

Development Control Committee

Tuesday, 30 October 2012

Present: Councillor Paul Walmsley (Chair), Councillor Dave Rogerson (Vice-Chair) and Councillors Henry Counce, John Dalton, David Dickinson, Dennis Edgerley, Christopher France, Danny Gee, Harold Heaton, Steve Holgate, Roy Lees, Greg Morgan and Geoffrey Russell

Substitutes: Councillor Robert Finnamore

Also in attendance:

Councillors: Peter Wilson, Mick Muncaster, Alison Hansford, Paul Leadbetter and Kim Snape

Officers: Jennifer Moore (Head of Planning), Chris Moister (Head of Governance), Paul Whittingham (Development Control Team Leader), Hannah Roper (Principle Planner), Matthew Banks (Planning Assistant) and Cathryn Filbin (Democratic and Member Services Officer)

12.DC.209 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Ken Ball and Jean Cronshaw.

Councillor Robert Finnamore attended the meeting as Councillor Cronshaw's substitute.

12.DC.210 MINUTES

RESOLVED – That the minutes of the Development Control Committee held on 2 October 2012 be confirmed as a correct record and signed by the Chair.

12.DC.211 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest received.

12.DC.212 PLANNING APPLICATIONS TO BE DETERMINED

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

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

- a) **Application:** 12/00741/OUTMAJ - Land surrounding Huyton Terrace, previously Baly Place Farm, Bolton Road, Adlington
- Proposal:** Outline application for residential development of up to 170 dwellings, demolition of 74 and 76 Bolton Road, formation of new access, landscaping, open space, highways and

associated works

Speakers: Objector - Amanda Richardson and Ward Councillor Peter Wilson

RESOLVED (unanimously) –

1. That outline planning permission be granted subject to the conditions detailed within report in the agenda.
2. That the Chair of the Development Control Committee write to the Minister for Communities and Local Government on behalf of the Development Control Committee strongly endorsing the letter sent by the political leaders of Chorley Council in regard to the above application, wherein they raised serious concerns at the apparent undermining of the intent of the Localism Act and the failure to implement a plan led planning system with a local agenda

Instead, as a result of recent planning Inspector decisions, Members of the Development Control Committee felt unable to consider applications in light of this Council's proposed Local Plan, with the effect that greenfield sites were being developed in advance of brownfield sites, a situation at odds with both local and national planning aspirations and stated targets.

- b) **Application:** 12/00941/OUTMAJ - Land north of Lancaster Lane and bounded by Wigan Road and Shady Lane, Lancaster Lane, Clayton-le-Woods
Proposal: Outline planning application for the development of land to the east of Wigan Road for the erection of up to 160 dwellings and associated open space with all matters reserved, save for access (resubmission of planning application: 11/01093/OUTMAJ)

Speakers: Objector – Anthony Ingham, Ward Councillor Mick Muncaster and the applicant's agent

RESOLVED (unanimously) – That the outline planning permission be granted subject to a Unilateral Undertaking relating to education contribution and highway works, a Section 106 Legal Agreement and conditions detailed within the report in the agenda and the additional and amended conditions detailed within the addendum.

- c) **Application:** 12/00655/FUL - 10 Blacksmith Walks, Buckshaw Village, Chorley
Proposal: Retrospective application for conversion of garage to habitable room (including permanent closure and incorporation of former pedestrian access pathway adjacent to garage from Blacksmith Walks to rear parking area into the habitable accommodation of the dwelling)

Speakers: Objector - Rachel Hodgson and supporter - Frank Washford

RESOLVED (8:7:0) – That retrospective planning permission be refused, due to the adverse impact on neighbour amenity, with the drafting of the

reason for refusal being delegated to the Director of Partnerships, Planning and Policy in consultation with the Chair and Vice Chair.

- d) **Application:** 12/00802/FUL - The Brook House, Barmskin Lane, Heskin, Chorley **Proposal:** Proposed change of use of former public house to dwelling with side and rear extensions and front porch and erection of garage/store/gym building

The planning application had been withdrawn prior to the Committee meeting.

- e) **Application:** 12/00037/FUL - South Miry Fold Farm, Briers Brow, Wheelton **Proposal:** Section 73 application to vary the approved plans from the application 08/00934/FUL to include: 2 additional garage doors to the west elevation of previously approved garage; first floor extension above existing ground floor office to form additional bedroom; first floor side facing window in west elevation to serve bedroom 4; first floor side facing window in east elevation to serve bedroom 3 and; additional hardstanding to link existing access to proposed garage doors.

Speakers: Ward Councillor Alison Hansford, and the applicant's agent

RESONVED (12:1:1) - That the Section 73 application to vary the approved plans from the application 08/00934/FUL as detailed within the report be approved subject to the conditions detailed within the report in the agenda.

- f) **Application:** 12/00787/REMAJ - Land north east of Buckshaw Hall and bounded by Buckshaw Avenue and Ordnance Road, Buckshaw Village, Chorley **Proposal:** Proposed residential development comprising 82 dwellings and associated works

Speaker: applicant.

RESOLVED (unanimously) – That the reserved matters application be approved subject to the conditions detailed within the report in the agenda.

(At this point Councillor Fynamore left the room for the remainder of the meeting.)

- g) **Application:** 12/00842/FULMAJ - Duxbury Park Myles, Standish Way, Chorley **Proposal:** Application to vary conditions 1, 4 (approved plans) and 9 (site levels) in respect of plots 2, 30-52, 63, 64, 132-134 (including reduction in the number of dwellings and the repositioning of the gated access) of planning approval 12/00269/REMAJ

RESOLVED (unanimously) – That full planning permission be granted subject to a Section 106 Legal Agreement and the conditions detailed within the report in the agenda.

- h) Application:** 12/00797/FUL - Higher Wheelton Methodist Church, Blackburn Road, Higher Wheelton **Proposal:** Retrospective application for the erection of a detached dwelling with amendments to the previously approved scheme 11/00970/FUL. The amendments comprise an increase in the ridge height of 0.7m; insertion of three roof lights to the rear roof slope and insertion of one second floor window to each side elevation

RESOLVED (unanimously) – That that wording for the reason for refusal be approved.

12.DC.213 ENFORCEMENT REPORT

The Director of Partnership, Planning and Policy submitted a report regarding the change of use of a car workshop located at 286 The Green, Eccleston, Chorley, which sought Members instruction as to whether it was felt expedient to take enforcement action to impose conditions governing the use of the site.

RESOLVED (12:0:1) – That it was expedient to use an Enforcement Notice under Section 172 of the Town and County Planning Act 1990 for the reasons detailed within the report.

12.DC.214 ENFORCEMENT REPORT

The Director of Partnerships, Planning and Policy submitted an enforcement report regarding 345 Blackburn Road, Higher Wheelton, Chorley, which sought Members instruction as to whether it was felt expedient to serve an enforcement notice to remedy the harm caused to the character of the area by the unauthorised development.

RESOLVED (unanimously) –

- 1. That it was felt expedient to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 for the reason detailed within the report.**
- 2. That the Council's Head of Governance be consulted prior to the service of the notice.**

12.DC.215 PLANNING APPEALS AND DECISIONS

The Director of Partnerships, Planning and Policy submitted a report which detailed notifications from the Planning Inspectorate of one planning appeal that had been lodged with them, one planning appeal that had been dismissed, one planning appeal which had been allowed and an enforcement appeal which had been withdrawn.

12.DC.216 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 grounds that it involved the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A to the Local Government Act 1972.

12.DC.217 ENFORCEMENT UPDATE

RESOLVED (Unanimously) – That the two officer recommendations detailed within the report be approved.

Chair