

# Development Control Committee

**Tuesday, 12 June 2012**

**Present:** Councillor Paul Walmsley (Chair), Councillor Dave Rogerson (Vice-Chair) and Councillors Ken Ball, Henry Counce, Jean Cronshaw, John Dalton, David Dickinson, Dennis Edgerley, Christopher France, Danny Gee, Harold Heaton, Steve Holgate, Roy Lees, Greg Morgan and Geoffrey Russell

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

**Also in attendance:** Councillors Alistair Bradley, Marie Gray, Keith Iddon (Eccleston and Mawdesley), Mick Muncaster, John Walker, Paul Leadbetter and Alison Hansford

## 12.DC.174 APOLOGIES FOR ABSENCE

There were no apologies for absence.

## 12.DC.175 MINUTES

**RESOLVED – That the minutes of the meeting held on 22 May 2012 be confirmed as a correct record and signed by the Chair.**

## 12.DC.176 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.

<b>Councillor</b>	<b>Item No</b>
Councillor Roy Lees	9 – Enforcement Item

## 12.DC.177 PLANNING APPLICATIONS TO BE DETERMINED

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

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

- a) **Application:** 12/00325/FUL - Inland Revenue, Lingmell House, Water Street, Chorley **Proposal:** Change of use of existing office accommodation (ground and first floor) to Chorley Academy free school (Use Class D1)

The application was withdrawn by the applicant.

- b) **Application:** 12/00362/OUTMAJ - **Proposal:** Outline planning application for the development of land to the north and west of Lucas Lane for the erection of up to no. 135 dwellings with all matters reserved, save for access (resubmission of previous application 11/00992/OUTMAJ)

**RESOLVED (unanimously) – That planning permission be refused for the reason detailed within the report in the agenda.**

- c) **Application:** 11/01093/OUTMAJ - **Proposal:** Outline planning application for the development of land to the east of Wigan Road for the erection of up to 160 dwellings and associated open space with all matters reserved, save for access

**RESOLVED (unanimously) – That the outline planning permission be refused for the reason detailed within the report in the agenda.**

- d) **Application:** 12/00193/OUT - 11 **Proposal:** Outline application for the erection of two detached bungalows

**RESOLVED (unanimously) – That the outline planning permission be refused for the reason detailed within the report in the agenda.**

- e) **Application:** 12/00359/OUT - 33 **Proposal:** Outline application for the erection of one detached dwelling/house and garage, all matters reserved

**RESOLVED (unanimously) – That the outline planning permission be granted subject to an associated Section 106 Agreement and conditions detailed within the report in the agenda and the additional conditions detailed within the addendum.**

- f) **Application:** 12/00269/REMAJ - **Proposal:** Section 73 application to vary conditions 1 and 4 (approved plans) and 9 (finished floor levels), in respect of plots 58-68 and plot 75, attached to planning approval 11/01019/REMAJ

**RESOLVED (11:2:2) – That approval of the Section 73 application to vary conditions 1, 4 and 9 be delegated to the Director of Partnerships, Planning and Policy, in consultation with the Chair and Vice Chair subject to no further areas of objection being raised following consultation with residents on receipt of amended plans from the applicant relating to boundary treatments and lowered plot levels in relation to three dwellings.**

- g) **Application:** 12/00173/FUL - **Proposal:** Application to retain use of land for storage of building materials, parking of vehicles and associated purposes and provision of landscaping to site  
Towngate Works, Dark Lane,  
Mawdesley

**RESOLVED (unanimously) – That full planning permission be refused for the reason detailed within the report in the agenda.**

- h) **Application:** 12/00174/FUL - **Proposal:** Retention of use of land for open storage, parking and provision of landscaping  
Towngate Works, Dark Lane,  
Mawdesley

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

- i) **Application:** 12/00176/FUL - **Proposal:** Retain 3 storage containers  
Towngate Works, Dark Lane,  
Mawdesley

**RESOLVED (unanimously) – That full planning permission be granted subject to a condition detailed within the report in the agenda.**

- j) **Application:** 12/00177/CLEUD - **Proposal:** Application for a Certificate of Lawfulness for an existing development in respect of siting of a container unit  
Towngate Works, Dark Lane,  
Mawdesley

**RESOLVED (unanimously) – That a Certificate of Lawfulness for established use be granted subject to a condition detailed within the report in the agenda.**

- k) **Application:** 12/00178/CLEUD - **Proposal:** Application for a Certificate of Lawfulness for an existing development in respect of storage of building materials, parking and related activities, plus related storage bunkers and buildings  
Towngate Works Dark Lane  
Mawdesley

**RESOLVED (unanimously) – That a Certificate of Lawfulness for established use be granted subject to the condition detailed within the report in the agenda.**

- l) **Application:** 12/00179/CLEUD - **Proposal:** Application for a Certificate of Lawfulness for an existing development in respect of 3 storage buildings  
Towngate Works Dark Lane  
Mawdesley Lancashire

**RESOLVED (unanimously) – That a Certificate of Lawfulness for established use be granted subject to the condition detailed within the report in the agenda.**

- m) **Application:** 12/00246/FULMAJ - **Proposal:** Reserved Matters Application in relation to planning permission QS Fashions and Bounded by Pall Mall and Bolton Street, Chorley 09/00933/FULMAJ (Appearance, Landscaping \_ Layout) for the provision of a business/non residential institution unit (use class B1 \_ D1)

**RESOLVED (14:0:1) – That the Reserved Matters application be granted subject to conditions detailed within the report in the agenda.**

- n) **Application:** 12/00454/FULMAJ - **Proposal:** Section 73 application to vary Weldbank Plastic Co Ltd, condition 28 (facing materials) attached to Westthoughton Road, Heath planning approval 11/00999/FULMAJ Charnock, Chorley

**RESOLVED (unanimously) – That planning permission be granted subject to an associated Section 106 Agreement and conditions detailed within the report in the agenda.**

#### **12.DC.178 TREE PRESERVATION ORDER NO. 8 (WITHNELL) 2011**

The Director of Partnerships, Planning and Policy submitted a report for Members to consider whether to confirm the Tree Preservation Order no. 8 (Withnell) 2011 without modification in light of an objection being received.

**RESOLVED – That the Tree Preservation Order no. 8 (Withnell) 2011 be confirmed without modification.**

#### **12.DC.179 TREE PRESERVATION ORDER NO. 1 (CHORLEY) 2012**

The Director of Partnerships, Planning and Policy submitted a report for Members to consider whether to confirm the Tree Preservation Order no. 1 (Chorley) 2012 with a modification in light of an objection being received.

**RESOLVED – That the Tree Preservation Order no. 1 (Chorley) 2012 be confirmed with the following modification:**

- **Amendment to the extent of Group 1 to remove the area of land which is not treed**

#### **12.DC.180 PLANNING APPEALS AND DECISIONS**

The Director of Partnerships, Planning and Policy submitted a report which detailed two planning appeals that had been lodged and one planning appeal that had been dismissed by the Planning Inspectorate, and notification from Lancashire County Council for planning permission being approved.

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

#### **12.DC.181 EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED – That the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely**

**disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A to the Local Government Act 1972.**

(At this point Councillor Roy Lees declared a prejudicial interest and left the room for the duration of the following item, taking no part in the discussion or subsequent vote.)

#### **12.DC.182 ENFORCEMENT ITEM**

The Director of Partnerships Planning and Policy submitted a report which asked Members to consider a request to extend the period of compliance for Enforcement Notices approved in 2011.

The owner had not demonstrated any significant or justified reasons for non compliance with the provisions of the Enforcements Notices in full or in part

**RESOLVED (12:1:1) – That the period for compliance not be extended and that a further report be presented at the next meeting of Development Control Committee on 10 July 2012 to monitor the owner’s progress continuing works to comply with the Enforcement Notices.**

Chair