

## **DEVELOPMENT CONTROL COMMITTEE**

TUESDAY, 15TH MARCH 2016, 6.30 PM

COUNCIL CHAMBER, TOWN HALL, CHORLEY

### AGENDA

#### **APOLOGIES**

1 **MINUTES OF MEETING TUESDAY, 9 FEBRUARY 2016 OF DEVELOPMENT CONTROL COMMITTEE**

(Pages 3 - 6)

2 **DECLARATIONS OF ANY INTERESTS**

Members are reminded of their responsibility to declare any pecuniary interest in respect of matters contained in this agenda.

If you have a pecuniary interest you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

3 **PLANNING APPLICATIONS TO BE DETERMINED**

The Director of Public Protection, Streetscene and Community has submitted four planning applications to be determined.

Plans to be considered will be displayed at the meeting or may be viewed in advance by following the links to the current planning applications on our website.

<https://planning.chorley.gov.uk/online-applications/search.do?action=simple&searchType=Application>

**A 15/01185/FUL - WATERSTONE HOUSE, 1A DARK LANE, WHITTLE-LE-WOODS, CHORLEY, PR6 8AE - TO FOLLOW**

**B 16/00098/TEL - LAND 35M NORTH WEST OF BILLINGE HOUSE, EUXTON LANE, EUXTON - TO FOLLOW**

**C 16/00045/FUL - POST OFFICE, 60 PARK ROAD, CHORLEY, PR7 1QU - TO FOLLOW**

**D 16/00075/FUL - LAND 20 METRES WEST OF 6 ELLERBECK VIEW, CASTLE HOUSE LANE, ADLINGTON - TO FOLLOW**

4 **TREE PRESERVATION ORDER NUMBER 6 (CHORLEY) 2015**

(Pages 7 - 12)

5 **ANY URGENT BUSINESS PREVIOUSLY AGREED WITH THE CHAIR**

GARY HALL  
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Development Control Committee Councillor June Molyneaux (Chair), Councillor Christopher France (Vice-Chair) and Councillors Aaron Beaver, Martin Boardman, Charlie Bromilow, Henry Caunce, Paul Clark, John Dalton, Danny Gee, Keith Iddon, Alistair Morwood, Mick Muncaster, Richard Toon, Paul Walmsley and Alan Whittaker.

Electronic agendas sent to Development Control Committee reserves for information.

If you need this information in a different format, such as larger print or translation, please get in touch on 515151 or [chorley.gov.uk](http://chorley.gov.uk)

To view the procedure for public questions/ speaking click here

<https://democracy.chorley.gov.uk/ecSDDisplay.aspx?NAME=SD852&id=852&rpId=0&sch=doc&cat=13021&path=13021>

**MINUTES OF DEVELOPMENT CONTROL COMMITTEE****MEETING DATE Tuesday, 9 February 2016****MEMBERS PRESENT:** Councillor June Molyneaux (Chair), Councillor Christopher France (Vice-Chair) and Councillors Aaron Beaver, Martin Boardman, Charlie Bromilow, Henry Caunce, Paul Clark, John Dalton, Danny Gee, Keith Iddon, Alistair Morwood, Mick Muncaster, Richard Toon, Paul Walmsley and Alan Whittaker**OFFICERS:** Paul Whittingham (Development Control Manager), Nicola Hopkins (Principal Planning Officer), James Appleton (Planning Assistant) and Alex Jackson (Legal Services Team Leader)**OTHER MEMBERS:** Councillor Ralph Snape and Joyce Snape**16.DC.175 Minutes of meeting Thursday, 14 January 2016 of Development Control Committee****RESOLVED - That the minutes of the Development Control Committee held on 14 January 2016 be approved as a correct record for signature by the Chair.****16.DC.176 Declarations of Any Interests**

There were no declarations of interest declared for any items listed on the agenda.

**16.DC.177 Planning applications to be determined**

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

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

**a 15/00686/FULMAJ - Crown Stage And Theatre Services Ltd, Brock Mill, Brock Road, Chorley**

Registered speakers: Deborah Holden (objector) and Manny Atkinson (agent).

**RESOLVED (unanimously) - That full planning permission be approved, subject to conditions detailed in the report.**

**b 14/01214/FULMAJ - Gillibrand Arms, Collingwood Road, Chorley, PR7 2PT**

Registered speakers: Alan Iddon (objector), Ralph Snape (ward councillor) and Nigel Powell (agent).

**RESOLVED (13.1.1) – That full planning permission be approved, subject to conditions detailed in the report.**

**c 15/01145/FUL - Dutch Barn Close, Chorley**

This application was withdrawn.

**d 15/01143/FUL - Dutch Barn Close, Chorley**

This application was withdrawn.

**e 15/01144/FUL - Dutch Barn Close, Chorley**

This application was withdrawn.

**f 15/01092/OUT - Land North of the Railway Public House, Wigan Road, Euxton**

A motion was put forward to hold a site visit, which was seconded. When put to the vote, the motion was lost (5:10:0).

**RESOLVED (10.4.1) – That outline planning permission be refused.**

**Reason: The wording of the reason for refusal was delegated to officers in consultation with the Chair and Vice-Chair, but would include the parking provision does not meet the parking standards and there is no opportunity for overspill in the surrounding area. The methodology used to measure the current usage of the car park was flawed and questioned by the Highways officer.**

**g 15/01222/FUL - Higher Derbyshires, Gilsbrook, Rivington Lane, Rivington, Bolton, BL6 7SA**

Registered speaker: Caroline Jones (applicant).

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

**h 15/01168/FUL - 59 School Lane, Brinscall, Chorley, PR6 8QS**

Registered speaker: Simon Atkinson (applicant).

**RESOLVED (14.0.1) – That retrospective planning permission be refused.**

**Reason: The outbuilding is considered unacceptable by virtue of its siting and design and will have a detrimental impact upon the character and appearance of the locality.**

**The proposal is therefore contrary to The Framework, Policy 17 of the Adopted Central Lancashire Core Strategy and Policy BNE1 of the adopted Chorley Local Plan 2012 – 2026 and the Council’s adopted Householder Design Guidance Supplementary Planning Document.**

**16.DC.178 Appeals and other decisions**

The Director of Public Protection, Streetscene and Community submitted a report for information on planning appeals received from Lancashire County Council and other bodies between 15 December 2015 and 8 February 2016.

Ten appeals had been lodged with the Planning Inspector for planning permission refusal, and two planning appeals had been dismissed.

Four planning appeals had been withdrawn.

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

Chair

Date

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Report of	Meeting	Date
Chief Executive	Development Control Committee	5 April 2016

**PROPOSED CONFIRMATION CHORLEY BOROUGH COUNCIL  
TREE PRESERVATION ORDER NO 6 (CHORLEY) 2015  
WITHOUT MODIFICATION**

**PURPOSE OF REPORT**

- To consider formal confirmation of the Chorley Borough Council Tree Preservation Order No 6 (Chorley) 2015 without modification.

**RECOMMENDATION**

- Formal confirmation of the Order affords permanent as opposed to provisional legal protection to the trees covered by the Order.

**EXECUTIVE SUMMARY OF REPORT**

- Formal confirmation of the Order affords permanent as opposed to provisional legal protection to the trees covered by the Order. Not to confirm the Order would mean allowing the Order, and thereby the protection conferred on the trees covered by the Order to lapse

<b>Confidential report</b> Please bold as appropriate	Yes	<b>No</b>
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**CORPORATE PRIORITIES**

- This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	x	A strong local economy	
Clean, safe and healthy communities		An ambitious council that does more to meet the needs of residents and the local area	

**BACKGROUND**

- The Order was made on the 16 December 2015. The Order was made and served along with the statutory notice prescribed in Regulations on all those with an interest in the land on which the trees are situated on the 16 December 2015. The Order was made because on the assessment of the Council's Tree Officer the trees make a valuable contribution to the visual amenity of the area, being prominently situated and clearly visible to the public and that their removal would have a significant impact on the environment and its enjoyment by the public.

6. No objection has been received in response to the making of the above Order. It is therefore, now open to the Council to confirm the above Order as unopposed. The effect of formally confirming the Order will be to give permanent legal force to the Order, as opposed to provisional force, thereby making it an offence on a permanent basis to fell or otherwise lop, prune etc, any of the trees covered by the Orders without first having obtained lawful permission.

**IMPLICATIONS OF REPORT**

7. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area	x	Policy and Communications	

**COMMENTS OF THE STATUTORY FINANCE OFFICER**

1. If the trees were to be lopped or pruned or chopped in breach of the order the Council would incur staff costs in any criminal investigation and prosecution. Staff costs in the Planning Department are also involved when dealing with applications for consent to work to protected trees.

**COMMENTS OF THE MONITORING OFFICER**

2. The legal effect of the order and the consequences of breach are addressed within the body of the report.

GARY HALL  
CHIEF EXECUTIVE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Stefanie Leach	01257 515170	4 March 2016	098520



**Tree Preservation Order**

**Town and Country Planning Act 1990**

The Chorley Borough Council Tree Preservation Order No 6 (Chorley) 2015

Chorley Borough Council in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order -

**Citation**

This Order may be cited as Chorley Borough Council Tree Preservation Order No 6 (Chorley) 2015

**Interpretation**

- 1. (1) In this Order "the authority" means Chorley Borough Council.
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

**Effect**

- 2. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
- (2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall —
  - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
  - (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

**Application to trees to be planted pursuant to a condition**

- 3. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 16<sup>th</sup> day of December 2015

The Common Seal of Chorley Borough Council

was affixed to this Order in the presence of: ]



..... ]  
Authorised Signatory



CONFIRMATION OF ORDER

This Order was confirmed by Chorley Borough Council without modification on the [ ] day of [ ]

OR

This Order was confirmed by Chorley Borough Council, subject to the modifications indicated by [ ], on the [ ] day of [ ]

Signed on behalf of the Chorley Borough Council

.....

Authorised by the Council to sign in that behalf

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by Chorley Borough Council on the [ ] day of [ ]

Signed on behalf of the Chorley Borough Council

.....

Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the Chorley Borough Council on the [ ] day of [ ] by a variation order under reference number [ ] a copy of which is attached.

Signed on behalf of the Chorley Borough Council

.....

Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

[This Order was revoked by Chorley Borough Council on the [ ] day of [ ]

Signed on behalf of the Chorley Borough Council

.....

Authorised by the Council to sign in that behalf

**SCHEDULE**

**Specification of trees**

**Trees specified individually**

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation (Eastings then Northings)</i>
T1	Sycamore	358137 416403
T2	Sycamore	358151 416404
T3	Sycamore	358160 416403
T4	Sycamore	358178 416399

