

Development Control Committee

Tuesday, 8 February 2011

Present: Councillor Harold Heaton (Chair), Councillor Geoffrey Russell (Vice-Chair), Councillors Henry Counce, David Dickinson, Dennis Edgerley, Christopher France, Roy Lees, June Molyneaux, Simon Moulton, Mick Muncaster and Ralph Snape

Officers: Alex Jackson (Senior Lawyer), Jennifer Moore (Head of Planning), Paul Whittingham (Development Control Team Leader), Nicola Hopkins (Principal Planning Officer (Major Projects)), Ian Heywood (Conservation Officer) and Cathryn Barrett (Democratic and Member Services Officer)

Also in attendance: Councillors Peter Wilson and Peter McAnespie (Policy and Design Manager)

11.DC.10 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Allan Cullens.

11.DC.11 MINUTES

RESOLVED – That the minutes of the Development Control Committee meeting held on 11 January 2011 be confirmed as a correct record and signed by the Chair.

11.DC.12 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, Councillor Dennis Edgerley declared a personal interest in respect of Minute 11.DC.14 and Councillor Christopher France declared a personal interest in Minute 11.DC.13c and Minute 11.DC.13d.

The Development Control Team Leader advised that he had a personal interest in Minute 11.DC.13g.

11.DC.13 PLANNING APPLICATIONS TO BE DETERMINED

The Director of Partnerships, Planning and Policy submitted reports on seven applications for planning permissions to be determined by the Committee.

RESOLVED - That the planning applications, as submitted, be determined in accordance with the Committee's decision as recorded below:

(a) 09/01021/FULMAJ & 09/01022/LBC - Bank Hall, Bank Hall Drive, Bretherton

(The Committee received representation from an objector to the proposals.)

Application No: 09/01021/FULMAJ & 09/01022/LBC
Proposal: Shell repair and refurbishment of the Grade 2* Listed Building, Bank Hall, in to 12 residential dwellings and associated

development comprising of 23 residential dwellings on the former orchard site and Listed Building Consent
Location: Bank Hall, Bank Hall Drive, Bretherton, Lancashire
Decision:

It was proposed by Councillor Dennis Edgerley, seconded by Councillor Mick Muncaster and subsequently unanimously **RESOLVED – To approve full planning permission subject to conditions, and a Section 106 Agreement and grant listed building consent subject to condition.**

Conditions for application No. 09/01021/FULMAJ

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 51 of the Planning and Compulsory Purchase Act 2004.

2. The approved plans are:

Bank Hall

Plan Ref:	Received On:	Title:
351(P)06	09/02/2010	East Wing elevation
351(P)07	09/02/2010	South elevation
351(P)08	09/02/2010	South Returns elevation
351(P)09	09/02/2010	West Wing elevation
351(P)10	09/02/2010	North elevation
023/P200	09/02/2010	Ground Floor plan
023/P201	09/02/2010	Mezzanine, 3 rd & 4 th floor Tower plan
023/P202	09/02/2010	First Floor plan
023/P203	09/02/2010	Second Floor plan
023/P204	09/02/2010	Roof plan
023/P205	09/02/2010	Sections
023/P206	09/02/2010	Sections
023/P207	09/02/2010	Sections
023/P208	09/02/2010	Sections

Enabling development

Plan Ref.	Received On:	Title:
023/P100	09/02/2010	Ground Floor plan Court 1 House Type A & B
023/P101	09/02/2010	1 st Floor plan Court 1 House Type A & B
023/P102	09/02/2010	Ground Floor plan Court 2 house Type C
023/P103	09/02/2010	1 st Floor plan Court 2 House Type C
023/P104	09/02/2010	1 st Floor plan Court 2 House Type C
023/P105	09/02/2010	Courts 1 & 2 Roof plan
023/P106	09/02/2010	Court 1 units 1 – 4 elevations
023/P107	09/02/2010	Court 1 units 5 – 8 elevations
023/P108	09/02/2010	Court 1 units 9 – 12 elevations
023/P109	09/02/2010	Court 1 units 13 – 15 elevations
023/P110	09/02/2010	Court 2 units 16 – 17 elevations
023/P111	09/02/2010	Court 2 units 18 – 19 elevations
023/P112	09/02/2010	Court 2 units 20 – 21 elevations
023/P113	09/02/2010	Court 2 units 22 – 23 elevations

Overall

Plan Ref.	Received On:	Title:
023/P001	09/02/2010	Location Plan
023/P002	09/02/2010	Site and Landscape plan

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

3. Prior to the commencement of the development, full details of the Management Company to deal with the future management and maintenance of the site shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company.

Reason: To ensure the satisfactory management of the private driveway, resident's parking spaces and refuse storage/collection at the site and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review

4. Before the development hereby permitted commences the mitigation measures outlined in the ecological surveys entitled:

- Proposed Restoration and Redevelopment of bank Hall, Bretherton, Lancashire: Ecological Survey and Evaluation (Pennine Ecological, 2009);
- Great Crested Newt Survey (Pennine Ecological 2010);
- Bank Hall, Bretherton: Dawn/Dusk Surveys in Relation to Bats and Barn Owls, The Tyrer Partnership, August 2010 and;
- Bank Hall Bretherton: Dawn/Dusk Surveys in Relation to Bats and Barn Owls, The Tyrer Partnership, Revision 1, 23 September 2010.

Shall be implemented, subject to any amendments required by Natural England at the licensing stage, and shall have been agreed in writing by the local planning authority.

Reason: To safeguard Ecology including protected species in accordance with PPS25.

5. The development hereby permitted shall not commence until the mitigation measures indicated within the Design and Access Statement , page 34, shall have been implemented and approved in writing by the Local Planning Authority:

- The access road shall be widened to 5.5m for the first 20m from the A59 and shall be realigned at 90°. The 5.5m is to have 0.5m clearance to any trees/hedge.
- The Junction with the A59 is to have a minimum of 10m radii.
- A 2m wide footpath is to be provided on both sides of the access up to a point 2m past the tangent points to the site access road.
- Dropped kerbs are to provided on both sides of the footpath adjacent to the junction and shall extend for 2m back from the edge of the main carriageway.
- A passing place is to included to give a minimum 5.5m plus 0.5m clearance for a length of 15m to include 5m splays at either end.

Reason: To ensure safe access and egress to/from the development and to comply with policies within PPG13.

6. Each dwelling hereby permitted shall be constructed to achieve the relevant Code for Sustainable Homes Level as required by Policy SR1 of the Sustainable Resources Development Plan Document and achieve 1 credit within Issue Ene7: Low or Zero Carbon Technologies.

Reason: To ensure the development is in accordance with Government advice contained in PPS1 and in Policy SR1 of the Chorley Borough Council adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

7. No phase or sub phase of the development shall begin until details of a 'Design Stage' assessment and related certification have been submitted to and approved in writing by the Local Planning Authority. The development

shall be carried out entirely in accordance with the approved assessment and certification unless the Local Planning Authority otherwise approve in writing.

Reason: To ensure the development is in accordance with Government advice contained in PPS1 and in Policy SR1 of the Chorley Borough Council adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

8. No dwelling shall be occupied until a Code for Sustainable Homes 'Post Construction Stage' assessment has been carried out and a Final Code Certificate has been issued certifying that the required Code Level and 1 credit under Issue Ene7 has been achieved and the Certificate has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is in accordance with Government advice contained in PPS1 and in Policy SR1 of the Chorley Borough Council adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

9. No development hereby permitted shall commence until a scheme for the disposal of fowls 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 that the development meets the requirements of PPS25.

10. No development hereby permitted shall commence 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 ensure the development meets the requirements of PPS25.

11. The development hereby permitted shall not commence until samples of all external facing materials (including pre-painted cladding) to the proposed buildings (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 PPG2, PPS3, PPS5, Policy Nos. GN5, DC1 and HS4 of the Adopted Chorley Borough Local Plan Review, and Policy 17 of the emerging Central Lancashire Publication Core Strategy, December 2010..

12. 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 plan(s)) 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 of the Adopted Chorley Borough Local Plan Review.

13. 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.

14. 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.

15. The permission hereby granted does not imply or grant consent for the demolition and rebuilding of any external walls of the building to be converted, except as may be delineated on the approved plans or specifically approved in writing by the Local Planning Authority before the works of conversion are first commenced.

Reason : To define the permission and to prevent inappropriate rebuilding or new build within an area subject to policies of development restraint and in accordance with PPS5.

16. Before the use of the premises hereby permitted is first commenced, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.

17. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.

Reason: To safeguard the trees to be retained and in accordance with PPS9 and Policy Nos. EP9 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 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.

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

plan(s) 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.

20. Before the development commences, full details of the treatment of all the proposed windows and doors shall have been submitted to and been approved in writing by the Local Planning Authority. The submitted details shall include the proposed method of construction, the materials to be used, fixing details (including cross sections) and their external finish including any surrounds, sills or lintels.

Reason : In the interests of the character and appearance of the buildings and in accordance with PPS5 and Policy HS4 of the Adopted Chorley Borough Local Plan Review.

21. Before the development commences, full details of the proposed rainwater goods, including the eaves detail, to be used on the building shall have been submitted to and been approved in writing by the Local Planning Authority.

Reason : In the interests of the character and appearance of the building and in accordance with PPS5 and Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, 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.

23. 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.

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 1, Class A and Schedule 2, Part 2, Class C) or any Order revoking and re-enacting the Order, no external wall of the building to which this permission relates shall be painted, rendered or otherwise surface treated (other than as may expressly be authorised by this permission).

Reason: To protect the character and appearance of the building and in accordance with Policy Nos. GN4 and HS4 of the Adopted Chorley Borough Local Plan Review.

25. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without modification), no windows/dormer windows/rooflights other than those expressly authorised by this permission, or as subsequently agreed in writing by the local planning authority, shall be inserted or constructed at any time in any elevation or roof of the dwellings hereby permitted.

Reason: To protect the amenities and privacy of the adjoining property and in accordance with policy HS9 of the Adopted Chorley Borough Local Plan Review.

26. The development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the former orchard site and, where appropriate, necessary remediation measures.

The report should include an initial desk study, site walkover and risk assessment and if the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with the Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures.

The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

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 PPS23.

27. Prior to the commencement of the development hereby permitted (including initial site preparation, tree felling, vegetation clearance works, demolition etc.) precautionary surveys for the presence of badgers shall be submitted to and approved in writing by the Local Planning Authority. The surveys shall include full mitigation measures to ensure that the development does not disturb badgers and/or their setts in the event that badgers are identified on site. The development thereafter shall be carried out in accordance with the approved mitigation measures.

Reason: to ensure the continued protection of badgers on the site. In accordance with Policy EP4 of the Adopted Chorley Borough Local Plan Review and the Protection of Badgers Act 1992

28. Himalayan Balsam is present within the application area. Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to cause Himalayan Balsam to grow in the wild. Therefore a programme of control/eradication of this species shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

Reason: To ensure the eradication of Himalayan Balsam of in accordance with the Wildlife and Countryside Act 1981 (as amended).

29. Prior to the commencement of the development a habitat creation/enhancement and management plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of mitigation/compensation measures for impacts upon protected and priority species and woodland assets. Thereafter the approved management plan shall be implemented in full.

Reason: To ensure that the protected and priority species and the woodland assets are protected and enhanced as part of the development.. In accordance with Policy EM1 of the North West Regional Spatial Strategy.

Conditions for planning application No. 09/01022/LBC

1. The approved plans are:

Bank Hall

Plan Ref:	Received On:	Title:
351(P)06	09/02/2010	East Wing elevation
351(P)07	09/02/2010	South elevation
351(P)08	09/02/2010	South Returns elevation

351(P)09	09/02/2010	West Wing elevation
351(P)10	09/02/2010	North elevation
023/P200	09/02/2010	Ground Floor plan
023/P201	09/02/2010	Mezzanine, 3 rd & 4 th floor Tower plan
023/P202	09/02/2010	First Floor plan
023/P203	09/02/2010	Second Floor plan
023/P204	09/02/2010	Roof plan
023/P205	09/02/2010	Sections
023/P206	09/02/2010	Sections
023/P207	09/02/2010	Sections
023/P208	09/02/2010	Sections

Enabling development

Plan Ref.	Received On:	Title:
023/P100	09/02/2010	Ground Floor plan Court 1 House Type A & B
023/P101	09/02/2010	1 st Floor plan Court 1 House Type A & B
023/P102	09/02/2010	Ground Floor plan Court 2 house Type C
023/P103	09/02/2010	1 st Floor plan Court 2 House Type C
023/P104	09/02/2010	1 st Floor plan Court 2 House Type C
023/P105	09/02/2010	Courts 1 & 2 Roof plan
023/P106	09/02/2010	Court 1 units 1 – 4 elevations
023/P107	09/02/2010	Court 1 units 5 – 8 elevations
023/P108	09/02/2010	Court 1 units 9 – 12 elevations
023/P109	09/02/2010	Court 1 units 13 – 15 elevations
023/P110	09/02/2010	Court 2 units 16 – 17 elevations
023/P111	09/02/2010	Court 2 units 18 – 19 elevations
023/P112	09/02/2010	Court 2 units 20 – 21 elevations
023/P113	09/02/2010	Court 2 units 22 – 23 elevations

Overall

Plan Ref.	Received On:	Title:
023/P001	09/02/2010	Location Plan
023/P002	09/02/2010	Site and Landscape plan
023/P003	09/02/2010	Site Sections

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

2. Before the commencement of the conversion works to the listed building commence the applicant shall have submitted to and received approval in writing from the Local Planning Authority full details of the interior design scheme. These details shall include the following information:

A room by room schedule to show the proposed treatment of the following, both existing and proposed, items:

- a. Walls
- b. Ceilings
- c. Floors
- d. Doors (including ironmongery)
- e. Windows
- f. Other extent architectural details not included in the above.

Reason: To ensure the safeguarding of the significance of the listed building and its contents and to ensure appropriate treatment of both existing and replacement materials in line with PPS5.

3. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. Before the works to the listed building commences, full details of the treatment of all the proposed windows and doors shall have been submitted to and been approved in writing by the Local Planning Authority. The submitted details shall include the proposed method of construction, the materials to be used, fixing details (including cross sections) and their external finish including any surrounds, cills or lintels. Sample elevations shall be supplied at a scale of 1:5 with sections at a scale of 1:1.

Reason : In the interests of the character and appearance of the building and in accordance with PPS5.

5. Before the development commences the applicant shall submit and have approved in writing the details of how and where any materials removed during the course of the repair works shall be safely and securely stored to safeguard their appropriate future reuse/ reinstatement in the listed building.

Reason: To safeguard the significance of the designated heritage asset as defined by PPS5.

6. Notwithstanding the details already submitted, this consent relates to the use of 'flush' fitting 'conservation' roof lights, only in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The details shall include the model/make, exact dimensions and the fixing detail (including a cross section) of the roof light(s) to be used.

Reason : To protect the character and appearance of the building and in accordance with PPS5.

7. The development hereby permitted shall not commence until samples of all materials for the repairs to the listed building (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 materials. The materials shall include:

Bricks

Roof slates

Stone

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with PPS5 and Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

8. Before work commences, full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the type of mortar to be used on the building. The required details shall include the ratio of the materials to be used in the mortar, its colour and the proposed finished profile of the pointing. A sample panel of both rebuilding and repointing of no less than one square metre shall be prepared for examination by the Local Planning Authority.

Reason : In the interests of the character and appearance of the Listed Building and in accordance with PPS5.

9. Before the works to the listed building commences, full details of the proposed rainwater goods and external waste water and soil pipes to be used on the building shall have been submitted to and been approved in writing by the Local Planning Authority.

Reason : In the interests of the character and appearance of the building and in accordance with PPS5.

(b) 10/00176/OUTMAJ - Flat Iron Car Park, Union Street, Chorley

(The Committee received representation from an objector to the proposals and the applicant's agent in support of the proposals.)

Application No: 10/00176/OUTMAJ
Proposal: Class A1 retail development with ancillary works and associated infrastructure – in outline
Location: Flat Iron Car Park, Union Street, Chorley
Decision:

It was proposed by Councillor David Dickinson, seconded by Councillor Henry Counce and subsequently unanimously **RESOLVED – To grant conditional outline planning approval subject to an amended Section 106 Agreement and the following conditions:**

Highways

1. **No part of the development hereby approved shall commence until a scheme for the construction of all site access by vehicles, pedestrians and cyclists and the off-site works of highway improvement has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The scheme shall include the timing of the delivery of all such works, together with contingency arrangements.**
Reason: In the interests of highway safety and to ensure appropriate pedestrian connectivity between Chorley Town Centre and the public transport hubs before trading commences in accordance with PPS4, and in order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site

2. **No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in condition 1 has been constructed and completed in accordance with the scheme details.**
Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

3. **The development shall not be occupied or brought into use until details of a Travel Plan (Broadly in accordance with the draft Travel Plan submitted as part of this application) have been submitted to and approved in writing by the Local Planning Authority, such Travel Plan to include:**
 - a. the form and timing of travel surveys
 - b. interim targets pending the results of travel surveys
 - c. actual targets based on the results of travel surveys
 - d. measures proposed to achieve the targets
 - e. the means and funding for the monitoring of the travel plan
 - f. enforcement and sanctions
 - g. timing of submission of the final travel plan

Together with a timetable for the implementation of each such element. None of the units within the development shall be occupied prior to implementation of those parts of the approved Travel Plan that are capable of being implemented prior to occupation. Those parts of the approved Travel Plan that are identified therein as only being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as the development is occupied.

Reason: In order to ensure that the development is accessible by a choice of means of transport including public transport in accordance with PPS4, PPG13 and Policy TR1 of the Chorley Borough Local Plan

4. Within the reserved matters application(s) the provision of a replacement compound (having regard to the need for a compound) for the storage of market stalls shall be detailed, including its location, size, access, security and the programme for its implementation. The compound approved as part of the reserved matters application(s) shall be implemented in accordance with the approved programme.

Reason: The development site currently includes provision for storage of market stalls for the Flat Iron market. The provision of the Flat Iron market is a corporate priority and also a key element of the Town Centre Strategy and the loss of provision would have a significant impact upon the delivery of the Market.

5. Within the reserved matters application the provision of replacement facilities for the Shop Mobility facility that exists within the application site boundary including parking provision shall be detailed, including a location that can be easily accessed on foot and by car. With space for storage of mobility scooters and a secure office.

Reason : The development site currently includes the provision of a facility to support disabled access to the town centre that in turn supports the vitality and viability of the town centre and the loss of this facility in this location would impact upon the accessibility of the town centre by less able visitors contrary to PPS4.

BREEAM and Energy Conservation

6. Each building hereby permitted which provides more than 500sqm gross floorspace shall be constructed to achieve a minimum Building Research Establishment (BREEAM) standard of 'very good' and achieve 2 credits within Issue Ene 5: Low or Zero Carbon Technologies.

Reason: In the interests of minimising the environmental impact of the development and to accord with the requirements of Policy SR1 of the Sustainable Resources DPD, PPS1 (Climate Change) and PPS4.

7. No phase or sub-phase of the development shall begin until details of a 'Design Stage' assessment and related certification have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out entirely in accordance with the approved assessment and certification unless the Local Planning Authority otherwise approve in writing.

Reason: In the interests of minimising the environmental impact of the development and to accord with the requirements of Policy SR1 of the Sustainable Resources DPD, PPS1 (Climate Change) and PPS4

8. No building unit shall be occupied until a 'Post Construction Stage' assessment has been carried out and a Final Certificate has been issued for it certifying that a BREEAM standard of 'very good' and 2 credits under Issue Ene 5 have been achieved and the Certificate has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of minimising the environmental impact of the development and to accord with the requirements of Policy SR1 of the Sustainable Resources DPD, PPS1 (Climate Change) and PPS4

Servicing

9. A scheme for operation of the service yards shall be submitted as part of the reserved matters application. The scheme shall include hours for deliveries, servicing, collections, waste compactor and the layout of the service yards.

The operation the service yards shall only take place in accordance with the approved scheme. Where exceptional circumstances require deliveries/servicing/collections to take place outside these stated hours, full written permission will firstly be sought from Chorley Council.

Reason: To safeguard the amenities of the occupiers of nearby residential accommodation and to accord with the requirements of the Chorley Borough Local Plan and in particular Policy EP20

Lighting

10. A lighting scheme shall be submitted as part of the reserved matters application and implemented in full prior to first use of the development hereby approved. All lighting should be designed to reduce spillage outwith the site.

Reason: To safeguard the amenities of the occupiers of nearby residential accommodation and to accord with the requirements of the Chorley Borough Local Plan and in particular Policy EP21A.

Landscaping

11. A scheme for the landscaping of the development and its surroundings including the adopted highway surrounding the development shall be submitted as part of the reserved matters application. These details shall include proposed finished levels, means of enclosure, pedestrian access and circulation areas, hard surfacing materials, minor artefacts and structures (such as furniture and signs and ticket machines) and planting plans. All hard and soft landscape works shall be carried out in accordance with the approved details and shall be carried out prior to the occupation of any part of the development or in accordance with a programme first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design particularly in accordance with PPS4.

Standard Time Conditions:

12. Approval of the details of the layout, scale, appearance, access and landscaping of the site of the proposed retail development (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any part of the development is commenced.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning & Compulsory Purchase Act 2004 as those details have not been submitted as part of the Outline application.

13. Application for the approval of the Reserved Matters relating to the development shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission and thereafter the development shall be commenced either before the expiration of 5 years from the date of this permission or within 2 years of the approval of reserved matters application whichever is the later.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning & Compulsory Purchase Act 2004.

Construction Environmental Management Plan

14. Before any demolition, construction or contaminated land remediation works commence in connection with each identified phase, a Construction Environmental Management Plan (CEMP) must be submitted to, and

approved in writing by, the Local Planning Authority detailing the provisions to be made for the monitoring and control of:

- a. **Operating hours:** No demolition, construction or contaminated land remediation activities, movement of traffic, or deliveries to and from the premises, shall occur other than between the hours agreed with the Local Planning Authority. Any proposed extension to these agreed hours, other than for emergency works, shall be agreed with the Local Planning Authority before work commences;
- b. **Noise and vibration:** To demonstrate compliance with the guidance in British Standard BS5228 Noise and vibration control on construction and open sites; including the proposed measurement methodology, the location of monitoring locations and noise-sensitive premises, the maximum permitted facade noise levels. No piling, blasting, dynamic compaction or use of vibrating rollers shall occur without the written approval of the Local Planning Authority;
- c. **Dust/Particulate emissions:** To include the prevention of dust/particulates being blown off-site, the sheeting of vehicles and preventing the deposition of dust and mud on the highway. At such times as the prevention of dust/particulate nuisance by the agreed means is not possible, the movement of vehicles, soils or dusty materials must temporarily cease until such time as weather conditions improve;
- d. **Waste:** To include suitable and sufficient provisions for the collection, storage and disposal of waste materials. No unwanted materials shall be disposed of on site by burning without the prior written approval of the Local Planning Authority;
- e. **Lighting:** To include a site plan showing the proposed types, locations and heights of the lamps, vertical illuminance levels (Lux) to the facades of agreed light-sensitive premises and operating times. All works shall be fully implemented in accordance with the approved CEMP.
- f. **Access by foot and cycle:** Details of the phasing of construction to provide for and maintain access to the existing Market Walk development from Cleveland Street / Bus Station outside of normal opening hours.
- g. **Provision of signage prior to and during construction to inform visitors to the Town Centre about alternative car park arrangements**

The CEMP shall include:

- h. arrangements for the frequency and criteria for review of the CEMP and its consequential approval by the local planning authority;
- i. arrangements for liaison to be undertaken with affected residents and town centre stakeholders

Reason: *To safeguard the amenities of the occupiers of nearby residential accommodation and to ensure that the impacts of the construction phases of the development are appropriately mitigated against.*

Car Parking Control

15. No development shall take place until a scheme for car park management, including short and longer stay spaces, car park charges and charging review mechanism for the retail development has been submitted to and approved in writing by the local planning authority. The charging mechanism will be consistent with the main town centre car parks and especially the Flat Iron car park.

The charging review mechanism shall include:

- a. **Frequency / criteria for review**
- b. **Process of review**

c. dispute resolution mechanism

The car parking spaces detailed in accordance with condition 16 shall be made available at all times in connection with the use of the development hereby approved.

Reason: To ensure that the management of the car park is consistent with other car parks which serve Chorley Town Centre which is necessary to ensure the vitality and viability of the town centre; and in accordance with PPS4 and PPS13.

- 16. The retail development shall not be open for trade until the car park circulatory aisles, and spaces have been provided, surfaced and marked out in accordance with details to be submitted as part of the reserved matters application. These details shall include the location and numbers of disabled parking bays and provision and location of trolley bays within the development.**

Reason: To ensure the proper planning of the development, and in accordance with policy TR4 and DCLG "Manual for Streets" and to ensure compliance with PPS4 to ensure that the development does not adversely impact on the vitality and viability of the town centre.

Land Contamination

- 17. No development approved by this planning permission shall be commenced until:**

- a. a strategy for investigating contamination present on the site has been submitted to and approved in writing by the Local Planning Authority;**
- b. an investigation has been carried out in accordance with the approved strategy; and,**
- c. a written report, detailing the findings of the investigation, assessing the risk posed to receptors by contamination and proposing a remediation scheme, including a programme for implementation, has been submitted to and approved in writing by the Local Planning Authority;**

Remediation work shall be carried out in accordance with the approved remediation scheme and programme. Remediation work on contamination not identified in the initial investigation but found during construction work shall be carried out in accordance with details approved in writing by the Local Planning Authority subsequent to its discovery. Evidence verifying that all remediation work has been carried out in accordance with the approved scheme shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use.

Reason: To ensure that the presence of or the potential for any contaminated land is detected and appropriate remedial action is taken in the interests of public safety and in accordance with PPS25.

Drainage

- 18. No development approved by this permission shall be commenced until a surface water drainage strategy and phased delivery programme has been submitted to and approved by the Local Planning Authority. The surface water drainage scheme shall be completed in accordance with the approved strategy and programme.**

Reason: To reduce the increased risk of flooding and in accordance with PPS25.

Public Art

- 19. Development shall not be commenced until a scheme for the retention of the 'Chorley Pals statue' and its incorporation within the development have been submitted to and approved in writing by the Local Planning Authority.**

The scheme shall include the position of the existing Chorley Pals monument, the surfacing in its vicinity and improvements to access and interpretation of the significance of the monument. Development shall be carried out in accordance with the approved scheme.

Reason: In the interests of preserving an existing feature of local interest in the interests of the proper planning of the site and to achieve a high quality development.

Scale of Buildings

20. Any building(s) constructed on the proposed development site shall fall within the maximum and minimum scale parameters as set out in accordance with plan AL(04)0101 rev P08 & the following details below:

- **Max Height 21.5m for car park level 4, 18m for car park level 3**
- **Max Width 57m Union Street frontage & 82m adjacent to existing Market Walk,**
- **Max Length 93m (excluding car park ramp)**
- **Min Height 10m,**
- **Min Width 46m Union Street frontage & 63m adjacent to existing market walk,**
- **Min Length 66m**

Reason: In order to secure the implementation of the development within the scope of the assessment undertaken within the design and access statement that supports the conclusion that the development as a whole is acceptable in accordance with PPS4.

Floorspace Restriction

21. The convenience sales area (GIA) of the development hereby approved shall not exceed 1000sqm.

Reason: The 1000sqm is the level of floorspace (convenience) that has been assessed and a higher level of convenience floorspace has not been justified in accordance with PPS4 & PPG13.

22. Notwithstanding the details included on the submitted plans, the reserved matters application shall detail the numbers of units the proposed development will be divided into and the floorspace split for each of the units proposed. There shall be no less than 2 units and no more than 6 units within the reserved matters application and those units shall have a minimum floorspace of 660m² (gross) and a maximum floorspace of 3800m² (gross).

Reason : The highway assessment within the technical notes supporting this application detail that a large single unit with a significant convenience floorspace would impact upon the highway in a negative way and there is a need for larger format retail as detailed within the supporting documents to the application and is a position supported by the Town Centre Strategy and the retail studies that support the Local Plan and Central Lancashire LDF Core Strategy (Publication Version) and in accordance with PPS4 in terms of the vitality and viability of the town centre.

23. With reference to condition 22 above the layout of units approved in a subsequent reserved matters application shall be implemented in accordance with the approved plans and shall not be subdivided into smaller retail units.

Reason: The highway assessment considered and tested a level of floorspace and number of units, condition 22 above defines min & max unit numbers and floorspace to prevent impact in terms of an untested highway scenario and a range of units that would support the Town Centre Strategy and the retail studies that support the Local Plan and Central Lancashire

LDF Core Strategy (Publication Version) and in accordance with PPS4 in terms of the vitality and viability of the town centre.

24. Notwithstanding the details submitted as part of this application particularly within the design and access statement and the illustrative visuals, the design of any reserved matters submission should reflect the highest standards of design that should not take existing design quality, particularly of Market Walk as a benchmark for the design of a reserved matters application. The subsequent building should identify how its design assists in reducing the perceived bulk and height of the building and achieves its role as both a gateway building and to enclose an important public space (Flat Iron car park) that contain buildings of more intimate scale.

Reason : Design and sustainable development is an overarching theme within PPS1 which highlights that ensuring high quality development through good and inclusive design is important and that poor design should be resisted and to ensure a reserved matters application accords with the principles of the Design and Access statement, PPS4 and PPS6 (design document).

25. The development hereby permitted shall be carried out in accordance with drawing numbers:

Drawing Number	Date Received	Description
012 Rev B	July 2010	Access & Egress Proposal
AL(01) 1500	10 December 2010	Ground floor general arrangement
AL(01) 1501	10 December 2010	First floor general arrangement
AL(01) 1502	10 December 2010	Second floor general arrangement
AL(01) 1503	10 December 2010	Third floor general arrangement
AL(01) 1504	10 December 2010	Fourth floor general arrangement
AL(01) 1505	10 December 2010	Fifth floor general arrangement
AL(04) 0100	10 December 2010	Parameter Plan 01 (Red line)
AL(04) 0101	10 December 2010	Parameter Plan 02 Max Build Zone
AL(04) 0102	10 December 2010	Parameter Plan 03 Activity Frontage, Built Form Principles & Feature Zones
AL(04) 0103 Plan	10 December 2010	Parameter Plan 04 Vehicular Access
AL(04) 0104	10 December 2010	Height Plan Sections
AL(04) 0106	10 December 2010	Parameter Plan 05 Pedestrian Priority Plan
AL(05) 1600	10 December 2010	Proposed and Existing West Elevation
AL(05) 1601	10 December 2010	Proposed East & North Elevations
	10 December 2010	Indicative Visuals Document

Reason: To ensure that the development is carried out in accordance with the approved plans.

26. The reserved matters application(s) shall demonstrate how the submitted details may mitigate the potential loss of amenity resulting from the scale, layout and appearance of the buildings and the access to the site (congestion and parking). The reserved matters application shall detail how the views of town centre residents and businesses have been taken into consideration in formulating the design, scale, layout and access of the proposed scheme.

Reason: The scale, layout, appearance and access of this scheme are reserved matters. The application site forms a key site within the Town Centre and it is important that this site creates a high quality gateway into the Town Centre in accordance with advice contained in PPS4. The proposed development will form a key anchor within the Town Centre and it

is important, in accordance with the Council's Statement of Community Involvement that the views of the local residents and businesses are taken into consideration as part of the development of this scheme.

(c) **10/00771/FUL - Land immediately East of 43-51 of Acresfield, Adlington, Lancashire**

(Councillor Christopher France declared a prejudicial interest in the following item, he did not leave the room but took no part in the discussion and subsequent vote.)

(The Committee received representation for a Ward Councillor objecting to the proposals, and the applicant's agent in support of the proposals.)

Application No: 10/00771/FUL
Proposal: Demolition of existing garages and erection of 5 No, 2 Bed 3 Person Bungalows
Location: Land immediately East of 43-51 Acresfield, Adlington
Decision:

It was proposed by Councillor June Molyneaux to refuse planning permission on traffic grounds.

It was proposed by Councillor Roy Lees, seconded by Councillor Simon Moulton and subsequently **RESOLVED (9:1) - To approve 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 51 of the Planning and Compulsory Purchase Act 2004.
- 2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, 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.
- 3. 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.
- 4. 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, DC8A, DC8B, HT2, HT3, HT7, HS4, HS9, EM3, EM4A and EM5 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. 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.

7. Unless it can be demonstrated through open book accounting that the requirements of Policy SR1 would make the development unviable:

- 1) No phase or sub-phase of the development shall commence until a Design Stage assessment and related certification has been submitted to and approved in writing by the Local Planning Authority demonstrating that the proposed development will be constructed to achieve the relevant Code for Sustainable Homes level. All dwellings commenced after 1st January 2010 will be required to meet Code Level 3, all dwellings commenced after 1st January 2013 will be required to meet Code Level 4 and all dwellings commenced after 1st January 2016 will be required to meet Code Level 6. In accordance with Policy SR1 of the Sustainable Resources DPD, renewable or low carbon energy sources must be installed to reduce the predicted carbon emissions of the development by at least 15% (increasing to 20% from 2015). To demonstrate that this has been achieved, the Design Stage certification must show that the proposed development will achieve 2 credits within Issue Ene 7: Low or Zero Carbon Technologies. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

- 2) No dwelling shall be occupied until a Code for Sustainable Homes 'Post Construction Stage' assessment has been carried out and a final Code Certificate has been issued certifying that the required Code Level and 2 credits under Issue Ene7 has been achieved and the certificate has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

8. 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.

9. Notwithstanding the details shown on the submitted plans, the proposed driveway/hardsurfacing to the front of the property shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway), unless otherwise agreed to in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to prevent flooding, in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review and PPS25

10. Due to the size of development and sensitive end-use, the development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures.

The report should include an initial desk study, site walkover and risk assessment and if the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with the Local Planning Authority and thereafter undertaken and shall include details of necessary remediation measures.

The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

Reason: In the interests of safety and in accordance with Policy E16 of the Adopted Chorley Borough Local Plan Review.

11. 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 of the Adopted Chorley Borough Local Plan Review.

12. No development shall take place until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. 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 PPS25 and Policy No. EP18 of the Adopted Chorley Borough Local Plan Review.

13. 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.

14. 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.

15. This consent relates to the following plans:

Plan Ref.	Received On:	Title:
P1088 01B	2 December 2010	Existing Site Plan
P1088 L02	30 August 2010	Planting Strategy / Proposed Plan
P1088 11	30 August 2010	Site Sections / Elevations
P1088 16	30 August 2010	Unit C1 Floor Plans/Elevations
P1088 17	30 August 2010	Unit C2 Floor Plans/Elevations

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

(d) 10/00946/REMMAJ - Vertex Training and Conference Centre Little Carr Lane, Chorley, PR7 3JT

(Councillor Christopher France declared a prejudicial interest in the following item, he did not leave the room but took no part in the discussion and subsequent vote.)

(The Committee received representations from the applicant's agent in support of the proposals.)

Application No: 10/00946/REMMAJ

Proposal: Reserved Matters application, pursuant to Section 73 planning permission 10/00888/OUTMAJ, proposing full details for the siting, layout, appearance and landscaping for a residential development comprising 135 dwellings at Duxbury Park, Myles Standish Way, Chorley

Location: Vertex Training and Conference Centre, Little Carr Lane, Chorley

Decision:

It was proposed by Councillor Dennis Edgerley, seconded by Councillor Simon Moulton and subsequently unanimously **RESOLVED – to grant conditional reserved matters approval with the following conditions:**

1. The proposed development must be begun not later than two years from the date of this permission or not later than six years from the date of the outline planning permission (reference 08/01044/OUTMAJ)

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. All windows in the first floor of the rear elevation on plots 78 and 79 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 and in accordance with Policy Nos. GN5, HS4 and HS9 of the Adopted Chorley Borough Local Plan Review.

3. The approved plans are:

Plan Ref.	Received On:	Title:
502-102 Rev C	19 January 2011	Planning Layout
502	24 November 2010	Proposed Drainage Connections
1237-903 Rev B	16 November 2010	Landscape General Arrangements
115	25 November 2010	Footpath Diversion Plan
P.130.10.01	22 October 2010	Existing Site and Tree Survey
P.130.10.02 Rev B	22 October 2010	Tree Protection Arrangements
6010/01 Rev A	22 October 2010	Topographical Survey
502-103 Rev A	21 January 2011	Street Scenes
502-101	22 October 2010	Location Plan
502-111	22 October 2010	Site Section Sheet 2
ASPUL-2/101 Rev A	19 January 2011	Aspull
EUXTON-3/101 Rev A	19 January 2011	Euxton
EPSOM-4F/101	19 January 2011	Epsom
CALDY-4R/101	19 January 2011	Caldy
OXFORD-3/101 Rev A	19 January 2011	Oxford (Tudor details)
OXFORD-3/102 Rev A	19 January 2011	Oxford (Tile hanging details)
H119-4/101 Rev A	19 January 2011	Prestbury
ALDGATE-3/101 Rev A	19 January 2011	Aldgate
LANGLEY-4/101 Rev A	19 January 2011	Langley
LANGLEY-4/102 Rev A	19 January 2011	Langley
LANGLEY-4/103 Rev A	19 January 2011	Langley (Gable Roof)
THORNBURY-4/101 Rev A	19 January 2011	Thornbury
SOMERTON-4/101 Rev A	19 January 2011	Somerton
APPLETON-4S/101 Rev A	19 January 2011	Appleton (side entry garage)
APPLETON-4S/102	19 January 2011	Appleton (side entry garage)
APPLETON-4F/101 Rev A	19 January 2011	Appleton (front entry garage)
GRANTHAM-5FA/101 RevA	19 January 2011	Grantham (front aspect)
GRANTHAM- 5FA/102 RevA	19 January 2011	Grantham (front aspect)
GRANTHAM-5SA/103RevA	19 January 2011	Grantham (front aspect)
GRANTHAM-5SA/101 RevA	19 January 2011	Grantham (side aspect)
NEWBURY-5/101 Rev A	19 January 2011	Newbury (Tudor gable)
NEWBURY-5/102 Rev A	19 January 2011	Newbury (Tile hanging detail)
NEWBURY-5/103 Rev A	19 January 2011	Newbury (Tudor detail)
WAVERTON-5/101 Rev A	19 January 2011	Waverton (Tudor gable)
WAVERTON-5/102 Rev A	19 January 2011	Waverton
PORTLAND-5/101 Rev A	19 January 2011	Portland (Tudor gable)
HARBURY-5/102 Rev A	19 January 2011	Harbury (Tudor Detail)
HARBURY-5/101 Rev A	19 January 2011	Harbury (Tudor details)
SGL/DETAIL/101 Rev A	19 January 2011	Single Garage
DGL/DETAIL/101 Rev A	19 January 2011	Double Garage
D-SGL/DETAIL/101 Rev A	19 January 2011	Double & Single Garage
TGL/DETAIL/101 Rev A	19 January 2011	Twin Garage
SD-??	22 October 2010	1800 High Closeboard Fence with 300mm Trellis
SD-??	22 October 2010	1800 High Closeboard Fence
SD-15-W01	22 October 2010	1800 High Brick Wall with Tile Crease
1237.904	1 February 2011	Vegetated Linear Features
Ashbourne-4/101	19 January 2011	Ashbourne
Ashbourne-4/102	19 January 2011	Ashbourne
Richmond-4/101	19 January 2011	Richmond
Hale-4/101	19 January 2011	Hale
502-122	21 January 2011	Site Sections Location Plan
502-110 Rev B	21 January 2011	Site Sections Sheet 1
502-111 Rev A	21 January 2011	Site Sections Sheet 2
502-112 Rev A	21 January 2011	Site Sections Sheet 3
502-113 Rev A	21 January 2011	Site Sections Sheet 4

502-114 21 January 2011 Site Sections Sheet 5
502-115 21 January 2011 Site Sections Sheet 6
502-116 21 January 2011 Site Sections Sheet 7

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

4. Within one year of or within the first planting and seeding season following the completion of the access junction (whichever is the sooner) the structure planting along the access road and boundary of the site with Myles Standish Way shall be completed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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.

5. Prior to the commencement of the development hereby permitted the proposed remedial measures and further investigation works shall be carried out in accordance with the recommendations set out in the submitted Preliminary Risk Assessment (Phase 1 Desk Study) by Leyland Kirby Associates dated 9th June 2008, the Ground Investigation and Risk Assessment (Ref CL1301 and CL1302) dated 11th August 2008 and Investigation of Mine Shafts dated 25th July 2008.

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 Government advice contained in PPS23: Planning and Pollution Control.

6. Upon completion of the remediation works for each phase (as identified by LK Consult Limited Figure 1 Drawn August 2010) a validation report for that phase containing any validation sampling results shall be 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 Government advice contained in PPS23: Planning and Pollution Control

7. Prior to the commencement of the development hereby permitted a method statement, setting out proposals for the protection of the Biological Heritage Site during construction, shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved methods.

Reasons: In the interests of the continued protection of the Biological Heritage Site. In accordance with Policy EP2 of the Adopted Chorley Borough Local Plan Review.

8. Giant hogweed (*Heracleum mantegazzianum*) is present within the application area. Under the Wildlife and Countryside Act 1981 (as amended) it is illegal to cause the spread of Giant hogweed (*Heracleum mantegazzianum*). Following an inspection of the site in May 2009 confirmation, in writing to the Local Planning Authority, will be required that Giant hogweed has been eradicated. In the event that the species has not been eradicated a programme of control/eradication of this species shall be submitted to and approved in writing by the Local Planning Authority. The programme shall accord with Environment Agency Guidelines. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure the eradication of Giant hogweed (Heracleum mantegazzianum) in accordance with the Wildlife and Countryside Act 1981 (as amended).

9. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans.
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.
10. The access link from Little Carr Lane shall cease to be used prior to the commencement of the development hereby permitted (including the construction and site clearance stage)–Full details of the measures to be implemented to prevent vehicular access except in emergencies shall be submitted to and approved in writing by the Local Planning Authority. The details shall include details of proposed signage, details of the pedestrian/cycle route and samples of the proposed hard surfacing materials. The development thereafter shall be carried out in accordance with the approved scheme.
Reason: To ensure the acceptable development of the site and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.
11. No development approved by this permission shall be commenced until a strategy to attenuate surface discharges from the development to existing ‘greenfield rates’ has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be completed in accordance with the approved strategy.
Reason: To reduce the risk of flooding at the site and in accordance with Government advice contained in PPS25: Development and Flood Risk
12. No development shall take place until a programme of archaeological work has been implemented for that zone in accordance with a scheme of investigation which has previously been submitted to and approved in writing by the Local Planning Authority.
Reason: The site is situated within an area of known archaeological interest and, as such, the site should be appropriately excavated and the remains recorded and in accordance with Policy Nos. HT11 and HT12 of the Adopted Chorley Borough Local Plan Review.
13. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the areas so fenced. All excavations within the area so fenced shall be carried out by hand.
Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.
14. 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.
15. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

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 Government advice contained in PPS23: Planning and Pollution Control.

16. No dwelling hereby permitted shall be occupied until the highway alterations to the site access with Myles Standish Way, to include access roads into the two employment areas located to the east and west of the access junction, as set out on plan reference B3141 P017A, dated 21st November 2008, or any other such works which have been submitted to and approved in writing by the Local Planning Authority, have been completed to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.

17. No dwelling hereby permitted shall be occupied until that part of the service road which provides access to it from the public highway has been constructed in accordance with plans which have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.

18. Prior to the commencement of the residential parcel full details of the proposed residents consultation procedure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information on how the residents will be kept informed on the progress of the development prior to commencement and during the development period. Additionally details of the main contact / site manager during the development shall be provided to the Local Planning Authority and the residents prior to the commencement of the development. The residents consultation plan shall be implemented and completed in accordance with the approved procedure.

Reason: To ensure that the existing residents are fully aware of the progress of the development.

19. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings (notwithstanding any details shown on the 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 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.

20. 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.

21. 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.

22. 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.

23. No dwelling on plots 1, 2, 3, 15, 16, 21, 32, 33, 36, 37, 38, 39, 41, 48 50, 51, 52, 53, 54, 55, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 71, 72, 74, 75, 78, 79, 81, 82, 83, 84, 85, 86, 87, 88, 90, 91, 92, 95, 96, 97, 98, 99, 100, 101, 102, 121, 122, 123, 124, 125, 126, 132, and 134 hereby permitted shall be occupied until garden sheds have been provided in accordance with plans which have been submitted to and approved in writing by the Local Planning Authority. The garden sheds shall be retained in perpetuity thereafter.

Reason: The garages are smaller than would normally be provided and therefore to ensure sufficient storage/cycle storage is provided at the properties in accordance with Manual for Streets.

24. 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: 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. TR4 of the Adopted Chorley Borough Local Plan Review.

25. Prior to the commencement of each phase of the development full details of the predicted energy use of the development expressed in terms of carbon emissions for that phase of development shall be submitted to and approved in writing by the Local Planning Authority. If no data specific to the application is available benchmark data will be acceptable. A schedule for each phase of development should include how energy efficiency is being addressed in that phase of development, for example, amongst other things through the use of passive solar design. It will be flexible enough to show the on-site measures to be installed and implemented so as to reduce carbon emissions by the figure set out in policy SR1 of the Sustainable Resources DPD at the time of commencement of each individual plot in that phase of development by means of low carbon sources. Details shall be submitted for each phase of development for on-site measures to be implemented including rainwater/brown water recycling, the implementation of sustainable urban drainage systems and the provision of storage space for recyclable waste materials and composting. Such details as may be approved shall be implemented and retained in perpetuity.

Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD.

26. Prior to the commencement of the development full details shall be submitted to demonstrate and provide full details of how the design and layout of the buildings will withstand climate change shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the Code for Sustainable Homes Level, how the proposals minimise energy use and maximise energy efficiency. All dwellings commenced after 2010 will be required to meet Level 3, all dwellings commenced after 2013 will be required to meet Level 4 and all dwellings commenced after 2016 will be required to meet Level 6 of the Codes for Sustainable Homes. Such details as may be approved shall be implemented and retained in perpetuity.

Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD

27. Prior to the commencement of the development full details of the equipped play area hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information in respect of the proposed equipment and a written schedule for the implementation of the equipped play area. The play area thereafter shall be implemented and completed in accordance with the approved schedule and prior to the occupation of the dwelling houses on plots 31, 40-50, 103, 28-30 and 104.

Reason: To ensure adequate provision for public open space and play area within the development and in accordance with Policy Nos. HS20 and HS21 of the Adopted Chorley Borough Local Plan Review.

28. Prior to the commencement of the development a habitat creation/enhancement and management plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with TPM Landscape General Arrangements Drawing (dwg ref. 1237/903/Rev B) and Vegetated Linear Features Drawing (dwg ref. 1237.904). The scheme shall include details of the proposed habitat connectivity and the vegetated native species buffer zone along the western boundary of the site (adjacent to the BHS). Thereafter the approved management plan shall be implemented in full.

Reason: To ensure that habitat connectivity is provided throughout the site and to ensure the protection and enhancement of the Biological Heritage Site. In accordance with Policy EM1 of the North West Regional Spatial Strategy.

29. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected, including the proposed retaining structures, (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.

30. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations

or extensions shall be undertaken to the dwellings on plots 7, 10, 11, 12, 13, 14, 15, 16, 32, 33, 35, 36, 37, 38, 40, 41, 42, 69, 70, 71, 72, 73, 74, 75, 76, 77, 81, 83, 84, 85, 87, 88, 91, 93, 96, 97, 98, 99, 100, 101, 102, 103, 113, 114, 115, 116, 117, 118, 119, 121, 122, 125, 126, 127, 128, 129 and 130 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.

(e) 10/01067/FULMAJ - Unicorn Fairs South Hall, Park Hall, Park Hall Road, Charnock Richard

Application No: 10/01067/FULMAJ

Proposal: Change of use from a former auction house (part of building) to a mixed use comprising warehouse/recycling space, retail space and office/ancillary space for Help the Homeless

Location: Unicorn Fairs South Hall, Park Hall, Park Hall Road, Charnock Richard

Decision:

It was proposed by Councillor Dennis Edgerley, seconded by Councillor David Dickinson and subsequently unanimously **RESOLVED – To grant 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 51 of the Planning and Compulsory Purchase Act 2004.

2. **The approved plans are:**

Plan Ref.	Received On:	Title:
10-1631 LO1	9 December 2010	Site Location Plan
10-1631 EX01	9 December 2010	Existing Floor Plans
10-1631 P01	9 December 2010	Proposed Floor Plans

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

3. **The use hereby permitted shall be carried on only by Help the Homeless Ltd and shall be for a limited period of 3 years from first occupation of the building. When the premises cease to be occupied by Help the Homeless Ltd or at the end of 3 years from first occupation of the building whichever shall first occur, the use hereby permitted shall cease.**

Reason: The permission was granted on a temporary basis having regard to the special circumstances advanced in support of the application, however the use would be inappropriate to the locality on a permanent basis and in accordance with PPS4 and Policy No. SP1 of the Adopted Chorley Borough Local Plan Review.

(f) 10/01095/FUL - Sultan's Palace Indian Restaurant, Bolton Road, Anderton, Bolton

Application No: 10/01095/FUL

Proposal: Demolition of the former pub/restaurant and the erection of 4 detached dwellings with associated works

Location: Sultan's Palace Indian Restaurant, Bolton Road, Bolton

Decision:

The report was withdraw to give the applicant time to seek further information on the location of mains water pipes and the re-submission with a revised layout.

(g) 10/01012/FULMAJ - Parcel J and L Buckshaw Avenue, Buckshaw Village

(Councillor Roy Lees left the room for the duration of the following item)

(The Development Control Committee Team Leader expressed a personal interest in the following item and took no part in the delivery of the item or advising the Committee.)

Application No: 10/01012/FULMAJ
Proposal: Landscape proposals to two area's of green corridor and communal space at land adjacent to parcels J and L
Location: Parcel J and L Buckshaw Avenue, Buckshaw Village
Decision:

If was proposed by Councillor Christopher France, seconded by Councillor Simon Moulton and subsequently unanimously **RESOLVED – To grant 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 51 of the Planning and Compulsory Purchase Act 2004.
2. **The approved plans are:**

Plan Ref.	Received On:	Title:
412/SL01	15 November 2010	Site Location Plan
594/200.1 Rev A	21 January 2011	Landscape Details Sheet 1 of 3
594/200.2	15 November 2010	Landscape Details Sheet 2 of 3
594/200.3	15 November 2010	Landscape Details Sheet 3 of 3
594.401	15 November 2010	Site Sections

Reason: To define the permission and in the interests of the proper development of the site.
3. **Prior to the commencement of the development full details of the design of the play area in the position shown on drawing 594/200.2 shall be submitted to and approved in writing by the Local Planning Authority. The play area shall be constructed as per the approved details within six months of the communal square being landscaped.**
Reason: To ensure the play area is implemented and is to a satisfactory design and in accordance with policy GN2 of the Adopted Chorley Borough Local Plan Review.
4. **There shall be no vehicular access onto the footpath/cycleway and as such the erection of bollards 1 metre in height will be required at both ends of the footpath/cycleway hereby approved. Full details of the bollards, including their sting, shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details.**
Reason: To ensure that the footpath/cycleway is used for its intended purpose, in the interests of highways safety and in accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review.
5. **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.

11.DC.14 ENFORCEMENT REPORT

(Councillor Dennis Edgerley announced that he had a personal interest in the following item, he remained in the room but took no further part in the decision or subsequent vote.)

The Committee received a report from the Director of Partnerships, Planning and Policy asking Members of the Committee to consider whether it was expedient to issue an Enforcement Notice under Section 172 and of the Town and Country Planning Act 1990 in respect of a barn situated to the West of 1 Blue Stone Barn, Blue Stone Lane, Mawdesley. Without planning permission, a timber wall on the south elevation of the barn had been replaced with a concrete block work wall.

It had not been demonstrated that the works undertaken were necessary for the purposes of agriculture; the works were a substantial alteration which detract from the character of the existing barn. As such, the development was by definition an inappropriate development in the Green Belt and was contrary to saved Policy DC 1 of the Chorley Borough Local Plan Review and Planning Policy Guidance (PPG2) Green Belts.

It was proposed by Councillor Mick Muncaster, seconded by Councillor Simon Moulton and subsequently unanimously **RESOLVED – That is was considered expedient to pursue enforcement action.**

11.DC.15 PLANNING APPEALS NOTIFICATION REPORT

The Director of Partnerships, Planning and Policy submitted a report giving notification of four appeals lodges against the refusal of planning permission, one for non-determination of a decision, and one for the refusal of listed building consent. There had also been one appeal withdrawn and two enforcement appeals had been dismissed.

RESOLVED – That the report be noted.

11.DC.16 DELEGATED DECISIONS DETERMINED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY IN CONSULTATION WITH THE CHAIR AND VICE CHAIR OF THE COMMITTEE

The Committee received for information schedules listing ten planning applications for Category 'B' development proposals which had been determined by the Chair and Vice Chair of the Committee at meetings held on 11 January 2011 and 26 January 2011.

RESOLVED – That the schedules be noted.

11.DC.17 PLANNING APPLICATIONS DETERMINED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY

The Committee received, for information, a schedule listing planning applications determined by the Director of Partnerships, Planning and Policy under delegated powers between 25 December 2010 and 26 January 2011.

RESOLVED – That the schedule be noted.

11.DC.18 ANY OTHER ITEM(S) THAT THE CHAIR DECIDES IS/ARE URGENT

(a) Enforcement Report - Land 400m East of 41 Wigan Lane Coppull to a centre for paintballing

The Committee received a report from the Director of Partnerships, Planning and Policy asking Members of the Committee to consider whether it was expedient to take enforcement action to secure the removal of unauthorised buildings and structures from the land 400m East of 41 Wigan Lane, Coppull, the removal of the parking area from the land, the covering of the internal gravel pathways, which had been formed, with top soil. To reduce the height of all timber posts and mesh fencing to a height of two meters.

The proposed development would have been located within the Green Belt. The development site was also set within an accessible area with several public footpaths with views into the site. The development on site incorporated buildings within the definition of the Town & Country Planning Act 1990 used in association with the use applied for and these buildings represented inappropriate developments within the Green Belt (Para 3.4 PPG2) and did not represent essential facilities as defined within Para 3.5 of PPG 2. The proposal was not therefore considered to be in accordance with Planning Policy Guidance note 2 and reiterated by Chorley Borough Local Plan Review Policy DC 1 in terms of material change in the use of the land due to the facilities associated with the use. It was not considered that the applicant had put forward a case for very special circumstances that outweighed the total harm to the Green Belt to justify permitting the proposal. It was also considered contrary to PPG 17 in that the facilities associated with the development were above what was considered essential.

It was proposed by Councillor Simon Moulton, seconded by Councillor June Molyneaux and subsequently unanimously **RESOLVED – That it was considered expedient to pursue enforcement action.**

Chair