

Development Control Committee

Tuesday, 16 January 2007

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

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: Councillors Mrs Marie Gray (Pennine Ward) and Mrs Iris Smith (Wheaton and Withnell Ward)

07.DC.01 WELCOME

The Chair welcomed everybody to the first meeting of the New Year.

07.DC.02 APOLOGIES FOR ABSENCE

There were no apologies for absence.

07.DC.03 MINUTES

RESOLVED – That the minutes of the meeting of the Development Control Committee held on 12 December 2006 be confirmed as a correct record and signed by the Chair.

07.DC.04 DECLARATIONS OF ANY INTERESTS

In accordance with the provisions of the Local Government Act 2000, the Council's Constitution and 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 R Lees – Item 4b, Planning Application 06/01311/FUL

07.DC.05 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) B2:06/01357/FUL - Land of Heapey Road, Heapey, Chorley

Application No: 06/01357/FUL
Proposal: Retrospective planning for timber shed to east block of stables

Location: Land off, Heapey Road, Heapey, Chorley

(The Committee received representations from the Applicant and the Ward Representative).

Decision:

It was proposed by Councillor D Edgerley, seconded by Councillor C Snow, and subsequently **RESOLVED (10:0) to defer the decision to allow the Site Inspection Sub-Committee to visit the site of the application and to make a recommendation to the Development Control Committee.**

(b) A1:06/00779/FULMAJ - Land adjacent to Grimeford Farm, Grimeford Lane, Anderton

Application No: 06/00779/FILMAJ
Proposal: Provision of recreational fishing/angling club facility, incorporating two fishing ponds, pegs ticket booth/WC facilities, vehicular access. Car park and associated landscaping.

Location: Land adjacent to Grimeford Farm, Grimeford Farm, Anderton, Chorley

Decision:

It was proposed by Councillor J Bell, seconded by Councillor A Lowe, 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 approved plans are:

Plan Ref.	Received On:	Title:
1023-01	30 th October 2006	Layout Proposal & Proposed Section
-----	3 rd July 2006	Location Plan
1023-02	9 th August 2006	Typical Section Through Car Park
-----	3 rd July 2006	Water Vole Survey & Ecological Assessment

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

3. Before the development hereby permitted is first commenced full details of existing and proposed ground levels, proposed building slab level for ticket booth and cross sectional fishing lake details (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 the approved plans). 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 LT12 of the Adopted Chorley Borough Local Plan Review.

4. 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 and within the site (including any retaining walls to the car park) (notwithstanding any such detail shown on the approved plans) shall have been submitted to and approved in writing by the Local Planning Authority. The fishing lakes shall not be used pursuant to this permission 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 Nos. GN5 and LT12 of the Adopted Chorley Borough Local Plan Review.

5. Before the fishing lakes are first used, 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. TR4 of the Adopted Chorley Borough Local Plan Review and Policy 7 of the Joint Lancashire Structure Plan.

6. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground-surfacing materials (car park/pathways etc) (notwithstanding any such detail shown on the approved plans) 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 of the Adopted Chorley Borough Local Plan Review.

7. 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 shown on the approved plans. 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 and their distribution on site, the types and numbers of marginal plants and their distribution in/around the fishing lakes, those areas to be seeded, paved or hard landscaped, details of any wildlife enhancement features such as small ponds and scrapes; 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.

8. 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.

9. That part of the access extending from the kerb line/edge of carriageway for a minimum distance of 5 metres into the site shall be paved in permanent construction, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority, before the access is used for vehicular purposes and before the fishing lakes are first used.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.

10. Before the access is first used for vehicular purposes and the fishing lakes are first used, any gateposts erected at the vehicular access shall be positioned 5 metres behind the nearside edge of the carriageway and visibility splay fences or walls to the satisfaction of the Local Planning Authority shall be erected from the gateposts to the existing highway boundary, such splays to be not less than 45 degrees to the centre line of the access. The gates shall open away from the highway. Should the access remain ungated, 45 visibility degrees splays shall

be provided between the highway boundary and points on either side of the drive measured 5 metres back from the nearside edge of the carriageway.

Reason: To permit vehicles to pull clear of the carriageway when entering the site, to assist visibility and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.

11. The proposed access from the site to Grimeford Lane shall be constructed to a width of 4.5m and this width shall be maintained for a minimum distance of 10m into the site measured back from the nearside edge of the carriageway. The access shall be maintained to the above standard at all times thereafter.

Reason: To enable vehicles to enter and leave the site in a safe manner without causing a hazard to other road users and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.

12. Prior to the commencement of the development and throughout the duration of the construction period, temporary protective fencing shall be erected along the River Douglas. Details of the type of protective fencing to be used shall first be submitted to and approved in writing by the Local Planning Authority before it is erected.

Reason: To protect the River Douglas and prevent debris and construction material from encroaching into this area and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local Plan Review.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking or re-enacting the Order, there shall not at any time in connection with the development hereby permitted, be erected or planted, or allowed to remain, upon the land hereinafter defined, any building, wall, fence, hedge, tree, shrub or other device which will obstruct the view above a plane 1 metre above the crown level of the adjoining highway (Grimeford Lane). The piece of land affected by this condition shall be that land between the visibility splay lines and the adjoining highway (Grimeford Lane) as detailed by the approved site plan (ref no. 1023-01).

Reason: To ensure adequate visibility, in the interests of highway safety and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without modification), no form of external illumination shall be erected on any part of the site or ticket booth building.

Reason: To protect the open and rural character of the Green Belt and in accordance with Policy DC1 of the Adopted Chorley Borough Local Plan Review.

15. Prior to the commencement of the development hereby permitted, full details of how the spoil not to be re-used on the site will be dealt with shall have been submitted to and approved in writing by the Local Planning Authority. The development shall only thereafter be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development and in accordance with Policy No. DC1 of the Adopted Chorley Borough Local Plan Review.

16. Only spoil resulting from the formation of the fishing lakes shall be used to form the raised banking areas adjacent the fishing lakes and there shall be no waste materials imported onto the site in connection with the development.

Reason: To define the permission and in accordance with Policy DC1 of the Adopted Chorley Borough Local Plan Review.

17. Before the fishing lakes hereby permitted are first used, provision for cycle and motor cycle parking, in accordance with details to be first submitted to and agreed in writing by the Local Planning Authority, shall have been made. The cycle and motor cycle parking facilities shall be retained at all times thereafter.

Reason: To ensure adequate on site provision for cycle parking and in accordance with Policy No. TR16 of the Adopted Chorley Borough Local Plan Review.

18. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed ticketing booth (notwithstanding any details shown on the approved plans) 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. DC1, GN5 and LT12 of the Adopted Chorley Borough Local Plan Review.

19. Prior to the first use of the fishing lakes hereby permitted, the existing field access shall be permanently closed, in accordance with a scheme for its closure, which shall first have been submitted to and approved in writing by the Local Planning Authority. The field access shall remain permanently closed at all times thereafter in accordance with the approved details.

Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

20. Habitats within the application area have the potential to support breeding birds. Works during the bird breeding season (March to July inclusive) that would impact on breeding birds shall be avoided.

Reason: To protect breeding birds and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local Plan Review.

(c) B1:06/01311/FUL - 25, Coppull Hall Lane, Coppull, Chorley

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

Application No: 06/01311/FUL
Proposal: Single Storey Front, Side and Rear Extensions
Location: 25, Coppull Hall Lane, Coppull, Chorley
Decision:

It was proposed by Councillor K Ball, seconded by Councillor R Snape, 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. All external facing materials shall match in colour, form and texture those on the existing building.

Reason: In the interests of the visual amenity of the area in general and the existing building in particular and in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.

07.DC.06 TREE PRESERVATION ORDES - FINANCIAL IMPLICATIONS

The Committee received a verbal report of the Director of Customer, Democratic and Legal Services advising Members that Local Planning Authorities are not liable to pay compensation with regard to the making and confirmation of Tree Preservation Orders.

Members had sought clarification on this issue, in relation to an objection to the placing of a Tree Preservation Order at the last Development Control Committee meeting on 12 December 2006.

RESOLVED – That the report be noted.

07.DC.07 SITE INSPECTION SUB-COMMITTEE

The Committee received the minutes of the Site Inspection Sub-Committee held on Thursday 11 January 2007.

The Sub-Committee had visited, at the request of the Development Control Committee, the site of the Tree Preservation Order No. 5 (Abbey Village) 2006 that had been objected to.

The Sub-Committee after taking all the factors into account had recommended the Development Control Committee to not confirm the Tree Preservation Order No. 5 (Abbey Village) 2006 and to allow the works to be taken.

It was proposed by Councillor R Snape, seconded by Councillor D Gee, and subsequently **RESOLVED (10:0) not to confirm the Tree Preservation Order No. 5 (Abbey Village) 2006 and to allow the works to be taken.**

07.DC.08 ENFORCEMENT REPORT - LAND, OFF HEAPEY ROAD, HEAPEY, CHORLEY

Consideration of the Enforcement Report will be deferred pending the Site Visit to the site of application 06/01357/FUL.

07.DC.09 PLANNING APPEALS AND DECISIONS - NOTIFICATION

The Committee received a report of the Director of Development and Regeneration giving notification of the lodging of two appeals against the refusal of planning permission, five appeals that had been dismissed and four appeals that had been allowed.

The report also gave notification of two enforcement appeals that had been lodged and one enforcement appeal that had been dismissed.

The Committee was also notified of one refusal of planning permission by Lancashire County Council.

RESOLVED – That the report be noted.

07.DC.10 DELEGATED DECISIONS - FUTURE NOTIFICATION

The Director of Development and Regeneration circulated a schedule of delegated decisions that had been determined between 27 November 2006 and 31 December 2006. It was reported, that in future, the schedule would be included on the agenda and brought to Development Control Committee for Members information. The information would also be placed on the website in a more accessible format.

RESOLVED – That the schedule be noted.

Chair