



Development Control Committee

Agenda and Reports

For consideration on

Thursday, 22nd July 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.

13 July 2010

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 22ND JULY 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 Thursday, 22nd July 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 Development Control Committee meeting held on 22 June 2010 (enclosed)

4. **Planning applications to be determined (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 or may be viewed in advance following the links to current planning applications on our website.

http://planning.chorley.gov.uk/PublicAccess/TDC/tdc_home.aspx

- (a) **09/00909/FUL - Woodcock Barn, Runshaw Lane, Euxton (Pages 11 - 18)**

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

- (b) **10/00276/FULMAJ - Land 100m East of Crompton Walk, Buckshaw Avenue, Buckshaw Village, Lancashire (Pages 19 - 30)**

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

- (c) 10/004040/FULMAJ - Formerly Multipart Distribution Limited, Pilling Lane, Chorley
(Pages 31 - 42)

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

- (d) 10/00456/FUL - St John's Ambulance Hall, 1 Granville Street, Adlington, Chorley
PR6 9PY (Pages 43 - 50)

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

- (e) 10/00359/FULMAJ - Dog and Partridge, 30, Chorley Lane, Charnock Richard,
Chorley PR7 5ES (Pages 51 - 66)

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

- (f) 10/00181/FULMAJ - Altcar Farm, Altcar Lane, Euxton, Leyland, PR25 1LE (Pages
67 - 74)

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

5. **Planning Appeals Notification Report (Pages 75 - 76)**

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

6. **Confirmation of Tree Preservation Order No.5 (Euxton) 2010 (Pages 77 - 78)**

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

7. **Delegated decisions determined by the Director of Partnerships, Planning and**
Policy in consultation by the Chair and Vice Chair of the Committee (Pages 79 - 82)

Planning applications delegated on:

22 June 2010 (schedule enclosed)

9 July 2010 (schedule enclosed)

8. **Planning applications determined by the Director of Partnerships, Planning and**
Policy under delegated powers (Pages 83 - 98)

A schedule of the applications determined between 10 June and 6 July 2010 (enclosed)

9. **Application for certificate of lawfulness - 09/00958/CLEUD - Yew Tree House Farm,**
Coppull Lane, Coppull (Pages 99 - 104)

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

10. **Enforcement Items to be determined**

- (a) Enforcement Report - Erection and use of buildings for Milk Processing, formation
of hardstanding, erection of silos on land at Yew Tree Farm, Coppull Hall Lane,
Coppull (Pages 105 - 110)

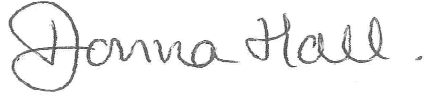
Report of Director of Partnerships, Planning and Policy (enclosed)

- (b) Enforcement Report - Formation of Vehicular Access, 176a Wood Lane, Heskin, Chorley PR7 5NS (Pages 111 - 116)

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

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

Yours sincerely



Donna Hall
Chief Executive

Cathryn.Barrett
Democratic and Member Services Officer
E-mail: cathryn.barrett@chorley.gov.uk
Tel: (01257) 515123
Fax: (01257) 515150

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 Caunce, 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

01257 515823

کیجئے:

This page is intentionally left blank

Development Control Committee

Tuesday, 22 June 2010

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

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

Also in attendance: Councillors Kevin Joyce (Eccleston and Mawdesley) and Keith Iddon (Eccleston and Mawdesley)

10.DC.164 APOLOGIES FOR ABSENCE

There were no apologies for absence.

10.DC.165 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest declared.

10.DC.166 MINUTES

RESOLVED – That the minutes of the Development Control Committee meeting held on 25 May 2010 be confirmed as a correct record and signed by the Chair.

10.DC.167 PLANNING APPLICATIONS AWAITING DECISION

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

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

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

Members received information on the addendum that the applicant had offered to amend the planning application. Following Members discussion it was proposed by Councillor Mick Muncaster, seconded by Councillor David Dickinson to defer the decision to allow for a site visit once the amended application had been received. Upon being put to vote the motion was lost.

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

The applicant's agent on a point of order contended that an amended application had been submitted. Following a short adjournment the Legal officer responded

that a valid amended application had not been received due to the lack of substantive plans in support and accordingly the planning application was considered.

The Director of Partnerships, Planning and Policy amended the recommendation in the report to the effect that Members' decision should be subject to further consultation between the Head of Governance, the Director of Partnerships, Planning and Policy and the Chair on the merits of the point of order raised by the applicant before a decision notice is issued; and that the application be referred back to the Committee if the advice to the Chair were that the point of order should be upheld.

Application no: 10/00252/OUTMAJ
 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 wheelchair park and associated infrastructure works including: - car parking and roadways, servicing, drainage and landscaping.
 Locations: The Legacy Rainbow House, Salt Pit Lane, Mawdesley, Ormskirk
 Decision:

It was proposed by Councillor Simon Moulton, seconded by Councillor Ralph Snape to refuse the planning application.

An amendment to the motion was proposed by Councillor David Dickinson, seconded by Councillor Mick Muncaster to defer the decision to allow Members of the Committee to visit the site of the proposed development, upon being put to the vote the motion was lost.

The original motion was then voted upon and was subsequently **RESOLVED (7:3) to refuse the outline planning permission in accordance with the officer recommendation above.**

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

Application no: 10/00267/FULMAJ
 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)
 Locations: 41 Church Lane, Charnock Richard, Chorley, Lancashire, PR7 5NH
 Decision:

It was proposed by Councillor Roy Lees, seconded by Councillor Ralph Snape and subsequently **RESOLVED by a majority decision to grant planning permission subject to the following conditions:**

1. The proposed development must be begun not later than three years from the date of this permission.
Reason: Required to be imposed by Section 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. 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.

15. No materials or equipment (other than plants, shrubs or trees) shall be stored on the north part of the site (as defined by the area in pink on drawing no. P0577/01 Rev B) other than inside the buildings unless otherwise agree to in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the Green Belt and in accordance with PPG2 Policy No. DC1 of the Adopted Chorley Borough Local Plan Review.

16. 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.

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

(The Committee heard representations from the applicant's agent)

Application no:	10/00255/FUL
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.
Locations:	1-3 Park Road, Chorley, Lancashire, PR7 1QS
Decision:	

It was proposed by Councillor Ralph Snape, seconded by Councillor Lees and subsequently **RESOLVED unanimously to grant planning permission subject to the following conditions:**

1. The proposed development must be begun not later than three years from the date of this permission.
Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. 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.
3. 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.
4. The development hereby permitted shall not commence until a Noise Survey and mitigation measures (if deemed necessary as a result of the Noise Survey) has been carried out by a suitably qualified professional person and submitted to and approved in writing by the Local Planning Authority. The Noise Survey should look at the relationship between the apartments and the nightclub to the south and the potential for noise disturbance to potential occupiers of the apartments and whether or not the existing windows and wall construction are suitable to ensure noise levels are within acceptable levels. If the outcome of the Noise Survey is that noise levels would be unacceptable for occupiers of the apartments, mitigation measures should be proposed and implemented prior to the first occupation of the apartments and maintained as such at all times thereafter.
Reasons: To protect the amenities of the future occupiers of the apartments and in accordance with Policy Nos. EP20 and HS4 of the Chorley Borough Local Plan Review.
5. The proposed first and second floor windows in the west facing elevation of the existing building that will serve the bedrooms of the apartments on the first and second floor shall be fitted with Pilkington Privacy Level 3 obscure glazing (or a glass from an alternative manufacturer with the same level of obscurity) and shall be non-opening. Obscure glazed non-opening windows shall be retained and maintained as such at all times thereafter.
Reason: To ensure a suitable relationship is maintained between the apartments and the adjacent offices and in accordance with Policy No. EP20 of the Chorley Borough Local Plan Review.

10.DC.168 ENFORCEMENT REPORT - OPERATIONAL DEVELOPMENT LAND TO THE EAST OF 75 THE FARTHINGS, ASTLEY VILLAGE, CHORLEY

The Committee received a report of the Director of Partnerships, Planning and Policy asking Members to consider whether it was expedient to take enforcement action to secure the removal of the unauthorised development (metal container) from the land to the east of 75 The Farthings Astley Village Chorley. Planning permission exists for the use of the lad for caravan storage.

It was proposed by Councillor Dennis Edgerley, seconded by Councillor Ralph Snape and subsequently **RESOLVED that is was considered expedient to pursue enforcement action.**

10.DC.169 OBJECTION TO TREE PRESERVATION ORDER NO.4 (WHITTLE-LE-WOODS) 2010

The Director of Partnerships, Planning and Policy submitted a report seeking the Committee's instruction on whether to confirm Tree Preservation Order No.4 (Whittle-le-Woods) 2010, with or without modification, in light of receiving an objection.

An objection to the Order had been received from the owner of the petrol filling station which stated that the trees do not make a valuable visual amenity to the area and that they were not prominently situated.

It was proposed by Councillor Dennis Edgerley, seconded by Councillor Mike Devaney and subsequently **RESOLVED that the Tree Preservation Order No. 4 be confirmed.**

10.DC.170 PLANNING APPEALS NOTIFICATION REPORT

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, one planning application appeal that had been dismissed and two enforcement appeals dismissed.

RESOLVED – That the report be noted.

10.DC.171 DELEGATED DECISIONS DETERMINED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY IN CONSULTATION WITH THE CHAIR AND VICE CHAIR OF THE COMMITTEE

The Committee received, for information, schedules listing six 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 25 May 2010 and 9 June 2010.

RESOLVED – That the schedules be noted.

10.DC.172 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 13 May 2010 and 9 June 2010.

RESOLVED – That the schedule be noted.

Chair

Report

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

Planning Applications Awaiting Decision

Item	Application No.	Recommendation	Location	Proposal
4 (a)	09/00909/FUL	Refuse Full Planning Permission	Woodcock Barn Runshaw Lane Euxton Chorley PR7 6HB	Amendments to previously approved planning application ref: 08/01226/FUL to include change to roof pitch over side extension and changes to roof over garage (retrospective application).
4 (b)	10/00276/FULMAJ	Permit Full Planning Permission	Land 100m East Of 3 Crompton Walk Buckshaw Avenue Buckshaw Village Lancashire	Erection of a children's nursery and swimming academy with associated landscaping, signage, boundary fence and car park at Buckshaw Village.
4 (c)	10/00404/FULMAJ	Permit Full Planning Permission	Formerly Multipart Distribution Limited Pilling Lane Chorley	Re-plan to plots R281 to R323 / R351 / R358 to R376 / R388 to R400 (76 No dwellings, garages and associated works) (76 No dwellings garages and associated works)
4 (d)	10/00459/FUL	Permit (Subject to Legal Agreement)	St Johns Ambulance Hall 1 Granville Street Adlington Chorley PR6 9PY	Proposed two storey development of 8 apartments
4 (e)	10/00359/FULMAJ	Permit (Subject to Legal Agreement)	Dog And Partridge 30 Chorley Lane Charnock Richard Chorley PR7 5ES	Erection of 28 residential dwellings with access roads, car-parking and landscaping including alterations to the public house car park.
4 (f)	10/00181/FULMAJ	Refuse Full Planning Permission	Altcar Farm, Altcar Lane, Euxton PR25 1LE	Erection of poultry building.

This page is intentionally left blank

Item 1 **09/00909/FUL**

Case Officer **Liz Beard**

Ward **Euxton North**

Proposal **Amendments to previously approved planning application ref: 08/01226/FUL to include change to roof pitch over side extension and changes to roof over garage (retrospective application).**

Location **Woodcock Barn Runshaw Lane Euxton ChorleyPR7 6HB**

Applicant **Mr Mike Catterall**

Consultation expiry: 6 January 2010

Application expiry: 7 January 2010

Proposal

1. This application relates to amendments to a previously approved planning application ref: 08/01226/FUL to include change to roof pitch over side extension and changes to roof over garage, which is a retrospective application.

2. The roofs have been built differently to those from the approved plans. The plans were approved in February 2009.

Recommendation

3. It is recommended that this application is refused.

Main Issues

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

- Design and appearance of the proposal on the existing dwelling.
- Impact on the amenity of the neighbour.

Representations

5. 1 letter of objection has been received from the neighbour, which are as follows:

- The owner has deviated from the original approved plan (08/01226/FUL).
- The roof pitch over the side extension is not as the original approved plans indicate. The new roof line does not incorporate a 'catslide' roof pitch. The reasons the planning officer insisted this could be included in the original plans still apply. The 'break' in the roof angle would clearly separate the garage/house line.
- The flat roof over the garage is substantially larger than indicated in the original approved plans. This has resulted in an extremely large and unsightly visible aspect from my bedroom window. The reasons the planning officer insisted on the original design and scale still apply.
- The garage has been substantially extended further than indicated on the original approved plans.
- The industrial guttering used is oversized aluminium box type which is not only visibly unsightly but extremely noisy as my bedroom window is now only a matter of a few feet away from the guttering.
- The scale, appearance and design of these substantial changes have already been irresponsibly implemented without authority which has now made the building extremely overbearing and intrusive towards my property. Such a large and overpowering building is I feel totally 'out of keeping' set against adjoining bungalows.

6. Euxton Parish Council; have not made any comments.

Consultations

7. Chorley's Conservation Officer states the nearest listed building is Bourne Farm, this development does not impact on the listed building.

Assessment

Design and Appearance of the Proposal on the Existing Dwelling

8. It was established in the report, on the previous application (08/01226/FUL) that due to the number of changes that had been carried out to the dwelling that it no longer had the character of an agricultural dwelling. Therefore it has to be looked at in terms of a more contemporary way.

9. There was some negotiation in the previous scheme to change the massing and bulk of the roof shown, and it was subsequently amended so as to create a 'cat slide roof' over the garage so it looks as if there is some form of separation between the two elements. A window was also added to the front elevation.

10. Since the approval of the scheme (including amended plans) the roof has been built differently to the approved plans. The roof has been built outwards to the side and the length of the garage with a change in the pitch. The main roof, where it links into the garage, has also been built differently to the approved plans in that there is no change in pitch from the main roof and that of the garage, so there is now a vast expanse of roof with the same pitch.

11. Both these elements dominate the building and are not considered subordinate to the dwelling. Therefore the proposal is not in keeping with the existing house. The previous scheme, although still shows a vast expanse of roof, the way that it was designed, by changing the pitch etc, meant that it was not so dominant.

12. The proposal, as previously approved is acceptable, and this proposal is unacceptable as it causes harm to the existing dwelling and therefore detracts from it surrounds. For this reason it is contrary to Saved Policies DC8A and GN5 of the Local Plan Review.

Impact on the Amenity of the Neighbour

13. The extensions to the roof are on the side elevation adjacent to the neighbouring property (Pippins). The neighbouring property has a side window, in the gable elevation, looking out onto the roof and garage extension, and Woodcock Barn is set back further from Pippins therefore enabling the roof to be viewed from the rear garden of Pippins as well.

14. The main roof of Woodcock Barn, as previously described, is a large expanse which dominates the outlook from the garden and rear window of Pippins, and as such is overbearing on the neighbouring property. The garage roof is also dominant when viewed from the side window at Pippins. Although the side window is not a principle window it again is overbearing.

15. Whilst on plan the changes only appear small, it is the design of the roofs that is the key to reaching an acceptable scheme, which was looked at in the previous application, and explicit within the officer's report for application 08/01226/FUL. It is apparent that this was not an acceptable design solution when originally submitted under application 08/01226/FUL, and the applicant was made aware of this. There have been no changes in policy since then to mean that such a scheme would now be considered any differently or favourably.

16. The proposal is considered to be over dominant and overbearing, and will cause harm to the amenity of the neighbour, and as such is contrary to the guidance as set out in the Householder Design Guidance.

Overall Conclusion

17. The proposed amendments to the previously approved scheme are unacceptable. The amendments cause harm to the design and appearance of the existing dwelling and impact on the

amenity of the neighbours at Pippins. The proposal is therefore contrary to Saved Policy DC8A, and the House Extension Guidance and is therefore recommended for refusal.

Planning Policies

National Planning Policies:
PPS2

North West Regional Spatial Strategy
Policies: DP1 & CLCR1

Adopted Chorley Borough Local Plan Review
Policies: DC1, DC8A and GN5

Supplementary Planning Guidance:

- Householder Design Guidance

Chorley's Local Development Framework

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

Planning History

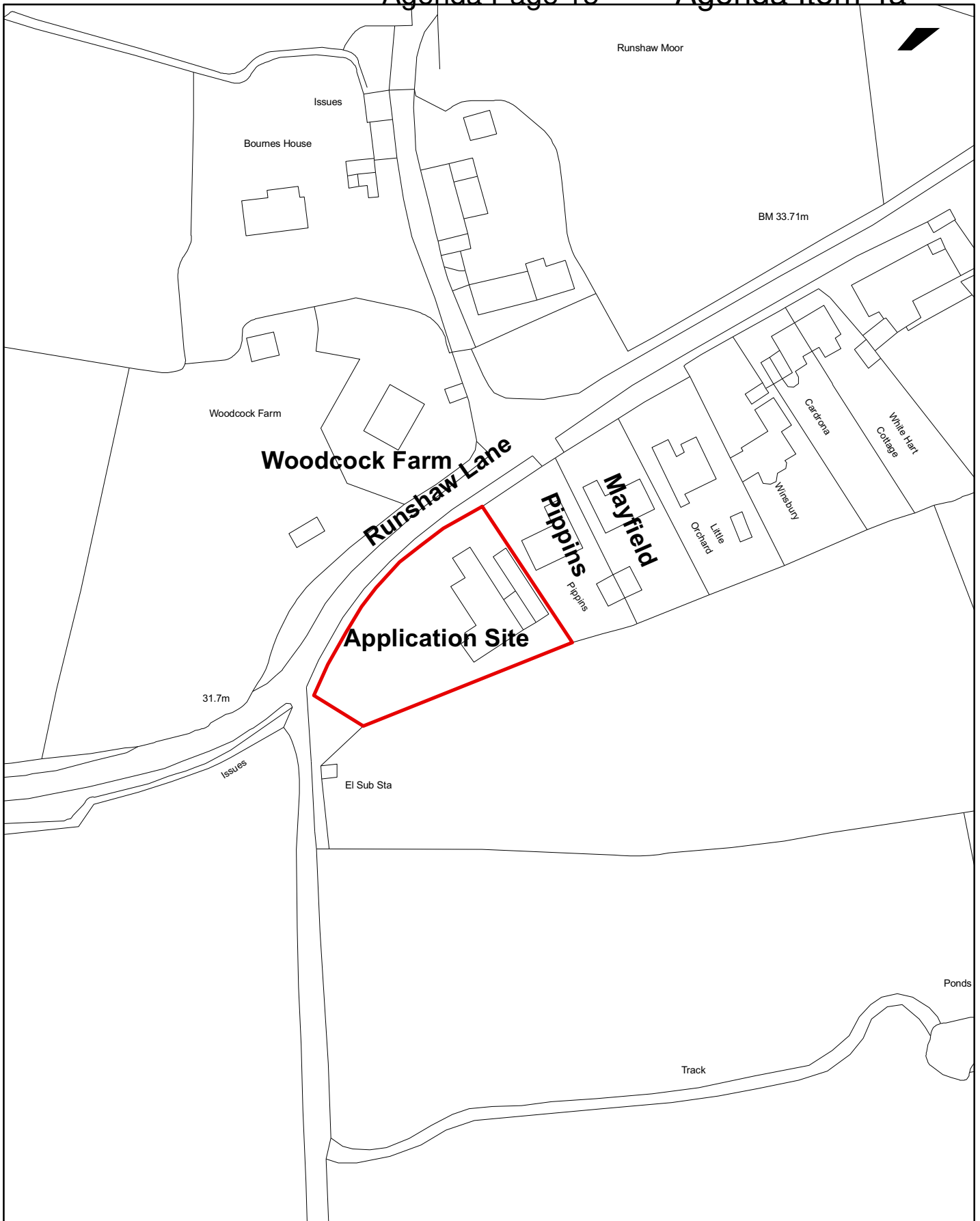
08/01226/FUL Various extensions, alterations, and re-modelling of property. Approved 6 February 2009.

Recommendation: Refuse Full Planning Permission

Reasons

1. The proposed amendments by reason of their size, siting and design result in an overbearing impact on the neighbouring occupiers at 'Pippins' and cause harm to the design and appearance of the existing dwelling. The proposal is contrary to Saved Policy DC8A of the Chorley Borough Local Plan Review and the guidance as set out in the Householder Design Guidance SPD.

This page is intentionally left blank



Lesley - Ann Fenton
Director of Partnerships, Planning and Policy

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

Application No.

09/00909/FUL

Grid Ref:

E: 353611
 N: 419492

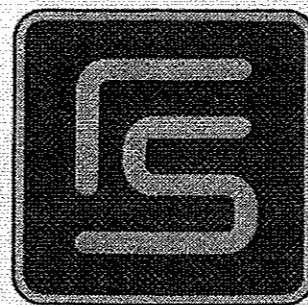
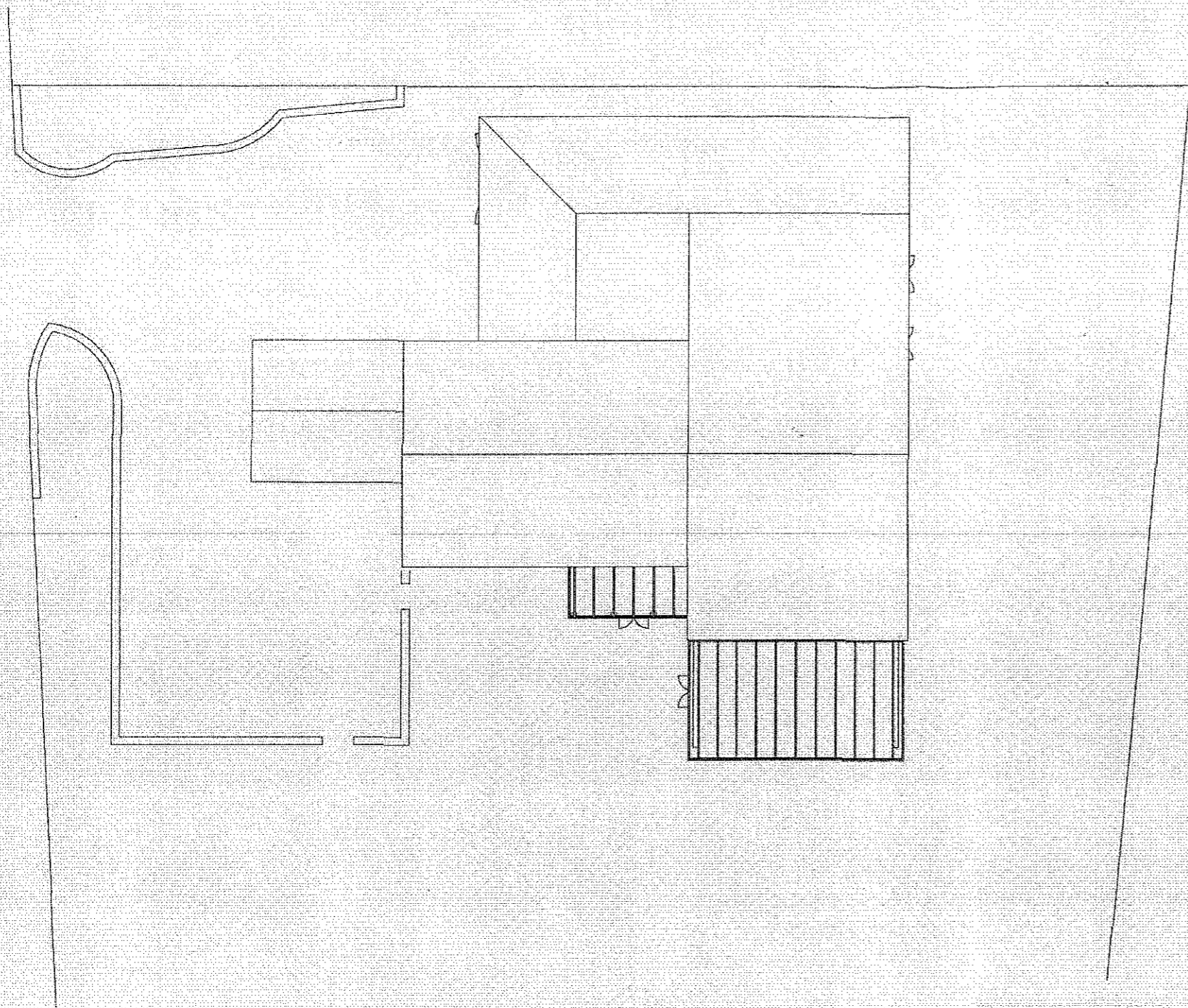
Scale:

1:1,250

2

This page is intentionally left blank

CHORLEY BOROUGH COUNCIL
 TOWN AND COUNTRY PLANNING ACT 1990
 12 NOV 2009
 THIS IS THE PLAN REFERRED TO IN
 APPLICATION No. 09/107



FletcherSmith
 ARCHITECTS

CLIENT
Mr & Mrs M Catterall

PROJECT
Woodcock Barn, Runshaw Lane, Euxton

TITLE
Site Plan

SCALE	1:200
DATE	12/05/08
DRAWN BY	DC
DRAWING NUMBER	3137-14

11 Riverside Business Village, Navigation Way, Preston, PR2 3YP
 t: 01772 723828 f: 01772 725467 e: mail@fletcher-smith.com

This page is intentionally left blank

Item 3 **10/00276/FULMAJ**

Case Officer **Caron Taylor**

Ward **Astley And Buckshaw**

Proposal **Erection of a children's nursery and swimming academy with associated landscaping, signage, boundary fence and car park at Buckshaw Village.**

Location **Land 100m East Of 3 Crompton Walk Buckshaw Avenue
Buckshaw Village Lancashire**

Applicant **Red Rose Holdings**

Consultation expiry: 2 June 2010

Application expiry: 5 August 2010

Proposal

1. This application is a full application for the erection of a children's nursery and swimming academy with associated landscaping, signage, boundary fence and car park at Buckshaw Village.

Recommendation

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

Main Issues

3. 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

4. One letter of objection has been received to the application. The points raised can be summarised as:
 - The proposal is at odds with the original masterplan and other developments in the vicinity of the site;
 - It will have a detrimental impact on their property;
 - It is overdevelopment of the site and there is no landscaping strip to reduce its impact opposite the properties on Bridgewater drive;
 - The site eats into the village green at the north end;
 - The opening hours of 7 days a week into the evening is in excess of what would be expected from a nursery alone and there will be noise from the pool;
 - The proposed additional pedestrian access on the east side of the building will result in people parking and dropping off there leading to increased parking and traffic.

Amended plans have been received which include introducing a landscaping buffer along the majority of the west boundary of the site and reducing the size of the site so it no longer eats into the village green. Neighbours have been notified of amended plans. No further representations have been received at the time of writing. Any received will be placed on the addendum.

Consultations

5. **NHS Primary Care Trust** – comment that carparking could be put under pressure if there is overspill parking from the site. 39 parking spaces are proposed whereas the size of the nursery and pool should have 103 parking spaces and 26 cycle stands.
6. **Lancashire County Council (Highways)** – state in response to the original plans there is no measurable impact on the highway network with the scheme, but the internal vehicular arrangements are flawed. The car provision is woefully under provided for. The standards are set out in the North West Plan Partial Review July 2009.
7. Crèches and nurseries should have one parking space per member of staff. Using the figures of staff v children ratios given on the plan, with the necessary support staff, it would seem towards 50 spaces are needed for the nursery alone. The pool floor space is used to calculate the parking requirement. That would require another 55 spaces. This is unacceptable and inadequate, and does not comply with the correct document. Car parking will then spill out on to the surrounding area and should be refused. One drop-off space is shown. This also will not be adequate as by definition, most drop-offs (and pick-ups) take place at the same times. There is no set figure for this, but would expect to see provision of a lay-by capable of holding six cars.
8. **Environment Agency** – has no objection subject to conditions.
9. **Chorley Environmental Protection** – have no objection to the proposal.
10. **United Utilities** – request a condition be added to any permission.
11. **Police Architectural Liaison Officer (MAPS)** – ask for consideration of the installation of CCTV and alarm system. They also request that the refuse store behind wooden fencing is reconsidered as it may be a fire risk and whether the disabled ramps will have an anti skateboard style topping.

Assessment

Principle of the development

12. The site the subject of this application is earmarked for a public house on the Buckshaw Masterplan. This part of the village is to form a hub of community facilities. Immediately to the northwest of the site is the community centre with the village green bounding the site to the north. To the immediate west is the site of the proposed health centre and to the south is the primary school currently under construction.
13. The initial plans for the scheme were more extensive to the north and east. However amended plans have been received reducing the extent of the scheme to the north so the proposal does not extend into the village green site and bringing the east elevation of the building further away from the pavement to allow a planting strip to be introduced between the building and the pavement.
14. There is a public house on Matrix Park, within South Ribble Borough and a pub has also been permitted on the southern side of the roundabout close to the primary school site on the edge of the Southern Commercial area. Buckshaw Village is therefore considered to be sufficiently served by public houses, and the erection of a nursery and swimming academy in this location is considered to sit more comfortably beside the adjacent community facilities of a school, health centre and community centre. It will also expand the range of facilities available to the residents of Buckshaw Village and is considered acceptable in principle in accordance with Policy GN2.

Appearance, Layout and Scale

15. The application site is prominent within Buckshaw Village being on a corner next to the primary school site. The building is of a modern design and its layout has been designed to take account of its corner position with the building close to the pavement and the carpark behind. In terms of scale the building has a two-storey entrance forming a feature on the prominent corner with each 'wing' of the building being lower than the central hub.
16. As stated above the layout of the building has been amended to reduce the site size to the north so it does not impinge on the village green. To the east the elevation of the building has been amended so it sits further back from the pavement to allow a landscaping strip to be introduced along much of the east side of the site, which forms a continuation of the strip

running down the north side of the village green. The north side of the site with the village green will be landscaped with a line of trees.

17. Internally the building is split into two distinct parts. From the entrance lobby the nursery is situated in the west 'wing' with rooms off a central corridor and each room having a small outdoor play area off it. There is also a dedicated after school club room with its own pedestrian access opposite the school site. The north 'wing' of the building is dedicated to the swimming academy with a 10m x 5m pool associated plant room, viewing gallery, toilets and changing facilities and a small café and shop and reception area. The first floor of the building will be offices and staff rooms for the nursery and swimming academy.
18. The building will be finished in a mixture of brickwork, render and timber cladding (a treatment used with success at the applicants site in Darwen) which will give the building a modern appearance appropriate to the site and in keeping with the modern design of the primary school situated immediately to the south.
19. The points raised by the MAPS team in relation to the materials around the refuse store and surfacing of the ramps can be covered by a planning condition.
20. The application is therefore considered acceptable in terms of appearance, layout and scale in accordance with Policy GN5.

Access and Parking

21. Parking is one of the main issues surrounding the application in light of the comments of LCC Highways. The case officer has been to visit the applicants existing site at Darwen to understand how it operates. It should be noted the amended plans have reduced the pool in size to 10m x 5m, which is the same size as the pool at the applicant's Darwen site.
22. The main pedestrian access to the proposed building will be gained at the southwest corner of the site, with a small separate pedestrian access to the after school club at the west end opposite the school site.
23. Vehicular access is via the car park to the rear of the building accessed up the west side of the site near the community centre. 29 parking spaces are proposed (including 2 disabled bays) with pedestrian access to building also being available from the rear carpark.
24. The comments of Lancashire County Highways and the PCT are noted, however the parking standards they refer to are for a nursery and a swimming pool open to the public all day. The applicant has submitted an Operation and Management Statement with the application to explain its operation in relation to staffing levels, visitor numbers and car parking requirements as they believe it is not an operation that standard parking levels can be applied to and they have experience from running their Darwen site, which is of a similar scale to that proposed.
25. The nursery can accommodate 28 babies and 81 children aged 1-5, with pre-and after school provision for 15 children. It is expected that there would be 93 children (75%) on site at any one time as some only attend part-time.
26. During the day the swimming pool is primarily used for teaching swimming with classes of 6 children, although at weekends children's parties will be catered for with evenings (and occasional day sessions) given over to adult classes including aqua aerobics and aquanatal classes. There is up to 12 people in the adult classes. Most of the sessions are pre-booked lessons and classes with the academy offering a minibus service collecting children from other local day nurseries. Some family swim sessions are also proposed.
27. In terms of parking, the nursery will open between 7am and 6pm with the pool open from 9am to 9pm during the week.
28. The Regional Spatial Strategy for the North West provided the parking standards for the new developments, but this has now been revoked. This provided standards for nurseries but not for training pools of this nature. It is therefore considered appropriate to take a common sense approach based on the operational nature of the building and the likely parking requirements necessary. The limited size of the pool at 10m x 5m also restricts the number of users (and has been reduced in size since the LCC Highways comments were received).
29. The applicant envisages 11 parking spaces will be needed for staff. 2 spaces for the pool staff (a pool manager and pool trainer) and 9 spaces for the nursery staff, based on half travelling to the site by car. From experience of running their existing business the applicant advises that many of the nursery staff are school leavers aged 17-18 just beginning their work careers and undertaking vocational qualifications and many are dropped off at the nursery or use public transport to travel to work. This leaves 18 parking spaces for visitors to the pool and nursery which are shared between the two uses.

30. The busiest time for parents collecting and dropping off children to and from the nursery is 7.30 – 8.30am and 4.30 – 5.45pm. The busiest time for the pool is between 9am and 4pm so does not overlap with the busiest times for the nursery and the nursery closes at 6pm. During the day the applicant advises the majority of children visiting the pool will come via mini-bus picked up from other nurseries, however there are some one-to-one lessons and also mother and baby sessions where it is expected they will come by car. These sessions have 6 children for a 30minute session at a time and with the overlap between sessions it is reasonable to assume that up to 12 parking spaces would be required at one time for the pool which leaves 6 other spaces available for other unaccounted for visitors and the mini-bus.
31. The pool is used in the evenings mainly for larger adult classes of up to 12 people, which are longer sessions of 45-60minutes. As the nursery closes at 6pm the whole 29 spaces will be available for use and with the overlap between sessions and staff this could mean a need for 26-27 spaces out of the 29 provided, assuming everyone came by car.
32. Given the proximity of the site to the primary school, community centre and proposed health centre site, it is considered necessary to ensure the site has sufficient parking within its own grounds to avoid overspill parking to the adjacent sites and surrounding roads. In assessing the parking provision the applicant has given detailed information on the operation of the nursery and pool from his experience running a site of a similar scale in Darwen. The case officer has visited this site and seen how it operates and it is considered that the parking provision level is acceptable for the proposed use, subject to a condition on opening hours. The condition will ensure the opening hours of the nursery and pool do not overlap to an extent that the demand for parking spaces outstrips supply.

Neighbour Amenity

33. The nearest properties to the proposed development are those to the east on Bridgewater Drive that face onto the part of the site that will form the swimming pool. The ground floor windows in the east elevation of the pool 'wing' facing towards the properties will serve a small shop, store, cupboard and a corridor to the pool. In the part of the building that has a first floor they will serve offices and staff rooms. There will be approximately 18.5m between the front of these properties and the east elevation of the building but this will be broken up by some planting to the east of the site. The relationship between the proposal and the properties on Bridgewater Drive is considered acceptable.
34. In terms of opening hours the nursery would open at 7am and close at 6pm on weekdays and would be closed at weekends and on bank holidays. The pool would open 9am to 9pm on weekdays, 9am to 8pm on Sundays and 9am to 6pm on Sundays. The nursery hours are considered reasonable for the use. In relation to the pool it would be expected that it would operate outside normal working hours as it is a leisure activity that many people undertake in their spare time. The opening hours are not considered excessive considering the distance to the properties opposite and that the carpark (where there may be the banging of car doors from vehicles as swimming sessions finish) is located to the rear of the building away from residential properties. Opening hours will be the subject of a condition.
35. There are no residential properties immediately to the north, south or west of the site, these being the village green, primary school, proposed health centre site and community centre.
36. The proposal is considered acceptable in terms of neighbour amenity.

Overall Conclusion

37. The application is considered acceptable in relation to policies GN2 and GN5 of the Local Plan subject to conditions. A public house was originally envisaged for this site, however there is an existing pub on Matrix Park and a pub has been given permission to the south of the roundabout close to the primary school. Buckshaw Village is therefore considered to be sufficiently served by public houses.
38. The erection of a nursery and swimming pool is considered to be a use more appropriate to the surrounding community uses of a primary school, community hall and health centre and will also increase the range of facilities available to the residents of Buckshaw. The design of the building is contemporary and will site comfortably alongside the contemporary design of the primary school. The proposal is therefore recommended for approval subject to conditions.

Planning Policies

39. Adopted Chorley Borough Local Plan Review
Policies: GN2, GN5

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 commence until full details of the colour, form and texture of all external facing materials to the proposed building(s) (notwithstanding any details shown on the previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The information shall include details of the surfacing of the disabled ramp to the front of the building. The development shall only be carried out using the approved external facing materials.

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

3. 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. Notwithstanding the details shown on the submitted plans, the hard ground- surfacing 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. 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, highway safety and to prevent flooding and in accordance with Policy Nos. GN5 and EP18 the Adopted Chorley Borough Local Plan Review.

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

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

5. Before the development hereby permitted is first occupied, the cycle parking shall be provided in accordance with the approved plan. The cycle parking area shall not thereafter be used for any purpose other than the parking of cycles.

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

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

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

7. No development approved by this permission shall be commenced until a surface water drainage strategy (including attenuation surface discharges from the development to existing

'green field rates') has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be completed in accordance with the approved strategy.

Reason: To reduce the risk of flooding and inaccordance with PPS 25.

8. The use hereby permitted shall be restricted to the following hours:

Nursery and associated facilities in west wing of building:

Monday to Friday	7am - 6pm
Saturday	Close
Sunday and Bank Holidays	Close

Pool and associated facilities in north wing of building:

Monday to Friday	9am - 9pm
Saturday	9am - 8pm
Sunday and Bank Holidays	9am - 6pm

Reason: To safeguard the amenities of local residents and to ensure that there is sufficient parking spaces on the site to accommodate the two uses and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.

9. The approved plans are:

Plan Ref.	Received On:	Title:
PL0 Rev A	25 th June 2010	Proposed Site Plan
PL1 Rev A	25 th June 2010	Proposed Floor Plans
10.20/PL2 Rev A	25 th June 2010	Proposed Elevations Sheet 1 of 2
10.20/PL3 Rev A	25 th June 2010	Proposed Elevations Sheet 2 of 2

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

10. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

11. 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.

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

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

13. Surface water must not discharge to the foul/combined sewer. The site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge directly in to the nearby watercourse (and may require the consent of the Environment Agency).

Reason: To secure proper drainage and prevent foul flooding and pollution of the environment and in accordance with PPS25.

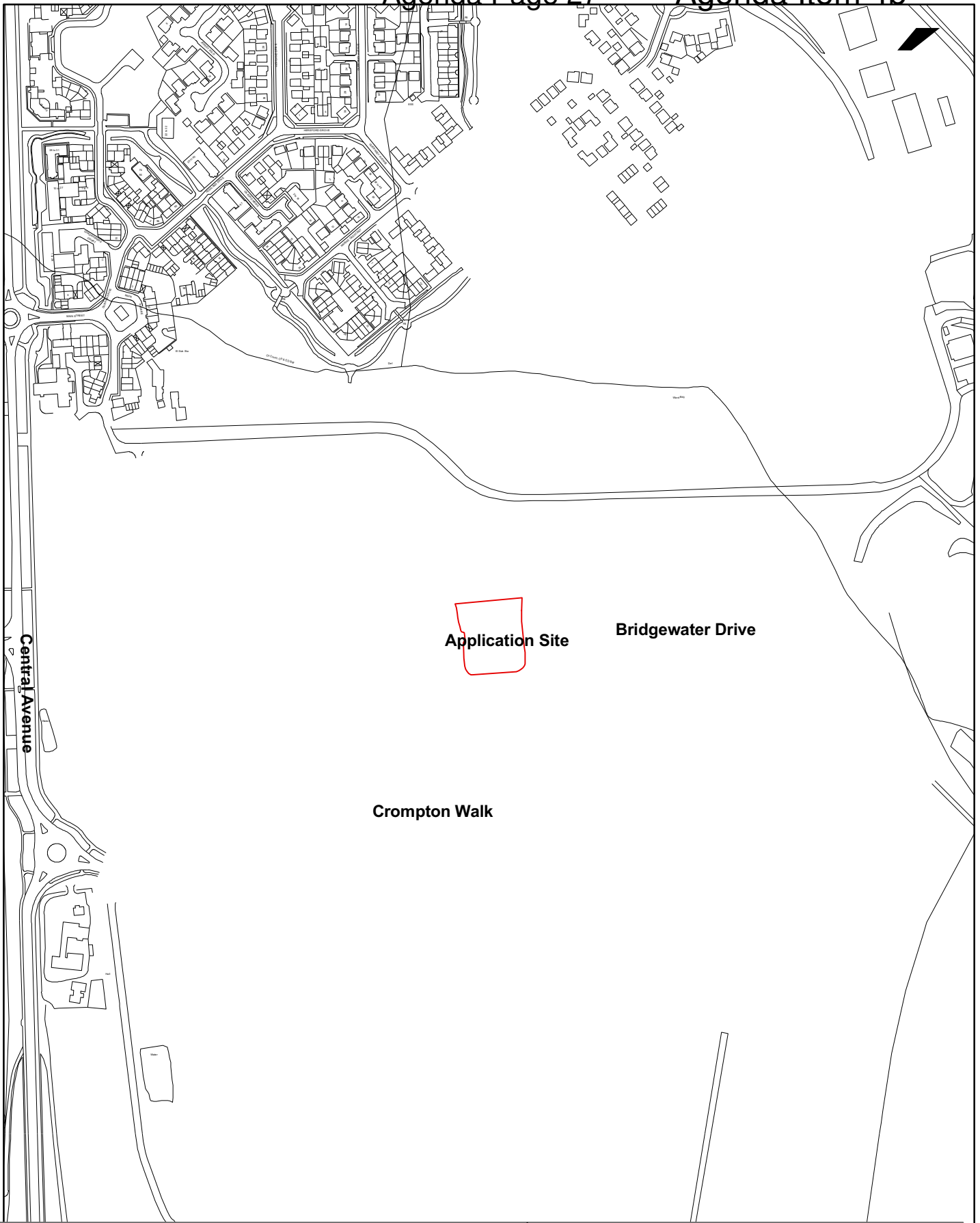
14. Before the use of the premises hereby permitted is first commenced, full details of any lighting proposals for the site shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such details shown on previously submitted plans. The development shall only be carried out in conformity with the approved details.

Reason: To protect the appearance of the locality, in the interests of public safety and crime prevention and in accordance with Policy GN5 and EP21A of the Adopted Chorley borough Local Plan Review.

15. If, during the course of development, any suspected contamination is found that has not been identified in the site investigation and site remediation for Buckshaw, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures, and a validation report shall be submitted to the local planning authority for approval.

Reason: In the interests of safety and in accordance with PPS23.

This page is intentionally left blank



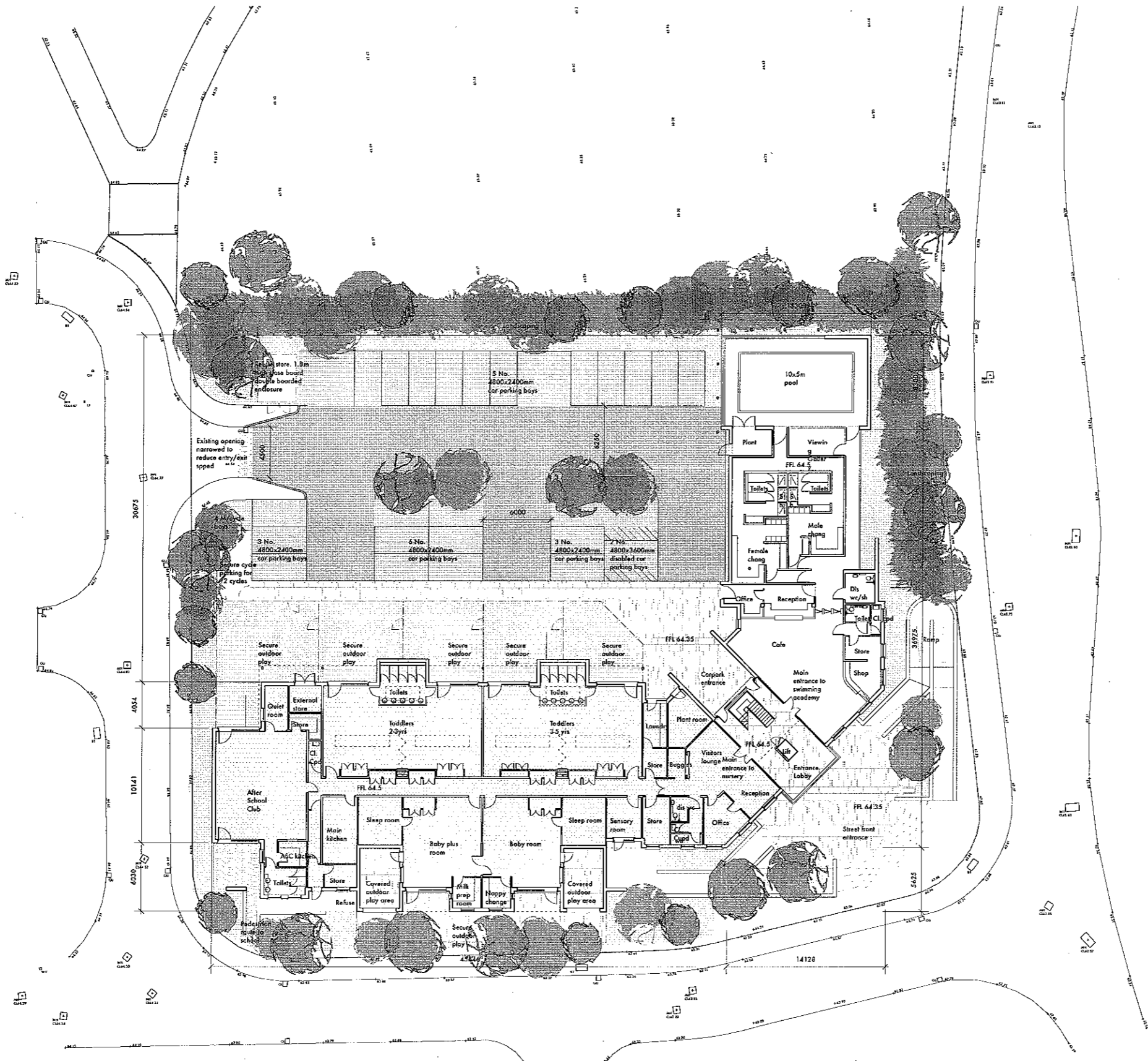
<p>Lesley - Ann Fenton Director of Partnerships, Planning and Policy</p>		<p>Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Chorley B.C. 100018509</p>	
<p>Application No. 10/00276/FULMAJ</p>	<p>Grid Ref: E: 356636 N: 420328</p>	<p>Scale: 1:4,500</p>	<p>3</p>

This page is intentionally left blank

this drawing is to be read in conjunction with all relevant consultants and specialists drawings. the architect is to be notified of any discrepancies before proceeding. do not scale from this drawing. all dimensions are to be checked on site. this drawing is subject to copyright.



0m 10m scale



A Site Plan
Scale: 1:200

Rev A Resubmitted for planning June 2010

stanton andrews
architects

44 york street
ditheroe
BB7 2DL

t 01200 444490
f 01200 444491
e mail@stantonandrews.co.uk
w stantonandrews.co.uk

Red Rose Dry Lining
Buckshaw Village Nursery

Proposed Site Plan

dra.no.	PL 0	rev.	A
drawn.	cs	date.	June 2010
		scale.	1 to 200 @A1

This page is intentionally left blank

Item 4 **10/00404/FULMAJ**

Case Officer **Liz Beard**

Ward **Chorley South East**

Proposal **Re-plan to plots R281 to R323 / R351 / R358 to R376 / R388 to R400 (76 No dwellings, garages and associated works) (76 No dwellings garages and associated works)**

Location **Formerly Multipart Distribution Limited Pilling Lane Chorley**

Applicant **Redrow Homes (Lancashire) Limited**

Consultation expiry: 30 June 2010

Application expiry: 26 August 2010

Proposal

1. The proposal is to re-plan plots R281 to R323, R351, R358 to R376, R388 to R400 which is a total of 76 no. dwellings, garages and associated works.
2. The proposal will provide 2 no. 2 bedroom apartments (2 storey), 6 no. 2 bedroom houses (2 storey), 28 no. 3 bedroom houses (2 storey), 20 no 4 bedroom houses (2 storey), 12 no. 4 bedroom houses (2.5 storey) and 8 no, 4 bedroom houses (3 storey).
3. There will be a 7 less dwellings included in this phase, from what was previously approved, which reduces Redrows total to 194 dwellings on the overall site.

Recommendation

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

Main Issues

5. The main issues for consideration in respect of this planning application are:
 - The design and appearance of the proposal.
 - The tenure and mix of the properties provided.
 - Whether the proposal complies with the appropriate privacy distances and other guidance as set out in the Council's design guidance.

Representations

6. There has been one letter of objection received, where the following issues are raised:
 - Residents on Kirkstall Road were not consulted.
 - Original planning was given to Redrow to build dwellings not overlooking the much lower residents viz. 33, 35, and 37 Kirkstall Road: this replan will afford a view directly into the bedrooms of Kirkstall bungalows.
 - No-one has approached those residents to discuss possible replacement of a boundary in very poor repair.
 - Cross hatched areas adjoining the boundary fence are not specified. The existing mature trees are both large and in good health: what does the environmental impact strategy stipulate in this regard?
 - Boundary A-E to be replaced but non-one to know what with.
 - Given extensive re-plan and serious lack of privacy for residents on Kirkstall Road therefore feel compelled to contact Lindsay Hoyle on behalf of existing ratepayers.

Consultations

7. The Environment Agency have no objection in principle but state that surface water run off should be restricted to existing rates in order that the proposed development does not contribute to an increased risk in flooding. Surface water run-off can be managed through the use of sustainable drainage systems (SUDS). It is also recommended that the developer considers the following; water management within the development, use of sustainable forms of construction including recycling materials and energy efficient buildings.
8. United Utilities have no objection to the layout change and the previous comments provided with application 07/01226/REM still apply. These relate to providing a separate drainage system with only foul drainage connected into the foul sewer.
9. Lancashire County Council (Highways)- No comments received.
10. Environmental Protection –No comments received.
11. Council's Tree Officer- No comments received.

AssessmentDesign and Appearance

12. Outline planning permission with all matters reserved, except for access, was approved in April 2005 for residential development. Subsequently all reserved matters have been approved by way of three reserved matters applications. Therefore the principle of development has been established and this application is considering a re-plan of a number of plots with a view to using different house types. Therefore the design and layout of these plots will be considered as part of this application.
13. 'The Central Area' (Plots R358 to R361/R363-373 but excluding R371) was designed to have 3 storey dwellings, and this has been retained. The rear parking courts have been removed in favour of integral garaging and frontage parking to meet the current market demand. All the plots highlighted will be retained as 3-storey dwellings as approved under application ref. 09/00594/FULMAJ, but will be a different house design. However, it proposed to change the adjacent plots R362 and R368 to 2.5 storey house types to ensure there is a roofscape graduation onto the streetscene.
14. 'The Square Area' (Plots 288 to 299) has been retained with a square arrangement, with traditional 2 storey terraced cottages and 2.5 storey semi-detached dwellings. The garage blocks assist with squaring off the space and ensuring a private and secure environment for the residents. Access, into the area, is obtained between the double garages of Plots R299 and R288, from the retained Homezone and landscaped space.
15. Plots R300 and R301 have been reorientated to create a visual focal stop to the approach into the homezone area. The garages are also aligned so they match the position of the houses and creates additional privacy to the frontage of these two dwellings.
16. 'The Traditional Square' Area (Plots R302 to R306 & R398) have been changed so there is a change in house type which makes a transition from the more formal terraced and semi-detached denser zones of development to a more detached form of development to the Eastern Parcels. Plots R303 and R303 forms a mirrored visual stop when viewed from the Eastern approach and the same goes for plots R305 and R306 when approached from the north. Plot R398 is an L-shaped dwelling type that turns the corner and serves to create an entrance point to the latter end of the site.
17. The frontage onto Lighthurst Lane (Plots R281 to R285) has been designed in a similar way to the approved scheme with a strong build frontage to Plots R282 to R285 and a corner turning dwelling type to Plot R281. The existing sub-station is retained along with its easement and framed with two detached garages. Access is gained into this area between Plots R281 and R286.

18. The actual design of the dwellings proposed are the evolution of the current house type range that has already been used on this development and in other parts of the country. The plot layouts and orientations are largely the same as the approved scheme, but by bringing updated designs ensures that Redrow meet their customer's needs.

Tenure and Mix of Properties

19. The tenure and mix of the properties ranges from 2 bedroom apartments to 4 bedroom houses. It provides a variety of housing for first time buyers, people moving into the area and for people moving within the area. This scheme provides a virtually identical range of house types, but they are updated designs from Redrows new range of house types. This is considered appropriate and fulfils the requirements as set out in PPS3.

Compliance with Council's Design Guidance

20. The privacy distances, garden areas and parking requirements have all been considered. All of the properties internally within the parcels achieve the required spacing standards to ensure the amenities of future residents are protected.

21. There are some garden areas which are not 10 metres in length, however, in these instances the garden areas are relatively wide which ensures that sufficient private amenity space is provided for the dwellinghouse in accordance with PPS3. In these instances where the garden is not 10 metres in length these properties are sited to ensure there will be no overlooking created by first floor windows to neighbouring garden areas and therefore complies with PPS3.

22. Where all the new houses bound existing established housing the garden areas are all 10 metres or more in length. A plan has been provided to demonstrate the following:

- Plot 321 provides 15.76m distance from its blank gable to the rear of the existing property to Melrose Way. Although there is a slight reduction, as the previous distance was 16.56m the figure is still within the Council's standards and the dwelling has been reduced from 2.5 storeys to 2 storeys in height.
- Plot R320 provides a 21.26m rear to rear aspect and has been reduced from 2.5 storeys to 2 storeys in height.
- Plot R319 has been reduced from 2.5 storeys to 2 storeys in height. The distance has been improved by 0.65m.
- Plot R318 replaces two previously approved plots. It is orientated differently and achieves a privacy distance of 41.02m to the existing dwellings on Kirkstall Road.
- Plot R317 distance is improved by 0.86m.
- Plot R316 distance is improved by 0.75m.
- Plot R315/R314 (previously R314/313) have been re-orientated so R315 achieves a privacy distance of 25.09m and R314 achieves a privacy distance of 25.15m. Both these plots have been reduced from 2.5m storeys to 2 storeys in height.
- Plot R313 has a distance of 18m from the gable elevation to the existing property on Kirkstall Road and 24.37m from the rear to rear elevations of other properties. This property is shown to change from 2.5 storeys to 2 storeys.
- Plot R312 provides a distance of 27.62m from the rear elevation to the existing property on Kirkstall Road. This property is shown to change from 2.5 storeys to 2 storeys.
- Plots R311/R310 have changed in orientation and from 2.5 storeys to 2 storeys. The privacy distances are 36.68m and 43.5m respectively to the existing properties on Kirkstall Road.
- Plot R309 the privacy distance has been improved by 2.33m
- Plot R308 the privacy distance has been improved by 2.33m
- Plot R307 the privacy distances are 26.45m from the existing property, which is an increase in approximately 3.362m.
- Plots R306/R305 show a privacy distance of 22.08m.
- Plots R304 show that the side gable has been moved a further 10.74m into the site away from the boundary to the existing houses.
- Plots R294/R293 show privacy distances of 19m and 22.39m respectively from the side gable to the existing rear elevations. This area was previously a large block of 2 and 3 storey dwellings which backed onto the site boundary.

- Plots R285 shows an improved gable location of 1.46m. The plot has been moved further into the site and reduced from 2.5 storeys to 2.0 storeys.

The proposal therefore complies with the Council's guidance and PPS3.

Neighbours Concerns

23. The residents on Kirkstall Road were sent a letter notifying them of the development, including the resident who sent in the objection letter.
24. Changes have been made to proposed properties that bound onto Kirkstall Road and these properties do not overlook the existing properties. In some instances the privacy distances have been increased and the orientation of the properties has also improved aspects.
25. Redrow will consult with the residents in relation to the boundary treatment if planning approval is given.
26. The cross-hatched areas relate to the trees which are to be retained as part of the current approval.
27. The boundary details A-E relates to a Timber Fence 1.8m high which was approved as part of the original planning permission.

Overall Conclusion

28. The proposed substitution of house types are acceptable and do provide a range of tenure for the area. The mix of materials and designs is appropriate for the area and fits in with what has already been approved. The proposal is therefore considered acceptable and complies with national, regional and local policies.

Planning Policies

National Planning Policies:

PPS1 and PPS3

North West Regional Spatial Strategy

DP1: Spatial Principles,

DP7: Promote Environmental Quality

Adopted Chorley Borough Local Plan Review

GN1: Settlement Policy

GN5: Building Design and Retaining Existing Landscape Feature and Habitats

HS4 Design and Layout of Residential Development

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Chorley's Local Development Framework

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

Planning History

04/00934/OUTMAJ Residential development including roads, sewers, open space, landscaping and associated works. Approved April 2005.

07/01227/REMMAJ Reserved matters application for the construction of access road, public open space, children's play area and associated landscaping. Approved January 2008.

07/01228/REMMAJ Reserved matters application for the erection of 200 houses, with associated roads, footpaths and works. Approved January 2008.

09/00594/FULMAJ Re-plan of part of the site including the construction of 42 dwellings, garages and associated works (amendment to reserved matters approval 07/01228/REMMAJ), including arrangements to existing parking areas to serve Plots 343-351 and 371. Approved November 2009.

Recommendation: Permit Full Planning Permission Conditions

1. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

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

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

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.

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

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

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

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

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

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

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

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

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

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

8. Prior to the commencement of the development full details of the Management Company to deal with the future management and maintenance of the site shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company.

Reason: To ensure the satisfactory management of the unadopted highways and public open space and in accordance with Policies TR4 and HS21 of the Adopted Chorley Borough Local Plan Review.

9. No dwelling hereby permitted shall be occupied until that part of the service road which provides access to it from the public highway has been constructed in accordance with the approved plans.

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

10. The garages hereby permitted shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

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

11. Prior to the commencement of the development full details of the proposed residents consultation procedure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information on how the residents will be kept informed on the progress of the development prior to commencement and during the development period. Additionally details of the main contact / site manager during the development shall be provided to the Local Planning Authority and the residents prior to the commencement of the development. The residents consultation plan shall be implemented and completed in accordance with the approved procedure.

Reason: To ensure that the existing residents are fully aware of the progress of the development.

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 plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

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

13. The development hereby permitted shall be carried out in accordance with the measures set out within the action plan of the Residential Travel Plan dated April 2009 (submitted under application 09/00374/DIS).

Reason: To reduce the number of car borne trips and to encourage the use of public transport and to accord with Policies TR1 and TR4 of the Adopted Chorley Borough Local Plan Review.

14. The approved plans are;

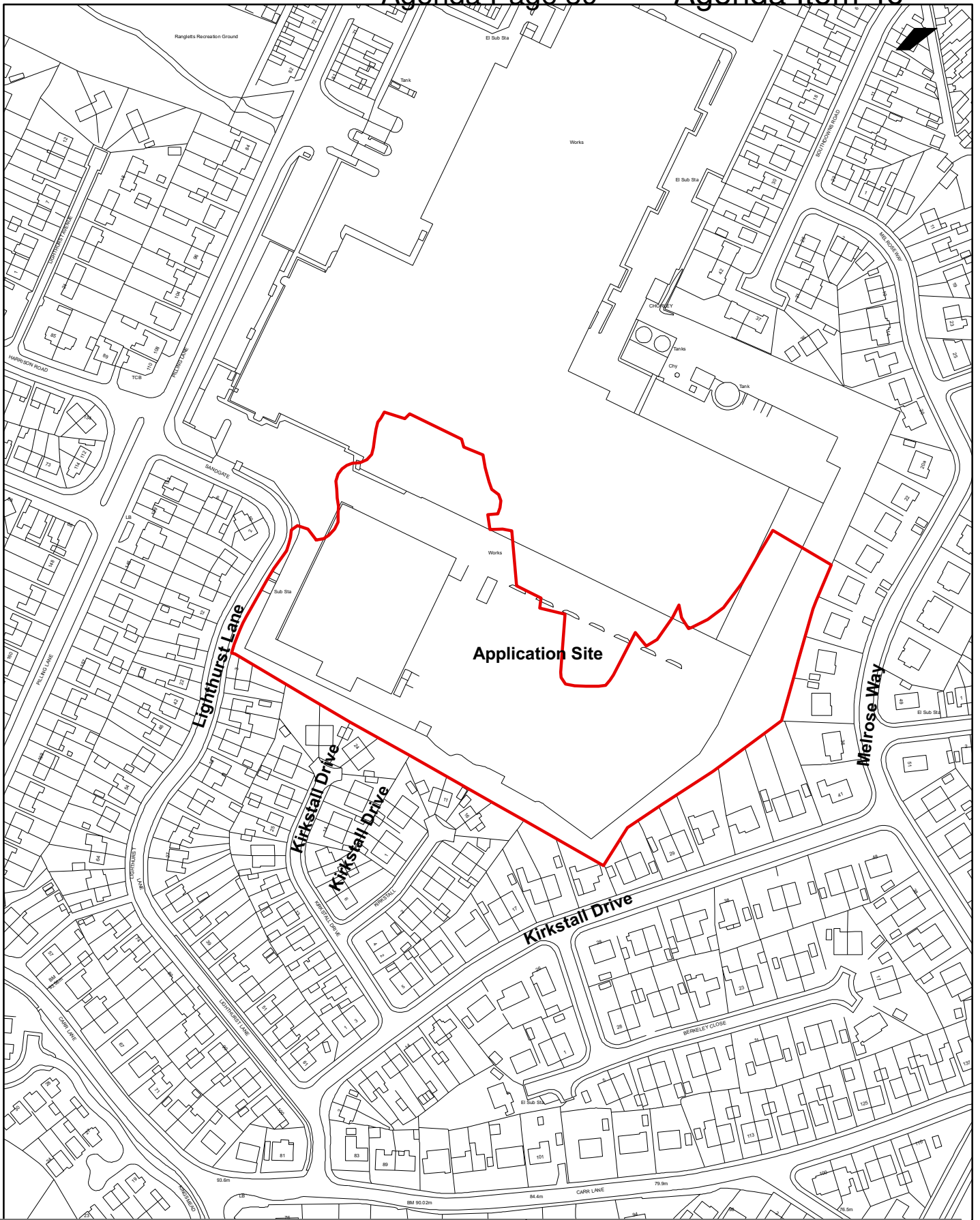
Plan Ref/Title.	Received On:	
4081-11-02-003	21 May 2010	Location Plan
4081-11-02-001	21 May 2010	Planning Site Layout House Types
The Warwick	21 May 2010	C Series Render C3H102
The Stratford	21 May 2010	C Series Brick C4H109
The Tenby	21 May 2010	C Series Render C3H092

The Kensington+	21 May 2010	Mid Unit C4H140/End UnitC4H144
The Kensington+	21 May 2010	Side Elevation and Rear Elevation
The Kensington+	21 May 2010	Floor Plan
The Cambridge	21 May 2010	C series Brick C4H133
The Kenilworth	21 May 2010	C Series Brick C3H108
The Canterbury	21 May 2010	C Series Brick C4H141 Elevations
The Canterbury	21 May 2010	C Series Brick C4H141 Floor Plans
The York	21 May 2010	C Series Render C4H134
The Chester	21 May 2010	C Series Render C4H136
The Shrewsbury	21 May 2010	C Series Render C4H107
The Broadway & The Evesham	21 May 2010	C Series Brick C2H068 & C3H081 (Elevations and Floorplans)
The Ashdon(B)	21 May 2010	Option 2 detached garages
4081-GPD-02	21 May 2010	Garage and Planning Drawings

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

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

This page is intentionally left blank



Lesley - Ann Fenton
Director of Partnerships, Planning and Policy

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

<p>Application No. 10/00404/FULMAJ</p>	<p>Grid Ref: E: 358655 N: 416494</p>	<p>Scale: 1:2,500</p>	<p>4</p>
---	--	--------------------------------	----------

This page is intentionally left blank

This page is intentionally left blank

Item 5 **10/00459/FUL**

Case Officer **Caron Taylor**

Ward **Adlington & Anderton**

Proposal **Proposed two storey development of 8 apartments**

Location **St Johns Ambulance Hall 1 Granville Street Adlington
ChorleyPR6 9PY**

Applicant **Pel Developments Ltd.**

Consultation expiry: 15 July 2010

Application expiry: 5 August 2010

Proposal

1. This application is a full application for the erection of a two-storey development of 8 apartments.
2. An application for a 3 storey development of 9 apartments on the stie (ref: 09/00687/FUL) was withdrawn in October 2009.

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 of objection has been received to the application at the time of writing. Ay further representations received will be placed on the addendum. The points raised can be summarised as:
 - Object to the concept of flats in terms of the nature of the area and the traffic management problems that will arise;
 - The proposed vehicle access point to the flats is opposite the health centre in the most congested location on the street which will have an addition effect on highway safety and parking problems;
 - There will be more cars using the junction with Railway Road which will increase the dangers of this junction;
 - One resident states they have no objection to the revised plans (they are more acceptable than the previous submission) but traffic is a major concern. Granville Street is a busy cul-de-sac and many people use it to park for local school, churches and nursery resulting in high volumes of traffic and constant movement;
 - There is insufficient parking at the GP surgery. The site creates parking for the medical centre and there is still overspill parking to Granville Street, speeding vehicles and people turning round in residents driveways;
 - Although the scheme may propose enough parking for residents there will not be parking for visitors;
 - Could traffic calming be put in place?
 - The proposed building is not in keeping with the surrounding area. Granville Street is made up of bungalows and a higher, larger building will stick out like a sore thumb and be overbearing on the surrounding properties. It is too intensive for the site.

- There is an error on the plans. The frontage of the site is shown as 9.5m deep but is only 8.5m on site. They therefore assume the frontage need to be reduced in depth reducing the number of carparking spaces.

The case officer has checked the depth of the frontage with the agent. They have confirmed that the dimension on the proposed layout of 9.5m to the front lawn area should read 8.5m. This was an error in writing the dimension and in no way effects the layout as the correct figure reflects the overall length of the site. They state it will not effect the proposed parking spaces to the front of the site. An amended plan has been received correcting the dimension error.

Consultations

6. **United Utilities** – have no objection to the proposal.
7. **Lancashire County Council (Highways)** – have no objection to the proposal.
8. **Chorley Environmental Protection** – request a condition in relation to ground contamination.
9. **Coal Authority** – standing advice.
10. **Police Architectural Liaison Officer (MAPS)** – notes from the design and access statement that the car park is to be Secured by Design Standard and gated. They note a similar gate is proposed to that which caused the light of the recent tragic deaths of two young children. They suggest that careful consideration be given to the Health and Safety issues that will arise [the design of the gate can be the subject of a planning condition to be approved by the Council]. They recommend the standard of doors and windows in relation to British Standards to reduce crime and make the homes a safer place for families to live and that alarms be fitted. They also recommend security lights to be fitted to the front entrance door area and on the rear of the property.

Assessment

Principle of the development

11. The site the subject of this application is currently occupied by St John Ambulance Hall and its associated carpark, which is no longer in use. The site falls within the definition of brownfield land in PPS3. The proposal is therefore acceptable in principle.

Appearance, Layout and Scale

12. Granville Street is a cul-de-sac situated off Railway Road. The residential properties on it are all bungalows, while the properties on Railway Road itself are two storey terraces, the ones to the north of Granville Street back onto the site, separated by an alleyway. Opposite the site is Granville House Medical Centre and to the rear two-storey semi-detached dwellings back onto the site. The existing St John Ambulance hall is single storey to eaves height with a steeply pitched roof measuring approximately 9.4m at its highest point.
13. The proposed apartment building will be two-storey with a ridge height of 8.4m at its highest point. It will have two front gables and an entrance porch. On both floors there will be 3x two bed apartments and 1x one bed apartment. To the rear of the building there will be 10 parking spaces accessed down the side of the building against the boundary with no. 3 Granville Street. At the front the building will be set back from the pavement by 8.5m where a further four parking spaces will be provided and a small lawned area with a path to the entrance door.
14. In terms of appearance the current St John Ambulance Hall is higher than the bungalows to the east of the site, due to its steeply pitched roof but the eaves height is only at single storey level. Although the proposed apartment block has a ridge that is approximately 1m lower than the current hall, it adds much more bulk to the site as it is two-storey in scale, although its floor area is not as deep.
15. The proposed apartment block will be viewed against the bungalows to the southeast and the properties on Railway Road to the northwest as well as the medical centre opposite. The front gable of the proposed apartment building closet to the bungalow to the southeast (no. 3 Granville Street) will be set 0.8m lower (at 7.7m) than the main front gable of the building (at 8.4m) which will be set at approximately the same height as the properties on Railway Road. As the building is viewed directly onwards there will therefore be a 'stepping down' of the

building height between the higher buildings on Railway Road and the bungalows on Granville Street.

16. When the building is viewed from the top of Granville Street looking towards Railway Road is will be seen in the context of the houses on Railway Street and the medical centre, which although single storey has a steeply pitching roof that makes it taller than the bungalows.
17. The proposal is considered acceptable in terms of appearance, layout and scale in relation to the surrounding properties. It is acknowledged that it is a difficult site as it sits between properties that vary greatly in size. The design seeks to reflect this, being higher at the west side nearer the taller properties and steps down at the east side next to the bungalows.

Access and Parking

18. In relation to parking 14 spaces are proposed, 10 to the rear and 4 to the front of the building. This will provide two spaces for each of the two bed apartments and one space for each of the one bed apartments. This is in line with the Council's parking standards and is considered acceptable for the site.
19. Residents have stated that the current site is used by people visiting the medical centre to park on and the proposal will increase traffic and parking problems on Granville Street. However, the site is privately owned and unrelated to the medical centre. This application should not be expected to solve existing parking problems that may exist in relation to the medical centre, but rather ensure that the parking to be provided for the apartments is sufficient so that the site does not add to parking problems on the street. I have assessed above that the parking provision proposed is considered sufficient for the proposal.
20. In relation to comments on traffic calming being introduced on Granville Street, this is not something that can be secured through the planning application process.

Neighbour Amenity

21. The nearest properties to the proposed apartments are no. 3 Granville Street, the properties at nos. 74 to 82 Railway Road that back onto the side of the site and the properties to the rear on Rivington Avenue.
22. No. 3 Granville Street is a bungalow that is set further back on its plot than the other bungalows on this side of Granville Street. It has a flat roof side extension on its northwest elevation and flat roof detached garage forward of its front elevation against the boundary with the application site. The drive to the rear carpark will run along this boundary. The side elevation of this property has three windows facing towards the site, the central one is obscure glazed, but the two either side are clear glazed, there is however a boundary treatment between these windows and the application site of approximately 1.5m in height that screens the lower portion of these windows from the proposal. There will be 5m between the side elevation of the apartment block and the boundary with no. 3 Granville Street. The orientation of the proposed building will be to the north west of no. 3 so there will be no direct overshadowing to it. The relationship of the proposal to this property is therefore considered acceptable.
23. The properties to the rear are on Rivington Avenue and are semi-detached two-storey properties, some with rear extensions. There will be approximately 11m between the first floor windows of the apartments and the boundary with these properties and approximately 28m between these windows and the main rear elevations of these properties. This complies with the Council's interface distances and is considered an acceptable relationship.
24. Nos. 74 to 82 Railway Road is a row of six terraced properties that back onto the side of the site. Their rear gardens are separated from the site by an alleyway approximately 5m in width. The northwest elevation of the proposed apartment building will sit on the boundary with the alleyway. The existing hall building has a northwest elevation approximately 22.3m in length. This elevation on the proposed building will measure approximately 14.3m in length. Although the length of this elevation will be reduced compared to the existing hall it will be two-storey with an eaves height of 5.2m compared to the eaves height of the existing building of 3.3m against the alleyway. Although the roof of the proposed apartment building will be 1m lower than the existing building the ridge of the apartment building will be closer to these properties and although it will be hipped away from them, due to their orientation it will have more impact on nos. 74 to 82 Railway Road than the existing building and there will be some increased shadowing to them until later in the afternoon.
25. However comparing the proposed building with the existing and taking into account the reduction in the depth of the new building compared to the existing, it is not considered that the increased impact on these properties is at a level that would warrant refusal of the application.

Other

26. The proposal is for 8 apartments. 6 of the apartments are have two-bedrooms. There is a requirement for a commuted sum payment for playspace, playing fields and openspace for the 6 two-bed units that is secured through a Section 106 agreement.

Overall Conclusion

27. The principle of the proposal is acceptable in policy terms. Although people visiting the medical centre park on the site as it is currently vacant, it is privately owned and unrelated to the medical centre. This application should not be expected to solve existing parking problems that may exist in relation to the medical centre, but rather ensure that the parking to be provided for the apartments is sufficient so that the site does not add to parking problems on the street. It has been assessed that the parking provision proposed is sufficient for the proposal. The design takes account of the two very different heights of the buildings either side. Although the proposal will have some increased impact on nos. 74 to 82 Railway Road due to the increase bulk of the proposed building compared to the existing hall it is not considered that this is at a level that would warrant refusal of the application. The application is therefore considered acceptable in relation to policies GN1 and GN5 of the Local Plan and is recommended for approval subject to conditions and the signini of a s106 agreement.

Planning Policies

28. National Planning Policies:
PPS3

29. Adopted Chorley Borough Local Plan Review
Policies: GN1, GN5

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

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

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

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

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

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

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

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

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

5. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences, walls and gates 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, fences and gates have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

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

6. Before the use of the premises hereby permitted is first occupied, full details of any lighting proposals for the site shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such details shown on previously submitted plans. The development shall only be carried out in conformity with the approved details.

Reason: To protect the appearance of the locality, in the interests of public safety and crime prevention and in accordance with Policy GN5 and EP21A of the Adopted Chorley borough Local Plan Review.

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

Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

8. The approved plans are:

Plan Ref.	Stamp Dated:	Title:
GS/PL/MMX/001 Rev A	6 th July 2010	Proposed site plan layout and elevations

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

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

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

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

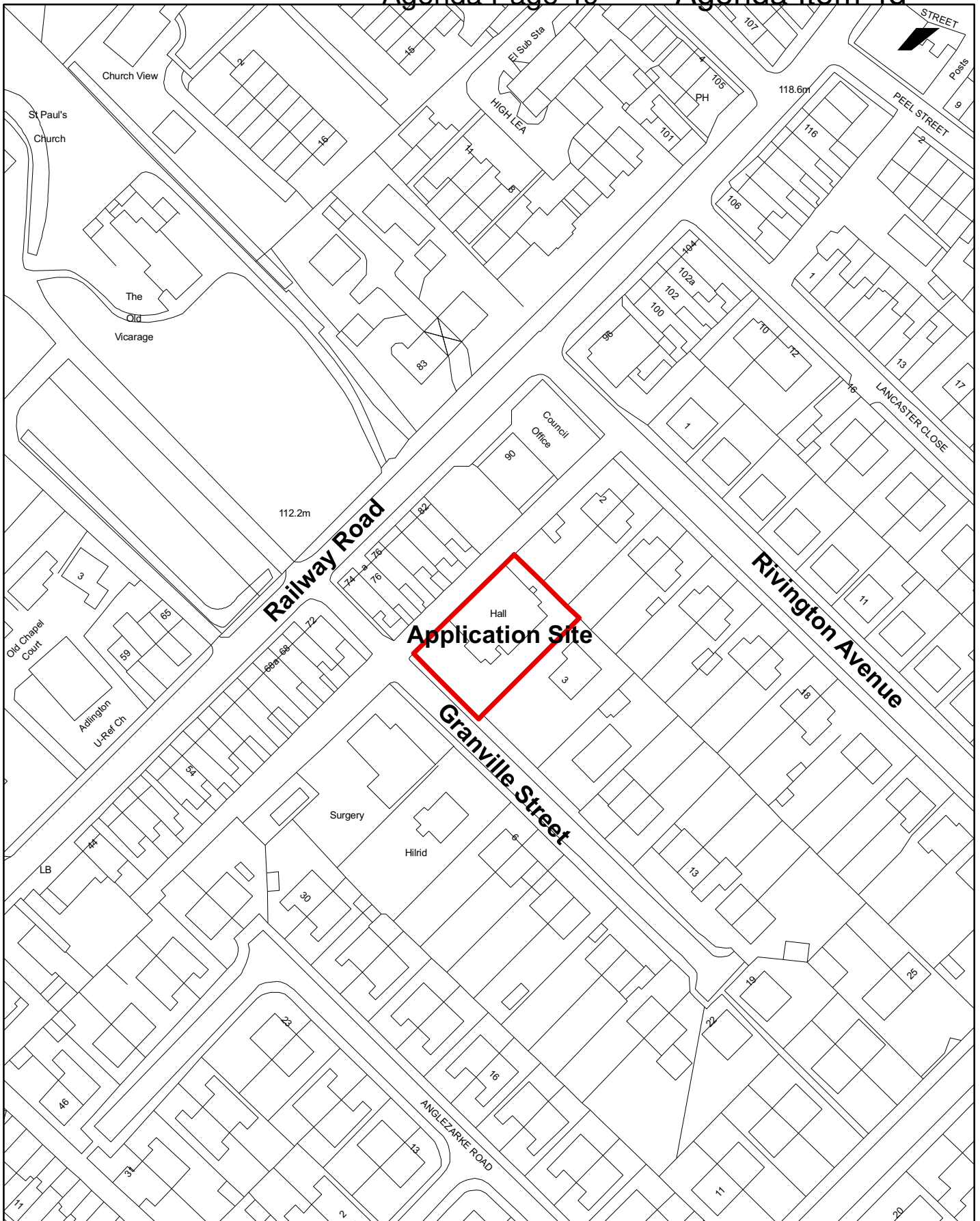
Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

11. Due to the sensitive end-use, the development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on and/or adjacent to the site and where appropriate, necessary remediation measures.

The report should include an initial desk study, site walkover and risk assessment and if the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures.

The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

Reason: In the interests of safety and in accordance with PPS23.



Lesley - Ann Fenton
Director of Partnerships, Planning and Policy

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

Application No.

Grid Ref:

Scale:

10/00459/FUL

E: 360472
 N: 413404

1:1,250

5

This page is intentionally left blank

Item 6 **10/00359/FULMAJ**

Case Officer **Liz Beard**

Ward **Chisnall**

Proposal **Erection of 28 residential dwellings with access roads, car-parking and landscaping including alterations to the public house car park.**

Location **Dog And Partridge 30 Chorley Lane Charnock Richard
ChorleyPR7 5ES**

Applicant **Arley Homes North West Ltd**

Consultation expiry: 16 June 2010

Application expiry: 6 August 2010

Proposal

1. This application is for the erection of 28 dwellings with access roads, car parking and landscaping including alterations to the public car park.
2. There are 18 detached houses, two semi detached, and two small terraces consisting of three houses each, proposed on the site. They are all two storey ranging from four 2-bedroom houses, nine 3-bedroom houses, three 4-bedroom houses and two 5-bedroom houses.
3. Access is proposed off Chorley Lane, which will be a shared access with the existing Dog & Partridge Public House. It will form a typical long cul-de-sac with two houses fronting onto Chorley Road, and the remaining houses fronting onto the new access road.
4. The car park for the Dog & Partridge public house will be reduced in size to 20 no. car parking spaces. A 1.8m high brick wall and 1.8m high close boarded fence with a 300mm high trellis panel on top and 2.1m high brick piers will form the boundary between the public house car park and the houses. There will also be some native hedgerow planting and two small native trees planted on the boundary.
5. The boundary treatment for the perimeter of the site will consist of a 1.8m high close boarded fence, with a 300mm high trellis panel on top with proposed supplementary planting within the existing hedgerows which will be a mix of trees, and shrubs to complement the existing boundary treatment. The boundary located nearest to the railway will have the existing fence retained and an acoustic fence built.

Recommendation

6. It is recommended that this application is granted conditional planning approval subject to the associated Section 106 Agreement.

Main Issues

7. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Design and Appearance
 - Access and Parking
 - Impact on the Neighbours Amenity
 - Impact on the Amenity of Future Occupiers
 - Ecological Impacts
 - Impacts on the Tree Preservation Order
 - Drainage

- Affordable Housing
- Section 106 Agreement

Representations

8. Nine letters of objection have been received. The issues they raise are:
- Nothing has changed regarding my concerns originally raised.
 - The site has already been cleared and the wildlife has long gone.
 - No assurances have been given over potential flooding issues for the problems which will inevitably arise from sewerage being connected into Nursery Close and beyond.
 - The existing sewerage system is far from satisfactory.
 - Charnock Richard is already overdeveloped with little or no facilities. Public transport is limited and the resultant influx of more vehicles will only adversely affect the already overloaded road on Chorley Lane/Church Lane.
 - Why cannot the sewers for this development be connected into Chorley Lane which would make more sense.
 - Problems with drainage in the area.
 - Do the sewers have capacity for extra houses.
 - Proposed layout is car dominated.
 - Arley Homes will not communicate with me over what they propose to do with access into Nursery Close.
 - Development fails to provide for the retention of trees.
 - The proposed layout would be harmful to road safety by the introduction of vehicles needing to gain access to and from Chorley Lane.
 - The development would increase noise and disturbance locally.
 - The local school is already full to capacity.
 - Should not be allowed to touch all the trees with TPOs.
 - In 2002 a planning application was refused on the grounds that there should be some traffic calming measures on Chorley Lane, nothing has changed, so application should be refused.
 - There is always flooding in Meadowlands when we have heavy rain so another 28 residences isn't going to help.
 - The Dog & Partridge are trying to run a business but Arley Homes are hindering them by taking half the car park at the rear.
 - If we are to get a shop and post office in the pub surely they will need all the car parking they can get.
 - Chorley Lane is effectively used as a slip road to the M6 motorway.
 - The volume and average speed of the traffic at peak times, coupled with the road conditions has resulted in several accidents and numerous near misses in recent times.
 - The existing/exit location of new development and the resultant increase in traffic turning in and out of the development will present a major hazard and has not been adequately considered in the plans as proposed.
 - The proposed felling of one of the two poplar trees on Chorley Lane will mean the loss of a key feature within the village.
 - Concerned that only one parking space is allocated to each of the affordable homes.
 - The access road is not sufficiently wide enough to accommodate parked vehicles.
 - Concern over safety of two young children who need to cross Chorley Lane regularly.
 - Junction with extra 60 cars or so is not acceptable.
 - People do not travel at 30mph nearer 40 or 50.
 - There is not enough clear vision from Dob Brow.
 - There are no crossings on Chorley Lane and no safe route to school.
 - Difficult to look through documents and decipher them.
 - There are enough properties and smaller plots for sale in the area, some of them having been on the market for several years and it worries me that this new development will become yet another unfinished building site.
 - Sewers unsuitable for the needs of the Estate and my own garden has had to be excavated due to backing up/insufficient capacity.
 - Excavation would run the length of the Close with associated disruption which we are not prepared to tolerate.

- It is necessary to cut across the bank and the bridle path.
- These works would also involve the removal of the fence at the end of the Close between my property and No.5 and would destroy mature planting.
- Its also likely that they would encroach onto my land, damage an established tree and block my drive which I will not allow.
- I note the plan now proposes the development of 28 residential developments as opposed to 26 in the original submission which only aggravates the situation.
- The land has been unused for 20 years plus and it blends into the natural landscape and surroundings therefore confirms its Greenfield status.
- I don't believe the development of 26 houses on a Greenfield site constitutes and infill site.
- There are no shops or a Post Office in the village, very few job opportunities and a poor bus service. The first criteria for windfall housing sites is not met.

9. Charnock Richard Parish Council have no objections to the proposal. However, would like the proviso added that existing residents and their children are given preference/priority in relation to the allocation of the affordable homes on the site. Also that during development disruption to residents in the vicinity be kept to a minimum.

Consultations

10. Lancashire County Council (Ecology) state that it appears that the revised proposals would adequately off-set the likely ecological impacts of the proposed development, provided that Chorley Borough Council is satisfied that this commuted sum can be used to re-establish/enhance an appropriate area of habitat. However, the plans do not appear to include the latest additions/amendments to the landscaping/habitat creation scheme given in the attached letter from ERAP. It should be ensured that the plans are amended.
11. Lancashire County Council (Strategic Planning) state that they consider that the proposed development conforms to the North West of England Plan: Regional Spatial Strategy to 2021 (RSS) provided that the applicant submits information to your council on renewable energy to satisfy Policy EM18 of the RSS.
12. The Environment Agency have no objections but recommend that a site investigation is carried out. A condition is suggested. An informative is also suggested in relation to SUDS and that the development should meet Level 3 of the Code for Sustainable Homes.
13. The Architectural Design and Crime Reduction Advisor states that crime and disorder levels are low in this location on this basis I would ask that all properties be fitted with a British Standard approved burglar alarm. Consideration should also be given to the entrance to the development having a change in road surface to denote a change in location.
14. Ramblers' Association (Chorley Branch) have concern over the effects the development will have on Public Right of Way, Footpath Number 18, Charnock Richard parish. Currently the footpath has as a 6ft high fence flanking the existing properties with some vegetation, whilst a mixture of bushes and trees, gives a countryside aspect on the other boundary. The plans for another 6ft fence on the eastern boundary, together with the narrowing of the path will detrimentally effect the environment. The path will become fully enclosed and possibly open to abuse.
15. Network Rail have no objection in principle to the development. However, due to close proximity to the operational railway they recommend a number of conditions and informatives are added to any decision. These include providing them with method statements/drawings prior to commencement, no storm water /surface water should be discharged onto their property, details of cranes, & scaffolding to be used, details of ground levels, security of railway must be maintained at all times, details of lighting, cross-sections, assessment of noise & vibration should be carried out under PPS24, and they provide a list of permitted trees and ones not permitted adjacent to a railway line.

16. United Utilities confirm that all wastewater flows emanating from the proposed development should be discharged directly into the public sewer system within Nursery Close.
17. Lancashire County Council (Highways) have no objections in principle to this application, now the entrance arrangements have been improved. A request to demonstrate that a refuse vehicle can be turned in the turning head was made.
18. Chorley's Waste & Contaminated Land Officer states there is potential for ground contamination, due to the size of development and sensitive end-use, a condition is suggested for an assessment of ground contamination prior to commencement of development.
19. Chorley's Noise Officer states that the noise assessment adequately covers the noise impact of the nearby railway line on the proposed residential dwellings and the conclusions made in the report appear valid. The noise mitigation measures as outlined in the report should be implemented and it is recommended that the applicant complies with the Chorley Council document 'Code of Practice for Construction and Demolition.' There are no objections subject to the implementation of the noise mitigation measures and code of practice document.
20. Natural England state that the proposal lies within 170m of Charnock Richard Pasture Site of Special Scientific Interest (SSSI) but it is of our opinion that the proposal will not materially or significantly affect it. We are also satisfied that the proposal does not have any significant impacts upon Natural England's other interests, including National Trails, Access Land, or areas of search for new national landscape designations.
21. Lancashire County Council (Public Rights of Way Officer) states that from the plan it is not clear whether the application will affect the public footpath (no.18). Lancashire County Council will not process a diversion application in relation to these paths in connection with a development proposal. Should the paths be obstructed during the development or be obstructed after the development has taken place, Lancashire County Council will consider commencing criminal proceedings.
22. Chorley Council Arboricultural Officer states that the majority of the protection measures on the boundaries appear acceptable. Can see no reason why the two Lombardy Poplars are not retained. Concerns that more mitigation should be provided for replacement.

Assessment

Principle of the Development

23. The site is 0.9 ha in area and lies within the settlement boundary of Charnock Richard. Development, where Policy GN4 is of relevance. Here development is limited to infill sites, rehabilitation and reuse of buildings, that which provides affordable housing to meet a recognised local need, local community or employment need or re-use of previously developed land.
24. Part of the application site consists of part of the existing car park for the Dog & Partridge Public House and a tarmac area to the front, which was used as a car park in the past. There will be 5 houses located within this area, which is previously developed land. The remainder of the site was covered in shrubs and was unmanaged, and has since been cleared of all the vegetation apart from the perimeter of the site. There is proposed a further 23 dwellings on this part of the site, of which 10 will be affordable homes (43% of the remainder).
25. Policy DC5 indicates that a limited number of dwellings exclusively to meet a local need for affordable housing may be allowed in or adjoining the confines of Charnock Richard, along with a number of settlements providing that certain criteria are met.
26. Part a) of Policy DC5 is not relevant as the site is not an adjoining site. Part b) of the policy states that the should contribute to the solution of a local housing problem, which cannot be solved in any other way. The provision of 36% of affordable housing contributes to a solution. Part c) states that these houses should be made available at prices which are significantly below current market costs. The developer has states that they would be able to provide this. Part d) states that these dwellings should be made available for people with close local connections, which will be looked at through the S106. Part e) states that it needs to be shown to be economically viable and capable of proper management. The developer has demonstrated that it is economically viable, however, this includes the private market housing

within the costs to ensure that the affordable units can be delivered. The management side will be carried out by another party. Part f) states that the scale and nature of the development would be in character with the area. The whole development, not just the affordable units, is considered to be within scale and fits in with the character of the area. The proposal complies with Part g) as it is within the settlement of Charnock Richard.

27. In terms of affordable housing provision the proposal exceeds the target of 20% as identified in Policy HS5 and will provide 36% affordable units which exceeds the figure as set out in the Draft Core Strategy of 30%.
28. The site is considered a windfall site as set out in Policy HS6. In relation to this the site is accessible to employment, shops and community services by non-car modes and the locality would have the capacity to absorb further development. The development is compatible with the surrounding area and acceptable in amenity terms, both for future residents and existing residents. The site has adequate road access and foul and surface water drainage arrangement and can link into the existing services. There are no other sites within this settlement that could be developed in this way.
29. Policy HS21 is of relevance as where it is not possible to include appropriate on-site play space/open space then the Council may accept a commuted sum to improve open space facilities in the locality. The developer has agreed to contribute £37,156; which is included within the S106.
30. In terms of spatial priorities and the RSS Policy RDF2 it states that small scale development to help sustain local services, meet local needs, or support local businesses will be permitted in towns and villages defined as local services centres in local development documents. The proposal conforms to Policy RDF2 of the RSS.
31. It is considered that although the Council has a 5 year land supply, this site will not have a detrimental impact on the housing land supply. The site is available to be developed now, and can be brought forward in the second half of 2010. The SHLAA confirms that it is suitable, available and achievable for housing development and the developers have given a commitment that it would be developed. They have also provided information on how quickly they developed the site at Coppull where once planning permission was agreed and conditions were discharged they started on site in December 2009, agreed contracts with the Adactus in February 2010 for the affordable housing (due for completion and handover July 2010) and looking for all sales to be completed by May 2011. Arley Homes have also agreed to a one year commencement condition on the application. This would ensure that if it is not developed within one year then a further application would have to be submitted.

Design and Appearance

32. The site has limited frontage onto Chorley Road, as the Dog & Partridge public house is to be retained and the access road takes up a proportion of the frontage. Two houses are proposed on the front of the site, which will follow the building line of the public house. These are two different house types which will not be out of keeping as there are different house types fronting onto Chorley Road.
33. There a range of house types proposed within the scheme, whilst having differing designs the materials will be similar throughout. The height and scale of the houses respect those in the surrounding area.

Access and Parking

34. The proposed access is from Chorley Road, in a similar location to the existing access which serves the Dog & Partridge public house. This will be a T-junction.
35. The new access will have to serve both the development as well as the public house car park, and has therefore been designed to take this into account. The visibility splays can be achieved, in both directions, but only by removing one of the Poplar Trees on the frontage of the site.
36. There are footpaths provided on both sides of the access road, and extend to the footpath on Chorley Road. The public right of way, which runs to the west of the site will remain as existing. The development will not involve the closure of the public right of way and the footpath will remain open at all times, therefore a footpath diversion order is not required in this instance. It is the responsibility of the landowner to ensure that the public right of way remains open at all times.

37. There will be adequate car parking provided for all dwellings. The majority will be within the curtilage of each house, with the exception of Plots 18-23 where dedicated parking spaces will be provided in a communal area in front of the houses.
38. A new car park will be provided for the public house, which will consist of 20 spaces. This is considered to be adequate. The servicing of the public house will be to the rear, using the car parking area, however the deliveries will be out with normal pub hours and therefore will not conflict with the users of the car park.
39. The proposal accords with the standards as set within the RSS Draft Parking Standards. The proposed access road, including the turning area, complies with the guidelines as set out in the Manual For Streets Document.

Impact on Neighbours Amenity

40. The dwellings all have back gardens, which are 10 metres or more in length, which complies with the standard as set within the Council's Design Guidance. The houses all comply with the privacy distances with the adjoining houses in Nursery Close and 34 Chorley Road. There will not be any direct overlooking of any adjoining occupiers garden areas or houses.

Impact on the Amenity of Future Occupiers

41. The dwellings all comply with the privacy distances as set out within the Council's Design Guidance.
42. The boundary treatment between the public house car park and the houses will be partly a 1.8m high wall and 1.8m high close boarded fence with a 300mm trellis panel on top. There will also be hedgerow planting provided both on the public house side of the boundary and within the area of housing. This will reduce any potential impact from the users of the public house car park on the future residents of Plots, 21, 22, 23 and 28.
43. The railway line, which is in a cutting, runs to the eastern boundary of the site. To ensure that any potential noise disturbance is reduced an acoustic fence will be provided along this report, as suggested within the Noise Assessment. A condition can be added accordingly to ensure that this is retained.

Ecological Impacts

44. An ecological survey was included as part of the application, which was carried out prior to the clearance of the site. Due to the extensive loss of habitat the LCC Ecologist suggested a number of measures that should be included within the scheme.
45. A revised scheme has been included which shows improved hedgerow planting, within the existing, as well as new hedgerow planting to form habitat corridors. There are 10 locations shown for Bat Boxes to be located. There will be replacement tree planting also provided within the public house car park and the housing scheme.
46. Due to there being a substantial loss of existing habitat a commuted sum of £10,000 will also be provided by the developer, which will be spent on maintaining existing wildlife habitats in the Yarrow Country Park.

Impacts on the Tree Preservation Order

47. There is a TPO on the trees on the boundary of this site. The majority of the protection measures for the trees on the site boundaries appear acceptable. On the frontage of the site are two Lombardy Poplars and one Sycamore. On the previously withdrawn scheme it was proposed to remove these trees to ensure that an appropriate visibility splay could be provided into the site.
48. Following some negotiation with the Highways Engineer the access has been re-engineered and it is proposed to remove one of the Lombardy Poplars, and retaining the other Lombardy Poplar and Sycamore, within this scheme. There has also been an extensive mitigation scheme in relation to the whole site, which has been agreed with Lancashire County Council Ecologists.
49. On balance there will be two out of the three trees retained, and a mitigation scheme drawn up for the whole site which is considered acceptable. A condition ensuring that the mitigation scheme is implemented is suggested.

Drainage

50. There have been a number of resident's objections to the existing drainage situation, in the area, and that this development will have an impact on this. It was originally intended that the

proposal would be connected into the sewer system on Chorley Road. However, due to the depths of the sewers and their capacity it was not considered acceptable.

51. United Utilities have been consulted on this application and state that it is acceptable and that all wastewater flows, from this development, can be discharged directly into Nursery Close.

48. Affordable Housing

49. There will be 10 affordable housing units provided as part of this scheme. These are located to the eastern part of the site, Plots 18-23, which will be a mix of 4 two bedroomed houses and 2 three bedroom houses. There will also be four three bedroom properties located on plots 8-11, which will form two semi detached properties.

50. The intermediate units are to be shared ownership rather than rent to homebuy and the split that has been agreed with the housing association as Plots 8-11 (3 bed houses) and Plot 18 (2 bed house) for shared ownership and Plots 20 & 23 (3 bed houses) and Plots 19,21 & 22 (2 bed houses) for rent.

Section 106 Agreement

51. The applicant is aware that a S106 agreement is required for the site. The agreement will include £37,156 towards play space, £10,000 towards maintenance of existing wildlife habitat, and 10 affordable housing units.

Developer's Response to Neighbours Concerns

52. In relation to the issues raised there has been extensive discussions between the developer and Lancashire County Council ecologists which has lead to an increase in the improvement and quality of the habitat to be provided on the site. An extensive mitigation is to be provided. The developers state that with regards to the loss of the trees there have been a number of inaccurate comments regarding their intentions with one of the Poplars at the entrance and a couple of other poor quality trees, to facilitate the drainage. Apart from this the protected band on the western and northern boundaries will remain untouched. As agreed with Lancashire County Council it is intended to vastly improve the landscaping along the footpath which would address the screening comments raised by residents.

53. In relation to the drainage comments, United Utilities have no objections to the development being connected into the Nursery Close sewer system, and it has the necessary capacity.

54. The comments regarding car parking have been addressed, with the affordable houses having two spaces. Overall the development complies with policy and they have had detailed discussions with Lancashire County Council highways engineers and they are satisfied from a traffic generation point of view.

Overall Conclusion

55. Whilst the policy only allows for a limited amount of infill housing and promotes development on previously used land, and this proposal only complies with part of that, as the remainder of the site cannot be included there are 10 affordable housing units included as part of the scheme, which would not normally be brought forward. The developer has provided supporting information stating their commitment to building on this site, with a site start as soon as planning approval is sought and the appropriate conditions are discharged. To ensure that this site is developed in the short term a short commencement condition of one year is proposed.

56. The scheme complies with all the Council's standards and is of an acceptable design. A detailed landscape mitigation scheme has been proposed to ensure that the habitat that is lost is replaced. There will be one of the trees on the frontage lost, but two are to be retained, which along with the mitigation scheme, the introduction of some affordable housing and the bringing of a part brownfield site into use, on balance is considered acceptable.

Other Matters

Public Consultation

57. As part of the Statement of Community Involvement the Council encourages applicants and developers to undertake some form of stakeholder and community consultation for major new

development. Within the Planning Statement it outlines the extent of the consultation carried out. It is considered that was appropriate and comply with the consultation guidance.

Sustainability

56. A Sustainability Statement was submitted with the application which stated that the development will achieve the requirements of Policy SR1 of Sustainable Resources Development Plan Document. However, there is no detailed information demonstrating how they will achieve Code Level 3 or details of how the solar panels to be installed will reduce the predicted carbon emissions by at least 10% but this can be dealt with through conditions.

Waste Collection and Storage

58. All of the proposed dwellings have a private rear garden for the storage of bins and refuse. There is direct access, for all dwellings, to the highways for collection of the bins.

Planning Policies

National Planning Policies:

PPS1, PPS3, PPS7, PPS9, PPG13, and PPG24.

North West Regional Spatial Strategy

Policies: DP1, DP2, DP4 and RSS Parking Standards

Adopted Chorley Borough Local Plan Review

Policies: GN4, GN5, DC5, EP9, EP22, HS4, HS5, and HS8.

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Chorley's Local Development Framework

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

Planning History

02/00866/OUTMAJ Outline application for residential development and car parking area for existing public house (Refused 17/12/2002)

09/00997/FULMAJ Demolition of existing public house and erection of 30 residential dwellings with access, car parking and landscaping (Withdrawn 22/02/10)

10/00146/FULMAJ Erection of 26 residential dwellings with access roads, car parking and landscaping including alterations to the public house car park (Withdrawn 19/04/2010).

Recommendation: Permit (Subject to Legal Agreement) Conditions

1. The proposed development must be begun not later than one year 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 shall only be carried out in accordance with the approved plans, except as may otherwise be specifically required by any other condition of this permission or unless otherwise first agreed to in writing by the Local Planning Authority.

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

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

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

4. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy No.s GN5 and HS4 of the Chorley Borough Local Plan.

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

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

7. The development hereby permitted shall not commence until samples of all external facing materials to the proposed buildings (notwithstanding any details shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in conformity with the approved plans.

Reason: To ensure the materials used are visually appropriate to the locality and in accordance with Policy No.s GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

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

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.

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

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

10. The garages hereby permitted shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

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

11. The noise mitigation measures should be carried out as outlined in the following report 'Noise Assessment Charnock Richard Report No. AAL/BS09075c' by Acoustic Associates dated 22 April 2010.

Reason: To protect the amenity of future occupiers and to comply with PPG24.

12. Prior to the occupation of development details of the noise barrier to be erected along the site boundary and railway line shall be provided and agreed in writing by the Local Planning Authority, and maintained at all times throughout the lifetime of the development.

Reason: To protect the amenity of the future occupiers and to comply with PPS24.

13. No development shall take place until;

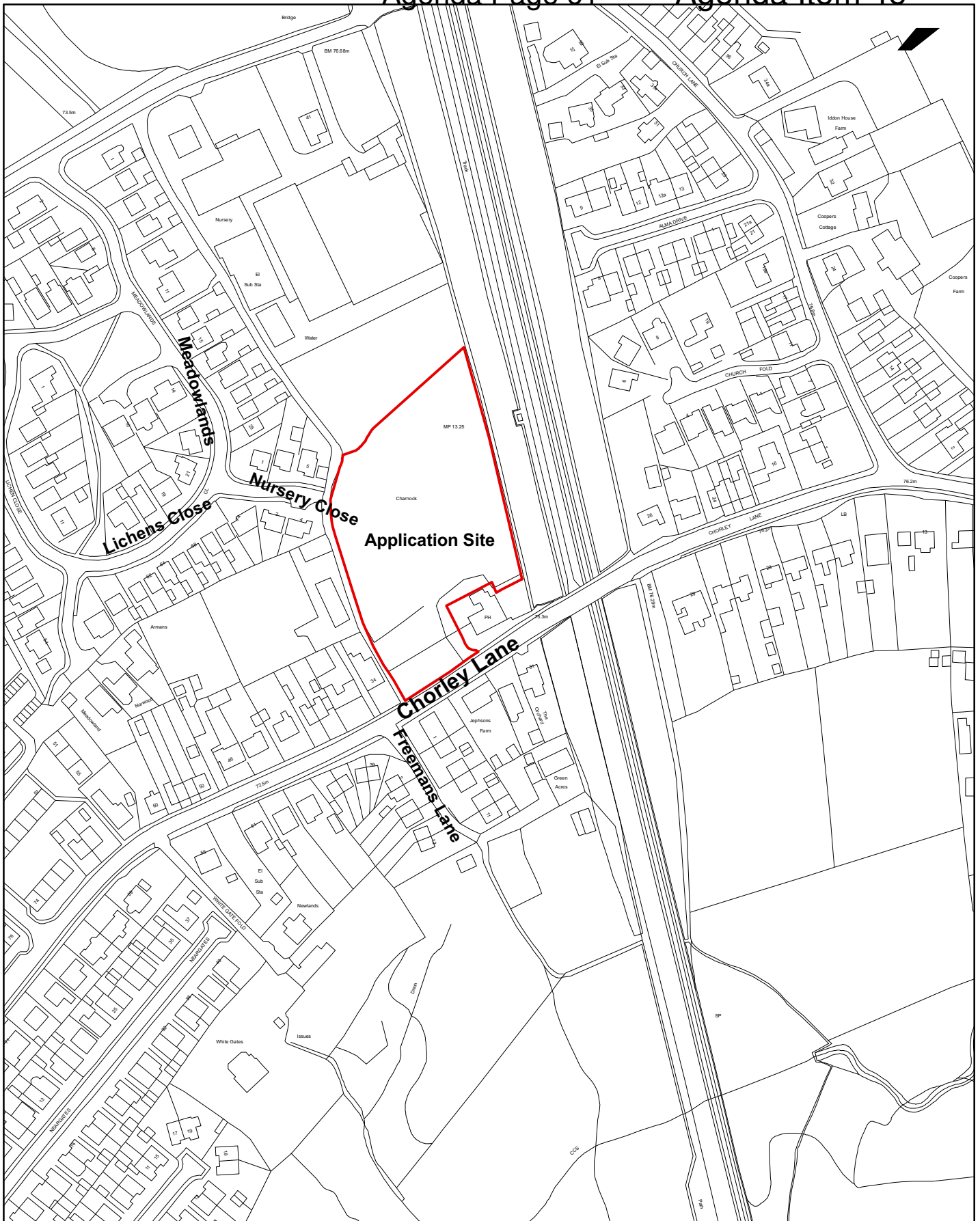
(a) a methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried out in accordance with current best practice including British Standard 100175:2001 'Investigation of potentially contaminated site-Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying 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.

(d) Thereafter the remediation shall only be carried out in full accordance with the approved remediation proposals.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Policy No. EP16 of the Adopted Chorley Local Plan Review.



Lesley - Ann Fenton
Director of Partnerships, Planning and Policy

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

Application No.

10/00359/FULMAJ

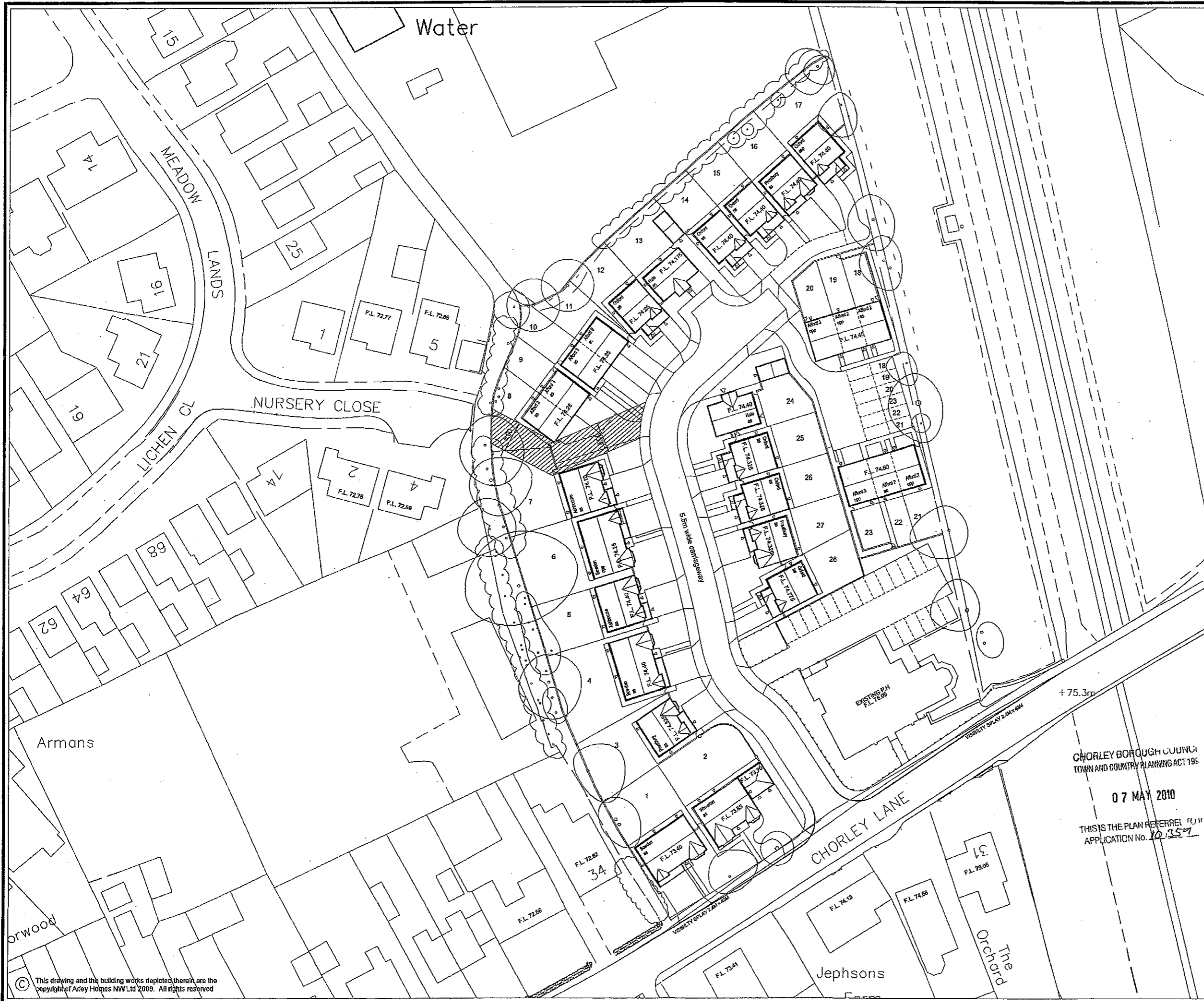
Grid Ref:

E: 356147
 N: 415571

Scale:

1:2,500

This page is intentionally left blank

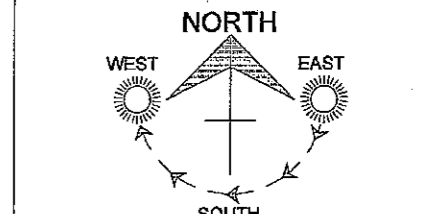
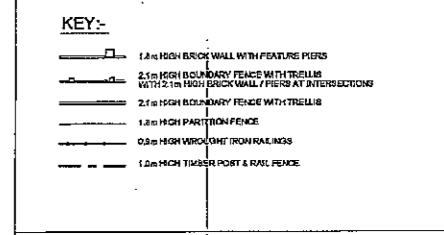


NOTE:
 • Do not scale from this drawing.
 • All dimensions to be checked on site prior to the execution of any work.
 • Any discrepancy to be found to exist between drawings and/or documents it should be reported to the Arley Homes North West Ltd Technical Department immediately.

SCHEDULE OF ACCOMMODATION

Afford 2	AFF MID/SEMI-DETACHED	736sqft	4	2,944sqft
Afford 3	AFF END/SEMI-DETACHED	890sqft	6	5,280sqft
Oxford	DETACHED	1026sqft	7	7,182sqft
Presbury	DETACHED	1,119sqft	3	3,357sqft
Hale	DETACHED	1,189sqft	2	2,378sqft
Ashbourne	DETACHED	1,284sqft	2	2,568sqft
Bowden	DETACHED	1,689sqft	3	4,767sqft
Waverley	DETACHED	1,836sqft	1	1,836sqft
TOTAL			26	30,272sqft

AREA ACRE: 2.189
 AREA HECTARE: 0.886
 DENSITY: 32 (Units/Hectare)
 DENSITY: 13,829 (Sqft/Acre)



E	ACCESS AND HIGHWAY LAYOUT REVISED AND HOUSES SIZES AND DETAILS UPDATED	FDW	04/06/10
D	AFFORDABLE HOUSING PROMISION INCREASED AND ADDITIONAL PLOT ADDED	FDW	06/04/10
C	PARKING AND GARAGING DETAILS REVISED AND AFFORDABLE HOUSING PROMISION INCREASED, AND PLOT 27 ADDED.	FDW	25/03/10
B	PLOTS 9-18 AND 22 GARDEN LENGTH INCREASED TO MIN 10M.	FDW	12/03/10
A	LAYOUT REVISED. PUBLIC HOUSE RETAINED.	FDW	18/01/10

REV.	DESCRIPTION	INT.	DATE
------	-------------	------	------



ARLEY HOMES NORTHWEST LTD
 THE OLD RECTORY, RECTORY LANE,
 WINWICK, WARRINGTON, WA2 8TD
 TEL: 01925 651155 FAX: 01925 653333

PROJECT
**CHORLEY LANE
 CHARNOCK RICHARD
 CHORLEY**

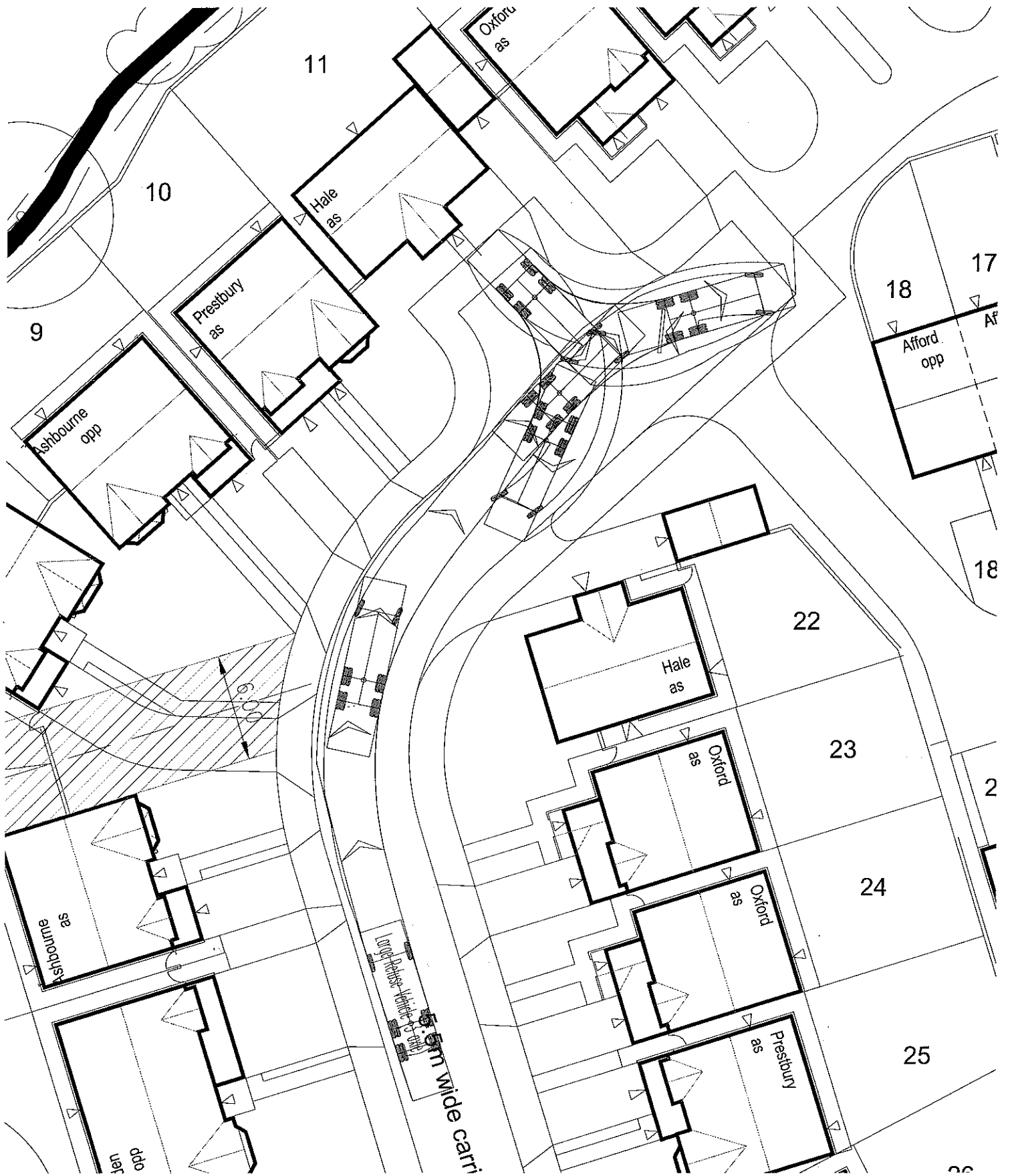
DRAWING TITLE
PLANNING LAYOUT

JOB NUMBER	310	REV	
DRAWING NUMBER	101		E
DRAWN	APD	SEP	08 SCALE
CHECKED	-	-	1:50 A2

CHORLEY BOROUGH COUNCIL
 TOWN AND COUNTRY PLANNING ACT 1990
 07 MAY 2010
 THIS IS THE PLAN REFERENCE FOR
 APPLICATION No. 10/359

© This drawing and the building works depicted therein are the copyright of Arley Homes NW Ltd 2009. All rights reserved

This page is intentionally left blank



This page is intentionally left blank

Item 7	10/00181/FULMAJ
Case Officer	Mr David Stirzaker
Ward	Euxton North
Proposal	Erection of poultry building
Location	Altcar Farm Altcar Lane Euxton Leyland PR25 1LE
Applicant	Mr J Coulthurst

Proposal

1. This resubmitted application seeks planning permission for the erection of a new hen cabin building on land at Altcar Farm, Altcar Lane, Euxton. The building to be erected would house 60,000 laying hens for egg production. A planning application (Ref No. 09/00406/FULMAJ) for the same size of building was refused planning permission last year.

2. The proposed building would be sited at a right angle to the last of the existing hen cabins on the site and measures 60.9m by 18.8m with an eaves height of 8m and a ridge height of 9.6m. The buildings elevations would be faced with brown coloured plastic coated steel sheets whilst the roof would be faced with grey colour plastic coloured steel sheets. The hen cabin would be used for the production of eggs.

3. The site can be accessed from either Altcar Lane or from Tithebarn Lane.

Recommendation

4. It is recommended that planning permission be refused.

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 open and rural character of the Green Belt;
 - The amenities of neighbours;
 - Highway safety and parking provision
 - Other matters

Representations

6. Representations have been received from 4 local residents, 2 of which specifically express support for the application. The contents of the representations can be summarised as follows: -
- Loss of residential amenity including loss of privacy, noise, smells and outlook
 - Existing trees and landscaping should be sufficient to screen the building from Runshaw Lane
 - Assurance is sought that there will not be pollution from smells of waste matter stored at the site
 - The building is needed to ensure the continued success of the egg production business
 - The applicant is prepared to undertake landscaping to screen the buildings and this will also benefit the local landscape and local residents
 - The production of food locally is strongly supported and encouragement must be given to people who are willing to commit financially and

continue to support local employment

- As an employee of the applicant, I know the proposed poultry building will mean continued employment for myself and the many other employees here, as well as providing much needed employment opportunities with further recruitment envisaged, which can only help our local area. As businesses are suffering with the credit crunch and recession, I can only feel grateful for the fact that I work for an employer still prepared to invest even in these hard times and I would like to hope the council will look favourably on this application

Consultations

7. The **Environment Agency** does not raise any objections to the application.

8. **LCC (Ecology)** advise that the proposals will not have a significant impact on biodiversity subject to adoption of a precautionary approach with regards to Great Crested Newts and breeding birds and the implementation of a landscaping/habitat enhancement scheme.

9. **LCC (Property Group)** advise that the building

10. **Euxton Parish Council** objects to the application. Concerns are expressed with regards to what will happen to chicken waste and if there are adequate controls in place for its safe and effective disposal to prevent smell, contamination and fly breeding.

11. **LCC (Highways)** have not made any comments on the application.

12. The **Director of People and Places** raises no objections to the application and states that there are no records of complaints being made in relation to noise, odour or flies at the application site.

13. **LCC (Countryside Service)** do not raise any objections to the application in relation to public footpaths.

Assessment

Principle of the development

14. The principle of the development is considered to be acceptable as LCC (Property Group) have advised that the building is necessary for the purposes of agriculture on the site thus its provision accords with PPG2 in principle.

Design & Appearance

15. The design of the building is typically utilitarian as are materials which are proposed to match those used to construct the adjacent buildings. However, the building, purely in design terms is agricultural in appearance given it is of a similar design and appearance to the other existing buildings to the north of the proposed site of the building.

16. However, the scale of the building by virtue of its height and length is such that it would be very dominant in the local landscape and unlike the existing buildings which are gable on the Tithebarn Lane, the proposed building would be side on to the road and dominate vistas from it. The scale of the building is considered to be unacceptable.

Impact on the open and rural character of the Green Belt

17. With regards to Green Belt impact, views of the site from the wider area are limited due to the topography of the land and the various areas of woodland around the site. However, the site is visible from the east from Runshaw Hall Lane and from the approaches to the site along Altcar Lane to the west and Tithe Barn Lane to the south. The site can also be seen from various points along Runshaw Lane to the

west. The applicants submitted Landscape Appraisal and Proposals identifies Visual Receptor Sites as being Runshaw Lane, Runshaw Hall, Tithe Barn Lane and Altcar Lane. These are basically sites where the building would be visible from. The sites identified are not disputed. The applicant proposes planting to screen the building from these visual receptor sites and it is asserted that such planting, by screening views of the building, would mitigate its impact on the openness of the Green Belt.

18. These proposals are noted, however, when considering Green Belt impact, openness is the most important attribute and can be considered as meaning 'freedom from development' which in turn means that just because development is not readily visible as per the applicant's argument, it does not mean it is then acceptable. The existing buildings on the site have an eaves height of approx. 6.2m and a ridge height of approx. 8m. The last of these buildings to be granted planning permission was in 2002 (Ref No. 02/00387/FUL). The proposed building would be sited at a right angle to the most southern of the hen cabin buildings on the site at the moment and at an overall height of 9.6m, it would eclipse in height the existing building and become the prominent structure in terms of the various vistas of the site and from closer proximity to it. Moreover, with an eaves height of 8m, this is only just below the ridge heights of the adjacent buildings so with a height of 9.6m to the ridge and a length of 60m, this coupled with the 87m run of existing buildings adjacent to which the building will sit, the overall run of development would come to dominate the local landscape and have a harmful impact on its open and rural Green Belt character.

19. It is noted that the floor level of the building would be set below that of the adjacent buildings by excavating the site but this does not significantly mitigate the impact of the proposed building overall.

20. It is noted that there is an existing hedgerow along Altcar Lane but the building would dwarf this so the hedge does not serve to screen the building other than the lowest part of it. The applicants landscaping proposals are noted but they are not considered sufficient to mitigate the harm the building would have on the openness of the Green Belt as just because its visibility would be reduced from the identified visual receptor sites, this does not mitigate the harm the building would have on the openness of the Green Belt. Moreover, at closer points to the site, even a substantial scheme of landscaping, due to the overall height of the building, would not be sufficient to mitigate its impact on the openness of the Green Belt.

The amenities of neighbours

21. The Director of People and Places advises that there are no records of complaints being made in relation to the application site. The Environment Agency do not raise any objections either.

22. With regards to the neighbour comments, there have been no objections from the Environment Agency or the Director of People and Places and there are suitable controls on smells, noise and waste outside of the planning system that would control any potential detriment to the amenities of the nearest neighbours if problems arose, the nearest of which is m away from the site. Also, due to this, the visual impact of the proposed building would not cause harm to the amenities of the neighbours nearest to the site hence there are no objections to the application on residential amenity impact grounds.

23. On the above basis, it is not considered that the building would have a detrimental impact on the amenities of local residents.

Highway safety & parking provision

24. LCC (Highways) have not made any comments on the application and as this is a well established site that has been producing eggs for some time, the additional building and egg production therein would be unlikely to detrimentally increase the

levels of traffic. Moreover, none of the neighbours have raised concerns with regards to traffic impact.

Other matters

25. The letters of support are noted and the continued employment of the staff at the site is obviously an important consideration as is the support of a local business and local food production. However, these reasons are not considered to be sufficient to outweigh the harm to the Green Belt that would be caused by the building if it is granted planning permission.

Overall Conclusion

27. Taking into account all of the issues, it is considered that the application should be refused planning permission due to the detrimental impact the building would have on the openness of the Green Belt.

Planning Policies

28. National Planning Policies:
PPS1 / PPG2 / PPS4 / PPS7
29. Adopted Chorley Borough Local Plan Review
Policies: DC1 / EP7 / TR4 / Design SPG

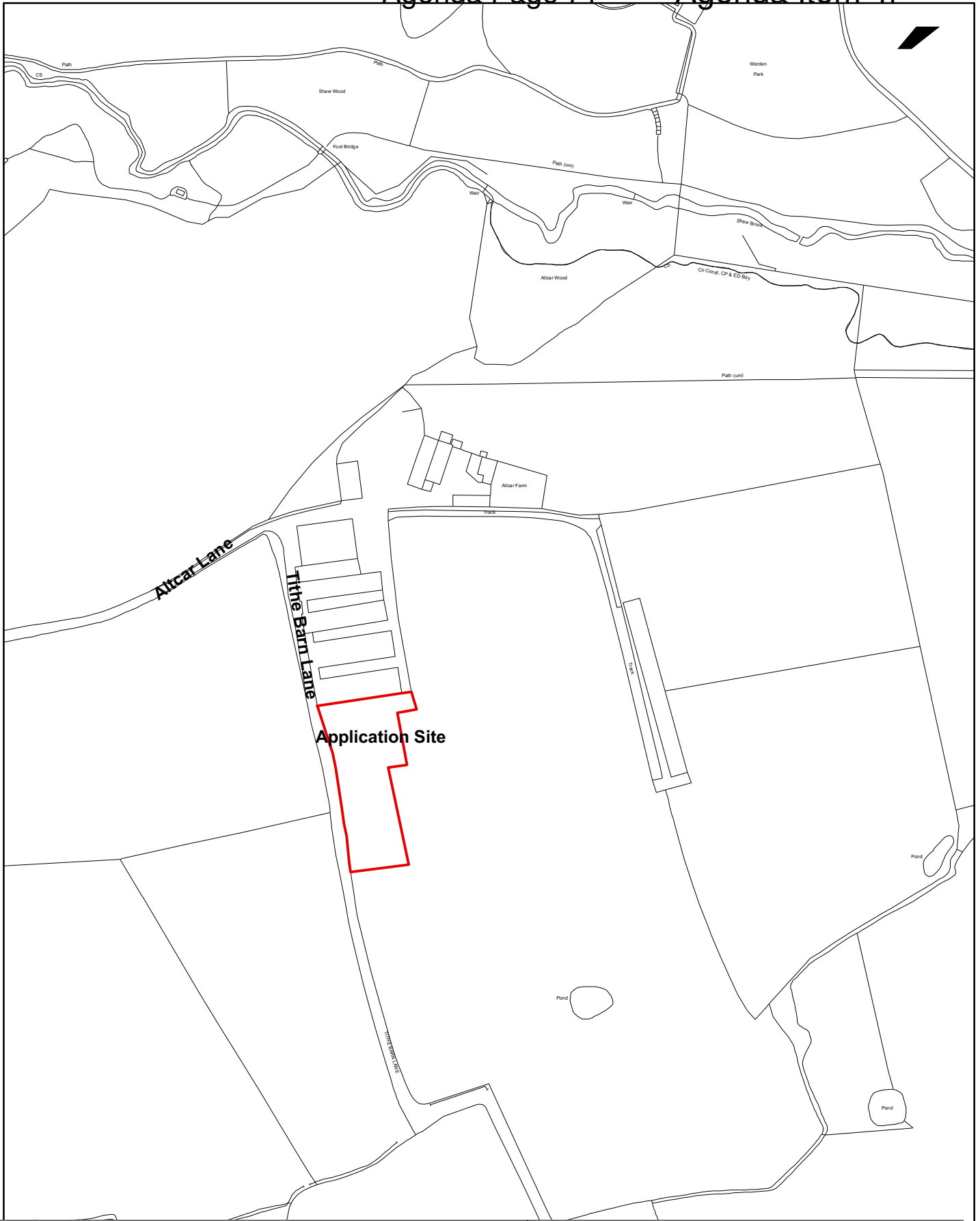
Planning History

30. The site has been the subject of the following planning applications: -
- 09/00406/FULMAJ - Erection of hen cabin – Refused Planning Permission
 - 04/01276/FULMAJ - Erection of hen cabin and feed silos – Granted Planning Permission
 - 02/00387/FUL - Erection of poultry house and silo – Granted Planning Permission

Recommendation: Refuse Full Planning Permission

Reasons

1. The proposed agricultural egg production building would be higher than the buildings adjacent to which it would be sited. These existing buildings taken together have a length of 87m and the proposed building has a length of 60m resulting in an overall run of development measuring 147m. The proposed building by virtue of its height, siting and length coupled with the existing buildings adjacent to which it is proposed results in a form of development that would dominate the local landscape and therefore detrimentally reduce the open and rural character of the Green Belt to an unacceptable level. The proposed agricultural building would therefore be contrary to Policy Nos. DC1 and EP7 of the Chorley Borough Local Plan Review and PPG2.



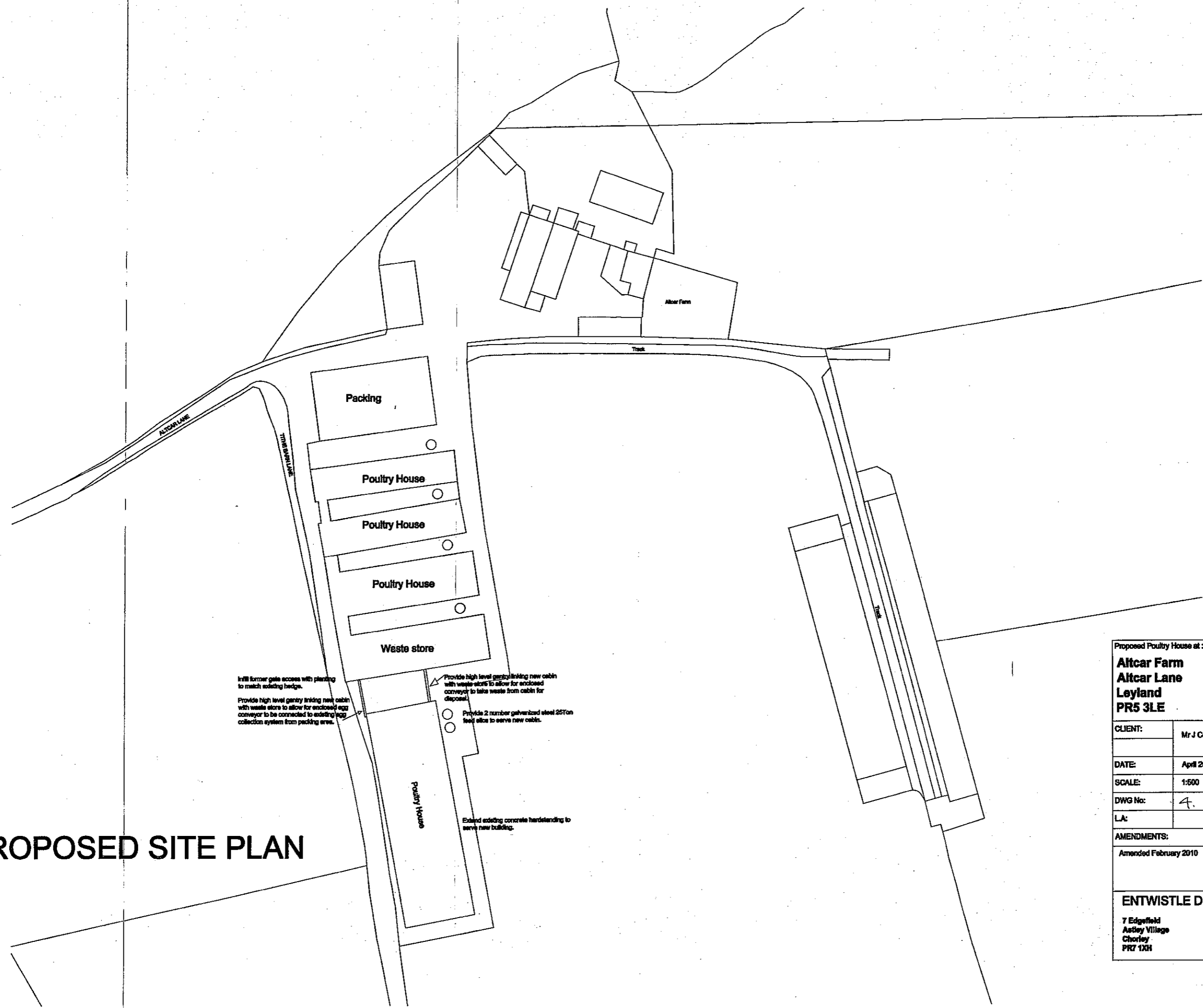
<p>Lesley - Ann Fenton Director of Partnerships, Planning and Policy</p>		<p>Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Chorley B.C. 100018509</p>	
<p>Application No. 10/00181/FULMAJ</p>	<p>Grid Ref: E: 353642 N: 420561</p>	<p>Scale: 1:2,500</p>	<p>7</p>

This page is intentionally left blank

CHORLEY BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING
08 MAR 2010
10 181
THIS IS THE PLAN REFERRED TO IN
APPLICATION No. _____

Proposed Poultry House at:	
Altcar Farm Altcar Lane Leyland PR5 3LE	
CLIENT:	Mr J Couthurst
DATE:	April 2009
SCALE:	1:500 A1
DWG No:	4
LA:	
AMENDMENTS:	DATE:
Amended February 2010	
ENTWISTLE DESIGN SERVICES	
7 Edgefield Astley Village Chorley PR7 1XH	Tel: 01257 274876 E-Mail: peterdent@aol.com

PROPOSED SITE PLAN



This page is intentionally left blank



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 10 June and 6 July 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 Wainhomes (North West) Limited against the Development Control Committee's decision to refuse planning permission, against officer recommendation, for the erection of 7 detached dwellings, garages and associated infrastructure following demolition of the existing dwellings at The Royle And The Coppice, Shaw Hill, Whittle-le-Woods (Application No. 10/00101/FUL).
- Appeal by Mr Richard Prideaux against the refusal of planning permission by the Development Control Committee, against officer recommendation, for a replacement agricultural workers dwelling and re-use and relocation of former dwelling as fishing training centre at Orcheton House Farm Wood Lane Heskin (Application No. 09/00873/FUL)

PLANNING APPEALS DISMISSED

- None

PLANNING APPEALS ALLOWED

- None

PLANNING APPEALS WITHDRAWN



8. None

ENFORCEMENT APPEALS LODGED

9. None

ENFORCEMENT APPEALS DISMISSED

10. None

ENFORCEMENT APPEALS ALLOWED

11. None

ENFORCEMENT APPEALS WITHDRAWN

12. None

LANCASHIRE COUNTY COUNCIL DECISIONS

13. Planning permission granted for the erection of a steel framed canopy at Buckshaw Primary School, Chancery Road, Chorley (Application No. 10/00329/CTY)

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	√

LESLEY-ANN FENTON
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	16.06.2010	10/00101/FUL	Civic Offices, Union Street, Chorley or online at www.chorley.gov.uk/planning
5	"	30.06.2010	09/00873/FUL	
13	Letter from Lancashire County Council	15.06.2010	10/00329/CTY	



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

CONFIRMATION OF TREE PRESERVATION ORDER NO.5 (EUXTON) 2010

PURPOSE OF REPORT

1. To confirm the above Tree Preservation Order (TPO) with modifications.

CORPORATE PRIORITIES

2. This report raises no issues of corporate priorities.

RISK ISSUES

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

BACKGROUND

4. The trees are situated at the front of 199 Wigan Road, Euxton

Following reports that the property was to be sold a TPO was made as it was considered that the trees contribute to the visual amenity of the area.

GROUND FOR MODIFICATION

5. After consultation with the agents, it was decided that one of the trees (Silver birch) was very close to the property and so should not be included within the TPO. Also one of the trees along the frontage (T3) had been misnamed. This was a Norwegian spruce and was wrongly identified as a Chamaecyparis. It was also decided to renumber the tree T6 to T5 for consistency as the Silver birch (to be removed from the order) was originally T5.

COMMENTS OF THE DIRECTOR OF TRANSFORMATION

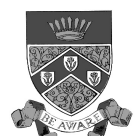
7. No comments.

COMMENTS OF THE DIRECTOR OF PEOPLE AND PLACES

8. No comments.

RECOMMENDATION

9. That the order be confirmed with modifications.



LESLEY-ANN FENTON
DIRECTOR OF PARTNERSHIPS, PLANNING & POLICY

Report Author	Ext	Date	Doc ID
Keith Winstanley	5603	29 June 2010	
Background Papers			
Document	Date	File	Place of Inspection
Tree Preservation Order No. 5 (Euxton) 2010	29 June 2010	TPO No 5 2010	Civic Offices Union Street

Report



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

Planning Applications Decided by the Director of Partnerships, Planning and Policy, the Chair and Vice-Chair of the Committee on 22 June 2010

Application No.	Recommendation	Location	Proposal
10/00132/OUT	Permit Full Planning Permission	124 Bolton Road Chorley PR7 3EZ	Erection of 1 detached house and one detached garage to serve the new dwelling and one detached garage to serve 124 Bolton Road
10/00180/FUL	Permit Full Planning Permission	Cockers Farm Long Lane Heath Charnock Chorley PR6 9EE	Proposed conversion of existing barn in to live/work unit
10/00217/FUL	Permit Full Planning Permission	50 Weldbank Lane Chorley Lancashire PR7 3NQ	Conversion of existing house into two flats

This page is intentionally left blank

Report



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

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

Application No.	Recommendation	Location	Proposal
10/00200/FUL	Permit Full Planning Permission	The Willows Farm Smithy Lane Mawdesley Ormskirk Lancashire	Retrospective application for a change of use from agricultural barn to storage and breaking of vehicle parts (Class B2).
10/00348/REMMAJ	Approve Reserved Matters	Washington Hall Washington Lane Euxton Chorley Lancashire	Reserved matters application for the erection of a new community fire station and vehicle appliance facility
10/00372/COU	Permit Full Planning Permission	Billinge House Euxton Lane Euxton Lancashire PR7 6DL	Change of use from residential to childrens day nursery (use class D1)
10/00409/FUL	Permit Full Planning Permission	Culbeck Farm Culbeck Lane Euxton Chorley PR7 6EP	Retrospective application to regularise the erection of an agricultural building

This page is intentionally left blank

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

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

Between 10 June and 6 July 2010

Plan Ref 09/00893/LBC **Date Received** 09.11.2009 **Decision** Grant Listed Building Consent

Ward: Chorley South East **Date Decided** 18.06.2010

Proposal : Proposed combination boiler
Location : 17 St Georges Street Chorley PR7 2AA
Applicant: Mr Paul Wane

Plan Ref 09/01008/CTY **Date Received** 05.01.2010 **Decision** No objection to LCC Reg 3/4 Application

Ward: Chorley North West **Date Decided** 02.07.2010

Proposal : Erection of concrete sectional garage
Location : St Marys Roman Catholic Primary School Hornchurch Drive Chorley PR7 2RJ
Applicant: St Mary's RC Primary School Hornchurch Drive Chorley PR7 2RJ

Plan Ref 10/00030/FUL **Date Received** 13.01.2010 **Decision** Permit Full Planning Permission

Ward: Pennine **Date Decided** 11.06.2010

Proposal : This application is for the following 3 amendments to the previously approved Application ref: 07/01360/FUL:- 1) New retaining wall to tree protection boundary to north of approved extension. 2) New ramp to north of approved extension for grass cutting access onto field. 3) New glazed canopy over previously approved side entrance doors to previously approved extension.

Location : St Chads Roman Catholic Primary School Blackburn Road Whittle-Le-Woods Chorley Lancashire

Applicant: St Chad's Catholic Primary School South Hill Blackburn Road Whittle-le-Woods Chorley PR6 8LL

Plan Ref 10/00078/FUL **Date Received** 29.01.2010 **Decision** Application Withdrawn
Ward: Wheelton And Withnell **Date Decided** 30.06.2010

Proposal : Conversion of existing garage/stable building to 2 storey dwelling with single storey extension. Erection of stable building and associated works
Location : South Marl Pits Farm Briers Brow Wheelton Lancashire PR6 8JT
Applicant: Mr Chris Nuttall The Cottage Briers Brow Wheelton Chorley PR6 8JT

Plan Ref 10/00143/FUL **Date Received** 22.02.2010 **Decision** Permit Full Planning Permission
Ward: Adlington & Anderton **Date Decided** 18.06.2010

Proposal : Demolition of rear conservatory & erection of a single storey rear extension, conversion of attached garage for additional living space, pitched roof over door and front windows, 1st floor side extension, two storey side/rear extension and raising the roof height and insertion of a rear dormer to form additional bedrooms.
Location : 160 Bolton Road Anderton Chorley PR6 9HN
Applicant: Mr Mark McAloon 160 Bolton Road Anderton Chorley Lancs PR6 9HN

Plan Ref 10/00158/FUL **Date Received** 01.03.2010 **Decision** Permit Full Planning Permission
Ward: Heath Charnock And Rivington **Date Decided** 22.06.2010

Proposal : Extensions to two existing sheds
Location : Blindhurst Farm Dill Hall Brow Heath Charnock Chorley PR6 9HA
Applicant: J Smiths And Sons (Chorley) Ltd Blindhurst Farm Dill Hall Brow Heath Charnock Chorley Lancashire PR6 9HA England

Plan Ref 10/00180/FUL **Date Received** 08.03.2010 **Decision** Permit Full Planning Permission
Ward: Heath Charnock And Rivington **Date Decided** 29.06.2010

Proposal : Proposed conversion of existing barn in to live/work unit
Location : Cockers Farm Long Lane Heath Charnock Chorley PR6 9EE
Applicant: Mr Lawrence Catterall Cockers Farm Long Lane Chorley Lancashire PR6 9EE

Plan Ref 10/00217/FUL **Date Received** 19.03.2010 **Decision** Permit Full Planning Permission

Ward: Chorley South East **Date Decided** 28.06.2010

Proposal : Conversion of existing house into two flats
Location : 50 Weldbank Lane Chorley Lancashire PR7 3NQ
Applicant: Mr Russell Morris Rose Cottage Coppull Moor Lane Coppull Chorley Lancashire PR7 5JA

Plan Ref 10/00219/FUL **Date Received** 22.03.2010 **Decision** Permit Full Planning Permission

Ward: Chorley South East **Date Decided** 16.06.2010

Proposal : Change Suite 6 back to original office space.
Location : Chestnut House 44 - 46 Halliwell Street Chorley Lancashire
Applicant: Nicholas Fish Chestnut House 46 Halliwell Street Chorley Lancashire PR7 2AL

Plan Ref 10/00221/FUL **Date Received** 23.03.2010 **Decision** Permit Full Planning Permission

Ward: Lostock **Date Decided** 14.06.2010

Proposal : Improvement to outdoor play area used by Croston Pre-school
Location : Old Church Of England Infants School Church Street Croston Lancashire PR26 9HA
Applicant: Croston Old School Church Street Croston Leyland

Plan Ref 10/00222/FUL **Date Received** 23.03.2010 **Decision** Refuse Full Planning Permission

Ward: Eccleston And Mawdesley **Date Decided** 17.06.2010

Proposal : Timber clad wall with a painted blockwork wall to the south elevation (this part retrospective). Proposed replacement of a portion of the timber clad wall with facing brickwork to the east elevation.
Location : Bluestone Barn Blue Stone Lane Mawdesley Lancashire
Applicant: Thomas Mawdesley Building Contractor Towngate Works Dark Lane Mawdesley Ormskirk Lancs L40 2QU England

Plan Ref 10/00230/FUL **Date Received** 24.03.2010 **Decision** Permit Full Planning Permission

Ward: Euxton North **Date Decided** 14.06.2010

Proposal : Erection of a dormer extension to the front and rear of the dwellinghouse
Location : 56 Chestnut Avenue Euxton Chorley Lancashire PR7 6BS
Applicant: Ms Jennifer Firth 56 Chestnut Avenue Euxton Chorley Lancashire PR7 6BS

Plan Ref 10/00238/FUL **Date Received** 25.03.2010 **Decision** Refuse Full Planning Permission

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 02.07.2010

Proposal : Demolition of No. 7 Chorley Old Road together with associated outbuildings. Construction of 9 No. residential dwellings and associated works and amendments to the access into No. 5 Chorley Old Road with new garage provision/location.
Location : 7 Chorley Old Road Whittle-Le-Woods Lancashire PR6 7LB
Applicant: Wainhomes (North West) Cedarwood2 Kelvin Close

Plan Ref 10/00243/FUL **Date Received** 26.03.2010 **Decision** Refuse Full Planning Permission

Ward: Wheelton And Withnell **Date Decided** 22.06.2010

Proposal : Erection of a detached bungalow
Location : 393 Blackburn Road Higher Wheelton Chorley Lancashire PR6 8HY
Applicant: Mr Richard Turner 393 Blackburn Road Higher Wheelton Chorley Lancashire PR6 8HY

Plan Ref 10/00256/FUL **Date Received** 02.04.2010 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 16.06.2010

Proposal : First floor front extension to create enlarged bathroom and part replacement of existing glazed conservatory roof with tiled roof to the rear of the property
Location : 54 Rowan Croft Clayton-Le-Woods Chorley PR6 7UX
Applicant: Mr Jeff Beazley 54 Rowan Croft Clayton Le Woods Chorley Lancashire PR6 7UX

Plan Ref 10/00264/FUL **Date Received** 06.04.2010 **Decision** Permit Full Planning Permission

Ward: Lostock **Date Decided** 16.06.2010

Proposal : Installation of cycle storage shelter and concrete base.
Location : Bishop Rawstorne C Of E International Language College Out Lane Croston Lancashire PR26 9HJ
Applicant: The Governors Bishop Rawstorne C Of E International Language College Out Lane Croston Lancashire PR26 9HJ

Plan Ref 10/00272/FUL **Date Received** 07.04.2010 **Decision** Permit Full Planning Permission

Ward: Brindle And Hoghton **Date Decided** 18.06.2010

Proposal : Erection of a two storey rear extension to create extra living accommodation, bedroom and en-suite. Erection of single storey rear extension to create sun lounge.
Location : Kylnclough Lodge Chorley Road Withnell Chorley PR6 8BG
Applicant: Mr Jeremy Gorick Kylnclough Chorley Road Withnell Chorley PR6 8BG

Plan Ref 10/00281/FUL **Date Received** 09.04.2010 **Decision** Permit Full Planning Permission

Ward: Brindle And Hoghton **Date Decided** 02.07.2010

Proposal : Erection of wall and gates to north west site boundary and erection of rear dormer.
Location : Westleigh 9 Sandy Lane Brindle Chorley Lancashire
Applicant: Mr & Mrs S Horner Westleigh 9 Sandy Lane Brindle Chorley Lancashire PR6 8PQ

Plan Ref 10/00286/FUL **Date Received** 09.04.2010 **Decision** Permit Full Planning Permission

Ward: Heath Charnock And Rivington **Date Decided** 21.06.2010

Proposal : Demolition of the existing dwelling and erection of new dwelling and detached garage.
Location : Higher Derbyshire Cottage Rivington Lane Rivington Bolton Lancashire
Applicant: Mr Darren Davenport 40 Stapleton Avenue Bolton Lancashire BL1 5ET

Plan Ref 10/00284/LBC **Date Received** 14.04.2010 **Decision** Grant
Listed
Building
Consent

Ward: Chisnall **Date Decided** 17.06.2010

Proposal : Erection of single storey rear extension
Location : Barmskin Hall Farm Barmskin Lane Heskin Chorley PR7 5PT
Applicant: Mr & Mrs N Barnes Barmskin Hall Farm Barmskin Hall Lane Heskin PR75PT

Plan Ref 10/00291/CLPUD **Date Received** 15.04.2010 **Decision** Refuse
Certificate
of
Lawfulness
Prop

Ward: Eccleston And
Mawdesley **Date Decided** 11.06.2010

Proposal : Application for certificate of lawfulness for single storey extensions to existing dwellings
Location : Orcheton House Farm Wood Lane Heskin Lancashire PR7 5PA
Applicant: GPS (North West) Ltd Orcheton House Farm Wood Lane Heskin Lancashire PR7 5PA

Plan Ref 10/00296/FUL **Date Received** 16.04.2010 **Decision** Permit Full
Planning
Permission

Ward: Clayton-le-Woods
West And
Cuerden **Date Decided** 11.06.2010

Proposal : Demolition of the existing detached garage and the erection of new detached garage
Location : 59 Kirkby Avenue Clayton-Le-Woods Leyland PR25 5SQ
Applicant: Mr Mark Houghton 59 Kirkby Avenue Clayton-Le-Woods Leyland PR25 5SQ

Plan Ref 10/00300/CLPUD **Date Received** 19.04.2010 **Decision** Grant
Certificate
of
Lawfulness

Ward: Heath Charnock
And Rivington **Date Decided** 18.06.2010

Proposal : Application for Certificate of Lawfulness to replace an existing outbuilding with a proposed garage/recreation room to the rear of the application property.
Location : West Hatch Long Lane Heath Charnock Chorley Lancashire
Applicant: Mr Michael Baron

Plan Ref 10/00307/COU **Date Received** 20.04.2010 **Decision** Permit Full Planning Permission

Ward: Chorley South East **Date Decided** 28.06.2010

Proposal : Change of use from retail (use class A1) to A2 use (financial & professional institutions)

Location : 57 Chapel Street Chorley Lancashire PR7 1BU

Applicant: Trekgate Limited (Free Holder) Lower Lickhurst Bleasdale Road White Chapel Preston Lancashire PR3 2ER

Plan Ref 10/00308/FUL **Date Received** 20.04.2010 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 14.06.2010

Proposal : Erection of first floor rear extension and single storey side extension to form a link from house to garage

Location : 15 Lupin Close Whittle-Le-Woods Chorley PR6 7RG

Applicant: Mr Derrick Walton 15 Lupin Close Whittle-Le-Woods Chorley PR6 7RG

Plan Ref 10/00302/FUL **Date Received** 21.04.2010 **Decision** Permit Full Planning Permission

Ward: Lostock **Date Decided** 16.06.2010

Proposal : The installation, replacement and alteration of various windows and doors, including a new door to front and side elevations

Location : Pear Tree Grove Barn South Road Bretherton Leyland PR26 9AJ

Applicant: Mr David Cowburn Pear Tree Grove Barn South Road Bretherton Leyland Lancashire PR26 9AJ England

Plan Ref 10/00304/FUL **Date Received** 21.04.2010 **Decision** Permit Full Planning Permission

Ward: Chorley South West **Date Decided** 10.06.2010

Proposal : 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 bedroomed self contained apartments with car parking.

Location : 176-178 Moor Road Chorley Lancashire PR7 2NT

Applicant: James Hart Ltd Clover Road Chorley Lancashire PR7 2NL

#

Plan Ref 10/00306/COU **Date Received** 21.04.2010 **Decision** Permit Full Planning Permission

Ward: Adlington & Anderton **Date Decided** 17.06.2010

Proposal : Change of use from a shop (use class A1) to cafe (use class A3)
Location : 48A Market Street Adlington Chorley Lancashire PR7 4HF
Applicant: Mr Phillip Booth 76 St Georges Avenue Westhoughton Bolton Lancs BL5 2EU

Plan Ref 10/00314/CLEUD **Date Received** 21.04.2010 **Decision** Refuse Certificate of Lawfulness Est Use

Ward: Chisnall **Date Decided** 30.06.2010

Proposal : Certificate of lawfulness for an existing wooden fence, dropped kerb and access to Wood Lane
Location : 176A Wood Lane Heskin Lancashire PR7 5NS
Applicant: Mr & Mrs Thomas Maugaun 176A Wood Lane Heskin Lancashire PR7 5NS

Plan Ref 10/00315/CLPUD **Date Received** 21.04.2010 **Decision** Refuse Certificate of Lawfulness Est Use

Ward: Chisnall **Date Decided** 01.07.2010

Proposal : Certificate of lawfulness for a proposed detached outbuilding and new access to The Meadows
Location : 176A Wood Lane Heskin Lancashire PR7 5NS
Applicant: Mr & Mrs Thomas Maugaun 176A Wood Lane Heskin Lancashire PR7 5NS

Plan Ref 10/00316/FUL **Date Received** 21.04.2010 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 16.06.2010

Proposal : Demolition of the existing garage and the erection of a two storey side extension to create additional living space
Location : 55 Cedar Field Clayton-Le-Woods Chorley Lancashire PR6 7RW
Applicant: Mr & Mrs Rawsthorne 55 Cedar Field Clayton-Le-Woods Chorley Lancashire PR6 7RW

Plan Ref 10/00317/FUL **Date Received** 21.04.2010 **Decision** Permit Full Planning Permission

Ward: Wheelton And Withnell **Date Decided** 16.06.2010

Proposal : Conversion and extension of existing building to create office accommodation
Location : X And P Civil Engineers Railway Road Withnell Lancashire
Applicant: X & P Civil Engineers X And P Civil Engineers Railway Road Withnell Lancashire

Plan Ref 10/00310/FUL **Date Received** 22.04.2010 **Decision** Permit Full Planning Permission

Ward: Adlington & Anderton **Date Decided** 01.07.2010

Proposal : Erection of a single storey rear extension to create conservatory and formation of raised patio to the rear of the conservatory
Location : 30 Belmont Road Adlington Chorley PR6 9PT
Applicant: Mr Anthony Moore 30 Belmont Road Adlington Chorley Lancashire PR6 9PT

Plan Ref 10/00312/FUL **Date Received** 22.04.2010 **Decision** Permit Full Planning Permission

Ward: Chisnall **Date Decided** 17.06.2010

Proposal : Erection of a two storey rear/side extension
Location : 300 Wood Lane Heskin Chorley PR7 5NT
Applicant: Mrs Cathryn Lane 300 Wood Lane Heskin Chorley Lancs PR7 5NT

Plan Ref 10/00313/FUL **Date Received** 22.04.2010 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods North **Date Decided** 16.06.2010

Proposal : Erection of a detached double garage
Location : 29 Carr Field Bamber Bridge Preston PR5 8BS
Applicant: Mr Eddie Bailey 29 Carr Field Clayton Brook Bamber Bridge Preston Lancashire PR5 8BS

Plan Ref 10/00318/FUL **Date Received** 22.04.2010 **Decision** Application Withdrawn

Ward: Clayton-le-Woods **Date Decided** 02.07.2010
And Whittle-le-Woods

Proposal : Application to vary condition 11 of planning permission 07/00955/FUL to allow top opening/bottom hung obscure glazed windows at first floor in the northern elevation of plot 4 (no. 12 Spinney Close) serving the bathroom and en-suite.

Location : Land Formerly Haven House Plot 4 Spinney Close Whittle-Le-Woods

Applicant: Wainhomes (North West) Ltd Cedarwood 2 Kelvin Close Birchwood Warrington WA3 7PB

Plan Ref 10/00321/FUL **Date Received** 23.04.2010 **Decision** Permit Full Planning Permission

Ward: Lostock **Date Decided** 18.06.2010

Proposal : Proposed conversion of an existing attached barn to form an additional two storey extension

Location : Owl Barn Flag Lane Bretherton Leyland PR26 9AD

Applicant: Mr & Mrs Waterworth Owl Barn Flag Lane Bretherton Leyland PR26 9AD

Plan Ref 10/00322/LBC **Date Received** 23.04.2010 **Decision** Grant Listed Building Consent

Ward: Lostock **Date Decided** 18.06.2010

Proposal : Proposed conversion of an existing attached barn to form an additional two storey extension

Location : Owl Barn Flag Lane Bretherton Leyland PR26 9AD

Applicant: Mr & Mrs Waterworth Owl Barn Flag Lane Bretherton Leyland PR26 9AD

Plan Ref 10/00319/FUL **Date Received** 24.04.2010 **Decision** Permit Full Planning Permission

Ward: Euxton South **Date Decided** 18.06.2010

Proposal : Erection of two front pitched dormers (rear dormer shown on plan stated to be constructed under permitted development)

Location : 41 Queensway Euxton Chorley PR7 6PN

Applicant: Mr Carle Babb 19 Grey Heights View Chorley Lancashire PR6 0TN

Plan Ref 10/00324/FUL **Date Received** 26.04.2010 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods West And Cuerden **Date Decided** 21.06.2010

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

Plan Ref 10/00325/FUL **Date Received** 26.04.2010 **Decision** Permit Full Planning Permission

Ward: Brindle And Hoghton **Date Decided** 21.06.2010

Proposal : Erection of a single storey front extension to create porch/cloakroom
Location : The Coach House Sandy Lane Brindle Chorley PR6 8NJ
Applicant: Mr T & Mrs M Mitchell The Coach House Sandy Lane Brindle Chorley PR6 8NJ

Plan Ref 10/00333/FUL **Date Received** 26.04.2010 **Decision** Permit Full Planning Permission

Ward: Brindle And Hoghton **Date Decided** 16.06.2010

Proposal : Creation of pond, associated landscaping, earth works and planting.
Location : Mintholme Hall Gowans Lane Brindle Chorley PR6 8NU
Applicant: Mr Jeremy Rothwell Mintholme Hall Gowans Lane Brindle Chorley PR6 8NU

Plan Ref 10/00332/FUL **Date Received** 27.04.2010 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods West And Cuerden **Date Decided** 18.06.2010

Proposal : Demolition of the existing single storey extension and the erection of a two storey rear extension to create additional living space
Location : 64 Lancaster Lane Leyland PR25 5SP
Applicant: Mr Neil Doran 64 Lancaster Lane, Clayton le Woods Leyland Lancashire PR25 5SP England

Plan Ref 10/00335/FULMAJ **Date Received** 28.04.2010 **Decision** Permit Full Planning Permission

Ward: Astley And Buckshaw **Date Decided** 24.06.2010

Proposal : Application to provide internal links between Units K1 to K4 (inclusive) and the installation of associated plant/extraction equipment.
Location : Unit K1-K4 Buckshaw Link Ordnance Road Buckshaw Village Chorley
Applicant: Bernadette McQuillan CB Richard Ellis The Chancery Spring Gardens Manchester M2 1EW

Plan Ref 10/00337/TPO **Date Received** 28.04.2010 **Decision** Consent for Tree Works

Ward: Brindle And Hoghton **Date Decided** 30.06.2010

Proposal : Felling of 2 trees covered by TPO 1 (Hoghton) 1969
Location : 42 Fowler Close Hoghton Preston PR5 0DS
Applicant: Mrs Jacqueline Waddington 42 Fowler Close Hoghton Preston PR5 0DS

Plan Ref 10/00341/FUL **Date Received** 29.04.2010 **Decision** Permit Full Planning Permission

Ward: Eccleston And Mawdesley **Date Decided** 05.07.2010

Proposal : Single storey side extension to form entrance vestibule
Location : 13 Beechfields Eccleston Chorley PR7 5RF
Applicant: Mr Robert Housden

Plan Ref 10/00349/ADV **Date Received** 05.05.2010 **Decision** Advertising Consent

Ward: Eccleston And Mawdesley **Date Decided** 22.06.2010

Proposal : Display of 6 No fascia signs (3 illuminated and 3 non-illuminated), 1 No illuminated totem sign (6m in height), 3 No flag/banner signs (6m in height) and 1 No entrance sign (3m in height)
Location : 98 Towngate Eccleston Chorley PR7 5QS
Applicant: J And A Rigbye And Sons 98 Towngate Eccleston Chorley Lancashire PR7 5QS England

Plan Ref 10/00353/CLPUD **Date Received** 06.05.2010 **Decision** Refuse Certificate of Lawfulness Prop

Ward: Astley And Buckshaw **Date Decided** 01.07.2010

Proposal : Application of certificate of lawfulness in respect of the siting of a wheeled container/store

Location : Land Between 77 And 81 The Farthings Astley Village Lancashire

Applicant: Mr M Dunkerley 23 Brookside Coppull Chorley PR7 4QP

Plan Ref 10/00357/FUL **Date Received** 07.05.2010 **Decision** Permit Full Planning Permission

Ward: Brindle And Hoghton **Date Decided** 01.07.2010

Proposal : Variation of condition 3 of planning approval ref. 08/00254/FUL relating to the roof materials

Location : West View Holt Lane Brindle Chorley PR6 8NE

Applicant: Mr W Nelson West View Holt Lane Brindle Chorley PR6 8NE

Plan Ref 10/00370/FUL **Date Received** 10.05.2010 **Decision** Permit Full Planning Permission

Ward: Eccleston And Mawdesley **Date Decided** 29.06.2010

Proposal : Proposed first floor side extension to create additional living space

Location : 216B The Green Eccleston Lancashire PR7 5SU

Applicant: Mr F Green 216B The Green Eccleston Lancashire PR7 5SU

Plan Ref 10/00371/FUL **Date Received** 10.05.2010 **Decision** Permit Full Planning Permission

Ward: Chorley South West **Date Decided** 05.07.2010

Proposal : Erection of a single storey side extension to create additional dining room and study.

Location : 14 Arley Wood Drive Chorley PR7 2FS

Applicant: Mr Mark Prontek 14 Arley Wood Drive Chorley PR7 2FS

Plan Ref 10/00374/FUL **Date Received** 10.05.2010 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods
And Whittle-le-Woods **Date Decided** 30.06.2010

Proposal : Erection of a single storey side extension to create an extended garage
Location : 35 Foxglove Drive Whittle-Le-Woods Chorley PR6 7SG
Applicant: Mr Neil Hartley 35 Foxglove Drive Whittle-Le-Woods Chorley PR6 7SG

Plan Ref 10/00366/FUL **Date Received** 12.05.2010 **Decision** Permit Full Planning Permission

Ward: Eccleston And Mawdesley **Date Decided** 06.07.2010

Proposal : Replacing the existing wood panel fence along the side of the dwelling with a brick and panel fence
Location : 235 The Green Eccleston Chorley PR7 5SX
Applicant: Mr Matthew Higginson 235 The Green Ecclestone Lancashire PR7 5SX United Kingdom

Plan Ref 10/00380/FUL **Date Received** 12.05.2010 **Decision** Permit Full Planning Permission

Ward: Astley And Buckshaw **Date Decided** 06.07.2010

Proposal : Proposed ATM machine to the frontage of proposed Tesco food store
Location : Land South Of Buckshaw Avenue Buckshaw Avenue Buckshaw Village Lancashire
Applicant: Tesco Stores Ltd 1 Portland Street Manchester M1 3BE

Plan Ref 10/00386/FUL **Date Received** 14.05.2010 **Decision** Application Withdrawn

Ward: Chorley North East **Date Decided** 30.06.2010

Proposal : Retrospective re-submission of 08/01043/Ful. Change from flat to pitched roof and new side door and windows
Location : 44 Russell Square Chorley Lancashire PR6 0AS
Applicant: Mr Alfred West 44 Russell Square Chorley Lancashire PR6 0AS

Plan Ref 10/00406/MNMA **Date Received** 21.05.2010 **Decision** Minor Non-Material Amendment Accepted

Ward: Pennine **Date Decided** 28.06.2010

Proposal : Application for non-material minor amendment to planning application 10/00175/FUL to remove two existing first floor windows on the north side elevation and two existing first floor windows on the south side elevation. New window elements to proposed side extension and existing conservatory to be UPVC in lieu of timber

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 10/00410/MNMA **Date Received** 21.05.2010 **Decision** Minor Non-Material Amendment Accepted

Ward: Chorley North East **Date Decided** 07.07.2010

Proposal : Application for minor non-material amendment to planning application 07/01348/FUL, to re-design the rear conservatory; re-position the dressing room window; to move the SVP externally on the rear elevation; to remove the dressing room wall and reposition the partition wall between bedrooms 1 and 3.

Location : 172 Preston Road Chorley Lancashire PR6 7AZ

Applicant: Mr Brian Dickinson 16 Parkdale Gardens Blackburn BB2 5SU

Plan Ref 10/00466/CTY **Date Received** 11.06.2010 **Decision** No objection to LCC Reg 3/4 Application

Ward: Chorley South East **Date Decided** 29.06.2010

Proposal : Part retrospective application for the replacement of the library windows

Location : Chorley Central Library Union Street Chorley Lancashire PR7 1EB

Applicant: Lancashire County Council Adult & Community Services - Libra PO Box 60 County Hall Preston Lancashire PR1 8RE

This page is intentionally left blank

Item 2

09/00958/CLEUD

Refuse

Case Officer Mr Peter Willacy**Parish** Coppull**Proposal** Application for certificate of lawfulness in respect of mixed use of agriculture and milk processing**Location** Yew Tree House Farm Coppull Hall Lane Coppull**Applicant** J & B Woodcock & Sons**Background** The application site relates to a farm and associated agricultural land.

The application seeks confirmation that the land identified in the application has been in use continually for more than ten years for the purposes of agriculture and milk processing..

Government Circular 10/97 is clear that that the test when considering such an application is whether, on the balance of probability, the evidence submitted supports the claim that the use commenced more than 10 years before the application was made and has continued over that period.

Members should be aware that the application is being reported to committee for their information because there has been significant public interest in the application, but members are unable to make any comments on the application as the planning merits do not fall to be considered.

Planning History In 2009 the Council received a complaint concerning the volume of heavy goods traffic accessing the farm. On investigation it became apparent that alongside the agricultural use of the site that the processing , bottling and distribution of milk was also taking place.Previously milk had been produced from there own herd with some milk imported for processing.It appeared to your officers that a breach of planning control involving a material change of use from agriculture to a mixed use of agriculture and processing of milk had occurred.A retrospective planning application was therefore requested which resulted in the current application for a lawful use being applied for.

Applicant's Case The application has been submitted with a supporting statement from the applicants including:

- A statutory statement from one of the partners
- Letters from engineers who have installed/maintained equipment
- Letters from milkman who purchased milk for their rounds
- Environmental health inspection certificates
- Letter from milk bottle supplier
- Letter from supplier of hygienic cleaning products
- Letters from suppliers of raw milk
- Letters from customers

To substantiate the following

- A mixed use of agriculture and processing of milk throughout the past 10 years

Comments received A large number of letters have been received in relation to the

This is not an application for planning permission and any comments received would only be relevant if they have relevance to the lawfulness of the use or otherwise

As explained in the introduction the planning merits of the application do not fall to be considered therefore many of the comments received have no bearing on the application and cannot be taken into account.

Assessment

The applicant has submitted evidence to support the claim that the use commenced more than 10 years ago and has continued until the present day.

The issue to be determined is whether on the balance of probability the evidence put forward is sufficient to enable a Certificate to be issued.

What is clear from the information submitted is that the farm has produced milk from their own cows over the years and there has been some importation of milk from elsewhere. The production and processing of milk from the farms own animals is an agricultural use.

That situation has change in recent years with the erection of new buildings without planning permission, the use of agricultural buildings for non agricultural purposes, the formation of hardstanding to enable vehicle parking and maneuvering, the erection of silos and an electricity sub station. This has led to a intensification of the use and character of the use which the Council considers requires planning permission. As a result of these changes the importation and processing of milk has intensified which has led to increased traffic movements to and from the site leading to an increase in noise generated, and visual impact on the Green Belt due to the various unauthorised development undertaken.

The applicant has suggested that based on the evidence submitted that the Council could grant a partial certificate on those parts of the site unaffected by the unauthorised development. However, to do so would ignore the fact that a material change of use has occurred within the planning unit as a whole and not within a separate identifiable planning unit.

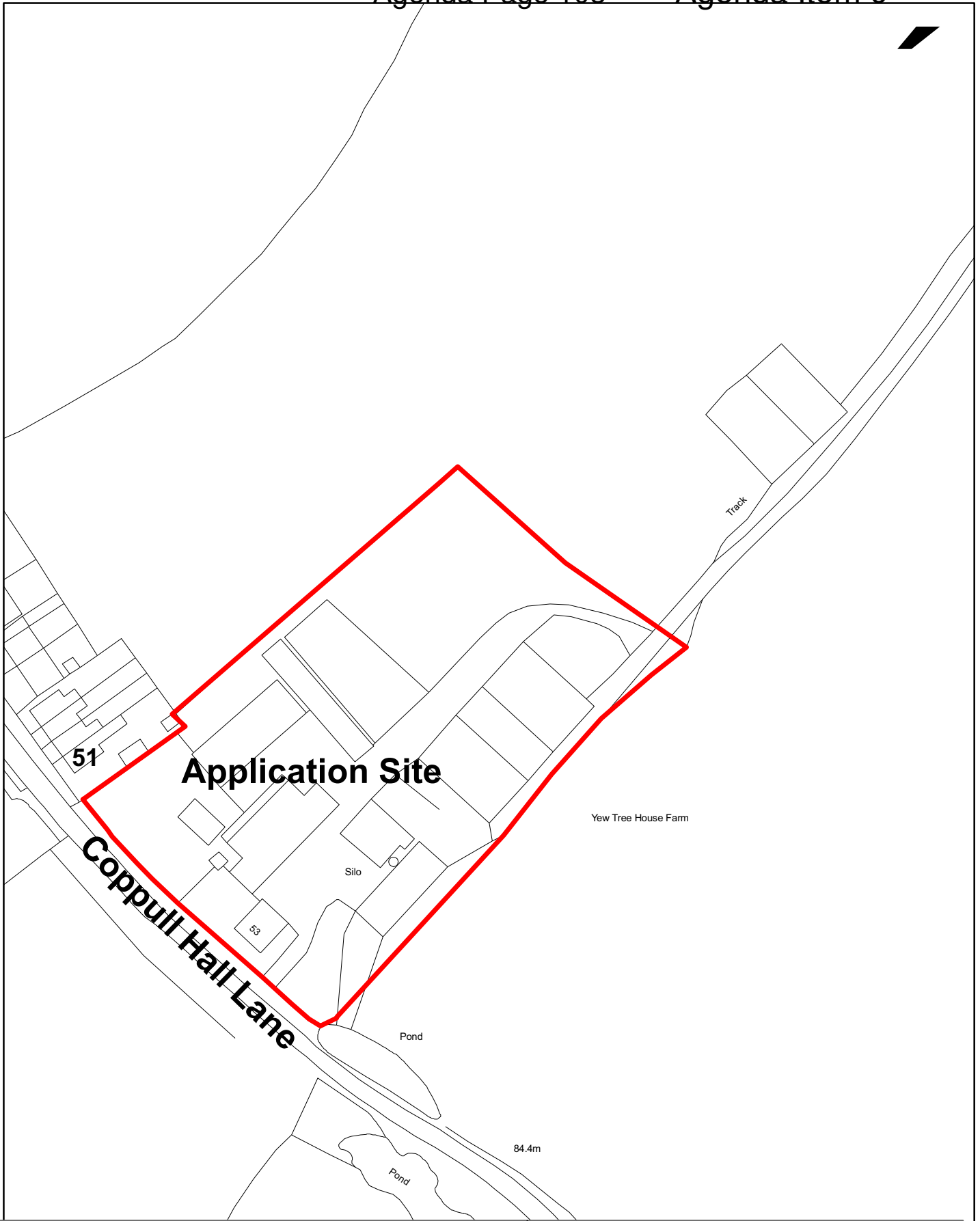
In view of the unauthorised development which has taken place at the site over the last 10 years the evidence submitted does not demonstrate therefore that the use of the site for a mixed use of agriculture and milk processing is lawful.

Recommendation: Refuse

Reason

The Council consider that the evidence submitted fails to demonstrate the lawfulness of the use described in the application.

This page is intentionally left blank



Lesley - Ann Fenton
Director of Partnerships, Planning and Policy

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

Application No.

09/00958/CLEUD

Grid Ref:

E: 357152
N: 414249

Scale:

1:1,250

2

This page is intentionally left blank

Report of	Meeting	Date
Director Partnerships, Planning and Policy	Development Control Committee	22.7.2010

ENFORCEMENT ITEM

TITLE : ERECTION AND USE OF BUILDINGS FOR MILK PROCESSING, FORMATION OF HARDSTANDING, ERECTION OF SILOS ON LAND AT YEW TREE FARM, COPPULL HALL LANE, COPPULL

PURPOSE OF REPORT

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

RECOMMENDATION(S)

2. That enforcement action be authorised in respect of the following breaches of planning control :

Alleged Breach

- 2.1 Without planning permission the erection of a building for the processing, packaging and distribution of milk.

- 2.2 **Remedy for Breach**

Demolish the building and remove the materials resulting from its demolition from the land

- 2.3 **Period for Compliance**

Nine Months.

- 2.4 **Reason**

The development is inappropriate development and therefore harmful to the Green Belt contrary to Policy DC1, Chorley Borough Local Plan Review (CBLPR) Adopted Edition dated August 2003, and Policy 6 of the Joint Lancashire Structure Plan and Government advice in PPG 2, Green Belts.

The development by reason of the HGV traffic generated is unsafe for the highway network in the area and detrimental to the safety of other highway users

Alleged Breach

2.5 Without planning permission the change of use of an agricultural building for the processing, packaging and distribution of milk.

2.6 **Remedy for Breach**

2.7 Cease the use of the building for the processing, packaging and distribution of milk

2.8 **Period for Compliance**

Nine Months

2.9 **Reason**

The development is inappropriate development and therefore harmful to the Green Belt contrary to Policy DC1, Chorley Borough Local Plan Review (CBLPR) Adopted Edition dated August 2003, and Policy 6 of the Joint Lancashire Structure Plan and Government advice in PPG 2, Green Belts.

The development by reason of the HGV traffic generated is unsafe for the highway network in the area and detrimental to the safety of other highway users

Alleged Breach

Without planning permission the formation of an area of hardstanding for the parking and maneuvering of motor vehicles

2.10 **Remedy for Breach**

2.11 Remove the material used to form the hardstanding from the land

2.12 **Period of Compliance**

Nine months

2.13 **Reason**

The development is inappropriate development and therefore harmful to the Green Belt contrary to Policy DC1, Chorley Borough Local Plan Review (CBLPR) Adopted Edition dated August 2003, and Policy 6 of the Joint Lancashire Structure Plan and Government advice in PPG 2, Green Belts.

The development by reason of the HGV traffic generated is unsafe for the highway network in the area and detrimental to the safety of other highway users

Alleged Breach

2.14 Without planning permission the erection of silos for the storage of milk.

2.15 **Remedy for Breach**

2.16 Dismantle the silos and remove them from the land.

2.17 **Period of Compliance**

Nine Months

2.18 **Reason**

The development is inappropriate development and therefore harmful to the Green Belt contrary to Policy DC1, Chorley Borough Local Plan Review (CBLPR) Adopted Edition dated August 2003, and Policy 6 of the Joint Lancashire Structure Plan and Government advice in PPG 2, Green Belts.

The development by reason of the HGV traffic generated is unsafe for the highway network in the area and detrimental to the safety of other highway users

EXECUTIVE SUMMARY OF REPORT

3. The issues for consideration in this case are whether the development that has been carried out is appropriate development within the Green Belt, whether the use has led to an unacceptable increase in traffic, and whether it has led to a loss of amenity for local residents.

REASONS FOR RECOMMENDATION(S)

The site is within the designated Green Belt as defined by Policy DC1 of the Adopted Chorley Borough Local Plan Review. Within the designated Green Belt planning permission will not be granted, except in very special circumstances, for development other than: (a) agriculture/forestry, (b) essential facilities for outdoor sport and outdoor recreation, (c) limited extensions alteration replacement of existing dwelling's, (d) the re use of existing buildings, (e) limited infilling, (f) affordable housing, (g) redevelopment of major developed sites or other uses of land which preserve the openness of the Green Belt and do not conflict with its purposes.

The development does not accord with that policy and the Council are unaware of any special circumstances that would override that policy.

he volume of HGV traffic now using the country lane to the farm is detrimental to the safety of other highway users. This is a very popular route for horse riders, pedestrians and cyclists, and whilst there are verge areas, these are unsuitable for the passage of any traffic, confining these users to the surfaced area as well. This means that HGV's have to pick their way through other highway users on the lane, forcing them to move off the paved area and stand aside. This development is now inappropriate for the area, and the level of HGV traffic now generated by the business is unsafe for the highway network in the direct vicinity of Yew Tree Farm.

CORPORATE PRIORITIES

4. 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

- 6. A report appears on this agenda in respect of an application for a Certificate of lawful use and the recommendation is to refuse the application. The consequence of refusal of the application is that the Council must now decide whether it would be expedient to take enforcement action in respect of the breaches of planning control identified at the site.
- 7. In 2009 the Council received a complaint concerning the volume of heavy goods traffic accessing the farm. On investigation it became apparent that alongside the agricultural use of the site that the processing, bottling and distribution of milk was also taking place. Previously milk had been produced from their own herd with some milk imported for processing. It appeared to your officers that a breach of planning control involving a material change of use from agriculture to a mixed use of agriculture and processing of milk had occurred. A retrospective planning application was therefore requested which resulted in the current application for a lawful use being applied for.
- 8. That situation has changed in recent years with the erection of new buildings without planning permission, the use of agricultural buildings for non agricultural purposes, the formation of hardstanding to enable vehicle parking and manoeuvring, the erection of silos and an electricity sub station. This has led to an intensification of the use and a change in the character of the use which the Council considers requires planning permission. As a result of these changes the importation and processing of milk has intensified which has led to increased traffic movements to and from the site leading to noise generated, and visual impact on the Green Belt due to the various unauthorised development undertaken.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

9 Nil

IMPLICATIONS OF REPORT

10. 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	X

Lesley-Ann Fenton
Director of Partnerships, Planning & Policy

Report Author	Ext	Date	Doc ID
Peter Willacy	5226	9/7/2010	

This page is intentionally left blank

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

ENFORCEMENT ITEM

TITLE: Formation of Vehicular Access 176a Wood Lane Heskin Chorley PR7 5NS

PURPOSE OF REPORT

1. To consider whether it is expedient to serve an enforcement notice to secure the closure of the unauthorised vehicular access.

RECOMMENDATION(S)

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

Alleged Breach

- i. The formation of a vehicular access to a classified road.

- ii **Remedy for Breach**

Close off the unauthorised vehicular access permanently by replanting the Hawthorne hedgerow between points A & B shown on the attached plan.

- ii(a). **Period for Compliance**

Four Months.

- ii(b). **Reasons.**

The layout of the access and its proximity to the junction of Wood Lane and The Meadows involves vehicles carrying out manoeuvres on to the highway creating danger for other users of this classified road.

The removal of the hedgerow to form the access has resulted in a loss to visual amenity of the green belt and character and appearance of this area contrary to Government advice in PPG 2, Green Belts

EXECUTIVE SUMMARY OF REPORT

- 3. Following refusal of an application for a Certificate of Lawful Use, application 10/00314/CLEUD, dealt with under delegated powers, for the vehicular access, the Council must now consider whether it is expedient to take enforcement action to secure cessation of the use of that access.
- 4. The issue for consideration in this case is whether the operational development that has been carried has caused detriment to the character and appearance of this area which is within green belt and whether the access causes any highway safety issues.

Reasons for Recommendations

- 5. The removal of the hedgerow to form the access, in this prominent corner location at the junction of Wood Lane/The Meadows has resulted in a loss to the visual amenity of the street due to the resultant stark open frontage that has been created to this otherwise sylvan area where the properties along Wood Lane have clearly identifiable front boundaries separating the curtilage from highway.
- 6. The Highways Authority has advised that as the access is within 3 metres of the kerb line of a side road junction and this does not meet their standard of 12 metres. There is no provision to allow vehicles to turn and exit the property in forward gear the same vehicles when exiting must therefore reverse into the highway dangerously close to this side road junction. Through the removal of the hedgerow there is now the possibility of 4 vehicles parking on the front forecourt at any one time thereby multiplying the risk which is a hazard to all road users.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 7. Nil

CORPORATE PRIORITIES

- 8. 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

9. This report stems from a recently refused application for a Certificate of Lawful use in respect to the access in which the applicant did not prove on the balance of probabilities that the access had been used for a period of 4 or more years.

ALTERNATIVE REQUIREMENTS

10. Nil.

IMPLICATIONS OF REPORT

11. 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	8 July 2010	10/00314/CLEUD

This page is intentionally left blank



176A Wood lane
Meskin
Chorley
PR 7 5NS.

This page is intentionally left blank