

# Development Control Committee

**Tuesday, 25 April 2006**

**Present:** Councillor A Lowe (Chair), Councillor R Parr (Vice-Chair), Councillors K Ball, T Bedford, E Bell, A Birchall, T Brown, Brownlee, H Caunce, F Culshaw, M Davies, D Dickinson, D Edgerley, D Gee, T Gray, H Heaton, R Lees, Miss J Molyneaux, P Malpas, G Morgan, S Smith and A Whittaker

**Officers:** Jane Meek (Director of Development and Regeneration), Brown (Solicitor), Wendy Gudger (Development Control Manager) and Dianne Scambler (Trainee Democratic Services Officer)

**Also in attendance:** Councillors

## **06.DC.01 RETIRED COUNCILLORS**

The Chair on behalf of the Committee thanked Councillors Brownlee and Parr for their contributions to the Development Control Committee. Both Councillors had been valued Members of the Committee. The Chair had worked closely with both Councillors during their terms as Vice Chair and fully appreciated their support. The Chair wished them all the best following their retirement from the Council.

## **06.DC.02 THANK YOU FROM THE CHAIR**

Councillor A Lowe has been nominated for election as Deputy Mayor for 2006/07 and was consequently stepping down from the role of Chair of the Development Committee after 5 years service. He thanked all the Officers and Members of the Committee for their help and advice over the years.

## **06.DC.03 APOLOGIES FOR ABSENCE**

Apologies for absence were received by Councillors Mrs Iddon, Russell, J Snape, and Snow.

## **06.DC.04 DECLARATIONS OF ANY INTERESTS**

In accordance with the provisions of the Local Government Act 2000, the Council's Constitution and Members Code of Conduct, the following Member declared an interest in relation to the Planning Applications listed below, which were included on the meetings agenda for determination.

Councillor Parr – Item 5a, A1 Planning Application 06/00118/REMMAJ and Item 5i, B7 Planning Application 06/00271/FUL

## **06.DC.05 MINUTES**

**RESOLVED – That the minutes of the meeting of the Development Control Committee held on 27 March 2006 to be confirmed as a correct record and signed by the Chair.**

## 06.DC.06 PLANNING APPEALS AND DECISIONS - NOTIFICATION

The Committee received a report of the Director of Development and Regeneration giving notification of the lodging of three appeals against the refusal of planning permission and one appeal that had been dismissed.

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

## 06.DC.07 PLANNING APPLICATIONS AWAITING DECISION

The Director of Development and Regeneration submitted reports on a number of planning applications to be determined by the Committee.

**RESOLVED – That the planning applications, as now submitted be determined in accordance with the Committee's decisions as recorded below.**

**(a) A.1: 06/00118/REMMAJ - Parcel H4 Off Euxton Lane, Euxton Lane, Euxton**

(Councillor Parr declared an interest in the following application and left the meeting during the discussion and voting on the proposal).

Application No : 06/00118/REMMAJ  
Proposal : Erection of 45 dwellings with a mixture of 2 & 2.5 storey properties with associated garaging, roads and sewer works.  
Location : Parcel H4 Off Euxton Lane Euxton Lane Euxton Lancashire

Decision:  
It was proposed, seconded and subsequently **RESOLVED to approve the reserved matters application subject to the following conditions:**

**1. 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.***

**2. 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.***

3. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed building(s) (notwithstanding any details shown on the previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

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

4. Before the development hereby permitted is first occupied, provision for cycle parking provision, in accordance with details to be first agreed in writing with the Local Planning Authority, shall have been made.

*Reason : To ensure adequate on site provision for cycle parking and in accordance with Policy No. TR18 of the Adopted Chorley Borough Local Plan Review.*

5. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

*Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.*

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

*Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.*

7. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

8. 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.*

9. The development hereby permitted shall be carried out in accordance with the submitted plan(s), as amended by those plans received on 22<sup>nd</sup> March 2006.

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

10. 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.*

11. No development shall take place until details of the proposed surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented.

*Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 and EP19 of the Adopted Chorley Borough Local Plan Review.*

12. The garage 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. The garages shall not be used for any trade or business purposes.

*Reason: In order to safeguard the residential amenity and character of the area and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

(b) **A.2: 06/00162/FULMAJ - Land Opposite Stanley Wives Farm, Withington Lane, Heskin**

Application No : 06/00162/FULMAJ  
Proposal : Residential development providing 100% affordable housing, comprising of 10 dwellings.  
Location : Land Opposite Stanley Wives Farm Withington Lane  
Heskin Lancashire

Decision:

It was moved by Councillor Whittaker, seconded by Councillor Culshaw to defer the application to allow further negotiations with the applicants.

An amendment to the motion was moved by Councillor Heaton, seconded by Councillor David Dickinson and subsequently **RESOLVED to refuse full planning permission subject to the following reasons:**

1. The applicant has failed to demonstrate that the criteria set out at policy DC5 of the Chorley Borough Local Plan Review 2003 relating to exception housing has been met. As such the proposals amount to inappropriate development in the Green Belt contrary to Policy DC1 and DC5 of the Local Plan and the advice contained within PPG2: 'Green Belts'. The applicant has therefore not demonstrated that there are any very special circumstances which outweigh the presumption against the development.

2. The applicant has failed to demonstrate that appropriate visibility can be provided at the junction of the proposed site access with Withington Lane. As such the proposal is likely to result in vehicles accessing and egressing the site in a manner that significantly prejudices highway safety contrary to policy T4 of the Chorley Borough Local Plan Review 2003.

3. The applicant has failed to provide sufficient parking within the development which is likely to result in vehicles parking on the highway which by virtue of its alignment and the existing parking problems will significantly prejudice highway safety contrary to policy TR4 of the Chorley Borough Local Plan Review 2003 and Policy 7 of the Joint Lancashire Structure Plan (2005).

4. The design of the development and the proposed landscaping are not sufficient to properly assimilate the development into the surrounding landscape and as such is contrary to policy GN5, DC5, DC9 and EP10 of the Chorley Borough Local Plan Review 2003.

5. The applicant has failed to provide sufficient information on ecological issues in order that the Local Planning Authority could be sufficiently certain that the proposed developments would not harm ecological issues of material importance. As such the proposed development is contrary to policy EP4 of the Chorley Borough Local Plan Review 2003 and Policy 21 of the Joint Lancashire Structure Plan (2005).

(c) **B.1: 06/00081/FUL - Clayton Hall Stable, Spring Meadow, Clayton-Le-Woods**

**Application No :** 06/00081/FUL  
**Proposal :** Retrospective planning application for the retention of 2  
No stable block adjacent to existing stables  
**Location :** Clayton Hall Stable Spring Meadow Clayton-Le-Woods  
Lancashire

**Decision:**

It was proposed by Councillor S Smith, seconded by Councillor Brownlee and subsequently **RESOLVED to approve the retrospective planning permission subject to the following condition.**

1. If the use of the stable building hereby permitted ceases for a period exceeding 6 months within 10 years of the date of this permission, it shall be removed from the site and the land restored to its original condition prior to development.

*Reason: To protect the character and appearance of the area, and avoid the proliferation of buildings in the Green Belt for which there is not a continuing need and in accordance with Policy Nos. DC1 and EP8 of the Adopted Chorley Borough Local Plan Review.*

(d) **B.2: 06/00099/FUL - Church Of The Blessed Virgin Mary, Towngate, Eccleston**

**Application No :** 06/00099/FUL  
**Proposal :** Demolition of existing outdoor store/toilets and erection  
of Sunday school/meeting rooms/kitchen and toilet  
facilities.  
**Location :** Church Of The Blessed Virgin Mary Towngate Eccleston  
Lancashire

**Decision:**

It was proposed by Councillor Whittaker, seconded by Councillor Ball to defer the decision to allow the Site Inspection Sub-Committee to visit the site of the proposed development.

An amendment to the motion was proposed by Councillor Culshaw, seconded by Councillor S Smith to permit full planning permission. Upon being put to the vote the amendment was lost (2:19). The original motion was then voted on and it was subsequently **RESOLVED (17:0) to defer the decision for a site visit.**

**(e) B.3: 06/00167/FUL - Drinkwater Farm, Pike Lowe, Brinscall**

**Application No :** 06/00167/FUL  
**Proposal :** Conversion of 3 redundant agricultural buildings to create 3 dwellings  
**Location :** Drinkwater Farm Pike Lowe Brinscall Lancashire PR6 8SP

**Decision:**

It was proposed by Councillor S Smith, seconded and subsequently **RESOLVED to grant 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 91 of the Town and Country Planning Act 1990.***

**2. 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, within the Building Condition Survey received on 10<sup>th</sup> February 2006 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 the Conversion of Rural Buildings SPG.***

**3. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all 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 walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other 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. GN5 of the Adopted Chorley Borough Local Plan Review.***

**4. 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.*

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.*

6. 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, cills or lintels.

*Reason : In the interests of the character and appearance of the buildings and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review and the Conversion of Rural Buildings SPG.*

7. 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 buildings and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review and the Conversion of Rural Buildings SPG.*

8. Before the development commences full details, in the form of a work methodology statement, shall be submitted to and been approved in writing by the Local Planning Authority in relation to the remedial repair and repointing of the existing brickwork of the property. The required details shall include the method for maintaining the existing brickwork in situ and include the method of 'raking out' the existing joints, the type of mortar to be used and the finished profile of the pointing.

*Reason : In the interests of the character and appearance of the buildings and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review and the Conversion of Rural Buildings SPG.*

9. No works shall take place until the applicant, or their agent or successors in title, have secured the implementation of a programme of building recording and analysis. This must be carried out by a professionally qualified archaeological/building recording consultant or organisation in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority. Upon completion of the programme of building recording and analysis it shall be submitted to the Local Planning Authority.

*Reason : To ensure and safeguard the recording and inspection of matters of archaeological/historic importance associated with the buildings and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

10. Notwithstanding the details already submitted, this consent relates to the use of 'flush' fitting 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 lights to be used.

*Reason : To protect the character and appearance of the buildings and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review and the Conversion of Rural Buildings SPG.*

11. 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 of the Adopted Chorley Borough Local Plan Review.*

12. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.*

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, 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.*

14. 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.*

15. This consent relates to the following plans and amended plans:

Plan Ref	Received On:	Title
GA 1290/7 Rev b	30 March 2006	Site Plan-curtilage for dwelling
	30 March 2006	Stone Wall
GA 1290-6 Rev c	11 April 2006	Proposed elevations and floor plans
		(Barn 1)
GA 1290-3 Rev c	11 April 2006	Proposed elevations and floor plans
		(Barn 2 and 3)



GA 1290-2 Rev a plans	23 March 2006	Existing elevations and floor (Barn 2 and 3)
<b>Match</b>	23 March 2006	External Works Detail – High
GA 1290-5 plans	10 February 2006	Board Gate Existing elevations and floor (Barn 1)
GA 1290-7 plans –	10 February 2006	Existing elevations and floor
GA 1290-9 GA 1290/7 Rev a	10 February 2006 23 March 2006	Outbuildings Proposed garages and stores Site Plan

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

16. The cobbled area, indicated on the Site Plan received on 30th March 2006, to the south east of the site shall be retained at all times hereafter and the cobbles shall not be removed without the prior written consent of the Local Planning Authority. Reason: To protect the character and appearance of the site and in accordance with Policy GN5 of the Adopted Chorley Local Plan Review and the Conversion of Rural Buildings SPG.

17. The development hereby permitted shall not commence until full details of the colour, form and texture of the ground surfacing materials for the access road (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 No GN5 of the Adopted Chorley Borough Local Plan Review.

**(f) B.4: 06/00210/COU - Nevins Ltd, 2 Lawrence Lane, Ecclestone**

Application No : 06/00210/COU  
 Proposal : Change of use of existing shop (A1) to A3 (Restaurants, snack bars or cafes)  
 Location : Nevins Ltd 2 Lawrence Lane Ecclestone Lancashire PR7 5SJ

Decision:  
 It was proposed by Councillor Whittaker, seconded by Councillor Heaton and subsequently **RESOLVED to defer the decision to allow the Site Inspection Sub-Committee to visit the site of the proposed development.**

**(g) B.5: 06/00218/COU - Roselyn, Wigan Road, Clayton-Le-Woods**

Application No : 06/00218/COU  
 Proposal : Change of use from 10 bed residential dwelling to a special needs day school  
 Location : Roselyn Wigan Road Clayton-Le-Woods Leyland PR25 5SD

**Decision:**

It was proposed by Councillor Brownlee, seconded by Councillor Bedford to refuse planning permission on the grounds of loss of amenity to the local residents and the impact on the highways. Upon being put to the vote the motion was lost (7:13)

It was proposed by Councillor Parr, seconded by Councillor A Gee and subsequently **RESOLVED (13:7) to grant full planning permission subject to the following conditions:**

**1. The premises shall be used as a special need day school only and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).**

***Reason: To protect the amenities of local residents and in accordance with Policy No. DC1 of the Adopted Chorley Borough Local Plan Review.***

**2. No development shall take place until a scheme of landscaping including the site boundaries has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail, which may be shown on the approved plans. 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 and indicate the types and numbers of trees and shrubs to be planted within the site and along its boundaries, their distribution on site, those areas to be seeded, paved or hard landscaped; details of the play area surfacing 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.***

**3. 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.***

**4. No development hereby permitted shall be undertaken until full details of how the car parking and vehicular manoeuvring areas will be surfaced has been submitted to and approved in writing by the Local Planning Authority.**

***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 as superseded by Policy 7 of the JLSP 2001 – 2016.***

**5. Prior to the use of the premises hereby permitted being first commenced, the car park and vehicle manoeuvring areas shall be surfaced, drained and marked out all in accordance with the approved details. 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 as superseded by Policy 7 of the JLSP 2001 – 2016.***

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

***Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.***

**7. 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 the approved plans) shall have been submitted to and approved in writing by the Local Planning Authority. The property shall not be 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 No. GN5 of the Adopted Chorley Borough Local Plan Review.***

**8. The existing access onto the A49 shall be physically and permanently closed and the existing verge/footway and kerbing of the closed vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads prior to the property being used pursuant to the permission hereby granted.**

***Reason: To limit the number of access points to, and to maintain the proper construction of the highway and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.***

**9. No more than 40 pupils shall be enrolled and taught at the special needs day school hereby permitted at any one time.**

***Reason: To define the permission and in accordance with Policy Nos. DC1, TR4 and TR8 (superseded by Policy 7 of the Joint Lancashire Structure Plan 2001 – 2016) of the Adopted Chorley Borough Local Plan Review.***

**10. The tree felling pursuant to this permission shall only take place between the months of August to February inclusive.**

***Reason: to protect breeding birds and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local Plan Review.***

**11. The development hereby permitted shall be carried out in accordance with the amended plan(s), received on 19<sup>th</sup> April 2006.**

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

**12. No development shall take place until a full and detailed scheme of lighting to the car parking area has been submitted to and approved in writing by the Local Planning Authority. The scheme shall comprise of low impact lighting taking account of the proximity of the car park to the adjacent residential property and shall include full luminance details and exact specifications of the lighting to be utilised. The scheme of lighting shall only be installed in accordance with the approved details.**

***Reasons: To protect the amenities of adjacent residential properties and in accordance with Policy No. EP21A of the Adopted Chorley Borough Local Plan Review.***

**(h) B.6: 06/00252/FUL - Rema Tip Top Uk Ltd, Mill Lane, Coppull, Chorley**

**Application No :** 06/00252/FUL  
**Proposal :** Extension of existing premises and the erection of a new building  
**Location :** Rema Tip Top UK Ltd Mill Lane Coppull Chorley Lancashire

**Decision:**

It was proposed by Councillor Ball, seconded by Councillor Whittaker to defer the decision to allow the Site Inspection Sub-Committee to visit the site of the proposed development.

An amendment to the motion was proposed by Councillor Culshaw, seconded by Councillor Heaton to grant planning permission. The voting on the amendment was (9:9), the amendment was lost upon the Chairs casting vote against the amendment.

The original motion was then voted on and it was subsequently **RESOLVED (11:0) that the decision be deferred for a site visit.**

(i) **B.7: 06/00271/FUL - Coppull United Playing Field, Springfield Road, Coppull**

(Councillor Parr declared an interest in the following application and left the meeting during the discussion and voting on the proposal)

**Application No :** 06/00271/FUL  
**Proposal :** Proposed Clubroom/Function Room extension, Referee's changing room and players toilet and the erection of a mesh ball stop fence on the ground approx 80sq. metres  
**Location :** Coppull United Football Playing Field Springfield Road Coppull Lancashire

**Decision:**

It was proposed by Councillor Ball, seconded by Councillor Heaton and subsequently **RESOLVED to grant full planning permission subject to the following conditions:**

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

***Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.***

**2. All external facing materials shall match in colour, form and texture those on the existing building.**

***Reason: In the interests of the visual amenity of the area in general and the existing building in particular and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.***

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

<b>Received On:</b>	<b>Title:</b>
<b>3<sup>rd</sup> April 2006</b>	<b>Proposed Elevations</b>
<b>1<sup>st</sup> March 2006</b>	<b>Section b-b</b>
<b>1<sup>st</sup> March 2006</b>	<b>Site Plan</b>
<b>1<sup>st</sup> March 2006</b>	<b>Proposed Ground Floor Plan</b>
<b>1<sup>st</sup> March 2006</b>	<b>Existing Ground Floor Plan</b>
<b>1<sup>st</sup> March 2006</b>	<b>Existing Elevations</b>
<b>1<sup>st</sup> March 2006</b>	<b>Ball Stop Sports Fencing</b>

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

**4. The use of the resulting building as hereby permitted shall be restricted to the hours 08:00 to 23.30 Monday to Saturday and 08:00 to 22:30 on Sundays.**

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

**5. All windows in the building's north elevation 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 of the Adopted Chorley Borough Local Plan Review.**

**(j) B.8: 06/00333/FUL - Towngate Works, Dark Lane, Mawdesley, Ormskirk**

**Application No :** 06/00333/FUL

**Proposal :** Removal of condition No 8 of planning approval Ref 05/00015/FUL relating to obscure glazing in the front elevation first floor windows

**Location :** Towngate Works Dark Lane Mawdesley Ormskirk L40 2QU

**Decision:**

**It was proposed by Councillor Whittaker, seconded by Councillor Culshaw, and subsequently RESOLVED to refuse full planning permission for the following reason**

1. The proposal would result in the overlooking of adjoining residential properties to an unsatisfactory degree and this would be detrimental to residential amenity and conflict with policies GN5 and EM2 of the Adopted Chorley Borough Council Local Plan Review.

**06.DC.08 A LIST OF PLANNING APPLICATIONS DETERMINED BY THE CHIEF OFFICER UNDER DELEGATED POWERS BETWEEN 22 MARCH 2006 AND 13 APRIL 2006**

The Director of Development and Regeneration presented, for Members information, a schedule listing the remainder of the planning applications that had been determined by the Chief Officer under delegated powers between 13 March 2006 to 7 April 2006.

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

**06.DC.09 A REPORT OF THE DIRECTOR OF DEVELOPMENT AND REGENERATION ON SELECTED CASES DETERMINED FOLLOWING CONSULTATION WITH THE CHAIR AND VICE-CHAIRMAN OF THE COMMITTEE**

The Committee received for information, reports by the Director of Development and Regeneration on the following Category 'B' development proposals which had, or were intended to be, determined by the Chief Officer under the adopted scheme of delegations, following consultation with the Chair and Vice Chairman of the Committee.

Application No: 06/00037/COU

Proposal: Change of use of existing dwelling to office.

Location: 2 Mill Lane, Whittle-Le-Woods, Lancashire PR6 7LX

Decision: Full Planning Permission Granted

Application No:06/00177/CTY

Proposal: Development of materials reclamation facility to include the importation, storage, sorting and processing of construction and demolition waste materials and the subsequent screening and sale of recycled aggregate and soils.

Location: Crosse Mill Lane, Crosse Hall Street, Chorley, Lancashire

Decision: Object to LCC Reg ¾ application

Application No:06/00274/ADV

Proposal: Advertisement consent for one non-illuminated fascia sign and one non-illuminated projecting sign.

Location: The Royal Bank of Scotland, 23, Town Road, Croston, Leyland PR26 9RA

Decision: Advertising Consent

Application No: 06/00359/TEL

Proposal: Prior Notification of proposed 12m "street works" monopole with a tri-sector antenna and ground based equipment cabinet.

Location: Land 60m SW of The Minstrel Public House, Lower Burgh Way, Chorley

Decision: Prior App not reqd – Telecom

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

#### **06.DC.10 GUIDANCE FOR MEMBERS WHEN REFUSING OR RECOMMENDING APPROVAL CONTRARY TO OFFICERS RECOMMENDATION**

The Director of Development and Regeneration presented a verbal report to Members to clarify the procedure when Members are refusing or recommending approval contrary to Officer recommendations.

In each instance Members reasons have to be clear and a true planning consideration.

When Members are recommending approval and consequently need to set conditions which require officer input there are three options.

Option 1 – If Members are minded to approve. They can approach the Officer for help and advice as to what conditions could be proposed prior to the meeting so long as planning conduct is not breached.

Option 2 – The application could be approved subject to conditions to be imposed by the Director of Development and Regeneration. However this would not be in the interests of openness and would not be transparent.

Option 3 – The application be deferred to the next meeting so that appropriate conditions could be drawn up. This would not be in the interests of the applicant or the council delaying the application and having a detrimental effect on the Council's performance and consequently Planning Delivery Grant.

Members were invited to discuss the matter and options 1 and 3 were considered viable particularly as the situation rarely occurred.

The Chair stated that in his opinion, option 1 was the only realistic answer to this situation and is not really far removed from what Members are expected to do anyway. If a Member is mindful of a different decision from that which is recommended, they should already be approaching the Officer for advice.

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

Chair