

Planning Committee

Tuesday, 25th April 2023, 6.30 pm

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

Agenda

Apologies

- | | |
|---|-----------------------|
| <p>1 Minutes of meeting Tuesday, 28 March 2023 of Planning Committee</p> | <p>(Pages 3 - 6)</p> |
| <p>2 Declarations of Any Interests</p> <p>Members are reminded of their responsibility to declare any pecuniary interest in respect of matters contained in this agenda.</p> <p>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.</p> | |
| <p>3 Planning applications to be determined</p> <p>The Director (Planning and Development) has submitted four items for planning applications to be determined (enclosed).</p> <p>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.</p> | |
| <p>a 22/00864/FULMAJ - Highgrove House, Highfield Road North, Chorley, PR7 1PH</p> | <p>(To – follow)</p> |
| <p>b 20/01378/FULMAJ - Formerly Mormon Church, Water Street, Chorley</p> | <p>(To – follow)</p> |
| <p>c 22/00918/REM - Hunters Lodge Motel, Preston Road, Charnock Richard, Chorley, PR7 5LH</p> | <p>(To – follow)</p> |
| <p>d 23/00100/FUL - 36 Empress Way, Euxton, Chorley, PR7 6QB</p> | <p>(To – follow)</p> |
| <p>4 The Chorley Borough Council Tree Preservation Order 3 (Eccleston) 2022</p> | <p>(Pages 7 - 12)</p> |
| <p>5 Any urgent business previously agreed with the Chair</p> | |

Chris Sinnott
Chief Executive

Electronic agendas sent to Members of the Planning Committee Councillor June Molyneux (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

126 23/00163/PIP - Land 85M East Of 48, Town Lane, Whittle-Le-Woods

Public speakers: Councillor Mark Clifford (Objector) and Councillor Margaret France (Ward Councillor)

After careful consideration it was proposed by Councillor Alan Whittaker and seconded by Councillor Gordon France that the application be deferred. It was then proposed by Councillor Martin Boardman, seconded by Councillor Alistair Morwood that officer recommendations were approved.

It was subsequently **resolved (8 for, 3 against, and 2 abstained) that permission in principle be granted subject to conditions.**

127 22/01314/FUL - Auldene, 338 Southport Road, Ulmes Walton, Leyland, PR26 8LQ

This item was withdrawn from the agenda.

128 23/00100/FUL - 36 Empress Way, Euxton, Chorley, PR7 6QB

This item was withdrawn from the agenda.

129 22/01315/FUL - Mayfield, Blue Stone Lane, Mawdesley, Ormskirk, L40 2RH

Public speakers: Simon Miskell (Objector) and Courtney Evason (Agent)

After careful consideration, the meeting was adjourned at 19:22pm and resumed 19:32pm. It was proposed by Councillor Martin Boardman, seconded by Councillor Keith Iddon, and **resolved (10 for, 3 against, 0 abstained) that planning permission be refused for the reason:**

The proposed dwellings would be of such design, scale and massing that they would be out of keeping with the character of the street frontage and significantly detrimental to the character of the surrounding area contrary to policy HS7 and BNE1 of the Chorley local plan 2012-2026.

130 22/01001/FUL - Lower Wood End Farm, Back Lane, Clayton-Le-Woods, Chorley, PR6 7EX

Public speakers: Gary Collinson (Objector) and Tom Smith (Agent).

After careful consideration, it was proposed by Councillor Alex Hilton, seconded by Councillor Jean Sherwood and **resolved unanimously that planning permission be granted subject to conditions and the signing of a S106 legal agreement to secure a financial contribution of £402 towards Public Open Space for children / young people.**

131 22/01320/FUL - Land Adjacent To 715 Preston Road, Preston Road, Clayton-Le-Woods

Public speakers: Louise Leyland (Agent)

After careful consideration, it was proposed by Councillor Jean Sherwood, seconded by Councillor Keith Iddon, and **resolved unanimously that planning permission be granted subject to conditions and a S106 agreement.**

132 23/00013/FULHH - 9 Seaforth Crescent, Buckshaw Village, Chorley, PR7 7HL

After careful consideration, it was proposed by Councillor Alex Hilton, seconded by Councillor Aaron Beaver, and **resolved unanimously that planning permission be granted subject to conditions.**

133 21/00387/FULMAJ - Christ Church Charnock Richard C of E Primary School, Church Lane, Charnock Richard, Chorley, PR7 5NA

After careful consideration, it was proposed by Councillor Harold Heaton, seconded by Councillor Jean Sherwood, and **resolved unanimously that the Planning Committee be minded to grant planning permission, subject to conditions and that the application be referred to the National Planning Casework Unit to determine whether the Secretary of State wished to call the application in for a decision. This is required by the provisions of Part 4 of the Town and Country Planning (Consultation) (England) Direction 2021 because the English Sports Council (“Sport England”) has been consulted pursuant to article 10(1) of the Order, and has made representations objecting to the development.**

Chair

Date

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Report of	Meeting	Date
Head of Governance	Development Control Committee	25/04/2023

PROPOSED CONFIRMATION OF THE CHORLEY BOROUGH COUNCIL TREE PRESERVATION ORDER 3 (ECCLESTON) 2022 WITHOUT MODIFICATION

PURPOSE OF REPORT

- To consider formal confirmation of The Chorley Borough Council Tree Preservation Order 3 (Eccleston) 2022 without modification.

RECOMMENDATION(S)

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

EXECUTIVE SUMMARY OF REPORT

- Formal confirmation of the Order affords permanent as opposed to provisional legal protection to the tree covered by the Order. Not to confirm the Order would mean allowing the Order, and thereby the protection conferred on the trees covered by the Order to lapse

Confidential report Please bold as appropriate	Yes	No
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CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

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

BACKGROUND

- The Order was made on 17th November 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 17th November 2022. The same documents were also served on owners/occupiers of adjacent properties. The Order was made because on the assessment of the Council’s Tree Officer the trees make a valuable contribution to the visual amenity of the area, being prominently situated and clearly visible to the public and

that their removal would have a significant impact on the environment and its enjoyment by the public.

6. No objection has been received in response to the making of the above Order. It is therefore, now open to the Council to confirm the above Order as unopposed. 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 Orders without first having obtained lawful permission.

IMPLICATIONS OF REPORT

7. This report has implications in the following areas and the relevant Directors’ comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area	x	Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

1. 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

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

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Sushma Nayee	01257 515151	12 April 2023	321543

Tree Preservation Order

Town and Country Planning Act 1990

The Chorley Borough Council Tree Preservation Order 3 (Eccleston) 2022

Chorley Borough Council in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order -

1. Citation

This Order may be cited as Tree Preservation Order No.3 (Eccleston) 2022

2. Interpretation

- (1) In this Order "the authority" means Chorley Borough Council.
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

3. Effect

- (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
- (2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall —
 - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
 - (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,
 any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

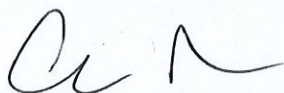
4. Application to trees to be planted pursuant to a condition

In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 17th day of November 2022

The Common Seal of Chorley Borough Council

was affixed to this Order in the presence of:]



.....]

Authorised Signatory



CONFIRMATION OF ORDER

This Order was confirmed by Chorley Borough Council without modification on the [] day of []

OR

This Order was confirmed by Chorley Borough Council, subject to the modifications indicated by [], on the [] day of []

Signed on behalf of the Chorley Borough Council

.....

Authorised by the Council to sign in that behalf

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by Chorley Borough Council on the [] day of []

Signed on behalf of the Chorley Borough Council

.....

Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the Chorley Borough Council on the [] day of [] by a variation order under reference number [] a copy of which is attached.

Signed on behalf of the Chorley Borough Council

.....

Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

[This Order was revoked by Chorley Borough Council on the [] day of []

Signed on behalf of the Chorley Borough Council

.....

Authorised by the Council to sign in that behalf

SCHEDULE

Specification of trees

Trees specified individually

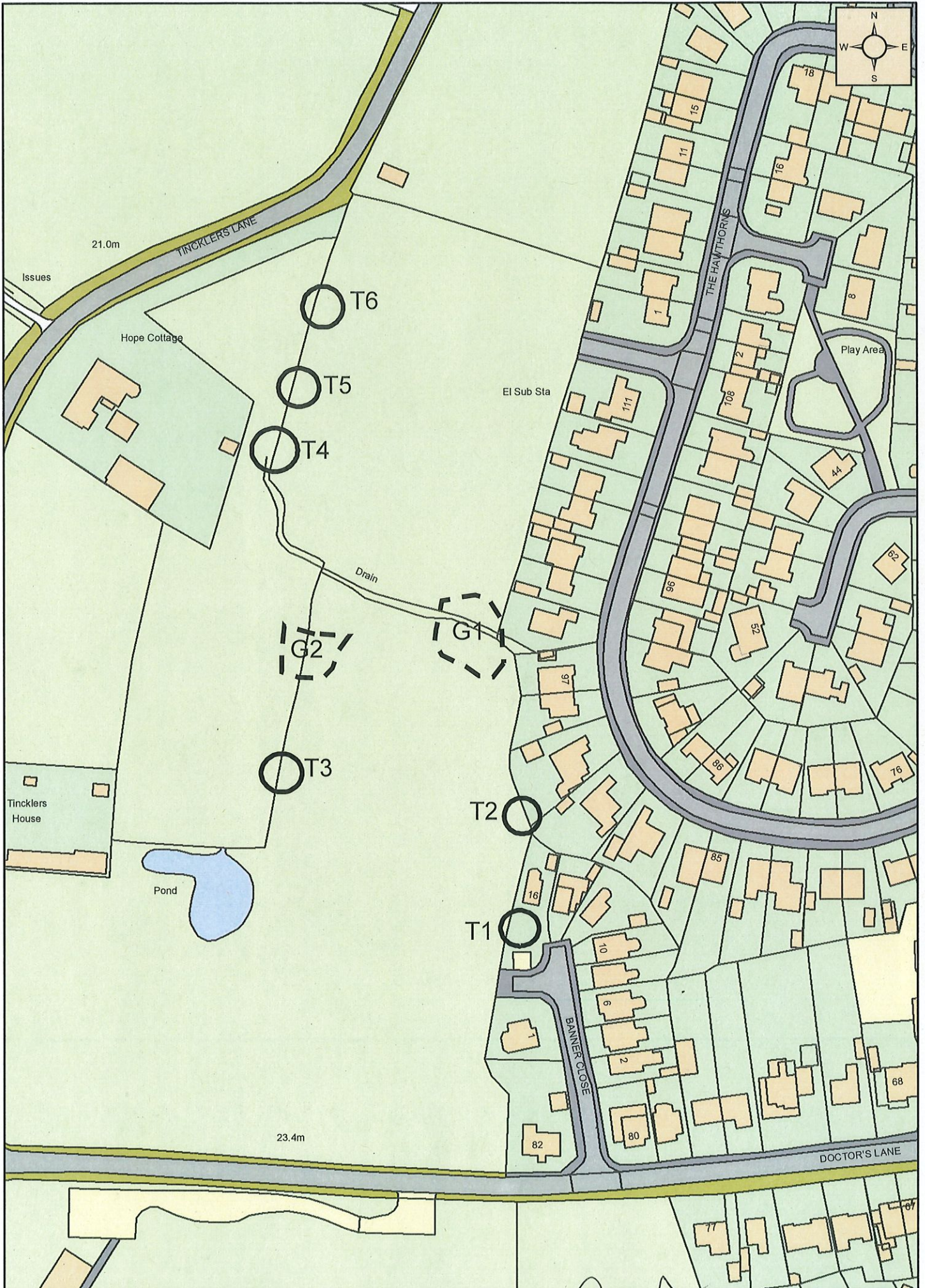
(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Oak	16 Banner Close Eccleston Chorley PR7 5QJ
T2	Oak	South West of 93 The Hawthorns Eccleston Chorley PR7 6QN
T3	Oak	Land at Tincklers Lane Tincklers Lane Eccleston
T4	Oak	Land at Tincklers Lane Tincklers Lane Eccleston
T5	Oak	Land at Tincklers Lane Tincklers Lane Eccleston
T6	Oak	Land at Tincklers Lane Tincklers Lane Eccleston

Groups of trees

(within a broken black line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
G1	3 oak trees	Land at Tincklers Lane Tincklers Lane Eccleston
G2	3 Oak trees	Land at Tincklers Lane Tincklers Lane



CS