

Development Control Committee

Tuesday, 12 July 2011

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

Officers in attendance: 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), Alex Jackson (Senior Lawyer), Niall Mellan (Planning Assistant), Robert Rimmer (Business Support Team Leader) and Cathryn Filbin (Democratic and Member Services Officer)

Also in attendance: Councillor Peter Wilson

11.DC.01 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ken Ball and Henry Caunce.

11.DC.02 MINUTES

RESOLVED – That the minutes of the Development Control Committee on 14 June 2011 be confirmed as a correct record and signed by the Chair.

11.DC.03 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest.

11.DC.04 PLANNING APPLICATIONS TO BE DETERMINED

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

In considering the applications, the Committee took into account the agenda reports, the addendum, and the verbal representations or submissions provided by officers and individuals.

RESOLVED – That the following decisions be made on the applications as set out below:

- (a) **Application:** 11/00420/REMMAJ - **Proposal:** Reserved Matters application for no. Bill Beaumont, Textiles Park Mills, 63 two-storey dwellings (including 7 affordable units) and associated infrastructure (related to Deighton Road, Chorley outline permission ref: 09/00665/OUTMAJ)

RESOLVED - Planning permission was granted subject to a Section 106 legal agreement, the conditions detailed in the report within the agenda, and the five additional conditions and the amended plan condition contained within the addendum.

- (b) **Application:** 11/00490/CB3 - Land 200 metres North of Shepherds Cottage, The Common, Adlington **Proposal:** Formation of a car park and haulage access way to serve 54 allotment plots at The Common, including the erection of a 1.2 metre high post, wire fence and compost/wood chip

bays.

RESOLVED - A decision on the application was deferred to allow Members of the Committee to visit the site of the proposals to consider the highway route to the site and access.

- (c) **Application:** 11/00410/FUL - The Dog Inn, Chorley Old Road, Clayton-le-Woods, Chorley
Proposal: Proposed construction of 3 no. detached dwellings on land to the side of the Dog Inn Public House, including associated infrastructure and new access road (alternative scheme to previously approved application ref: 10/00743/FUL)

RESOLVED - Planning permission was granted subject to a Section 106 legal agreement, the conditions detailed in the report within the agenda, and one additional condition as detailed on the addendum.

- (d) **Application:** 11/00318/REM - Spendmore Lane, Coppull
Proposal: Reserved matters application for Building 15m North of 246-248 details of appearance and landscaping.

RESOLVED - The reserved matters applications was approved subject to the conditions detailed in the report within the agenda.

- (e) **Application:** 11/00403/OUTMAJ - Group 1, Euxton Lane, Euxton
Proposal: Section 73 application to vary condition 29 (access on the A49) attached to outline planning approval 08/00910/OUTMAJ

RESOLVED - Planning permission approved subject to a Section 106 legal agreement and conditions detailed in the report within the agenda.

11.DC.05 ENFORCEMENT ITEM - THE HILLOCKS MAWDESLEY

The Committee received a report from the Director of Partnerships, Planning and Policy asking Members to consider whether it was expedient to serve an enforcement notice to ensure the removal of the unauthorised operational development (metal containers) on land at The Hillocks, Blue Stone Lane, Mawdesley, Lancashire. Two steel containers, which constituted operational development, had been placed on the land without planning permission.

It was proposed by Councillor Dennis Edgerley, seconded by Councillor Christopher France and subsequently unanimously **RESOLVED – That it was expedient to issue an enforcement notice to secure the removal of the unauthorised operation development (metal containers) from the land.**

11.DC.06 ENFORCEMENT ITEM - GO APE RIVINGTON

The Committee received a report from the Director of Partnerships, Planning and Policy asking Members to consider whether it was expedient to take enforcement action to secure a car parking area as shown on approved plans (08/00553/FUL) was laid in accordance with those plans and in respect of the formation of two raised landing beds.

The additional parking area as shown on the approved plan covered an area of approximately 394 square metres; the additional car parking that had been provided covered an area of approximately 319 square metres. The Council had been informed by the management company that detailed plans were being drawn up which would show the full extent of the additional parking to be provided. The operators of

the facility would then conduct consultation with Friends of Lever Park and the Parish Council regarding the parking to be provided, after which a full planning application or an application to vary the existing condition would be submitted for consideration by the Planning Authority.

In addition an application for the building up (raising) and enlargement of two zip wire landing sites had been received and public consultation on the application had commenced. It was envisaged that the application would be presented to the Development Control Committee scheduled for September 2011, providing all the information had been received by officers.

It was proposed by Councillor Dennis Edgerley, seconded by Councillor June Molyneaux and subsequently unanimously **RESOLVED – That it was not felt expedient to take enforcement action at this time but that the position would be reviewed following a period of three months to allow for the consultation period and formal submission of the planning application for the car parking and enlargement of the two zip wire landing sites. After that period if no application had been received by the Planning Authority (for a decision to be determined by Committee), a further report be brought before the Development Control Committee to consider enforcement action.**

11.DC.07 PROPOSED CONFIRMATION OF TREE PRESERVATION ORDER NO:1 (MAWDESLEY) 2011 WITHOUT MODIFICATION

The Director of Transformation submitted a report for Members to consider a formal confirmation of the Tree Preservation Order No.1 (Mawdesley) 2011 without modification. No objections had been received in response to the making of the order.

It was proposed by Councillor Christopher France, seconded by Councillor Marie Gray and subsequently unanimously **RESOLVED – The Chorley Borough Council Tree Preservation Order No. 1 (Mawdesley) 2011 be confirmed without modifications.**

11.DC.08 OBJECTIONS TO TREE PRESERVATION ORDER NO:3 (ECCLESTON) 2011

The Director of Partnerships, Planning and Policy submitted a report for Members to consider whether to confirm the Tree Preservation Order No. 3 (Eccleston) 2011 without modification in light of objections received.

It had been recommended that the Order be confirmed as the intention was to redevelop the Carrington Centre site. The trees surrounding this site were mainly mature Oaks that had significant amenity value and a Tree Preservation Order would ensure protection for them was in place during the development.

Two objections had been received.

The first objection was received from Northern Trust Co Ltd, the owners of the majority of the land containing the Tree Preservation Order. They requested that three of the trees (T18, T19 and T20) be removed from the Tree Preservation Order to allow the placing of the new access road from Bradley Lane to the development.

The second objection was received from the owner of 35 Middlewood Close. Tree T21 overhangs the owners property and that debris from the tree had fallen into her garden. It was alleged that the tree was not maintained and wanted assurance from the Council that the tree would be maintained now and in the future, otherwise she would object to the order. However, as the Council was not the land owner, such assurances could not be given and a lack of regular maintenance was not a valid reason for objection.

It was proposed by Councillor Dennis Edgerley, seconded by Councillor Christopher France and subsequently unanimously **RESOLVED – That the Tree Preservation Order No. 3 (Ecclestone) 2011 be confirmed without modification.**

11.DC.09 PLANNING APPEALS AND NOTIFICATIONS

The Director of Partnerships, Planning and Policy submitted a report giving notifications of three appeals lodged against the refusal of planning permissions, one appeal that had been allowed, one enforcement appeal lodged and one application granted by Lancashire County Council.

RESOLVED – That the report be noted.

11.DC.10 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, two schedules listing seven application for Category 'B' development proposals which had been determined by the chair and Vice Chair of the Committee at meetings held on 14 June 2011 and 29 June 2011.

RESOLVED – That the schedules be noted.

11.DC.11 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 3 June 2011 and 30 June 2011.

RESOLVED - That the schedule be noted.

Chair