

# Development Control Committee

**Tuesday, 13 February 2007**

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

**Officers:** Wendy Gudger (Development Control Manager), Dianne Scambler (Trainee Democratic Services Officer), Julian Jackson (Planning Policy Manager) and Claire Hallwood (Legal Advisor)

## **07.DC.11 APOLOGIES FOR ABSENCE**

Apologies for absence were received by Councillors Alan Cain, Danny Gee and Dennis Edgerley

## **07.DC.12 MINUTES**

**RESOLVED – That the minutes of the meeting of the Development Control Committee held on 17 January 2007 be confirmed as a correct record and signed by the Chair.**

## **07.DC.13 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 Member declared an interest in relation to the Planning Application listed below, which was included on the meetings agenda for determination.

Councillor Henry Caunce – Item 4d, Planning Application 06/01337/FUL

## **07.DC.14 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) B1:06/01337/FUL - 218, The Green, Ecclestone, Chorley**

Application No:06/01337/FUL

Proposal: New security roller shutter screens to shop fronts of service.

Location: 218, The Green, Ecclestone, Chorley

Decision:

It was proposed by Councillor Ken Ball, seconded by Councillor Ralph Snape, and subsequently **RESOLVED (10:0) to 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 approved commences a scheme for colour powder coating the roller shutters shall be submitted to and approved by the Local Planning Authority. Such a scheme as approved shall be implemented in full and retained thereafter.

***Reason: In the interests of visual amenity and in accordance with policy GN5 of the Adopted Chorley Borough Local Plan Review.***

3. Before the development hereby approved commences a scheme enclosing the roller shutter box behind the existing fascias shall be submitted to and approved by the Local Planning Authority. Such a scheme as approved shall be implemented in full and retained thereafter.

***Reason: In the interests of visual amenity and in accordance with policy GN5 of the Adopted Chorley Borough Local Plan Review.***

4. The roller shutters shall only be in use between 23:00 hours and 7:00 hours and at no other time.

***Reason: To reduce the impact on visual amenity and in accordance with policy GN5 of the Adopted Chorley Borough Local Plan Review.***

(b) **B2:06/01355/FUL - Royal Umpire Caravan Park, Southport Road, Ulnes Walton, Leyland**

Application No:06/01355/FUL

Proposal: Erection of new detached dwelling

Location: Royal Umpire Caravan Park, Southport Road, Ulnes Walton, Leyland

Decision:

It was proposed by Councillor Eric Bell, seconded by Councillor Adrian Lowe, and subsequently **RESOLVED (11:1) to grant planning permission subject to a Section 106 Agreement and 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 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 Nos. GN5 and DC81 of the Adopted Chorley Borough Local Plan Review.***

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to G), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwelling(s) hereby permitted, or any garage, shed or other outbuilding erected (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.***

4. Before development commences, in accordance with the recommendation in PPS23 the applicant shall undertake a desktop study to identify any potential sources of land contamination associated with this development site, unless agreed otherwise in writing with the Local Planning Authority. A copy of this report shall be approved in writing by the Local Planning Authority.

***Reason: In accordance with policy EP16 of the adopted Chorley Borough Local Plan Review.***

5. Upon occupation or substantial completion of the dwelling hereby permitted (whichever is sooner) the existing static caravans sited on the land within the red edge of the application site shall be removed from the land.

*Reason: To avoid the proliferation of buildings in the Green Belt for which there is not a continuing need and in accordance with Policy Nos. DC1 of the Adopted Chorley Borough Local Plan Review.*

6. Occupation of the dwelling hereby permitted shall be limited to a person wholly or mainly employed at the Royal Umpire Caravan Park and his/her spouse and dependents.

*Reason: To define the permission as the dwelling is sited in the Green Belt where policies of development restraint operate.*

(c) **A1:06/01289/FULMAJ - Bolton West Motorway Service Area, Northbound, Greenlands Lane, Anderton**

Application No:06/01289/FULMAJ

Proposal: Proposed demolition of existing motorway amenity services building and construction of new replacement building and new fuel filling station on footprint 10m south of demolished building.

Location: Bolton West Motorway Service Area Northbound, Greenlands Lane, Anderton

Decision:

It was proposed by Councillor Ken Ball, seconded by Councillor Ralph Snape, and subsequently RESOLVED (12:0) 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 development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the replacement building (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 No. GN5 of the Adopted Chorley Borough Local Plan Review.*

**3. No development shall take place until a scheme of landscaping and full details of the picnic area have 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, their distribution on site, those areas to be seeded, paved or hard landscaped, details the layout of the picnic area including paths and seating; 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.*

**4. The picnic area and 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 completion of the development, 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.*

5. Within 3 months of the first opening to the public of the replacement services building hereby permitted, the existing building shall have been demolished and all materials removed from the site.

*Reason: To ensure the redundant building is removed from the site and in accordance with Policy No. DC1 of the Adopted Chorley Borough Local Plan Review.*

6. There shall be no direct vehicular or pedestrian access of any kind between the site and the M61 motorway, there shall be no development on or adjacent to any motorway embankment that shall put any embankment of earthworks at risk and no drainage from the proposed development shall run off into the motorway drainage system, nor shall any such development adversely affect any motorway drainage.

*Reason: Required to be imposed by The Highways Agency.*

7. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

*Reason: To ensure a satisfactory means of drainage and in accordance with Policy No. EP18 of the Adopted Chorley Borough Local Plan Review.*

8. No development approved by this permission shall be commenced until a scheme for the provision and implementation, of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

*Reason: To reduce the increased risk of flooding and in accordance with Policy No. EP19 of the Adopted Chorley Borough Local Plan Review.*

9. No development approved by this planning permission shall be commenced until:

A desktop study has been undertaken to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced

A site investigation has been designed for the site using the information obtained from (a) above. This should be submitted to, and approved in writing by the local planning authority prior to that investigation being carried out on the site

The site investigation and associated risk assessment have been undertaken in accordance with details approved in writing by the local planning authority

A Method Statement and remediation strategy, based on the information obtained from c) above has been submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in strict accordance with the measures approved. Work shall be carried and completed in accordance with the approved method statement and remediation strategy referred to in (d) above, and to a timescale agreed in writing by the local planning authority: unless otherwise agreed in writing by the local planning authority.

*Reason: a) To identify all previous site uses, potential contaminants that might reasonably be expected given those uses and the source of contamination, pathways and receptors, b) To enable: a risk assessment to be undertaken; refinement of the conceptual model; and the development of a Method Statement and Remediation Strategy, c) & d) to ensure that the proposed site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site and in accordance with Policy No EP16 of the Adopted Chorley Borough Local Plan Review.*

10. The full structural details of the installation, including the tank, its surround, associated pipework and monitoring system must be submitted to and approved by the Local Planning Authority prior to the installation of the agreed scheme.

***Reason: To prevent pollution of controlled waters and in accordance with Policy No. EP17 of the Adopted Chorley Borough Local Plan Review.***

11. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from car parks and hardstanding areas shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with, the site being drained. Roof water shall not pass through the interceptor.

***Reason: To prevent pollution of controlled waters and in accordance with Policy No. EP17 of the Adopted Chorley Borough Local Plan Review.***

12. The development hereby permitted shall not commence until a scheme has been submitted to and approved in writing by the Local Planning Authority detailing how the site boundaries and hedgerows will be cordoned off and protected during the course of the construction works. The site boundaries and hedgerows shall be cordoned off and protected in accordance with the approved details prior to work commencing on site and at all times thereafter until all works on site, including the subsequent demolition of the existing building, have been fully completed.

***Reason: To safeguard wildlife habitats and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local Plan Review.***

13. The approved plans are:

<b>Plan Ref.</b>	<b>Received On:</b>	<b>Title:</b>
5656/001 Rev B	26 <sup>th</sup> Jan 2007	Proposed Site Plan
5656/007 Rev A	26 <sup>th</sup> Jan 2007	Proposed Car Park Plan
5656/002	16 <sup>th</sup> Nov 2006	Existing Site Plan
5656/006	16 <sup>th</sup> Nov 2006	Existing Elevations
5656/005	16 <sup>th</sup> Nov 2006	Existing Plan
5656/003	16 <sup>th</sup> Nov 2006	Proposed Floor Plans
5656/004	16 <sup>th</sup> Nov 2006	Proposed Elevations

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

14. The development hereby permitted shall not commence until a scheme for the provision of a CCTV security system has been submitted to and approved in writing by the Local Planning Authority. The CCTV security system shall be installed in accordance with the approved details prior to the first opening of the replacement services building and maintained as such at all times thereafter.

***Reason: To provide adequate security for the site and its customers.***

15. The development hereby permitted shall not commence until full details of the existing and where necessary, proposed security lighting to the site and car park have been submitted to and approved in writing by the Local Planning Authority. The security lighting should be to BS 5480 Part 9 and where upgrading is required it shall be installed in accordance with the approved details prior to the first opening of the replacement services building and maintained as such at all times thereafter.

***Reason: To provide adequate security for the site and its customers and in accordance with Policy No. EP21A of the Adopted Chorley Borough Local Plan Review.***

16. No works pursuant to the permission hereby granted shall take place during the bird breeding season (March to July inclusive).

***Reason: Trees and shrubs on the site have the potential to support breeding birds and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local Plan Review.***

17. The development hereby permitted shall not commence until a Habitat Creation and Management Plan that is cross referenced to the landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The plan should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. The development shall only be carried out in accordance with the approved Habitat Creation and Management Plan.

**Reason: To contribute to the biodiversity of the site and in accordance with Policy No. EP4 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 hard ground surfacing materials (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 No. GN5 of the Adopted Chorley Borough Local Plan Review.**

(d) **A2:06/01304/REMMAJ - Plot 4300, Buckshaw Avenue, Buckshaw Village, Euxton**

Application No:06/01304/REMMAJ

Proposal: Erection of buildings and associated works for employment development within Use Classes B1, B2 and B8 (Site Area 4.69 Ha)

Location: Plot 4300 Buckshaw Avenue, Buckshaw Village, Euxton

Decision:

It was proposed by Councillor Chris Snow, seconded by Councillor Adrian Lowe, and subsequently **RESOLVED (11:0) to grant the Reserved Matters application 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, unless otherwise agreed in writing by the Local Planning Authority, are:**

<b>Plan Ref.</b>	<b>Received On:</b>	<b>Title:</b>
KWM07/16	15 <sup>th</sup> January 2007	Proposed Site Levels 1 of 3
KWM07/16	15 <sup>th</sup> January 2007	Proposal Drainage Link
KWM07/16	15 <sup>th</sup> January 2007	Proposed External Levels 3 of 3
781.03	27 <sup>th</sup> November 2006	Landscape Proposals
1221-PL19D	27 <sup>th</sup> November 2006	Proposed Location Plan
1221- PL01B	27 <sup>th</sup> November 2006	Unit CD- Proposed GA Plan
1221-PL06A	27 <sup>th</sup> November 2006	Unit E & H- Proposed GA Plan
1221-PL07B	27 <sup>th</sup> November 2006	Unit F- Proposed GA Plan
1221-PL08B	27 <sup>th</sup> November 2006	Unit G- Proposed GA Plan
1221-PL09B	27 <sup>th</sup> November 2006	Unit J- Proposed GA Plan
1221-PL10A	27 <sup>th</sup> November 2006	Unit K- Proposed GA Plan
1221-PL11B	27 <sup>th</sup> November 2006	Unit A- Proposed Elevations
1221-PL12B	27 <sup>th</sup> November 2006	Unit B- Proposed Elevations
1221-PL13A	27 <sup>th</sup> November 2006	Unit CD- Proposed Elevations
1221-PL14B	27 <sup>th</sup> November 2006	Unit E & H- Proposed Elevations
1221-PL15A	27 <sup>th</sup> November 2006	Unit F- Proposed Elevations
1221-PL16B	27 <sup>th</sup> November 2006	Unit J- Proposed Elevations
1221-PL18C	27 <sup>th</sup> November 2006	Unit K- Proposed Elevations
12205-PL20A	27 <sup>th</sup> November 2006	Site Section through Unit K South Boundary
1221-PL27	27 <sup>th</sup> November 2006	Typical External Bin Store
1221-PL28	27 <sup>th</sup> November 2006	Cycle Shelter & Cycle Racks
1221-PL29	27 <sup>th</sup> November 2006	Entrance Gate/ Fencing

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

**3. Prior to the first use of the development hereby permitted, a Business Travel Plan shall be submitted to and approved in writing by, the local planning authority. The measures in the agreed Travel Plan shall then thereafter be**

complied with unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To reduce the number of car borne trips and to encourage the use of public transport and to accord with Policies TR1 and TR4 of the Adopted Chorley Borough Local Plan Review.*

4. Before the development hereby permitted is first commenced full details of lighting proposals for 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, to prevent light pollution, in the interests of public safety and crime prevention and in accordance with Policy Nos. GN5, EM2 and EP21A of the Adopted Chorley Borough Local Plan Review.*

5. 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.*

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 Policies GN5 and EM2 of the Adopted Chorley Borough Local Plan Review.*

7. 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 Nos. GN5 and EM2 of the Adopted Chorley Borough Local Plan Review.*

8. 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 EM2 of the Adopted Chorley Borough Local Plan Review.*

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.*

10. Before the development hereby permitted is first occupied, the cycle parking shall be provided in accordance with the approved plan. The cycle parking shall not thereafter be used for any purpose other than the parking of cycles and motorcycles.

**Reason:** *To ensure adequate on site provision of cycle parking and in accordance with Policy No. 7 of the Joint Lancashire Structure Plan.*

11. Before the development commences full details, in the form of a work methodology statement, shall be submitted to and been approved in writing by the Local Planning Authority in relation to the proposed retained wall and its proximity to the railway. The required details shall include details of the timescale for the construction of the retaining wall and details of the proposed work. The development thereafter shall be carried out in accordance with the approved methodology statement.

**Reason :** *In the interests of the integrity of the operational railway and in accordance with Policy TR14 of the Adopted Chorley Borough Local Plan Review.*

12. No materials or equipment shall be stored on the site other than inside the buildings.

**Reason:** *In the interests of the amenity of the area and in accordance with Policy No. EM2 of the Adopted Chorley Borough Local Plan Review.*

13. If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.

**Reason:** *To ensure that the development complies with the approved details in the interests of the protection of Controlled Waters.*

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 8, Class A) or any Order revoking or re-enacting that Order, no internal alterations involving the removal of party walls between the individual units to result in the formation of combined larger units shall be carried out in respect of the buildings to which this permission relates without the prior submission to and approval in writing by the Local Planning Authority.

**Reason :** *To prevent a proliferation of over large units in this transitional area and in accordance with Policy No. EM2 of the Adopted Chorley Borough Local Plan Review.*

(e) **A3:06/01307/REMMAJ - Parcel H, Buckshaw Village, Euxton Lane, Euxton**

Application No:06/01307/REMMAJ

Proposal: Erection of 66 apartments and town houses with associated roads, sewers, garaging and landscaping.

Location: Parcel H, Buckshaw Village, Euxton Lane, Euxton

Decision:

It was proposed by Councillor Adrian Lowe, seconded by Councillor Ken Ball, and subsequently **RESOLVED (12:0) to approve Reserved Matters subject to the following conditions:**

**1. 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.*

**2. 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.*

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

4. Before the development hereby permitted is first occupied, provision for cycle parking provision, in accordance with details to be first agreed in writing with the Local Planning Authority, shall have been made.

**Reason:** *To ensure adequate on site provision for cycle parking in accordance with Policy No. TR18 of the adopted Chorley Local Plan Review.*

#### **07.DC.15 HOUSEHOLDER DESIGN GUIDANCE SUPPLEMENTARY PLANNING DOCUMENT**

The Director of Development and Regeneration submitted a report that outlined the responses received in relation to the public consultation on the draft Householder Design Guidance document.

The new Householder Design Guidance is intended to provide more positive and comprehensive guidance. It will replace earlier guidelines and, as a Supplementary Planning Document, will form part of the new Local Development Framework for Chorley.

Textual changes were proposed in response to the representations that were made, along with some editorial amendment and reordering to make the document more comprehensible and hence enhance its effectiveness.

The community involvement consultation had been helpful and had prompted improvements in the final draft. It was anticipated that the guidelines would help improve the quality of the built environment across the District by encouraging good design and providing a clear basis for negotiation and consistent decision making.

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

#### **07.DC.16 CONSULTATIONS ON PLANNING AND CLIMATE CHANGE - SUPPLEMENT TO PLANNING POLICY STATEMENT 1 AND BUILDING A GREENER FUTURE: TOWARDS ZERO CARBON DEVELOPMENT**

The Director of Development and Regeneration submitted a report to inform Members of the publication of two draft consultation documents on Planning and Climate Change – Supplement to Planning Policy Statement 1 and Building a Greener Future; Towards Zero Carbon Development, that would have a significant impact on planning within the Borough.

The consultation draft of the Planning Policy Statement 1 reiterates the importance of basic sustainability principles and must be included in appraising applications, and in

allocating any additional land for development required in response to any additional requirements, derived from the Examination in Public for the Regional Spatial Strategy.

The proposals and policy direction set out in both documents underlined the timeliness of the Preferred Options for Sustainable Resources.

The proposed approach to new developments for stand alone renewable energy developments, is likely to fetter our ability to control developments within the Borough. The Chorley Borough Renewable Energy Study that had been previously completed is in line with the advice to promote renewable energy set out in the Planning Policy Statement.

The requirement to give climate change, and reduction of carbon emissions, central importance in policy decisions is welcomed.

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

#### **07.DC.17 PLANNING POLICY STATEMENT 3:HOUSING**

The Director of Development and Regeneration submitted a report informing Members of the publication of Planning Policy Statement 3 (PPS3): Housing.

Policy Planning Statement 3 sets out the national planning policy framework for delivering the Government's housing objectives and had been developed in response to the Barker Review of Housing Supply.

A consultation paper on the draft statement had been issued in December and whilst some aspects were welcomed, officers had expressed some concerns to the Office of the Deputy Prime Minister.

Planning Policy Statement 3 will have significant for Chorley Borough in terms of both preparing the Local Development Framework and making Development Control decisions, It aims to provide a more rigorous approach to identifying and meeting housing needs in light of significant increases in household growth. However, it also gives the Authority more powers to tailor situations to local circumstances.

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

#### **07.DC.18 PLANNING POLICY STATEMENT 25: DEVELOPMENT AND FLOOD RISK**

The Director of Development and Regeneration submitted a report to inform Members of the new Planning Policy Statement 25: Development and Flood Risk and the implications that this will have on the determination of planning applications and development planning.

The finalised statement clarifies the sequential test that matches types of development to degrees of flood risk. The need for flood risk assessment at all levels is confirmed and a vulnerability classification and an exception test is introduced. There is also clearer policy on flood risk deriving from climate change.

The Environment Agency will in future focus its resources on strategic flood risk assessments by providing the information needed and commenting on the scope and methodology of such appraisals.

The statement provides a comprehensive and logical approach to considering and minimising the risk of flooding affecting or created by new development.

The Council is collaborating with Preston and South Ribble Councils on producing a combined strategic flood risk assessment covering the three authorities areas. An essential piece of work for the Local Development Framework both for the Core Strategy and in relation to the allocation of development sites will achieve substantial financial savings on consultancy fees by collaborating in this way.

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

**07.DC.19 CONSULTATION ON CHANGES TO PLANNING OBLIGATIONS - A PLANNING GAIN SUPPLEMENT**

The Director of Development and Regeneration submitted a report to inform Members of the publication of a further consultation document that had been received from the Department of Communities and Local Government (DCLG) on Planning Obligations.

It has been considered that Planning Obligations (Section 106 agreements or planning contributions) were in need of reform as they are often negotiated on an ad hoc basis, there is often suspicion that their use, leads to applications being “bought” through community facilities, or transport improvements, and there is little certainty for developers on the costs that are involved. The lack of transparency results in land values being unclear and schemes becoming unviable.

However, the new proposed scheme could mean that some major projects could be adversely affected, a development to fund a railway station, may not be possible under a Planning Obligation if the Planning Gain Supplement came into force. The twin approach of a scaled back planning obligation system and the proposed Planning Gain Supplement would also restrict our negotiation process.

The purpose of the consultation was to ascertain whether the Planning Gain Supplement could be workable, and if it is, to be clear how the use of planning obligations would complement it.

The Council had already improved the speed, transparency and the negotiation of Planning Obligations. It was felt that the new ‘scaled back and simplified system’ would be likely to cause additional confusion as to when a Planning Obligation is legitimate. This would cause uncertainty and delay in the delivery of development in the Borough. It would be difficult to ensure that the various public sector agencies actually have sufficient funding to ensure developments are acceptable.

It was also unclear whether public sector spending priorities will allow monies to be spent at the level required and to whom public sector agencies will be held accountable.

**RESOLVED – 1. That the report be noted.**

**2. That the Authority’s responses to the consultation document set out in Appendix A of the report be sent to the Department of Communities and Local Government.**

**07.DC.20 OBJECTION TO TREE PRESERVATION ORDER NO.6 (EUXTON) 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.6 (Euxton) 2006 in light of receiving an objection.

The tree in question is situated in the rear garden of 15 Balshaw Gardens, Euxton. Following reports that the tree was to be felled a TPO was made as it was considered that it contributed to the visual amenity of the area.

One letter of objection had been received from the owners of the property on which the tree stands citing the following grounds of objection:

- The tree has grown huge, it is near to the house and may be dangerous.
- Danger to the foundations and drains from roots
- Falling branches onto garden
- Possible flooding of adjacent stream due to fallen leaves and branches.

The Council's Arboricultural officer had met with the owners to discuss their objection and carried out an assessment on the tree. The tree is in good general condition and is not considered to be a hazard.

It was proposed by Councillor Adrian Lowe, seconded by Councillor Thomas Bedford, and subsequently **RESOLVED (13:0) that the Tree Preservation Order No6 (Euxton) be confirmed.**

#### **07.DC.21 PLANNING APPEALS AND DECISIONS - NOTIFICATION**

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

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

#### **07.DC.22 SELECTED PLANNING APPLICATIONS THAT HAVE BEEN DETERMINED, BY THE DIRECTOR OF DEVELOPMENT AND REGENERATION FOLLOWING CONSULTATION WITH THE CHAIR AND VICE-CHAIR OF THE COMMITTEE**

The Committee received for information a table showing the decisions made on the 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.

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

#### **07.DC.23 A LIST OF PLANNING APPLICATIONS DETERMINED BY THE CHIEF OFFICER UNDER DELEGATED POWERS BETWEEN 1 JANUARY 2007 - 31 JANUARY 2007**

The Director of Development and Regeneration presented for Members information, a schedule listing the remainder of the applications that had been determined by the Chief Officer under delegated powers between 1 January 2007 and 31 January 2007.

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

Chair