

**MINUTES OF DEVELOPMENT CONTROL COMMITTEE**

**MEETING DATE** Tuesday, 26 May 2015

**MEMBERS PRESENT:** Councillor June Molyneaux (Chair), Councillor Christopher France (Vice-Chair) and Councillors Aaron Beaver, Martin Boardman, Charlie Bromilow, Henry Counce, Paul Clark, John Dalton, Danny Gee, Alistair Morwood, Mick Muncaster, Paul Walmsley and Alan Whittaker

**RESERVES:** Councillors Gordon France and Greg Morgan

**OFFICERS:** Paul Whittingham (Development Control Team Leader), Nicola Hopkins (Principal Planning Officer), Helen Lowe (Planning Officer), Alex Jackson (Legal Services Team Leader) and Cathryn Filbin (Democratic and Member Services Officer)

**APOLOGIES:** Councillors Keith Iddon and Richard Toon

**15.DC.126 Minutes of meeting Tuesday, 21 April 2015 of Development Control Committee**

**RESOLVED – That the minutes of the meeting of the Development Control Committee on 21 April 2015 be approved as a correct record for signature by the Chair.**

**15.DC.127 Declarations of Any Interests**

There were no declarations received.

**15.DC.128 Implications of the Deregulation Act 2015 on Core Strategy Policy 27: Sustainable Resources and New Developments**

The Director of Public Protection, Streetscene and Community submitted a report which informed members of the Development Control Committee of the implications of the Deregulation Act 2015 on the Council's sustainability requirements for new dwellings set out in the Core Strategy Policy 27: Sustainable Resources and New Developments.

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

#### **15.DC.129 Planning applications to be determined**

The Director of Public Protection, Streetscene and Community submitted twelve reports for planning permission consideration.

In considering the applications, members of the Development Control Committee took in to account the agenda reports, the addendum, and the verbal representations and submissions provided by officers and individuals.

##### **15.DC.129a 15/00141/FUL - Woods Fold Saw Mill, Dole Lane, Abbey Village, Chorley**

The application was withdrawn for the agenda.

##### **15.DC.129b 15/00089/FULMAJ - Land North Of Units A1- A4 Buckshaw Link Ordnance Road, Buckshaw Village**

Registered speakers: Peter Willingham (supporter) and Philip Isherwood (applicant)

**RESOLVED (unanimously) –**

- 1. That planning permission be approved subject to the conditions detailed within the report in the agenda and the amended conditions in the addendum,**
- 2. that delegated authority be approved for officers, in consultation with the Chair and Vice Chair of the Development Control Committee, to vary the wording of condition 7 relating to contaminated land, to a compliance condition in the event that the submitted information was acceptable.**

##### **15.DC.129c 15/00294/FUL - Land To The West Of 8 Chester Place, Adlington**

Registered speaker: Steven Gallagher (applicant's agent)

**RESOLVED (14:0:1) – That planning permission be approved subject to the conditions detailed within the report in the agenda excluding conditions 16, 17 and 18 which had been replaced by a new condition detailed in the addendum.**

##### **15.DC.129d 14/00974/FUL - Land North Of The Walled Orchard, Berkeley Drive, Cuerden**

Registered speakers: Neville Whitham (Coppull parish councillor) and Dean Barlow (applicant)

**RESOLVED (14:0:1) – That full planning permission be refused on the grounds that the proposed development would be inappropriate development within the green belt. Members of the Development Control Committee considered that it had not been adequately demonstrated that there was sufficient very special circumstances to outweigh the harm caused by that inappropriateness. Members of the Development Control Committee felt that whilst there may be limited visual harm, harm to the openness of the green belt would arise as a result of the proposals, and that it had not been adequately demonstrated that the proposed development would support the functioning of the Valley Park.**

**15.DC.129e 15/00152/OUTMAJ - Goodyear Business Park, Gorsey Lane, Mawdesley**

**RESOLVED (13:0:2) – That planning permission be approved subject to an associated supplemental Section 106 Agreement and the conditions detailed within the report in the agenda.**

**15.DC.129f 15/00067/FUL - 1 Victoria Terrace, Victoria Street, Wheelton, Chorley, PR6 8HE**

Registered speaker: Peter Goldsworthy (the applicant's representative)

**RESOLVED (13:0:2) – That the decision be deferred to allow members of the Development Control Committee the opportunity to attend the site of the proposals.**

**15.DC.129g 15/00140/FUL - Clayton Brook Primary School, Great Greens Lane, Bamber Bridge, Preston, PR5 8HL**

Registered speaker: Deryck Scargill (objector)

A motion was proposed, and seconded, for the decision to be deferred to allow members of the Development Control Committee the opportunity to visit the site of the proposals. When the motion was put to the vote the result was 7:7:1. The Chair used her casting vote against the motion which resulted in the motion being refused.

**RESOLVED (10:1:4) – That planning permission be approved subject to the conditions detailed within the report in the agenda.**

**15.DC.129h 14/01331/FUL - The Windmill Hotel, 311 The Green, Eccleston**

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

**15.DC.129i 15/00281/REM - H W Moon Ltd, 56 Wood Lane, Heskin, Chorley**

A motion was proposed and seconded to approve planning permission subject to an additional condition that the small proportion of existing three meter high fence at the rear boundary be extended to encompass the entire length of the proposed car park for the purpose of reducing noise emanating from the car park. When put to the vote, the motion was lost 4:10:1.

**RSOLVED (12:3:0) – That the reserved matters planning permission be granted subject to conditions detailed within the report in the agenda.**

**15.DC.129j 15/00049/FUL - Dutch Barn Close, Chorley**

The Chair announced that items 4j, 4k and 4l relating to Dutch Barn Close, Chorley be considered together.

Registered speaker: Carly Hinde (applicant's agent)

**RESOLVED (14:0:1) – That the Section 73 application to vary condition number 7 of planning permission no: 94/00808/OUT to enable the properties to be occupied as open market residential dwellings be approved.**

**15.DC.129k 15/00050/FUL - Dutch Barn Close, Chorley**

**RESOLVED (14:0:1) – That the Section 73 application to vary condition number 10 of planning permission no: 95/00128/REM to enable the properties to be occupied as open market residential dwellings be approved.**

**15.DC.129l 15/00051/FUL - Dutch Barn Close, Chorley**

**RESOLVED (14:0:1) – That the Section 73 application to vary condition number 9 of planning permission no: 95/00841/FUL to enable the properties to be occupied as open market residential dwellings be approved.**

**15.DC.130 Enforcement**

**15.DC.130a Enforcement Report - Land at Skew Bridge, Bolton Road, Heath Charnock**

The Director of Public Protection, Streetscene and Community submitted a report which sought approval to take enforcement action under Section 215 of the Town and Country Planning Act 1990 in order to remedy harm caused to the amenity of the area land at Skew Bridge, Bolton Road, Heath Charnock.

The appearance of the land had deteriorated and was adversely affecting the amenity of the area.

**RESOLVED (unanimously) – That a Section 215 Notice be served on those persons with an interest in the land and any occupiers, if appropriate, in order to remedy the harm caused to the amenity of the area.**

**15.DC.130b Enforcement Report - Sirloin Inn, Station Road, Hoghton**

The Director of Public Protection, Streetscene and Community submitted a report which sought authority to take enforcement action in respect of the unauthorised decking area erected at the Sirloin Inn, Hoghton.

The decking was considered unacceptable on the basis that materials used were not in keeping with the building and that it obscured the front façade of the building which caused substantial harm to the significance of the building as a heritage asset. The proposal was contrary to The Framework, Policy 16 of the Adopted Central Lancashire Core Strategy and Policy BNE8 of the emerging Chorley Local Plan 2012 – 2026.

**RESOLVED (unanimously) – That it was expedient to issue an Enforcement Notice to remedy the breach of planning control.**

**15.DC.130c Enforcement Notice - 17 Withnell Fold**

The Director of Public Protection, Streetscene and Community submitted a report to seek authority to take enforcement action in respect of the unauthorised entrance canopy erected over the front door of 17 Withnell Fold, Chorley.

The canopy was of modern design and not in keeping with the existing historical properties, which were constructed of local sandstone. The canopy detracts from the character and appearance of the locally listed building.

**RESOLVED (14:0:1) – That it was expedient to issue an Enforcement Notice to remedy the breach planning control.**

#### **15.DC.131 Tree Preservation Orders**

##### **15.DC.131a Tree Preservation Order Number 2 (Adlington) 2015**

The Director of Public Protection, Streetscene and Community submitted a report which sought formal confirmation of the Tree Preservation Order No. 2 (Adlington) 2015 without modification in light of an objection being received.

Although the objector was not objecting to the Tree Preservation Order itself they did request tree pruning of T1, T2 and T3 prior to the protection being permanently afforded due to damage that could be caused to the objector's property during windy weather. In response, officers felt that the trees were in a suitable condition therefore the Order should be made without modification.

**RESOLVED (unanimously) – That the Tree Preservation Order for number 2 (Adlington) 2015 be confirmed without modification.**

##### **15.DC.131b Tree Preservation Order Number 13 (Croston) 2014**

The Director of Public Protection, Streetscene and Community submitted a report which sought formal confirmation of the Tree Preservation Order No 13 (Croston) 2014 in light of an objection being received.

The objector raised a number of issues including

- Tree T2 should be removed from the Order. It appears a very poor and unbalanced specimen which is impinging on the adjacent tree T1 and could well jeopardise the long term viability of this tree which is growing to suit and so is also becoming increasingly unbalanced. Tree T2 will also need regular cutting back to avoid the adjacent [overhead] wires and obstructing the road so further reducing its contribution to the amenities of the area/street scene - it does not seem worthy of protection which is likely to be contrary to the best interests of T1.
- Tree T1 as a stand-alone sycamore is probably not of sufficient amenity benefit as to warrant being included as part of the TPO.
- The size of the proposed Group 1 and Group 2 should be reduced by approximately 15m - the benefit associated with the trees within these areas will be fundamentally the same if reduced as suggested. The width of the two groups also seems to be shown as being significantly wider than it is on the ground, notably Group 1 which should be adjusted to reflect only the area within which the trees are growing.

**RESOLVED (unanimously) – That the Tree Preservation Order for number 2 (Adlington) 2015 be confirmed with the following modifications:**

- 1. Reduction in the length of Group 1 and 2 by approximately 15m,**
- 2. Reduction in the width of Group 1,**
- 3. Tree T2 removed from the Order.**

**15.DC.132 Appeals and other decisions**

The Director of Public Protection, Streetscene and Community submitted a report which informed members of the Development Control Committee of four planning appeals lodged with the Planning Inspectorate and two appeals which had been dismissed.

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

Chair

Date