

DEVELOPMENT CONTROL COMMITTEE

24 MAY 2005

Present: Councillor A Lowe (Chair), Councillor Parr (Vice-Chair), Councillors Ball, Bedford, Bell, Birchall, Brown, Counce, Culshaw, Davies, David Dickinson, Edgerley, D Gee, T Gray, Heaton, Miss Iddon, Livesey, Malpas, Miss Molyneaux, Morgan, Russell, Mrs J Snape and Whittaker.

Also in attendance: Councillor Cullens

05.DC.33 WELCOME TO NEW MEMBERS

The Chair welcomed Members and Officers to the first meeting of the Committee in the 2005/06 municipal year and introduced Councillor Morgan who was attending his first meeting of the Committee.

05.DC.34 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Brownlee, R Lees, S Smith and Snow.

05.DC.35 DECLARATION OF PERSONAL/PREJUDICIAL INTERESTS

There were no declarations of personal/prejudicial interests by Members in any of the planning applications or other agenda items for consideration at the meeting.

05.DC.36 MINUTES

RESOLVED - That the minutes of the meeting of the Development Control Committee held on 26 April 2005 be confirmed as a correct record and signed by the Chair.

05.DC.37 PLANNING APPEALS AND DECISIONS - NOTIFICATION

The Committee received a report of the Head of Planning Services giving notification of the lodging of appeals against the refusal of planning permission for three development; four appeals dismissed by the Planning Inspectorate; and five instances where planning permission had been granted by the Lancashire County Council.

RESOLVED - That the report be noted.

05.DC.38 PLANNING APPLICATIONS AWAITING DECISIONS

The Head of Planning Services 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:

Application No: 05/00279/OUTMAJ
Proposal: Outline application for the creation of a 75 unit Leisure

Village adjacent to existing 'Spanish Village' and Theme Park (Application submitted under Section 73 to vary Condition 1 of Planning Permission 9/99/00905/OUT to allow for an additional three years for the submission of the Reserved Matters).

Location: Land adjacent to and to the rear of Camelot Theme Park and Park Hall, Park Hall Road, Charnock Richard.
Decision: Permission.

Conditions:

1. Submission of Reserved Matters.
2. Before the development hereby permitted is first commenced, the A49/Mill Lane Junction shall be improved by provision of a roundabout, the details of which shall be prior agreed in writing with the Council as Local Planning Authority.

Reason: In the interests of highway safety.

3. Landscaping Scheme.
4. Landscaping Implementation
5. Levels to be submitted.
6. 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 No. GN5 of the Adopted Chorley Borough Local Plan Review.

7. The approved plans are:

Plan Ref	Received On:	Title:
DBC72/011	21/03/2000	Existing Land Use
DBC72/010/02	21/03/2000	Site Layout

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

8. Concurrent with the submission for approval of any reserved matter there shall be submitted to the Council as Local Planning Authority a scheme of foul and surface water drainage for the development site and the adjoining Park Hall/Camelot complex (including the results of further drainage and topographical survey work and a detailed review of existing pumping stations) in accordance with the Drainage Report referenced 20720-R02(01) and dated 15 January 2001. No development shall take place until such time as a scheme of foul and surface water drainage for the development site and the adjoining Park Hall/Camelot complex has been approved in writing by the Council as Local Planning Authority. No part of the development hereby permitted shall be occupied until such time as the approved scheme of foul and surface water drainage for the development site and the adjoining Park Hall/Camelot complex has been fully implemented.

Reason: In the interests of the proper drainage of the site and to avoid an increased risk of watercourse flooding and local sewers surcharging.

9. Prior to the commencement of the development a 'Green Commuter/Travel Plan' for the Park Hall/Camelot complex shall have been submitted to and approved in writing by the Council as Local Planning Authority. The 'Green Commuter/Travel Plan' should set out those proposals to be implemented in the coming year to reduce the proportion of all trips to the complex (by staff and visitors) which are made by private car and to specifically encourage the proportion of trips made by other modes of travel. No later than 1 January on each of the following three years further 'Green Commuter/Travel Plans' shall be submitted to and approved in writing by the Council as Local Planning Authority.

These Plans to include proposals as outlined above and monitoring information to indicate the extent to which travel patterns have been influenced.

Reason: To encourage modes of travel other than the private car.

10. Prior to the commencement of the development a scheme detailing the re-distribution of existing tipped material shall have been submitted to and approved in writing by Council as Local Planning Authority. The material, thereafter, to only be re-distributed in accordance with the approved scheme.

Reason: In the interest of visual amenity.

11. All of the units of holiday accommodation hereby permitted shall remain unoccupied for a minimum continuous period of one week in every calendar year and no person(s) shall occupy any of the units for a continuous period of more than six weeks.

Reason: The development is not located in an area appropriate for permanent residential occupation.

12. Prior to the commencement of the development hereby permitted a report on the nature conservation value of the existing ponds within and immediately adjoining the site shall have been submitted to and approved in writing by the Local Planning Authority. The report shall have been prepared in accordance with the Lancashire Pond Biodiversity Survey Methodology and include proposals for retention and management of the pond environment. The ponds shall thereafter be managed in accordance with the approved management plan.

Reason: In the interests of nature conservation.

Application No: 05/00355/FULMAJ
Proposal: Erection of office unit comprising of two floors of office space, associated storage and services provision.
Location: NIS Building, Common Bank Industrial Estate, Ackhurst Road, Chorley.
Decision: Permission
Conditions:

1. Levels to be submitted.
2. Landscaping Scheme.
3. Landscaping Implementation.
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 No GN5 of the Adopted Chorley Borough Local Plan Review.

5. Submission of Car Park Details.
6. Prior to the commencement of the development a 'Green Commuter/Travel Plan' for the existing and proposed buildings shall have been submitted to and approved in writing by the Council as Local Planning Authority. The 'Green Commuter/Travel Plan' should set out those proposals to be implemented in the coming year to reduce the proportion of all trips to the complex (by staff and visitors) which are made by private car and to specifically encourage the proportion of trips made by other modes of travel. No later than 1 January on each of the following five years further 'Green Commuter/Travel Plans' shall be submitted to and approved in writing by the Council as Local Planning Authority. These Plans to include proposals as outlined above and monitoring information to indicate the extent to which travel patterns have been influenced.

Reason: To encourage modes of travel other than the private car and in accordance with policies TR1, TR4 and TR7.

Application No: 05/00301/FUL
Proposal: Formation of hardstanding and retention of previously constructed earth bund.
Location: South Miry Fold Farm, Briers Brow, Wheelton.
Decision: Refuse.

Reasons:

1. The development is contrary to policy DC1 of the Adopted Borough Local Plan Review and the provisions of Planning Policy Guidance Note No.2 Green Belts in that, upon land allocated as Green Belt on the Proposals Map to the Local Plan, the parking and storage of vehicles, plant and machinery together with the storage of agricultural materials on the intended hardstanding would represent a significant and undesirable intrusion into prominent open land in the countryside located adjacent to a public right of way. These uses of the land are considered inappropriate in the context of the Green Belt and would impinge upon its openness and result in an unacceptable encroachment into a countryside area. To allow the development of the land under these circumstances would create an unwarranted precedent for similar uses of land in the Green Belt, which the Local Planning Authority would find difficult to resist.
2. The creation of an earth bund adjacent to the proposed hardstanding creates an alien and unnatural man-made feature in the landscape which does not adhere to the inherent local topography and as such would be contrary to the character of the Green Belt, which seeks to preserve natural landscape. As such, this element of the proposal is contrary to policy DC1 of the Adopted Chorley Borough Local Plan Review and the provisions of Planning Policy Guidance Note No.1.

Application No: 05/00358/FUL
Proposal: Retrospective application for permission for first floor rear extension.

Location: 55 The Asshawes, Heath Charnock.

It was moved by Councillor Davies that the application be granted planning permission, but the motion was not seconded.

It was further moved by Councillor Miss Molyneaux, seconded by Councillor Ball, that consideration of the application be deferred to allow the Site Inspection Sub-Committee to visit the site and submit their recommendations to a future meeting of the Committee. The motion was put to the vote and lost (3-15).

It was further moved, seconded and subsequently **RESOLVED** that permission be refused for the following reason:

The proposed extension is contrary to the Council's approved House Extension Design Guidelines and Policy HS9 of the Adopted Chorley Borough Local Plan Review by reason of its design and external appearance. The proposed extension is poorly related visually to the existing dwelling and is detrimental to the street scene and the area as a whole.

Application No: 05/00360/FUL
Proposal: Removal of existing 02 monopole to be replaced with a 20.4m lattice tower to accommodate existing 02 equipment, six Vodafone antennas, two transmission dishes and associated equipment.

Location: Telecommunications Mast, Greenlands Lane, Anderton.

Decision: Permission.

Condition:

1. The existing redundant telecommunication equipment on the site shall be removed within one month of the telecommunication equipment hereby approved being brought on line. The adjacent unauthorised Vodafone monopole telecommunications mast and equipment, subject to planning application

9/04/01241/FUL, shall be removed immediately. The existing mast to be removed as part of this application is shown on the attached map reference 9002 B marked Mast 1 and the adjacent mast to be removed immediately is shown on the attached map marked as Mast 2.

Reason: In the interests of visual amenities of the area and in accordance with Policy PS12 of the Adopted Chorley Local Plan Review 2003.

05.DC.39 PLANNING APPLICATIONS DETERMINED BY THE HEAD OF PLANNING SERVICES UNDER DELEGATED POWER

(a) Selected Development Proposals

The Committee received, for information, reports by the Head of Planning Services on the following former Category 'B' development proposals, which had been, or were intended to be, determined by the Chief Officer under the adopted scheme of delegations, following consultation with the Chair and Vice-Chair of the Committee.

Application No: 05/00287/REM
Proposal: Reserved Matters application for the erection of a two storey residential dwelling and detached double garage.
Location: Quaker Brook Substation, Hoghton Lane, Hoghton.
Decision: Conditional permission.

Application No: 05/00351/TEL
Proposal: Prior notification of a 12m high pole supporting three antennas within a glass reinforced plastic shroud and single associated equipment cabinet.
Location: Land adjacent to Dawson Lane/Preston Road, Whittle-le-Woods.
Decision: Prior approval not required.

Application No: 05/00385/FUL
Proposal: Upgrade of existing mobile phone mast from 17.5m to 22.5m, and installation of antennae and transmission dish.
Location: Mast at Oaktree Lodge, Runshaw Lane, Euxton.
Decision: Conditional Permission.

RESOLVED - That the report be noted.

(b) Schedule of Applications

The Head of Planning Services presented, for Members information, a schedule listing the remainder of the planning applications which had been determined by the Chief Officer under his delegated powers between 14 April and 11 May 2005.

RESOLVED - That the schedule be noted.

05.DC.40 ENFORCEMENT ITEMS

(a) Land at South Miry Fold Farm, Briers Brow, Wheelton - Construction of Hardstanding and Mound

The Head of Planning Services presented a report recommending the instigation of enforcement proceedings to secure the removal of material deposited on land at South Miry Fold Farm, Briers Brow, Wheelton to

construct a hardstanding and mound, subsequent to the Committee's refusal of planning permission for the development earlier in the meeting. The Committee accepted that the hardstanding and mound were not essential to the existing use of the farm and that the inappropriate development would impinge on and detract from the character and appearance of the Green Belt.

RESOLVED - (1) That it is expedient to institute enforcement proceedings under Section 172 of the Town and Country Planning Act, 1990 in respect of the following breaches of planning control:

- (a) the deposit of hardcore to form a hardstanding upon land at South Miry Fold Farm, Briers Brow, Wheelton identified on the plan attached to the submitted report; and**
- (b) the formation of an earth bund on the land**

(2) That the Director of Legal Services be authorised to issue an Enforcement Notice in the following terms:

(a) Remedy for Breach:

- (i) Remove the hardcore from the land;**
- (ii) Excavate and remove the bund from the land.**

(b) Period for Compliance

Three months.

(c) Reasons for issue of Enforcement Notice

The development is contrary to Policy DC1 of the Adopted Chorley Borough Local Plan Review and the provisions of Planning Policy Guidance Note No. 2 'Green Belts' in that on this site which is allocated as land within the Green Belt upon the proposals Map to the Local Plan Review, the parking and storage of vehicles, plant and machinery together with the storage of agricultural materials upon the intended hardstanding would represent a significant visual intrusion upon prominent open land in the countryside adjacent to a public right of way. This resultant use of the hardstanding is considered to be an inappropriate one in the Green Belt that would be harmful to the character of the Green Belt, impinge upon its openness and result in an unwarranted encroachment into a countryside area. To allow the development under these circumstances would create an unwarranted precedent for similar uses of land in the Green Belt, which the Local Planning Authority would find difficult to resist.

Furthermore, the creation of the earth bund creates an alien and unnatural man-made feature in the landscape which does not adhere to the inherent local topography and as such would be contrary to the character of the Green Belt which seeks to preserve natural landscape.

(b) First Floor Rear Extension, 55 The Asshawes, Heath Charnock

The Committee considered a report of the Head of Planning Services recommending the instigation of enforcement proceedings to secure the demolition of the first floor rear extension constructed at 55 The Asshawes, Heath Charnock as a consequence of the Committee's earlier refusal of retrospective planning permission for the development.

RESOLVED - (1) That it is expedient to institute enforcement proceedings under Section 172 of the Town and Country Planning Act 1990 in respect of the unauthorised erection of a first floor extension at 55 The Asshawes, Heath Charnock.

(2) That the Director of Legal Services be authorised to issue an Enforcement Notice in the following terms:

(a) Remedy for Breach:

Demolish the first floor extension and remove the materials used in its construction from the site.

(b) Period for Compliance

Three months.

(c) Reason for issue of Enforcement Notice:

The proposed extension is contrary to the Council's approved House Extension Design Guidelines and Policy HS9 of the Adopted Chorley Borough Local Plan Review by reason of its design and external appearance. The proposed extension is poorly related visually to the existing dwelling and is detrimental to the street scene and the area as a whole.

Chair