



**MINUTES OF DEVELOPMENT CONTROL COMMITTEE**

**MEETING DATE** Tuesday, 16 June 2015

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

**RESERVES:** Councillors Greg Morgan

**OFFICERS:** Paul Whittingham (Development Control Team Leader), Adele Hayes (Principal Planning Officer), Alex Jackson (Legal Services Team Leader), James Appleton (Planning Assistant) and Cathryn Filbin (Democratic and Member Services Officer)

**APOLOGIES:** Councillors Keith Iddon

**15.DC.133 Minutes of meeting Tuesday, 26 May 2015 of Development Control Committee**

**RESOLVED – That the minutes of the meeting of the Development Control Committee on 26 May 2015 be approved as a correct record for signature by the Chair.**

**15.DC.134 Declarations of Any Interests**

There were no declarations of interest received.

**15.DC.135 Delegation for applications to address the Judicial Review Challenge outcome**

The Director of Public Protection, Streetscene and Community submitted a report which sought authority to amend resolutions for approval made by Development Control Committee which imposed a section 106 agreement contrary to the Ministerial Statement of November 2014, in the event a Judicial Review challenge to this statement failed.

It was reported that there were at least 10 planning applications which had been approved in the previous 6 months which were subject to a section 106 agreement to secure Public Open Space payments. The Government had clarified its position in respect of removing the ability to secure tariff style contributions to state that the Ministerial Statement is National Policy.

A legal challenge had been made to the original Ministerial Statement and decision to remove the ability to impose tariff style contributions and the outcome was due to be handed down shortly. Should the outcome of the legal challenge be that the Government's decision to prevent tariff style contributions was legally compliant then in order to be efficient and effective in the handling of applications and issuing decisions at the earliest possible date, authority was sought to allow those applications, already determined and approved, to be issued without a section 106 agreement.

**RESOLVED (unanimously) –**

1. That delegated authority be given to the Director of Public Protection, Streetscene and Community, to be exercised in consultation with the Chair of Development Control Committee to allow the removal of the requirement for a section 106 agreement where such an obligation had been imposed by a resolution made at Development Control Committee contrary to the Ministerial Statement relating to tariff based contributions for Public Open Space and / or affordable housing.
2. Such delegated authority would be exercised in accordance with a decision made on a Judicial Review application challenging the validity of the Ministerial Statement.

**15.DC.136 Planning applications to be determined**

The Director of Public Protection, Streetscene and Community submitted 7 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.136a 15/00067/FUL - 1 Victoria Terrace, Victoria Street, Wheelton, Chorley, PR6 8HE**

**RESOLVED (unanimously) – That planning permission be refused on the grounds that the proposed development would by virtue of its siting and prominent positioning result in an incongruous feature in the street scene that would be detrimental to the character and appearance of the area. The proposal is therefore contrary to The National Planning Policy Framework, BNE1 of the emerging Chorley Local Plan 2012 – 2026 and the Council's adopted Householder Design Guidance Supplementary Planning Document.**

**15.DC.136b 15/00295/FUL- Land Adjacent Canal Walk Play Area**

Registered speaker: Mr Earley (applicant).

**RESOLVED (unanimously) – That planning permission be approved subject to the conditions detailed within the report in the agenda and a section 106 agreement to secure payments for allotments and playing pitch typologies, should the results of a judicial review go against the government.**

**15.DC.136c 14/01272/OUT - Land between 71 and 81 Station Road, Croston**

Registered speakers: Alison Peters (objector) and David Forshaw (applicant).

**RESOLVED (unanimously) – That planning permission be approved subject to conditions detailed in the addendum and a subject 106 agreement to secure payments for allotments and playing pitch typologies should the results of the judicial review goes against the government.**

*At the request of the speaker, speaking in objection to the planning application 15/00359/FUL - Rambler Cottage, 86 Preston Road, Whittle-le-Woods, Chorley, PR6 7HE which was listed as 3d on the agenda the Chair of the Development Control Committee agreed for the item to be moved for consideration to the last item on the agenda to allow the speaker the opportunity to attend the meeting.*

**15.DC.136d 15/00282/FUL - H W Moon Ltd, 56 Wood Lane, Heskin**

Registered speaker: Mr Charnock (objector)

**RESOLVED (9:4:1) – That planning permission be approved subject to conditions detailed within the report in the agenda and the amended and additional conditions detailed in the addendum.**

**15.DC.136e 12/00270/FUL - 1 Darlington Street, Coppull**

**RESOLVED (unanimously) – That planning permission be approved subject to conditions and a section 106 agreement to secure payment towards allotments, playing pitch, and amenity green space typologies should the outcome of the judicial review go against the government.**

**15.DC.136f 15/00307/FUL- Walled Garden, Astley Park, Park Road, Chorley**

*(At this point Councillor Mick Muncaster left the room briefly before returning back to the meeting.)*

**RESOLVED (13:0:1) – The planning permission be approved subject to conditions detailed within the report in the agenda.**

**15.DC.137 Appeals and other decisions**

There will be an update for the next meeting of Development Control Committee on 14 July 2015.

**15.DC.137a 15/00359/FUL - Rambler Cottage, 86 Preston Road, Whittle-le-Woods, Chorley, PR6 7HE**

Registered speaker: Nina Thistlethwaite (supporter).

The objector registered to speak on this application was not present at the time the planning application was considered. However, a copy of his speech was included within the addendum.

**RESOLVED (unanimously) – That planning permission be approved subject to conditions detailed within the report in the agenda and a section 106 agreement to secure payments towards allotments and playing pitch**

**typologies should the outcome of the judicial review go against the government.**

Chair

Date