

Development Control Committee

Thursday, 3 November 2011

Present: Councillor Harold Heaton (Chair), Councillor Geoffrey Russell (Vice-Chair) and Councillors Henry Caunce, David Dickinson, Dennis Edgerley, Christopher France, Hasina Khan, Paul Leadbetter, Roy Lees, June Molyneaux, Mick Muncaster and Dave Rogerson

Substitutes: Councillor Simon Moulton (substitute for Councillor Marie Gray)

Officers in attendance: Jennifer Moore (Head of Planning), Paul Whittingham (Development Control Team Leader), Caron Taylor (Planning Officer), David Stirzaker (Planning Officer), Alex Jackson (Senior Lawyer) and Cathryn Filbin (Democratic and Member Services Officer)

Also in attendance: Councillors Steve Holgate, Keith Iddon, and County Councillor Terry Brown

11.DC.103 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Marie Gray and Alison Hansford.

11.DC.104 MINUTES

RESOLVED – That the minutes of the meeting held on 4 October 2011, be confirmed as a correct record and signed by the Chair.

11.DC.105 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 Councillor declared a prejudicial interest in relation to the agenda item indicated.

Councillor	Item
Simon Moulton	4a 11/00823/FUL

11.DC.106 PLANNING APPLICATIONS TO BE DETERMINED

The Director of Partnerships, Planning and Policy submitted reports on 12 applications for planning permission to be determined.

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

(At this point Councillor Moulton withdrew from the meeting for the duration of the following item taking no part in the discussion and subsequent vote.)

- a) **Application:** 11/00823/FUL - Land north of and adjacent to Sidegate Cottage, Pompian Brow, Bretherton, Chorley **Proposal:** Erection of detached dwelling on land north of Sidegate Cottage.

RESOLVED (10:0:1) – That planning permission be granted subject to a Section 106 legal agreement and the conditions detailed in the report and addendum.

- b) **Application:** 11/00566/FULMAJ - **Proposal:** Erection of 14, 2-storey terraced Land south of 5 Townley Street, Chorley properties (resubmission of withdrawn application 10/00950/FULMAJ).

RESOLVED (unanimously) – That planning permission be granted subject to the conditions detailed in the report.

- c) **Application:** 11/00737/FULMAJ - **Proposal:** Proposed residential development of 13 Sacred Heart Social Centre, Worthy Street, Chorley dwellings on site of former club premises (demolished). Resubmission of withdrawn application 11/00358/FULMAJ.

RESOLVED (unanimously) – That planning permission be granted subject to the conditions detailed in the report.

- d) **Application:** 11/00699/FUL - Land fronting onto West Way, 130m northeast of Chancery Road, West Way, Astley Village **Proposal:** Erection of 20m high O2/Vodafone streetworks telecommunications mast finished in green and two associated equipment cabinets.

RESOLVED (unanimously) – That planning permission be granted subject to the conditions detailed in the report and addendum.

(At this point Councillor France joined the meeting.)

- e) **Application:** 11/00733/FUL - Lane Side Farm, Brown House Lane, Higher Wheelton, Chorley **Proposal:** Conversion of redundant agricultural building to residential use including ground floor rear extension. Demolition of detached agricultural/storage building to rear.

RESOLVED (11:1:1) – That planning permission be granted subject to a Section 106 legal agreement and the conditions detailed in the report.

- f) **Application:** 11/00773/FUL - 24 Eaves Green Road, Chorley **Proposal:** Erection of a new three bedroom 2-storey dwelling on land adjoining 24 Eaves Green Road.

RESOLVED (12:1:0) – That the decision be deferred to give Members of the Development Control Committee time to visit the site of the proposals.

- g) **Application:** 11/00719/FULMAJ - Land north of Pole Green Nurseries and adjacent to Church Lane, Church Lane, Charnock Richard **Proposal:** Section 73 application to vary condition 1 of permission ref: 10/00267/FULMAJ for an amendment to replace part of the approved glasshouse with two poly tunnels and to turn the bays of the remaining glasshouse 90 degrees to run east to west. Also to change the originally proposed boiler house so it is incorporated into the glasshouse rather than be a separate structure. It is also proposed to amend the amount of internal

growing area from the previously approved 1.3 acres to 1.46 acres.

RESOLVED (unanimously) – That planning permission be granted subject to the conditions detailed in the report.

- h) **Application:** 11/00624/FUL - **Proposal:** Application to vary condition 1 of Bluestone Barn, Blue Stone Lane, Mawdesley planning permission 08/00084/FUL (to reduce the 'work' element of units 1 and 2 and minor internal alterations).

This item was withdrawn from the agenda.

- i) **Application:** 11/00776/FUL - 7 **Proposal:** Application to vary condition 24 (Code Chorley Old Road, Whittle-le-Woods for Sustainable Homes requirement), the removal of condition 25 (Design Stage Assessment) and the removal of condition 26 (Code Level letter of assurance and Final Code Certificate) imposed upon planning approval 11/00327/FUL.

RESOLVED (unanimously) – That planning permission be granted subject to the conditions detailed in the report on the basis that condition 24 and 25 were retained as stipulated in the application 11/00327/FUL and condition 26 be varied in line with the comments for the Council's Planning Policy section.

- j) **Application:** 11/00777/FUL - 7 **Proposal:** Application to vary condition 27 (details Chorley Old Road, Whittle-le-Woods of on-site carbon reduction measures) of planning approval 11/00327/FUL

RESOLVED (unanimously) – That planning permission be granted subject the conditions detailed in the report.

- k) **Application:** 11/00817/REM - Land **Proposal:** Re-plan of plots 842-843, 846-851 and Parcel H6, Lancashire Drive, 929 of Parcel I, Phase 2 (9 dwellings). Buckshaw Village, Chorley

RESOLVED (unanimously) – That planning permission be granted subject to the conditions detailed in the report.

- l) **Application:** 10/00796/798/CLEUD **Proposal:** Applications for Certificate of Lawful and 10/00798/CLEUD Springfields, Sandy Lane, Mawdesley Use in respect of :
i) industrial uses to include manufacturing, modification, design, repair and testing of machinery, plant and engineering apparatus, metal fabrication and associated storage and parking of vehicles and plant.
ii) Combination of light industrial use and associated storage of vehicles, plant, apparatus and equipment.

RESOLVED (unanimously) – That Members were minded to refuse planning permission for the reasons outlined in the report.

11.DC.107 ENFORCEMENT - TOWNGATE WORKS MAWDESLEY

The Committee received a report from the Director of Partnerships, Planning and Policy which sought Members views on whether it was expedient to serve an enforcement notice in respect of the following breaches which had taken place without planning permission:

- a) material change of use of the land from agriculture to use of the land for storage purposes and as a builders yards;
- b) the erection of three industrial/storage units and;
- c) the siting of four industrial/storage containers on the land.

RESOLVED (unanimously) – That it was expedient to issue an enforcement notice in respect of the breaches of planning control for the reasons outlined in the report.

11.DC.108 ENFORCEMENT - GO APE

The Committee received a report from the Director of Partnerships, Planning and Policy which sought Members views on whether it was expedient to serve an enforcement notice in respect of failing to comply with condition number 6 attached to planning application 08/00553/FUL approved on 28 July 2008 detailed within the report.

A verbal update was provided which highlight that Go Ape did not in fact conduct any pre application consultation (this fact was wrongly recorded in the report) and that there had been some dispute over the details of the car park size and that those details would be clarified within the final report that would be brought before the Development Control Committee.

RESOLVED (unanimously) – That it was not expedient at this time to take enforcement in respect of the breach of planning control for the reasons outlined in the report.

11.DC.109 OBJECTION TO A TREE PRESERVATION ORDER NO. 5 (COPPULL) 2011

The Director of Partnerships, Planning and Policy submitted a report which sought Members instructions on whether to confirm the Tree Preservation Order no. 5 (Coppull) 2011 with or without modification in light of the objection being received.

A letter of objection had been received from the agent on the owner of the property for the following reason:

- T3 & G1 did not make a valuable contribution to the visual amenity of the area as they were neither prominently situated nor clearly visible to the public.

RESOLVED (unanimously) – That the Tree Preservation Order no. 5 (Coppull) 2011 be confirmed without modifications.

11.DC.110 PLANNING APPEALS AND DECISIONS REPORT 3 NOVEMBER 2011

The Director of Partnerships, Planning and Policy submitted a report which gave notification of three appeals lodged, one appeal that had been dismissed, one enforcement appeal lodged, one enforcement appeal withdrawn and one application for planning permission being granted by Lancashire County Council.

RESOLVED – That the report be noted.

11.DC.111 ANY OTHER ITEM(S) THAT THE CHAIR DECIDES IS/ARE URGENT

The Head of Planning informed Members of the Committee, that the Section 106 legal agreement in relation to approved planning permission for Botany Bay had been completed and the permission would be issued on 4 November 2011.

Chair