

Development Control Committee

Tuesday, 9 August 2011

Present: Councillor Harold Heaton (Chair), Councillor Geoffrey Russell (Vice-Chair) and Councillors Ken Ball, Henry Caunce, Matthew Crow, David Dickinson, Dennis Edgerley, Christopher France, Alison Hansford, Hasina Khan, Paul Leadbetter, Roy Lees, June Molyneaux and Mick Muncaster

Officers in attendance: Gary Hall (Chief Executive), Lesley-Ann Fenton (Director of Partnerships, Planning and Policy), Jennifer Moore (Head of Planning), Nicola Hopkins (Principal Planning Officer (Major Projects)), Chris Moister (Head of Governance), Alex Jackson (Senior Lawyer), Cathryn Filbin (Democratic and Member Services Officer), Robert Rimmer (Business Support Team Leader) and Elaine Critchley

Also in attendance: Councillors Catherine Hoyle, Peter Wilson and Julia Berry

11.DC.79 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Marie Gray.

11.DC.80 MINUTES

RESOLVED - That the minutes of the Development Control Committee on 12 July 2011 be confirmed as a correct record and signed by the Chair.

11.DC.81 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest.

11.DC.82 PLANNING APPLICATIONS TO BE DETERMINED

The Director of Partnerships, Planning and Policy submitted reports on five applications for planning permission to be determined.

In considering the applications, the Committee took into account the agenda reports, the addendum, and the verbal representations or submissions provided by officers and individuals.

- a) **Application:** 11/00490/CB3 - The Common, Adlington **Proposal:** Formation of car park and haulage accessway to serve 54 allotment plots at The Common including the erection of a 1.2 metre high post and wire fence and compost/wood chip bays.

This application was withdrawn from the agenda due to the late receipt of an Article 25 direction from the Secretary of State, which prevented Members of the Committee from approving the application, if they so wished.

- b) **Application:** 11/00466/FUL - Go Ape Rivington Lane, Rivington, Bolton **Proposal:** Retrospective application for the building up (raising) and enlargement of two zipwire landing sites at Go Ape course (landing area for site 2 located near site 3, and landing are for site 3 located near site 4.

RESOLVED - To defer a decision on the application to allow Members of the Committee to visit the site of the proposals.

- c) **Application:** 11/00453/REMMAJ - **Proposal:** Section 73 application to vary Duxbury Park Myles, Standish Way, Chorley conditions 1 (approved plans), 4 (approved plans), 10 (finished floor levels in respect of plots 6-8, 80-89 and 126-134), 26 (carbon emissions) and 27 (code for sustainable homes) attached to planning approval 10/00946/REMMAJ.

RESOLVED - Planning permission to vary conditions was granted subject to a Section 106 legal agreement, the conditions detailed in the report within the agenda, and the amended conditions detailed within the addendum.

- d) **Application:** 11/00474/REMMAJ - **Proposal:** Reserved matters application for a re-plan of plots 818-823, 863-866 and 927-928 of parcel I, Phase 2, Buckshaw Village (12 dwellings in total).

RESOLVED - Planning permission was granted subject to the conditions detailed in the report within the agenda, and amended condition contained within the addendum.

- e) **Application:** 11/00554/REMMAJ - **Proposal:** Reserved matters application to extend the time limit for implementation of extant planning permission 08/00396/REMMAJ for the erection of a public house on plot 4400, Buckshaw Village.

RESOLVED - Planning permission was granted subject to the conditions detailed in the report within the agenda.

11.DC.83 ENFORCEMENT ITEM - BILLINGE HOUSE, EUXTON LANE, EUXTON

The Committee received a report from the Director of Partnerships, Planning and Policy asking Members of the Committee if it was expedient to issue an enforcement notice in respect of a breach of planning control. At the meeting Members of the Committee received an update in the addendum which advised Lancashire County Council, as landlord, had taken action to remedy the alleged planning breach. As a result of the landowner's action the recommendation had changed to no further action.

RESOLVED – That the report be noted.

11.DC.84 PLANNING APPEALS AND NOTIFICATIONS

The Director of Partnerships, Planning and Policy submitted a report giving notification of an appeal that had been lodged against the refusal of planning permission, three appeals that had been dismissed, two appeals that had been allowed and one application granted by Lancashire County Council.

RESOLVED – That the report be noted.

11.DC.85 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – That the press and public be excluded from the meeting for the following item of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

11.DC.86 ENFORCEMENT ITEM - HUT LANE

Members considered a report and an update on the addendum.

Following a unanimous recorded vote Members **RESOLVED –**

- 1. That the Council seek an injunction pursuant to section 187B of The Town and County Planning Act 1990 as the next most appropriate course of action to pursue for compliance with the enforcement notices.**
- 2. That delegated authority be given to the Head of Governance in consultation with the Director of Partnerships, Planning and Policy to take the agreed action in order to allow the Council, pursuant to section 187B of the Town and Country Planning Act 1990 to secure compliance against the enforcement notices.**

Chair