

**MINUTES OF DEVELOPMENT CONTROL COMMITTEE**

**MEETING DATE** Tuesday, 14 July 2015

**MEMBERS PRESENT:** Councillor June Molyneaux (Chair), Councillor Christopher France (Vice-Chair) and Councillors Aaron Beaver, Martin Boardman, Charlie Bromilow, Henry Counce, Paul Clark, John Dalton, Danny Gee, Alistair Morwood, Mick Muncaster, Richard Toon, Paul Walmsley and Alan Whittaker

**RESERVES:** Councillors Eric Bell

**OFFICERS:** Jamie Carson (Director of Public Protection, Streetscene and Community), Adele Hayes (Principal Planning Officer), Nicola Hopkins (Principal Planning Officer), Caron Taylor (Senior Planning Officer), Alex Jackson (Legal Services Team Leader) and Cathryn Filbin (Democratic and Member Services Officer)

**APOLOGIES:** Councillors Keith Iddon

**15.DC.138 Minutes of meeting Tuesday, 16 June 2015 of Development Control Committee**

**RESOLVED – That the minutes of the meeting of the Development Control Committee on 16 June 2015 be approved as a correct record for signature by the Chair.**

**15.DC.139 Declarations of Any Interests**

There were two declarations of interest declared:

1. Councillor Christopher France declared an interest in item 3g 15/00448/FUL – Land east of 34 Thirlmere Drive, Withnell and left the meeting for consideration of this item.
2. Councillor Alistair Morwood declared an interest in item 3e 15/00312/FULMAJ – Polish Ex-servicemen's Club, 10 Park Road, Chorley and left the meeting for consideration of this item.

**15.DC.140 Planning applications to be determined**

The Director of Public Protection, Streetscene and Community submitted 10 reports for planning permission consideration.

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

Councillor June Molyneaux, using her discretion changed the order in which the planning applications were listed by moving item 3j to item 3a.

**15.DC.140a 15/00383/FULMAJ - Land Opposite Chancery Road, West Way, Astley Village**

This item was deferred to enable the applicant to address the noise concerns and give Lancashire County Council the opportunity to respond to comments received from Lancashire Fire and Rescue Service.

**15.DC.140b 15/00375/FULMAJ - Market Walk Extension, Union Street, Chorley**

Councillor June Molyneaux, used her powers, as Chair of the Committee, to relax the standing order rules in relation to public speaking to allow two speakers whose interest and grounds for objection were not aligned. The Chair retained the time limit of 3 minutes imposed by the standing orders for each speaker save as regards the applicant's agent who was allowed additional time to respond to any issues raised.

Registered speakers: Andrew Tait (objector representing Booths Supermarket), Wendy Salvin (objector representing residents of Stanley Place) and Richard Frudd (the applicant's agent).

**RESOLVED (8:7:0) – That the decision be deferred until the next meeting for the following reasons:**

- a. To allow members of the Development Control Committee the opportunity to give greater consideration and assess the late submission of information received in the addendum.**
- b. Greater consideration to be given to the amenities of residents, not just for the retail experience but for the proximity of civic functions for which the Council are responsible for.**

**15.DC.140c 15/00224/OUTMAJ - Land 200m north of Derian House, Euxton Lane, Chorley**

Registered speakers: David Jolly (objector) and Mr Davidson (the applicant's agent)

**RESOLVED (9:6:0) – That planning permission be approved subject to a Section 106 legal agreement and the conditions detailed in the addendum.**

**15.DC.140d 15/00023/CLEUD - Botany Bay, Canal Mill, Botany Bay, Chorley**

**RESOLVED (unanimously) – That the Certificate of Lawfulness be granted.**

**15.DC.140e 15/00312/FULMAJ - Polish Ex-servicemen's Club, 10 Park Road, Chorley, PR7 1QN**

Councillor Alistair Morwood left the meeting for the debate and decision on planning proposal – 15/00312/FULMAJ Polish Ex-servicemen's Club, 10 Park Road, Chorley.

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

**15.DC.140f 15/00520/REM - Land bounded by Town Lane (to the north) and Lucas Lane (to the east), Town Lane, Whittle-le-Woods**

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

**15.DC.140g 15/00361/FULMAJ - Shaftesbury House Short Stay School, Stratford Road, Chorley, PR6 0AF**

**RESOLVED (unanimously) – That the planning application be approved subject to a Section 106 legal agreement and the conditions detailed in the addendum.**

**15.DC.140h 15/00448/FUL - Land East of 34 Thirlmere Drive, Withnell**

Councillor Christopher France left the meeting for the debate and decision on planning proposal – 15/00448/FUL land east of 34 Thirlmere Drive, Withnell.

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

**15.DC.140i 15/00536/FUL - Chorley Community Housing, 24-26 Gillibrand Street, Chorley, PR7 2EJ**

Councillor Alan Whittaker left the room briefly before returning back to the meeting.

**RESOLVED (14:0:1) – That the application for a change of use be approved subject to the conditions detailed within the report in the agenda and subject to no material representations being received before the expiry of the consultation (17 July 2015). The decision then be delegated to the Director of Public Protection, Streetscene and Community in consultation with the Chair and Vice Chair of the Development Control Committee.**

**15.DC.140j 15/00469/FUL - Wild Orchid, 11 Market Walk, Chorley, PR7 1DE**

**RESOLVED (unanimously) – That the change of use application be approved subject to conditions detailed within the report in the agenda.**

**15.DC.141 Enforcement**

**15.DC.141a 142 Bolton Street Chorley**

This report was withdrawn from the agenda as a planning application to cover the breach of planning control was expected imminently.

Should the planning application not be forthcoming the report would be brought back before Committee for determination.

#### **15.DC.141b Land at 80 Blackburn Road Whittle-le-Woods**

The Director of Public Protection, Streetscene and Community submitted a report which sought authority to take enforcement action in respect of a breach of planning control.

Without planning permission the change of use from residential curtilage to a mixed use of residential curtilage and use as a plant hire and ground works depot including formation of a fenced compound area including the parking/storage of plant hire/ground works vehicles, equipment, machinery and the siting of storage containers and formation of access road to serve compound area.

**RESOLVED (unanimously) – That it was expedient to issue an Enforcement Notice in respect of the breach of planning control.**

#### **15.DC.141c Site of former Brookes Arms Eaves Lane Chorley**

The Director of Public Protection, Streetscene and Community submitted a report which sought approval to serve a Section 215 Notice on those persons with an interest in the site of the former Brookes Arms Public House, Eaves Lane, Chorley, in order to remedy the harm caused to the amenity of the area. The period of compliance would be within 28 days of the date which the Section 215 Notice took effect.

The condition of the land had been left in an untidy state following demolition works, which had adversely affected the amenity of the area. However, members of the Committee were informed that since the publication of the agenda, improvement work had commenced on site.

**RESOLVED (unanimously) – That a Section 215 Notice be approved and that the decision to serve the notice be delegated to the Director of Public Protection, Streetscene and Community with authority to defer service of the notice for a minimum of 28 days should the works remedy the breaches subject of the proposed notice.**

#### **15.DC.142 CHORLEY BOROUGH COUNCIL (PUBLIC FOOTPATH NO. 8 ECCLESTON, CHORLEY) DIVERSION ORDER 2015**

The Chief Executive submitted a report which asked the Committee to consider the making of a Public Path Diversion Order to facilitate the development of an earth embankment, ancillary control and infrastructure, a new permanent access road and borrow pits in the River Yarrow on the Croston Flood Risk Management Project, land 485m south east of 77 Lydigate Lane, Eccleston.

**RESOLVED (unanimously) -**

- 1. That the Head of Governance and Property Services be authorised to make the Chorley Borough Council (Public Footpath No 8 Eccleston) Public Footpath Diversion Order 2015 pursuant to Section 257 of the Town and Country Planning Act 1990, in order to permit the development to be carried out in accordance with the grant of planning permission namely the development of an earth embankment, ancillary control and infrastructure, a new permanent access road and borrow**

**pits in the River Yarrow on the Croston Flood Risk Management Project Land 485M south east of 77 Lydigate Lane, Ecclestone.**

- 2. That in the event that no objections are received to the making of the order or where an objection is received by the statutory deadline and it is subsequently withdrawn, then the Head of Governance and Property Services be authorised to confirm the making of the Chorley Borough Council (Public Footpath No 8 Ecclestone) Public Footpath Diversion Order 2015.**
- 3. The Head of Governance and Property Services be authorised to arrange advertisements in the local press, to serve notice on site and on prescribed persons and to certify the order as being complied with having regard to any representations from the Public Rights of Way Team at Lancashire County Council or to confirm the order in the absence of representations from Public Rights of Way and certify its terms as being complied with.**

Chair

Date