

Development Control Committee

Tuesday, 12 December 2006

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

Officers: Jane Meek (Director of Development and Regeneration), Rosaleen Brown (Senior Solicitor), Dianne Scambler (Trainee Democratic Services Officer) and Neil Higson (Principal Planning Officer)

Also in attendance: Councillor Mrs Iris Smith (Wheulton and Withnell)

06.DC.88 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Henry Counce, Shaun Smith and Chris Snow.

06.DC.89 MINUTES

RESOLVED – That subject to the amendment that Councillor June Molyneaux declared an interest in the Enforcement Reports relating to Allanson Hall Farm, and left the meeting whilst the discussion and voting on the proposal took place, and not the Enforcement Reports that related to Carpetright and Curry's, the meeting of the Development Control Committee held on 21 November 2006 be confirmed as a correct record and signed by the Chair.

06.DC.90 DECLARATIONS OF ANY INTERESTS

No declarations of interest were declared.

06.DC.91 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 under item 4, be determined in accordance with the Committee's decisions as recorded below,

(a) **A1:06/01056/FULMAJ - Land, Parcel H4, Buckshaw Village, Whittle-Le-Woods**

Application No:06/01056/FULMAJ

Proposal: Erection of 77 dwellings and associated works

Location: Land, Parcel H4, Buckshaw Village, Whittle-Le-Woods

Decision:

It was proposed by Councillor Adrian Lowe, seconded by Councillor Roy Lees, and subsequently RESOLVED (7:1) 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. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall only be carried out in conformity with the approved details.

Reason: To protect the appearance of the locality, 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.

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

4. 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 and HS4 of the Adopted Chorley Borough Local Plan Review.

5. 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.

6. 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.

7. 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 Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 2, Class A) (or any Order revoking and re-enacting that Order) no fences, gates or walls shall be erected within the curtilage of any dwelling hereby permitted (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality and in accordance with Policy No HS4 of the Adopted Chorley Borough Local Plan Review.

9. The development hereby permitted shall be carried out in accordance with the submitted plan(s), as amended by those plans received on 28th November 2006.

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

10. 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.

11. 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.

12. The garages hereby permitted shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995. The garages shall not be used for any trade or business purposes.

Reason: In order to safeguard the residential amenity and character of the area and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 1, Class F and Schedule 2, Part 2, Class B) or any Order revoking or re-enacting the Order, no hard surfacing shall be provided within any curtilage that is adjacent to a highway of any dwelling hereby permitted, nor shall any means of access to a highway be formed, laid out or constructed to any dwelling hereby permitted (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality, in particular to avoid the proliferation of frontage parking and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

(b) B1:06/01224/FUL - Tan Pits Farm, New Road, Anderton

Application No:06/01224/FUL

Proposal: Retrospective application for a detached garage

Location: Tan Pits Farm, New Road, Anderton

Decision:

It was proposed by Councillor Ken Ball, seconded by Councillor Dennis Edgerley, and was subsequently **RESOLVED to refuse permission for the planning application for the following reason:**

The garage development is located within the Green Belt where there is a presumption against inappropriate development and where development will only be allowed if it is for an appropriate purpose or where very special circumstances can be demonstrated. The applicant has failed to demonstrate that there are any such special circumstances to permit the type, scale and form of development constructed and as such the development is contrary to Government advice contained in PPG2: Green Belts, Policy 6 of the Joint Lancashire Structure Plan and Policy DC1 of the Adopted Chorley Borough Local Plan Review, but that the decision would not be released until 3 January 2007.

06.DC.92 ENFORCEMENT REPORT - TAN PITS FARM, NEW ROAD, ANDERTON

The Committee received a report of the Development and Regeneration on the expediency of taking enforcement action to demolish a detached garage at Tan Pits Farm, New Road, Anderton

RESOLVED – That it is expedient to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 in respect of the following breach of planning control – without planning permission the erecting of a double garage on land to the south of, Tan Pits Farm, New Road, Anderton PR6 9HG

Remedy for breach

- 1. Demolish the garage**
- 2. Remove all material resultant from the works carried out under 9 (ai) from the land.**

Period for compliance

3 months

Reason

The garage is located within the designated Green Belt where there is a presumption against inappropriate development and where development will only be allowed, if for an appropriate purpose or where very special circumstances can be demonstrated. The applicant has failed to demonstrate that there are such special circumstances to permit the type, scale and form of development proposed and as such the development is contrary to Government Advice contained within PPG2, Green Belts, Policy 6 of the Joint Lancashire Structure Plan and Policy DC1 of the Adopted Chorley Borough Local Plan Review.

06.DC.93 TPO REPORT - NO.5 (ABBEY VILLAGE) 2006

The Director of Development and Regeneration submitted a report seeking the Committee's instructions on whether to confirm the Tree Preservation Order (TPO) No 5 (Abbey Village) 2006 in light of receiving an objection.

It was proposed by Councillor Ken Ball, seconded by Councillor Dennis Edgerley, and subsequently **RESOLVED to defer the decision so that the Site Inspection Sub-Committee could visit the site of the tree.**

06.DC.94 PLANNING APPEALS AND DECISIONS - NOTIFICATION

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

RESOLVED – That the report be noted.

06.DC.95 SEASONS GREETINGS

The Chair wished the Committee Members, Officers and Members of the Public, Seasons Greetings and best wishes for 2007.

Chair