

Development Control Committee

Tuesday, 17 October 2006

Present: Councillor David Dickinson (Vice-Chair in the Chair), Councillors Kenneth Ball, Thomas Bedford, Eric Bell, Francis Culshaw, Alan Cain, Henry Counce, Dennis Edgerley, Daniel Gee, Roy Lees, Adrian Lowe, Miss June Molyneaux, Geoffrey Russell, Ralph Snape and Christopher Snow

Officers: Jane Meek (Director of Development and Regeneration), Wendy Gudger (Development Control Manager), Rosaleen Brown (Senior Solicitor), Mark Moore (Principal Planning Officer), Dianne Scambler (Trainee Democratic Services Officer) and Caron Taylor (Planning Officer)

Also in attendance: Councillors Doreen Dickinson (Chorley Borough Councillor For Lostock Ward), Miss Margaret Iddon (Chorley Borough Council for Lostock Ward) and Mrs Iris Smith (Chorley Borough Council for Wheelton and Withnell Ward)

06.DC.63 INTRODUCTIONS AND EXPLANATION OF PROCEDURES

One of the items on the agenda had resulted in the attendance of over 60 members of the public to the meeting. For this reason the Chair introduced himself and the officers, with a special mention to Mark Moores who is the new Principal Planning Officer and was attending his first Development Control Committee meeting.

The Chair also outlined Committee procedures and announced that planning application 06/00892/COUMAJ would now be taken as the first item under item 5.

06.DC.64 APOLOGIES FOR ABSENCE

Apologies for absence were received by Councillors Harold Heaton (Chair) and Shaun Smith,

06.DC.65 DECLARATIONS OF ANY INTERESTS

No declarations of interest were declared.

06.DC.66 MINUTES

RESOLVED – That the meeting of the Development Control Committee held on 26 September 2006 be confirmed as a correct record and signed by the Chair.

06.DC.67 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 under item 5, be determined in accordance with the Committee's decisions as recorded below.

(a) A3:06/00892/COUMAJ - Long Fold Farm, North Road, Bretherton

Application No:06/00892/COUMAJ

Proposal: Change of use of a agricultural land to a taxiway for Microlights (below 450kg) and Very Light Aircraft (below 600kg), access from North Road, Bretherton, retention of a portacabin for office/toilet facilities and car parking (the rest of the development is within South Ribble Borough).

Location: Long Fold Farm, North Road, Bretherton.

Decision:

It was proposed by Councillor Francis Culshaw, seconded by Councillor Eric Bell 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 Adrian Lowe, seconded by Councillor Daniel Gee, and subsequently **RESOLVED (11:2) to refuse planning permission for the following reasons:**

1. The proposed development would be located in the Green Belt as defined by Policy 6 and Map 4 of the adopted Joint Lancashire Structure Plan and by the Proposals Map of the adopted Chorley Borough Local Plan Review. It is considered that the necessary upgrading of the access would alter the character of North Road and therefore have a detrimental impact on the visual amenity of the Green Belt. The proposals are therefore contrary to PPG2: Green Belts, Policy 6 of the adopted Joint Lancashire Structure Plan and Policy DC1 of the adopted Chorley Borough Local Plan Review.

2. Due to its form and design the portacabin is incongruous within the rural area and therefore it is unacceptable to be sited on a longterm basis at the site. It is therefore inappropriate development in the Green Belt and contrary to PPG2: Green Belts and Policy DC1 of the adopted Chorley Borough Local Plan Review.

06.DC.68 PLANNING APPEALS AND DECISIONS - NOTIFICATION

The Committee received a report of the Director of Development and Regeneration giving notification of four appeals that had been lodged against the refusal of planning permission, two appeals that had been dismissed and three appeals that had been allowed by the planning inspectorate.

RESOLVED – That the report be noted.

06.DC.69 PLANNING APPLICATIONS AWAITING DECISIONS

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 under item 5, be determined in accordance with the Committee's decisions as recorded below.

(a) A1:06/00674/REMMAJ - Site 4, Buckshaw Village, Euxton

Application No:06/00674/REMMAJ

Proposal: Reserved Matters Application for the erection of 21,563 Sq m building for B2/B8 use with ancillary parking areas and landscaping.

Location: Site 4, Buckshaw Avenue, Buckshaw Village, Euxton.

Decision:

It was proposed by Councillor Dennis Edgerley, seconded by Councillor Adrian Lowe, and subsequently **RESOLVED to grant the reserved matters application 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. The approved plans are, unless otherwise agreed in writing by the Local Planning Authority:

Plan Ref.	Received On:	Title:
1224-PL401B GA	28 th September 2006	Warehouse
1224-PL400A	5 th September 2006	Masterplan
1224-PL402A	18 th August 2006	Proposed Elevations
1224-PL403 First Floor Office Plans	17 th August 2006	Ground and
1224-PL404 Plan	17 th August 2006	SF Office
1224-PL405 Elevations and Sections	17 th August 2006	Detailed
1224-PL406 Site Sections and Elevations	17 th August 2006	Proposed
1224-PL407 Sections	17 th August 2006	Warehouse

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

3. 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 EM2 of the Adopted Chorley Borough Local Plan Review.

4. 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 previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land 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 Nos. GN5 and EM2 of the Adopted Chorley Borough Local Plan Review.

5. Before the development hereby permitted is first commenced full details of lighting proposals for 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, to prevent light pollution, in the interests of public safety and crime prevention and in accordance with Policy Nos. GN5, EM2 and EP21A of the Adopted Chorley Borough Local Plan Review.

6. Prior to the first use of the development hereby permitted, a Business Travel Plan shall be submitted to and approved in writing by, the local planning authority. The measures in the agreed Travel Plan shall then thereafter be complied with unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the number of car borne trips and to encourage the use of public transport and to accord with Policies TR1 and TR4 of the Adopted Chorley Borough Local Plan Review.

7. 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.

8. 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 Policies GN5 and EM2 of the Adopted Chorley Borough Local Plan Review.

9. 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 Policies GN5 and EM2 of the Adopted Chorley Borough Local Plan Review.

10. 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 and EM2 of the Adopted Chorley Borough Local Plan Review.

11. 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 EM2 of the Adopted Chorley Borough Local Plan Review.

12. *Before the development hereby permitted is first occupied, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. 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.

13. **Before the development hereby permitted is first occupied details of the cycle parking provision shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking provision shall be in accordance with the approved details.**

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.

(b) A2:06/00846/FULMAJ - Land at Rear of 139 - 157, School Lane, Brinscall

Application No:06/00846/FULMAJ

Proposal: Change of use of existing informal kick-around space (located to the rear of Brinscall St John's Primary School) into a new 11 side football playing pitch.

Location: Land sat Rear of 139 to 157 School Lane, Brinscall

Decision:

It was proposed by Councillor Dennis Edgerley, seconded by Councillor Adrian Lowe and subsequently **RESOLVED to grant 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. Before the development hereby permitted is first commenced full details of existing and proposed ground levels (all relative to ground levels adjoining the football pitch) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on the approved plans. 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 No. GN5 of the Adopted Chorley Borough Local Plan Review.

3. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system restricting surface water runoff to existing rates has been submitted to and approved in writing by the Local Planning Authority in conjunction with the Environment Agency. The scheme shall be fully completed in accordance with the approved details prior to first use of the football pitch and retained at all times thereafter.

Reason: To reduce the increased risk of flooding and in accordance with Policy No. EP18 of the Adopted Chorley Borough Local Plan Review.

4. The development hereby permitted shall not commence until full details of the upgrade works to the pedestrian site access from School Lane (notwithstanding any such detail shown on the approved plans) have been submitted to and approved in writing by the Local Planning Authority. The access upgrade works 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.*

5. No vehicular access shall be permitted to the site via the existing access between 157B and 159 School Lane other than for maintenance vehicles associated with the football pitch. The access shall only be used by pedestrians.

Reason: *In the interests of highway safety and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.*

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without modification), no fences, walls, means of enclosure or external illumination shall be erected on any part of the site.

Reason: *To protect the open and rural character of the Green Belt and in accordance with Policy DC1 of the Adopted Chorley Borough Local Plan Review.*

(c) B1:06/00598/FUL - 10, Dark Lane, Whittle-Le-Woods

Application No:06/00598/FUL

Proposal: Remove existing external wall and construct replacement three storey dwelling with attached single storey garage (amendment to previous approval).

Location: 10, Dark Lane, Whittle-Le-Woods, Lancashire

Decision:

It was proposed by Councillor Thomas Bedford, seconded by Councillor Eric Bell 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. 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 and DC8A of the Adopted Chorley Borough Local Plan Review.*

3. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

Reason: *To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and DC8A of the Adopted Chorley Borough Local Plan Review.*

4. All windows in the 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 No. DC8A of the Adopted Chorley Borough Local Plan Review.*

(d) B2:06/00809/FUL - Elmhurst Farm, 208, Preston Road, Coppull, Chorley

Application No:06/00809/FUL

Proposal: Two Free Range Poultry Houses 36.380m x 15.850m.

Location: Elmhurst Farm, 208, Preston Road, Coppull

Decision:

It was proposed by Councillor Dennis Edgerley, seconded by Councillor Adrian Lowe 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. 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.

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. 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 No. GN5 of the Adopted Chorley Borough Local Plan Review.

5. 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.

6. The development hereby permitted shall only be carried out in accordance with the proposals contained within the Amphibian Mitigation Method Statement prepared by Contract Ecology and Landscapes dated September 2006.

Reason: To ensure the protection of Great Crested Newts and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local Plan Review.

(e) **B3:06/00915/FUL - Bramblewood Nursery, Wigan Lane, Heath Charnock**

Application No: 06/00915/FUL

Proposal: Retrospective Planning Application for the erection of 2 no. Horticultural polytunnels and 1 no above ground water storage tank.

Location: Bramblewood Nursery, Wigan Lane, Heath Charnock.

Decision:

It was proposed by Councillor Adrian Lowe, seconded by Councillor Ken Ball, and subsequently **RESOLVED to grant the retrospective planning application subject to the following conditions:**

1. Within two months of the date of the permission hereby granted, a scheme of landscaping to screen the polytunnels shall have 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 Nos. DC1 and GN5 of the Adopted Chorley Borough Local Plan Review.

2. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in full within one month of the date of the written approval by the Local Planning Authority of the said landscaping scheme 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 Nos. DC1 and GN5 of the Adopted Chorley Borough Local Plan Review.

(f) **D1:06/00838/FUL - Buildings at base of chimney, Withnell Fold Mill, Withnell Fold, Withnell**

Application No: 06/00915/FUL

Proposal: Proposed additional floor above existing ground floor building, with existing approval for office use.

Location: Buildings at base of Chimney, Withnell Fold Mill, Withnell Fold, Withnell

Decision:

It was proposed by Councillor Eric Bell, seconded by Councillor Ralph Snape, to defer the decision to allow the Site Inspection Sub-Committee to visit the site of the development and make a recommendation to this Committee.

An amendment to the motion was proposed by Councillor Adrian Lowe, seconded by Councillor Dennis Edgerley, to refuse planning permission for the reasons set out in the officers report. Upon being put to the vote the motion was lost (6:8). The previous motion was then voted on and it was subsequently **RESOLVED (8:6) to defer the decision for a site visit.**

06.DC.70 REPORTS OF THE DIRECTOR OF DEVELOPMENT AND REGENERATION ON SELECTED CASES DETERMINED, FOLLOWING CONSULTATION WITH THE CHAIR AND VICE-CHAIR 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-Chair of the Committee.

Application No: 06/00863/TPO
Proposal: Crown Lifting of 1 Oak Tree, removal of deadwood from 1 Oak Tree covered by TPO 9 (Whittle-Le-Woods) 1987 and felling of 1 Sycamore Tree covered by TPO 3 (Whittle-Le-Woods) 2000.
Location: Dunscar, Shaw Hill, Whittle-Le-Woods
Decision: Consent for Tree Works

Application No: 06/00962/FUL
Proposal: Erection of Single Storey Kitchen Extension to rear.
Location: 174, Preston Road, Whittle-Le-Woods
Decision: Full Planning Permission Granted.

RESOLVED – That the reports be noted.

06.DC.71 A LIST OF PLANNING APPLICATIONS DETERMINED BY THE CHIEF OFFICER UNDER DELEGATED POWERS BETWEEN 11 SEPTEMBER 2006 AND 30 SEPTEMBER 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 11 September 2006 and 30 September 2006.

RESOLVED – That the schedule be noted.

Chair