

# Development Control Committee

**Tuesday, 23 April 2013**

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

**Substitutes:** Councillor Alison Hansford

**Also in attendance:**

**Councillors:** Doreen Dickinson, Keith Iddon, Paul Leadbetter and Mick Muncaster

**Officers:** Jennifer Moore (Head of Planning), Paul Whittingham (Development Control Team Leader), Alex Jackson (Senior Lawyer), Iain Crossland (Planning Assistant) and Cathryn Filbin (Democratic and Member Services Officer)

## **13.DC.26 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillor Greg Morgan. Councillor Alison Hansford attended the meeting as Councillor Morgan's substitute.

## **13.DC.27 MINUTES**

**RESOLVED - That the minutes of the Development Control Committee held on 26 March 2013 be confirmed as a correct record and signed by the Chair.**

Members of the Development Control Committee were advised that Lancashire County Council had changed its policy on education contributions and the way they were calculated. Therefore the Section 106 legal agreement for planning permission approved 12/01081/FULMAJ, Cypress Close, Clayton-le-Woods relating to education contribution had been removed as the Council can no longer claim this contribution.

## **13.DC.28 DECLARATIONS OF ANY INTERESTS**

There were no declarations of any interest submitted.

## **13.DC.29 PLANNING APPLICATIONS TO BE DETERMINED**

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

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:** 13/00168/FUL - Naylor & Walkden, Hatton House, 15 Hatton Street, Adlington, Chorley **Proposal:** Change of use of an existing vacant office building to a Bed & Breakfast Guest House (Use Class C1) with proprietor's accommodation.

**Speakers:** Objector – Glyn Hughes, Ward Councillor - Graham Dunn, and the applicant's agent.

**RESOLVED (8:4:2) – That the decision be deferred to allow Members of the Development Control Committee time to visit the site of the proposed development.**

- b) **Application:** 13/00138/REMAJ - Land South of Cuerden Farm and Woodcocks Farm and land north of Caton Drive, Wigan Road, Clayton-le-Woods **Proposal:** Reserved matters application pursuant to outline planning permission 11/01085/OUTMAJ for the erection of 294 dwellings, associated highways infrastructure, car parking and pedestrian / cycle routes, formal and informal open space provision and associated works.

**Speakers:** Objector – Stuart Smith, Ward Councillor – Mick Muncaster, and the applicant's agent.

**RESOLVED (unanimously) – That full planning permission be granted subject to the conditions detailed within the addendum, the removal of permitted development rights for those properties that were identified as part of the Committee debate and fronting Wigan Road and an additional condition regarding the drainage maintenance to ensure that the ditches remain un-impeded.**

- c) **Application:** 13/00062/FULMAJ - Burrows (Grass Machinery) Limited, Wigan Road, Clayton-le-Woods, Leyland, PR25 5SD **Proposal:** Erection of 14 no. detached two and a half storey dwellings, associated garaging and infrastructure

**Speakers:** Ward Councillor – Mick Muncaster, and the applicant.

**RESOLVED (11:0:3) – That planning permission be approved subject to a Section 106 legal agreement and the conditions detailed within the report in the agenda and the amended conditions in the addendum.**

- d) **Application:** 13/00202/FUL - Home Farm, Grape Lane, Croston, Leyland PR26 9HB **Proposal:** New agricultural dwellinghouse

**Speakers:** Supporter – Keith Iddon and the applicant's agent Tony Lang

A vote on the proposal for a site visit was lost (5:8:1).

**RESOLVED (8:5:1) – That planning permission be refused as the proposed development would be located within the Green Belt as defined by the adopted Chorley Borough Local Plan Review (2003) where planning permission would not be given except in very special circumstances. Members of the Development Control Committee did not consider there to**

**be sufficient agricultural or other very special circumstances to justify the erection of a dwelling.**

- e) **Application:** 13/00203/FULMAJ - **Proposal:** Section 73 application to vary condition 4 (approved plans) and condition 37 (implementation of approved landscaping scheme) attached to planning approval 12/00911/FULMAJ to allow for amendments to the planting scheme and the timescale for planting the western landscape buffer associated with Plot B  
Unit 7 and 9 Revolution Park,  
Buckshaw Avenue, Buckshaw  
Village, Chorley

**Speaker:** Applicant's agent.

**RESOLVED (unanimously) – That planning permission be approved subject to the conditions detailed within the report in the agenda and the amended condition detailed in the addendum.**

- f) **Application:** 13/00076/OUTMAJ - **Proposal:** Application for a new planning permission to replace the extant outline planning permission no. 09/00033/OUTMAJ (which permitted the demolition of the existing building and erection of a 4 storey apartment building providing 28 one and two bed roomed apartments with associated car parking) in order to extend time limit for implementation  
Hospital Car Park, Preston Road,  
Chorley

**RESOLVED (unanimously) – That planning permission be approved subject to a Section 106 legal agreement and the conditions detailed within the report in the agenda and an additional condition detailed within the addendum.**

- g) **Application:** 13/00166/FUL - **Proposal:** Application to extend the temporary permission for the use of the site as a hospital car park for a 3 year period  
Hospital Car Park, Preston Road,  
Chorley

**RESOLVED (unanimously) – That planning permission be approved subject to the conditions detailed within the report in the agenda.**

- h) **Application:** 13/00072/FUL - **Proposal:** Change of use from Visitors Centre (sui generis) to a mixed use of Visitors Centre (sui generis) and A3 cafe, erection of a canopy to front entrance (4m x 2.5m) and additional flagged area to south and west elevations with drainage to perimeter to be connected to existing surface water system  
Visitors Centre, Yarrow Valley  
Country Park, Birkacre Road,  
Chorley, PR7 3RN

**RESOLVED (unanimously) – That planning permission be granted subject to the conditions detailed within the report in the agenda.**

### **13.DC.30 ENFORCEMENT REPORT**

The Director of Partnerships, Planning and Policy submitted a report regarding land to the rear of 125 Rawlinson Lane, Heath Charnock, Chorley which sought Members instruction as to whether it was felt expedient to issue an enforcement notice in respect of a breach of planning control in that without permission there had been a change of use of the land from an agricultural use to domestic curtilage.

**RESOLVED (unanimously) – That it was expedient to issue an enforcement notice under Section 171A(1) of the Town and Country Planning Act 1990 in respect of the breach of planning control as the proposed development would be detrimental to the character and appearance of the green belt and would be prejudicial to the purpose of the green belt in terms of encroachment into the countryside, contrary to Policy DC1 of the Adopted Chorley Borough Local Plan Review and Paragraph 80 National Planning Policy Framework.**

### **13.DC.31 PROPOSED SUPPLEMENTAL PLANNING OBLIGATION**

The Director of Partnerships, Planning and Policy submitted a report regarding the non-compliance of planning conditions relating to the approved planning permission reference 00/00492/FUL, land adjacent to Hurst Green/Chapel Lane, Coppull. Members of the Committee were asked to consider whether it was necessary to take enforcement action against conditions numbered 15, 16, 22 or 24.

**RESOLVED (unanimously) – That the Council would not enforce against the non-compliance of conditions 15, 16, 22 and 24 of the planning permission reference 00/00492/FUL and instead enter into an supplemental Section 106 agreement that effectively removed the obligation on the developer to lay out an equipped play area and instead pay a commuted sum of £25,000 to the Play and Recreation Fund that would be allocated across the borough and in addition a commuted sum of £11,892 as a maintenance contribution for the POS defined as recreation land in the original agreement.**

### **13.DC.32 PLANNING APPEALS AND DECISIONS**

The Director of Partnerships, Planning and Policy submitted a report which gave notice of one enforcement appeal that had been lodged with the Planning Inspectorate.

Chair