

# Development Control Committee

**Tuesday, 20 June 2006**

**Present:** Councillor Harold Heaton (Chair), Councillor David Dickinson (Vice-Chair), Councillors Kenneth Ball, Thomas Bedford, Francis Culshaw, Alan Cain, Henry Caunce, Dennis Edgerley, Daniel Gee, Roy Lees, Adrian Lowe, Miss June Molyneaux, Geoffrey Russell and Ralph Snape

**Officers:** Jane Meek (Director of Development and Regeneration), Wendy Gudger (Development Control Manager), Peter Willacy (Planning Enforcement Officer), Brown (Senior Solicitor) and Dianne Scambler (Trainee Democratic Services Officer)

## **06.DC.23 APOLOGIES FOR ABSENCE**

Apologies for absence were received by Councillors E Bell, C Snow and S Smith.

## **06.DC.24 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 Members declared an interest in relation to the Planning Applications listed below, which were included on the meetings agenda for determination.

Councillor D Edgerley – Item 6a, A1: Planning Application 06/00423/FULMAJ

## **06.DC.25 MINUTES OF MEETING TUESDAY, 23RD MAY 2006 OF DEVELOPMENT CONTROL COMMITTEE**

**RESOLVED – That the minutes of the meeting of the Development Control Committee held on 23 May 2006 to be confirmed as a correct record and signed by the Chair.**

## **06.DC.26 PLANNING APPEALS AND DECISIONS - NOTIFICATION**

The Committee received a report of the Director of Development and Regeneration giving notification of eight appeals that had been lodged against the refusal of planning permission, two appeals that had been dismissed, one appeal that had been allowed by the planning inspectorate and three appeals that had been lodged against enforcement action.

Members requested the Officers to monitor the level of appeals to identify any patterns of trends and report their findings back to this Committee at a later date.

**RESOLVED – 1. That the report be noted.  
2. That the Director of Development and Regeneration monitor the appeal process and report back to the Members of this Committee at a meeting later in the year.**

## **06.DC.27 HOUSEHOLDER DESIGN GUIDANCE - SUPPLEMENTARY PLANNING DOCUMENT (SPD)**

The Director of Development and Regeneration submitted a report to update Members on the progress of the draft Householder Design Guidance Supplementary

Planning Document and to seek endorsement for the instigation of a formal consultation process in relation to the document which will form part of the Local Development Framework.

**RESOLVED – 1. That Members endorse the draft document and recommend that Executive Cabinet approves it for consultation and community involvement purposes subject to ratification by Full Council.**

**2. That any minor textural and illustrative amendments be delegated to the Director of Development and Regeneration.**

## **06.DC.28 PLANNING APPLICATIONS AWAITING DECISION**

The Director of Development and Regeneration submitted reports on a number of planning applications to be determined by the Committee.

**RESOLVED – That the planning applications, as now submitted be determined in accordance with the Committee’s decisions as recorded below.**

### **(a) A1:06/00423/FULMAJ - 1 & 3, Southport Road, Chorley**

(Councillor D Edgerley declared an interest in the following application and left the meeting during the discussion and voting on the proposal)

Application no: 06/00423/FULMAJ

Proposal: Refurbishment of existing hostel and hotel to form 16 self contained flats with office space and sleep over area.

Location: 1 & 3, Southport Road, Chorley

Decision:

It was proposed by Councillor R Snape, seconded by Councillor K Ball, to refuse planning permission on highways grounds and the loss of amenity to the surrounding area. Councillor R Snape and Councillor K Ball also requested a recorded vote.

An amendment to the motion was proposed by Councillor A Lowe, seconded by Councillor F Culshaw, to grant full planning permission and was subsequently **RESOLVED (9:4) with Councillors T Bedford, F Culshaw, A Cain, H Counce, D Dickinson, D Gee, H Heaton, A Lowe and G Russell voting for the proposal and Councillors K Ball, R Lees, J Molyneaux and R Snape voting against the proposal, subject to the following conditions:**

**1. The proposed development must be begun not later than three years from the date of this permission.**

***Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.***

**2. The windows marked as obscure glazed on the amended plan received 1 June 2006 (Drawing No. 03-597-PO2 Revision B) shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter.**

***Reason: In the interests of the privacy of occupiers of neighbouring property and in accordance with Policy No. GN5.***

**3. The approved plans are:**

<b>Plan Ref.</b>	<b>Received On:</b>	<b>Title:</b>	
<b>03-597-PO1 Rev A</b>	<b>1 June 2006</b>	<b>Proposed</b>	<b>Scheme</b>
<b>Development Plans</b>			
<b>03-597-PO2 Rev B</b>	<b>1 June 2006</b>	<b>Proposed</b>	<b>Scheme</b>
<b>Development Elevations</b>			

**Reason:** To define the permission and in the interests of the proper development of the site.

4. Before the use of the premises hereby permitted is first commenced, the car parking shall be marked out in accordance with the approved plans. The car parking shall not thereafter be used for any purpose other than the parking and manoeuvring of vehicles.

**Reason:** To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

5. Before the use of the premises hereby permitted is first commenced, details of a boundary treatment to be erected to the rear of the building to prevent rear access, shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** In the interest of the amenity of the area and in accordance with Policy No. GN5.

**(b) A2:06/00494/FULMAJ - Vale Works, Star Lane, Horwich, Bolton**

Application no: 06/00494/FULMAJ

Proposal: Residential development comprising 15 houses and 6 flats and associated works (amendments to part of that previously approved on applications 03/00214/FUL and 03/00529/FUL).

Location: Vale Works, Star Lane, Horwich

Decision:

It was proposed by Councillor F Culshaw, seconded by Councillor G Russell, and subsequently **RESOLVED to grant full planning permission subject to a Section 106 Agreement and the following conditions:**

**1. The Development shall only be carried out in accordance with the approved plans, except as may otherwise be specifically required by any other condition of this permission or unless otherwise first agreed to in writing by the Local Planning Authority.**

**Reason:** To define the permission and in the interests of the proper development of the site.

**2. This consent relates to the following plans:**

**The works hereby permitted shall be carried out strictly in accordance with the following plans unless otherwise agreed in writing by the Local Planning Authority:**

<b>Plan Ref:</b>	<b>Received On:</b>	<b>Title:</b>
	<b>5 May 2006</b>	<b>Location Plan</b>
<b>GF1</b>	<b>20 April 2006</b>	<b>Standard Feather Edged Fence</b>
<b>GF2</b>	<b>20 April 2006</b>	<b>Low Feather Edged Fence</b>
<b>2278/DET/02</b>	<b>20 April 2006</b>	<b>Brick Piers and 1.8m High</b>
<b>Close Boarded Fence</b>		
<b>2205/PAL/04A</b>	<b>20 April 2006</b>	<b>Palmerston Plans and</b>
<b>Elevations</b>		
<b>2205/BUK/01B</b>	<b>20 April 2006</b>	<b>Buckingham Plans and</b>
<b>Elevations</b>		
<b>2205/BUH/01</b>	<b>20 April 2006</b>	<b>Buchanan Plans and Elevations</b>
<b>2205/ENN/01</b>	<b>20 April 2006</b>	<b>Ennerdale Plans and Elevations</b>
<b>2205/FA3/01</b>	<b>20 April 2006</b>	<b>Falkirk Plans and Elevations</b>
<b>G.1./2.</b>	<b>20 April 2006</b>	<b>Standard Single Garage Details</b>
<b>22095/T00</b>	<b>20 April 2006</b>	<b>Topographical Survey</b>
<b>PL01/311 Rev W</b>	<b>20 April 2006</b>	<b>Planning and Landscape</b>
<b>Layout</b>		

***Reason: To define the permission and ensure a satisfactory form of development.***

**3. No development shall take place until :**

- a) a methodology for investigation and assessment of ground contamination has been submitted to and approved in writing by the Local Planning Authority. The investigation and assessment shall be carried out in accordance with current best practice including British Standard 10175:2001 "Investigation of potentially contaminated sites - Code of Practice". The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;**
- b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;**
- c) the Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works, a validation report containing any validation sampling results have been submitted to and approved in writing by the Local Planning Authority.**

***Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.***

**4. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.**

***Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.***

**5. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot, have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.**

***Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No.HS4 of the Adopted Chorley Borough Local Plan Review.***

**6. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.**

***Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy Nos. GN5 and EM2 of the Adopted Chorley Borough Local Plan Review.***

**7. No development shall take place until:-**

- a) a scheme for monitoring landfill gas migration has been submitted to and approved in writing by the Local Planning Authority;**
- b) all monitoring specified in the approved scheme (submitted under a) above), has been carried out and the results of the monitoring exercise, together with recommendations and specific proposals to render the site capable of development for housing have been submitted to the Local Planning Authority; and**
- c) the Local Planning Authority has given written approval to the development proceeding having regard to the results of the monitoring exercise and the recommendations and proposals submitted under b) above), and the carrying out of any required works in a manner and to a timetable to be agreed in writing with the Local Planning Authority. Upon completion of the works of remediation and treatment, a Validation Report shall be submitted to the Local Planning Authority.**

***Reason: In the interests of safety and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.***

**8. Before the development hereby permitted is first commenced, full details of the measures to be incorporated into the development to prevent the ingress of landfill gas shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall only be constructed in accordance with the approved scheme of landfill gas ingress prevention measures.**

***Reason: To protect occupiers from the ingress of landfill gas and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.***

**9. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.**

***Reason: In the interests of the amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.***

**10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.**

***Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.***

**11. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed building(s) (notwithstanding any details shown on the previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.**

***Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5, DC8A, DC8B, HT2, HT3, HT7, HS4, HS9, EM3, EM4A and EM5 of the Adopted Chorley Borough Local Plan Review.***

12. The integral/attached garage shall be kept freely available for the parking of cars and shall not be converted to living accommodation, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

*Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking and in accordance with Policy No.TR8 of the Adopted Chorley Borough Local Plan Review.*

13. The windows in the first floor of the western elevation of the dwelling on plot B1, first floor of the southern elevation of the dwelling on plot B6, first floor of the southern elevation of the dwelling on plot 87F and the first floor of the western elevation of the dwelling on plot 86F shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter.

*Reason: In the interests of the privacy of occupiers of neighbouring property.*

14. There shall be no direct vehicular or pedestrian access of any kind between the site and the M61 motorway. To this end a close-boarded fence or similar barrier not less than two metres high shall be erected along the frontage of the site with the motorway details of which shall be submitted to and approved by the Local Planning Authority prior to the commencement of any works associated with the development hereby permitted. The approved fence shall be erected, prior to the substantial completion of the development, a minimum of one metre behind the existing motorway boundary fence on the developer's land and independent of the existing fence and retained thereafter.

*Reason: The use of a motorway by pedestrians is prohibited by law, a fence of the type specified is considered to be the minimum safety requirement for this type of development adjacent to the motorway*

15. There shall be no development on or adjacent to any motorway embankment that shall put any embankment or earthworks at risk.

*Reason: To protect the stability of the motorway.*

16. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

*Reason: To secure proper drainage and in accordance with Policy Nos. EP17 and EM2 of the Adopted Chorley Borough Local Plan Review.*

17. No development shall take place until details of the proposed surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented.

*Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 and EP19 of the Adopted Chorley Borough Local Plan Review.*

(c) **A3:06/00499/FULMAJ - Healey View Care Home, Botany Brow, Chorley**

Application No;06/00499/FULMAJ

Proposal: Replacement Care Home for the Elderly

Location: Healey View Care Home, Botany Brow, Chorley

Decision:

It was proposed by Councillor A Lowe, seconded by Councillor D Edgerley, and subsequently **RESOLVED (7:0) to grant full planning permission subject to the following conditions:**

1. The proposed development must be begun not later than three years from the date of this permission.

*Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.*

2. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

*Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.*

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

*Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.*

4. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:1991 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.

*Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 and HT9 of the Adopted Chorley Borough Local Plan Review.*

5. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

6. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

7. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected to the

site boundaries (notwithstanding any such detail shown on the approved plans) shall have been submitted to and approved in writing by the Local Planning Authority. The care home shall not be occupied until all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

*Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

8. The approved plans are:

Plan Ref.	Received On:	Title:
CHR44-03D	17 <sup>th</sup> May 2006 Second Floor General	Proposed Arrangement
CHR44-05D Elevations	17 <sup>th</sup> May 2006	Proposed
-----	20 <sup>th</sup> April 2006	Location Plan
CHR44-43	20 <sup>th</sup> April 2006	Existing Site Layout
CHR44-06E Site Layout	20 <sup>th</sup> April 2006	Proposed
CHR44-01B Ground Floor General Arrangement	20 <sup>th</sup> April 2006	Proposed
CHR44-02B First Floor General Arrangement	20 <sup>th</sup> April 2006	Proposed

*Reason: To define the permission and in the interests of the proper development of the site.*

9. Before the development hereby permitted is first occupied, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

*Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR8 of the Adopted Chorley Borough Local Plan Review (superseded by Policy No. 7 of the JLSP)*

10. Access to the site shall be from Daisy Fold only and there shall be no access from Botany Brow at any time.

*Reason: In the interests of highway safety and in accordance with Policy HS4 of the Adopted Chorley Borough Local Plan.*

(d) B1:06/00216/FUL - Land 100m South East Off Back House Farm, Hall Lane, Mawdesley

Application No:06/00216/FUL

Proposal: Formation of fenced off horse exercise area with all weather surface and erection of timber isolation stable/shelter with veterinary treatment area.

Location: Land 100m South East Of Back House Farm, Hall Lane, Mawdesley

Decision:

It was proposed by Councillor F Culshaw, seconded by Councillor D Edgerley, and subsequently **RESOLVED (7:0) to grant full planning permission subject to the following conditions:**

1. The proposed development must be begun not later than three years from the date of this permission.

*Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.*

2. The building hereby permitted shall be used for the stabling of horses and



storage of associated equipment, bedding and feed only and shall not be used for any trade or business purposes (including the keeping of horses at livery or in connection with a commercial riding school).

*In the interests of highway safety and the character and appearance of the area.*

3. All external facing material shall match in colour, form and texture those on the existing stable building.

*Reason: In the interests of the visual amenity of the area.*

4. The permission hereby granted shall only enure for the benefit of a horse related charitable organisation and may not be implemented or occupied by any other person, company or organisation. Should the isolation unit/treatment building and associated hardstanding hereby permitted cease to be required for the purposes of the charity, it shall be removed from the land, together with all resultant materials, and the land shall be restored to its condition before the development took place.

*Reason: The permission was granted having regard to the special circumstances advanced in support of the application, however the use would be inappropriate to the area unless only carried on by the applicant in the manner specified on the application.*

5. The permission hereby granted is for the use of the land for the keeping and grazing of animals and the riding of horses and ponies only. The land shall not be used for any business purpose including the commercial training or schooling of horse and pony riders or for the holding of any events, competitions, trials, horse/pony club meetings or gymkhanas and does not imply or grant permission for installation of any system or sound amplification.

*Reason : To define the permission and in the interests of the amenities of the occupiers of neighbouring properties and highway safety and in accordance with Policy No. EP8 of the Adopted Chorley Borough Local Plan Review.*

6. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

*Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.*

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

*Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.*

8. The approved plans are:

Plan Ref.	Received On:	Title:
CF1712-50 B	6 June 2006	Proposed Exercise Area & Isolation/Veterinary Treatment Area
CF1712-51 B	6 June 2006	Location, Elevations & Plan of New Building

**Reason:** *To define the permission and in the interests of the proper development of the site.*

9. The building hereby permitted shall only be used by horses and ponies in the care of a horse related charity operating from the site. It shall not be used by any private individual or for commercial purposes

**Reason:** *The permission was granted having regard to the special circumstances advanced in support of the application, however the use would be inappropriate to the area unless only carried on by the applicant in the manner specified on the application.*

10. No development shall take place until a scheme of lighting has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail, which may have previously been submitted. Such a scheme should include details of the location (where they will be attached), the number and size of the lights and their luminance. Such a scheme shall be constructed and completed in accordance with the approved plans. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 or any re-enactment or associated legislation no further lighting shall be installed unless express planning permission is first obtained.

**Reason:** *To define the permission and in the interests of the residential amenities of the adjacent property and in accordance with Policy Nos. DC1 and EP21A of the Adopted Chorley Borough Local Plan Review*

**(e) B2:06/00385/FUL - 89, Highways Avenue, Euxton, Chorley**

Application No:06/00385/FUL

Proposal: Retrospective planning application for a 2m high boundary wall.

Location: 89, Highways Avenue, Euxton, Chorley

Decision:

It was proposed by Councillor D Gee, seconded by Councillor D Edgerley to defer the decision to allow the Site Inspection Sub-Committee to visit the development and make a recommendation to this Committee.

Councillor A Lowe proposed an amendment to the motion, seconded by Councillor R Lees and was subsequently **RESOLVED (9:4) to refuse the retrospective planning permission for the following reasons:**

**1. The proposal, by reason of the height and siting of the boundary wall, would be visually obtrusive and detrimental to both the appearance and character of the street and the amenity of the area. This development is inappropriate as it does not relate well to the immediate surroundings which reflects a more open and sylvan character with softer boundary treatments. The proposal is therefore contrary to policy GN1 and GN5 of the Adopted Chorley Borough Local Plan Review.**

**(f) B3: 06/00469/FUL - 57, Lancaster Lane, Clayton-Le-Woods**

Application No:06/00469/FUL

Proposal: Formation of pitched roof over existing flat roof front dormer (retrospective).

Location: 57, Lancaster Lane, Clayton-Le-Woods, Leyland

Decision:

It was proposed by Councillor T Bedford, seconded by Councillor D Edgerley and subsequently **RESOLVED (10:0) to defer the decision to allow the Site Inspection Sub-Committee to visit the site of the proposed development.**

**(g) B4:06/00547/FUL - 77 Water Street, Chorley**

Application No:06/00547/COU

Proposal: Change of use from takeaway to mixed use with restaurant and takeaway, also retrospective planning application for the erection of a single storey rear extension and internal disabled toilet.

Location: 77, Water Street, Chorley

Decision:

It was proposed by Councillor D Edgerley, seconded by Councillor A Lowe, and subsequently **RESOLVED (9:0) to refuse planning permission for the following reason:**

**1. The development will give rise to additional noise and disturbance which will be detrimental to the amenities of nearby residential properties which is contrary to policy EP20 of the Adopted Chorley Borough Local Plan.**

**(h) B5:06/00563/FUL - Land to rear of 243, Chapel Lane, Coppull, Chorley**

Application No:06/00563/FUL

Proposal: Proposed Stables

Location: Land to the Rear of 243 Chapel Lane, Coppull, Chorley

Decision:

It was proposed by Councillor K Ball, seconded by Councillor F Culshaw and subsequently **RESOLVED to grant full planning permission subject to the following conditions:**

**1. The proposed development must be begun not later than three years from the date of this permission.**

***Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.***

**2. The stables hereby permitted shall be used for the stabling of horses and storage of associated equipment and feed only and, in particular, shall not be used for any trade, business or other storage purposes.****Reason: To define the permission and in the interests of the visual amenities and character of the area and in accordance with Policy No. EP8 of the Adopted Chorley Borough Local Plan Review.**

**3. Before the use of the stables is commenced the midden shall be fully constructed and available for use.**

***Reason: In the interests of the visual amenities and character of the area and in accordance with Policy No. EP8 of the Adopted Chorley Borough Local Plan Review.***

**06.DC.29 A REPORT OF THE DIRECTOR OF DEVELOPMENT AND REGENERATION ON SELECTED CASES DETERMINED FOLLOWING CONSULTATION WITH THE CHAIR AND VICE-CHAIR OF THE COMMITTEE**

The Committee received for information, reports by the Director of Development and Regeneration on the following category 'B' development proposals which had, or were intended to be, determined by the Chief Officer under the adopted scheme of delegations, following consultation with the Chair and Vice-Chair of the Committee.

Application no: 06/00400/FUL

Proposal: Erection of horticultural glasshouse

Location: Bancroft Cottage, Higher Simpson Fold, Wheelton

Decision: Planning permission granted.

Application no: 06/00405/FUL

Proposal: Change of use to convert 2 properties to 6 apartments

Location: 8, 10 and 10a, Market Street, Adlington, Chorley  
Decision: Planning permission granted.

Application no: 06/00420/FUL

Proposal: Proposed stable block  
Location: Land 20m South West of Cockers Farm, Long Lane, Heath Charnock  
Decision: Planning permission granted

Application no: 06/00465/TPO

Proposal: Crown and thin two sycamores and remove a third covered by TPO1 Whittle-Le-Woods 1985  
Location: 11, Chorley Old Road, Whittle-Le-Woods, Chorley  
Decision: Consent granted for tree works

Application no: 06/00484/FUL

Proposal: Erection of retrospective greenhouse (16m x 27m)  
Location: Pole Green Nurseries, Church Lane, Charnock Richard  
Decision: Retrospective planning permission granted.

Application no: 06/00508/FUL

Proposal: Proposed replacement dwelling and double garage  
Location: 83, Wigan Road, Euxton, Chorley  
Decision: Planning permission granted.

Application no: 06/00532/FUL

Proposal: Amendment to design of crematorium building previously approved incorporating an extension to the building.  
Location: Land opposite Brow Cottage, Preston Road, Charnock Richard, Chorley  
Decision: Planning permission granted

Application No: 06/00566/TEL

Proposal: Telecommunications Installation Comprising 14.7m High monopole supporting 3 no antennas, 1 dish with Development Ancillary  
Location: Shaw Hill Bridge, Preston Road, Whittle-Le-Woods  
Decision: Prior App not reqd – Telecom

Application no: 06/00577/FUL

Proposal: Erection of offices and store  
Location: Land North of 20 Union Street, Whittle-Le-Woods  
Decision: Planning permission granted

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

**06.DC.30 A LIST OF PLANNING APPLICATIONS DETERMINED BY THE CHIEF OFFICER UNDER DELEGATED POWERS BETWEEN 8 MAY 2006 TO 2 JUNE 2006**

The Director of Development and Regeneration presented, for Members information, a schedule listing the remainder of the planning applications that had been determined by the Chief Officer under delegated powers between 8 May 2006 and 2 June 2006.

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

**06.DC.31 ENFORCEMENT REPORT - 57, LANCASTER LANE, CLAYTON-LE-WOODS**

The Committee considered a report of the Director of Development and Regeneration on the expediency of taking enforcement action in respect of the demolition of the pitched roof over existing flat roof front dormer at 57, Lancaster Lane, Clayton-Le-Woods.

It was brought to Members attention that a retrospective planning application for the formation of a pitched roof over an existing flat roof front dormer to property at 57, Lancaster Lane, Clayton-Le-Woods appeared on this agenda.

**RESOLVED – That the report be deferred to allow members of the Site Inspection Sub-Committee to visit the site of the development.**

#### **06.DC.32 ENFORCEMENT REPORT - 89, HIGHWAYS AVENUE, EUXTON**

The Committee considered a report of the Director of Development and Regeneration on the expediency of taking enforcement action to secure the demolition of brick wall, 2 metres in height adjacent to highway used by motor vehicles at 89, Highways Avenue, Euxton.

It was brought to Members attention that a retrospective planning application for the erection of a 2-metre high boundary wall to property 89 Highways Avenue, Euxton, had been refused by the Committee earlier in this meeting.

**RESOLVED – That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control:**

**1. Without planning permission the erection of a brick wall adjacent to a highway used by vehicular traffic, which is over 1 metre in height.**

**a) Remedy for breach**

- (i) Reduce the height of the brick pillars and close boarded timber fence panels between points A and B, as shown on the attached plan, to a height of 1 metre when measured from ground level, thereby benefiting as permitted development granted by virtue of, schedule 2. Part 2, Class A, The Town and Country Planning (General Permitted Development) Order 1995.**
- (ii) Remove all material resultant from the works carried out under 9 (ai) from the land.**

**b) Period for Compliance**

**56 days**

**c) Reason**

**The height of the brick pillars would be visually obtrusive and detrimental to both the appearance and character of the street and the amenity of the area. This development is inappropriate. As it does not relate well to the immediate surroundings, which reflect a more open and sylvan character with softer boundary treatments. The proposal is therefore contrary to policies GN1 and GN5 of the Adopted Chorley Borough Local Plan Review.**

Chair