

## Planning Committee

Tuesday, 8th November 2022, 6.30 pm

Council Chamber, Town Hall, Chorley and [YouTube](#)

### Agenda

#### Apologies

- 1 **Minutes of meeting Tuesday, 11 October 2022 of Planning Committee** (Pages 3 - 6)
- 2 **Declarations of Any Interests**

Members are reminded of their responsibility to declare any pecuniary interest in respect of matters contained in this agenda.

If you have a pecuniary interest you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.
- 3 **Planning applications to be determined**

The Director (Planning and Development) has submitted three items for planning applications to be determined (enclosed).

Plans to be considered will be displayed at the meeting or may be viewed in advance by following the links to the current planning applications on our website.  
<https://planning.chorley.gov.uk/online-applications/search.do?action=simple&searchType=Application>

  - a **22/00838/FUL - Seven Stars Inn, 84 - 86 Eaves Lane** (To follow)
  - b **22/00694/FUL - 105 Eaves Lane Chorley** (To follow)
  - c **22/00853/FUL - Go Ape, Rivington Lane, Rivington** (To follow)
- 4 **Confirmation of Tree Preservation Order No.1 (Euxton) 2022** (Pages 7 - 10)
- 5 **Appeals Report** (To follow)
- 6 **Validation Checklist** (To follow)
- 7 **Any urgent business previously agreed with the Chair**

Gary Hall  
Chief Executive

Electronic agendas sent to Members of the Planning Committee Councillor June Molyneaux (Chair), Councillor Alex Hilton (Vice-Chair) and Councillors Aaron Beaver, Martin Boardman, Gordon France, Danny Gee, Tommy Gray, Harold Heaton, Keith Iddon, Alistair Morwood, Jean Sherwood, Neville Whitham and Alan Whittaker.

If you need this information in a different format, such as larger print or translation, please get in touch on 515151 or [chorley.gov.uk](http://chorley.gov.uk)

[To view the procedure for public questions/ speaking click here and scroll to page 119](#)



**Minutes of Planning Committee**

**Meeting date Tuesday, 11 October 2022**

**Committee Members present:** Councillor June Molyneaux (Chair), Councillor Alex Hilton (Vice-Chair) and Councillors Sarah Ainsworth, Martin Boardman, Gordon France, Danny Gee, Tommy Gray, Harold Heaton, Alistair Morwood, Jean Sherwood, Neville Whitham and Alan Whittaker

**Committee Members present virtually (non-voting):** Councillors Keith Iddon

**Officers:** Adele Hayes (Service Lead - Planning), Iain Crossland (Principal Planning Officer), Jodi Ingram (Senior Solicitor) and Matthew Pawlyszyn (Democratic and Member Services Officer)

**Apologies:** Councillor Aaron Beaver

A video recording of the public session of this meeting is available to view on [YouTube here](#)

**56 Minutes of meeting Wednesday, 21 September 2022 of Planning Committee**

**Resolved: The minutes of the meeting were (unanimously) approved as a correct record.**

**57 Declarations of Any Interests**

No declarations were made.

**58 Planning applications to be determined**

The Director (Planning and Development) has submitted six items for planning applications to be determined (enclosed). Plans to be considered will be displayed at the meeting or may be viewed in advance by following the links to the current planning applications on our website. <https://planning.chorley.gov.uk/online-applications/search.do?action=simple&searchType=Application>

**59 22/00413/FUL - Little Tiger, Bolton Road, Abbey Village, Chorley, PR6 8DA**

Public speakers: Mike Matulewicz (Objector), Councillor Margaret France (Ward Councillor), and Chris Betteridge (Agent)

After careful consideration, it was proposed by Councillor Alex Hilton, seconded by Councillor Harold Heaton, and subsequently **resolved 10:1:1 that planning permission was granted subject to conditions.**

**60 22/00576/FULMAJ - Land Bounded By Parkhurst Avenue East Of Wigan Road, Clayton-Le-Woods**

After careful consideration, it was proposed by Councillor Martin Boardman, seconded by Councillor Alex Hilton, and subsequently **resolved 11:1:0 Members were minded to grant planning permission subject to conditions, a S106 agreement and agreed that the decision be delegated to the Director of Planning and Development in consultation with Chair and Vice Chair subject to the Lead Local Flood Authority being satisfied with the drainage details.**

**61 22/00692/FULMAJ - Cuerden Farm, Wigan Road, Clayton-Le-Woods, Leyland**

After careful consideration, it was proposed by Councillor Alex Hilton, seconded by Councillor Jean Sherwood and subsequently **resolved 10:1:1 Members were minded to grant planning permission subject to conditions, a S106 agreement and agreed that the decision be delegated to the Director of Planning and Development in consultation with Chair and Vice Chair subject to the Lead Local Flood Authority being satisfied with the drainage details.**

**62 21/01349/FULMAJ - The Swan With Two Necks, 1 - 3 Hollinshead Street, Chorley, PR7 1EP**

After careful consideration, it was proposed by Councillor Alistair Morwood, seconded by Councillor Martin Boardman and subsequently **resolved 10:0:2 that planning permission was granted, subject to conditions.**

**63 21/01350/LBC - The Swan With Two Necks, 1 - 3 Hollinshead Street, Chorley, PR7 1EP**

After careful consideration, it was proposed by Councillor Alistair Morwood, seconded by Councillor Martin Boardman, and subsequently **resolved 10:0:2 that listed building consent was granted, subject to conditions.**

**64 22/00838/FUL - Seven Stars Inn, 84 - 86 Eaves Lane**

This item was withdrawn from the agenda.

**65 22/00792/REMMAJ - Land Between Pear Tree Lane And School Lane, Pear Tree Lane, Euxton**

After careful consideration, it was proposed by Councillor Alex Hilton, seconded by Councillor Jean Sherwood, and **resolved (6:1:5) that reserved matters consent be granted for appearance, landscaping, layout, and scale subject to conditions.**

**66 22/00694/FUL - 105 Eaves Lane Chorley**

This item was withdrawn from the agenda.

Chair

Date

This page is intentionally left blank

Report of	Meeting	Date
Director of Planning and Development, Development and Forward Planning	Planning Committee	25 October 2022

### Tree Preservation No. 1 (Euxton) 2022

Is this report confidential?	No
------------------------------	----

Is this decision key?	No
-----------------------	----

#### Purpose of the Report

- To consider formal confirmation of the Chorley Borough Council Tree Preservation Order No. 1 (Euxton) 2022 without modification.

#### Recommendations to Planning Committee

- Formal confirmation of the Order affords permanent as opposed to provisional legal protection to the trees covered by the Order.

#### Reasons for recommendations

- The Order was made on the 16 February 2022. The Order was made and served along with the statutory notice prescribed in Regulations on all those with an interest in the land on which the trees are situated on the 16 February 2022. The Order was made because on the assessment of the Council's Tree Officer, the trees makes a valuable contribution to the visual amenity of the area, being prominently situated and clearly visible to the public and its removal would have a significant impact on the environment and its enjoyment by the public.
- No objections have been received in response to the making of the above Order. The Council received a letter from the Landowner who stated that he could understand why the Order had been made even if he did not agree with the Order itself he understood the Council's position. He did not object to the Order.
- It is therefore, now open to the Council to confirm the above Order. The effect of formally confirming the Order will be to give permanent legal force to the Order, as opposed to provisional force, thereby making it an offence on a permanent basis to fell or otherwise lop, prune etc, any of the trees covered by the Order without first having obtained lawful permission.

**Corporate priorities**

6. The report relates to the following corporate priorities: (please bold all those applicable):

Involving residents in improving their local area and equality of access for all	A strong local economy
<b>Clean, safe and healthy communities</b>	<b>An ambitious council that does more to meet the needs of residents and the local area</b>

**Background to the report**

7. As stated as part of the recommendations. The Order was made on the 16 February 2022. The Order was made and served along with the statutory notice prescribed in Regulations on all those with an interest in the land on which the trees are situated on the 16 February 2022. The Order was made because on the assessment of the Council’s Tree Officer, the trees makes a valuable contribution to the visual amenity of the area, being prominently situated and clearly visible to the public and its removal would have a significant impact on the environment and its enjoyment by the public.

**Climate change and air quality**

- 8. The work noted in this report has an overall positive impact on the Councils Carbon emissions and the wider Climate Emergency and sustainability targets of the Council.
- 9. In particular the report impacts on the following activities:
  - a. net carbon zero by 2030,
  - b. air quality,
  - c. green areas and biodiversity.

**Equality and diversity**

10. There are no implications regarding equality and diversity

**Risk**

11. The effect of formally confirming the Order will be to give permanent legal force to the Order, as opposed to provisional force, thereby making it an offence on a permanent basis to fell or otherwise lop, prune etc, any of the trees covered by the Order without first having obtained lawful permission. If we do not formalise this process then these trees are at risk.

**Comments of the Statutory Finance Officer**



12. If the trees were to be lopped or pruned or chopped in breach of the order the Council would incur staff costs in any criminal investigation and prosecution. Staff costs in the Planning Department are also involved when dealing with applications for consent to work to protected trees.

#### **Comments of the Monitoring Officer**

13. The legal effect of the order and the consequences of breach are addressed within the body of the report.

#### **Background documents**

- Copy of Provisional Tree Preservation Order No. 1 (Euxton) 2022

Report Author:	Email:	Telephone:	Date:
Elizabeth Walsh (Senior Solicitor)	elizabeth.walsh@southribble.gov.uk	01257 515169	26.10.22

This page is intentionally left blank