

# Development Control Committee

**Tuesday, 24 May 2011**

**Present:** Councillor Harold Heaton (Chair), Councillor Geoffrey Russell (Vice-Chair) and Councillors Ken Ball, Matthew Crow, David Dickinson, Dennis Edgerley, Christopher France, Marie Gray, Alison Hansford, Hasina Khan, Paul Leadbetter, Roy Lees and Mick Muncaster

**Substitutes:** Councillor Alistair Bradley

**Also in attendance:** Jennifer Moore (Head of Planning), Paul Whittingham (Development Control Team Leader), Nicola Hopkins (Principal Planning Officer (Major Projects)), Alex Jackson (Senior Lawyer) and Cathryn Barrett (Democratic and Member Services Officer)

## 11.LPS.50 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Henry Caunce and Councillor June Molyneaux.

Councillor Alistair Bradley substituted for Councillor Molyneaux.

## 11.LPS.51 MINUTES

**RESOLVED – That the minutes of the Development Control Committee meeting held on 19 April 2011 be confirmed as a correct record and signed by the Chair.**

## 11.LPS.52 DECLARATIONS OF ANY INTERESTS

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

Planning Application 11/00074/FULMAJ – Councillor Matthew Crow  
Planning Application 11/00270/FUL - Councillor Alistair Bradley

## 11.LPS.53 INDEX OF APPLICATIONS

The Director Partnerships, Planning and Policy submitted reports on eight applications for planning permissions to be determined.

**(a) 11/00178/FUL - Buckshaw Village Parcel H4 Persimmon Homes Buckshaw Village Lancashire**

(The Committee received representations from an objector to the proposals.)

Application No: 11/00178/FUL  
Proposal: Proposed replan of part of Parcel H4 (approved under 08/00767/FULMAJ) to change the layout and house types.  
Location: Buckshaw Village, Parcel H4, Persimmon Homes, Buckshaw Village, Lancashire.  
Decision:

It was proposed by Councillor Dennis Edgerley, seconded by Councillor David Dickinson and subsequently unanimously **RESOLVED – To grant planning permission subject to the following conditions:**

1. 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.*

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Ref.	Received On:	Title:
JB/PL1/BVPS1	15 April 2011	Planning Layout – Plot Substitution 201-209
PR.S.D.24/2	3 March 2011	1800mm Wall with Brick Pillars
PR.S.D.22	3 March 2011	1800mm High Close Boarded Fence
PR.S.D.33	3 March 2011	450mm High Post and One Rail Fence
2307-124	3 March 2011	Conservatory Details
HAT	3 March 2011	The Hatfield House Type
ROS	3 March 2011	The Rufford House Type
RUF	3 March 2011	The Rufford House Type
SGD-01 Rev B	3 March 2011	Typical Single and Double Garage Details

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

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

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

4. 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. The garages shall not be used for any trade or business purposes.

*Reason: In order to safeguard the residential amenity and character of the area and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review*

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 1, Class F and Schedule 2, Part 2, Class B) or any Order revoking or re-enacting the Order, no hard surfacing shall be provided within any curtilage that is adjacent to a highway of any dwelling hereby permitted, nor shall any means of access to a highway be formed, laid out or constructed to any

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

*Reason: To protect the appearance of the locality, in particular to avoid the proliferation of frontage parking and in accordance with Policy No. 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 1, Class A) or any Order revoking or re-enacting the Order, no extensions shall be undertaken to any dwelling hereby permitted.

*Reason: The properties have been permitted with a rear conservatory which will form part of the original dwelling. To erect a further extension under permitted development rights off this may have an unacceptable impact on the neighbouring properties and in accordance with Policy No. HS9 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 external facing materials to the proposed building(s) (notwithstanding any details shown on the previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

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

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

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

10. 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.*

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

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

(b) **11/00028/FULMAJ - Land 150 Metres South of Filter Beds Cottage Bolton Road Anderton Lancashire**

(The Committee received representations from two objectors to the proposals and from the secretary and agent for St Mark's FC in support of the proposals.)

Application No: 11/00028/FULMAJ  
Proposal: Proposed change of use of pasture land to create a sports field for three football pitches involving minimal cut and fill earthworks to create a level playing area together with an associated new vehicular access off Scholes Bank to serve a new car park.  
Location: Land 150 metres south of Filter Beds Cottage, Bolton Road, Anderton, Lancashire.  
Decision:

It was proposed by Councillor Ken Ball to defer the decision until a highway layout could be considered by Members at a future meeting.

At this point there was a short adjournment for officers to confer.

On their return, the Chair of the Committee asked for a Member to second Councillor Ball's proposal. The proposal was not seconded.

It was proposed by Councillor David Dickinson, seconded by Councillor Marie Gray and subsequently **RESOLVED (13:1) – To grant planning approval subject to the following conditions. The discharge of condition application for the highway layout to be determined by Committee:**

- 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. Notwithstanding the details shown on the approved plans, no part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement, including a Traffic Regulation Order for a reduction in the speed limit along Scholes Bank (if deemed necessary by the Highway Authority - Lancashire County Council), has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The site access, off-site works to the highway and reduction in the speed limit (if deemed necessary as such by the Highway Authority) shall be completed prior to the first use of the football pitches and car park hereby permitted.**  
*Reason: In order to ensure that the access, visibility splays alignment and width of carriageways is designed to meet the requirements of the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable in highway safety terms before work commences on site and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.*
- 3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in**

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

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

4. Before the development hereby permitted is first commenced full details of the existing levels on the site and the proposed ground levels of the football pitches, the car park, access path and access road (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 the approved 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 the amenities of local residents and in accordance with Policy Nos. GN5 and LT12 of the Adopted Chorley Borough Local Plan Review.*

5. Before the development hereby permitted is first used, provision for cycle parking, in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority, shall have been made.

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

6. No development shall take place until details of the proposed surface water drainage arrangements for the access road, car park and football pitches have been submitted to and approved by the Local Planning Authority in writing. No part of the development shall be used until the approved surface water drainage arrangements have been fully implemented in accordance with the approved details.

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

7. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences, walls and gates (including the gate across the access) to be erected to the site boundaries and within the site (notwithstanding any such detail shown on the approved plans) shall have been submitted to and approved in writing by the Local Planning Authority. The land shall not be used pursuant to this permission until all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

*Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy Nos. GN5 and LT12 of the Adopted Chorley Borough Local Plan Review.*

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

*Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 and HT9 of the Adopted Chorley Borough Local Plan Review.*

9. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British

Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.

*Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 and HT9 of the Adopted Chorley Borough Local Plan Review.*

10. 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 the approved plans) 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.*

11. Before the use of the football pitches hereby permitted is first commenced, the car park, access road and vehicle manoeuvring areas shall be surfaced, drained and marked out all in accordance with the approved plans. 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.*

12. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 15m into the site shall be appropriately paved/surfaced using a hard material details of which have first been submitted to and approved in writing by the Local Planning Authority. The accessway thereafter shall be surfaced in accordance with the approved materials.

*Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users and in accordance with Policy No. TR4 of the Chorley Borough Local Plan Review.*

13. The football pitches hereby permitted shall be not be used until the means of vehicular access has been constructed and completed 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.*

14. The access road to the site and car park shall remain closed to motorised vehicles and motorcycles at all times other than when matches are being played.

*Reasons: In the interests of the amenities of neighbours, to prevent vehicles and motorcycles access the site when not in use and in accordance with Policy No. LT12 of the Adopted Chorley Borough Local Plan Review.*

15. The existing access crossing over Jepson's Clough shall be removed in

full with the watercourse restored to open section in accordance with details and a timescale to be agreed in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details and within the agreed timescale.

*Reason: To reduce flood risk by removing a redundant structure and in accordance with Policy No. EP19 of the Adopted Chorley Borough Local Plan Review.*

16. Prior to the commencement of development hereby permitted, a detailed method statement for the removal and/or long-term management/eradication of Japanese Knotweed & Himalayan Balsam on the site shall have been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Japanese Knotweed & Himalayan Balsam during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/root/stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall only proceed in accordance with the approved method statement.

*Reason: To prevent the spread of Japanese Knotweed & Himalayan Balsam as a result of the development and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local Plan Review.*

17. The development hereby permitted shall only be carried out in accordance with the amphibian mitigation measures specified in section 6.1 of the TEP Ecological Assessment (Report Ref: 2140.002revA), or any amended measures which have first been submitted to and approved in writing by the Local Planning Authority.

*Reasons: To safeguard protected species and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local Plan Review.*

18. No site clearance, site preparation or development work shall take place until a habitat creation/enhancement and management plan (to include appropriate compensation for tree and hedgerow losses and loss of potential terrestrial amphibian habitat) has been submitted and approved by Chorley Borough Council in consultation with LCC (Ecology). The development shall only be carried out in accordance with the approved habitat creation/enhancement and management plan.

*Reasons: To mitigate habitat loss, safeguard protected species and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local Plan Review.*

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, hedge, tree, shrub or other device above 600mm in height and any fence erected above a height of 600mm shall be of a design that does not impede driver visibility, details of which shall first be submitted to and agreed in writing by the Local Planning Authority in liaison with LCC (Highways). The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of Scholes Bank to points measured 90m in each direction along the nearer edge of the carriageway of Scholes Bank, from the centre line of the access, and shall be constructed and maintained at footway/verge level in

accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority.

*Reason: To ensure adequate visibility at the street junction or site access and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.*

20. The proposed access from the site to Scholes Bank shall be constructed to a (minimum) width of 5.5m and this width shall be maintained for a minimum distance of 20m measured back from the nearside edge of the carriageway.

*Reason: To enable vehicles to enter and leave the premises in a safe manner without causing a hazard to other road users and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.*

21. The existing access shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads (concurrent with the formation of the new access or within 3 months of the formation of the new access).

*Reason: To limit the number of access points to, and to maintain the proper construction of the highway.*

22. 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.*

23. The development hereby permitted shall not commence until full details of the colour, form and texture of the ground surfacing materials for the car park and overspill car park (notwithstanding any such detail shown on the approved plans) have been submitted to and approved in writing by the Local Planning Authority. The car parks shall be constructed using permeable materials on a permeable base. 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. DC1 and GN5 of the Adopted Chorley Borough Local Plan Review.*

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

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

- (c) 11/00074/FULMAJ - 47 Clancutt Lane Coppull Chorley PR7 4NR

Councillor Matthew Crow declared a prejudicial interest and left the meeting for the duration of this item.

(The Committee received representations from an objector to the proposals and the applicant's agent in support of the proposals)

Application No: 11/00074/FULMAJ  
Proposal: Application for the erection of 10 two bedroom dwellings and 20 three bedroom dwellings (incorporating four 2.5 storey three bedroom dwellings – plots 1, 7, 9 and 21) with associated access, car parking and landscaping. Including refurbishment and reconfiguration of garden and fencing of 47 Clancutt Lane.  
Location: 47 Clancutt Lane, Coppull, Chorley, PR7 4NR  
Decision:

It was proposed by Councillor Ken Ball, seconded by Councillor David Dickinson and subsequently unanimously **RESOLVED – That the application be refused for the following reason:**

- 1. The application site is within safeguarded land (site DC3.9), where development other than that permissible in the countryside under saved Policy DC1 of the Chorley Local Plan Review and PPG2 will not be permitted. A five year land supply is available and it has not been demonstrated that this development is needed at this time. The provision of 100% affordable housing does not constitute sufficient justification to release the land at this time. As such the proposal is contrary to Policy DC3 of the Chorley Local Plan Review, The Planning System: General Principles (paras 17-19), Planning Policy Guidance Note 2 and Planning Policy Statement 3.**

**(d) 11/00168/FULMAJ - Weldbank Plastic Co Ltd Westhoughton Road Heath Charnock Chorley Lancashire**

(The Committee received representation from the applicant's agent in support of the proposals.)

Application No: 11/00168/FULMAJ  
Proposal: Full planning application for the demolition of the existing buildings and erection of a residential development comprising of 20 new houses and associated access, car parking and landscaping arrangements.  
Location: Weldbank Plastic Co Ltd, Westhoughton Road, Heath Charnock, Chorley, Lancashire.  
Decision:

It was proposed by Councillor Ken Ball, seconded by Councillor David Dickinson and subsequently unanimously **RESOLVED - To grant the planning application subject to a Section 106 Agreement and 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. No dwelling on plots 10, 11, 13, 14 and 18 hereby permitted shall be occupied until garden sheds have been provided in accordance with plans which have been submitted to and approved in writing by the Local Planning Authority. The garden sheds shall be retained in perpetuity thereafter.  
*Reason: The garages are smaller than would normally be provided and therefore to ensure sufficient storage/cycle storage is provided at the properties in accordance with Manual for Streets***

3. Notwithstanding the submitted details prior to the occupation of the dwellings hereby permitted the planting and fence on the highway frontage of the site to Westhoughton Road and within a visibility splay, which is drawn from a point 4.5m measured along the centre line of Danesway from the continuation of the nearer edge of the carriageway of Westhoughton Road to a point measured 70m in the south eastern direction along the nearer edge of the carriageway of Westhoughton Road from the centre line of Danesway , shall be permanently maintained at a height not greater than 1m above the crown level of the carriageway of Westhoughton Road.  
*Reason: To ensure adequate visibility at the junction and adequate visibility is maintained for the neighbouring property. In accordance with Policy TR4 and advice contained in Manual for Streets.*
4. Prior to the occupation of the dwellings hereby permitted the existing vehicular access on Westhoughton Road (Plot1) shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads.  
*Reason: To maintain the proper construction of the highway and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.*
5. No development shall take place until:
- a) a methodology for investigation and assessment of ground contamination has been submitted to and approved in writing by the Local Planning Authority. The investigation and assessment shall be carried out in accordance with current best practice including British Standard 10175:2001 “Investigation of potentially contaminated sites – Code of Practice”. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;
  - b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;
  - c) the Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works, a validation report containing any validation sampling results have been submitted to and approved in writing by the Local Planning Authority.  
*Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.*
6. Notwithstanding the submitted details prior to the commencement of the development full details of the boundary treatment adjacent to the watercourse (plots 5-9) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the boundary treatments will be implemented in accordance with the approved details.  
*Reason: To protect/conserves the habitat/amenity value of this watercourse in accordance with Government advice contained in PPS9.*

7. **Himalayan balsam is present within the application area. Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to cause Himalayan balsam to grow in the wild. Therefore a programme of control/eradication of these species shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The programme shall accord with Environment Agency Guidelines and shall include proposed measures to prevent the spread of Himalayan balsam during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved programme.**  
*Reason: To ensure the eradication of Himalayan balsam in accordance with the Wildlife and Countryside Act 1981 (as amended).*
8. **During the construction period temporary fencing shall be erected along the bank top of the brook to protect the river corridor and prevent debris and construction material from encroaching into this area. Prior to the commencement of the development full details of the temporary fencing shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall thereafter be retained during the construction period in accordance with the approved details.**  
*Reason: to ensure the protection of Eller Brook during the construction period.*
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. The scheme shall also demonstrate maintenance and enhancement of biodiversity, incorporating recommendations of paragraphs 5.8.4 – 5.8.8 of the report 'Land at Weldbank Plastic Co Ltd, Westhoughton Road, Heath Charnock. Ecological Survey and Assessment (including a licensed bat survey)' (ERAP, January 2011).**  
*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 and Government advise contained in PPS9.*
10. **Prior to the commencement of the development full details of bat roosting opportunities to be incorporated into the new development shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be completed in accordance with the approved details.**  
*Reason: To mitigate the loss of potential bat roosting opportunities in accordance with Policy EP4 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS9.*
11. **Prior to the commencement of the development full details of the communal bin collection points to serve plots 5, 6, 7, 8, 9, 10 and 11 and 14, 15, 16 and 17 shall be submitted to and approved in writing by the Local Planning Authority. The details shall include their location and the proposed hardsurfacing materials/ details of the enclosure. The collection**

points shall only be utilised for the storage of bins on bin collection days and shall be free of bins at all other times. The collection points shall thereafter be retained in perpetuity.

*Reason: To ensure adequate refuse collection facilities are provided on site and in the interests of the visual amenities of the area. In accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.*

12. Prior to the commencement of the development full details of the Management Company and arrangements for the future management and maintenance of the site, including the private highway, parking areas and bin collection points, shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company in accordance with the approved arrangements.

*Reason: To ensure the satisfactory management of the private highways, parking areas and the storage of bins at the collection points at the site. In accordance with Policies GN5 and TR4 of the Adopted Chorley Borough Local Plan Review.*

13. Prior to the commencement of the development a scheme and programme for the site enabling and construction phase of the development shall be submitted to and approved by the Local Planning Authority. The scheme and programme shall cover:

1. Site compound and contractor parking and management of contractors parking to ensure parking does not overspill onto surrounding roads.
2. Construction operating hours including deliveries and site construction staff.

The approved scheme and programme shall be implemented.

*Reason: To ensure that noise and disturbance resulting from hours of operation and delivery does not adversely impact on the amenity of existing residents.*

14. Each dwelling hereby permitted shall be constructed to achieve the relevant Code for Sustainable Homes Level required by Policy SR1 of the Sustainable Resources DPD (Level 3 for all dwellings commenced from 1 January 2010, Level 4 for all dwellings commenced from 1 January 2013 and Level 6 for all dwellings commenced from 1 January 2016).

*Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*

15. No phase or sub-phase of the development shall begin until details of a 'Design Stage' assessment and related certification have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out entirely in accordance with the approved assessment and certification.

*Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*

16. No dwelling shall be occupied until a letter of assurance, detailing how each plot will meet the necessary code level, has been issued by an approved code assessor and approved in writing by the Local Planning Authority. The development thereafter shall be completed in accordance with the approved measures for achieving the required code level. Prior to the completion of the development a Final Code Certificate shall be submitted to and approved in writing by the Local Planning Authority.  
*Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document*
17. Prior to the commencement of the development full details of the on site measures to reduce the carbon emissions of the development, through the use of renewable or low carbon energy sources/ technologies, by 15% shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be completed in accordance with the approved details.  
*Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*
18. The integral and detached 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 to ensure adequate off street parking is retained. In accordance with Policies HS4 and TR4 of the Adopted Chorley Borough Local Plan Review*
19. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.  
*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 Government advice contained in PPS23: Planning and Pollution Control*
20. The development hereby permitted shall be carried out in accordance with the precautionary measures for tree works outlined in paragraphs 5.5.3 – 5.5.6 of the report 'Land at Weldbank Plastic Co Ltd, Westhoughton Road, Heath Charnock. Ecological Survey and Assessment (including a licensed bat survey)' (ERAP, January 2011).  
*Reason: To ensure the continued protection of bats as part of the development. In accordance with Policy EP4 of the Adopted Chorley Borough Local Plan Review and The Conservation of Habitats and Species Regulations 2010*

21. The development hereby permitted shall be carried out in accordance with the mitigation measures for bats in buildings during demolition as recommended in paragraphs 5.5.9 – 5.5.13 of the report 'Land at Weldbank Plastic Co Ltd, Westhoughton Road, Heath Charnock. Ecological Survey and Assessment (including a licensed bat survey)' (ERAP, January 2011).

*Reason: To ensure the continued protection of bats as part of the development. In accordance with Policy EP4 of the Adopted Chorley Borough Local Plan Review and The Conservation of Habitats and Species Regulations 2010*

22. The development hereby permitted shall be carried out in accordance with the measures for the protection of retained trees, other vegetation and Eller Brook, as recommended in section 5.3 the report 'Land at Weldbank Plastic Co Ltd, Westhoughton Road, Heath Charnock. Ecological Survey and Assessment (including a licensed bat survey)' (ERAP, January 2011).

*Reason: To protect/conservate the habitat/amenity value of this watercourse and trees in accordance with Government advice contained in PPS9*

23. The approved plans are:

Plan Ref.	Received On:	Title:
317-101	1 March 2011	Location Plan
317-102 Rev G	24 May 2011	Planning Layout
317-103 Rev B	5 May 2011	Streetscenes
1055-901 Rev C	13 May 2011	General Arrangements
317-104 Rev A	9 May 2011	Planning Site Sections
5896/01	1 March 2011	Topographical Survey
317-H736-2/101 Rev A	5 May 2011	Aspull 2 Bed House
317-H1207-4/101	1 March 2011	Hale 4 Bed House
317-H1540-4S/101	1 March 2011	Appleton Side Garage (Plot 16)
317-H1589-5/101	1 March 2011	Bowden 5 Bed House (Plot 19)
317-H1589-5/102	1 March 2011	Bowden 5 Bed House (Plots 12)
317-H1589-5/103	10 May 2011	Bowden 5 Bed House (Plot 15)
317-H1641-5F/101	1 March 2011	Grantham Front Aspect (Plots 2 & 3)
317-H1672-5/101	4 May 2011	Newbury B (Plots 11, 14 & 18)
317-H1672-5/102	1 March 2011	Newbury B (Plots 10 & 13)
317-H1836-5/101	1 March 2011	Waverton (Plot 1)
317-H1836-5/102	1 March 2011	Waverton (Plots 17 & 20)
317-H1843-5/101	1 March 2011	Portland (Plot 4)
317-SG/DETAIL/101 Rev A	5 May 2011	Single Garage (Plot 9)
317-DG/DETAIL/101	5 May 2011	Double Garage (Plots 1, 2, 3, 4, 17 & 20)
STD DETAILS- SD-??	1 March 2011	1800 High Closeboard Fence
STD DETAILS- SD-??	1 March 2011	1500 High Closeboard Fence with 300mm trellis
STD DETAILS-SD-15-W01	1 March 2011	1800 High Brick Wall with Tile Crease

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

24. 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.*

25. 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.*

26. 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.*

27. The external facing materials detailed within the submitted Design and Access Statement shall be used and no others substituted. Namely Ibstock Old English, Ibstock Beamish Blend and Ibstock Ravenhead Red Smooth bricks and Russell Grampian roof slates, colour slate grey.

*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.*

28. The ground surfacing materials detailed on the approved plans shall be used and no others substituted.

*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.*

29. 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 on plots 1, 2, 3, 4, 5, 16, 17 and 20 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.*

30. 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.*

31. The two bathroom windows in the first floor of plot 15's rear elevation shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter.

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

32. Prior to the commencement of the development full details of the proposed retaining wall within the north east corner of the site, including levels and sections, shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details.

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

**(e) 11/00210/FUL - Land Rear of 187 Town Lane Whittle-le-Woods Lancashire**

(The Committee received representations from the applicant's agent in support of the proposals.)

Application No: 11/00210/FUL  
Proposal: Change of use of land from former agricultural land to residential cartilage.  
Location: Land rear of 187 Town Lane, Whittle-le-Woods, Lancashire.  
Decision:

It was proposed by Councillor Marie Gray, seconded by Councillor Mick Muncaster to approve planning permission.

It was proposed by Councillor David Dickinson, seconded by Councillor Roy Lees and subsequently **RESOLVED (10:2) – To defer the decision to allow the Members of the Committee to visit the site of the development.**

**(f) 11/00262/FUL - Woodcock Barn Runshaw Lane Euxton Chorley PR7 6HB**

Application No: 11/00262/FUL  
Proposal: Application for amendments to the pitch of the roof over the entrance and garage to the front of the property, and application for retrospective permission for the roof pitch over side extension.  
Location: Woodcock Barn, Runshaw Lane, Euxton, Chorley, PR7 6HB.  
Decision:

It was proposed by Councillor Ken Ball, seconded by Councillor Christopher France and subsequently unanimously **RESOLVED – To refuse planning permission for the following reason:**

1. **Although the proposed extended roof does incorporate a shallower roof pitch that is considered to more in keeping with the design of the property in accordance with Policy DC8A of the adopted Chorley Borough Local Plan Review, as a result it is considered the proposal will have a detrimental impact on the neighbouring property 'Pippins'. It will result in an uninterrupted view of a roof plane from the window in the side (west) elevation. This is considered contrary to Policy DC8A of the adopted Chorley Borough Local Plan Review and the Council's adopted Supplementary Planning Document Householder Design Guidance.**

**(g) 11/00270/FUL - 84 Hamilton Road Chorley PR7 2TJ**

Councillor Alistair Bradley declared a prejudicial interest and left the meeting for the duration of this item.

Application No: 11/00270/FUL  
Proposal: Erection of a side extension with accommodation at mezzanine level, replacement of the front former window and erection of a front boundary wall.  
Location: 84 Hamilton Road, Chorley, PR7 2TJ.  
Decision:

It was proposed by Councillor David Dickinson, seconded by Councillor Mick Muncaster and subsequently unanimously **RESOLVED – 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 approved plans are:**

<b>Plan Ref.</b>	<b>Received On:</b>	<b>Title:</b>
<b>Drawing No 1</b>	<b>1 April 2011</b>	<b>Plans and Elevations as Existing</b>
<b>Drawing No 2</b>	<b>1 April 2011</b>	<b>Block Plan</b>
<b>Drawing No 3</b>	<b>1 April 2011</b>	<b>Mezzanine Plan and Elevations</b>
<b>Drawing No 4</b>	<b>1 April 2011</b>	<b>Proposed Floor Plans</b>

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

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

***Reason: In the interests of the visual amenity of the area in general and the existing building in particular and in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.***

- 4. All the roof lights in the roof of the extensions north-west elevation shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter.**

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

**(h) 11/00149/REMMAJ - Parcel L Buckshaw Avenue Buckshaw Village Lancashire**

(The Committee received representations from an objector to the proposals and the applicant in support of the proposals.)

Application No: 11/00149/REMMAJ  
Proposal: Reserved Matters Application for southern part of Parcel L for the construction of 59 No. dwellings together with associated works.  
Location: Parcel L Buckshaw Avenue, Buckshaw Village, Lancashire.  
Decision:

It was proposed by Councillor Allison Hansford, seconded by Councillor Christopher France and subsequently unanimously **RESOLVED – To grant reserved matters planning permission subject to the following conditions:**

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking or re-enacting the Order, there shall not at any time in connection with the development hereby permitted, be erected or planted, or allowed to remain, upon the land hereinafter defined, any building, wall, fence, hedge, tree, shrub or other device above a height of 1m above the crown level of the adjoining highway. The piece of land affected by this condition shall be the parts of the front gardens of plots 1, 2, 3 within the 40m forward visibility splay shown on drawing no. 1183SMH/BPL/PL01.  
*Reason: To ensure adequate visibility, in the interests of highway safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.*

2. The existing ditch on the site adjacent to no. 12 Spennymoor Close (where plots 26, 32, 33 will be positioned) shall not be filled in until the surface water drainage scheme for the site is implemented.  
*Reason: The ditch is currently preventing surface water off the site from effecting no. 12 Spennymoor Close and therefore to prevent flooding to this property and in accordance with Policy EP18 of the Adopted Chorley Borough Local Plan Review.*

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing Number:	Date:	Title:
W0248-117-4D-02	28 April 2011	House Type W0248-117-4D
W0248-112-4D-02	28 April 2011	House Type W0248-112-4D
W0248-127-4D-02	28 April 2011	House Type W0248-127-4D
W0248-131-4D-02	28 April 2011	House Type W0248-131-4D
S09-98-3D-23	21 February 2011	House Type S09-98-3D R/M Finish Elevations
S09-98-3D-23	21 February 2011	House Type S09-98-3D M Finish Elevations
S09-98-3D-36	21 February 2011	House Type S09-98-3D Ground and First Floor
S09-90-3D-26 Rev C	21 February 2011	House Type S09-90-3D M Finish Elevations
S09-90-3D-36	21 February 2011	House Type S09-90-3D Ground and First Floor
S09-90-3D-23 Rev C	21 February 2011	House Type S09-90-3D R/M Finish
S09-82-3ET/S-23 Rev B	21 February 2011	House Type S09-82-3ET/S R/M Finish
S09-82-3ET/S-26 Rev B	21 February 2011	House Type S09-82-3ET/S M Finish
S09-82-3S-36 Rev A	21 February 2011	House Type S09-82-3S Ground and First Floor
1183SMH/BPL/PL01 Rev F	28 April 2011	Site Layout and Landscaping Scheme
S09-SD-05-31	26 April 2011	Detached Garage Details
1183SMH/BPL/ED1	21 February 2011	Enclosure Details
10/08/02/1	21 February 2011	Proposed Floor Levels
1183SMH/BPL/MS01 Rev C	28 April 2011	Materials Schedule Plan
3953.01 Rev B	10 May 2011	Landscape Proposals Sheet 1 of 2
3953.02 Rev B	10 May 2011	Landscape Proposals Sheet 2 of 2

***Reason: For the avoidance of doubt and in the interests of proper planning.***

4. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on approved plan Drawing Number 10108/02/1.  
***Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN2 and HS4 of the Adopted Chorley Borough Local Plan Review.***
5. 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. The railings used on the development shall be the 'Buckshaw Village railings' as used on other parcels on Buckshaw Village.  
***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.***
6. 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.***
7. The development hereby permitted shall only be carried out in conformity with the approved material details as shown of drawing ref: 11835MH/PPL/MS01.  
***Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN2 and HS4 of the Adopted Chorley Borough Local Plan Review.***
8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.  
***Reason: In the interest of the appearance of the locality and in accordance with Policy Nos. GN2 and GN5 of the Adopted Chorley Borough Local Plan Review.***
9. During the development, if contamination which has not previously been identified, is found to be present at the site no further development shall be carried out until a Method Statement has been submitted to and approved in writing by the Local Planning Authority detailing how this unsuspected contamination will be dealt with. The development shall then only be carried out in accordance with the Method Statement.  
***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 PPS23.***
10. Before the properties hereby permitted are first occupied, the car parking spaces 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.*

11. Prior to the occupation of plots 41, 42, 43, 44 or 45 the access road shown on the approved plans through to the north part of parcel L shall have been constructed and brought into use for all vehicle types.

*Reason: To ensure access to the parcel from the south is secured and in accordance with Policies GN2 and TR4 of the Adopted Chorley Borough Local Plan Review.*

12. The integral 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 (as amended).

*Reason: To ensure the properties have sufficient off street parking and in order to safeguard the residential amenity and character of the area and protect highway safety in accordance with Policies HS4 and TR4 of the Adopted Chorley Borough Local Plan Review*

13. No dwelling shall be occupied until the garden sheds as shown on approved plan 1183SMH/BPL/PL01 Rev F have been provided on the plots shown.

*Reason: The integral garages on these plots have been permitted at a size less than normally required, and so to ensure the garages are kept freely available for the parking of cars and in accordance with Policy Nos.HS4 and TR4 of the Adopted Chorley Borough Local Plan Review.*

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 2, Class A) (or any Order revoking and re-enacting that Order) no fences, gates or walls shall be erected within the curtilage of any dwelling hereby permitted (other than those expressly authorised by this permission).

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

15. Prior to the occupation of plots 9 or 10 the cycleway/footpath link through to Buckshaw Avenue as shown on the approved plans shall be provided and retained at all times thereafter. Prior to the occupation of plots 24, 25, 26, 27 or 28 the footpath link through to Buckshaw Avenue as shown on the approved plans shall be provided and retained at all times thereafter.

*Reason: To ensure access to the parcel from the south is secured and in accordance with Policies GN2 and TR4 of the Adopted Chorley Borough Local Plan Review.*

16. 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.*

**11.LPS.54 TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 257 CHORLEY BOROUGH COUNCIL (PUBLIC FOOTPATH NO: 41, CHORLEY) PUBLIC PATH DIVERSION ORDER 2011**

The Director of Transformation submitted a report asking Members of the Committee to consider the making of a public footpath diversion Order to facilitate the development of 135 dwellings at the former Vertex Training Centre at Little Car Lane.

A planning application under reference 10/00946/REMAJ for the erection of a residential development consisting of 135 dwellings, was approved on the 9 February 2011. There was an existing right of way (Footpath No. 41) which ran through the site. The developer currently had a temporary footpath diversion order in place granted by Lancashire County Council. The developer had submitted an application to divert the existing public right of way.

The diversion of Footpath No. 41 is necessary to enable the development of the former Vertex Training Centre to take place. The development represents appropriate re-use of a brownfield site within a sustainable location.

It was proposed by Councillor Alistair Bradley, seconded by Councillor Christopher France and subsequently unanimously **RESOLVED – That the Director of Transformation be authorised to make the Chorley Borough Council (Public Footpath No. 41, Chorley) Public Path Diversion Order 2011, made pursuant to Section 257 of the Town and Country Planning Act 1990, in order to permit the development to be carried out in accordance with the grant of planning permission, namely the development of 135 dwellings at the former Vertex Training Centre at Little Carr Lane.**

**11.LPS.55 PLANNING APPEALS AND DECISIONS NOTIFICATION REPORT**

The Director of Partnerships, Planning and Policy submitted a report giving notification of two appeals that had been lodged against the refusal of planning permission, one planning appeal dismissed, four enforcement appeals withdrawn and two planning applications granted by Lancashire County Council.

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

**11.LPS.56 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, a schedule listing four application for Category 'B' development proposals which had been determined by the Chair and Vice Chair of the Committee at meetings held on 19 April 2011 and 11 May 2011.

Members of the Committee were informed that planning application 11/00173/FUL for the erection of a replacement commercial garage at Yarrow Bridge Garage, Bolton Road, Chorley had been withdrawn.

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

**11.LPS.57 PLANNING APPLICATIONS DETERMINED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY**

The Committee received, for information, a schedule listing planning applications determined by the Director of Partnerships, Planning and Policy under delegated powers between 7 April 2011 and 12 May 2011.

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

**11.LPS.58 ANY OTHER ITEM(S) THAT THE CHAIR DECIDES IS/ARE URGENT**

The Chair closed the meeting by congratulating those Members of the Committee who were elected or re-elected at the recent local election, and welcomed new Members on to the Committee.

Chair