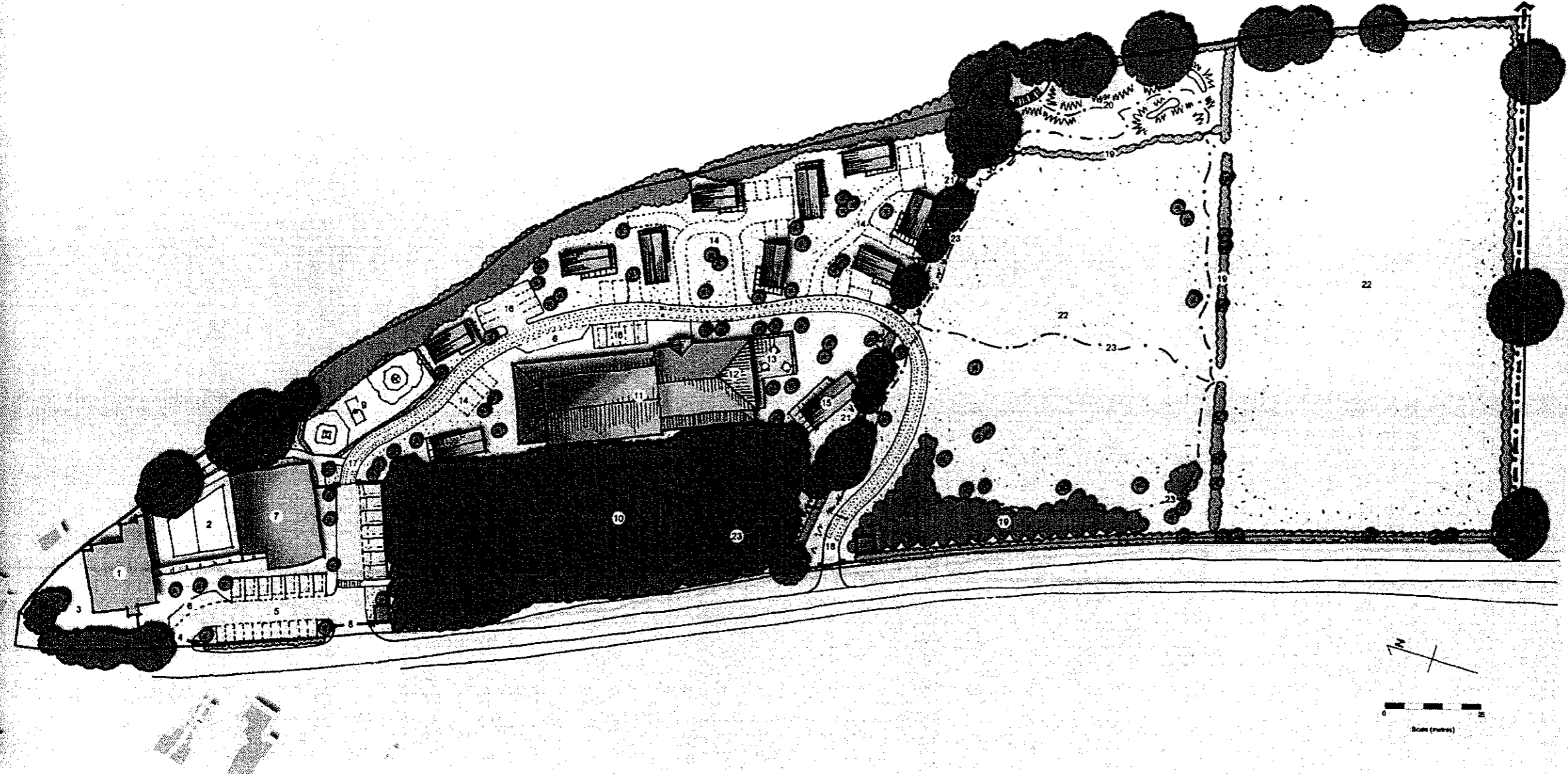
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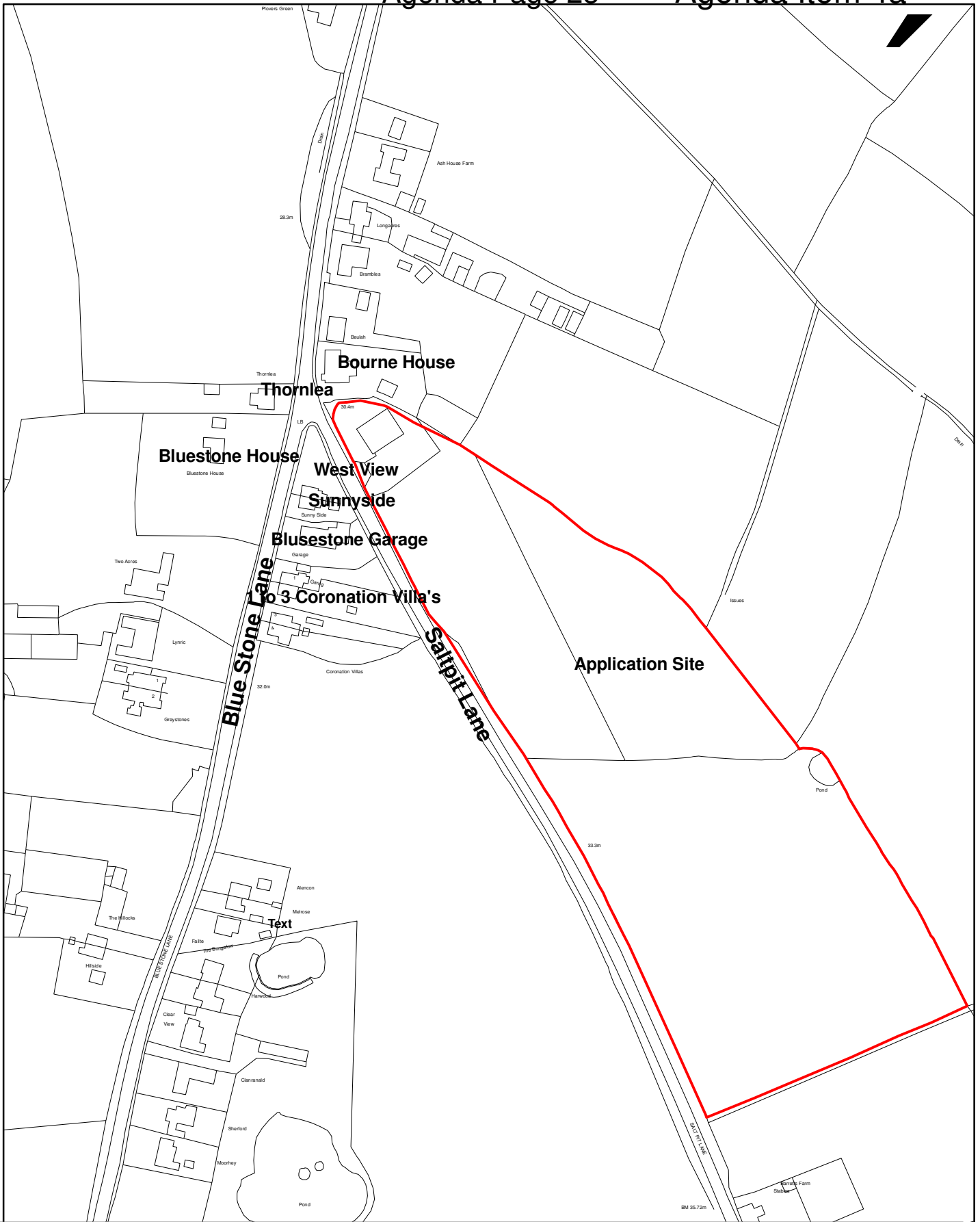


Key: Redline Application Boundary

- | | | | | |
|---|---|---|---|---|
| 1 Existing building | 7 Acquired Brain Injury Unit (with connecting covered walkway to existing building) | 12 Hydrotherapy Pool | 16 Staff parking | 21 Enhancement of existing ditch to encourage Water Voles |
| 2 Existing outdoor play area | 8 New exit to parking area | 13 Outdoor seating area associated with Hydrotherapy Pool | 17 Access track to Sports Therapy Rehabilitation Unit (no through access) | 22 Wildflower meadows |
| 3 Existing garden | 9 Wheelchair-friendly Adventure Playground | 14 Disability-friendly Accommodation Lodges | 18 Access track to majority of lodges (no through access) | 23 Wildlife trails |
| 4 Main access retained | 10 Existing woodland retained and improved | 15 Night Staff Accommodation Lodge | 19 Extension of existing woodland and new hedge planting | 24 Existing Public Right of Way separated from rest of site by new hedgerow |
| 5 Reconfigured and extended parking area for staff and visitors | 11 Sports Therapy Rehabilitation Unit | 16 Staff parking | 20 Wetland habitat area | |

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Lesley - Ann Fenton
Director of Partnerships, Planning and Policy

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Application No.

10/00252/OUTMAJ

Grid Ref:

E: 350581
 N: 415791

Scale:

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Item 2 **10/00267/FULMAJ**

Case Officer **Caron Taylor**

Ward **Chisnall**

Proposal **Erection of a glass house, boiler house, machinery store/planting shed and water tank, creation of horticultural growing space and two new access all associated with Pole Green Nursery (opposite)**

Location **41 Church Lane Charnock Richard Chorley Lancashire PR7 5NH**

Applicant **George Brennand**

Consultation expiry: 12 May 2010

Application expiry: 6 July 2010

Proposal

1. This application is a full application for the erection of a glass house, boiler house, machinery store/planting shed and water tank, creation of horticultural growing space and two new access all associated with Pole Green Nursery (opposite).
2. The application site is in two parts. The existing Pole Green Nursery site is to the south of Church Lane, it contains a retail sales building, internal growing area and green houses. It is proposed to erect a new glass house, boiler house, machinery store/planting shed and water tank, and create a horticultural growing space on a piece of land to north of Church Lane, opposite the existing site and demolish/remove the existing growing facilities on the south side. The retail sales area and building will remain on the existing site to the south.

Recommendation

3. It is recommended that this application is granted planning permission, subject to conditions.

Main Issues

4. The main issues for consideration in respect of this planning application are:
 - Principle of the proposal
 - Appearance, layout and scale
 - Access and parking
 - Impact on neighbour amenity

Representations

5. Four letters have been received to the application. Three are clear objections and the other makes comments to the application. The representations can be summarised as:
- People safety- the increased traffic activity, commercial and general business associated with this additional development would increase safety issues in an area of the village already very unsafe at times. Church Lane is narrow with limited pavement, a narrow bridge with no pavements which is difficult to cross. Excessive parking is already caused by the church, junior school and nursery and traffic from the existing site parks on Church Lane in the summer;
 - Increased deliveries by HGVs at various times of the day and evening could cause noise pollution;
 - Night illumination for winter seedling growing in conjunction with other proposals will detract from an area of the village that is Green Belt;
 - Conversion of Green Belt to industrialised agriculture and this would involve the provision associated utilities services;
 - It would cause a significant change to the local landscape and amenity;
 - Request a condition that customers will use the original site for retail purposes, not the new growing site;
 - They feel the proposed delivery hours are acceptable but request a condition securing them;
 - Request vehicles associated with the development are not parked on Delph Lane;
 - They appreciate the inclusion of a hedgerow and landscaping to provide a buffer between their property and the proposed site, however they ask that this includes evergreen trees/shrubs to provide screening during winter and that standards of a size to provide screening from the start are used.
6. **Charnock Richard Parish Council** – object to the proposal. The size and height of the buildings would constitute inappropriate development on Green Belt land, the proposal would result in over-intensification of the site and that there would be significant increase in the volume of heavy goods vehicles using Delph Lane.

Consultations

7. **Sport England** – does not object to the application on the basis that the applicant has demonstrated that replacement playing fields have already been provided at Charnock Richard football ground to compensate for that being lost at this particular site and to allow for the relocation of the former cricket club. On this basis Sport England consider the proposal meets Exception E4 of its playing fields policy
8. **Lancashire County Council (Highways)** - have no highway objection to the relocation of the existing access 5 metres further east to improve exiting site lines which should have a splay of 2.4 x 90metres. They consider an additional new access on the north side of Church Lane directly across from this relocated access to be safer in operational terms than taking the longer Church Lane / Delph Lane route. They stress the new access should be conditioned to allow only staff operating garden centre plant equipment to cross Church Lane and not for use by the general public or for deliveries. They ask for the hedging to the east of this same new access to be removed or lowered to a height of 1 metre to allow a sight line of 2.4 x 90 metres. The sight lines to the west of this are acceptable.
9. **Lancashire County Council Ecologist** – has no objection subject to conditions.

10. **Chorley Environmental Services** – have no objection in principle, however as they have received complaints concerning soot and ash from an existing boiler at Pole Green Nurseries they would ask that the specification for the proposed boiler is agreed with the Local Authority prior to its installation.
11. **United Utilities** – have no objection subject to conditions.

Assessment

Principle of the development

12. The Town and Country Planning Act 1990 specifically includes horticulture within the definition of agriculture. Under national Planning Policy Guidance note 2 (PPG2: Green Belts) the construction of new buildings inside a Green Belt for the purposes of agriculture is appropriate development. It is noted that the retail sales element of the proposal (that would not be appropriate development in the Green Belt) would remain within the settlement of Charnock Richard. The relocation of the horticultural aspect only is therefore acceptable in principle in the Green Belt.
13. Local Plan policy EP7 states planning permission will be granted for agricultural development except where it would materially worsen the impact on nearby housing or community uses or the landscape in terms of noise, smell or appearance. These issues are assessed below.
14. The site is allocated under policy LT14 of the Local Plan as a playing field. It was used as a cricket pitch by Charnock Richard Cricket Club. However, since this allocation in the Local Plan, new cricket facilities have been created on Charter Lane, the proposal therefore meets criteria (ii) of policy LT14. As required, Sport England has been consulted and they do not object to the proposal.

Appearance, Layout and Scale

15. PPG2 states that the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, material or design.
16. The application proposes a main greenhouse/glasshouse (with attached boiler house) and separate machinery/planting shed. A water tank is also proposed along with a vehicle turning circle. The glasshouse will measure 4.6 to the ridge and an eaves height 3.8m with a floor area 44.4m x 118.4m. The attached boiler house to the southeast corner will be 5.4m to the ridge with a floor area of 12m x 6m have concrete block walls with profile sheeting above and to the roof. The separate machinery/planting shed will be situated between the glasshouse and Delph Lane against the new northern boundary to be planted. It will measure 6.3m to the ridge and 4.6m to the eaves with a floor area of 18.3m x 12.2m.
17. The application is a resubmission of a previously withdrawn application and the location of the building has been altered since this application to be sited further away from Church Lane. Although normally such buildings would be requested to be located in the corner of the field and therefore against Church Lane, in this case it was considered appropriate to set the glasshouse back to provide a buffer which varies between 55m and 75m along its length between the building and the road to reduce the visual impact of the building from Church Lane. However the nature of the building (a glass house) is a feature commonly found within rural areas and with the set back in front of it along with new hedge/landscaping along its northern boundary its impact is considered acceptable in the Green Belt.

Access and Parking

18. The existing access to the retail site on the south side of Church Lane will be relocated approximately 5m to the east of its current location which LCC Highways consider acceptable. A new access will be sited directly opposite to access the growing area which will allow the stock to be moved from the growing areas to the retail area with minimum disruption to traffic on Church Lane. The Council were originally sceptical about allowing an access to the north growing area opposite the retail access to avoid the growing areas being used by members of the public and the growing area becoming an extended external retail area. However, Lancashire County Council Highways consider an additional new access on the north side of Church Lane directly across from this relocated access to be safer in operational terms than taking stock from the northern part of the site from the Delph Lane access to the retail area. On highway safety grounds the access is therefore considered acceptable subject to a condition restricting members of the public to the south side of the site only.
19. A second access to the growing area will also be created on Delph Lane for maintenance and delivery purposes with a vehicle turning circle to allow vehicles to enter and exit in forward gear. This is considered acceptable.
20. The proposal will replace existing growing facilities at the nursery rather than add to them. The nursery currently has 1.3 acres of glass houses that will be demolished, the same size as proposed. The size of the internal and external retail areas will remain as exists to the south of Church Lane with the same size parking arrangements which is considered acceptable.

Neighbour Amenity

21. The nearest properties un-associated with site are The Stables and Fishers Farm to the north on Delph Lane, Towyn Cottage (62A) Church Lane to the east of the site on the other side of the railway line and the properties on Meadowlands. The proposed glasshouse will be situated approximately 30m from the boundary of the garden of The Stables. The owner of this property has made comments to the application but not specifically objected. They have asked that conditions be applied regarding the north site not to be used for retail sales, delivery hours restrictions, no parking of nursery vehicles on Delph Lane and evergreen planting to the northern boundary of the site nearest them. These conditions are considered appropriate in relation to any permission, apart from parking restrictions, as Delph Lane is a public highway the Council cannot prevent vehicles parking on it through a planning condition. Subject to these and other conditions the relationship with the property is considered appropriate.
22. Towyn Cottage is situated on the other side of the railway line from the proposed application site and will be largely screened from views of the buildings proposed. The nearest properties on Meadowlands will have views of the proposed glasshouse and associated building, however the glasshouse will be set back by between approximately 55m and 70m from Church Lane with the external growing area in front of it. This growing buffer strip between the road and the glasshouse will reduce the impact of the proposal on these properties. Subject to conditions the impact on the proposal on these properties is considered acceptable.

Overall Conclusion

23. The application is considered acceptable in relation to PPG2 and policies DC1 and EP7 of the Local Plan subject to conditions.

Planning Policies

24. National Planning Policies:
PPG2

25. Adopted Chorley Borough Local Plan Review
Policies: DC1, EP7, LT14

**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 development hereby permitted shall not become operational until the existing buildings/green houses as shown on drawing no. P.577/05 have been demolished. All materials resulting from the demolition shall be removed from the site.

Reason: Replacements for these buildings have been allowed to the north of the site. To allow both to be retained would substantially increase the size of the operation which would have a detrimental impact on parking and highway safety.

3. Before it is erected, details of the water storage tank shall be submitted to and approved in writing by the Local Planning Authority in accordance with the size parameters as specified in the planning application submission. The development shall only then be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the Green Belt and in accordance with PPG2.

4. The development hereby permitted shall not commence until samples of all external facing materials to the planting shed/machinery store and boiler house (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials. The glass house shall be constructed of the materials specified in the planning application unless otherwise agreed to in writing.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with PPG2 and Policy Nos. GN5 and DC1 of the Adopted Chorley Borough Local Plan Review.

5. The development shall be carried out in accordance with the recommendations of the great crested newt survey report accompanying the application, unless otherwise agreed to in writing by the Local Planning Authority.

Reason: To ensure the protection of great crested newts and in accordance with PPS9.

6. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform. The scheme should also include details of a buffer zone of native planting between the built development/external growing area and the adjacent Biological Heritage Site.

Reason: In the interests of the amenity of the area and in accordance with PPG2 and Policy No. DC1 of the Adopted Chorley Borough Local Plan Review also, in order to provide long term protection to the adjacent Biological Heritage Site from colonisation by non-native species, prevent impingement onto existing habitats likely to be used by great crested newts and other amphibians and to enhance the overall quantity and quality of biodiversity and habitat in accordance with PPS9.

7. No part of the development hereby permitted shall become operational until both means of vehicular access as shown on drawing no P.577/01 Rev C, have been constructed in accordance with the approved plans. The re-planting of the new hedgerow as shown on the approved drawing shall be carried out in the first planting season after implementation of the new access unless otherwise agree to in writing by the Local Planning Authority.

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

8. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The hardsurfacing shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the site (rather than to the highway), unless otherwise agreed to in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to prevent flooding, in accordance with PPS25.

9. Before the boiler at the site is installed its full specification shall be submitted to and approved in writing by the Local Planning Authority. The boiler shall then only be installed in accordance with the approved specification.

Reason: In the interests of neighbour amenity and accordance with PPS23.

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

Reason: To prevent foul flooding and pollution of the environment in accordance with PPS25 and Policy No. EP17 of the Adopted Chorley Borough Local Plan Review.

11. Surface water must drain to a soakaway.

Reason: To secure proper drainage and to prevent flooding and in accordance with PPS25 and Policy No. EP18 of the Adopted Chorley Borough Local Plan Review.

12. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. The site shall not become operational until all fences and walls shown in the approved details have been erected in conformity with the approved details.

Reason: To ensure a visually satisfactory form of development in the Green Belt in accordance with PPG2 and Policy No. DC1 of the Adopted Chorley Borough Local Plan Review.

13. 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 PPS9 and Policy No DC1 of the Adopted Chorley Borough Local Plan Review.

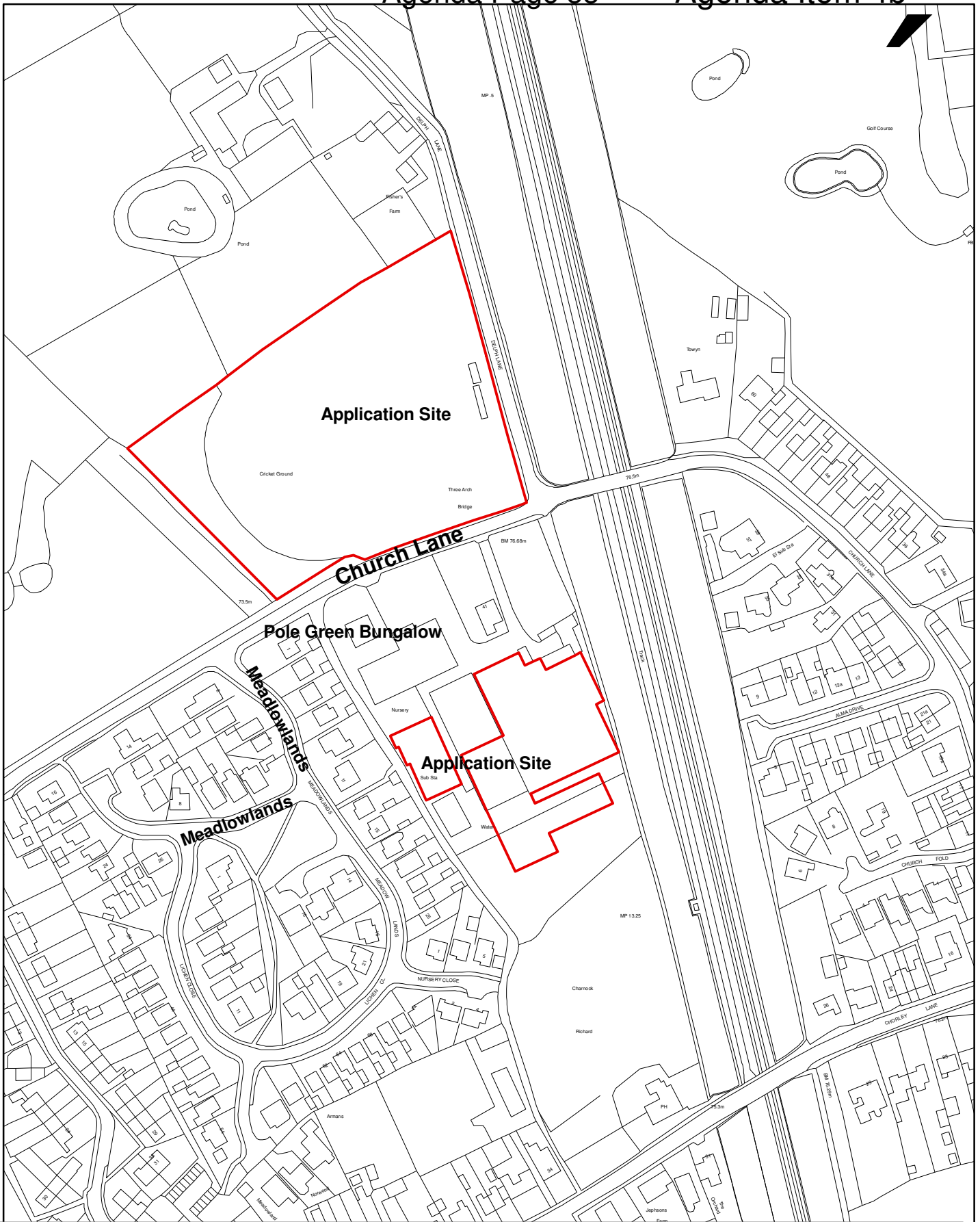
14. The part of the site to the north of Church Lane shall be for horticultural growing purposes only. There shall be no retail sales or visiting members of the public allowed in the north part of the site as defined by the area in pink on drawing no. P0577/01 Rev C. All retail sales shall take place on the south side of Church Lane.

Reason: Horticulture is an appropriate use in the Green Belt. Retail sales in inappropriate and therefore harmful to the Green Belt in accordance with PPG2.

15. Before any lighting is implemented at the site, full details shall first be submitted to and approved in writing by the Local Planning Authority. This shall included details of any external lighting at the site and/or any internal lighting to the glasshouses hereby permitted. The lighting shall then only be implemented in accordance with the approved scheme.

Reason: To define the permission and in the interests of the visual amenities of the Green Belt in accordance with PPG2 and Policy DC1 of the Local Plan.

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Lesley - Ann Fenton
Director of Partnerships, Planning and Policy

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Application No.

10/00267/FULMAJ

Grid Ref:

E: 356062
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REVISIONS			
REV	DESCRIPTION	DATE	APPROVED
A	Amended junction at Delph Lane / Church Lane to provide improved sightlines to LCC requirements & revised site layout following L.A. Planning Comments	28.10.09	GM
B	Additional details noted & amended position of water storage tank.	05.11.09	GM
C	Hedge/landscaping buffer zone noted & location of boiler house, machinery store & entrance amended.	07.01.10	GM

NOTES

10 267

LEA, HOUGH & Co.
 CHARTERED SURVEYORS
 Property Consultants

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 Web: www.leahough.co.uk

CLIENT:
 Mr G Brennan,
 41 Church Lane,
 Charnock Richard,
 Chorley,
 PR7 5NH.

PROJECT ADDRESS:
 Pole Green Nursery,
 41 Church Lane,
 Charnock Richard,
 Chorley,
 PR7 5NH

DRAWING TITLE:
 Proposed Site Plan

PAPER SIZE: A2	DRAWING NUMBER: P.577/01	REV C
SCALE: 1/1250	DATE: May 2009	DRAWN BY: GM

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Item 3	10/00255/FUL
Case Officer	Mr David Stirzaker
Ward	Chorley North West
Proposal	Change of use of first and second floor of gymnasium to 4 no. one bedroom residential units with access from existing side door and internal alterations to existing gymnasium
Location	1-3 Park Road Chorley Lancashire PR7 1QS
Applicant	Mr Shaun Ginger

Consultation expiry: 12 May 2010

Application expiry: 1 June 2010

Proposal

1. This application seeks planning permission for the conversion of the first and second floors of a gymnasium (Astley Fitness Centre) to 4 no. 1 bedroom apartments. The site is in the centre of Chorley and is also in a Conservation Area and Office Zone designation (Policy EM6 of the Local Plan Review). An existing flat at ground floor level is also being changed to a studio gym and there are minor layout changes to the layout of the basement.

2. The only external changes proposed are the insertion of 2 windows in the west elevation of the building at first and second floor level to serve bedrooms.

3. The first floor is presently used as female changing rooms, showers, wc, salon, sunbeds and a staff room. The second floor is used as a dance/aerobics hall and store. In 2007, planning permission was granted (Ref No. 07/01045/FUL) for the erection of a 3 storey extension to the existing building to house a gym at ground level and 4 no. 1 bedroom flats on the first and second floors. This extension has not yet been constructed but the overall design and layout of the property as proposed means the two would have to be constructed in tandem as access to the latest apartments proposed is through the 3 storey extension.

Recommendation

4. It is recommended that this application is granted planning permission.

Main Issues

5. The main issues for consideration in respect of this planning application are:
- Principle of the development
 - Design and Appearance;
 - Impact on the character and appearance of the locality/Conservation area;
 - The amenities of neighbours;
 - Highway safety and parking provision
 - Other matters

Representations

6. A letters of objection has been received from 1 local resident, the contents of which can be summarized as follows: -
- Concerns are expressed in relation to the potential for traffic increasing on Queens Road
 - As the site is in a Conservation Area, any building work must not be offensive to the local area

Consultations

7. **Lancashire County Council (Highways)** raise no objections to the application.
8. The **Conservation Officer** does not raise any objections to the application.
9. **LCC (Archaeology)** do not raise any objections to the application.
10. **Planning Policy** section advise that residential is an appropriate town centre use and therefore no objections are raised to the apartments.

Assessment

Principle of the development

11. The site is in a part of the town centre covered by Policy No. EM6 of the Local Plan Review. This policy expresses a preference for office uses but also states that other appropriate town centre uses are acceptable. Apartments are considered to be an appropriate town centre land use hence the objectives of Policy EM6 are met. The 'principle' of the apartments is therefore considered to be acceptable.

Design & Appearance

12. As stated, the only changes to the property are the insertion of 2 windows in the west facing elevation of the property at first and second floor level. These windows are in a modern part of the building and will not have a significant impact on its character and appearance.

Impact on the character and appearance of the locality/Conservation Area

13. As per the Design & Appearance assessment above, the only changes to the property are the insertion of 2 windows in the west facing elevation of the property at first and second floor levels. These windows are in a modern part of the building and will not have a significant impact on its character and appearance nor that of the Conservation Area. The neighbour has commented that any building work should not be offensive to the local area. However, as stated, the only change is the insertion of 2 no. windows in the rear elevation of the building and this will not have a detrimental impact on the character and appearance of the locality and Conservation Area.

The amenities of neighbours

14. The proposed bedroom windows in the west facing elevation of the building at first and second floor level will face onto the yard area of 1-3 Queens Road which is wholly occupied by O'Riordan & Co Solicitors hence does not contain any residential elements. The next property along Queens Road is commercial and presently vacant (last used as a Plumbers Merchant).

15. The property opposite the side facing windows in the apartments is Applejax Nightclub so again, there are no window to window interface issues. With regards to the amenities of the occupiers of the apartments proposed, the same condition attached to the 2007 permission is recommended to ensure adequate levels of noise insulation between the apartments and gymnasium uses.

Highway safety & parking provision

16. No parking is proposed for the apartments but it should be noted that the site at present has very limited parking. Given the site is in the town centre close to the bus and train stations, the site is considered to be in a sustainable location with local transport links and indeed the amenities provided by the shops and services of the town centre within easy walking distance.

17. LCC (Highways) have considered the application and do not raise any objections to it hence it is considered that the sustainable location of the site means in this case, it is not necessary to require off street parking provision.

18. With regards to the comments made by the neighbour which raise concerns in relation to existing traffic levels and the potential for it to increase, these are noted. However, it is unlikely that there will be significant change in levels of traffic generated by the apartments in comparison to the present gym use of the first and second floors.

Other matters

19. With regards to bin storage, the plans show a bin storage area which is suitable to accommodate 2 no. 1100 litre bins and the Councils Waste Management & Contaminated Land Officer has confirmed this to be acceptable. This is in the extension permitted by 07/01045/FUL but this provides access to the proposed apartments so the extension would have to be constructed in tandem with the conversion of the first and second floors of the gymnasium. Nonetheless, for clarity, a condition is recommended requiring bin storage details to be submitted prior to the commencement of works along with management details.

Overall Conclusion

20. Taking into account all of the issues and the objections raised, it is considered that the change of use of the first and second floors of the property to 4 no. 1 bed apartments is an acceptable form of development.

Planning Policies

21. National Planning Policies:
PPS1, PPS3

22. Adopted Chorley Borough Local Plan Review
Policies: GN1 / GN5 / HS4 / HS6 / HS21 / EM6 / EP20 / HT7 / TR4 / Design
SPG

Planning History

23. The site has been the subject of the following planning applications: -

- 07/01045/FUL - Proposed three storey side extension to form an extension to existing gym at ground level and 4No 1 bed roomed flats on 2nd and 3rd floors (Permitted)
- 03/00450/FUL - Two storey side extension to Fitness Centre (Permitted)
- 97/00224/FUL - Second-floor rear extension to form gymnasium (Permitted)
- 96/00771/FUL - First floor rear extension to form gymnasium (Permitted)
- 96/00100/COU - Change of use of ground floor to gymnasium, with flats on first and second floor (Permitted)

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. Before the works required for the conversion of the first and second floors of the gymnasium to apartments are first commenced, full details of a scheme of soundproofing between the proposed apartments and the gymnasium shall have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved soundproofing scheme shall be completed before any flat is occupied or the extended gymnasium is first used.

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

3. Prior to the commencement of the development hereby permitted, a plan (notwithstanding the details shown on the approved plans) shall have been submitted to and approved in writing by the Local Planning Authority providing further details of the bin storage area. This shall be accompanied by a management plan detailing how the bin storage area will function and how collection days will be managed. The bin storage area shall be provided in accordance with the approved details prior to the first occupation of the apartments and shall be retained at all times thereafter.

Reason: To ensure a suitable bin storage area is provided and managed and in accordance with Policy No. HS4 of the Chorley Borough Local Plan Review.

Please Note: There are separate conditions attached to planning permission no. 07/01045/FUL for the 3 storey extension to the premises.

Please Note: The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

Collapse of shallow coal mine workings.

Collapse of, or risk of entry into, mine entries (shafts and adits).

Gas emissions from coal mines including methane and carbon dioxide.

Spontaneous combustion or ignition of coal, which may lead to underground heatings and production of carbon monoxide.

Transmission of gases into adjacent properties from underground sources through ground fractures.

Coal mining subsidence.

Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

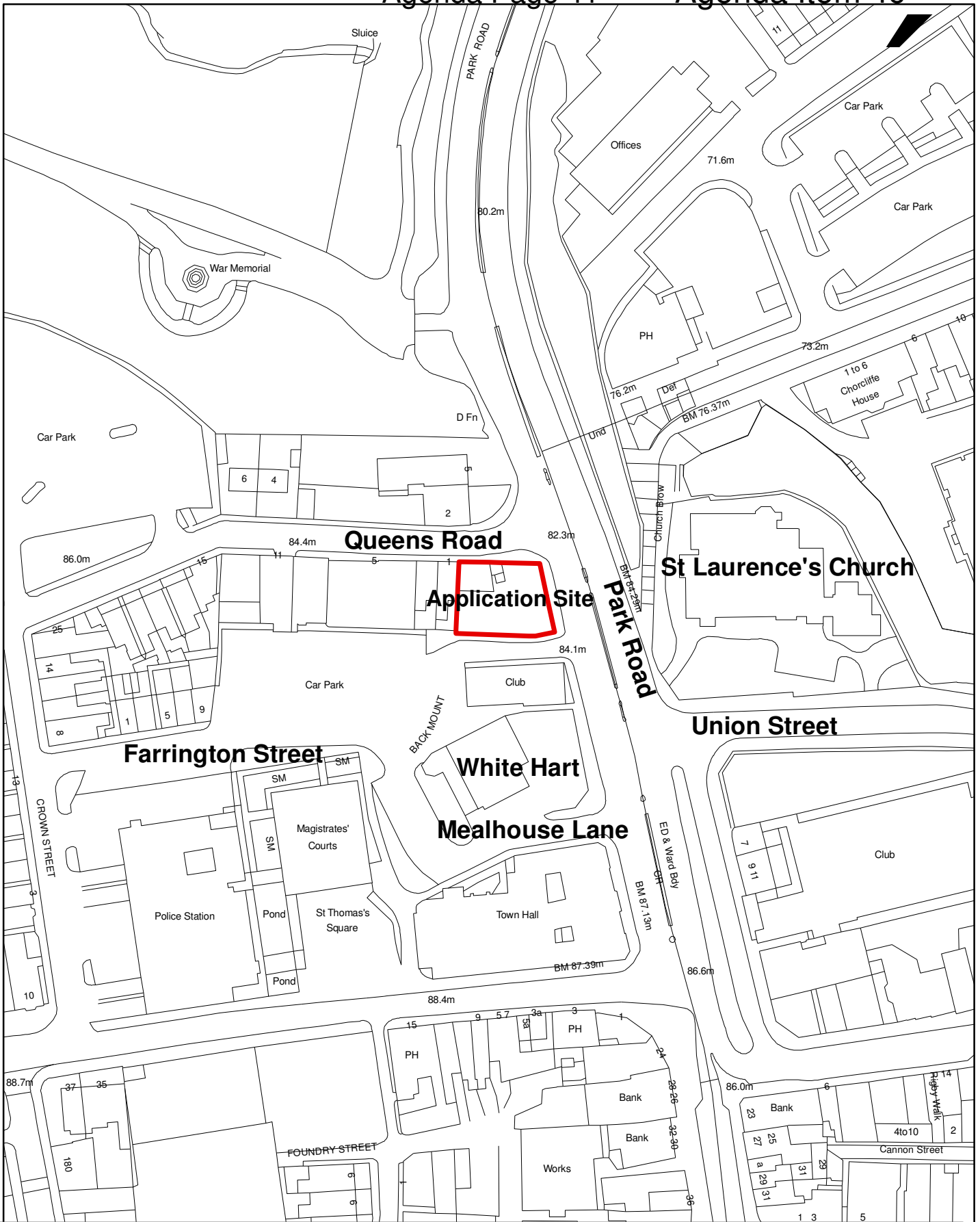
Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilization of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com



Lesley - Ann Fenton
Director of Partnerships, Planning and Policy

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Application No.

10/00255/FUL

Grid Ref:

E: 358234
 N: 417754

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Report of	Meeting	Date
Director of Partnerships, Planning & Policy	Development Control Committee	22 June 2010

ENFORCEMENT ITEM

TITLE: Operational Development Land to the East of 75 The Farthings Astley Village Chorley PR7 1SH storage of a metal container.

PURPOSE OF REPORT

- To consider whether it is expedient to serve an enforcement notice to secure the removal of the unauthorised development (metal container) from the land. Planning permission exists for the use of the land for caravan storage.

RECOMMENDATION(S)

- That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control:

Alleged Breach

- The placing of the steel container on the land constitutes operational development that requires planning permission.

- Remedy for Breach**

Remove the storage container from the land.

- ii(a). Period for Compliance**

Three Months.

- ii(b). Reason.**

The external appearance of the building (metal container) is contrary to Policy GN5 criterion (b) Chorley Borough Local Plan Review Adopted Edition in that the design of proposed development is not well related to the surrounding area.

EXECUTIVE SUMMARY OF REPORT

- The land in question lies in an area of built settlement. Within such settlement areas Policy GN1 states there is a presumption in favour of appropriate development, subject to normal



planning considerations and policies and proposals of the Adopted Chorley Borough Local Plan. Policy GN5 of the Local Plan states that the design of proposed developments will be expected to be well related to their surroundings.

6. The issue for consideration in this case is whether the operational development that has been carried out conforms to the requirements detailed at Policy GN5 criterion (b) Chorley Borough Local Plan Review Adopted Edition in that the external appearance of the building is acceptable in this residential area.

Reasons for Recommendations

7. The unauthorised development represents an alien feature in this residential area and is inappropriate development in terms of its external appearance and does not respect the character of the area in which it is located and is therefore contrary to Policy GN5 criterion (b) Chorley Borough Local Plan Review Adopted Edition.
8. There are various legal authorities that have set out the principles to be used in assessing whether a structure is a building. These authorities suggest that three primary factors are relevant in that assessment: size, permanence and attachment to the ground. In terms of size the metal container measures 7.2 metre in length, 2.2 metres in depth and 2.4 metres in height and is considered therefore to be of substantial size and has an imposing presence on the land. With regards to permanence the container is designed to be carried on a vehicle and placed upon the land and is unlikely to be moved frequently or easily within the confines of the allocated caravan parking area. It is agreed that the container is not fixed to the ground merely resting upon it and the change to the character of the land is visual rather than physical.
9. Taking all three elements into consideration it is concluded that the combination of size, the transportation of the container to the land and the limitation of mobility, the likelihood that it will remain in situ is of significance and it is considered that the metal container is a building and therefore operational development has taken place for which planning permission is required.

CORPORATE PRIORITIES

10. 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

11. The Farthings formed part of the overall Commission for the New Towns Development within the Chorley area. The plans for this estate showed area an area of land had been set aside within the estate area specifically for use as a caravan park for use by residents who would then not need to keep caravans on driveways.

- 12. Approximately three years ago the parcel of land set aside for the caravan park was sold to a private individual who intends using the site for caravan storage but in addition to the approved use of the land has placed a large steel container upon the land.
- 13. The metal container measures 7.2 metre in length, 2.2 metres in depth and 2.4 metres in height and is blue in colour. It has been sited to the southern boundary of the site behind an established boundary consisting of wooden fencing to a height of 1.8 metres with a well established landscaping strip of land in front of the fence. The top part of the container is visible through the landscaping and is visible above the fence.
- 14. A site visit has been carried out where the landowner explained that the container is used to store the ancillary equipment used in connection with the caravans such as portable generators, bicycles, and awnings etc, items that could easily be removed from a caravan when left unattended on the land. Inspection of the content of the container at this time revealed two bicycles and a generator.

ALTERNATIVE REQUIREMENTS

- 15. Nil.

IMPLICATIONS OF REPORT

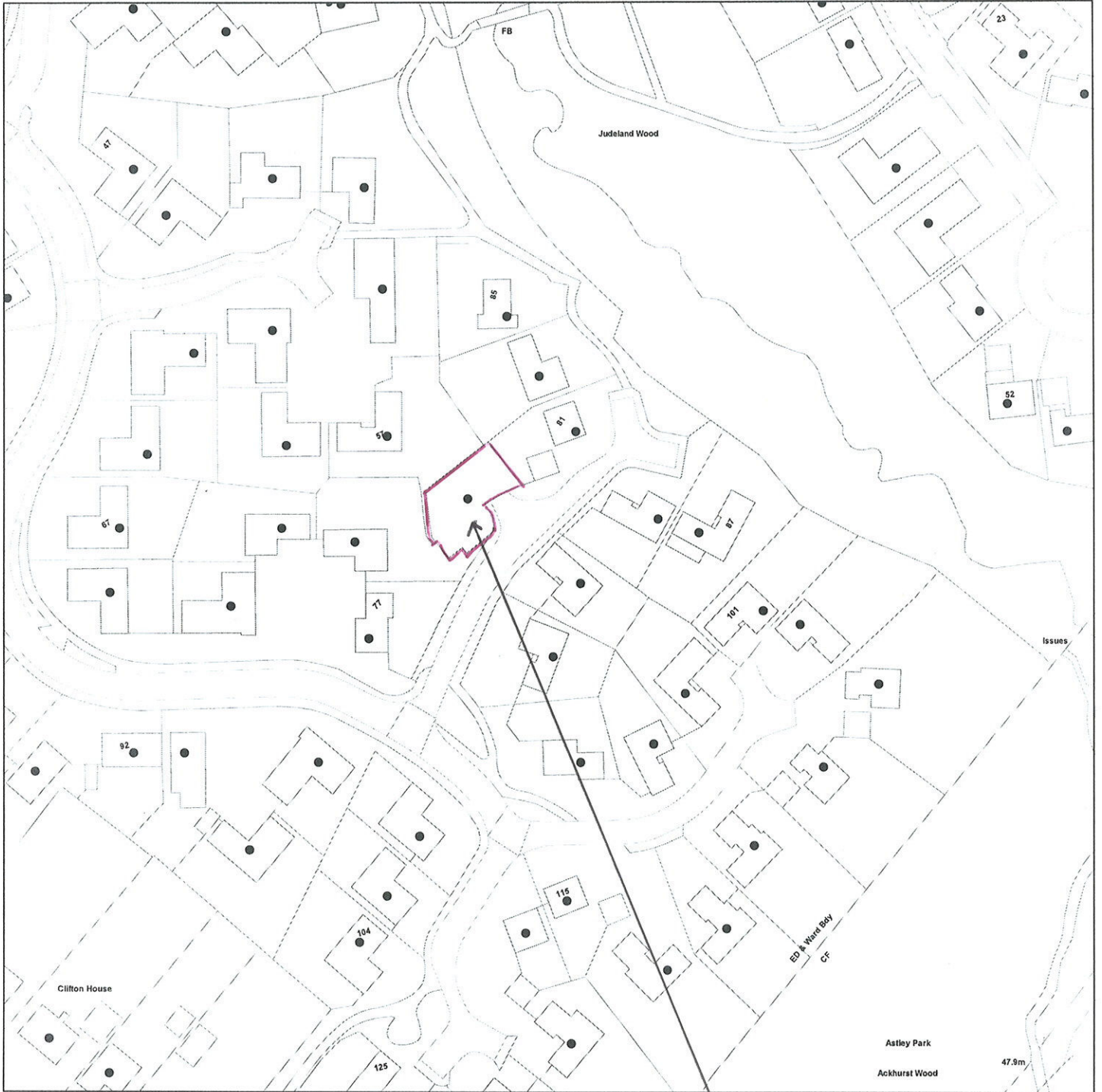
- 16. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

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

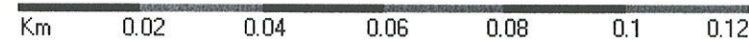
Lesley-Ann Fenton
 Director of Partnerships, Planning & Policy

Report Author	Ext	Date	Doc ID
Steve Aldous	5414	19 May 2010	

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land east of
75 The Farthings
Astley village
Charley
PR7 1SH.



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Report of	Meeting	Date
Director Partnerships, Planning and Policy	Development Control Committee	22 June 2010

OBJECTION TO TREE PRESERVATION ORDER NO.4 (WHITTLE-LE-WOODS) 2010

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. 4 (Whittle-le-Woods) 2010 be confirmed.

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 when it came to your officers intention that the occupier of garage premises next to the trees intended to develop the land on which the trees stand.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

4. It is recommended that the Order be confirmed as there is evidence that the trees may be under threat of removal and their loss would result in trees which have a high amenity value.

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 high 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 and life chances		Develop the Character and feel of Chorley as a good place to live	X
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	



BACKGROUND

7. The trees stand along the boundary of an existing petrol filling station which has recently been redeveloped. During the course of the development the occupier of the petrol filling station contacted the Council about the possibility of extended the site which would have affected the trees. Given the potential 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 owner of the petrol filling station. The objection is made on the grounds that they do not make a valuable visual amenity to the area and they are not prominently situated.

In response to the objection:-

The trees do contribute to the visual amenity of the area and are prominent from a number of public viewpoints

IMPLICATIONS OF REPORT

9. 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	7 June 2010	

Background Papers			
Document	Date	File	Place of Inspection
Chorley Council Tree Preservation Order No. 4 (Whittle-le-Woods)	February 2010	TPO No. 4 (Whittle-le-Woods)	Civic Offices, Union Street



Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	22 June 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 13 May and 9 June 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 B Mercer against the delegated decision to refuse planning permission for the retention of a field track at Holly Cottage, Back Lane, Heath Charnock (Application No. 09/00938/FUL)
- Appeal by J Y Kinsha against the Development Control Committee's decision to refuse planning permission, against officer recommendation, for the conversion of retail units to form doctors surgery - change of use from A1 to D1 at 225 - 227 Eaves Lane, Chorley (Application No. 09/01016/COU).

PLANNING APPEALS DISMISSED

- Appeal by Mr Michael Linfoot & Mr J Boswell against the Development Control Committee's decision to refuse retrospective planning permission for the use of land for stationing of two mobile homes and up to 14 touring caravans for residential occupation for temporary period of 3 - 4 years with associated development (hard standing, utility building, septic tank, 6 small toilet buildings, second access off Hut Lane, brick pillars and gates) at land 65m south of 3 Olde Stoneheath Court (bounded by M61 and Hut Lane), Hut Lane, Heath Charnock (Application No. 09/00437/COU).



PLANNING APPEALS ALLOWED

8. None

PLANNING APPEALS WITHDRAWN

7. None

ENFORCEMENT APPEALS LODGED

8. None

ENFORCEMENT APPEALS DISMISSED

- 9. Appeal by Mr Michael Linfoot & Mr J Boswell against enforcement notice ref. EN622 relating to the deposit of hardcore materials to form a hardstanding, deposit of a container, erection of gate/fence pillars and gates, erection of utility block, erection of lighting columns and floodlights, installation of septic tank, erection of electricity supply housing box and formation of a vehicular access at land 65m south of 3 Olde Stoneheath Court (bounded by M61 and Hut Lane), Hut Lane, Heath Charnock.
- 10. Appeal by Mr Michael Linfoot & Mr J Boswell against enforcement notice ref. EN621 relating to the change of use of land from agriculture to the siting of caravans for residential use, storage of mobile catering trailer and the parking of private and commercial motor vehicles at land 65m south of 3 Olde Stoneheath Court (bounded by M61 and Hut Lane), Hut Lane, Heath Charnock.

ENFORCEMENT APPEALS ALLOWED

11. None

ENFORCEMENT APPEALS WITHDRAWN

12. None

LANCASHIRE COUNTY COUNCIL DECISIONS

13. None

GOVERNMENT OFFICE DECISIONS

14. None

IMPLICATIONS OF REPORT

15. 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	√

DIRECTOR OF PARTNERSHIPS, PLANNING AND POILCY

Report Author	Ext	Date	Doc ID
Louise Taylor	5220	10.06.2010	

Background Papers				
	Document	Date	File	Place of Inspection
4	Letter from the Planning Inspectorate	13.05.2010	09/00938/FUL	Civic Offices, Union Street, Chorley or online at www.chorley.gov.uk/planning
5	“	03.06.2010	09/01016/COU	
6	“	13.05.2010	09/00437/COU	
9	“	13.05.2010	EN622	
10	“	13.05.2010	EN621	

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Report



Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	22 June 2010

Planning Applications Decided by the Director of Partnerships, Planning and Policy, the Chair and Vice-Chair of the Committee on 25 May 2010

Application No.	Recommendation	Location	Proposal
10/00257/FUL	Permit Full Planning Permission	Sandons Farm Sandy Lane Adlington Chorley PR7 4JT	Application for variation of condition 1 attached to planning approval 07/00654/FUL
10/00268/FUL	Refuse Full Planning Permission	1-3 Rock Villa Road Whittle-le-Woods Chorley PR6 7LL	Application for formation of decking area and balustrade. New external staircase and trellis cladding to existing balustrade (this part retrospective).
10/00293/FUL	Permit Full Planning Permission	16 Chapel Street, Chorley PR7 1BW	Change of use from shop (A1) to betting shop (A2), installation of new shop front, two air conditioning condenser units, one satellite dish and one TV aerial.
10/00299/ADV	Advertising Consent	53-55 St Thomas's Road, Chorley PR7 1JE	Display of two internally illuminated signs on front and side elevation of building.

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Report



Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	22 June 2010

Planning Applications Decided by the Director of Partnerships, Planning and Policy, the Chair and Vice-Chair of the Committee on 9 June 2010

Application No.	Recommendation	Location	Proposal
10/00304/FUL	Permit Full Planning Permission	176-178 Moor Road Chorley Lancashire PR7 2NT	Change of use, alterations and extensions (single storey rear, first floor rear and two storey rear extensions) to the Alma Inn, to create four 1 bed-roomed self contained apartments with car parking.
10/00333/FUL	Permit Full Planning Permission	Mintholme Hall Gowans Lane Brindle Chorley PR6 8NU	Creation of pond, associated landscaping, earth works and planting.

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Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	22 June 2010

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

Between 13 May and 9 June 2010

Plan Ref 10/00033/FUL **Date Received** 14.01.2010 **Decision** Permit Full
Planning
Permission

Ward: Adlington &
Anderton **Date Decided** 20.05.2010

Proposal : Demolition of rear detached garage and store room. Erection of single storey
side/rear extension incorporating new aviary and new mono-pitched roof over dining
room

Location : 8 Norwood Close Adlington Chorley PR6 9RT

Applicant: Mr S Plowes 8 Norwood Close Adlington Chorley Lancs PR6 9RT

Plan Ref 10/00087/FUL **Date Received** 02.02.2010 **Decision** Permit Full
Planning
Permission

Ward: Chorley East **Date Decided** 20.05.2010

Proposal : Two storey rear extension to provide kitchen and bedroom

Location : 35 Seymour Street Chorley Lancashire PR6 0RR

Applicant: Mr & Mrs Amir 35 Seymour Street Chorley Lancashire PR6 0RR

Plan Ref 10/00089/FUL **Date Received** 03.02.2010 **Decision** Permit Full
Planning
Permission

Ward: Lostock **Date Decided** 13.05.2010

Proposal : New vehicular access from Southport Road for use of tractor access to haylage

Location : 367 Southport Road Ulnes Walton Leyland Lancashire PR26 8LQ

Applicant: Mrs Julia Goldsmith 367 Southport Road Ulnes Walton Leyland Lancashire PR26
8LQ

Plan Ref 10/00127/FUL **Date Received** 15.02.2010 **Decision** Permit Full Planning Permission

Ward: Lostock **Date Decided** 26.05.2010

Proposal : Erection of single storey extension to create additional living accommodation and garage.

Location : 23 Drinkhouse Road Croston Leyland PR26 9JE

Applicant: Mr Stephen Wastell Finney Barrs Barn Drinkhouse Road Croston Leyland PR26 9JE

Plan Ref 10/00135/OUT **Date Received** 18.02.2010 **Decision** Permit Outline Planning Permission

Ward: Pennine **Date Decided** 13.05.2010

Proposal : Outline application for the erection of detached split-level dwelling

Location : 68 Blackburn Road Whittle-Le-Woods Chorley PR6 8LH

Applicant: Mr Christian Pearson 68 Blackburn Road Whittle-le-Woods Chorley PR6 8LH

Plan Ref 10/00152/FUL **Date Received** 24.02.2010 **Decision** Refuse Full Planning Permission

Ward: **Date Decided** 17.05.2010

Proposal : Erection of a one bedroomed retirement bungalow and associated parking on site of former parking garage

Location : Land Rear Of 41 Lancaster Street Coppull

Applicant: Mr Roy Stringfellow 243 Southport Road Ulmes Walton Leyland PR26 8LQ

Plan Ref 10/00168/FUL **Date Received** 03.03.2010 **Decision** Permit Full Planning Permission

Ward: Adlington & Anderton **Date Decided** 13.05.2010

Proposal : Erection of 2 stables and a tack room

Location : Tan Pits Farm New Road Anderton Lancashire PR6 9HG

Applicant: Mr David Lally Tan Pits Farm New Road Anderton Lancashire PR6 9HG

Plan Ref 10/00173/CLPUD **Date Received** 04.03.2010 **Decision** Grant Certificate of Lawfulness

Ward: Brindle And Hoghton **Date Decided** 20.05.2010

Proposal : Application for Certificate of Lawfulness for demolition of existing outbuilding and erection of replacement outbuilding, new hot tub with decking and fencing

Location : Silcock Farm Windmill Lane Brindle Chorley PR6 8NX

Applicant: Mr Mark Dean Silcock Farm Windmill Lane Brindle Chorley PR6 8NX

Plan Ref 10/00175/FUL **Date Received** 04.03.2010 **Decision** Permit Full Planning Permission

Ward: Pennine **Date Decided** 13.05.2010

Proposal : Erection of a single storey front extension to create additional dining space, single storey side extension creating a study room. A new pitch/flat roof and chimney.

Location : 17 Dark Lane Whittle-Le-Woods Chorley Lancashire PR6 8AE

Applicant: Mr Bernard Hatton 17 Dark Lane Whittle-Le-Woods Chorley Lancashire PR6 8AE

Plan Ref 10/00177/FUL **Date Received** 05.03.2010 **Decision** Permit Full Planning Permission

Ward: Chorley South East **Date Decided** 20.05.2010

Proposal : Erection of a single storey class-room extension

Location : St Georges Primary School Carr Lane Chorley Lancashire PR7 3JU

Applicant: The School Govenors St Georges Primary School Carr Lane Chorley Lancashire PR7 3JU

Plan Ref 10/00178/FUL **Date Received** 05.03.2010 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods West And Cuerden **Date Decided** 02.06.2010

Proposal : Demolish existing detached garage, remove and replace flat roof to single side extension with a new pitched roof and erect a single storey side extension to accommodate a utility room and an attached garage.

Location : 57 Kirkby Avenue Clayton-Le-Woods Leyland PR25 5SQ

Applicant: Mr Peter Plunkett 57 Kirkby Avenue Clayton-Le-Woods Leyland PR25 5SQ

Plan Ref 10/00179/FUL **Date Received** 05.03.2010 **Decision** Permit Full Planning Permission

Ward: Eccleston And Mawdesley **Date Decided** 18.05.2010

Proposal : Proposed two storey side extension and a single storey rear extension to form additional living space

Location : 24 The Willows Mawdesley Ormskirk L40 2QL

Applicant: Mr Len Riding 24 The Willows Mawdesley Ormskirk L40 2QL

Plan Ref 10/00184/FUL **Date Received** 09.03.2010 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods North **Date Decided** 28.05.2010

Proposal : Demolition of existing attached garage and the erection of a two storey side extension to create an extended kitchen/dining area and additional bedroom space. The erection of a single storey detached garage to the side of the dwelling.

Location : 10 Dove Cote Clayton-Le-Woods Chorley PR6 7AY

Applicant: Mr Richard Smith 10 Dove Cote Clayton-Le-Woods Chorley PR6 7AY

Plan Ref 10/00185/TPO **Date Received** 09.03.2010 **Decision** Refuse for Tree Works

Ward: Chorley South East **Date Decided** 20.05.2010

Proposal : Pruning of 3 trees covered by TPO3 (Chorley) 2005 to the rear of 39 Duxbury Gardens

Location : 39 Duxbury Gardens Chorley Lancashire PR7 3JZ

Applicant: Mr Rober Gray 38 Duxbury Gardens Chorley Lancashire PR7 3JZ

Plan Ref 10/00187/LBC **Date Received** 09.03.2010 **Decision** Grant Listed Building Consent

Ward: Brindle And Hoghton **Date Decided** 19.05.2010

Proposal : Listed building consent for formation of door opening between Stansfield Wing and the Parlour

Location : St Josephs Presbytery Chapel Fold Private Road Brindle Preston

Applicant: Fr Raphael Jones The Presbytery Brindle St Joseph's RC Church Chapel Fold Hoghton Preston Pr5 0DE

Plan Ref 10/00193/TPO **Date Received** 10.03.2010 **Decision** Consent for Tree Works

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 20.05.2010

Proposal : Pruning and felling of TPO 13 (Clayton-Le-Woods) 1984

Location : 4 Woodside Avenue Clayton-Le-Woods Chorley PR6 7QF

Applicant: Mrs Grace Jackson 4 Woodside Avenue Clayton-Le-Woods Chorley PR6 7QF

Plan Ref	10/00191/FUL	Date Received	11.03.2010	Decision	Application Withdrawn
Ward:	Eccleston And Mawdesley	Date Decided	18.05.2010		
Proposal :	Wooden lodge for disabled farm tourism				
Location :	Restharrow Tannersmith Lane Mawdesley Ormskirk L40 2RA				
Applicant:	Mrs Elizabeth Scarisbrick Restharrow Tannersmith Lane Mawdsley Ormskirk Lancs L40 2RA				
Plan Ref	10/00194/FUL	Date Received	12.03.2010	Decision	Permit Full Planning Permission
Ward:	Astley And Buckshaw	Date Decided	17.05.2010		
Proposal :	Garage conversion to a study room				
Location :	2 Maltby Square Buckshaw Village Chorley Lancashire PR7 7GN				
Applicant:	Mr P Hawkins 2 Maltby Square Buckshaw Village Chorley Lancashire PR7 7GN				
Plan Ref	10/00204/FUL	Date Received	15.03.2010	Decision	Permit Full Planning Permission
Ward:	Eccleston And Mawdesley	Date Decided	27.05.2010		
Proposal :	First floor side extension and roof lights to galleried area				
Location :	Jay Bank High Street Mawdesley Ormskirk L40 3TD				
Applicant:	Mr Nicolas Hanley Jay Bank High Street Mawdesley Ormskirk L40 3TD				
Plan Ref	10/00209/FUL	Date Received	18.03.2010	Decision	Permit Full Planning Permission
Ward:	Brindle And Hoghton	Date Decided	27.05.2010		
Proposal :	Conversion of roof space to members bar and lounge and variation of condition no. 11 of planning permission no. 06/00205/FUL (the original permission for the clubhouse) to allow the restaurant to remain open until 10pm each evening to the general public				
Location :	Oak Royal Golf Club Bury Lane Withnell Chorley PR6 8BH				
Applicant:	Mr Charles Downes Oak Royal Golf Club Bury Lane Withnell Chorley PR6 8BH				
Plan Ref	10/00214/TPO	Date Received	18.03.2010	Decision	Consent for Tree Works
Ward:	Euxton North	Date Decided	20.05.2010		
Proposal :	Fell 5 and prune 7 trees at Runshaw Hall. Runshaw Hall Lane (TPO 2 (Euxton) 1982)				
Location :	Runshaw New Hall Runshaw Hall Lane Euxton Chorley PR7 6HQ				
Applicant:	Mrs Nicola Turner Turner & Co Runshaw New Hall Runshaw Hall Lane Euxton Chorley PR7 6HQ				

Plan Ref 10/00213/FUL **Date Received** 19.03.2010 **Decision** Refuse Full Planning Permission

Ward: Chorley North **Date Decided** 08.06.2010
West

Proposal : Amended plans for fencing above existing wall and retrospective plans for retention of gate and gate posts (original application No 08/00027/FUL)

Location : 77 Preston Road Chorley Lancashire PR6 7AX

Applicant: Mr Tony Livsey 77 Preston Road Chorley Lancashire PR6 7AX

Plan Ref 10/00218/FUL **Date Received** 22.03.2010 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods **Date Decided** 17.05.2010
And Whittle-le-Woods

Proposal : Erection of a two storey extension to side & rear. Conversion of integral double garage into study / laundry / integral single garage and to widen existing tarmacadam driveway.

Location : 27 Rowan Croft Clayton-Le-Woods Chorley PR6 7UU

Applicant: Mr & Mrs John Speakes Rowan Croft Clayton-le-Woods Chorley Lancashire pr6 7uu United Kingdom

Plan Ref 10/00223/FUL **Date Received** 22.03.2010 **Decision** Permit Full Planning Permission

Ward: Chorley South **Date Decided** 18.05.2010
East

Proposal : Conversion of single dwelling into 2 separate properties

Location : 59 Weldbank Lane Chorley Lancashire PR7 3NN

Applicant: Thos. Mawdsley Ltd Unit 1 Towngate Works Dark Lane Mawdesley Lancashire L40 2QU United Kingdom

Plan Ref 10/00224/FUL **Date Received** 22.03.2010 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods **Date Decided** 18.05.2010
And Whittle-le-Woods

Proposal : Erection of a two storey front extension to create an extended living room and bedroom.

Location : 83 Foxglove Drive Whittle-Le-Woods Chorley PR6 7SG

Applicant: Mr Andrew Heywood 83 Foxglove Drive Whittle-Le-Woods Chorley PR6 7SG

Plan Ref 10/00225/TPO **Date Received** 22.03.2010 **Decision** Refuse for Tree Works

Ward: Clayton-le-Woods North **Date Decided** 20.05.2010

Proposal : Pruning work to Oak Tree covered by TPO 1 (Clayton-Le-Woods) 1984
Location : 123 Maypark Clayton-le-Woods Bamber Bridge Preston PR5 8JE
Applicant: Mr Richard Flett 123 Maypark Clayton-le-Woods Bamber Bridge Preston PR5 8JE

Plan Ref 10/00227/FUL **Date Received** 23.03.2010 **Decision** Permit retrospective planning permission

Ward: Lostock **Date Decided** 08.06.2010

Proposal : Retrospective application for the formation of 3 no. permeably surfaced off road parking spaces
Location : Parking Spaces 10m South Of 19 Brookfield Croston Lancashire
Applicant: Ms Morna Maines Adactus Housing Group Ltd Turner House 56 King Street Leigh Lancashire NN7 4LJ

Plan Ref 10/00226/FUL **Date Received** 24.03.2010 **Decision** Permit Full Planning Permission

Ward: Adlington & Anderton **Date Decided** 27.05.2010

Proposal : Erection of a single storey rear extension to create Conservatory and Porch to front.
Location : 17 Thirlmere Close Adlington Chorley PR6 9QD
Applicant: Stuart Joyce Thirlmere Close Adlington Chorley Lancashire PR6 9QD United Kingdom

Plan Ref 10/00231/FUL **Date Received** 25.03.2010 **Decision** Permit Full Planning Permission

Ward: Coppull **Date Decided** 20.05.2010

Proposal : Application to vary condition 1 attached to planning approval 08/00299/FUL
Location : 53 Pear Tree Avenue Coppull Chorley PR7 4NL
Applicant: Mr Mike Hocking 53 Pear Tree Avenue Coppull Chorley PR7 4NL

Plan Ref 10/00234/TCON **Date Received** 25.03.2010 **Decision** No objection to Tree Works

Ward: Lostock **Date Decided** 20.05.2010

Proposal : Crown raise by 4 meters a Horse Chestnut tree to provide more light and a better shape to the tree
Location : 31 Yarrow Close Croston Leyland PR26 9SJ
Applicant: Tom Taylor 31 Yarrow Close Croston Leyland PR26 9SJ

Plan Ref 10/00242/FUL **Date Received** 26.03.2010 **Decision** Permit Full Planning Permission

Ward: Euxton North **Date Decided** 20.05.2010

Proposal : Provision of 3 No vehicle hard standings and associated dropped kerbs.
Location : Land 30m North Of 337 Greenside Euxton Lancashire
Applicant: Adactus Housing Group Ltd Turner House 56 King Street Leigh WN7 4LJ

Plan Ref 10/00244/FUL **Date Received** 26.03.2010 **Decision** Permit Full Planning Permission

Ward: Euxton North **Date Decided** 20.05.2010

Proposal : Erection of two-storey rear extension
Location : 2 Apple Tree Close Euxton Chorley PR7 6LN
Applicant: Mr Chris Sherdian 2 Apple Tree Close Euxton Chorley PR7 6LN

Plan Ref 10/00245/FUL **Date Received** 29.03.2010 **Decision** Permit Full Planning Permission

Ward: Chorley South
West **Date Decided** 24.05.2010

Proposal : Erection of a first floor front extension to create an extended bedroom
Location : 16 Burgh Wood Way Chorley PR7 2FP
Applicant: Mr Nigel Greenhalgh 16 Burgh Wood Way Chorley PR7 2FP

Plan Ref 10/00249/FUL **Date Received** 29.03.2010 **Decision** Refuse Full Planning Permission

Ward: Clayton-le-Woods
West And
Cuerden **Date Decided** 24.05.2010

Proposal : Erect three timber stables and reposition the existing hay stores
Location : Clayton Hall Stables Spring Meadow Clayton-Le-Woods Leyland Lancashire
Applicant: Mr James Manning 20 Spring Meadow Leyland Lancs PR25 5UR

Plan Ref 10/00250/FUL **Date Received** 30.03.2010 **Decision** Permit Full Planning Permission

Ward: Lostock **Date Decided** 21.05.2010

Proposal : Erection of a lean to greenhouse to the side of the property
Location : Park View 38 Grape Lane Croston Leyland PR26 9HB
Applicant: Mrs Brenda Hopper Park View 38 Grape Lane Croston Leyland

Plan Ref 10/00251/FUL **Date Received** 30.03.2010 **Decision** Permit Full Planning Permission

Ward: Wheelton And Withnell **Date Decided** 25.05.2010

Proposal : New build of motorbike store with workshop and covered store on land to the rear of property.

Location : 107 School Lane Brinscall Chorley PR6 8PS

Applicant: Mr Stewart Galloway 107 School Lane Brinscall Lancashire PR6 8PS UK

Plan Ref 10/00257/FUL **Date Received** 31.03.2010 **Decision** Permit Full Planning Permission

Ward: Adlington & Anderton **Date Decided** 26.05.2010

Proposal : Application for variation of condition 1 attached to planning approval 07/00654/FUL

Location : Sandons Farm Sandy Lane Adlington Chorley PR7 4JT

Applicant: Mr Dave Pilkington Sandons Farm Sandy Lane Adlington Chorley PR7 4JT

Plan Ref 10/00258/FUL **Date Received** 01.04.2010 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods North **Date Decided** 27.05.2010

Proposal : Substitution of the approved Davy house type for an Oxford house type and substitution of the approved single garage for a double garage on plot 11 of the development approved by planning permission no. 09/00750/FUL

Location : 605 Preston Road Clayton-Le-Woods Chorley PR6 7EB

Applicant: Wainhomes Development Mr I Fowler Cedarwood 2 Kelvin Close Warrington WA3 7PB

Plan Ref 10/00259/FUL **Date Received** 01.04.2010 **Decision** Permit Full Planning Permission

Ward: Chisnall **Date Decided** 27.05.2010

Proposal : Raising roof height to form first floor to create additional accommodation, two storey rear extension to form new dining area, single storey side extension to create a utility room and detached double garage.

Location : 23 Wood Lane Heskin Lancashire PR7 5NU

Applicant: Mr Iain Bradley 1 Yew Tree Villas Preston Road Charnock Richard Lancashire PR7 5LF

Plan Ref	10/00260/FUL	Date Received	01.04.2010	Decision	Permit Full Planning Permission
Ward:	Eccleston And Mawdesley	Date Decided	24.05.2010		
Proposal :	Demolition of existing single storey extension and erection of single storey extension to rear to create an extended kitchen.				
Location :	111 Towngate Eccleston Chorley PR7 5QS				
Applicant:	Ms Susan Eccles 111 Towngate Eccleston Chorley PR7 5QS				
Plan Ref	10/00262/FUL	Date Received	01.04.2010	Decision	Refuse Full Planning Permission
Ward:	Eccleston And Mawdesley	Date Decided	25.05.2010		
Proposal :	Erection of a dormer extension to the rear of the dwelling.				
Location :	17 Larkfield Eccleston Chorley PR7 5RN				
Applicant:	Mr David Molyneux 17 Larkfield Eccleston Chorley PR7 5RN				
Plan Ref	10/00263/FUL	Date Received	01.04.2010	Decision	Refuse Full Planning Permission
Ward:	Eccleston And Mawdesley	Date Decided	25.05.2010		
Proposal :	Erection of a dormer extension to the rear of the dwelling.				
Location :	19 Larkfield Eccleston Chorley PR7 5RN				
Applicant:	Mr Nisar Sadikot 19 Larkfield Eccleston Chorley PR7 5RN				
Plan Ref	10/00253/FUL	Date Received	02.04.2010	Decision	Permit Full Planning Permission
Ward:	Chorley North West	Date Decided	25.05.2010		
Proposal :	Demolish existing detached garage and replace with new				
Location :	64 Carrington Road Chorley Lancashire PR7 2DQ				
Applicant:	Mr & Mrs Ramsay 64 Carrington Road Chorley Preston Lancashire PR2 5LA England				
Plan Ref	10/00254/FUL	Date Received	02.04.2010	Decision	Permit Full Planning Permission
Ward:	Eccleston And Mawdesley	Date Decided	28.05.2010		
Proposal :	Two storey extension to southwest elevation and extension to existing balcony along the southwest elevation of the property				
Location :	The Mill Race Lydiate Lane Eccleston Chorley PR7 6LZ				
Applicant:	Mr Mark Dougill Lydiate Lane Chorley Lancashire PR7 6LZ England				

Plan Ref 10/00266/FUL **Date Received** 06.04.2010 **Decision** Permit Full Planning Permission

Ward: Heath Charnock And Rivington **Date Decided** 19.05.2010

Proposal : Rear Dormer
Location : 4 Olde Stoneheath Court Heath Charnock Chorley PR6 9EH
Applicant: Mr P Nightingale 4 Olde Stoneheath Court Heath Charnock Chorley PR6 9EH

Plan Ref 10/00269/CLPUD **Date Received** 06.04.2010 **Decision** Grant Certificate of Lawfulness

Ward: Eccleston And Mawdesley **Date Decided** 24.05.2010

Proposal : Demolition of the existing detached garage and the erection of a single storey garage incorporating store area and gym to the rear of the dwelling.
Location : Barretts Farm Stables Salt Pit Lane Mawdesley Ormskirk L40 2QX
Applicant: Mr N Turner Barretts Farm Stables Salt Pit Lane Mawdesley Ormskirk L40 2QX

Plan Ref 10/00268/FUL **Date Received** 07.04.2010 **Decision** Refuse Full Planning Permission

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 26.05.2010

Proposal : Application for formation of decking area and balustrade. New external staircase and trellis cladding to existing balustrade (this part retrospective).
Location : 1 - 3 Rock Villa Road Whittle-Le-Woods Chorley PR6 7LL
Applicant: Mr Danny Solanki D And B Stores 1 - 3 Rockvilla Road Whittle-le-Woods Chorley Lancashire PR6 7LL

Plan Ref 10/00274/FUL **Date Received** 08.04.2010 **Decision** Permit Full Planning Permission

Ward: Adlington & Anderton **Date Decided** 27.05.2010

Proposal : Demolish existing detached side garage and erect replacement detached side garage and erection of a single storey side extension
Location : 32 Anglezarke Road Adlington Chorley PR6 9PZ
Applicant: Mr John Salmon 32 Anglezarke Road Adlington Chorley PR6 9PZ

Plan Ref 10/00277/FUL **Date Received** 08.04.2010 **Decision** Permit Full Planning Permission

Ward: Lostock **Date Decided** 27.05.2010

Proposal : Erection of a single storey side extension to create a conservatory
Location : 38 Jubilee Way Croston Leyland PR26 9HD
Applicant: Mr & Mrs Robinson 38 Jubilee Way Croston Leyland PR26 9HD

Plan Ref 10/00279/ADV **Date Received** 09.04.2010 **Decision** Advertising Consent

Ward: Chorley East **Date Decided** 07.06.2010

Proposal : 3 Elevation signs
Location : Unit 9 East Chorley Business Centre Off Steeley Lane Chorley Lancashire
Applicant: Mr Mark Churchill The Pavilion Croxley Business Park Blackmore Lane Watford Herts WD18 8GA

Plan Ref 10/00282/FUL **Date Received** 12.04.2010 **Decision** Permit Full Planning Permission

Ward: Euxton South **Date Decided** 08.06.2010

Proposal : Single storey side extension
Location : 65 Kingsway Euxton Chorley PR7 6PR
Applicant: Mr & Mrs Stileman 65 Kingsway Euxton Chorley PR7 6PR

Plan Ref 10/00287/FUL **Date Received** 12.04.2010 **Decision** Permit Full Planning Permission

Ward: Brindle And Hoghton **Date Decided** 07.06.2010

Proposal : Erection of single storey extension to main entrance and single storey extension to rear to form WC and staff room at approved farm shop and country store
Location : Farm Shop At Stanworth House Farm Bolton Road Withnell
Applicant: Stanworth House Farm Stanworth House Farm Stud Stanworth House Farm Bolton Road Withnell Chorley Lancashire PR6 8BP

Plan Ref 10/00285/FUL **Date Received** 14.04.2010 **Decision** Permit Full Planning Permission

Ward: Euxton North **Date Decided** 08.06.2010

Proposal : Demolition of the existing rear conservatory and the erection of a single storey rear extension to create an extended conservatory
Location : 47 Chestnut Avenue Euxton Chorley PR7 6BP
Applicant: Mr T Sellers 47 Chestnut Avenue Euxton Chorley Lancs PR7 6BP

Plan Ref	10/00289/FUL	Date Received	14.04.2010	Decision	Permit Full Planning Permission
Ward:	Lostock	Date Decided	27.05.2010		
Proposal :	Demolition of the exiting attached double garage and the erection of a two storey side extension to create additional living space and a single storey attached garage				
Location :	10 Coniston Way Croston Leyland PR26 9SD				
Applicant:	Mr Lee Morley 10 Coniston Way Croston Leyland PR26 9SD				
Plan Ref	10/00293/FUL	Date Received	16.04.2010	Decision	Permit Full Planning Permission
Ward:	Chorley South East	Date Decided	26.05.2010		
Proposal :	Change of use from shop (A1) to betting shop (A2) installation of new shop front, two air conditioning condenser units, one satellite dish and one TV aerial.				
Location :	16 Chapel Street Chorley Lancashire PR7 1BW				
Applicant:	William Hill				
Plan Ref	10/00297/FUL	Date Received	16.04.2010	Decision	Permit Full Planning Permission
Ward:	Euxton North	Date Decided	08.06.2010		
Proposal :	Rear conservatory				
Location :	55 Briar Avenue Euxton Chorley PR7 6BQ				
Applicant:	Mr Julian Kobelt 55 Briar Avenue Euxton Chorley PR7 6BQ				
Plan Ref	10/00299/ADV	Date Received	19.04.2010	Decision	Advertising Consent
Ward:	Chorley North West	Date Decided	27.05.2010		
Proposal :	Display of two internally illuminated signs on front and side elevation of building.				
Location :	53-55 St Thomas's Road Chorley PR7 1JE				
Applicant:	Ms Andrea Stamp Forbes Solicitors 4 Rutherford House Wellington Street(St.Johns) Blackburn Lancs BB1 8DD				
Plan Ref	10/00305/FUL	Date Received	21.04.2010	Decision	Permit Full Planning Permission
Ward:	Pennine	Date Decided	27.05.2010		
Proposal :	Erection of a two storey side extension to create additional living space, single storey rear extension creating additional floor space				
Location :	11 Black Brook Close Heapey Chorley PR6 9AJ				
Applicant:	Mr & Mrs D Goodram 11 Black Brook Close Heapy Chorley Lancashire PR6 9AJ				

Plan Ref 10/00381/MNMA **Date Received** 13.05.2010 **Decision** Minor Non-Material Amendment Accepted

Ward: Astley And Buckshaw **Date Decided** 27.05.2010

Proposal : Application for Minor Non Material Amendments to planning application 08/01100/REMMAJ (Tesco store) and 08/01099/FUL (Tesco filling station)

Location : Land South Of Buckshaw Avenue Buckshaw Avenue Buckshaw Village Lancashire

Applicant: Tesco Stores 1 Portland Street Manchester M1 3BE

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