

# Development Control Committee

**Tuesday, 3 April 2007**

**Present:** Councillor Harold Heaton (Chair), Councillor David Dickinson (Vice-Chair), Councillors Thomas Bedford, Francis Culshaw, Henry Caunce, Dennis Edgerley, Daniel Gee, Roy Lees, Adrian Lowe, Geoffrey Russell, Shaun Smith and Ralph Snape

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

## **07.DC.33 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Eric Bell, Alan Cain, June Molynaeux and Chris Snow.

## **07.DC.34 MINUTES**

**RESOLVED – That the minutes of the meeting of the Development Control Committee held on 13 March 2007 be confirmed as a correct record and signed by the Chair.**

## **07.DC.35 DECLARATIONS OF ANY INTERESTS**

No declarations of interest were declared.

## **07.DC.36 ROSALEEN BROWN**

The Chair advised the Committee that Rosaleen Brown (Senior Solicitor) would be leaving the Authority shortly and was attending her last meeting of the Development Control Committee

The Chair and Committee thanked Ms Brown for her work and support to the Committee and extended best wishes for the future.

## **07.DC.37 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.**

## **07.DC.38 B4:07/00156/COU - 2, LAWRENCE LANE, ECCLESTON, CHORLEY**

(The Committee received representations from an objector and supporter of the application).

Application No:07/00156/COU

Proposal: Change of use to hot food takeaway (Class A5)

Location: 2 Lawrence Lane, Eccleston, Chorley

Decision:

It was proposed by Councillor Geoff Russell, seconded by Councillor Francis Culshaw, and subsequently **RESOLVED (5:1) 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 development commences, a plan showing the marking out of the forecourt car park shall be submitted to and approved in writing by the local planning authority. The car park shall be marked out in accordance with the approved plan before the premises are first used as a hot food takeaway, and the parking spaces shall be kept permanently available for the parking and manoeuvring of vehicles and for no other purpose.**

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

**3. Before development commences full details of the fume extraction and filtration systems shall be submitted to and approved in writing by the local planning authority. Prior to the commencement of the use hereby permitted, the systems shall be installed in accordance with the approved details, and shall be used and maintained thereafter in accordance with the manufacturers' instructions.**

***Reason: To safeguard the amenities of local residents and in accordance with Policy Nos. EP20 and EP21 of the adopted Chorley Borough Local Plan Review.***

**4. The use hereby permitted shall be restricted to the hours between 08.00hrs and 22.30hrs Sunday to Thursday inclusive, and between 08.00hrs and 23.00hrs on Friday and Saturdays.**

***Reason: To safeguard the amenities of local residents and in accordance with Policy Nos. EM2 of the Adopted Chorley Borough Local Plan Review.***

**07.DC.39 A1:06/01371/FULMAJ - VALE WORKS, STAR LANE, HORWICH, BOLTON**

Application No:06/01371/FULMAJ

Proposal: Residential development comprising of 19 houses and 6 flats and associated works (amendment to part of that previously approved on application nos. 03/00214/FUL and 03/00529/FULMAJ)

Location: Vale Works, Star Lane, Horwich Bolton

Decision:

It was proposed by Councillor Adrian Lowe, seconded by Councillor Roy Lees, and subsequently **RESOLVED (5:0) to grant planning permission subject to a Section 106 Agreement and the following conditions:**

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

<b>Plan Ref.</b>	<b>Received On:</b>	<b>Title:</b>
PL01/311	25 <sup>th</sup> January 2007	Location Plan
2006/PAL/04	25 <sup>th</sup> January 2007	Planning and Landscape Layout
2278/DET/02	4 <sup>th</sup> January 2007	2006 Palmerston Plans and Elevations
	3 <sup>rd</sup> November 2006	Brick Piers and 1.8m High Close

GF2	3 <sup>rd</sup> November 2006	Boarded Fence Low Feather Edged Fence
GF1	3 <sup>rd</sup> November 2006	Standard Feather Edged Fence
RD2	3 <sup>rd</sup> November 2006	Railing Details
22095/T00	3 <sup>rd</sup> November 2006	Topographical Survey
2006/BUK/01	5 <sup>th</sup> March 2007	2006 Buckingham Plans and Elevations
2006/BUH/01	5 <sup>th</sup> March 2007	2006 Buchanan Plans and Elevations
2006/ENN/01	5 <sup>th</sup> March 2007	2006 Ennerdale Plans and Elevations
2205/FA3/01	5 <sup>th</sup> March 2007	2005 Falkirk Plans and Elevations

*Reason: To define the consent and to ensure all works are carried out in a satisfactory manner.*

2. 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.*

3. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans 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.*

4. 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.*

5. 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 plans) 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.

6. 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; andc) 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.

7. 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.

8. 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.

9. 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.

**10. 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.**

**11. 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.**

**12. 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.**

**13. 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**

**14. 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.**

**15. 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.**

**16. 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.**

**07.DC.40 A2:07/00244/FULMAJ - PARCEL 7, LAND 30M SOUTH OF MAIN STREET, BUCKSHAW VILALGE, EUXTON**

Application No:07/00244/FULMAJ

Proposal: Construction of 30 no. Houses and 28 no. Apartments with associated parking.

Location: Parcel 7, Land 30m South of 60 Main Street, Buckshaw Village, Euxton

Decision:

It was proposed by Councillor Adrian Lowe, seconded by Councillor Danny Gee, and subsequently **RESOLVED (9:0) to grant planning permission for 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. 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. 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.***

**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 (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.***

**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. 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.***

9. 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.***

10. 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.

***Reason: In order to safeguard the residential amenity and character of the area and in accordance with Policy HS4 of the Adopted Chorley Borough Local Plan Review.***

11. 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.***

12. The development hereby permitted shall be carried out in accordance with the original submitted plans received 28 February, 2007 and the following revised plans received 2 April, 2007:

**Drawing Number: 351/PL01 Revision 'E' Planning Layout**

**Drawing Number: 351/AB01 Revision 'B' Apartment Block Plots 20-37**

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

**07.DC.41 B1:06/01297/ADV - ALDI SUPERMARKET, HARPERS LANE, CHORLEY**

Application No:06/01297/ADV

Proposal:                   Erection of 1 internally illuminated double sided freestanding sign (Retrospective)

Location:                   Aldi Supermarket, Harpers Lane, Chorley

Decision:

It was proposed by Councillor Ralph Snape, seconded by Councillor Dennis Edgerley and subsequently **RESOLVED (6:0) to refuse advertising consent for the following reason:**

**The advertisement is contrary to PPG 19 and policy GN7 of the Chorley Borough Local Plan Review by reason of its scale, siting and extent of illumination. The advertisement is sited in a prominent position in relation to the building and is not in keeping with the scale of the building, therefore dominating the building frontage. Furthermore, it would contribute to an unnecessary visual clutter of advertisements on the front of the building, and is out of keeping with other signage being displayed lawfully in the vicinity. As a result, the advertisement is visually obtrusive and detrimental to the appearance of the building and the amenity of the area.**

**07.DC.42 B2:07/00075/FUL - 41, WRAY CRESCENT, ULNES WALTON, LEYLAND**

Application No:07/0075/FUL

Proposal:                   Retrospective application for perimeter fence

Location:                   41 Wray Crescent, Ulnes Walton, Leyland

Decision:

It was proposed by Councillor Thomas Bedford, seconded by Councillor Adrian Lowe, and subsequently **RESOLVED (7:0) to refuse planning permission for the retrospective planning application for the following reasons:**

**1. The proposal, by reason of the total height, siting and design of the boundary fence, 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 character with minimal boundary treatments. The proposal is therefore contrary to policy GN5 of the Adopted Chorley Borough Local Plan Review which seeks to ensure that the design of proposed development are well related to their surroundings.**

**2. The proposal is located within an area designated as Green Belt as such the visual amenities of the Green Belt should not be injured by proposals for development, which although would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design. It is considered that the fence by reason of its height, siting and design would harm the visual amenity of the Green Belt and is therefore contrary to Policy DC1 of the Adopted Chorley Borough Local Plan Review.**

**07.DC.43 B3:07/00108/OUT - LAND 30M NORTH WEST OF THE GABLES, 88, STATION ROAD, CROSTON**



Application No:07/00108/OUT

Proposal: Outline application for the erection of one detached two-storey dwelling with a detached garage and a detached garage for The Gables

Location: Land 30m North West Of The Gables, 88, Station Road, Croston

Decision:

It was proposed by Councillor Adrian Lowe, seconded by Councillor Roy Lees, and subsequently **RESOLVED (7:0) to grant planning permission subject to a Section 106 Agreement and the following conditions:**

**1. Application for approval of the reserved matters must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.**

***Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.***

**2. Before the development hereby permitted is first commenced, full details of the following reserved matters (namely scale, appearance and landscaping shall be submitted to and approved in writing by the Local Planning Authority.**

***Reason: The permission is in outline only.***

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

Plan Ref.	Received On:	Title:
03	19 <sup>th</sup> March 2007	Proposed site layout for a detached dwelling
02	19 <sup>th</sup> March 2007	Topographic Survey;
01	19 <sup>th</sup> March 2007	Site Location Plan

***Reason: To define the consent and to ensure all works are carried out in a satisfactory manner.***

**4. The application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), 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.***

**5. 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.***

**6. 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.***

**7. 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.***

**8. Before the development hereby permitted is first commenced full details of the means of foul water drainage/disposal shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for foul water drainage/disposal have been completed in accordance with the approved details.**

***Reason: To ensure proper drainage of the development and in accordance with Policy No. EP17 of the Adopted Chorley Borough Local Plan Review.***

**9. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear. This vehicular turning space shall be laid out and be available for use before the development is first occupied.**

***Reason: Vehicles reversing to and from the highway are a hazard to other road users and in accordance with Policy No TR4 of the Adopted Chorley Borough Local Plan Review.***

**10. 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, HS4, of the Adopted Chorley Borough Local Plan Review.***

**11. The garages hereby permitted shall only be used for purposes incidental to the enjoyment of the dwellinghouse, including the parking of cars. The garage 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 Nos. DC8A, DC8B, HS4 and HS9 of the Adopted Chorley Borough Local Plan Review.***

**12. 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, 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, Part1, Classes A to E), 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.*

14. The reserved matters for the dwelling hereby permitted in outline shall not include any windows in the north and south facing elevations of the dwelling at first floor level.

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

15. 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.*

16. 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.*

#### **07.DC.44 ENFORCEMENT REPORT - ALDI SUPERMARKET, HARPERS LANE, CHORLEY**

The Committee considered a report of the Director of Development and Regeneration on the expediency of taking enforcement action in respect of the removal of 1 internally illuminated double sided freestanding sign at Aldi Supermarket, Harpers Lane, Chorley.

**RESOLVED – That it is expedient to take enforcement action in respect of the following breach of control – the sign is being displayed unlawfully.**

#### **Remedy of the Breach**

**That if the sign is not removed. The Authority will commence legal proceedings in respect of the display of the unauthorised signage.**

#### **Reason**

**The advertisement is contrary to PPG 19 and policy GN7 of the Chorley Borough Local Plan Review by reason of its scale, siting and extent of illumination. The advertisement is sited in a prominent position in relation to the building and is not within keeping with the scale of the building, therefore dominating the building frontage. Furthermore, it would contribute to an unnecessary visual clutter of advertisements on the front of the building, and is out of keeping with other signage being displayed lawfully in the vicinity. As a**

result, the advertisement is visually obtrusive and detrimental to the appearance of the building and the amenity of the area.

**07.DC.45 ENFORCEMENT REPORT - 41 WRAY CRESCENT, ULNES WALTON, LEYLAND**

The Committee considered a report of the Director of Development and Regeneration on the expediency of taking enforcement action to reduce the height of a timber post and panel fencing and to remove a garden shed at 41 Wray Crescent, Ulnes Walton, Leyland.

1. **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 erection of a timber post and panel fence adjacent to a highway used by vehicular traffic that is over 1 metre in height.**
  - (a) **Remedy for Breach**

Reduce the heights of the posts and 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.
  2. **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 erection of a shed.**
    - (a) **Remedy for Breach**

Remove the shed from the land.
    - (b) **Periods for Compliance**

The periods for compliance for recommendations 1 & 2 are three months.
    - (c) **Reason**
      - (i) The fence and shed are by virtue of their heights, design and position on a corner plot will be out of character with the surrounding area which is predominantly open in nature and will have a detrimental impact on the street scene, and is therefore contrary to policy GN5, which seeks to ensure that the design of the proposed development are well related to their surroundings.
      - (ii) It is considered that the fence and shed by reason of their heights, siting and design would harm the visual amenity of the Green Belt and is therefore contrary to Policy DC1 of the adopted Chorley Borough Local Plan Review.

**07.DC.46 PLANNING APPEALS AND DECISIONS - NOTIFICATION**

The Committee received a report of the Director of Development and Regeneration giving notification of the lodging of one planning appeal that had been withdrawn and two planning applications that had been approved by the planning inspectorate.

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

**07.DC.47 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.48 A LIST OF PLANNING APPLICATIONS DETERMINED BY THE CHIEF OFFICER UNDER DELEGATED POWERS BETWEEN 26 FEBRUARY AND 20 MARCH 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 26 February and 20 March 2007.

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

Chair