

Chief Executive's Office

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Date: 15 July 2005

Chief Executive:
Jeffrey W Davies MA LLM

Chorley
Borough Council

Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

Dear Councillor

A meeting of the Development Control Committee is to be held in the Council Chamber, Town Hall, Chorley on Tuesday, 26th July, 2005 at 6.30 pm.

A G E N D A

1. **Apologies for absence**

2. **Declarations of Any Interests**

Members of the Committee are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct. If the personal interest is a prejudicial interest, then the individual Member should not participate in a discussion on the matter and must withdraw from the Council Chamber and not seek to influence a decision on the matter.

3. **Minutes (Pages 1 - 8)**

To confirm as a correct record the minutes of the meeting of the Development Control Committee held on 28 June 2005 (enclosed).

4. **Planning Appeals And Decisions - Notification (Pages 9 - 10)**

Report of Head of Planning Services (enclosed)

5. **High Hedges Legislation (Pages 11 - 14)**

Report of Head of Planning Services (enclosed)

6. **Planning Applications Awaiting Decisions (Pages 15 - 126)**

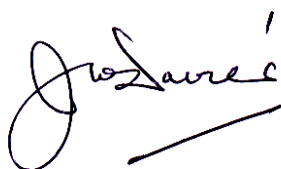
Report of Head of Planning Services (enclosed)

7. **Bank Hall, Bretherton (Pages 127 - 128)**

Report of Head of Planning Services (enclosed)

Continued....

8. **Planning Applications Decided Under Delegated Powers (Pages 129 - 158)**
Report of Head of Planning Services (enclosed)
9. **Delegated Decisions (Pages 159 - 174)**
Report of Head of Planning Services (enclosed)
10. **Enforcement Item - Cam Lane Cottage (Pages 175 - 178)**
Report of Head of Planning Services (enclosed)
11. **Any other item(s) that the Chair decides is/are urgent**

A handwritten signature in black ink, appearing to read 'Joe Lawrence', with a horizontal line underneath.

Chief Executive

Encs

Distribution

1. Agenda and reports to all members of the Development Control Committee, (Councillor A Lowe (Chair), Councillor Parr (Vice-Chair), Councillors Birchall, Ball, Bedford, Bell, Brown, Brownlee, Counce, Culshaw, Davies, D Dickinson, Edgerley, D Gee, T Gray, Heaton, Iddon, R Lees, Livesey, Malpas, Miss Molyneaux, Morgan, Russell, Mrs J Snape, Snow, S Smith and Whittaker) Director of Legal Services and Head of Planning Services for attendance.
2. Agenda and reports to all remaining Councillors and Chief Officers for information.

DEVELOPMENT CONTROL COMMITTEE**28 JUNE 2005**

Present: Councillor A Lowe (Chair), Councillor R Parr (Vice-Chair), and Councillors Ball, Bedford, Birchall, Brown, Brownlee, Culshaw, Davies, David Dickinson, Edgerley, D Gee, T Gray, Heaton, Miss Iddon, R Lees, Livesey, Malpas, Miss Molyneaux, Russell, S Smith, Snow and Whittaker.

Also in attendance: Councillors Goldsworthy and Perks

05.DC.41 WELCOME TO OFFICERS

The Chair welcomed Mrs J Meek, currently Head of Economic Regeneration, who would be attending future meetings of the Development Control Committee following her recent promotion to the post of Head of Development and Regeneration with effect from October 2005.

The Chair also introduced Ms D Roberts, the newly appointed Trainee Democratic Services Officer, who was attending her first meeting of the Committee.

05.DC.42 COUNCILLOR L BROWNLEE

The Chair and Committee Members congratulated Councillor L Brownlee on the recent birth of her first daughter.

05.DC.43 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Caunce, Morgan and Mrs J Snape.

05.DC.44 DECLARATIONS OF PERSONAL/PREJUDICIAL INTERESTS

In accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members' Code of Conduct, the following Members declared a respective interest in relation to the Planning Applications indicated below, which were included on the meeting's agenda for determination:

Councillors D Gee, T Gray, Russell and Whittaker - Item 6, A.1:Planning Application 05/00319/LCC.

Councillor Brown - Item 6, B.3:Planning Application 05/00442/FUL.

A number of Members expressed their concerns at the constraints imposed on them by the Local Code of Conduct in Planning Matters, which the Councillors felt was restricting too rigidly their role as Ward Councillors. The Deputy Director of Legal Services reminded the Committee of the provisions of the Local Code of Conduct, with which all Councillors had agreed to comply, and which clarified the roles and responsibilities of Members on planning issues. At the conclusion of the debate, the Chair recommended that the issues and concerns aired by the Committee Members, in addition to a review of the current membership of the Development Control Committee, be raised and discussed at a future meeting of the Standards Committee.

05.DC.45 MINUTES

RESOLVED - That the minutes of the meeting of the Development Control Committee held on 24 May 2005 be confirmed as a correct record and signed by the Chair.

05.DC.46 PLANNING POLICY STATEMENT 6 : PLANNING FOR TOWN CENTRES

The Head of Planning Services presented a report on the provisions of the new Planning Policy Statement 6 (PPS.6) entitled 'Planning for Town Centres'.

The new PPS.6 did not place greater emphasis on retail use in comparison with any other town centre uses. It supported the concept that city, town and smaller centres should be the preferred location for retail, leisure, arts, culture and tourism activities at an appropriate scale. A positive plan led approach was advocated along with the promotion of high quality design schemes and the most efficient use of land.

The report pointed out that Consultants had been appointed to undertake a health check of Chorley town centre and to prepare a Town Centre, Retail and Leisure Study and Action Plan, which would accordingly inform the Local Development Framework and town centre work. Subsequently, preferred options for the town centre would be identified for consultation purposes, together with proposed wider policies for retail and leisure. Ultimately a Development Plan Document would be produced for independent examination by the Secretary of State.

RESOLVED - That the report be noted.

05.DC.47 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 two developments; one appeal that had been withdrawn; one planning appeal that had been dismissed and one appeal that had been allowed by the Planning Inspectorate' and three instances where planning permission had been granted by the Lancashire County Council.

RESOLVED - That the report be noted.

(Councillors D Gee, T Gray, Russell and Whittaker declared an interest in the following application and each Member left the meeting during the discussion and voting on the proposal).

05.DC.48 PLANNING APPLICATION 05/00319/LCC

The Committee's observations had been sought by the Lancashire County Council on the above application for planning permission for the extraction and processing for sale of approximately 4.32 million tonnes of high grade sand from a total area of 68 hectares on land west of the M6 motorway between Dawbers Lane and Runshaw Lane, and north of Runshaw Lane, Euxton, including the construction of a new access road, processing plant with associated stock piling areas, weighbridge and office building, with progressive restoration to agriculture and conservation area.

The application would, ultimately, be determined by the County Council.

It was moved by the Chair (Councillor A Lowe), seconded by the Vice-Chairman (Councillor Parr), and subsequently **RESOLVED (19:0):**

(1) That the Borough Council raises an objection to Planning Application 05/00319/LCC on the following grounds:

1. There is insufficient evidence that there are not environmentally less sensitive locations available to supply high grade sand to the local area.

2. The increased HGV traffic on local roads will adversely affect

1) The amenity of the local community; and

2) Other users of local roads.

3. The applicants have not provided sufficient details to prove that the proposal will comply with the emerging EU limits for air quality objectives for

PM₁₀'s which will cover the extraction period. The intended limit value has been ignored in the applicants report.

4. The proposal will be detrimental to the amenities of local residents and to the users of the attractive countryside with contains the application site.

(2) That, in the event of the Lancashire County Council being minded to grant planning permission for the proposal, the County Council be requested to allow the Borough Council the opportunity to voice its objections before the application is determined.

05.DC.49 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: 05/00344/FULMAJ
Proposal: Development of 164 residential dwellings, including landscaping, access off Froom Street, and highway improvements to Froom Street/Eaves Lane.

Location: Talbot Mill, Froom Street, Chorley

Decision

It was moved by Councillor Brown, seconded by the Vice-Chairman (Councillor Parr), and subsequently **RESOLVED (21:0) that permission be refused for the following reasons:**

1. The proposal would contribute to an oversupply of housing in the Borough contrary to the provisions of Policy 12 of the Adopted Joint Lancashire Structure Plan.

2. The proposal is contrary to Policy HS5 of the Adopted Chorley Borough Local Plan Review in that it does not make adequate provision for affordable housing.

3. There is still potential for protected species to be affected by the proposed development and insufficient information to confirm the potential impacts or any mitigation needed. The landscaping proposals do not confirm that targets specified in UK and Lancashire Biodiversity Action Plans will be complied with. The development is therefore contrary to Policies EP4 and EP10 of the Adopted Chorley Borough Local Plan Review and Policy ER5 of the North West Regional Planning Guidance/Regional Spatial Strategy.

Application No: 05/00335/FUL
Proposal: Proposed horse breeding facilities, livery stables, ancillary accommodation and alterations to access.

Location: Land adjacent to Heapey Road, Heys Farm, Chapel Lane, Heapey.

Decision:

It was moved by Councillor Heaton, seconded by the Vice-Chairman (Councillor Parr), and subsequently **RESOLVED (21:0) that permission be granted, subject to the following conditions:**

1. - Landscaping Scheme

2. - Landscaping Implementation

3. 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.

4. No external lighting or floodlighting shall be erected or installed without express planning permission first being obtained from the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and to ensure compliance with policy GN5 of the Local Plan.

5. Plans and particulars showing a scheme of foul sewers and surface water drains, shall be submitted to, and approved in writing by, the Local Planning Authority, and development shall not be commenced before these details have been approved, unless otherwise agreed in writing. Such works shall be carried out in accordance with the approved details concurrently with the rest of the development and in any event shall be finished before the building is occupied.

Reason: In order that the Council may be satisfied with the details of the proposal and to avoid flooding or pollution of adjacent watercourse in accordance with policy EP18 of the Local Plan.

6. Plans and particulars showing the alignment height and materials of all walls and fences and other means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority, and development shall not be commenced before these details have been approved. Such details as may be agreed shall be implemented in their entirety prior to the first occupation of the building to which these elements relate, maintained for a period of five years and any structural or decorative defect appearing during this period shall be rectified and the enclosure shall thereafter be retained.

Reason: In order that the Council may be satisfied with the enclosure details of the proposals and its implementation and retention in accordance with policy GN5 of the Local Plan.

7. Prior to commencement of the development a scheme for the protection and mitigation of Great Crested Newts shall be submitted to and agreed in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with those details unless subsequently agreed in writing by the Local Planning Authority.

Reason: In order to ensure adequate on mitigation for the protected species in accordance with policy EP4 of the Local Plan.

8. The existing access shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads concurrent with the formation of the new access.

Reason: To limit the number of access points to, and to maintain the proper construction of the highway.

9. Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned 5m behind the nearside edge of the carriageway and visibility splay fences or walls shall be erected from the gateposts to the existing highway boundary, such splays shall be 45° to the centre line of the access. The gates shall open away from the highway. Should the access remain ungated 45° splays shall be provided between the highway boundary and points on either side of the drive measured 5m back from the nearside edge of the carriageway.

Reason: To permit vehicles to pull clear of the carriageway when entering the site and to assist visibility.

10. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 10m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

11. - Environment Agency Condition 12.

12. - Environment Agency Condition 55.

Application No: 05/00431/COU
Proposal: Change of use of disused telephone exchange to two consulting rooms, ambulant disabled toilet and small reception and first floor storage annexed to existing doctors surgery and addition of side extension.
Location: Granville House Medical Centre, Granville Street, Adlington.

Decision:

It was moved by Councillor Davies, seconded by Councillor Miss Molyneaux, and subsequently **RESOLVED (22:0)** that permission be granted, subject to the following conditions:

1. All windows in the south east facing elevation of the existing building and the extension to it shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter and no additional windows shall be inserted in any other elevation nor shall any roof lights be inserted in any of the roof planes.

Reason: In the interests of the privacy of occupiers of neighbouring property and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

2. Before the use of the two consulting rooms hereby permitted is first commenced, the additional car parking spaces shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car parking spaces shall not thereafter be used for any purpose other than the parking 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.

3. Before the use of the two consulting rooms hereby permitted is brought into use, the provision to park four cycles at the front of the medical centre, in accordance with the approved plans, shall have been made.

Reason: To ensure adequate on site provision for cycle parking and in accordance with Policy No TR16 of the Adopted Chorley Borough Local Plan Review.

4. The approved plans are:

Plan Ref:	Received On:	Title:
sk/0/3A	22 June 2005	Proposed elevations and floor plans
sk/00/3	25 April 2005	Location Plan
sk/00/1	25 April 2005	Proposed car and cycle parking plan
sk/0/2	25 April 2005	Existing elevations and floor plan
sk/00/4	25 April 2005	Section as existing
sk/0/1	24 April 2005	Ground floor plan as proposed

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

(Councillor Brown declared an interest in the following application and left the meeting during the discussion and voting on the proposal).

Application No: 05/00442/FUL
Proposal: Formation of fenced and floodlit synthetic turn pitch with goal recesses and mowing strip.
Location: Holy Cross R C High School, Burgh Lane, Chorley

Decision:

Councillor Livesey proposed a motion to amend Condition 3 to restrict the use of the synthetic pitch to the hours between 8.00am and 8.00pm on all days. The motion was not seconded.

It was further moved by Councillor Whittaker, seconded by the Vice-Chairman (Councillor Parr), and subsequently **RESOLVED (22:0)** that permission be

granted, subject to the following conditions:

1. The approved plans are:

Plan Ref:	Received On:	Title:
HCS.01	12 May 2005	Location Plan
HCS.02	12 May 2005	Levels Plan
-----	03 May 2005	Proposed Pitch Layout
UKS2178	03 May 2005	Lux Levels Plan
HCS 05	03 May 2005	Fence Elevation

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

2. Before the development hereby permitted is first commenced, full details of the floodlighting (notwithstanding any such detail shown on the previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include the height of the lighting columns, their position around the pitch, the angle of tilt of the lanterns, baffles and lux levels.

Reason: To ensure a visually satisfactory form of development, in the interests of highway safety, to protect the amenities of occupiers of nearby properties and in accordance with Policy No. EP21A of the Adopted Chorley Borough Local Plan Review.

3. The use of the synthetic pitch hereby permitted shall be restricted to the hours between 8:00am and 10:00pm during the week and between 8:00am and 8:00pm at the weekend and the floodlighting shall not be turned on between the hours of 10:00pm and 8:00am during the week and 8:00pm and 8:00am at the weekend.

Reason: To safeguard the amenities of local residents and in accordance with Policy Nos. EP21A and LT16 of the Adopted Chorley Borough Local Plan Review.

Application No: 05/00472/FUL
Proposal: Alterations of first floor premises to provide six new flats, erection of ground floor rear extension with first floor balconies, formation of railings to rear and creation of three residents parking spaces.
Location: 299 - 305 Eaves Lane, Chorley

Decision:
 It was moved by Councillor Edgerley, and seconded by the Chair (Councillor A Lowe), that permission be refused.
 An amendment was moved by the Vice-Chairman (Councillor Parr), seconded by Councillor Miss Molyneaux, and subsequently **RESOLVED (13:6) that further consideration of the application be deferred to await the recommendations of the Site Inspection Sub-Committee, following its inspection of the site.**

Application No: 05/00506/FUL
Proposal: Erection of builders storage building, to replace existing builders lock-up store.
Location: Builders lock-up, former Telephone Relay Station, Preston Road, Coppull.

Decision:
 It was moved by Councillor Heaton, seconded by Councillor Ball, and subsequently **RESOLVED (20:0) that the permission be granted, subject to the following conditions:**
1. 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 EM5 of the Adopted Chorley Borough Local Plan Review.

2. No materials or equipment shall be stored or parked on the site other than inside the building.

Reason: In the interests of the amenity of the area and in accordance with Policy No. EM2 of the Adopted Chorley Borough Local Plan Review.

05.DC.50 PLANNING APPLICATION 04/1405 - REPLACEMENT DWELLING AT SALT PIT LANE, MAWDESLEY

The Head of Planning Services presented a report which explained the relevant policy issues and pertinent factors that had been assessed, together with the reasons for the permission granted to Planning Application 04/1405 by the Officer under his delegated powers. The proposal had involved the demolition of an existing dwelling and two storage buildings at Salt Pit Farm, Salt Pit Lane, Mawdesley and the erection of a new larger dwelling on the site of the storage buildings.

A number of Members expressed concern at the scale of the development, which they contended did not accord with accepted policies.

The Head of Planning Services apologised for the manner in which the application had been processed without Member consultation. The Committee were assured, however, that procedures and practices had since been put in place which should ensure Member input into any future contentious or sensitive development proposals.

RESOLVED - That the reports be noted.

05.DC.51 PLANNING APPLICATIONS DETERMINED BY HEAD OF PLANNING SERVICES FOLLOWING CONSULTATION WITH CHAIRMAN AND VICE-CHAIRMAN

The Committee received, for information, reports by the Head of Planning Services on the following former 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-Chairman of the Committee.

- | | |
|------------------------|--|
| Application No: | 05/00770/FUL |
| Proposal: | Redevelopment of existing forecourt, including replacement of petrol storage tanks, four pumps and extended canopy, re-sited jet wash with glass screens, alterations to existing sales/workshop building to create larger shop, office and store. |
| Location: | Jubilee Service Station, 65 Preston Road, Whittle-le-Woods. |
| Decision: | Conditional Permission. |
| Application No: | 05/00443/REM |
| Proposal: | Reserved Matters application for a detached house and garage. |
| Location: | Land to the rear of 209 - 213 Preston Road, Whittle-le-Woods. |
| Decision: | Conditional Approval. |
| Application No: | 05/00444/ADV |
| Proposal: | Erection of an internally illuminated free standing pole sign. |

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Location: M6 Motorway Service Area, Northbound, Mill Lane, Charnock Richard.

Decision: Conditional permission.

Application No: 05/00445/ADV

Proposal: Erection of an internally illuminated free standing pole sign.

Location: M6 Motorway Service Area, Southbound, Mill Lane, Charnock Richard.

Decision: Conditional Permission.

Application No: 05/00461/TPO

Proposal: Works to three trees covered by TPO No. 10 (Chorley) 1998.

Location: 14 Rosewood Close, Chorley.

Decision: Conditional Consent.

Application No: 05/00490/TEL

Proposal: Prior notification of siting of telecommunications equipment consisting of 10 metre replica telegraph pole, two antennas and two radio equipment housings.

Location: Bretters Farm, off Chorley Road, Heath Charnock.

Decision: Prior approval not required - Telecom

RESOLVED - That the report be noted.

05.DC.52 PLANNING APPLICATIONS DETERMINED BY HEAD OF PLANNING SERVICES UNDER DELEGATED POWERS

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 12 May and 15 June 2005.

RESOLVED - That the schedule be noted.

05.DC.53 BUCKSHAW VILLAGE TOUR

The Head of Planning Services advised the Committee of an invitation being issued to Members to attend an organised tour of Buckshaw Village, Euxton on 13 July 2005, as an opportunity for Councillors to inspect the progress of development within the complex.

Chair

Report of	Meeting	Date
Head of Planning Services	Development Control Committee	26.07.2005

PLANNING APPEALS AND DECISIONS - NOTIFICATION

PURPOSE OF REPORT

1. To advise Committee of notification received from the Planning Inspectorate, since the date of the last meeting, of planning and enforcement appeals which may have been lodged or determined. Also of notification of decisions received from Lancashire County Council and other bodies.

CORPORATE PRIORITIES

2. This report does not affect the corporate priorities

RISK ISSUES

3. The report contains no risk issues for consideration by Members.

PLANNING APPEALS DISMISSED

4. Appeal by Houghton House Ltd against the refusal of planning permission for the change of use of mineral access road to use in connection with plant hire and haulage depot adjacent to 6 Ellerbeck View at Land Between Wigan Lane And Castle House Lane, Adlington, Chorley (Application No 04/00652/COUMAJ)

PLANNING APPEALS WITHDRAWN

5. Appeal by Mr & Mrs Mawdesley against the refusal of planning permission for the change of use of land from residential to private leisure and caravan park at Park View, Runshaw Lane, Euxton, Chorley (Application No 04/00279/COU).

PLANNING APPEALS ALLOWED

6. Appeal by Mrs J L Gouldthorpe against Condition 4 of the planning permission granted for the erection of a conservatory to rear at 4 Worcester Place, Chorley (Application No 04/01194/FUL).

RECOMMENDATION(S)

7. That the report be noted

A D CROSTON
HEAD OF PLANNING SERVICES



Background Papers			
Document	Date	File	Place of Inspection
4. Letter from Inspectorate	27.06.2005	04/00652/COUMAJ	Union Street Offices
5. Letter from Inspectorate	28.06.2005	04/00279/COU	“ “ “
6. Letter from Inspectorate	11.07.2005	04/01194/FUL	“ “ “

Report Author	Ext	Date	Doc ID
Paul Sudworth	5346	14.07.2005	ADMINREP/REPORT

Report of	Meeting	Date
Head of Planning Service	Development Control Committee	26 July 2005

HIGH HEDGES COMPLAINTS

PURPOSE OF REPORT

1. This report seeks to:
 - a) Explain the requirements of Part 8 of the Anti-social Behaviour Act 2003 which introduces new powers to deal with complaints about high hedges;
 - b) Agree a fee for complaints;

CORPORATE PRIORITIES

2. The recently introduced High Hedge legislation aims to help reduce “anti-social behaviour” in the Borough.

RISK ISSUES

3. The report contains no risk issues for consideration by Members.

BACKGROUND

4. Part 8 of the Anti-Social Behaviour Act 2003 and the High Hedges (Appeals) Regulations 2005, give district councils powers to deal with complaints about high hedges and came into operation on 1 June 2005. The legislation makes provision for Councils to determine complaints by owners/ occupiers of domestic property adversely affected by evergreen / semi- evergreen hedges over two metres high e.g.

- Leyland Cypress (*Cupressocyparis Leylandii*).
- Lawson Cypress (*Chamaecyparis Lawsoniana*).
- Western Red Cedar (*Thuja Plicata*).

5. The legislation does not:
 - Cover deciduous trees such as Sycamore, Ash or Chestnut.
 - Automatically require enforcement of hedges over 2m high;
 - Require permission to be sought to grow a hedge over 2m high.

THE LEGISLATION

6. The legislation requires people to have taken reasonable steps to try and settle their high hedge dispute before complaining to the Council. The Council's role is not to mediate or negotiate between the complainant and the hedge owner but to adjudicate on whether – in the words of the act – the hedge is adversely affecting the complainants reasonable enjoyment of their property. In doing so, the authority must take account of all relevant



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factors and must strike a balance between the competing interests of the complainant and hedge owner, as well as the interests of the wider community.

7. Under the Act, Council's may only consider a complaint if it satisfies the following criteria:
- It must relate to a high hedge as defined by the Act
 - The hedge must be on land owned by someone other than the complainant;
 - It must be affecting domestic property;
 - The grounds for complaint must be that the height of the hedge is adversely affecting the reasonable enjoyment of the domestic property in question, and
 - It must be brought by the owner/occupier of that property.

The Act allows a Council not to proceed with a complaint if it considers either:

- That the complainant has not taken also reasonable steps to resolve the matters complained of without involving the Council; or
 - That the complaint is frivolous or vexatious.
- 8 The Act does not specify the procedure that Councils must follow in determining complaints. Each case must be decided on its own merits and all relevant factors taken into account. In dealing with a complaint the Council have to assess the hedge, gather information from both parties about the hedge and its effect on them. The Governments guidance is that this information is collected through an exchange of representations and a visit to the site. Having gathered the information an assessment will then be made as to whether there is a problem, how serious it is, and what weight to give to the matter when making a decision on what, if any, action is required. The complainant and every owner/ occupier must be notified by the Council of the decision and the reasons for it. If the Council decides to issue a remedial notice, this must be copied to all the main parties. There is a right of appeal against the issue of a remedial notice to the Planning Inspectorate. The complainant also has the right of appeal against the Council's decision not to issue a remedial notice.
- 9 A leaflet is available at customer services explaining the legislation. Information is also available on our web site and that of the Office of the Deputy Prime Minister (ODPM) at www.odpm.gov.uk.
- 10 It is an offence to fail to comply with the requirements of a remedial notice, punishable on conviction, in the Magistrates Court to a fine of up to £1000. The council also has the power, in these circumstances to undertake the works specified in the remedial notice and to recover the costs from the owner/ occupier. These costs can be registered as a local land charge on the property until recovered.

FEES

- 11 The Government has decided that councils will be able to decide whether and at what level it is appropriate fees should be set. However, the Government have not set an upper limit and therefore individual Local Authorities are free to determine a charge that covers the cost of staff time and available resources. The majority of the respondents to the Government's consultation believe that a fee of between £300 - £600 would be sufficient.
- 12 In order for this Council to implement the High Hedges legislation it will require a case officer with input from other departments including Legal Services, Environmental Services and Public Space Services together with the associated administration. The results of the Government's Consultation has identified that individual cases could take up to a maximum of 15 hours to resolve. Given that these cases will be contentious ones where owners cannot agree, it is inevitable that they will require a large input of officer time.

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- 13 On this basis, the cost to this Council would be at least £500. This figure would be anticipated to cover the cost of staff time for initial and follow up site visits/meetings with both the complainant and the hedge owner, administration costs for dealing with the correspondence and serving legal notices, the time allocated for legal consultations and site visits to ensure that a hedge owner has complied with the height specified in the Decision Notice. It should also be born in mind that both parties have a right of appeal, so there is a significant likelihood of most cases ending at appeal.
- 14 In addition, subsequent inspections may also be required to ensure that the hedge height, if specified, is being maintained. In cases of non-compliance enforcement action and legal proceedings will have to be implemented and attendance to give evidence at an appeal hearing or court of law may also be required. There are also the legal costs involved in prosecutions under this legislation.
- 15 The figure of £500 is therefore recommended in order to reflect those costs. It will be reviewed subsequently if it becomes apparent that the level of work is significantly different from that anticipated.

AMENDMENTS TO THE SCHEME OF DELEGATION

- 16 The Council has given delegated power to the Head of Planning Services to decide the complaints. The setting of fees is a decision for Committee.
- 17 The caseload will be monitored, as will the workload created. An annual report will be made to committee outlining the number and types of decisions made.

COMMENTS OF THE DIRECTOR OF FINANCE

- 18 None

COMMENTS OF THE HEAD OF HUMAN RESOURCES

- 19 There are no direct human resources implications at this stage

RECOMMENDATIONS

- 20 It is therefore recommended that:
- a) The procedures as outlined above be noted;
 - b) The fee for applications be set at £500;

ALAN CROSTON
HEAD OF PLANNING SERVICES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Simon Pemberton	5328	5 July 2005	ADMINREP/REPORT

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Report

Report of	Meeting	Date
Head of Planning Services	Development Control Committee	26.07.2005

PLANNING APPLICATIONS AWAITING DECISION

Item	Application	Recommendation	Location
A. 1	05/00366/FULMAJ	Refuse	Moss Side Farm, Bury Lane, Withnell, Chorley, Lancashire
A. 2	05/00493/FULMAJ	Permit	The Anderton Centre, New Road, Anderton, Chorley, Lancashire
A. 3	05/00516/OUTMAJ	Outline App Permitted subject to SEC 106	Site N1 Lower Burgh Way Chorley Lancashire
A. 4	05/00523/REMMAJ	Permit	Royal Ordnance Site Including Land Between Dawson Lane And Euxton Lane Euxton Lane Euxton Lancashire
A. 5	05/00525/REMMAJ	Permit	Royal Ordnance Site Including Land Between Dawson Lane And Euxton Lane Euxton Lane Euxton Lancashire
A. 6	05/00544/FULMAJ	Permit	Royal Ordnance Site Including Land Between Dawson Lne And Euxton Lne Euxton Lane Euxton Lancashire
B. 1	04/01462/FUL	Permit	Land S Of Footpath 28 Adjacent Boardmans Heights F Bury Lane Withnell Lancashire
B. 2	05/00354/FUL	Permit	97 Rawlinson Lane Heath Charnock Lancashire PR7 4DE
B. 3	05/00513/FUL	Permit	Jack Green Farm Oram Road Brindle Lancashire PR6 8NT
B. 4	05/00531/CB4	Permit	Land Adj Garage Block Heathfield Heath Charnock Lancashire
B. 5	05/00553/FUL	Refuse	Cam Lane Cottage Cam Lane Clayton-Le-Woods Chorley Lancashire
B. 6	05/00554/FUL	Refuse	Cam Lane Cottage Cam Lane Clayton-Le-Woods Chorley Lancashire

Continued....

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Item A. 1	05/00366/FULMAJ	Refuse
Case Officer	Mr Nigel Robinson	
Ward	Brindle And Hoghton	
Proposal	Construction of 9 hole golf course, two fishing lakes and two ancillary buildings for use as a clubhouse and machinery / maintenance store ,	
Location	Moss Side Farm, Bury Lane, Withnell, Chorley,Lancashire	
Applicant	Mr Downes,	

Proposal Proposed change of use of approximately 60 acres of agricultural land at Moss Side Farm to the laying out of a nine hole, pay and play golf course plus putting green, together with the erection of two, ancillary buildings in a grouping to form a clubhouse, cafe and golf and fishing shop (max. 27m. wide x 14m. deep and built in stone with roughcast render upper gable portions – the building would have a slate roof) and a machine store (11m. x 6.6m again built in stone and roughcast render sides with a slate roof), the laying out of a 31 space car park in grasscrete with stone circulation areas, and the construction of two fishing lakes and linking stream . In addition the existing access road to the site, approved in 1992, would be widened for the additional traffic use by means of the creation of 4 new passing places. Both the car park and the small complex of buildings are located close to the end of the access road and in immediate proximity to the farmhouse and buildings to Moss Side Farm. An application last year for the same development was withdrawn prior to determination upon the basis that there were still outstanding matters that the applicant had not been able to address, particularly with regard to an adequate great crested newt survey.

A portion of the farmland in question (18th hole fairway) has been the subject of drainage improvements to improve the quality of what has been very poorly drained land in order to assist in the agricultural pursuits undertaken on the land. The improvements involved infilling of material brought to the site and was the subject of a County Matter permission (02/688) for the works to the site. This Council objected to LCC upon the application development in that The land in question has now been restored and is now the subject of a five year period of aftercare upon which there are planning conditions in respect of after use in connection with agricultural use. This matter is clearly relevant to the current application in terms of the land use issue and whether the proposal is in accordance or not with that previous planning permission. This has been discussed with County Council officers and will be considered separately later in this report.

The land is located on what is a hill top location between Withnell and Abbey Village in the Green Belt as identified upon the Proposals Map for the Adopted Chorley Borough Local Plan Review. It is bounded to the east by Bolton Road for a distance of approx. 100m whilst the south east, north and west boundaries comprise of existing field boundaries. Access to Moss Side Farm and the site is from Bury Lane. A secondary access also exists

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from Bolton Road, but this would not be used to provide any sort of access to the site for players and would purely be retained as a maintenance access for the site operators and shall be locked when not in use for that purpose.

Three public footpaths cross the site.

Reports submitted with the application include a 'Justification Report', a Wildlife Enhancement Report, a Great Crested Newts survey and a water vole survey. The submitted plans now include; Topographic details of the site existing and proposed, including sections through site and the fishing lakes / ponds; plans of the course and typical details of the holes, tees, greens & bunkers, parking details, building details, public footpath details and signage, proposed passing places; much of the information previously submitted on the layout was all encompassing and could not be accurately interpreted.

Planning Policy	GN5: Building Design/Retaining Existing Landscape Features & Natural Habitats
	DC1: Green Belts (In this case essential facilities for sport and recreation)
	EP4: Species Protection
	EP9: Trees and Woodlands
	EP10: Landscape Assessment
	EM3: Proposals for farm diversification for small-scale industrial and commercial development
	TR4: Highway Development Control Criteria
	LT12: Golf, Other Outdoor Sport and Related Development – a priority for new courses will be assessed and then eight site-specific criteria will need to be satisfied.
	PPG2: Green Belts
	PPG9: Nature Conservation
PPG17: Planning for Open Space, Sport & Recreation	

Planning History	04/896/FULMAJ -	Same application development as currently Applied for – withdrawn prior to determination.
	02/688/CTY -	Drainage improvements and infill (CBC objected to works)
	01/1036/FUL -	Detached double garage and detached stable block (Permitted)
	01/720/FUL -	Erection of double detached garage and stables (Permitted)
	01/420/COU -	Conversion of existing workshop/office building to residential (Permitted)
	00/853/COU -	Conversion of existing workshop/office building to one dwelling (withdrawn)
	99/542/FUL -	New pitched roof to replace existing on workshop/office building (Permitted)

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Applicant's Case

1. None of the existing farm buildings are suited to the provision of the required new buildings associated with the proposed use; there is a poor quality prefabricated building of poor quality, while another has planning permission for a change of use to residential (01/420); a further building will be converted to storage for family use.

2. The nature of the land and its location are both suited to the proposed use which represents a farm diversification exercise and which will assist 'social, economic and environmental improvements to the area as a whole'.

3. PPG2 is not contravened in that the proposal would not represent inappropriate development and that the nature of the development would not impinge upon the openness of the Green Belt in this location; policy RU2 encourages farm diversification; PPS7 encourages sustainable development in rural areas – tourism and leisure pursuits are vital to rural economies, especially those that do not harm the character of the countryside.

4. Policy LT12 of the Chorley Borough Local Plan deals with the development of golf courses / driving ranges; such uses are appropriate in countryside areas, including the Green Belt.

5. A report has been prepared to identify the sustainability benefits of this development. The proposed works will include woodland planting, pond creation, benefits for ecological enhancement including nesting environments; these ecological environments are to the benefit of the whole area, while enhancing the playing of the proposed golf course; existing rights of way through the golf course will be maintained for walkers to be able to enjoy the enhanced environment and ecological habitats.

6. There will be social and recreation benefits for residents in the area; the whole community needs improved sporting facilities.

7. In terms of policy LT12: the proposal will enhance the local environment visually and environmentally; there is no distinctive landscape character or that specially identified under the scope of policy DC9; there will be no loss of best quality agricultural land; there will be no harm to issues of conservation interest; there are a limited number of residential properties in the locality – with the closest being that occupied by the applicant; it is not considered that any adjacent residents would suffer harm as a result of the development proposal going ahead; there is access to public transport via a regular bus route along Bolton Road, Abbey Village – the site can then be accessed via a public footpath; LCC's Senior Traffic Engineer has no objections to the proposal in terms of the site access or its connection to the local traffic network; there will be no harm to the local drainage network in that surface water run off can be accommodated; rights of way will not be interfered with; landscaping is sympathetic and will enhance the locality; new buildings will be sensitively designed and constructed and will compliment the adjacent existing buildings.

Representations

16 letters have been submitted: The letters of support (5) can be summarised as follows: -

- A golf course and fishing lakes would provide much needed leisure facilities in the immediate area.

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- The application would enhance the environment for wildlife and local residents whilst providing a point of differentiation from other villages. The facility proposed would encourage younger people to engage in outdoor activity rather than staying indoors.
- The natural look of the area will not be unduly altered.

The 7 letters of objection can be summarised as follows: -

- There are already plenty of places to fish and play golf in the borough.
- Very few jobs will be provided which is not a reason to spoil the countryside.
- The length of hole no. 7 should be reduced to mitigate the potential danger from stray golf balls encroaching onto Bolton Road.
- Access road to the site is only of single vehicle width.
- The 60mph speed limit on Bury Lane could pose a danger to vehicles leaving the site.
- Golf balls encroaching onto the adjacent land could injure animals.
- Potential exists for light pollution.
- A traffic impact assessment should be considered before the application is determined; St. Joseph's School is less than ½ mile away and children walk to School – they face dangers from the increased traffic; the junction of Bury Lane and A674 is unsuitable for increased traffic.
- A course in this position could impact financially on other local courses.
- Greater traffic noise will impact upon peace and tranquility in the area.
- Proposals would not encourage regeneration or social & economic development in the locality; golfers pay and play and then leave!
- Car parking would visually intrusive.
- The site is not a sustainable location for a golf course – no immediate access to public transport; much additional traffic generated by the proposal.
- The development will not be a local community service.
- Land recently improved for agricultural use, under planning consent, will be taken out of agricultural use for an 'artificial' purpose.
- Public rights of way crossing the course will be affected and users prejudiced and face injury.
- The proposal is not an essential facility for sport as required by Policy DC1.
- No significant ecological benefits will accrue; there are already plenty of streams, ponds, hedgerows etc benefiting wildlife.
- The proposed built development at 638 m² is substantial – a potential future licensed restaurant is anticipated; why not use the existing barns to the Farm.
- The size of the course appears impractical – too many holes in too smaller area particularly with regard to the par 5 holes.
- Angling is provided for elsewhere at Withnell Angling Association less than a mile away, while there is also the Leeds / Liverpool canal.

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- No need for the additional course demonstrated.
- No need for Bolton Road access.

The 4 letters giving comments are as follows:

- Traffic on the A675, albeit only for maintenance could cause problems – it could also be used for site construction; there have been accidents along this section of Bolton Road on the north side of Abbey Village and traffic calming is needed by LCC.
- Need to erect safety fencing to protect grazing cattle in the fields of the adjacent New Wicken House Farm. New Wicken House Farm is applying for Environmental Stewardship in terms of improving water quality, reducing soil erosion, improving conditions for natural habitats on the farm as well as improving landscape character; it is hoped that the proposed development will take this into account and be sensitive as well as enhancing the local environment.
- The application does not include a Traffic Impact Assessment (not requested by LCC Highways) but there are concerns about Bury Lane, its ‘ geometry ‘, traffic speed at 60 mph, poor accident record – the speed limit needs adjusting to 30mph consistent with Highfield Golf Course; could highway improvements not be sought
- Will the granting of planning permission not weaken planning control in the Green Belt?
- Would there be a need for floodlights?
- Car park arrangements / screening needs sensitive treatment.
- How will construction work be controlled?
- How will Japanese Knotweed be dealt with?
- How will sewerage matters be dealt with – no mains drainage!

Consultations

The Head of Environmental Services has raised no objection to the application.

The Environment Agency has recommended a condition relating to drainage along with nine informatives.

LCC (Archaeology) raise no objection to the application.

The Ramblers Association have identified that not all the footpaths are marked on the plans and that adequate arrangements are not identified for the footpaths being clearly marked with appropriate signage, not sited near the tee's, not blocked or restricted and being safe for walkers. The Ramblers have been re-consulted with a revised site plan showing the footpaths and measures intended with regard to signage.

LCC (Ecology) have recommended that survey work be undertaken to ascertain the presence of Great Crested Newts and made various other recommendations in relation to breeding Birds, water voles, Japanese Knotweed and Landscaping/Habitat Creation. These matters have been addressed in various reports.

LCC (Highways) have made no objection to the principle of the development and its traffic conditions and traffic generation.

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However, conditions have been recommended regarding limiting the use of the access to maintenance off Bolton Road, and technical details in relation to the gate position and surfacing whilst an informative is recommended regarding the stopping up or diverting of the footpaths within the site; the senior traffic engineer has subsequently been consulted about highway points raised by third parties; he agrees with the closure of the Bolton Road access but does not consider that the highway conditions in Bury Lane adjacent the site access are sufficiently poor to warrant a refusal of planning permission or traffic calming measures .

English Nature requested that full surveys should be undertaken at the optimal time of year in accordance with English Natures Great Crested Newt mitigation guidelines prior to determination of the application; this has now been done and EN are happy with the scope of this; also prior to determination a water vole survey of the ditches and existing watercourses shall be undertaken; the ditches and a buffer area around them shall be maintained to preserve the habitats therein; appended to any approved application shall be a long term ecological management plan for the development and maintenance of the site; they state that the development of golf courses represent a good opportunity for habitat conservation and the developers / managers should be encouraged to incorporate ecological beneficial schemes on their sites; the plan, including the ditches & other drainage elements should be incorporated into the Plan; it can be ensured that this is conformed with through a S106 Agreement.

LCC (Planning) have commented that in principle the application conforms to strategic planning policy; policy 6 requires the general extent of maintenance of Green Belts in Lancashire; LCC refer to PPG2 & PPG17; new development should be the minimum necessary – function rooms & indoor leisure should be treated as unacceptable; ancillary buildings should not impinge upon the openness of the Green Belt; they have suggested a section 106 agreement is entered into with the application to limit the range of goods sold in the shop to the pertaining to the golf course and fishing lake ; at the time of consultation the plans were not sufficiently clear to have regard to the likely impact of excavation / fill / contours / sections; the Council need to be satisfied that the ground conditions are now satisfactory to enable the development to go ahead without further remediation measures of importation of fill ; they also query the juxtaposition of fishing lakes and the course holes (– although this is a practical and management issue rather than a prime planning consideration); upon ecological matters they refer to the need to survey and protect greater crested newts; the proposals should contribute towards enhancing habitat connectivity; upon the landscaping proposals – these are generally acceptable and would represent a an enhancement of the locality together with improving the wetland and grassland elements but a number of proposed species are not acceptable.

Lancashire County Council Ecologist states separately the following matters: A] Japanese Knotweed is apparent on the site – its containment is necessary; B] The tree mix needs amending to be sympathetic to the natural rural environment; C] Planting establishment methodology, aftercare and long term management should all be taken into account. These matters have been raised with the applicant's agent.

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LCC have also recommended that if the application was to be approved a £20,000 developer contribution be sought to fund walking and cycling improvements in connection with the REMADE in Lancashire programme; the application site is close to the identified REMADE site of the former Chorley / Brinscall railway line, albeit that this is not included in the current priority works programme – but it would provide for a strategic walkway, cycle route, bridleway and nature trail and provide a sustainable linear route; the application site is located to Abbey Village and Withnell and there would be excellent opportunities for public use in the locality linking settlements and facilities; as the proposed facilities would be a reasonably high traffic generator in a rural area, anything that can help bring forward the strategic greenway – which is associated with its purpose – needs to be considered by the Council in assessing the outcome of this application.

CBC Regeneration Section (Landscape Architect) – Makes detailed comments upon the existing landscape character and quality as well as the likely impact of the proposed development with regard to the proposed planting and landscape features. It is recommended that the development of the golf course in this location would not have an adverse impact either on site or in relation to the adjacent landscape.

Assessment

The principal issues for consideration in the determination of this proposal are

- (1) the potential impact upon the Green Belt including visual impact,
- (2) the acceptability of the development in general land use terms and landscape impact,
- (3) ground conditions, drainage and cut and fill of the parcels on site
- (4) any ecological impact upon species and habitats,
- (5) traffic and transportation matters, and
- (6) any impact upon residential amenity in the immediate vicinity of the site development, and any other site-specific matters.

These matters are considered under the following headings:

Green Belt – The actual physical laying out of land in the Green Belt for the purposes of creating the holes for a golf course has been accepted in principle as an appropriate use subject to landscape assessment. New built development associated with the use may impact visually in the Green Belt or may adversely affect its openness.

There are existing buildings at the farm but these are outside the scope of the application site red edge at the applicant's request. The applicant has requested the erection of the new buildings given the existing or proposed uses of those existing particularly in terms of the permitted barn conversion that is already in the course of building work.

The proposed machinery store is relatively modest and external appearance has been improved. The second and larger building also incorporates a first floor in the roof space of the building. The ground floor area of the building, which incorporates two side wings, is just over 300 m². The first floor area adds a further 50%.

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Previous experience of other small nine hole courses in the area show that the level of facilities proposed in this application are in excess of those considered necessary to run such a course; this together with a lack of case made for them in a business plan, does not demonstrate a compelling case for new built development beyond that of simple facilities for pay, changing, toilets and possibly club hire to encourage beginners.

In this case, the building is not insubstantial. It is not of simple form alluded to above and is not considered to be modest. The proposed eaves height of the main portion of the building is 4.8 metres with a considerable ridge height of 9.2 metres. The proposed buildings would be grouped in relatively close proximity to those at the farm itself and in principle. Given modest proportions, from long views from Bolton Road they would be assimilated into the background vista. But not in this case. The proposed clubhouse comes closer into a considerable wedge of open countryside than the existing buildings and has such, given its size, will have more visual impact upon the openness of the Green Belt in this location. Accordingly, the proposed clubhouse building is not considered satisfactory and does not minimise the impact of new development in the Green Belt.

With regard to the physical laying out of the course, despite its hilltop location, it is not felt that this would impinge upon the openness of the Green Belt. Physical changes to the appearance of the landscape and landscaping proposals are primarily dealt with below, but given certain revisions to these matters and the removal of potential alien features in the landscape such as large rocks and boulders it is felt that the course as constructed in sympathy with its surroundings.

The creation of the fishing lakes are not problematical in Green Belt terms. The treatment of the car park area is considered to be acceptable as are four additional passing places upon the existing access road. However, the total number of spaces is not justified in respect of persons being at the course at any one time, either playing golf, fishing or just using facilities. The latter would be extremely difficult to be tied to persons playing golf or fishing.

Land Use - In terms of the appropriateness of the proposed land use in this location, policy LT12 is relevant. Priority will be given to new courses where there is a current lack of provision and to the use of derelict or degraded land within urban fringes. There is an existing nine-hole golf course at Highfield House Farm, Buckholes Lane in Higher Wheelton that was approved in March 1993. This course is in relatively close proximity to Withnell and Brinscall and is in a similar catchment area for potential golfers travelling a short distance by car. It is not considered however that that the issue of priority has been wholly satisfied in the north east of the Borough and this would not represent a reasonable reason of refusal in this case in its own right.

In terms of landscape quality, the site has no outstanding merit and represents typical gently undulating farmland, albeit in an upland situation. The intended changes to the topography of the site are not dynamic and the applicant advises that the changes will be facilitated from the movement of earth within the site. A golf course does create an artificial landscape with various levels of mown areas. In the case of the application submission, it is

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considered that the changes to the topography of the site are modest. Those changes will undoubtedly be apparent, particularly from Bolton Road and from public footpaths crossing and in the vicinity of the site. It is not considered however that there will be resultant harm as a consequence of its construction. The appearance of the site would clearly be altered but not to a degree that there would be resultant harm to its immediate setting.

The proposed landscaping scheme is now considered acceptable in principle by specialist officers in both the Council's Regeneration section and Lancashire County Council. It has been amended to vary the planting mix in order to omit the certain trees and shrubs which would be alien in this setting. More hawthorn planting has been recommended but no additional tree / shrub planting added to the mix for the avoidance of over planting with too many species in situ in a setting where only a handful would be apparent in a natural setting.

Earth Movement, Ground Conditions and Drainage

The implications of the intended cut and fill exercise is submitted on drawings. Though there are volume calculations presented there is no indication of depth of individual parcels of cut and fill, while there is no methodology to demonstrate why the operations are wholly necessary in certain areas of the course construction. There is no report accompanying them to identify whether any of the works are necessary to improve the drainage of the land for regular daily use as a surface for playing golf. There is no submitted indication as to a programme or timetable of construction of the course and how the excavated spoil, that will have clearly to be moved about the site, will be dealt with in terms of storage on the site. There are visual implications of these works on a site in the countryside, certainly if undertaken over a long period.

The nature of the existing site conditions / overall drainage works have not been demonstrated. LCC Planning refer to the land at Moss Side Farm as being poorly drained and that being the reason for the importation of the fill on the land in the 2002 application. The advice from the applicant's agents is that there will be no importation of spoil to the site in order to construct the golf course. Though a planning condition could be attached restricting the importation of fill, the quality of the existing ground conditions and drainage regime ought to be demonstrated as part of the application submissions for the avoidance of any doubt and the possibility of any subsequently sought modifications to any planning permission granted at a stage when the development is under construction. A partially completed course would certainly detract from the visually quality of the landscape in this countryside location.

Consideration of Development Plan Policy - Upon Policy LT12, the following matters are considered:

Firstly landscape quality ought not to be adversely affected; in terms of agricultural land quality, the land at Moss Side Farm is not classed as grade 1 land and is not understood to be high quality or especially versatile; a portion of it has been recently improved as stated above and it is required to be retained in agricultural use in a five year aftercare programme; a further

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criteria is that there be no harm to the site in terms of nature conservation value – studies have been undertaken with regard to great crested newts and water voles(both protected species). There was no survey evidence to support the presence of water voles or great crested newts; the proposed development environment is more likely than not to be beneficial to supporting habitats for newts in the future.

In terms of impact upon any adjacent residential amenity, the only property really in direct proximity to the access and buildings for the application site is the applicant's own property which is the farmhouse to the farm; officers view is that any future occupants of the farmhouse and or the barn conversion would buy or rent the properties in the knowledge of the existence of the golf course

In terms of alternative modes of transport being available to access the site, there is as the applicant's agent identifies a bus route along Bolton Road with public footpath linkage into the site; however, the likelihood of customers regularly utilising public transport seems unlikely – this scenario might be more compelling if the course intended to offer club hire. With regard to site access and the local traffic network being able to safely accept the demand generated by the course, the Senior Traffic Engineer (LCC) for the area does not feel that there are any access problems and considers that the highway conditions in Bury Lane in immediate proximity to the site access are not unsatisfactory or warrant the introduction of any traffic calming measures. The access off Bolton Road however ought to be closed if planning permission were to be granted.

The satisfaction of other site matters, in criteria 8, such as drainage, public rights of way, landscaping, the design and siting of ancillary buildings has been dealt with in the sections above, while it is not considered that the presence of public footpaths will impact upon the proposed use and vice versa while signage would be erected on the course; it is not uncommon for footways to cross a golf course.

With regard to other development plan policy, policy EM3 deals with farm diversification and intends that the new use is ancillary in scale to the main farming enterprise; it is not considered that the provisions of this policy has been satisfied; upon policy (a), the proposed development is clearly not in scale with the main farming enterprise – it supercedes it; on criteria (d), the proposed development does not intend the re-use of existing buildings associated with the farm despite the fact that the proposed use effectively ensures their redundancy; as the issue of the openness of the Green Belt is considered to be prejudiced by the size of the proposed clubhouse building then the re-use of any existing buildings is a valid issue for consideration against this policy substance .

Implications of Planning Permission 02/688

As stated previously, the area of land related to this permission (now implemented) and the siting of hole no.9 overlap; condition no.19 attached by the County Council requires a period of five years aftercare for agricultural use and this period has only recently been commenced; a grass crop shall be taken shall be undertaken in the first year and thereafter cropping and grazing shall be as agreed with LCC. As submitted, the layout of the

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course could not be implemented given the terms of this condition and the only appropriate course of action would be to delete this hole from the course or to withdraw the application and to try and seek the removal of the condition from LCC; at the very least this application is premature pending any removal or modification of that condition or amendment of the course perimeters.

Conclusion

The proposals are considered contrary to the provisions of policies DC1, LT12 and EM3 of the Borough Plan. In addition, the proposal is contrary to the provisions of an extant condition upon land reclamation on part of the application site and is as such contrary to policy 28 of the recently adopted Joint Lancashire Structure Plan in terms of the requirements for appropriate aftercare following restoration of landfill sites. The application is therefore recommended for refusal.

Recommendation: Refuse

Reasons

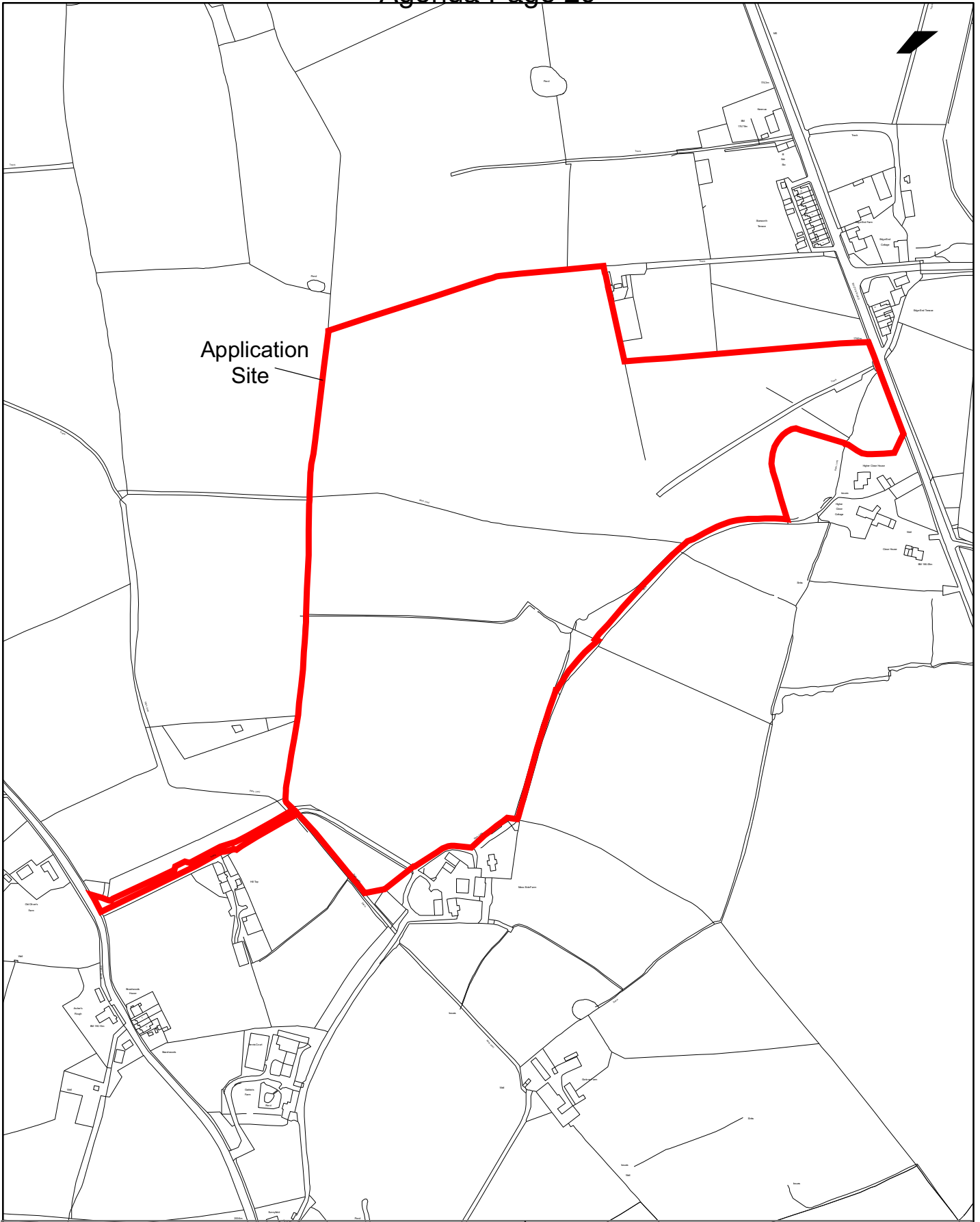
1. The proposed erection of the building to form a clubhouse for the golf course, would by reason of its size, height, form and intended use, constitute unwarranted new built development in the Green Belt as identified upon the Proposals Map for the Adopted Chorley Borough Local Plan Review that is not considered to constitute essential facilities for outdoor sport and recreation in accordance with policy DC1 of the Local Plan and as such would be visually intrusive and impinge upon the openness of the Green Belt contrary to Policy DC1 and Planning Policy Guideline No.2 – Green Belts . In this case, the intended clubhouse facilities and ancillary uses are in excess of those considered necessary to run a pay and play golf course of the type proposed.

2. The proposal is not considered to accord with the provisions of farm diversification as identified in policy EM3 of the Adopted Chorley Borough Local Plan Review in that the proposal would not be ancillary in scale to the main farming activity (criteria a) as it would supercede it; that there has been no attempt to utilise existing farm buildings in connection with the proposed use (criteria d); and that the proposed new clubhouse building is not of appropriate scale (criteria c). It is not considered that the applicant has satisfactorily demonstrated a case that the proposed use is essential diversification creating an entirely new land use that ought to override the primary land use in this countryside area.

3. The proposals in respect of a portion of the proposed golf course adjacent to the middle section of the eastern site boundary are contrary to the provisions of planning permission 02/0688 for land filling to improve land drainage on site and which require a five year period of aftercare in agricultural following restoration; the proposed laying out of the golf course on this filled and restored land would run counter to its objective for improving farm land for agricultural purpose and be contrary to policy 28 of the Adopted Joint Lancashire Structure Plan in terms of securing appropriate aftercare use of landfill sites .

4. The proposed submissions do not satisfactorily demonstrate the adequacy of existing ground conditions in land drainage matters and that the course can constructing and modelling and a well drained playing surface provided; there has no indication of any requirement for the importation of fill to the site to assist in sub-surface drainage but this has not been substantiated in submitted documentary evidence. The discharge of drainage matters is a pre-requisite of criteria (h) of policy LT12 of the Adopted Chorley Borough Local Plan Review and as such the proposal is contrary to this policy in terms of ensuring that the Local Planning are able to assess that existing and intended drainage matters are satisfactorily dealt with.

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Alan D Croston BA (Hons) MRTPI MCM
Head of Planning Services
Chorley Borough Council

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Application No.

05/00366/FULMAJ

Grid Ref:

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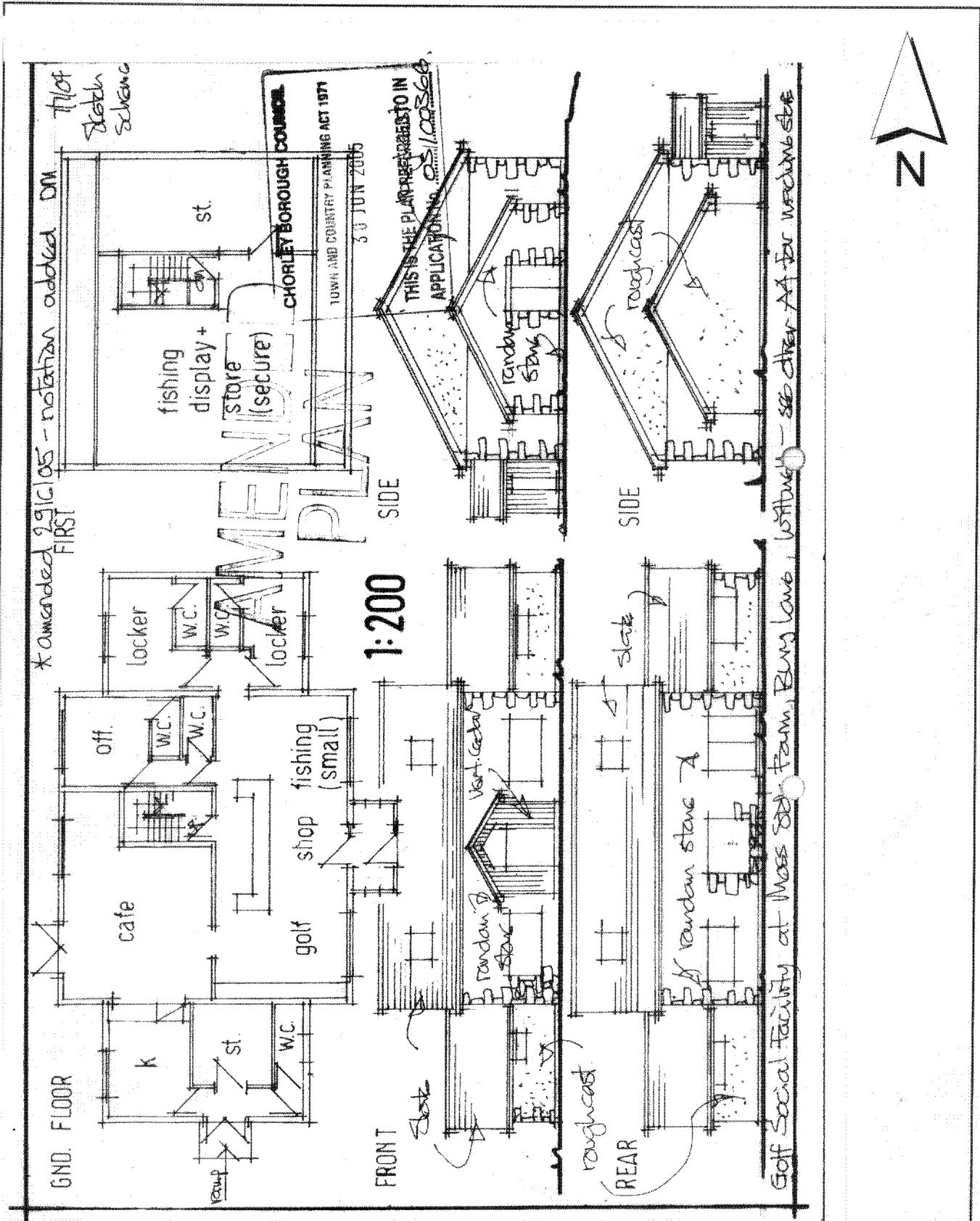
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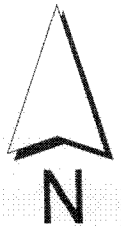
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Application No. 05/00366/FULMAJ	Grid Ref: E: 363283 N: 422965	Scale:	Agenda Item No. A. 1

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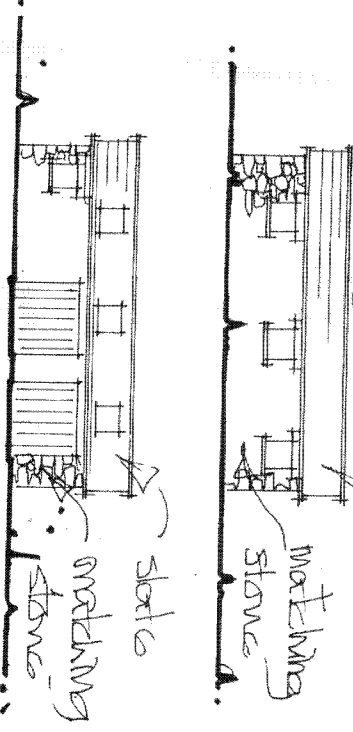
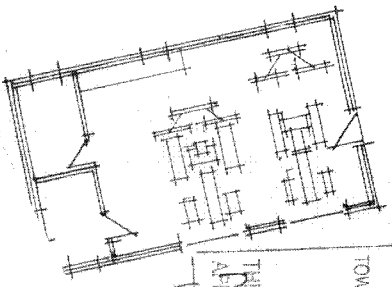
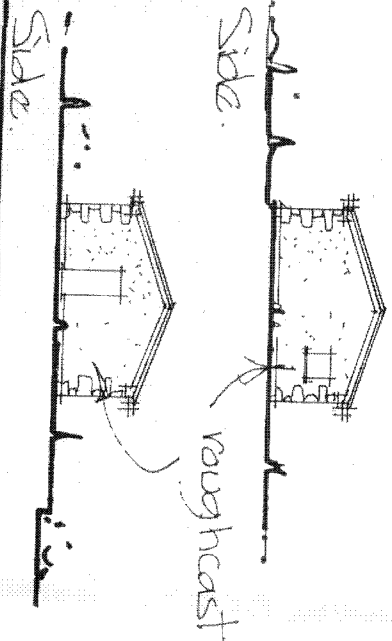


1820s
North

Main Social Building

AMENDED

Machine stone & Workshop at Withnell Calf
and Activities Centre; Bury Lane,
Withnell, Chorley.



CHORLEY BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
27 Jun 2005
05/00366
THIS IS THE PLAN REFERRED TO IN
Application No. 05/00366/FULMAJ
WORKSHOP (ref)

Alan D Croston BA (Hons) MRTPI MCMI
Head of Planning Services
Chorley Borough Council

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Application No.
05/00366/FULMAJ

Grid Ref:
E: 363283
N: 422965

Scale:

Agenda Item No.
A. 1

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Item A. 2	05/00493/FULMAJ	Permit
Case Officer	Mrs Wendy Gudger	
Ward	Adlington & Anderton	
Proposal	Improvements to existing outdoor education centre, including installation of climbing towers, adventure rope courses, all weather pitch, new classroom facility, timber deck for pond dipping, improvements and extensions to footpath network to widen access, and extensive planting works, as amended by letter dated 11 July 2005,	
Location	The Anderton Centre, New Road, Anderton, Chorley, Lancashire	
Applicant	United Utilitites	
Proposal	<p>This application proposes improvements to the existing facilities at the Anderton Centre, New Road, Anderton. The application proposes the following works:</p> <ol style="list-style-type: none">1. The replacement of the existing climbing tower and the erection of a further climbing tower;2. The construction of an adventure rope course including a multi-activity tower, high and low rope courses and associated access improvements;3. New multi use sports pitch and associated fencing;4. New classroom facility with disabled toilets and associated paths;5. Timber decked area adjacent to the pond on the road frontage to allow for pond dipping activities;6. Improvements and extensions to the footpaths through the existing terraced garden;7. The creation of a secure boat storage area adjacent to the existing boat house;8. Associated landscaping works including removal of invasive species, and scrub and improved management of existing woodland and additional woodland planting. <p>In addition to these proposals the subject of the application, further works will be undertaken to improve the existing facilities by various internal alterations to refurbish the existing buildings. These proposals are within the existing buildings and are not therefore part of the current application, as they do not require planning permission.</p>	
Background	<p>The site was originally that of Anderton Hall but was demolished in the last century. There remain remnants of the landscaped gardens and features surrounding the original hall building, although these are much overgrown.</p> <p>The original Hall was replaced by the current 2 storey administration and accommodation building built by the Greater Manchester Authorities as a regional resource for training and conferencing. It was subsequently taken over by First Leisure who primarily marketed the site as a conference venue. For the last six years it has been run by the owners United Utilities as part</p>	

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of their policy of social responsibility.

Planning Policy

The site lies within the open countryside, which is also designated as Green Belt. As a consequence policy DC1 of the Chorley Borough Local Plan Review 2003 is applicable.

It is adjacent to Lower Rivington Reservoir which identified as a Biological Heritage Site on the proposals map (for its bird population and flowering plants / ferns. Policy EP2 is therefore applicable.

A TPO exists on all the beech, sycamore, birch, oak, pine, holly, yew, cedar and monkey puzzle trees within the site (not along the access or road frontage) which was made in 1981. Policy EP9 is therefore applicable.

Planning History

There has been no recent planning history of immediate relevance to the current application.

Consultees Responses

The Parish Council is generally supportive of the development proposed for this facility, particularly in respect of the modernisation required and the environmental restoration and enhancement promised. However they have concerns regarding the inclusion of a flood-lit all weather sports pitch. They question the need for the floodlighting in an area as sensitive as this, which would significantly detract from the naturally dark night time landscape.

The County Highways Officer raises no objections to the proposal.

Representations

The resident of Anderton Hall Lodge is concerned about the traffic speeds of vehicles using the access immediately adjacent to their property. They point out that drivers ignore the existing speed control hump. They suggest that the access is moved away from their property. They are also concerned about the litter that has resulted from the use of the site and the types of people being brought onto the site.

Chorley District CPRE has raised concerns about the impact of the light pollution arising for the floodlighting pointing out that the floodlighting will be used more in winter when the screening is reduced (being surrounded by deciduous trees).

The Ramblers Association raise no specific objections but refer to whether the concessionary footpath to Tan Pits Farm will be retained.

Assessment

The main issues surrounding this application relate to the appropriateness of the development in the Green Belt and the use of the access.

Uses of land in the Green Belt are carefully controlled by policies in the development plan. Paragraph 1.6 of PPG2 states that the use of land within Green Belts has a positive role to play in providing opportunities for outdoor sport and recreation and to provide opportunities for access to the open countryside. In a general sense the proposal fulfils these objectives and in principle the recreational use of the land is appropriate.

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However, the Local Planning Authority have to consider whether the proposed buildings are well related to this use of land. Both PPG2 and policy DC1 of the Chorley Borough Local Plan Review 2003 allow for essential facilities for outdoor sport and recreation.

Given the history of the site and the nature of the works it is considered that the general improvement works, creation of footpaths, modest timber decked areas and the improved management of the sites accord with these policies. Furthermore, given the significant screening and limited visual impact of the rope courses, climbing towers and associated works these works will also have limited impact on the visual amenity of the Green Belt.

The two main aspects of the proposal to consider in green belt terms are the classroom and the all weather pitch. The applicant has advised that the all weather pitch is intended to provide a multi use games area for activities such as team sports, archery and football. The pitch will be enclosed in fencing to prevent the activities straying either into the adjacent woodland or farmland. The details of such fencing will be critical.

The construction of the pitch will entail the removal of a number of trees within the centre of the site. These are covered by an area TPO recognising the trees for their group value. The loss of these small number of trees within the centre of the site will not have any significant external impact and the general amenity afforded by the larger area is still retained. The applicant also proposes to undertake extensive landscaping within the adjacent woodland to help screen the proposal and to mitigate the loss of the trees.

The applicant originally proposed the floodlighting of this area to allow for extended periods of activity. However, concerns over this element were expressed by your officers, the parish council and the local branch of the CPRE. As a consequence the applicant has removed the floodlighting from the application. The remainder of the proposal will not have any significant impact on the visual amenity of the Green Belt provided the details of the fencing are carefully considered and an adequate landscaping scheme is implemented.

In relation to the classroom, this is also within the centre of the site located close to an existing building and is of single storey construction measuring approximately 7 metres by 4 metres. This is provided for educational purposes and will be used to support the other activities undertaken from the site. In design terms it is similar to the adjacent building. Given its limited size and impact the proposal will not result in a significant harm.

In relation to the highways issues, the County Highways officer is happy with the technical standards of the existing access. The issues relating to the speed of traffic on the access road are not matters within the control of the County Council. However, it would be possible to require a scheme of increased traffic calming by imposing a condition on this planning permission. Whilst this would not reduce the quantity of traffic, it would potentially reduce speeds of vehicles, which seems of specific concern to them. In terms of traffic generation the applicant advises that that it is not intended to increase the use of the site, merely to improve the existing facilities. As a consequence, and given the nature of the

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proposals there is unlikely to be any significant change to the pattern of traffic visiting the site.

Conclusion Given the limited impact of the proposed development and its general compliance with Green Belt policy, the application is recommended for approval subject to the following conditions.

Recommendation: Permit

Conditions

1. Details and samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority before any on-site work commences. All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure that the external appearance of the building(s) is satisfactory in accordance with policy GN5 of the Chorley Borough Local Plan Review 2003.

2. Plans and particulars showing the alignment height and materials of all walls and fences and other means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority, and development shall not be commenced before these details have been approved. Such details as may be agreed shall be implemented in their entirety prior to the first occupation of the building to which these elements relate, maintained for a period of five years and any structural or decorative defect appearing during this period shall be rectified and the enclosure shall thereafter be retained.

Reason: In order that the Council may be satisfied with the enclosure details of the proposal and its implementation and retention in accordance with policy GN5, and DC1 of the Chorley Borough Local Plan Review 2003.

3. Plans and particulars showing a scheme for land drainage, shall be submitted to, and approved in writing by, the Local Planning Authority, and development shall not be commenced before these details have been approved, unless otherwise agreed in writing. Such works shall be carried out in accordance with the approved details concurrently with the rest of the development and in any event shall be finished before the building is occupied.

Reason: In order that the Council may be satisfied with the details of the proposal and to avoid surface water flooding in accordance with policy EP18 of the Chorley Borough Local Plan Review 2003.

4. The car parking facilities shown on the deposited plan shall be laid out and provided prior to the occupation of any of the buildings; such parking facilities shall thereafter be permanently retained for that purpose.

Reason: To ensure provision of adequate off-street parking facilities within the site in accordance with policy TR4 of the Chorley Borough Local Plan Review 2003.

5. Before the development is commenced, proposals for the landscaping of the site, to include provision for the retention and protection of existing trees and shrubs, if any, thereon, together with any means of enclosure proposed or existing within or along the curtilage of the site shall be submitted to and approved by the District Planning Authority by means of a large scale plan and a written brief. All proposed and existing trees and shrubs shall be correctly described and their positions accurately shown. Upon approval such new planting shall be carried out during the planting season October/March inclusive, in accordance with the appropriate British Standards for ground preparation, staking, etc., in BS4428:1989 (1979), immediately following commencement of the development. The landscaping shall thereafter be maintained for five years during which time any specimens which are damaged, dead or dying shall be replaced and hence the whole scheme shall thereafter be retained.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and the locality in accordance with policy DC1, GN5 EP9 and EP10 of the Chorley Borough Local Plan

Review 2003.

6. A scheme for the protection of existing trees (and hedges) on site showing protective fencing to be erected in accordance with the British Standard specification BS5837:1991 shall be submitted to and approved in writing by this Authority before any development commences on site. The scheme shall be retained throughout the entire construction period and shall be undertaken in its entirety before any site works are commenced. Should any trees (or hedges) die, be damaged or become diseased as a result of the construction works then they shall be replaced in accordance with a written specification, to be submitted to and approved by the Local Planning Authority, within the next available planting season.

Reason: To prevent trees on site from being damaged and in accordance with policy EP9 of the Chorley Borough Local Plan Review 2003.

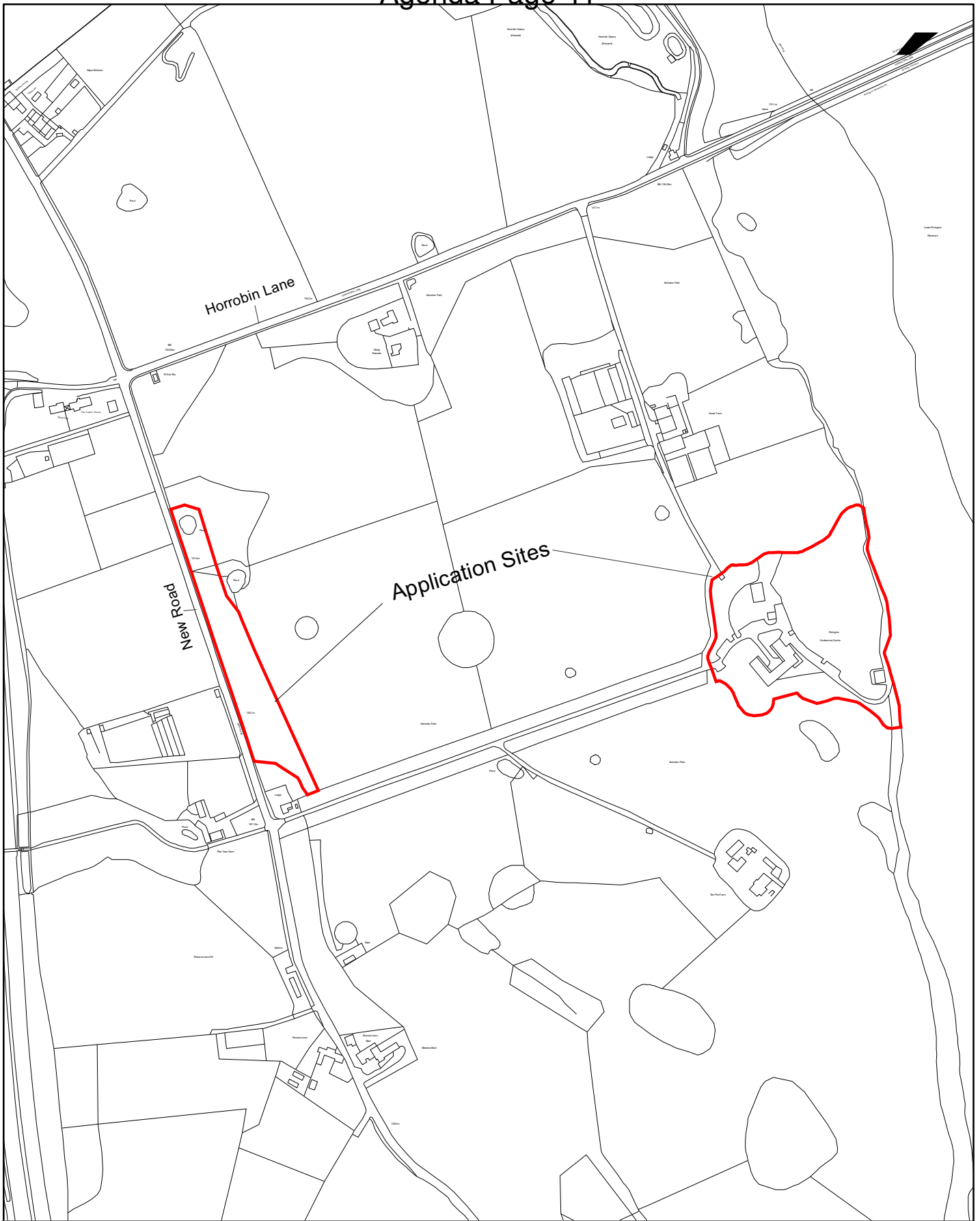
7. Notwithstanding the original submissions no floodlighting shall be erected or attached to any of the structures hereby permitted without express planning permission first being obtained.

Reason: In order to control any lighting in this sensitive area in order to secure compliance with Policy DC1 and GN5 of the Chorley Borough Local Plan Review 2003.

8. No development hereby permitted shall be commenced unless and until a scheme for the reduction of speed of vehicles using the access to the site has been submitted to and approved by the Local Planning Authority and implemented in its entirety.

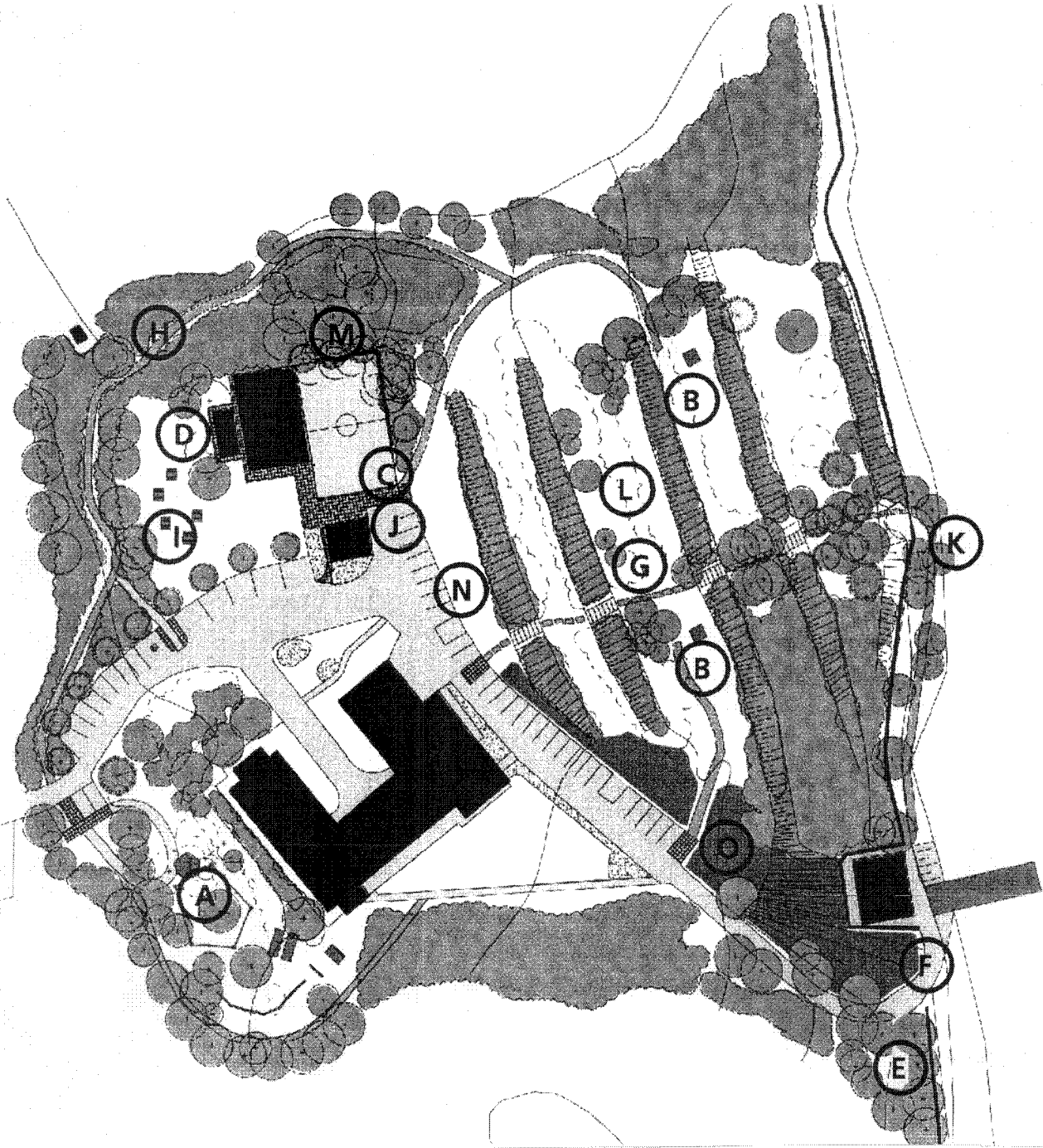
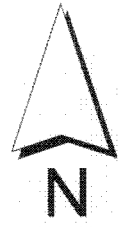
Reason: These specified works are seen as a pre-requisite of allowing this development to proceed to achieve a suitable access and to reduce the impact of the vehicles accessing the site on the amenities of adjacent residential dwellings in accordance with policies GN5 and TR4 of the Chorley Borough Local Plan Review 2003.

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<p>Application No. 05/00493/FULMAJ</p>	<p>Grid Ref: E: 362202 N: 413738</p>	<p>Scale: 1:5,000</p>	<p>Agenda Item No. A. 2</p>

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<p>Application No. 05/00493/FULMAJ</p>	<p>Grid Ref: E: 362202 N: 413738</p>	<p>Scale:</p>	<p>Agenda Item No. A. 2</p>

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Item A. 3	05/00516/OUTMAJ Permitted subject to SEC 106	Outline App
Case Officer	Mr Neil Higson	
Ward	Chorley South West	
Proposal	Outline application for residential development (4.42Ha) with details of siting and means of access and associated public open space (2.05Ha),	
Location	Site N1 Lower Burgh Way Chorley Lancashire	
Applicant	English Partnerships	
Background	<p>The site lies at the southern end of Chorley town and represents the completion of the Eaves Green Development which has been an area of housing growth since it formed part of the New Town proposals developed during the 1970's.</p> <p>The application is in outline seeking permission for residential development of an area of 4.42 ha (149 dwelling units) with 2.05 ha of Public Open Space and associated infrastructure works. Details of siting and means of access only are submitted for consideration at this stage. The layout has been formulated on a HomeZone principle with very low vehicle speeds and no differentiation between highway and pedestrian footways. Accordingly elements of the scheme have been developed for consideration at this outline stage namely the density (which follows the standards required by PPG3 of a minimum of 30 dwelling per ha) and layout.</p>	
Policy	<p>The site is allocated in the Adopted Chorley Borough Local Plan Review under Policy HS1.3.</p> <p>Other relevant policies include HS3, HS3A, HS4, HS5, HS19, HS21, TR1, TR2, TR4, TR6, EP4, EP10, EP16 and EP22.</p> <p>Joint Lancashire Structure Plan Policy 12</p>	
Planning History	<p>93/00121/OUT – Permission granted in Outline for residential development - March 1999.</p> <p>02/00316/REMMAJ – Reserved matter for 32 dwellings (apartments, town houses and detached dwellings) – being held in abeyance.</p>	
Applicant's Case	<p>The applicant makes the following points:</p> <p>The development is part of a joint initiative between Chorley Borough Council and English Partnership as joint landowners (EP being the majority landowner and the applicant). It is intended that this final part of development within Eaves Green should reflect EP's commitment to delivering a high quality, sustainable development in line with government policies on the environment and construction. EP are committed to creating safe and secure environments and all residential developments should be follow the principles of "Secured by Design".</p>	

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The application sets out in the form of a master plan the site context, taking into account physical and engineering constraints, landscape and ecological features, transportation and highway issues and public consultation responses.

The residential development as a HomeZone involving a shared surface street with no defined pavement or carriageway and a streetscape where vehicles are forced to travel at minimal speeds so that pedestrians have equal priority. First developed in Holland they incorporate traffic-calming features such as chicanes and build outs and are enhanced with street furniture, lighting and tree and shrub planting to create an attractive environment that promotes a sense of place.

“Gateway” markers will be erected at each entry point to indicate a change in behaviour for drivers arriving in the zone. 20 mph transition zone is proposed for Lower Burgh Way before the HomeZone is entered. Design proposals aim to encourage walking and cycling within the area. Infrastructure for public transport is provided for by a “loop road” which circles the village green, catering for buses in this area for the first time.

Car parking is to be provided in accordance with locally adopted parking standards by way of individual garages and parking courts. Properties will be serviced by communal bin storage.

The character of the properties will range from 2-bed flats, two and three bed terraces and cottages and detached properties up to three stories in height.

Representations

8 letters of objection have been received from local residents on the grounds of;

- being detrimental to the open green area between Chorley and Coppull, the people that use it and the wildlife that inhabit it;
- more housing should not be allowed to be built without the Eaves Green Link Road being provided first on the grounds of highway safety;
- no infrastructure exists within Eaves Green to support more residential development;
- increased traffic, noise and pollution;

CPRE – access for emergency vehicles should be provided by way of the Eaves Green Link Road prior to development commencing.

Woodland Trust – there should be no significant impact on the woodland owned by the trust resulting from the development.

Ramblers – the use of the footpaths should not be compromised during the development.

Consultations

Head of Environmental Services – no objection subject to conditions.

National Grid Transco – No objections.

Head of Public Space Services – no objections on highway grounds. Detailed landscaping should take account of secured by design principles.

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Central & Western Lancs Wildlife Trust – the site falls within 500m of a population of Great Crested Newts and Bats and this should be investigated further.

United Utilities – No objection subject to conditions.

LCC Planning – No objection in terms of Policy 12 as majority of the site has consent under the New Towns Act. Consider that additional funding in excess of that already secured is necessary to provide an adequate public transport service.

LCC Highways – No objections subject to securing the contributions to the bus service and Eaves Green Link Road.

LCC Archaeology – No comments.

English Nature – no objection subject to conditions to secure the safety of protected species on site.

MAPS – Provides details of issues to be address in the detailed design to achieve secured by design standards.

Assessment

The principle of residential development on the site is acceptable given its New Town Consent status, the existence of a live planning application on part of the site and its Local Plan allocation.

The proposal accords with Policy HS3, as the proposed density in relation to the developable area of the site is 34 dwellings per ha and is therefore higher than the 30 dwellings per hectare required.

The application is in outline with all matters reserved except siting and means of access, however, it has been indicated that the proposed mix of properties will range from 2-bed flats, two and three bed terraces and cottages to detached properties up to three stories in height. I am satisfied that this is an appropriate mix of dwelling types which accords with Policy HS3A.

With regard to the criteria in Policy HS4, the internal layout of the site has been the subject of extensive pre-application discussions involving both Borough and County Highway engineers with the “carriageway”, parking layout and building positions being fairly rigidly fixed due to the nature of the HomeZone principle. Attempts have been made to use the physicality’s of the site to accommodate the layout of the development. Care needs to be taken with regard to the levels across the site and the impact this will have on the character of the surrounding area and the residential amenity of the closest properties to the site. The proposal is broadly in accordance with Policy HS4, however, care will need to be given to the detailed design and external appearance at the reserved matters stage.

The development should accord with Policy HS21 and the interim guidelines for new equipped play areas associated with housing developments, the development should provide for informal open space and an equipped play area as well as a commuted sums both for the maintaining the on site open space and for the provision of off-site playing fields. A site to the north of the

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development was reserved for the provision of a school as part of the original development of the area however, LCC have confirmed that this is no longer required. This site is now intended to provide recreational facilities to serve both the existing and proposed development. A financial contribution for the provision of these facilities calculated in line with the Council's interim guidelines will be sought via a legal agreement.

Policy TR1, TR2, TR4 and TR6 contain various criteria to ensure that access to sites is suitable, will not result in unacceptable traffic flows through residential areas, will be well linked to the main road network, properly mitigate any highway and transport problems that may arise, provide safe and adequate access for vehicles, cyclists and pedestrians, and appropriate traffic calming, with a road layout that is appropriate to the locality. A Section 278 agreement is to be entered into with the County Council to require the provision of off site highway works in the form of traffic calming and cycle ways along Lower Burgh Way to create a 20 mph transition zone as the HomeZone area is approached. The "highway" network within the development has been specifically design to a pre-requisite standard and is considered in accordance with the above-mentioned Policies.

Policy EP10 requires the developer to demonstrate that the character and value of the existing landscape and its features have been taken into account. English Nature has stated that as part of the detailed landscaping and planting schedules to be submitted with the reserved matters the opportunity should be taken to aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. It is considered that on the basis of the surveys provided in relation to protected species (Policy EP4) conditions should be imposed requiring appropriate mitigation for the impact on the great crested newt populations which will also be required as part of the DEFRA licence. Conditions can also be imposed which adequately protect trees, which may provide bat roosts and breeding birds.

Policy EP16 requires applications on site likely to be contaminated to be accompanied by a report to establish the nature and content of the contamination and provide measures for dealing with it safely. The Head of Environmental Services has requested that investigation be under taken prior to development commencing and a methodology for any necessary mitigation required as a result.

In accordance with Policy EP22 the housing units provided will be constructed to a very high standard of energy efficiency (exceeding the Building Regulations) and include other sustainable features.

As set out in the Applicant's case above the development is part of a joint initiative between Chorley Borough Council and English Partnership intended as the completion of development within Eaves Green. The issues revolving around the development of this final element of Eaves Green were heavily investigated and debated at the inquiry into the Local Plan. The resultant adoption of the Local Plan, which reduced the amount of housing at Eaves Green by about 380 units, definitively determined the reduced extent of the developable area involved, and the density proposed. It was considered that due to the peripheral location of the site and

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the distance to local facilities and amenities that this was not an ideal location for the provision of affordable housing.

The present layout of the Lower Burgh Way as a cul-de-sac hinders traffic movement and prevents a viable bus route from being implemented. The completion of Lower Burgh Way through the proposed development will provide a loop arrangement to enable bus penetration of the neighbourhood as a whole. The development will also contribute towards and enable the completion of the Eaves Green Link Road making the bus service provision to the area more feasible. Attention has also been paid to integrating the area into the wider cycle and footpath network. Improving access between the neighbourhood and the surrounding countryside. It is considered that the completion of English Partnerships involvement (formally Commission for New Towns) in developing Eaves Green should focus on the quality of the living environment being created giving priority to the needs of pedestrians rather than the movement of vehicles, widen the range of housing opportunities in order to reflect changes in household trends and provide the opportunity for funding towards the implementation of the link road and the introduction of public transport into this currently isolated area.

It is considered necessary for an associated S106 Agreement intended to secure a financial contribution to the Link Road from EP and CBC; the transfer of the former school site to the Council for the purposes of the provision of Public Open Space and associated commuted sums for the provision of off-site play space/equipment and the future maintenance of on and off-site POS; provision of off-site traffic calming and cycle ways to Lower Burgh Way; and financial contribution towards the provision of public transport provision;

Subject to the provisions of the Section 106 agreement referred to above and the listed conditions below, I recommend approval.

Recommendation: Outline App Permitted subject to SEC 106

Conditions

1. Before the development hereby permitted is first commenced, full details of the following reserved matters (namely design, external appearance and landscaping) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The permission is in outline only and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

2. This permission shall relate to the submitted application form, plans and supporting documentation or any subsequently appropriately endorsed additional or revised plan.

Reason: To identify the approved plans and for the avoidance of doubt as to what is permitted.

3. No development shall take place until :

a methodology for investigation and assessment of ground contamination has been submitted to and approved in writing by the Local Planning Authority. The investigation and assessment shall be carried out in accordance with current best practice including British Standard 10175:2001 "Investigation of potentially contaminated sites – Code of Practice". The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present

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to the site, risks to receptors and potential for migration within and beyond the site boundary;

all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;

the Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works, a validation report containing any validation sampling results have been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals. Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for the treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.

4. Before the development hereby permitted is first occupied, provision for cycle parking provision, in accordance with details to be first agreed in writing with the Local Planning Authority, shall have been made.

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.

5. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (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 dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

6. 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.

7. The application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plan(s). The development shall only be carried out in conformity with the approved details.

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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 HS4 of the Adopted Chorley Borough Local Plan Review.

8. 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 of the Adopted Chorley Borough Local Plan Review.

9. No development shall take place until details of the proposed surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented.

Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 and EP19 of the Adopted Chorley Borough Local Plan Review.

10. Before the development hereby permitted is first commenced full details of the means of foul water drainage/disposal shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for foul water drainage/disposal have been completed in accordance with the approved details.

Reason: To ensure proper drainage of the development and in accordance with Policy No. EP17 of the Adopted Chorley Borough Local Plan Review.

11. 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.

12. 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.

13. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:1991 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.

Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.

14. The external facing materials detailed on the approved plan(s) shall be used and no others substituted without the prior written approval of the Local Planning Authority.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5, and HS4 of the Adopted Chorley Borough Local Plan Review.

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15. 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 HS4 of the Adopted Chorley Borough Local Plan Review.

16. Before any development hereby permitted is first commenced, full details of the surfacing, drainage and marking out of all car park and vehicle manoeuvring areas shall have been submitted to and approved in writing by the Local Planning Authority. The car park and vehicle manoeuvring areas shall be provided in accordance with the approved details prior to first occupation of the premises as hereby permitted. 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.

17. No development shall take place until a scheme for the provision of public open space and play areas has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted to include full details of all play and other equipment to be provided.

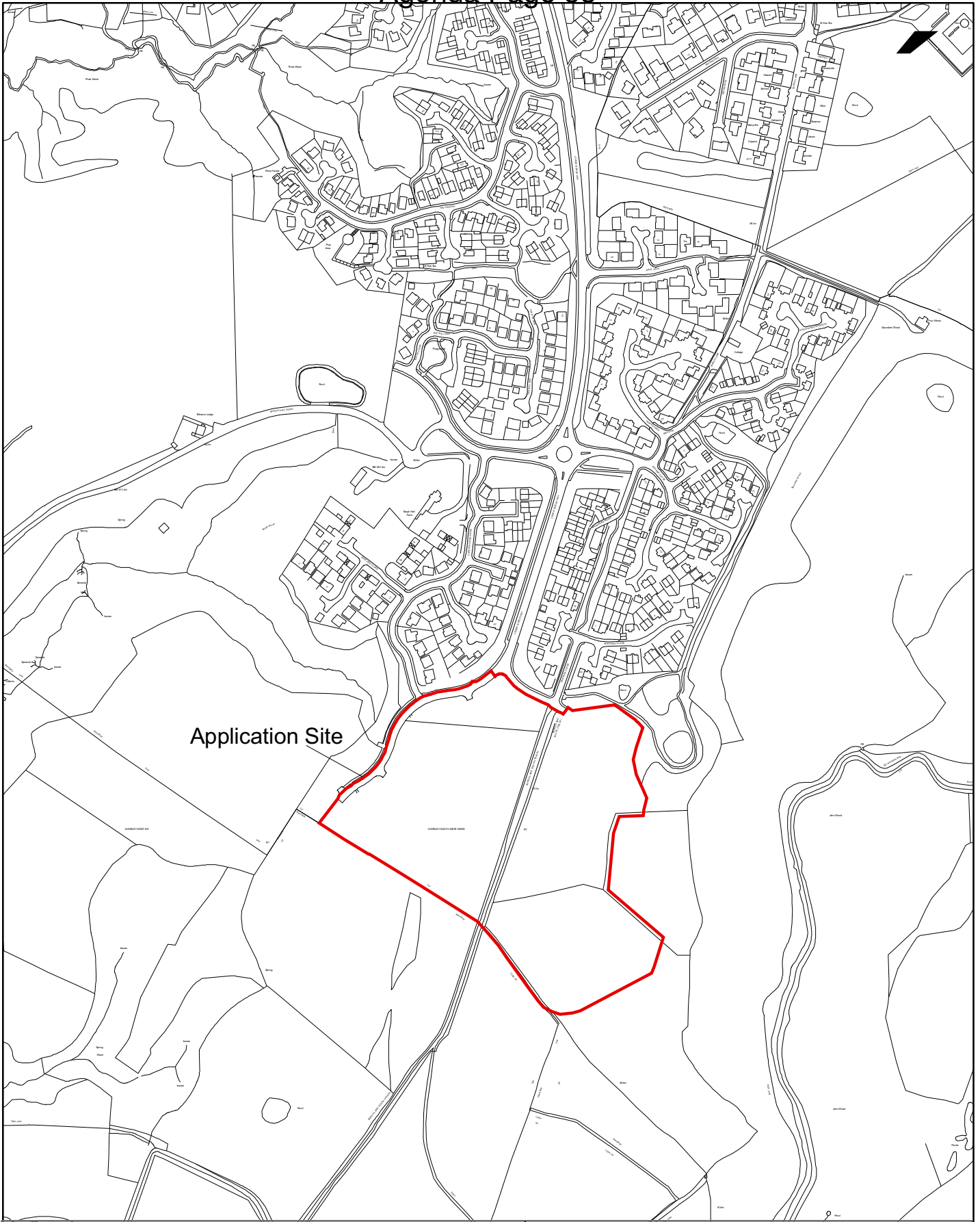
Reason: To ensure adequate provision for public open space and play areas within the development and in accordance with Policy Nos. HS20 and HS21 of the Adopted Chorley Borough Local Plan Review.

18. Before the development hereby permitted is first commenced, full details of the phasing of provision and equipping of public open space and play areas shall have been submitted to and approved in writing by the Local Planning Authority. The provision and equipping of such areas to be thereafter carried out in strict accordance with the approved details.

Reason: To ensure adequate provision for public open space and play areas within the development and in accordance with Policy Nos. HS20 and HS21 of the Adopted Chorley Borough Local Plan Review.

19. Before development commences full details of mitigation measures required to be implemented by the specialist ecology report received on 28 June 2005, as submitted by The Environment Partnership with regard to the protection of protected species on and in the vicinity of the site including any proposed phasing of measures. Such details as approved including any phasing of measures shall be implemented in full and retained thereafter.

Reason : To comply with the practical effect of the Wildlife and Countryside Act 1981 and in accordance with policy EP4 of the Chorley Borough Local Plan Review 2003.



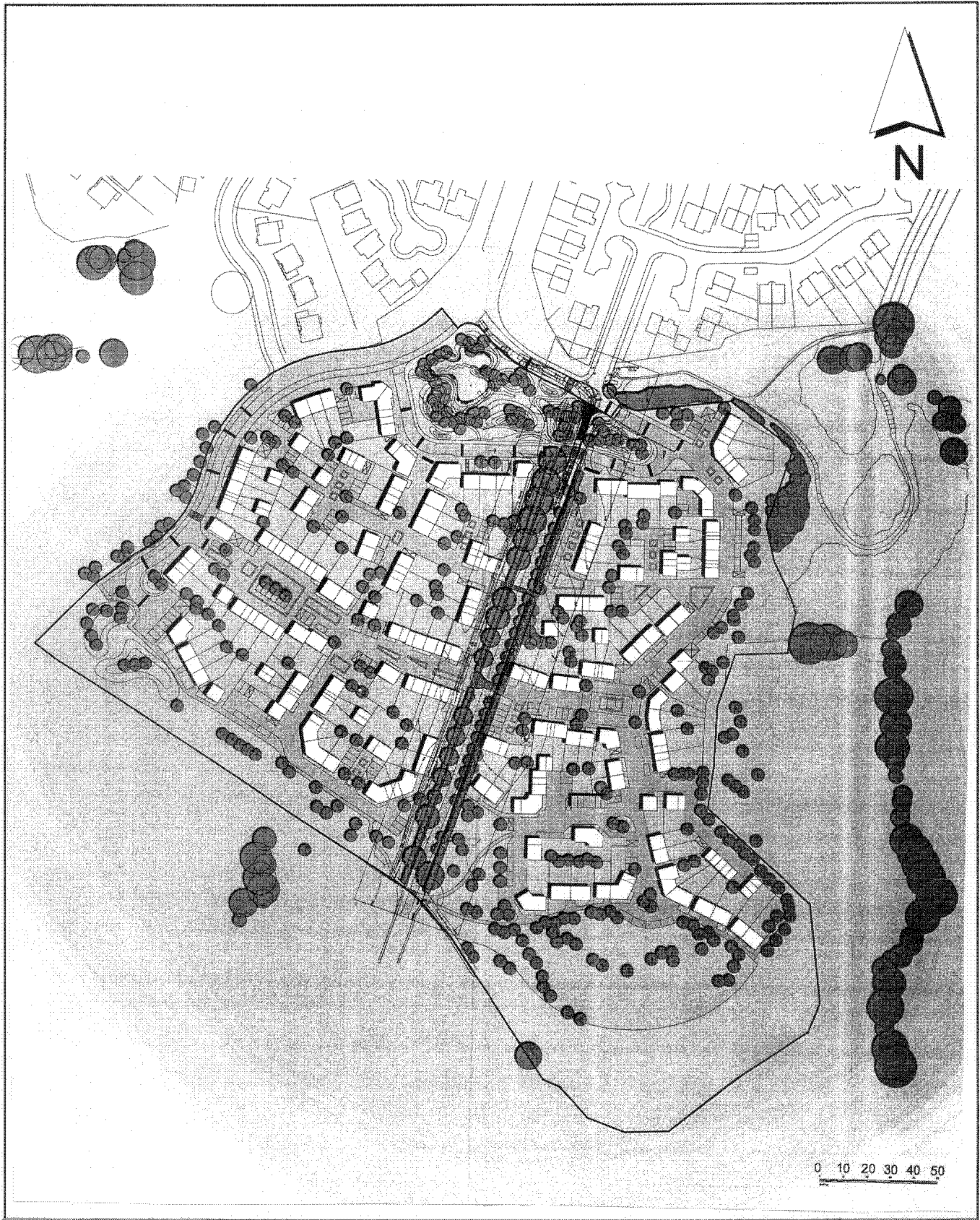
Application Site

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<p>Application No. 05/00516/OUTMAJ</p>	<p>Grid Ref: E: 357928 N: 415084</p>	<p>Scale: 1:5,000</p>	<p>Agenda Item No. A. 3</p>
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Application No.

05/00516/OUTMAJ

Grid Ref:

E: 357928
N: 415084

Scale:

Agenda Item No.

A. 3

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Item A. 4	05/00523/REMAJ	Permit
Case Officer	Mr Nigel Robinson	
Ward	Astley And Buckshaw	
Proposal	Formation of phase 1 of link road to serve residential development	
Location	Royal Ordnance Site Including Land Between Dawson Lane And Euxton Lane Euxton Lancashire	
Applicant	"The Consortium" Redrow Homes (Lancs) Ltd Barratt Homes (Man	

Proposal This is an application, as originally submitted was to construct an extension of the existing main artery road to the north of the Buckshaw Village site already serving housing developments and to form a loop around the eastern portion of the site allocation and linking in with the southerly most roundabout to Central Avenue. Two intermediate roundabout junctions are proposed along the length of the highway. The link road would have served designated residential releases together with the village green, school site and the southern commercial area to its southern boundary. The road is designated on the Design Master Plan for Buckshaw Village but planning permission still has to be obtained for the works. The design of the road now incorporates a footpath / cycleway on both sides of the road at 3.0m, which the applicants claim is consistent with those existing already on Buckshaw Village. The swale surface water drainage features, which are consistent with Central Avenue, will again be utilised. As a result of concerns raised by the Senior Traffic Engineer of LCC about outstanding matters, the applicants have agreed to delete the southern section of the loop road and its link into the southerly most roundabout in Central Avenue, which will form part of the East-West link from Central Avenue to the SRS. The details for this will form part of subsequent submission once the masterplan details are approved for the southern commercial area.

There is a duplicate application (05/00525) submitted as company policy by the applicants that is also on this agenda. The development is exactly the same as are the issues. This report also serves to cover the scope of that application. A previous application for the same development (04/992) was withdrawn in March this year as it was not able to make sufficient progress upon a number of outstanding matters.

Planning Policy TR4 – Proposals for new development with highway and transport implications; as criteria , as applicable , will need to be satisfied .

Planning History 04/0992 – Application for same Link Road as currently applied for – application withdrawn March 2005.

- Numerous previous applications for the on-going development of the Buckshaw Village site, including the construction of highway infrastructure.
- Development designated upon the Design Master Plan for Buckshaw Village as a Primary Access Route.

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Applicant's Case The revised applications and plans and details therein are submitted in order to try and overcome the concerns previously expressed by Lancashire County Council and to avoid the creation of an excessively intrusive highway solution.

Representations None received as a result of either individual letters or the posting of site notices.

Consultations South Ribble Borough Council support the principle of the development but raise site specific issues in terms of traffic calming, visibility splays, potential street lighting problems, highway planting and bus stop positions.

CBC – Environmental Services – No comments.

CBC – Head of Public Space Services (Highways Manager) – comments that it is considered that essential basic information should accompany the application on the submitted plans at the determination stage, and other matters can be dealt with by conditions:

- a) Cycleways/footways should be 3.5m wide on both sides of the carriageway;
- b) Details of crossing points, types and locations should accompany the application;
- c) The position of bus stops, shelter and related highway crossing points should accompany the application;
- d) The carriageway should be widened at the crossing points
- e) The separate junction into the 'school' site should be deleted in favour of access off the adjacent roundabouts.

These views were endorsed by LCC's Highway Engineer at an office meeting of 13 July 2005. Amended plans have been requested.

Lancashire County Council – Upon initial consultation the Traffic and Development Manager states the following:

- Though the applicants have now acknowledged that they will incorporate footway / cycle ways on both sides of the carriageway no technical drawings have yet been submitted for consideration; in any event, the width of these needs to accord with the latest version of the Design Manual for Roads and Bridges at 3.5metres, which was previously requested by CBC and now needs to be upheld.
- The function of the road is twofold; one being to serve the residential development and the other being to link in with the East / West link to the A6 serving the commercial site and linkage to the A6 – the latter should be removed from this application.
- The proposed link road poses problems in design in terms of its objectives with regard to all users and for the avoidance of creating through traffic – the following design matters still need to be addressed:
 - The crossing points should be designed to facilitate vulnerable road users aiding pedestrians at desire

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lines; they should be of a Type A design and they should be located at other points – phase 13 / BAE Systems / at bus stops adjacent to these areas / at points where the footpaths/ cycle ways cross the link road.

- There are concerns about the visibility at the junction with Buckshaw Hall close to Central Drive; there are no shown visibility splays or sections to demonstrate that the gradient issue here has been dealt with; there are no pedestrian refuges.
- The access to phase 6 has been moved – is the line of the footway being moved as a carriageway crossing facility is required; this junction is likely to be a busy junction given access permeability in the southern residential area and the village / community area – and accordingly there should be protected right turn provision.
- The Link Road Roundabout with the Loop Road and the access to the southern commercial area is difficult to assess in terms of future traffic flows; there is a substandard entry width on one arm of the junction as well as limited space for islands; trees between the carriageway and the footway / cycleway will obstruct visibility.
- The preferred position of bus stops for LCC has been prejudiced by some re-arrangement of the highway junctions; locations now need to be reviewed and possible additional stops considered; the detailing of the stops need to accord with previously agreed rationale.
- With regard to the East–West Link, the positions of the Toucan Crossings and junctions need to be re-assessed.
- The need for more highway lighting will be increased by the segregated carriageways / footways / cycleways; also tree lines could obstruct an even spread of light; it is anticipated that the developer may need to use three lighting systems to be effective!

All these are outstanding matters which need to be resolved prior to determination; alternatively, the application can be amended to omit the southern section which is more problematical in terms of the points raised above. The applicants have chosen this latter option and revised layout plans have been submitted.

Assessment

The main issues of the design of the road for speed control, junction treatment, footways and cycleways, street lighting and bus stops, which were all unresolved from the first application, have now been explored in more detail in this resubmission. As stated above, LCC do not consider that they have all been satisfactorily resolved. However the road adheres to the form of the concept layout previously agreed and accepted by all parties. As such, detailed matters such as junction construction, crossing details, bus stop locations, a street lighting scheme are all matters that can satisfactorily be resolved through planning conditions once the principle of planning permission has been established under the scope of this application. Officers have discussed with the applicants the need to pursue at this stage the southern most

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part of the Link Road that in effect would form the east / west link through to A6. This is the portion of the road that appears to be most problematical in the County Officer's assessment of it, while the applicants' current needs are with regard to servicing the development of the on-going residential areas to the northern and central sections of the Buckshaw site that are enclosed by the proposed road.

Conclusion That planning permission be granted for the highway works now applied for under the scope of this application (and the duplicate application under 05/00525) subject to the attached conditions.

Recommendation: Permit

Conditions

1. The approved plans are:

Plan Ref.	Received On:	Title:
C623/100		Location Plan and Road Layout
C623/102/3/4		Large Scale Plans x3
C523/105	17/05/05	Permeability of development

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

2. The details of the precise specification and location of carriageway crossing points shall be submitted for the approval of the Local Planning Authority prior to the commencement of any construction work on site; the approved details shall be implemented prior to the opening of the road to public traffic and pedestrians.

Reason: In the interests of securing a satisfactory standard of development for crossing the highway in the interests of highway safety; also to accord with the provisions of Policy TR4 of the Adopted Borough Local Plan Review.

3. Full details of the bus stop locations, stop thresholds and street furniture shall be agreed in writing with the Local Planning Authority prior to the commencement of any construction work on site the agreed scheme shall be implemented prior to the opening of the road to the public; all bus stops shall be to Quality Bus Stop standard .

Reason: To ensure that adequate and satisfactory arrangements are made for the provision of public transport along the link road; also to accord with the provisions of policy TR4 of the Adopted Chorley Borough Local Plan Review.

4. That a scheme for the street lighting of the Link Road hereby approved shall be submitted for the approval of the Local Planning Authority prior to the commencement of construction of the road, and that this shall be implemented prior to the opening of the road to public traffic.

Reason: To ensure adequate lighting of the carriageways, footways and cycle ways; and in accordance with the provisions of policy TR4 of the Adopted Chorley Borough Local Plan Review.

5. That the full details of the drainage infrastructure for the carriageways, footways and cycle ways shall be submitted to and approved by the Local Planning Authority prior to the commencement of any construction works; and that they shall be operative prior to the opening of the highway to the public.

Reason: To ensure satisfactory surface water drainage for the approved highway and to accord with the provisions of policy TR4 of the Adopted Chorley Borough Local Plan Review.

6. 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 10 years from the completion of the development die,

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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.

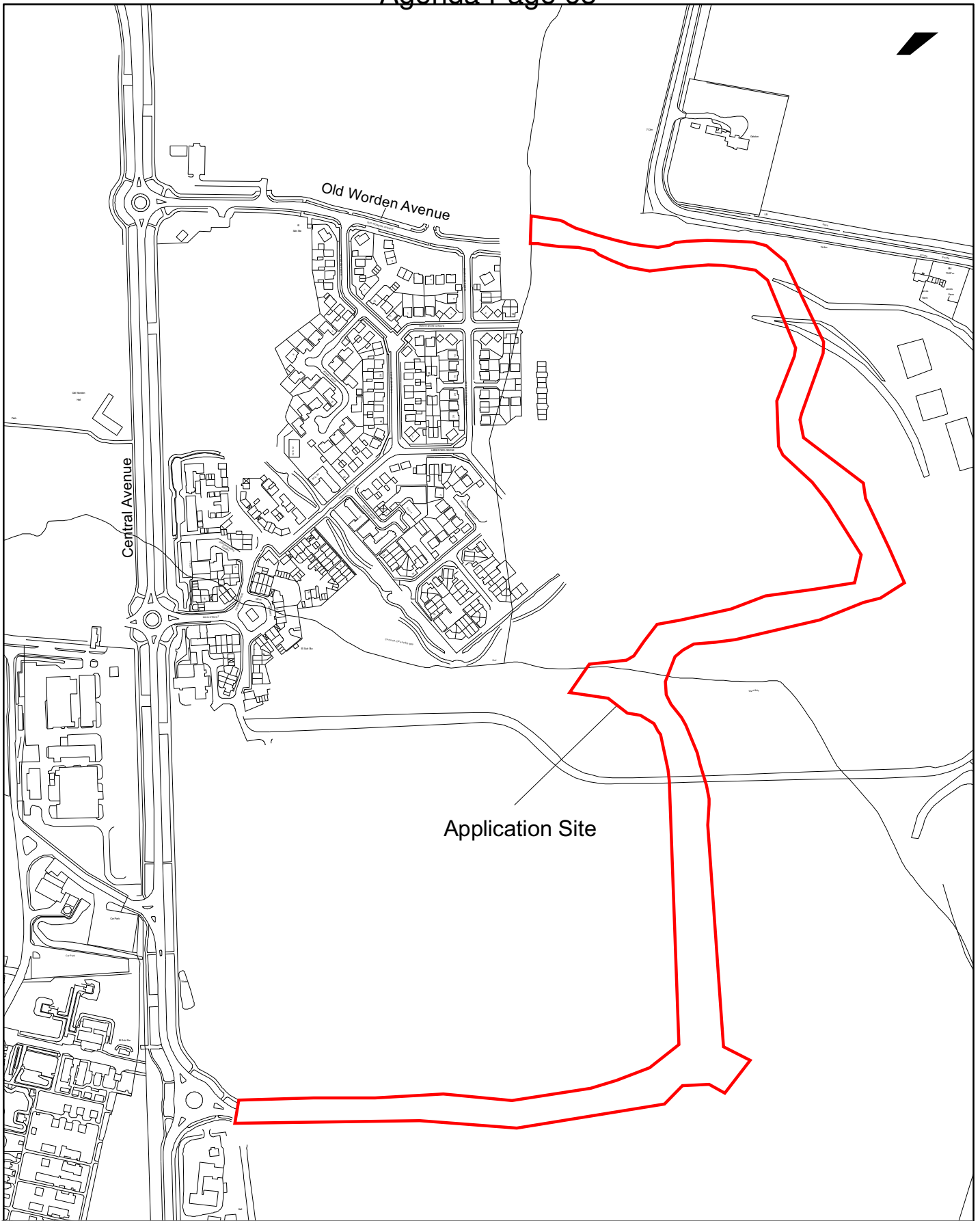
7. No development shall be commenced until full details of finished ground levels of the proposed carriageways together with the footways / cycle ways, in comparison to those of the adjacent land, have been submitted to and approved by the Local Planning Authority; thereafter only those approved levels shall be constructed to on site.

Reason: In order for the Local Planning Authority to control the levels on the carriageway / footways / cycle ways in order to ensure their safe use; and to accord with the provisions of policy TR4 of the Adopted Chorley Borough Local Plan Review.

8. That full details of the construction of the carriageways, footways and cycle ways, including the finished top surfaces shall be submitted to and approved by the Local Planning Authority prior to the commencement of any construction work.

Reason: In order to ensure a satisfactory level of construction of the new road, and in accordance with the provisions of policy TR4 of the Adopted Chorley Borough Local Plan Review.

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<p>Application No. 05/00523/REMAJ</p>	<p>Grid Ref: E: 356441 N: 420653</p>	<p>Scale: 1:5,000</p>	<p>Agenda Item No. A. 4</p>

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Item A. 5	05/00525/REMMAJ	Permit
Case Officer	Mr Nigel Robinson	
Ward	Astley And Buckshaw	
Proposal	Formation of phase 1 of link road to serve residential development (duplicate of planning application 05/00523/REMMAJ)	
Location	Royal Ordnance Site Including Land Between Dawson Lane And Euxton Lane Euxton Lancashire	
Applicant	"The Consortium" Redrow Homes (Lancs) Ltd Barratt Homes (Man	
Background	This is a planning application to construct an extension of the existing main artery road to the north of the Buckshaw Village site already serving housing developments; the development proposal is explained in detail in the report to 05/523, and this application represents a duplicate application submitted under company policy by the applicants. The issues are all identical to those in the first report as is the recommendation of approval subject to the attached conditions.	

Recommendation: Permit

Conditions

1. The approved plans are:

Plan Ref.	Received On:	Title:
C623/100		Location Plan and Road Layout
C623/102/3/4		Large scale plans x3
C523/105	17/05/05	Permeability of development

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

2. The details of the precise specification and location of carriageway crossing points shall be submitted for the approval of the Local Planning Authority prior to the commencement of any construction work on site; the agreed scheme shall be implemented prior to the opening of the road to the public.

Reason: In the interests of securing a satisfactory standard of development for the crossing of the highway in the interests of public safety, and to accord with the provisions of policy TR4 of the Adopted Borough Local Plan Review.

3. Full details of the bus stop locations, stop thresholds and street furniture shall be agreed in writing with the Local Planning Authority prior to the commencement of any construction work on site; the agreed scheme shall be implemented prior to the opening of the road to the public; all bus stops shall be to Quality Bus Stop standard.

Reason: To ensure that adequate and satisfactory arrangements are made for the provision of public transport along the link road; also to accord with the provisions of policy TR4 of the Adopted Chorley Borough Local Plan Review .

4. That a scheme for the street lighting of the Link Road, hereby approved, shall be submitted for the approval of the Local Planning Authority prior to the commencement of construction of the road, and that this shall be implemented prior to the opening of the road to public traffic.

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Reason: To ensure adequate lighting of the carriageways, footways and cycle ways, and in accordance with the provisions of policy TR4 of the Adopted Borough Local Plan Review.

5. That the full details of the drainage infrastructure for the carriageways, footways and cycle ways shall be submitted to and approved by the Local Planning Authority prior to the commencement of any construction works, and that they shall be operative prior to the opening of the highway to the public.

Reason: To ensure satisfactory surface water drainage for the approved highway and to accord with the provisions of policy TR4 of the Adopted Chorley Borough Local Plan Review .

6. 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 10 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.

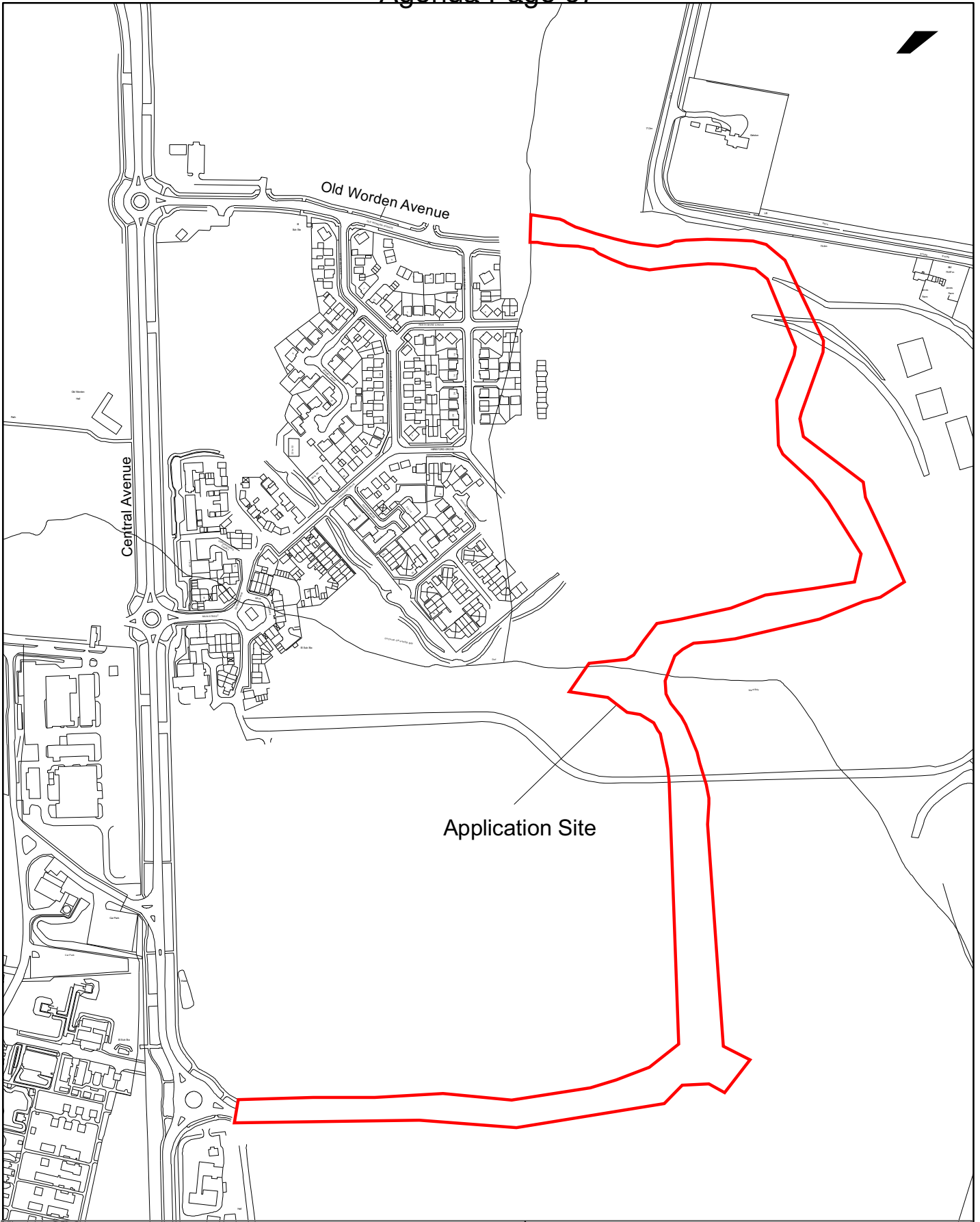
Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

7. No development shall be commenced until full details of finished ground levels of the proposed carriageways together with the footways / cycle ways, in comparison to those of the adjacent land, have been submitted to and approved by the Local Planning Authority; thereafter only the approved levels shall be constructed to on site.

Reason: In order for the Local Planning Authority to retain control over the levels on the carriageways / footways / cycle ways in order to ensure their safe use; also to accord with the provisions of policy TR4 of the Adopted Chorley Borough Local Plan Review.

8. That the full details of the construction of the carriageways, footways and cycle ways, including the finished top surfaces shall be submitted to and approved by the Local Planning Authority prior to the commencement of any construction work on site.

Reason: In order to ensure a satisfactory level of construction of the new road, and in accordance with policy TR4 of the Adopted Chorley Borough Local Plan Review.



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<p>Application No. 05/00525/REMAJ</p>	<p>Grid Ref: E: 356441 N: 420653</p>	<p>Scale: 1:5,000</p>	<p>Agenda Item No. A. 5</p>

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Item A. 6	05/00544/FULMAJ	Permit
Case Officer	Mr Neil Higson	
Ward	Astley And Buckshaw	
Proposal	Remediation and reclamation earthworks (site area 35.29 ha),	
Location	Royal Ordnance Site Including Land Between Dawson Lne And Euxton Lne Euxton Lane Euxton Lancashire	
Applicant	BAE Systems Properties Ltd	

Proposal The proposal is to remediate part of the Royal Ordnance Factory site in the south east corner overlapping with the previously remediated area (under reference 9/04/00029FULMAJ) known as Group 4 South. This area formed part of the operational are used by BAe and is part of the Strategic Regional Site identified in by the North West Development Agency in the 2003 Regional Economic Strategy. The site covers approximately 35 hectares and Planning permission has been previously granted for the redevelopment of this larger area for industrial and commercial development under permissions 04/00882/OUTESM and 04/00979/FULMAJ. Access is currently gained from Alker Lane.

The proposals are similar to those carried out on the main part of the ROF site under the main remediation scheme approved under permission 97/00510/FUL. The remediation process includes building decontamination (already completed); building demolition to slab level; removal of contaminated services and drains; removal of slabs, foundations and roadways; excavation of contaminated soil; stripping a surface layer of soil across the redevelopment area; land forming to meet the approved landform; confirmatory sampling of finished ground; structural landscaping and planting. The site will be remediated with the creation of a level platform to a standard suitable for industrial, business and commercial development, ready to facilitate future development. It is anticipated that, as with the previous remediation scheme, most material produced will be re-used on the site in road construction and forming the landscaped mounds within the site. Scrap metal will be removed from the site for recycling via the A49 to M6 junction 28. Workers will access the site from Alker Lane.

Planning Policy Adopted Chorley Borough Local Plan Review:
EM1A Regional Investment Site at Royal Ordnance
DC6 Major Developed Sites in the Green Belt

Joint Replacement Lancashire Structure Plan 2001-2016 - Policy 15 Regional Investment Sites

Regional Planning Guidance for the North West (RPG13) – Policy EC5 Regional Investment Sites

Planning History 97/510 - Land remediation & earthworks including building demolition & removal of blast walls, building slabs & services; surface scraping; excavation & recycling of foundations &

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structures & formation of raised landforms as fill disposal areas.
Approved February 1999.

02/00171/CTY - Construction of earthworks to form areas of informal recreation following landscape treatments.

03/0404/CTY - Variation of condition 1 of planning permission 9/02/0171, to allow engineering operations to continue to April 2006. Approved November 2003.

04/00029/FULMAJ – Remediation and Reclamation earth works – Approved 28 April 2004.

04/00882/OUTESM - Outline application for employment development including full details of a link road – approved 23 December 2004

04/00979/FULMAJ - Office and warehouse building and associated access, gatehouse, car parking, hardstanding and landscaping – approved 23 December 2004

Representations and Consultations

No objections have been received as a result of the consultation and notification process.

Assessment

Most of the criteria in Policy DC6 (Major Developed Sites in the Green Belt) are relevant to the redevelopment of major sites in the green belt. This application is proposing remediation only; permission has already been granted for the site development. The policy seeks to ensure that there will be no significant detriment to features of historical or ecological importance. There are not known to be any significant historical remains on the site. With respect to ecology, because of the previous use of the site as a munitions filling and testing facility, a “confidence scrape” of the surface is required to remove any potential contaminants. Most ecological features will therefore be removed. There are no trees on the site and there are no ponds on the site while Euxton Brook is culverted through most of the remediation area. Most of the brick built buildings on the site have been removed and a study carried out on the adjoining main remediation area showed very little evidence of use by bats. Seed stocks were harvested from grassland on the main remediation site prior to the “confidence scrape” and these are in storage to be used on the future development phases. It is therefore considered that the proposal will not have an unacceptable detrimental impact on important ecological interests.

The site is identified in the Chorley Borough Local Plan Review, the Replacement Structure Plan, and Regional Planning Guidance as strategic investment site of regional importance. This proposal is to prepare the site to a state ready for future development, and is therefore in full accordance with these policies. It is intended that the remediation will take place in a single continuous project of approximately 12 months and the site will not be opened to any members of the public prior to the completion of the remedial works on the site.

The proposal is to be welcomed as the next stage in the transformation of this redundant site to an employment area of

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regional significance, and it is recommended that permission is granted, subject to the conditions proposed.

Recommendation: Permit

Conditions

1. This permission shall relate to the submitted application form, plans and supporting documentation or any subsequently appropriately endorsed additional or revised plan.

Reason: To identify the approved plans and for the avoidance of doubt as to what is permitted

2. The site shall be remediated fully in accordance with the Remediation Plan and supporting documentation forming the application received on 24th May 2005 unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the site is remediated to a satisfactory standard.

3. Written notification of the date of commencement of the development shall be sent to the Local Planning Authority within 7 days of such commencement.

Reason: To enable the Local Planning Authority to effectively monitor the site.

4. No reclamation, landfilling, or restoration (except for the use of pumping equipment and the carrying out of essential maintenance to plant and machinery) shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:

07.30 to 19.30 hours, Mondays to Fridays,

08.00 to 13.00 hours on Saturdays.

No such development shall take place at any time on Sundays or Public Holidays.

Reason: To safeguard the amenity of existing local residents and future residents living on the development site.

5. Working on site shall at all times comply with the Chorley Borough Council Control of construction and demolition site noise: Information to contractors on prior consent conditions (EHF243) document, unless otherwise agreed in writing with the local planning authority.

Reason: To safeguard the amenity of existing local residents and future residents living on the development site.

Reason: To ensure that dust from the site is minimised

6. No material arising from the remediation works shall be exported from the site (with the exception of scrap metal), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the transportation of waste materials which would result in additional traffic on local highways and be detrimental to the amenity of local residents.

7. Prior to commencement of the development, details of the routing of heavy goods vehicles within the Royal Ordnance site and the access to the local highway network shall be submitted to and approved in writing by the Local Planning Authority and these routes shall be adhered to at all times unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that the movement of vehicles within the site does not impinge upon the amenity of residents during the period of reclamation, and in the interests of highway safety.

8. A written confirmatory sampling and analysis programme to confirm the adequacy of decontamination shall be submitted to the Local Planning Authority and approved in writing within one month of completion of decontamination works on the site.

Reason: To ensure that the site is remediated to a satisfactory standard.

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9. Any chemical, oil or fuel storage containers on the site shall be sited on an impervious surface with bund walls; the bunded areas shall be capable of containing 110% of the container or container's total volume and shall enclose within their curtilage all fill and draw pipes, vents gauges and sight glasses. There shall be no drain through the bund floor or walls.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land.

10. Repair, maintenance and fuelling of plant and machinery shall only take place on an impervious surface drained to an interceptor and the contents of the interceptor shall be removed from the site completely.

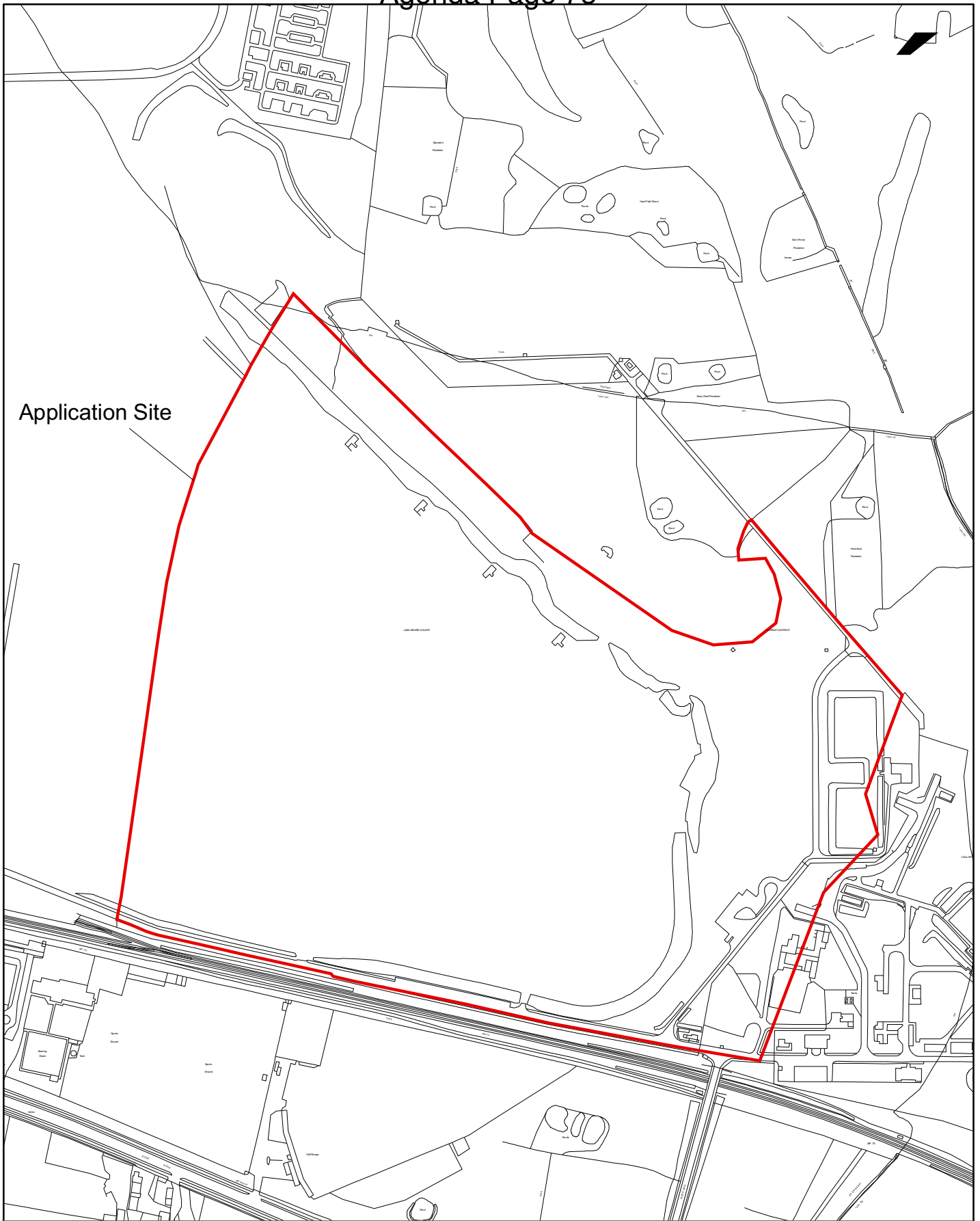
Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land.

11. Before the development is commenced, a scheme for the further monitoring of Euxton Brook for assessment purposes prior to the commencement of development and for monthly monitoring of it thereafter throughout the period of remediation of the site shall be submitted and approved in writing by the local planning authority. Monitoring shall thereafter be carried out in accordance with the agreed scheme and the results made available for inspection by the local planning authority and the Environment Agency on request.

Reason: To prevent pollution of controlled waters.

12. Areas of the application site not developed by an end user following a period of 18 months after the date of completion of reclamation works shall be landscaped in accordance with the specification in Remediation Plan P583-00-R5-1A received 24 May 2005 unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the appearance of any reclaimed but undeveloped areas is satisfactory.



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Head of Planning Services
Chorley Borough Council

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Application No.

05/00544/FULMAJ

Grid Ref:

E: 356441
N: 420653

Scale:

1:5,000

Agenda Item No.

A. 6

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Item B. 1	04/01462/FUL	Permit
Case Officer	Mr David Stirzaker	
Ward	Wheelton And Withnell	
Proposal	Retrospective application for erection of agricultural livestock/storage building and proposed erection of agricultural livestock building,	
Location	Land S Of Footpath 28 Adjacent Boardmans Heights F Bury Lane Withnell Lancashire	
Applicant	Mr A Tattersall	
Background	<p>This application relates to a 12 hectares (30 acres) in Brinscall, which is adjacent to Heights Cottage and south of footpath 28, which follows the line of the lane providing access to the field. The application site slopes from northwest to southeast down towards the settlement boundary of Brinscall.</p>	
Proposal	<p>This application comprises of two elements. The first element seeks retrospective permission for an existing agricultural building erected without planning permission whilst the second proposes the erection of an agricultural storage building. The existing building measures 19m wide by 16.1m deep by 3.7m to the ridge of the roof and has been constructed from a timber frame with timber cladding and a corrugated sheet roof.</p> <p>The proposed building measures 15.2m wide by 22.8m deep by 3.7m to the ridge of the roof and involves a cut and fill operation to facilitate a uniform floor level resulting in the south eastern section being built up with the north western end being cut into the field. The proposed building is to be constructed with a low block work wall with timber boarding with a reinforced fibre cement roof sheets and comprises of 10 pens with a central walkway for access.</p>	
Policy	<p>GN5 - Building Design DC1 - Development in the Green Belt EP9 - Trees and Woodlands PPG2 - Green Belts</p>	
Planning History	<p>Ref no. 04/00508/AGR - Application for Determination in respect of proposed agricultural sheep building (withdrawn prior to determination) Ref no. 04/00915/FUL - Erection of agricultural building to be used for housing livestock & related storage (refused)</p>	
Representations	<p>Two letters of objection have been received, the contents of which can be summarised as follows: -</p> <ul style="list-style-type: none"> • The area is Green Belt and development should therefore be restricted • Planning permission was never granted for the existing building • The building is too large and would make the area look like an industrial estate 	

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- Views of the countryside would be spoiled
- The lane which provides access to the site is narrow and often blocked and this would be made worse by the building proposed
- The lane is in a dilapidated state and this would only be worsened if planning permission is granted
- Existing building is an eyesore and not in keeping with other buildings
- Construction and transporters using the lane will have an environmental impact on the area

The adjacent neighbours and the Parish Council have been consulted on the amended plans and changes to the description. Any additional representations received as a consequence of this will therefore be added to the addendum.

Consultations

The County Land Agent has stated that the existing building is being used to capacity resulting in the applicant having to rent an additional building off site to house cattle last year. The provision of the proposed building is intended to enable the applicant to house his current livestock as well as providing more space and to be able to increase the scale of production. The site covers an area of 12 hectares (30 acres). The enterprise comprises of a mixed beef and sheep enterprise and agricultural contracting which comprises of the applicants usage of his own farm machinery to undertake field work for other farmers. In terms of the assessment, the County Land Agent has stated that the capacity of the existing building is not sufficient and that if the applicant expands the farm enterprise as intended, the proposed building would be necessary. The design is deemed acceptable and that the siting is well related to the existing building.

LCC (Highways) have no objections to the application with agricultural backing.

The Environment Agency has raised no objections to the application suggesting two informatives covering pollution and water protection.

The Ramblers and the Head of Environmental Services have raised no objections to the application.

Assessment

The main issues warranting consideration area as follows: -

Agricultural justification

The County Land Agent has stated that the applicant has 12 hectares (30 acres) of land at the application site. In addition, he rents 12 hectares (30 acres) of adjoining land and rents a further 10 hectares (25 acres) in Chorley and has use of a further 20 to 24 hectares (50 – 60 acres) for winter grazing use. In summary, the applicant has continual occupation over 34 hectares (85 acres) and short duration use i.e. winter grazing over 20 to 24 hectares (50 – 60 acres).

The County Land Agent has stated that the applicant had to rent a building last year to house cattle as the existing building is being used to capacity. The proposed building would be used to house current livestock as well as to provide more space and to facilitate

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increased production. In terms of the enterprise operated from the site, the applicant rears a range of cattle and at present has 60 of varying ages and a flock of 50 breeding ewes. The applicant also uses his own farm equipment to carry out field work for other farmers. The proposed building is intended to house cattle, breeding ewes and store lambs and the existing building is divided into pens internally and part of it is used for grain storage.

In terms of whether or not the buildings are reasonably necessary for the purposes of agriculture, it is stated that the existing building is being used to capacity. In terms of the proposed building, it is stated that based on the applicants current livestock housing requirements, the floor area could be assessed as being excessive although if the applicant was to expand his enterprise as intended the building would be necessary. This being the case, the depth of the building has been reduced by 5m in depth. The design and materials of the proposed and existing building are deemed acceptable.

Impact on the open and rural character of the Green Belt

The existing building is located approx. 20m from the lane bounding the north of the site. The proposed building would be sited between the lane and the existing building with access as existing. The existing building utilises the topography of the land whilst the proposed building would involve a cut and fill operation to form a uniform floor level. The lane adjacent the site is at a higher level than the field, which goes some way to mitigating the prominence of the proposed building and to a lesser extent the existing building. The applicant is also proposing a scheme of landscaping around the existing and proposed buildings which comprises of new hedgerow along the lane and to the west of the buildings and the gapping up of the east field boundary which already provides an effective screen to the site.

The design and scale of the proposed building is considered appropriate given its proposed use. With regards to the existing building, it is acknowledged that the appearance of this building is somewhat unkempt. However, the proposed landscaping will break up views of this building, particularly when seen from the west. It should also be noted that the proposed building has been reduced in depth from 27.4m to 22.8m and has been re-sited as it was originally proposed on the southern side of the existing building.

Given the agricultural justification for the building, it is considered that the existing and proposed buildings constitute appropriate development in the Green Belt. In terms of the objections raised siting Green Belt impact, a scheme of landscaping will break up/screen views of the buildings and as detailed, given the constraints of the site in terms of topography and existing landscape features, it is considered the position of the buildings to be the most appropriate.

Residential amenity

The nearest residential property is location approx. 120m east of the buildings. This being the case, it is not considered that the existing and proposed building would prejudice the residential amenity currently enjoyed by the occupiers of the above property

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and those adjacent to it. It should also be noted that the Head of Environmental Services was consulted on this aspect of the application and raised no comment. The lane from which the field is accessed in unadopted and notwithstanding the buildings on site, there would be nothing to prevent the applicant farming the land thus using the lane to gain access to it hence the objections citing this and noise from vehicles would not justify the refusal of the application.

Conclusion Having regard to the above, it is recommended that planning permission be granted.

Recommendation: Permit

Conditions

1. The development hereby permitted shall be carried out in accordance with the amended plan(s), received on 11 July 2005.

Reason: To define the permission and ensure a satisfactory form of development.

2. If the use of the buildings hereby permitted ceases for a period exceeding 6 months within 10 years of the date of this permission, they shall be removed from the site and the land restored to its original condition prior to development.

Reason: To protect the character and appearance of the area, and avoid the proliferation of buildings in a countryside area for which there is not a continuing need and in accordance with Policy Nos. DC1, EP7 and EP8 of the Adopted Chorley Borough Local Plan Review.

3. 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.

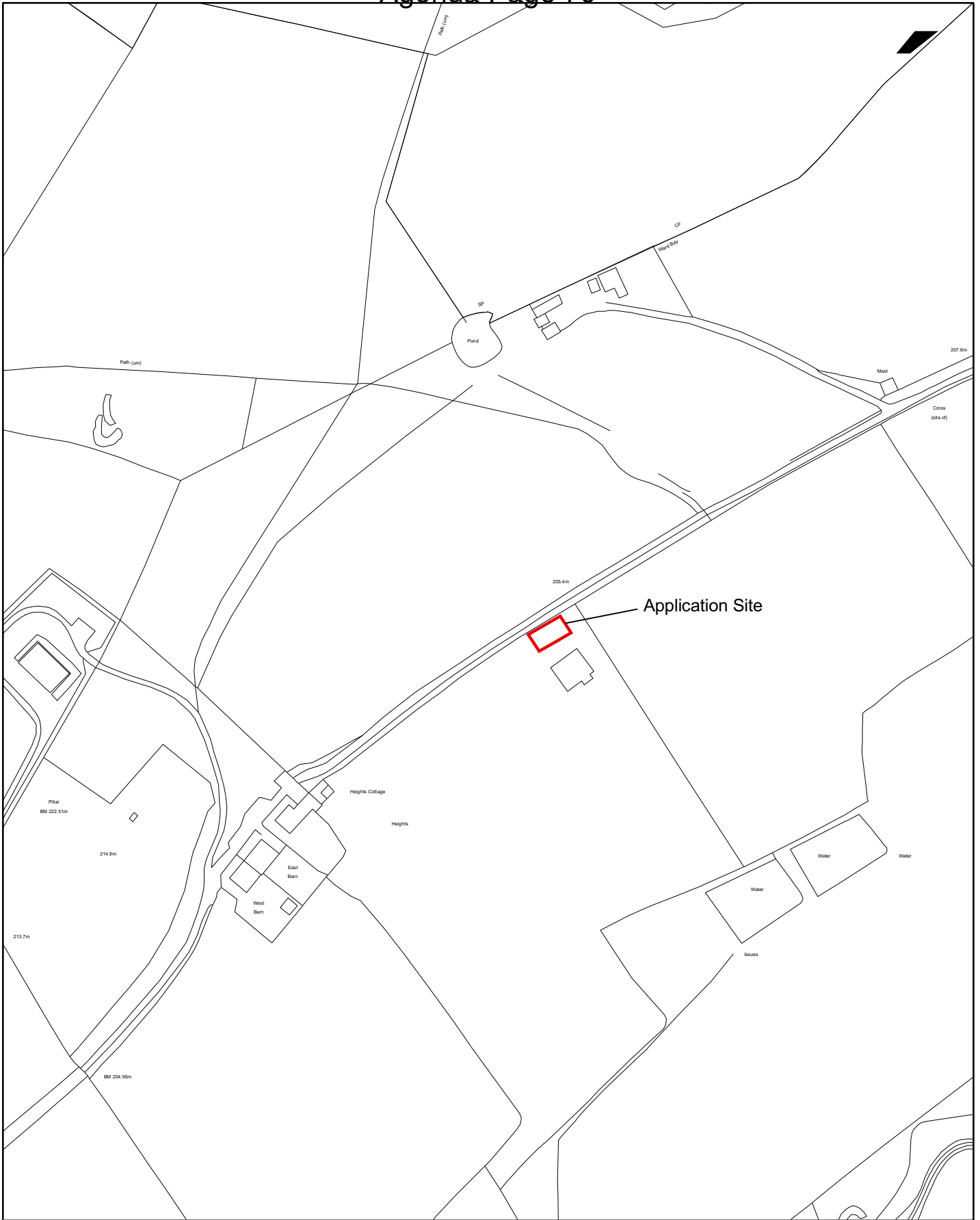
Reason: In the interests of the amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

4. 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.

5. 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.



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<p>Application No. 04/01462/FUL</p>	<p>Grid Ref: E: 362814 N: 422163</p>	<p>Scale: 1:2,500</p>	<p>Agenda Item No. B. 1</p>

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Item B. 2	05/00354/FUL	Permit
Case Officer	Mrs Helen Lowe	
Ward	Heath Charnock And Rivington	
Proposal	Demolish existing dwelling and construct replacement two storey dwelling,	
Location	97 Rawlinson Lane Heath Charnock Lancashire PR7 4DE	
Applicant	Mr & Mrs Kirkman	
Proposal	This application proposes the erection of a replacement dwelling located on Rawlinson Lane, Heath Charnock.	
Planning Policy	The application site is located within the Green Belt, as defined by Policy DC1 of the Adopted Chorley Borough Local Plan Review. The Council's House Extension Design Guidelines are also relevant, as is Planning Policy Guidance Note 2 'Green Belts'. PPG2 states that the replacement of existing dwellings in the Green Belt need not be inappropriate, provided that the new dwelling is not materially larger than the dwelling it replaces.	
Planning History	No relevant history, the property has been unaltered since it was built. Permission for the dwelling was granted in 1958 (ref. 5/5/2107).	
Consultees Responses	<p>In response to the final set of amended plans received, the Parish Council commented that there was no objection to the proposals, provided that the footprint is the same as the existing.</p> <p>As the footprint of the proposed dwelling would differ from that of the existing dwelling, this must therefore be considered to be an objection.</p> <p>Environmental Services: risk of landfill gas migration is considered to be low.</p>	
Third Party Representations	One letter has been received from the occupants of an adjacent property stating that if the criteria in determining whether the application is appropriate in terms of scale and suitability are met, then they raise no objection.	
Assessment	<p>Following negotiations with the applicant the proposals have been amended to include a reduction in width of the proposed replacement dwelling from 15.1m to 14.1m and removal of the front gable, so that the dwelling would appear as a dormer bungalow from the front. The applicant was also asked to consider removing/reducing the size of the middle dormer on the front elevation, but they were reluctant to do this.</p> <p>The main issues to consider in determining this application are impact on the Green Belt, design and appearance and neighbour amenity.</p>	

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Green Belt

The proposed replacement dwelling would result in the replacement dwelling having a volume approximately 53% greater than that of the existing dwelling. The ridge height of the proposed replacement dwelling is just 0.3 m higher than that of the existing dwelling. The width of the dwelling would increase from 10.3m to 14.1m.

The result of the amendments sought is to reduce the visual impact of the proposed dwelling and I consider that the proposed replacement dwelling would not have a materially greater impact upon the Green Belt than the existing dwelling.

The design and appearance of the replacement dwelling (as a dormer bungalow) is such that it would not appear substantially larger than the existing dwelling, nor do I consider that it would cause harm to the open and rural character of the Green Belt in this particular location, being located in a ribbon of development.

Neighbour amenity

Two ground floor windows are proposed in the north facing elevation, to a study and family room. No windows are proposed in the first floor elevation. There is a 1.9m high fence along the boundary with the property to the north (no. 99 Rawlinson Lane) that extends the full length of the side elevation of no. 99. There are a number of ground floor windows to habitable rooms in the south facing elevation of no. 99. There would be a distance of approximately 11m between the side elevation of no. 99 and no. 97

It is considered that there is sufficient screening and distance along the boundary between the application property and the adjacent properties to prevent any undue loss of privacy or increase in overlooking to neighbouring residents.

With regard to the potential overbearing impact that the proposal may have on the occupants of no. 95 Rawlinson Lane, particularly from within the garden area, the south facing side elevation would be approximately 4m closer to the boundary than the existing dwelling.

The ridge height of the proposed dwelling is 6.9m, the eaves to the front 2.8m, 3.3 m to the rear dormer and 4.5 m to the eaves of the rear gable. The ridge height of the existing dwelling is 6.6m, the ridge 2.3m.

Although the replacement dwelling would have some increased impact upon the garden area of no. 95 than that caused by the existing dwelling, given that the proposed dwelling is directly to the north of no. 95 (minimising the potential for overshadowing, the presence of screening along the boundary and the large gardens, I do not consider that this is sufficient to warrant refusal of the application.

Design and appearance

This part of Rawlinson Lane comprises a mixture of true and dormer bungalows of individual styles and designs. Many have modern additions and alterations. The replacement dwelling would be set back approximately 30m from the road. It is considered that the design and scale of the proposed dwelling is in keeping with the surroundings and would not form an incongruous or unduly

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prominent feature within the street scene. The existing dwelling is not of any particular merit in design terms.

Conclusion The proposal is accordingly recommended for approval.

Recommendation: Permit

Conditions

1. The approved plans are:

Plan Ref.	Received On:	Title:
	24 June 2005	Plans, elevations and sections
	1 April 2005	Location Plan
	1 April 2005	Existing elevations

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

2. 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 HS4 of the Adopted Chorley Borough Local Plan Review.

3. 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.

4. 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.

5. 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.

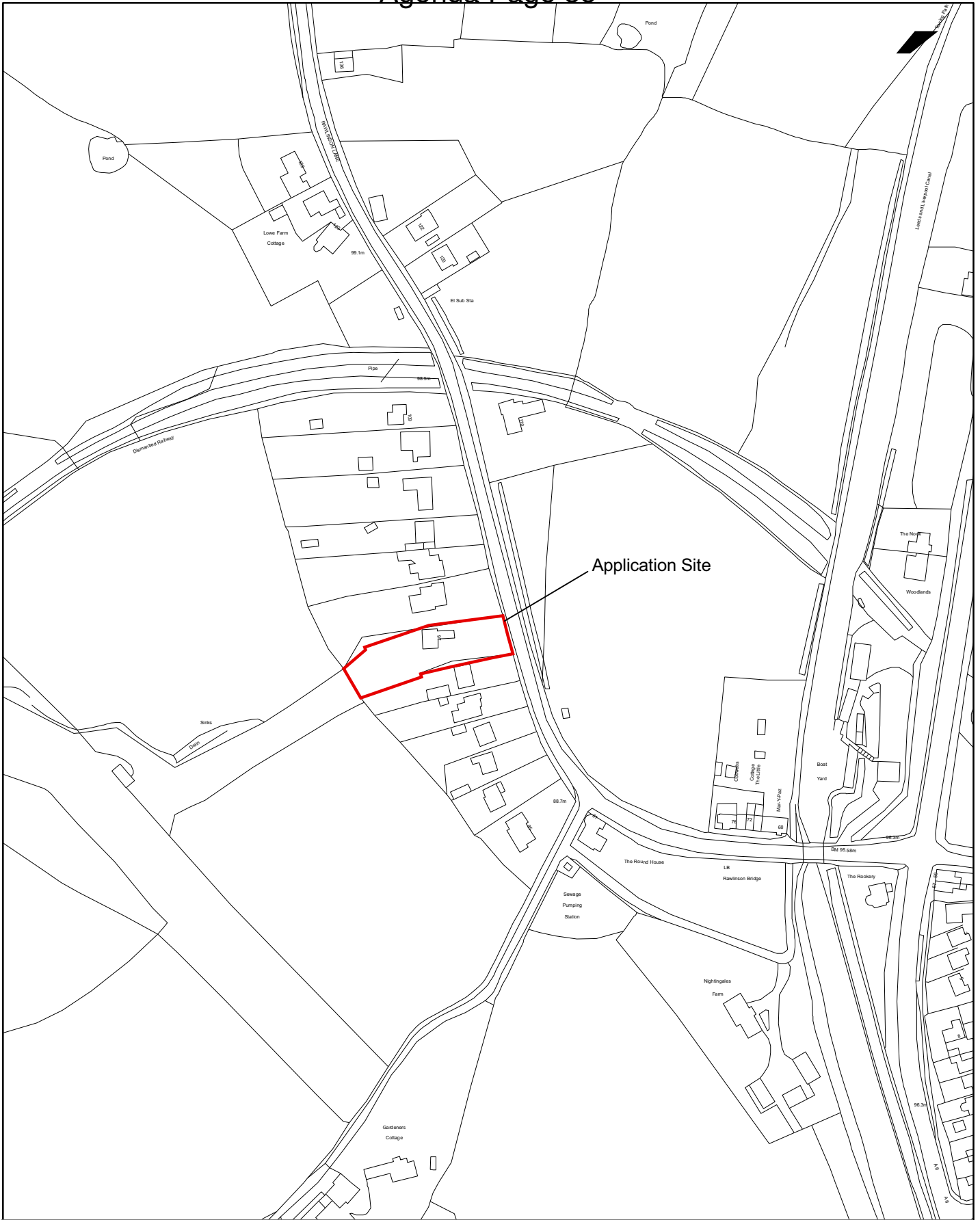
Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5, DC8A and HS4, of the Adopted Chorley Borough Local Plan Review.

6. Notwithstanding any detail shown on previously submitted plan(s) and specification the development hereby permitted shall not commence until full details of site plan (at a suitable scale, such as 1:500 or 1:200) has been submitted to and approved in writing by

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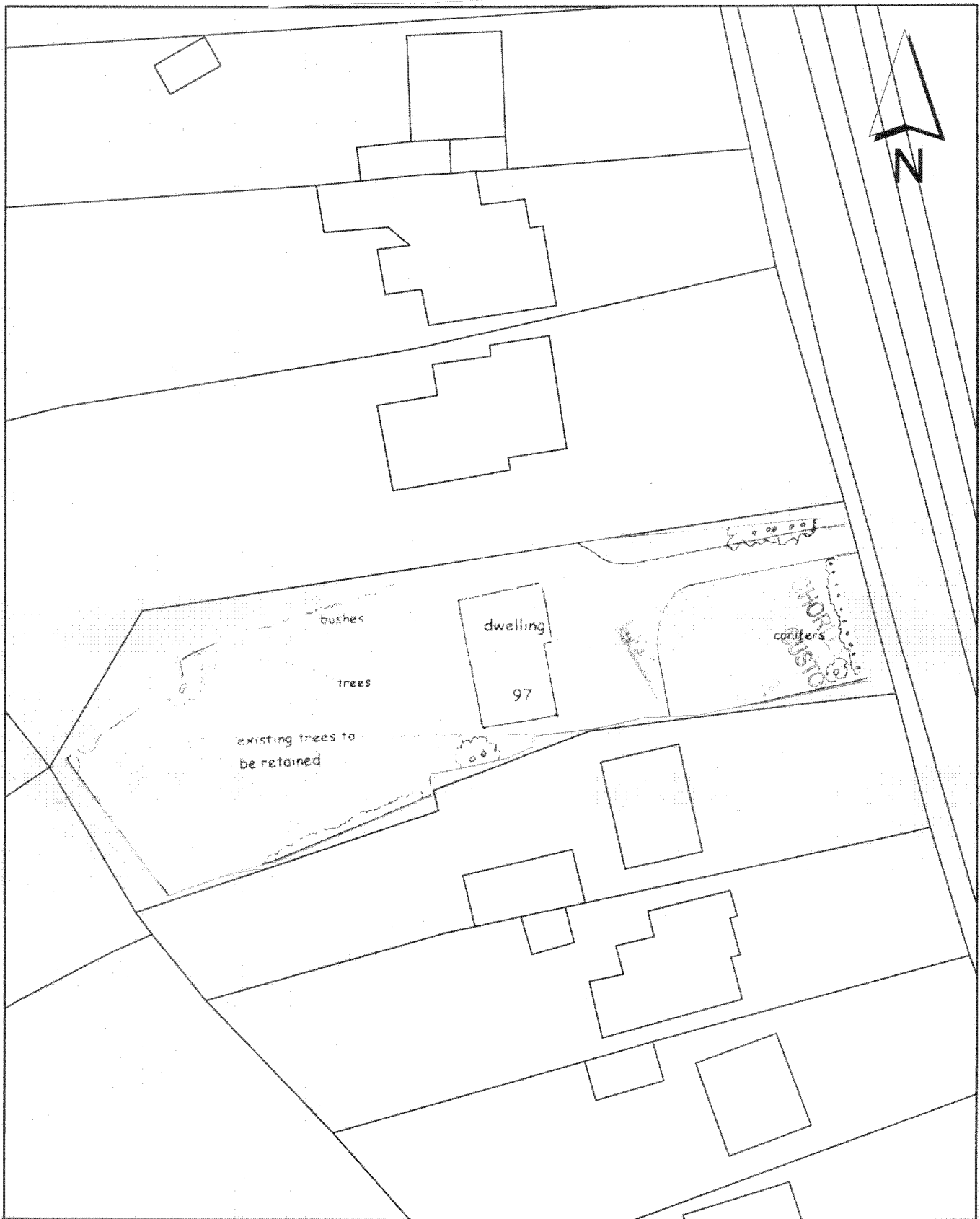
the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To define the consent and to ensure all works are carried out in a satisfactory manner.



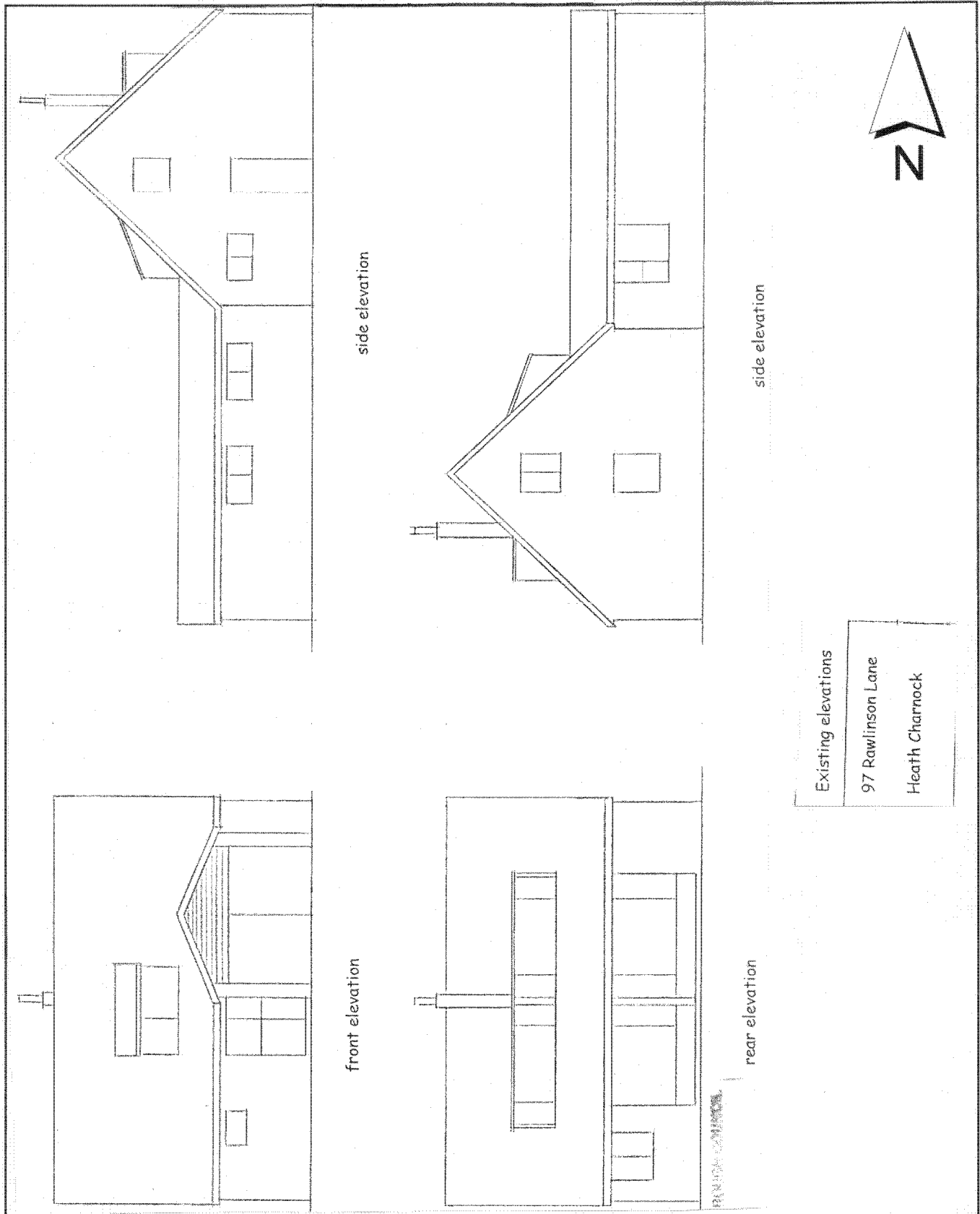
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Application No. 05/00354/FUL	Grid Ref: E: 359403 N: 414263	Scale:	Agenda Item No. B. 2
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GENERAL NOTES

1. The proposed development is shown in red on the site plan. The site plan is subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987. The proposed development is subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987.

2. The proposed development is shown in red on the site plan. The site plan is subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987. The proposed development is subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987.

3. The proposed development is shown in red on the site plan. The site plan is subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987. The proposed development is subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987.

4. The proposed development is shown in red on the site plan. The site plan is subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987. The proposed development is subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987.

5. The proposed development is shown in red on the site plan. The site plan is subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987. The proposed development is subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987.

6. The proposed development is shown in red on the site plan. The site plan is subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987. The proposed development is subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987.

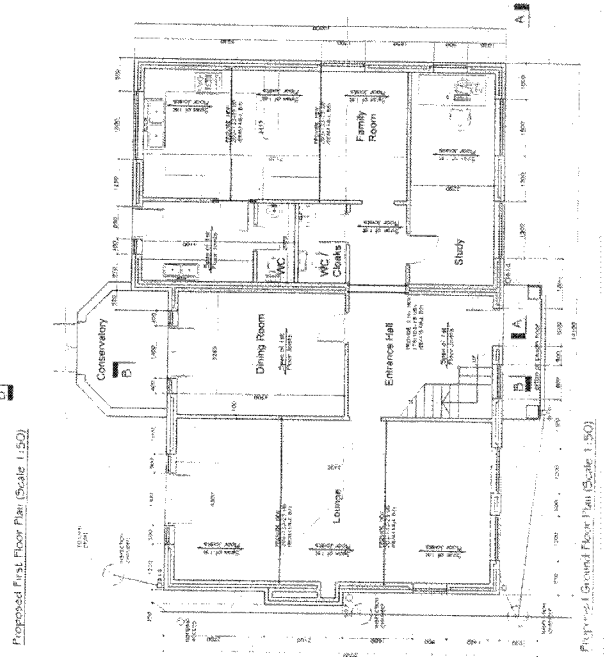
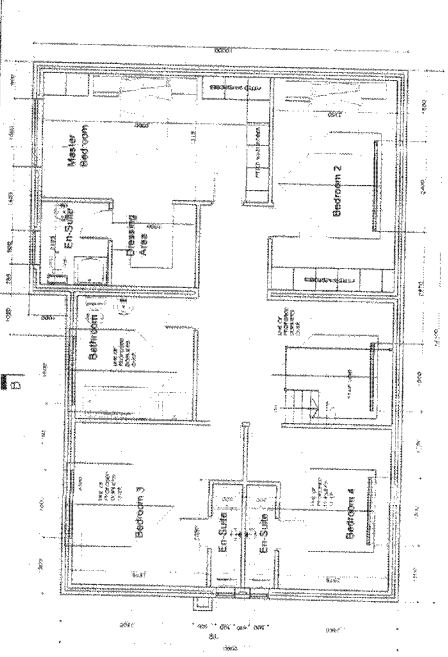
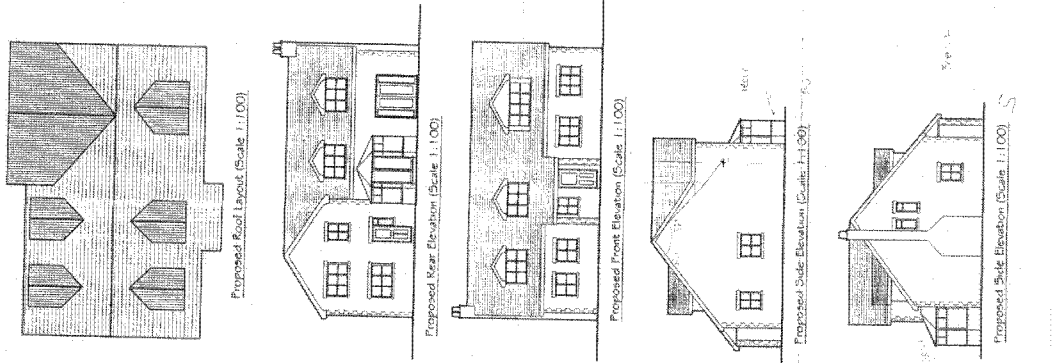
7. The proposed development is shown in red on the site plan. The site plan is subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987. The proposed development is subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987.

8. The proposed development is shown in red on the site plan. The site plan is subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987. The proposed development is subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987.

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10. The proposed development is shown in red on the site plan. The site plan is subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987. The proposed development is subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987.

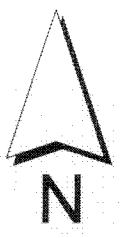
CHORLEY BOROUGH COUNCIL
 Planning Department
 24, 25th Floor
 25th Floor
 Chorley, Lancashire, PR7 2JG



AMENDED PLAN

Proposed Replacement Dwelling
 By Planning Lane, Hegn Chorley, Chorley,
 Planning Application:
 Planning Application:
 Mr. & Mrs. Kiffinman

Chorley Borough Council
 Planning Department
 24, 25th Floor
 25th Floor
 Chorley, Lancashire, PR7 2JG
 March 2005



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Item B. 3 **05/00513/FUL** **Permit**

Case Officer **Mr Simon Pemberton**

Ward **Brindle And Hoghton**

Proposal **Erection of replacement dwelling,**

Location **Jack Green Farm Oram Road Brindle LancashirePR6 8NT**

Applicant **R Smalley**

Proposal: This application proposes the removal of the existing mobile home and its replacement with a bungalow with rooms in the roof. The existing mobile home is 3.25 metres high to the ridge (2.8m to the eaves) and has a footprint and floorspace of 69.39m² and volume of approximately 198m³.

The proposed dwelling is of bungalow form, with three rooms provided at first floor (a bedroom with en-suite bathroom, and a lounge area). At its tallest the proposed building is 6.3 metres high to the ridge (2.6m to the eaves) and has a footprint of 109m² and an overall floorspace of 178m². The volume of the proposed dwelling is approximately 498m³.

Policy: The site lies within the open countryside and is also designated as Green Belt where policy DC1 and DC8a control the new developments and specifically the replacement of existing dwellings. As the proposal represents a replacement for an existing dwelling the proposal therefore complies with the requirements of the Windfall Housing SPG.

Planning History: The site forms part of the greater holding of Jack Green Farm. It is accessed from a track to the west of the main complex of farm buildings. The existing mobile home is located to the north of those buildings. The existing mobile home was the subject of a CLU granted under reference 04/1179/CLEUD on 22 December 2004. This lawful use established that a dwelling had been established on the site for a period in excess of four years. Despite the appearance of the unit as a mobile home it was considered that a permanent structure had been established. The lawful use of the land is therefore for a single dwelling.

A previous application for construction of a two storey house was withdrawn by the applicant after officers indicated that the proposal was not likely to be acceptable to the Local Planning Authority. Prior to this an application for an additional agricultural workers dwelling on the site was also withdrawn as the County Land Agent could not support the need for an additional dwelling on the holding.

Consultations: None received at the time of drafting the report, if any further responses are received they will be reported in the addendum.

Representations: No letters of representation has been received in response to the consultation exercise.

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Assessment:

The main issue relates to Green Belt policy and whether the replacement of a mobile home with a bungalow accords with the policy.

PPG2 'Green Belts' states that the limited extension, alteration or replacement of existing dwellings is appropriate development. This is amplified in paragraph 3.6, which states that "Provided that it does not result in disproportionate additions over and above the size of the original building, the extension or alteration of dwellings is not inappropriate in Green Belts. The replacement of existing dwellings need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces."

Policy DC1 of the Chorley Borough Local Plan Review 2003 states that only the limited extension, alteration or replacement of existing dwellings providing it is in accordance with policy DC8a will be appropriate development. Policy DC8a states that the following criteria should be met:

- (a) *the proposed building would not detract from the openness of the Green Belt to a greater extent than the original dwelling;*
- (b) *the siting, design, external materials and final character of the dwelling do not detract from its surrounds or from the Landscape Character Area;*
- (c) *the proposed replacement would not be materially larger than the building it replaces nor involve enlarging the residential curtilage; or,*
- (d) *the proposed extension should not result in a significant increase in the volume of the original dwelling.*

This is further amplified in the House Extension Design Guide which has been adopted as Supplementary Planning Guidance and states that extensions of existing dwellings in rural areas should not exceed 50-70% of the volume of the original dwelling (that which existed whenever it was built or existed in 1948 whichever is more recent).

In relation to these criteria, the openness of the Green Belt would be affected by the proposal because of issues related to criteria (c) and (d) and the height, size and bulk of the proposed replacement dwelling. In this respect the proposed dwelling is approximately 3.05 metres taller than the existing mobile home. It has a footprint 57% larger than existing, a floorspace that is 156% larger and a volume that is 150% greater than the existing. This represents an increase in volume over the existing mobile home and would be greater envisaged by the SPG.

However, balanced against this is the fact that the existing property is small, so whilst in percentage terms the extensions appear disproportionate, the impact on the ground is not as significant. the curtilage is the same as the existing property.

It should be noted that the proposal has however been substantially reduced from the previous unacceptable submission. The overall scale of the new dwelling is modest in design and appearance so whilst obviously it is much larger than the mobile home, there is not a significant local impact.

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It then falls to consider whether very special circumstances exist which outweigh the presumption against the development and the harm that would be caused by virtue of its inappropriateness. In support of the application the applicant has put forward the following arguments:

- That the applicant works on the Jack Green Farm, although he and his family currently live at Gregson Lane, and that due to the scale of the activities it is important that the applicant lives on the farm;
- The size of the property has been designed to provide the best compromise in terms of the applicants personal needs and planning policy. The applicant and his partner have three children and therefore require a four bed property.
- That the site is well screened and will not therefore detract from the openness of the Green Belt. The design of the proposed dwelling will be an improvement over the existing mobile home, the footprint is not materially larger, it will not entail extending the curtilage (which may be required for a bungalow of similar size),

In relation to point 1 above, it is not clear exactly what work the applicant undertakes on the agricultural holding. However, it is noted that a previous application for an agricultural workers dwelling on the site has been submitted. It was concluded, following advice from the County Land Agent, that there was no demonstrable need for a further agricultural workers dwelling on the site. The application was subsequently withdrawn from consideration. Furthermore, it should be noted that the applicant currently resides only 2 miles from the Farm. It is therefore considered that whilst point 1 is a positive argument in support of the current application, its weight on its own is limited.

The design of the proposed dwelling has been significantly improved both in terms of the scale of the accommodation, and its form. It is accepted that the design of the proposed dwelling is not inappropriate to its location and subject to the careful selection of appropriate materials it is not out of keeping with its surroundings. Furthermore this has to be considered in the light of the relationship to the adjacent farm buildings which effectively screen the ground floor level of the proposed dwelling.

The fact that a site is well screen, or out of sight, does not outweigh the harm that is caused to the openness of the Green Belt. However, whilst the proposed bungalow will be visible it will relate well to the scale of the surrounding agricultural buildings, certainly much more so than that originally proposed. The impact of the proposal in the landscape is not considered to be significantly greater than the existing mobile home.

The proposal represents inappropriate development in the Green Belt in that the proposed replacement dwelling is larger than would normally be considered appropriate. However, on balance it is considered that this harm is small bearing in mind the details of the site, and that the circumstances surrounding the application outweigh the harm that results from the development. The application is therefore recommended for approval subject to the following conditions.

Recommendation: Permit

Conditions

1. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason: The proposed dwelling is larger than might normally be permitted so in order to secure the balance of impact of the site this condition is imposed to ensure that the dwelling is available for the occupation of an agricultural worker on the holding in accordance with DC1, DC8a and HS14 of the Chorley Borough Local Plan Review 2003.

2. Prior to the commencement of development plans and particulars showing the provision for the parking and manoeuvring of cars in accordance with the Local Planning Authority's current standards, shall be submitted to, and approved in writing by, the Local Planning Authority. Such details as agreed shall be laid out and made ready in all respects for use prior to the first occupation of the dwelling hereby permitted, and shall thereafter retained.

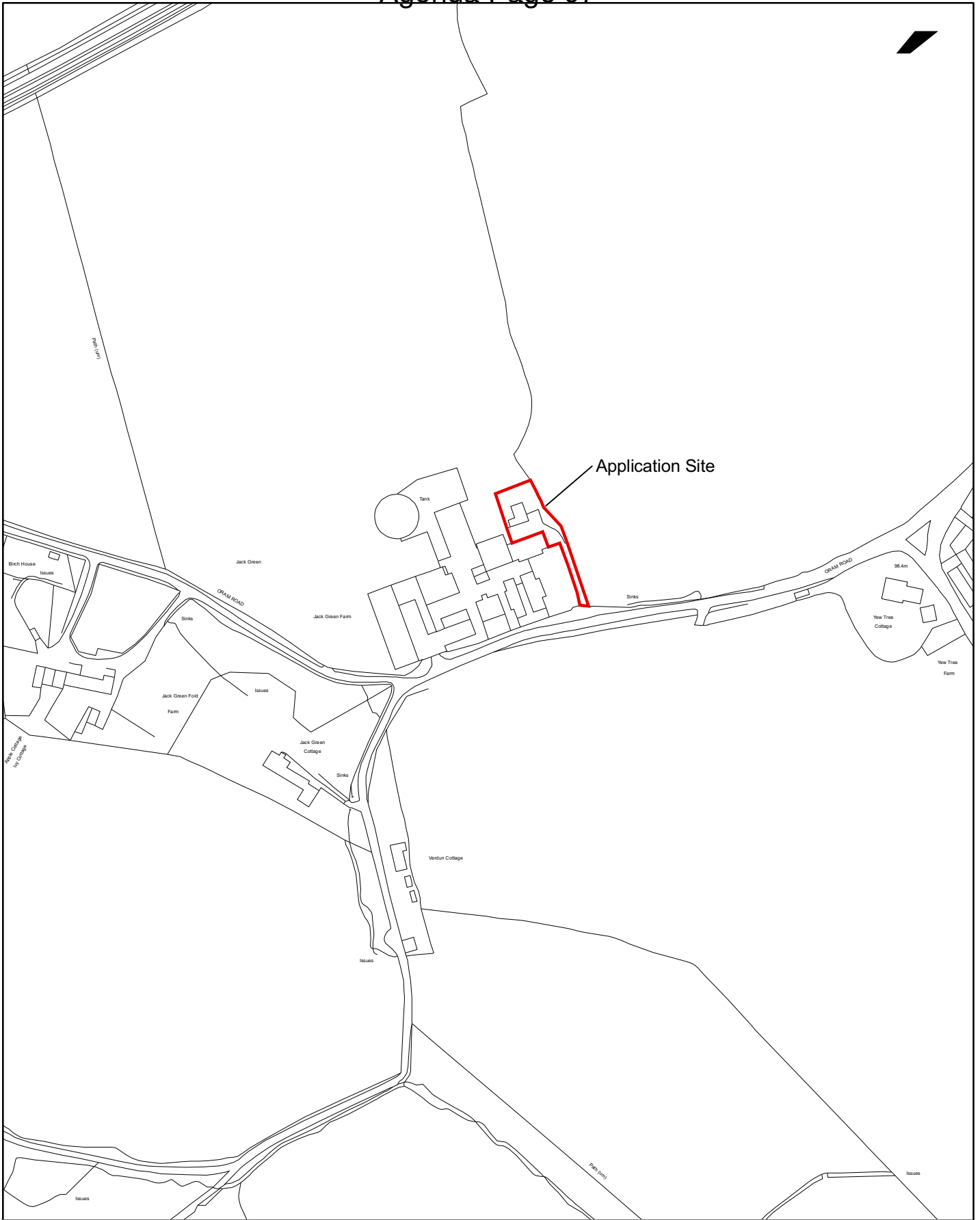
Reason: In order that the Council may be satisfied with the details of the proposal and to ensure a satisfactory level of off-street vehicle park.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactment thereof no extension to the dwelling, outbuilding, or other works permitted by Class A, B, C, D, E, F, G and H shall be constructed or erected without express planning permission first being obtained.

Reason: In the interests of controlling matters which may be detrimental to the original visual concept and the balance of private space provision and in order to protect the Green belt from further development on this site which may be harmful to its openness and visual amenity in accordance with policy DC1 and DC8a of the Chorley Borough Local Plan Review 2003.

4. Details and samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority before any on-site work commences. All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure that the external appearance of the building(s) is satisfactory in accordance with policies GN5, DC1, and DC8a of the Chorley Borough Local Plan Review 2003.



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<p>Application No. 05/00513/FUL</p>	<p>Grid Ref: E: 359873 N: 425756</p>	<p>Scale: 1:2,500</p>	<p>Agenda Item No. B. 3</p>

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Item B. 4	05/00531/CB4	Permit
Case Officer	Miss Nicola Bisset	
Ward	Heath Charnock And Rivington	
Proposal	Erection of a portable building with disabled access to provide a meeting room for Heathfield Residents Group,	
Location	Land Adj Garage Block Heathfield Heath Charnock Lancashire	
Applicant	Chorley Borough Council	
Proposal	The application is for the erection of a portable building with disabled access. The proposed building is single storey and measures 6 metres by 7.2 metres. Heathfield Residents Group will use the building.	
Planning Policy	GN1- Settlement Policy- Main Settlements GN5- Building Design and Retaining Existing Landscape Features and Natural Habitats PS2- Provision and Improvement of Community Centre and Village Halls	
Planning History	04/01170/CB4- Erection of a portable building with disabled access to provide a meeting room for Heathfield Residents Group. Approved at Committee December 2004.	
Representations	None received	
Consultations	None received	
Assessment	<p>The proposal will be located to the rear of an existing garage block of 4 garages. The site is an enclosed grassed area with wooden fencing at the boundaries approximately 1.5 metres high and the rear of 10 bungalows border the site.</p> <p>The proposed building will be used by the Heathfield Residents Group. The application is a resubmission of a previously approved application (9/04/01170/FUL). This resubmission has been submitted because the proposal has been amended from what was originally submitted. The original application was a rectangular shaped building located directly to the rear of the garage block. The dimensions of the building have been amended in this application to create a square building, the location of proposal is still directly to the rear of the garage block.</p> <p>The proposal is considered to be acceptable in terms of policy PS2 of the Adopted Chorley Borough Local Plan Review 2003. The proposal is compatible with the surrounding lane use and is in walking distance of the residents it will serve. The proposal is relatively small and therefore will not attract large numbers of people. The location of the building is clearly visible by the properties which surround it and it is considered that the design of the building is no more intrusive than the existing garage block. The proposal will not create any undue noise or disturbance to the</p>	

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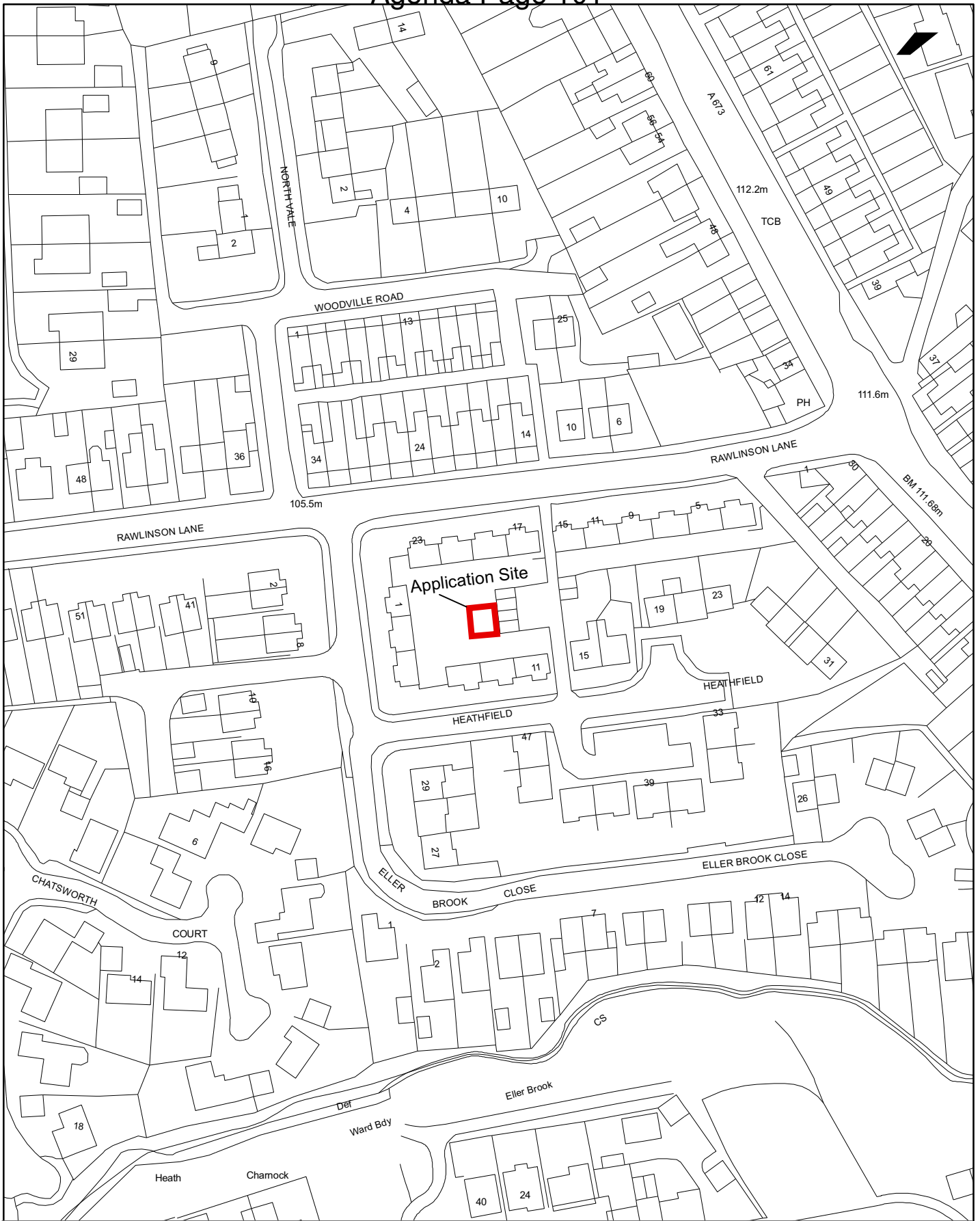
detriment of the neighbouring residents and is therefore acceptable.

Recommendation: Permit

Conditions

1. Where use of the building hereby permitted ceases for a period exceeding 6 months within ten years of its substantial completion it shall then be removed from the land and the land restored to its former condition.

Reason: In the interest of the appearance of the locality and to safeguard the amenities of local residents in accordance with policies GN1 and GN5 of the Adopted Chorley Local Plan Review.



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<p>Application No. 05/00531/CB4</p>	<p>Grid Ref: E: 359953 N: 414130</p>	<p>Scale: 1:1,250</p>	<p>Agenda Item No. B. 4</p>

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Item B. 5	05/00553/FUL	Refuse
Case Officer	Miss Nicola Bisset	
Ward	Clayton-le-Woods North	
Proposal	Retrospective application for the erection of new boundary wall,	
Location	Cam Lane Cottage Cam Lane Clayton-Le-Woods ChorleyLancashire	
Applicant	Brian Barnes	
Proposal	<p>This full planning application is a retrospective application for the erection of a boundary wall. The wall has already been constructed prior to the application being submitted. The wall has been erected along the boundary of the east and south elevation. The wall measures 1.9 metres high at the lowest point rising to 3.2 metres high at the top of the pillars.</p> <p>A public footpath runs adjacent to the boundary wall along the east elevation. The property is located next to Cuerden Valley Park and is accessed via an unadopted road.</p>	
Planning Policy	<p>DC1- Development in the Green Belt. DC8A- Replacement Dwellings and Extensions in the Green Belt. EP2- County Heritage Sites and Local Nature Reserves. PPG2- Green Belts.</p>	
Planning History	<p>9/87/211- Two storey extension and alteration. Permitted 9/88/272- Erection of two storey extension to form lounge and bedrooms. Refused- contrary to Green Belt Policy 9/88/585- Extension and Alteration (Revised Scheme). Permitted 9/89/42- Change of use from woodland to garden within residential curtilage and erection of entrance walls. Permitted 9/89/55- Two storey extension. Refused - contrary to Green Belt Policy 9/90/542- Two storey side extension. Permitted 9/91/794- Erection of porch (Erection of swimming pool building plan 886/1A)- permitted development). Withdrawn 9/93/772- Erection of one bedroom accommodation for disabled relatives attached to existing garages. Permitted 9/94/43- Replacement conservatory/balcony to side and rear and porch extension/ balcony to front. Permitted 9/94/384- Two storey side extension, replacing an existing conservatory. Permitted. 9/05/554- Retrospective application for the erection of a private stable block. A report relating to this application can be found elsewhere on this agenda.</p>	
Applicant's Case	<p>The requirement for the perimeter wall has arisen from breaches of security at Cam Lane Cottage. Mr. Barnes has recently experienced attempted break-ins to the house, and the construction of a new perimeter wall is intended to increase the security of the residence and for the personal safety of the occupants. The wall replaces an existing fence of the same height in the same position. The wall is designed to match the</p>	

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existing section of perimeter wall and compliment details of the main house. The brick used for the wall matches that of the existing section of perimeter wall and the main house. The brick feature panels within the wall construction, also reflects the brick feature panels on the main house building.

Representations

One letter of objection has been received raising the following objections:

- Trees have been removed and damaged although it states that no trees will be removed.
- The wall has been built on the adjoining bridle path.
- The wall is not constructed in material which is suitable to the country park.
- The stones on the bridleway are not suitable for horses.
- The length of the wall is actually 98.9 metres not 97 metres as stated.

Consultations

Clayton-le Woods Parish Council have raised the following objections:

- The measurement of the wall exceed the 2 metres recommended height and it is felt that the outer skin should be in keeping with the surrounding environment
- No trees were to be felled. However we are now aware that there has been some tree felling
- The bridle path has been re-aligned to accommodate the wall and drainage pipes have been placed under the bridle path. The reinstatement of the bridle path is not suitable for horse use

Assessment

The application site is located within an area of Green Belt. In accordance with Planning Policy Guidance Note 2: Green Belts, there is a general presumption against inappropriate development within the Green Belt. also the visual amenities of the Green Belt should not be affected in relation to the siting, materials or design of the development.

The wall, which has already been constructed, is located along the east and south boundary of the curtilage of the dwellinghouse. The wall measures 1.9 metres high at the lowest point and 3.2 metres high at the top of the pillars. The pillars are located along the wall at intervals of 5.4 metres.

The property is located next to Cuerden Valley Park and the wall along the east boundary is located at the boundary with the park.

It is considered that the wall in an obtrusive feature which would not usually be located within an area of Green Belt. The siting, materials and design of the wall are visually detrimental which has an adverse effect on the amenities of the green belt. By creating an enclosed area the wall detracts from the openness of the green belt. The proposal is inappropriate development within the green belt

The proposal is therefore contrary to Planning Policy Guidance Note 2 as it has a detrimental impact on the openness and visual amenities of the green belt.

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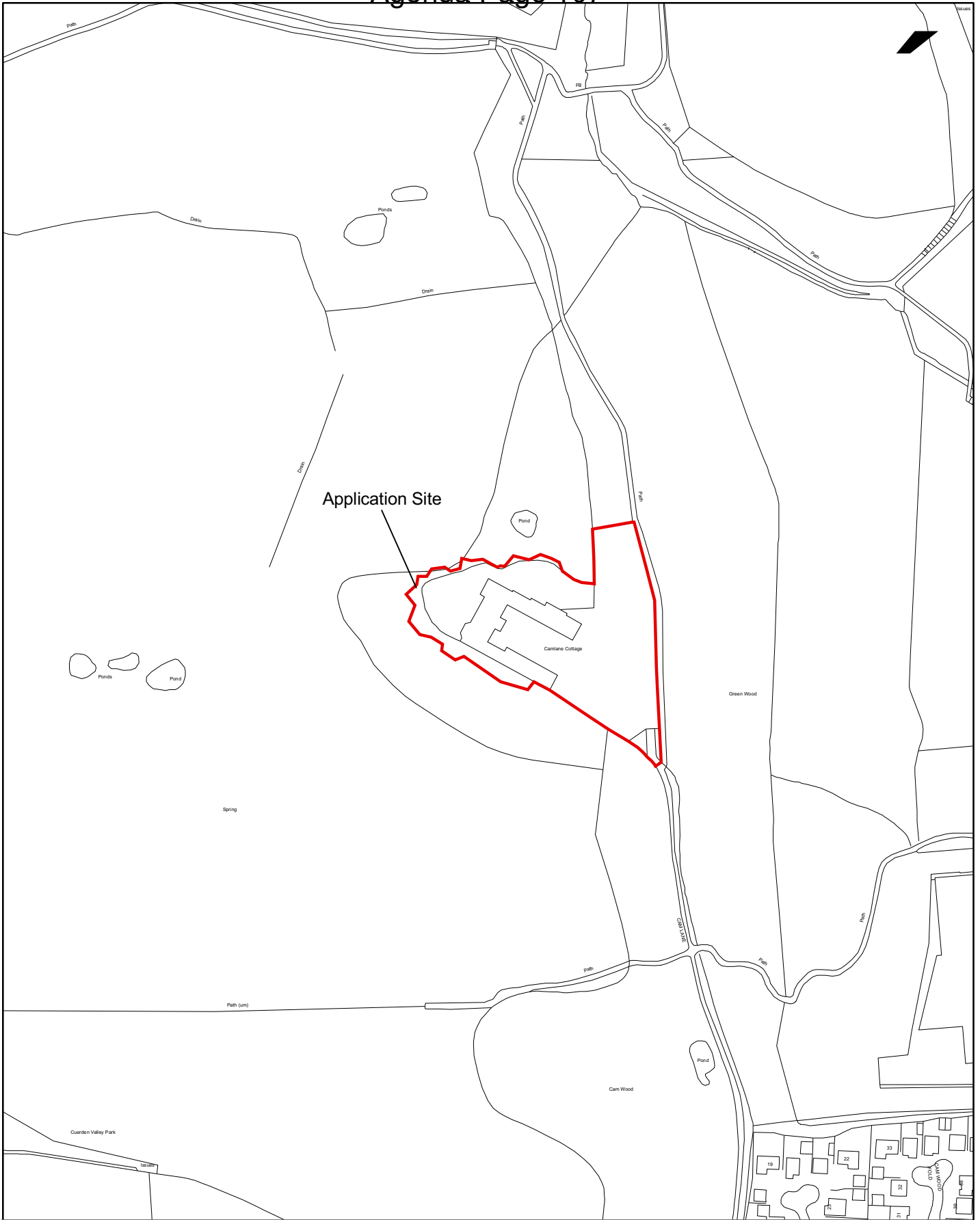
As the application is retrospective an associated report can be found later in the Agenda seeking authority for enforcement action.

Recommendation: Refuse

Reasons

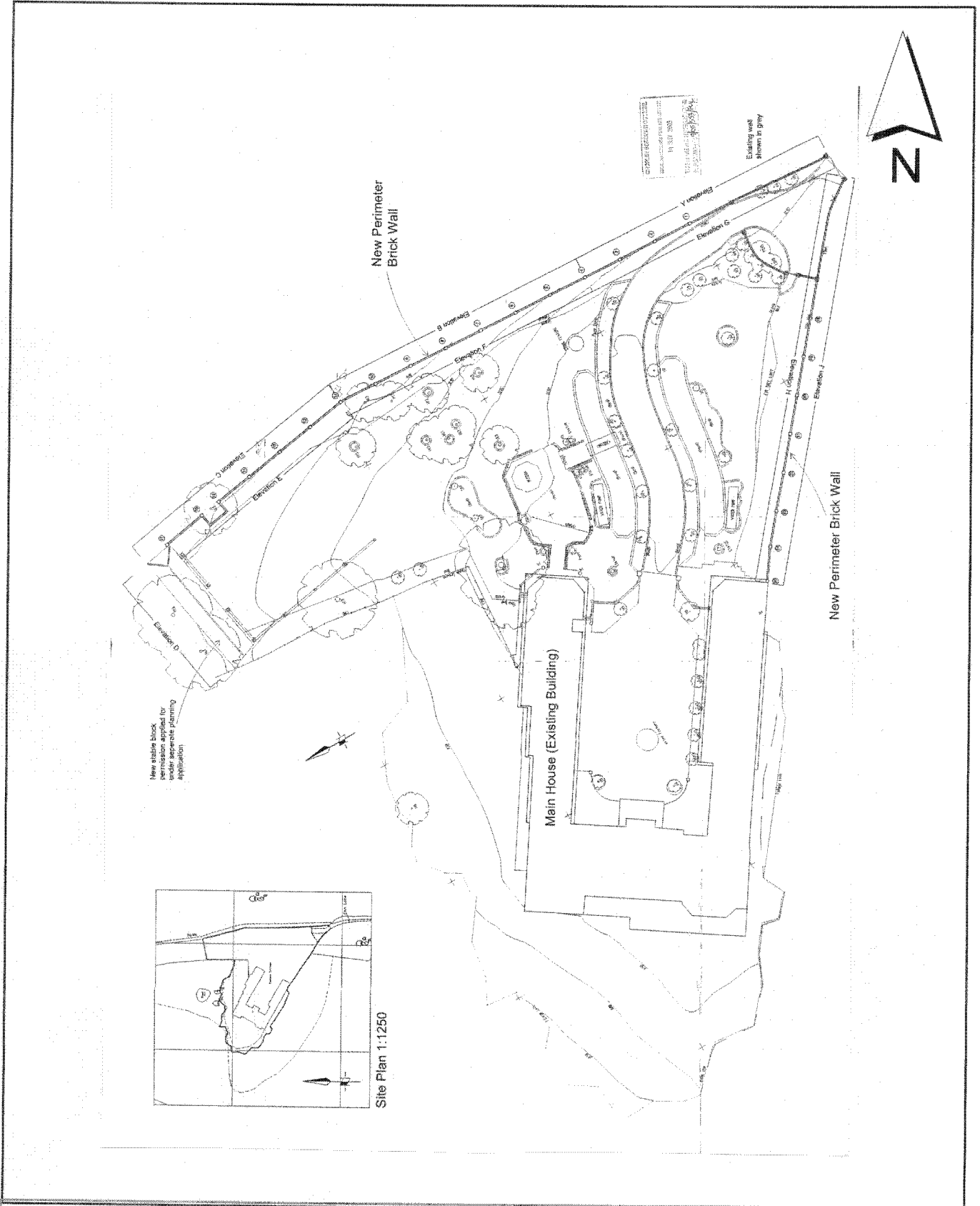
1. The proposed development would be detrimental to the visual amenities within the Green Belt by reason of its siting, materials and design. The proposal is inappropriate development within the Green Belt and is therefore contrary to Government advice contained in PPG2: Green Belts and Policy DC1 of the Adopted Chorley Borough Local Plan Review.

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<p>Application No. 05/00553/FUL</p>	<p>Grid Ref: E: 357234 N: 423784</p>	<p>Scale: 1:2,500</p>	<p>Agenda Item No. B. 5</p>

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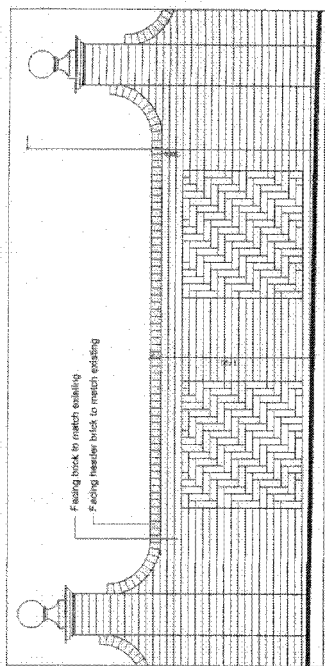


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 Chorley Borough Council

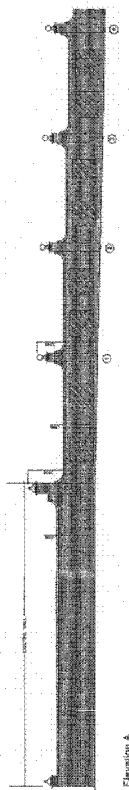
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Application No. 05/00553/FUL	Grid Ref: E: 357234 N: 423784	Scale:	Agenda Item No. B. 5
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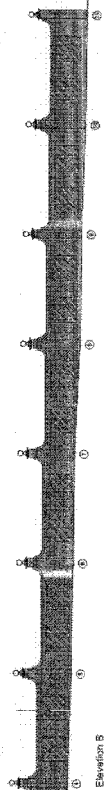
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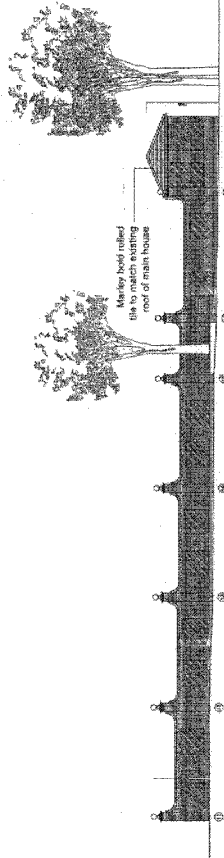
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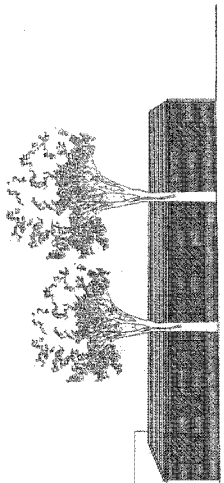
Elevation A



Elevation B

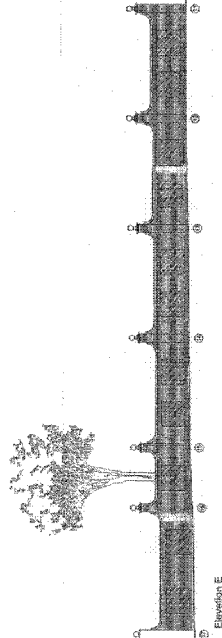


Elevation C

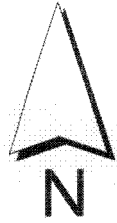
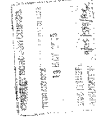


Elevation D

New stable block permission applied for under separate planning application



Elevation E



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 Head of Planning Services
 Chorley Borough Council

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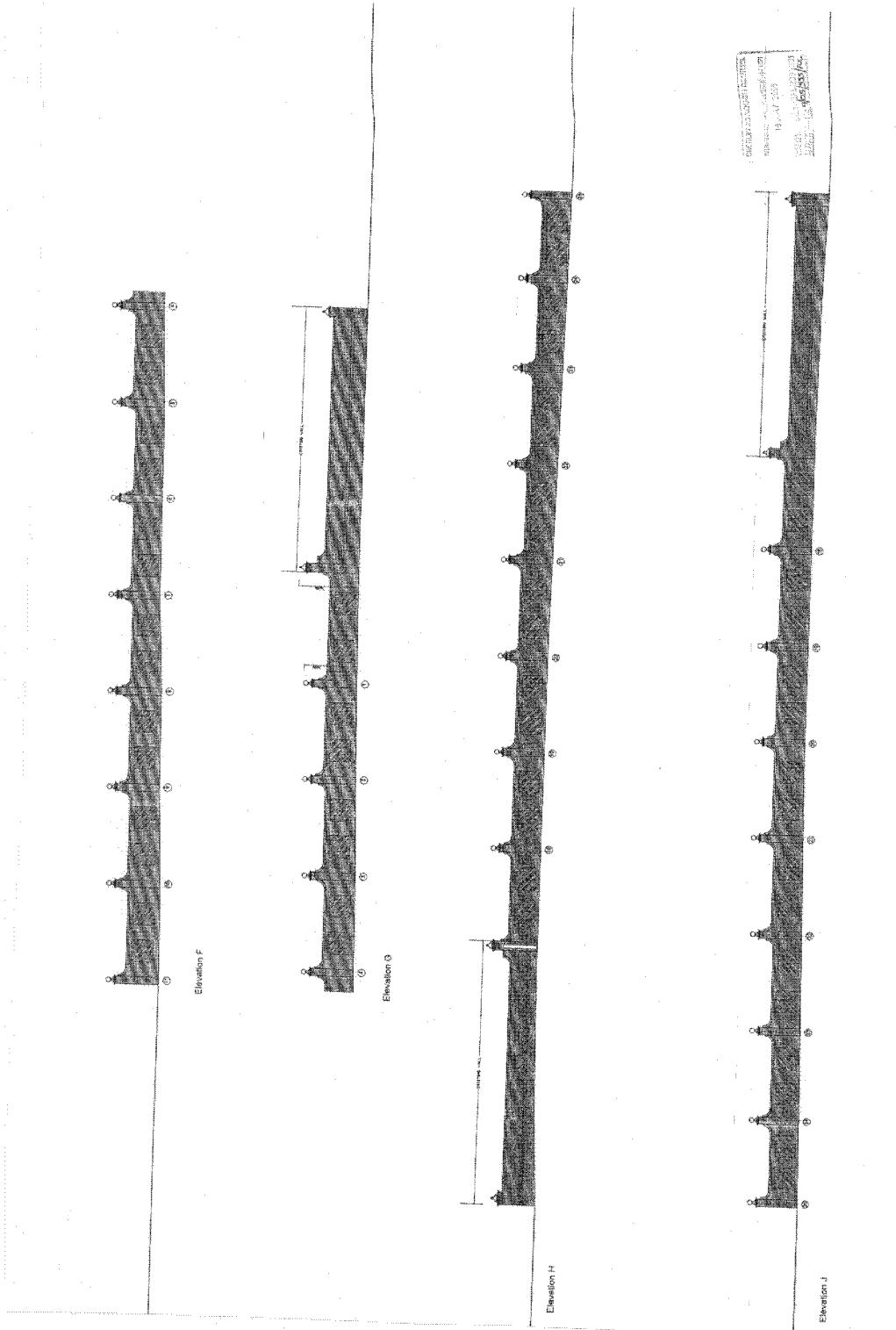
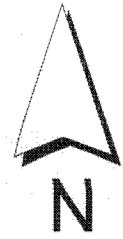
Application No.
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Item B. 6	05/00554/FUL
Case Officer	Miss Nicola Bisset
Ward	Clayton-le-Woods North
Proposal	Retrospective application for the erection of private stable block,
Location	Cam Lane Cottage Cam Lane Clayton-Le-Woods Chorley Lancashire
Applicant	Brian Barnes
Proposal	The application is for the erection of a single storey building close to the east boundary to be used as stables. The building has already been constructed and measures 20.1 metres by 4.2 metres by 3.55 metres high. The building is located at the end of an access track which is accessed via the main driveway.
Planning Policy	DC1- Development in the Green Belt. DC8A- Replacement Dwellings and Extension in the Green Belt. EP2- County Heritage Sites and Local Nature Reserves. EP8- Development Involving Horses. PPG2- Green Belts Supplementary Planning Guidance- Development Involving Horses.
Planning History	9/87/211- Two storey extension and alteration. Permitted 9/88/272- Erection of two storey extension to form lounge and bedrooms. Refused- contrary to Green Belt Policy 9/88/585- Extension and Alteration (Revised Scheme). Permitted 9/89/42- Change of use from woodland to garden within residential curtilage and erection of entrance walls. Permitted 9/89/55- Two storey extension. Refused- contrary to Green Belt Policy 9/90/542- Two storey side extension. Permitted 9/91/794- Erection of porch (Erection of swimming pool building plan 886/1A)- permitted development). Withdrawn 9/93/772- Erection of one bedroom accommodation for disabled relatives attached to existing garages. Permitted 9/94/43- Replacement conservatory/balcony to side and rear and porch extension/ balcony to front. Permitted 9/94/384- Two storey side extension, replacing an existing conservatory. Permitted. 9/05/553- Retrospective application for the erection of a new boundary wall. A report relating to this application is elsewhere on this agenda.
Applicant's Case	The proposal consists of the construction of a simple private stable. The horses to be kept within the stable building will be for the private enjoyment of the house owners only. The materials used for the construction and detailing match the perimeter wall and compliment the details of the main house. The brick used in the stable matches that of the perimeter wall and the main house. The roof is pitched with the roof tile matching that of the main house.

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Representations

One letter of objection has been received from a member of the public raising the following points:

- The materials used are not in keeping with the country park and the green belt.
- The stable block has been built close to a Oak Tree which has already been pruned. The Oak trees should have tree preservation orders on them
- No drains are shown for the horse waste but on site there are two drains coming from the rear of the stable block to the pond in Cuerden Valley Park.
- The height of the stable wall is higher than what is stated on the plan.

Consultations

Clayton le Woods Parish Council have raised the following objections:

- There is substantial damage to a mature oak tree and once the stable block is built this could necessitate the removal of the tree
- Under the Environment Agency Planning Consultation reply it is noted that Box QC55 has been ticked but it is felt that there should be compliance with Conditions 11 and 12.
- The pond could have foul wastage going into it which could cause water pollution and would eventually kill any wildlife.

The Environment Agency has noted a condition they would like to be attached to a planning approval in relation to the containment and storage of manure.

Assessment

The proposal is for a single storey building for the use of two stables located at the end of an access track at the eastern boundary of the site. The stables are sited to the north east of the dwellinghouse over 38 metres away

The stables have already been substantially constructed and have been built using brick and tiles similar to the main dwellinghouse. It is considered that the design and materials of the stables are unacceptable as the materials used are modern bricks and tiles. These modern materials are inappropriate because the building is a permanent structure which is more likely to be retained after the need for stables has gone. The materials also create a structure which is more visually intrusive and does not blend into the surrounding green belt. The building does not have the appearance of stables.

The floor area of the stables exceed what is required as the floor area of stable 1 measures 6.1 metres by 3.7 metres and the floor area of stable 2 measures 7.9 metres by 3.7 metres. The siting and size of the stables creates a structure which is visually intrusive within the green belt and surrounding area.

It is considered that the design, materials and siting of the stables are unacceptable. The proposal is contrary to policy EP8 of the Adopted Chorley Local Plan Review 2003 and the Guidance set out in the Supplementary Planning Guidance - Development Involving Horses.

As the application is retrospective, an associated report can be

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found later in the Agenda seeking authority for Enforcement Action.

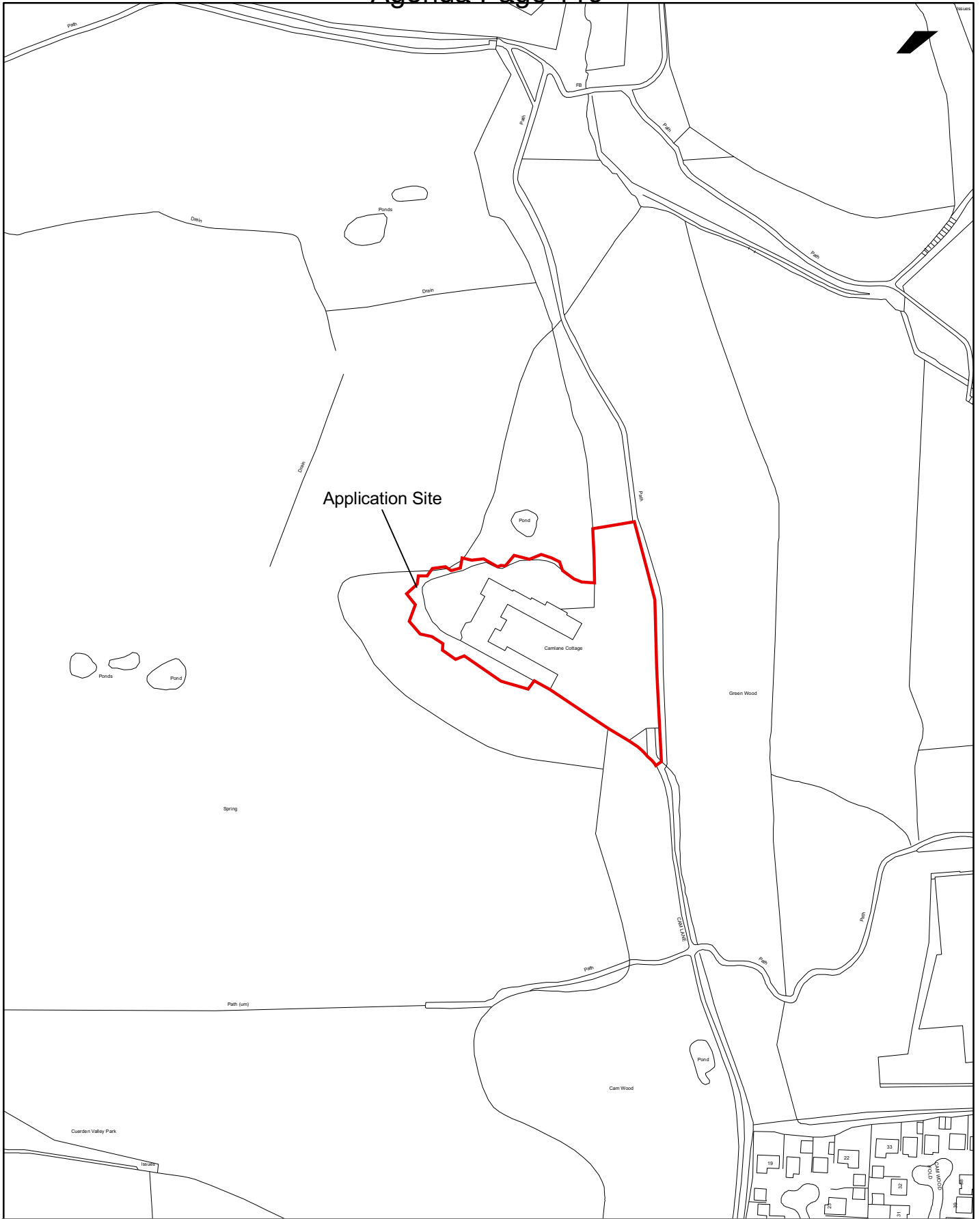
Recommendation: Refuse

Reasons

1. The proposed development would be detrimental to the visual amenities within the Green Belt by reason of its siting, materials and design. The proposal is inappropriate development within the Green Belt and is therefore contrary to Government advice contained in PPG2: Green Belts and Policy DC1 of the Adopted Chorley Borough Local Plan Review.

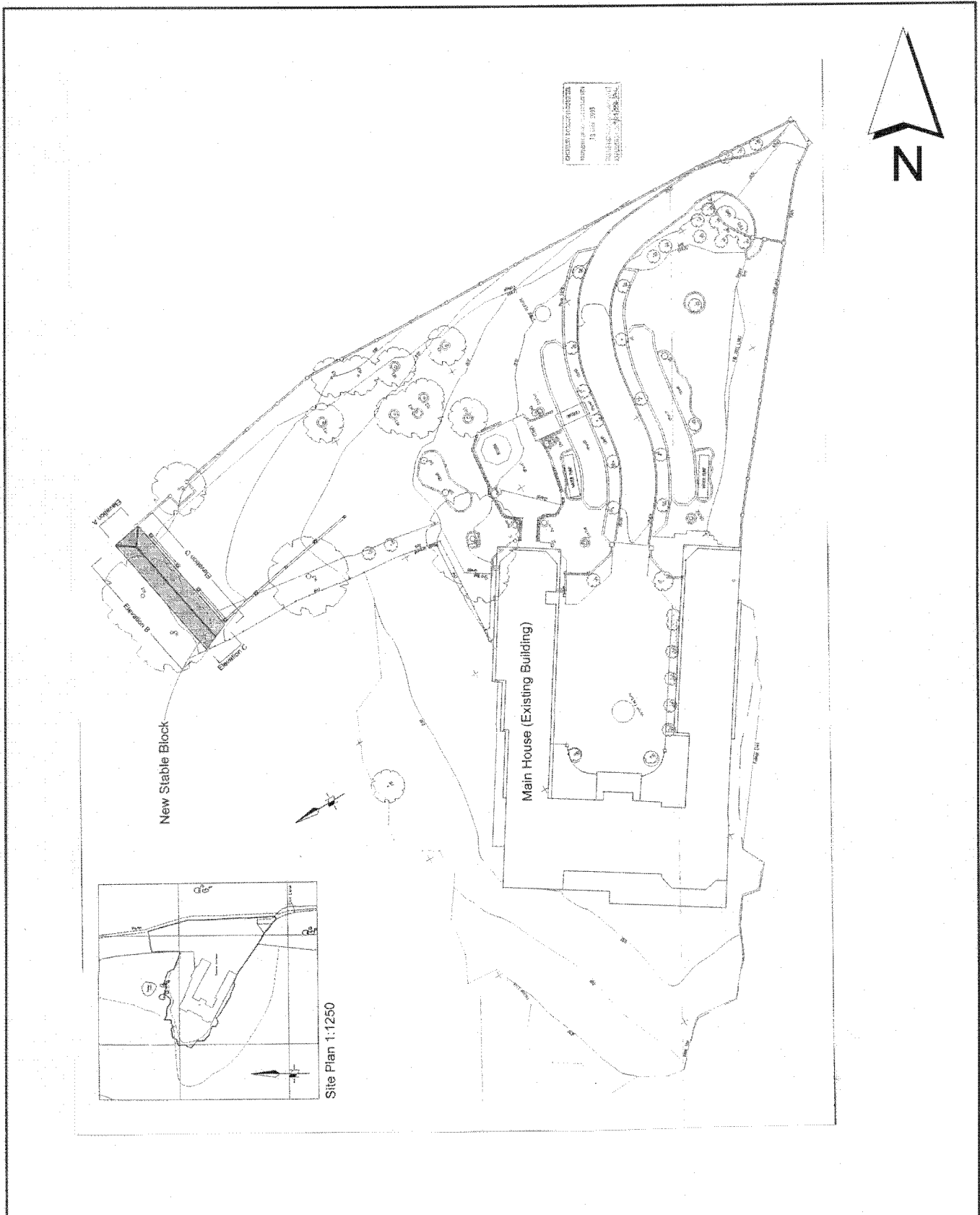
2. The proposed development for stables creates an intrusive feature within the area and is detrimental to the surrounding landscape. The proposal is unacceptable by reason of its size, siting and materials. The proposal is contrary to Policy EP8 of the Adopted Chorley Local Plan Review 2003.

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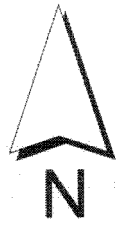
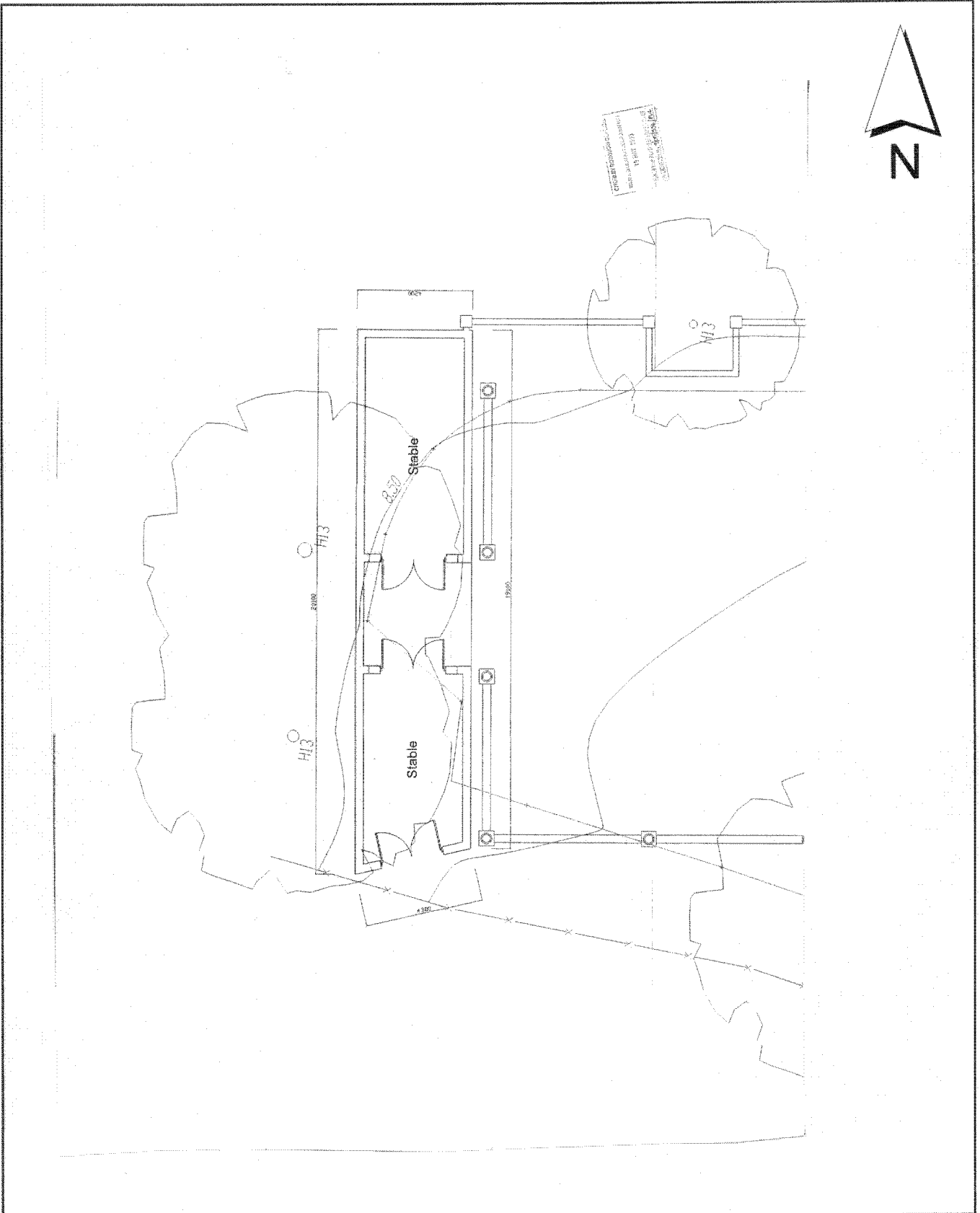
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<p>Application No. 05/00554/FUL</p>	<p>Grid Ref: E: 357234 N: 423784</p>	<p>Scale: 1:2,500</p>	<p>Agenda Item No. B. 6</p>

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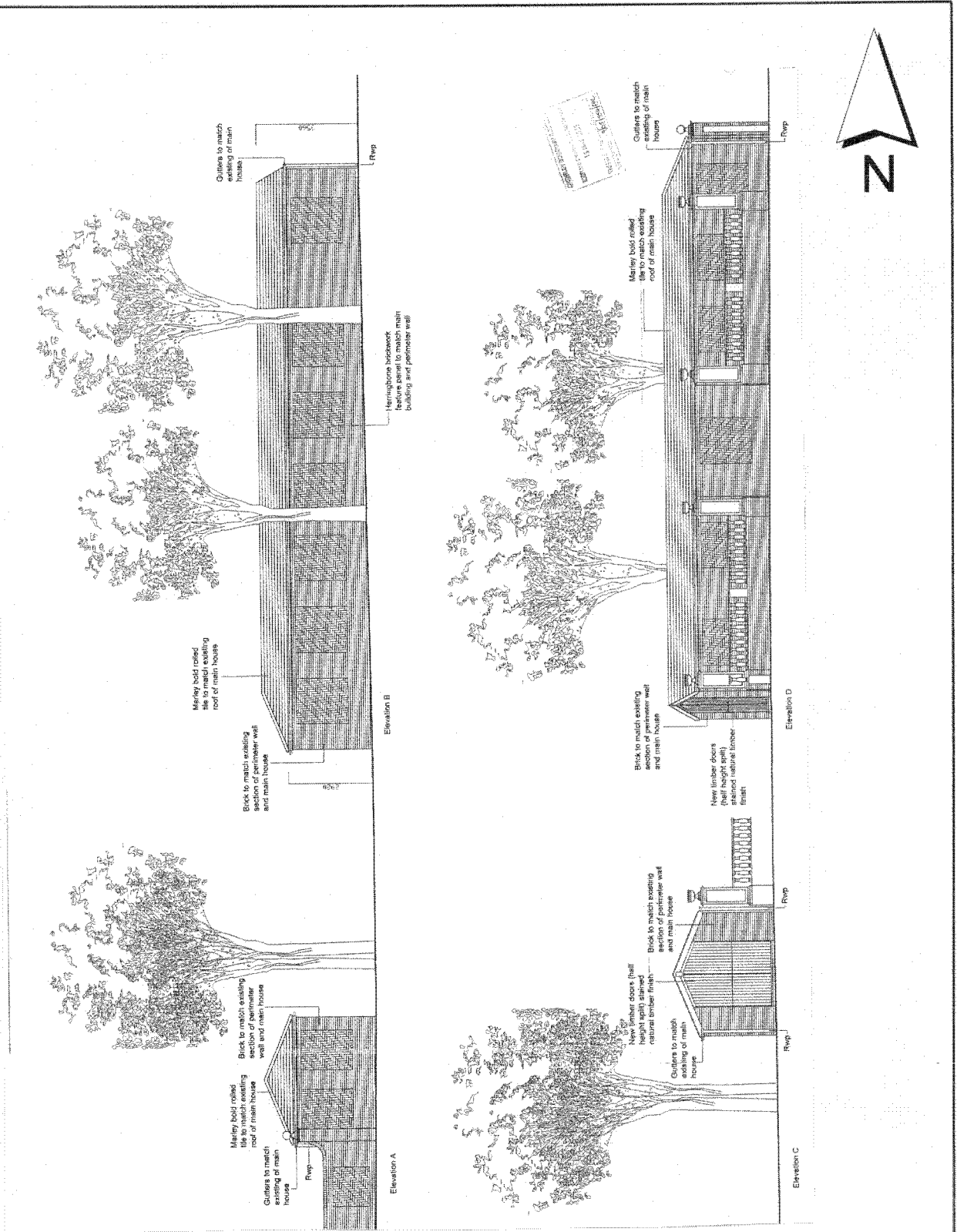
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Report of	Meeting	Date
Head of Planning Services	Development Control Committee	26/07/05

BANK HALL, BRETHERTON

PURPOSE OF REPORT

1. To briefly update Committee on the project to restore the Listed Building

CORPORATE PRIORITIES

2. The report does not relate to a corporate priority

RISK ISSUES

3. The report contains no risk issues for consideration by Members.

BACKGROUND

4. The listed building has been the subject of a lengthy restoration campaign led by a local Trust. Eventually a Heritage Lottery Fund (HLF) grant was awarded towards the work, and the preparatory steps are underway.
5. As part of this process the Trust have sought a developer partner and one matter prospective partners raise is that of enabling development to bridge the gap between value/grant and cost.
6. Your officers had advised against reliance on enabling development given the Green Belt location and setting of the listed building.
7. However even with a large HLF grant, at current prices there is an emerging shortfall of over £1M.
8. English Heritage is willing in principle to contemplate appropriate enabling development. Advice in PPG15 indicates there will be a need to make a case and to thoroughly demonstrate what is sought. Details are not yet available but will be some form of new build housing.
9. It will be for the Trust and their developer to make any application so even though the Borough Council has been active in trying to help secure a restoration scheme, this Committee will have the formal task of judging whatever is submitted against very strict planning criteria.

COMMENTS OF THE DIRECTOR OF FINANCE

10. There are no financial implications raised by this report for the Council.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

11. There are no Human Resources implications in this report.

RECOMMENDATION(S)

12. Committee note the emerging situation with regard to this project.

ALAN CROSTON
HEAD OF PLANNING SERVICES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Alan Croston	5201	26 July 2005	ADMINREP/REPORT

Report

Report of	Meeting	Date
Head of Planning Services	Development Control Committee	26.07.2005

PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS

Item	Application	Recommendation	Location
D. 1	05/00514/FUL	Permit	Land On Lawton Close And Rear Of 383 Blackburn Road Wheelton Lancashire
D. 2	05/00549/FUL	Refuse	Land Adjacent Euxton Park Golf Driving Range Euxton Lane Euxton Chorley Lancashire
D. 3	05/00555/COU	Permit	25 Halliwell Street Chorley Lancashire PR7 2AL
D. 4	05/00598/FUL	Permit	Land On Roscoe Lowe Hill North Of Roscoe Lowe Farm New Road Anderton Lancashire
D. 5	05/00608/COU	Permit	Learoy Preston Road Charnock Richard Lancashire PR7 5JZ

Continued....

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Item D. 1	05/00514/FUL	Permit
Case Officer	Mr David Stirzaker	
Ward	Wheelton And Withnell	
Proposal	Erection of detached bungalow,	
Location	Land On Lawton Close And Rear Of 383 Blackburn Road Wheelton Lancashire	
Applicant	Kaufman & Broad	
Background	This application relates to an infill plot on Lawton Close within the settlement of Wheelton. The plot currently benefits from an extant planning permission for a detached bungalow and garage (ref no. 9/99/00043/FUL) as the applicant has dug out the footings for the bungalow within five years of the permission being granted.	
Proposal	Permission is now sought for the erection of a detached three bedroom L-shaped bungalow. The bungalow is set back from Lawton Close and comprises of a gabled frontage with a secondary bay set back utilising a hipped roof. Two car parking spaces are proposed in front of the secondary bay. The bungalow occupies almost the same footprint as the bungalow approved in 1999 being set back from Lawton Close the same distance and being of the same depth adjacent the north boundary.	
Policy	GN4 - Rural Settlement Policy GN5 - Building Design and Landscaping HS4 - Design and Layout of Residential Developments HS6 - Housing Windfall Sites TR4 - Highway Development Control Criteria	
Planning History	9/99/00043/FUL - Erection of detached bungalow and garage (Permitted) 9/03/00778FUL – Erection of two storey dwelling and garage (Refused) 9/04/00669/FUL – Erection of detached bungalow and garage (Refused) – A subsequent appeal was dismissed in respect of this application	
Representations	One letter of objection has been received from the occupier of an adjacent neighbouring property, the contents of which can be summarised as follows: <ul style="list-style-type: none"> • The layout of the dwelling is not in keeping with the others on Lawton Close • As the property does not have a garage, cars parked on the road could be a potential danger to highway safety • Adding another dwelling on Lawton Close would increase the sewerage and drainage problems experienced due to heavy rainfall • The dwelling would impact on privacy 	
Consultations	The Parish Council has stated that they are concerned that the height of the building would obstruct views from the neighbouring	

properties.

Assessment

The main issues warranting consideration are as follows: -

Planning Policy

As detailed, the applicant has started to implement the previous permission by digging the footings for the bungalow within five years of the permission being granted. This being the case, the applicant, if he so wished could continue with the construction of this dwelling. Given this context, the principle of a dwelling on the site is acceptable and this proposal is therefore exempt from the normal windfall restraint policies.

Design & Siting

Lawton Close is made up of simple semi-detached bungalows to which the scale and massing of the proposal is considered to be sympathetic and reflective. The design of the dwelling has been amended and is akin to the dwelling originally permitted (Ref no. 9/99/00043/FUL) albeit with an additional bay on the side in place of the detached garage. Whilst the gabled frontage of the dwelling is orientated at right angles to the sloping roofs of the other properties on Lawton Close, given the overall scale and simplistic design of the bungalow, it is considered that the proposal would have a neutral effect on the character and appearance of the streetscene.

Residential Amenity

The footprint of the bungalow is much the same as the originally permitted bungalow albeit utilising additional living accommodation in the same position as what would have been the site of the detached garage. Regarding the objections made by the occupiers of 2 Lawton Close, the windows in the main front elevation of the bungalow will be approx. 19m from the properties on the opposite of Lawton Close whilst the windows in the set back secondary bay will be approx. 21m away which is considered to be an acceptable separation distance. The north facing elevation is blank and is of the same depth (8.4m) as the bungalow approved in 1999 hence the impact on the occupiers of 19 Lawton Close remains the same. The north facing elevation is adjacent to an existing hedge that would partially screen the bungalow from the property to the north (19 Lawton Close) if retained. However, the applicant is unsure as to who owns the hedge along this boundary although if it is clarified that the hedge is on the applicants land and it is removed during the construction of the bungalow, the applicant has stated that a fence would be erected in its place to provide the same level of privacy for both the occupiers of 19 Lawton Close and the new bungalow. An appropriate condition covering this is therefore recommended.

In terms of the Parish Councils comments regarding the impact of the height of the bungalow, it should be noted that the amended proposal is approximately the same height as the bungalow approved in 1999 (Ref no. 9/99/00043/FUL) and substantially lower than that dismissed on Appeal. Its overall design, scale and character is significantly more in keeping with the streetscene than the Appeal proposal. Having regard to this, the bungalow will not lead to a loss of light or result in detrimental overlooking nor will it

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be overbearing for the occupiers of the adjacent properties.

Parking

Two off street parking spaces are to be provided in line with the adopted standards.

Conclusion

Having regard to the above, it is considered that the proposal is acceptable hence it is recommended that planning permission be granted subject to the recommended conditions.

Recommendation: Permit

Conditions

1. The approved plans are:

Plan Ref.	Received On:	Title:
-----	08 July 2005	Proposed elevations and floorplan
-----	16 May 2005	Location Plan
-----	13 July 2005	Block Plan

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

2. 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 Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

3. 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 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. The dwelling shall not be occupied until all fences and walls shown in the approved details have been erected in conformity 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 provide reasonable standards of privacy to residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

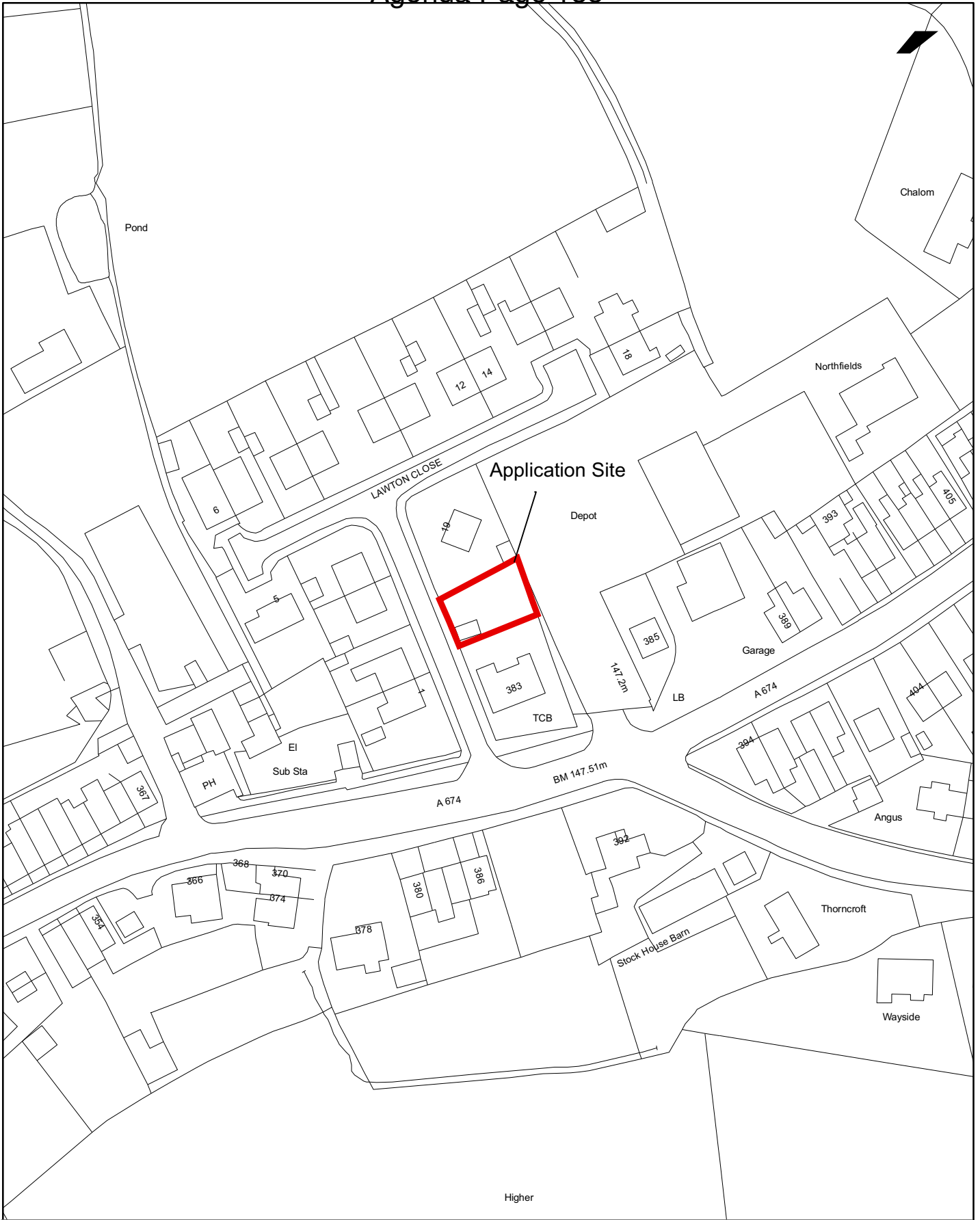
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwelling(s) hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

5. Before the dwelling hereby permitted is first occupied, the car parking spaces shall be surfaced or paved, drained and marked out in accordance with the approved plan.

Reason: To ensure adequate car parking provision and in accordance with Policy No. TR8 of the Adopted Chorley Borough Local Plan Review.

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<p>Application No. 05/00514/FUL</p>	<p>Grid Ref: E: 360944 N: 422350</p>	<p>Scale: 1:1,250</p>	<p>Agenda Item No. D. 1</p>

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Item D. 2	05/00549/FUL	Refuse
Case Officer	Mrs Helen Lowe	
Ward	Astley And Buckshaw	
Proposal	Creation of Go-Kart track,	
Location	Land Adjacent Euxton Park Golf Driving Range Euxton Lane Euxton Chorley Lancashire	
Applicant	Kevin Bentham	
Proposal	<p>This application relates to a site located off Euxton Lane, adjacent to Euxton Park Golf Driving range. The site is bounded to the north by the railway line and to the west by the BWFC training ground. Further to the north, beyond the railway line lies the Strategic Regional Site. The site would appear to have had some form of gravel surfacing in the past, but this has now become overgrown. In an application to extend the adjacent golf driving range approved in 1990 (ref. 9/90/00716/FUL) it was indicated that the land was to be used to provide additional car parking. It is proposed to site two metal cabins measuring 10m long by 2.5 m wide by 2.5 m high on the site to provide and office and storage facilities for the Go-Karts. There would also be a shelter adjacent to the storage container, projecting 3.2m from the container. It is proposed to construct the track from tarmac and erect fencing around the south and east boundaries (there is an existing wall and fence along the west and north boundary). The areas not hard surface would be grassed.</p>	
Planning Policy	<p>The application site is located within the Green Belt, as defined by Policy DC1 of the Adopted Chorley Borough Local Plan Review. It is also appropriate to consider the proposals against policy LT12 'Golf, Other Outdoor Sport and Related Development'.</p> <p>Policies EP20 'Noise' and EP21A 'Light Pollution' are also relevant.</p> <p>Planning Policy Guidance Note2 'Green Belts' provides detailed guidance on development in the Green Belt. The provision of opportunities for outdoor sport and outdoor recreation near urban areas is one of the objectives that the use of land in the Green Belt should aim to fulfil. Material changes in the use of land are inappropriate unless they maintain the openness and do not conflict with the purposes of including land within the Green Belt. The construction of new buildings to provide essential facilities for outdoor sport and recreation which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it are appropriate.</p> <p>Planning Policy Statement 7 'Sustainable Development in Rural Areas' (which has recently superseded PPG7) states that tourism and leisure activities are vital to many rural economies. Local Planning Authorities should set out policies that support tourism and leisure developments that benefit rural businesses and communities that utilise and enrich, but do not harm the character of the countryside.</p>	

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Planning History

There are no relevant applications relating to this area of land. A number of planning applications have been submitted relating to the adjacent golf driving range (itself granted consent in 1988, ref. 88/00703/FUL), which show the land to be included within the boundary of the driving range. The applicant's state that the land was previously used for paint balling, although there is no record of any planning application being submitted.

Consultees Responses

The following observations have been received:

The Head of Environmental Services: The result of noise measurements suggest that noise from the operation of up to six Go-Karts on the site will be unlikely to cause noise nuisance to nearby residential properties. No objection in principle, however they suggest if the addition of the following conditions be imposed:

- The maximum number of Go-Karts to be operated simultaneously should be restricted to no more than six. This includes Go-Karts which are not on the track but are being operated for other purposes such as repair work.
- A close boarded fence of 1.8m (or other such structure to be approved by the planning authority) should be provided along the southern and eastern perimeter of the proposed site. This should leave no gaps in it along the entire length to prevent transmission of noise away from the site.
- If the applicant chooses to erect a fence along the northern and western perimeter of the site it should be of a type which will not reflect noise e.g. an open link fence or similar

The Head of Planning Policy: The Go-Kart track would appear as an urban feature in the Green Belt, but it is unlikely to impact on the openness of the countryside due to the walls around the site. More detail may be required in relation to the proposed buildings. You will need to be satisfied that they would not be detrimental to the appearance of the site. Buildings that can be easily removed from the site may be preferable in this instance.

Head of Public Space Services (Engineering and Transportation): Doubtful that sufficient car parking can be provided. At peak times the car park for the golf range is full and visitors use the proposed parking area as an overflow area. The access onto Euxton Lane would have to be improved to allow vehicles to enter and exit at the same time. This would comprise a junction with 6m radius, 5 m wide and surfaced.

County Highways Engineer: No objection to the proposal.

Euxton Parish Council: made the following comments:

- The size of the Go-Kart engines should be no more than 75cc.
- Screening and sound baffles between Euxton Lane and the facility should be installed.
- H&SE guidelines should be enforced and warnings displayed for the disposal, operation and storage of materials and liquids for use with this facility.
- The Parish Council would like Chorley Borough Council to consider only giving permission for a 12 month period so a review can be undertaken after that time.

Third Party Representations

Two letters of objection have been received making the following comments:

- Motor noise is invasive and the high noise level would go through the whole village;
- The site is in close proximity to a residential area and the noise is likely to be intrusive resulting in an invasion of privacy which will be to the detriment of the well being and quality of life to residents of Astley Village;
- Noise assessment is not an exact science, the likely noise levels are predictions, not fact.
- The applicant states that there will be six cars going round at once, but they plan to have twelve altogether. This casts doubt on Environmental Service's based on six carts. The objector voices concerns that the other six carts will be revving up, ready to go.

Applicant's Case

The applicant has put forward the following in support of their application:

- It is proposed to run the Go-Kart track seven days a week between the hours of 12.00 noon and 9.00pm. They may only open at weekends in the winter depending on weather conditions.
- During busy periods it is proposed to run up to a maximum of 6 Go-Karts on the track at one time.
- The track would consist of a thin tarmac base only suitable for the Karts they intend to use. Between the track there would be grass landscaping. Shrubs would be planted around the site to make the area more pleasing to the eye.
- Six Karts would only be running at busy times, in the main it is anticipated that only one or two Karts would be running on the track. Karts to be used are those raced on indoor circuits and are only 200cc with a maximum capability of 35m.ph. It is not their intention to allow Karts to be raced at maximum speed for all drivers. Safety would be one of their main concerns and so the speed will be governed by mechanics depending on the capability of the driver.
- There is not much in the way of leisure facilities for the whole family in the Chorley area and we would like to turn our hobby into one that others can also enjoy.

Assessment

The main issues to consider in assessing the application are impact on the Green Belt, neighbour amenity and highway safety.

Green Belt

Go-Karting is an activity that may take place both indoors and outdoors and does not necessarily require large areas of open space, as required by other sporting and recreational activities that are sometimes acceptable in the Green Belt (such as a golf course). It is not considered that there is an overriding need for the proposed use to be located within a Green Belt area and that a more suitable site within a more urban setting could not be found.

It is accepted that the proposed cabins to be used as office and storage space are necessary for the proposed use of the site. Conditions could be attached requiring the cabins to be painted a suitable colour and a temporary permission would allow the situation to be reviewed should the enterprise prove to be

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successful and more permanent buildings to be required or conversely if the enterprise were unsuccessful to secure removal of the cabins and restoration of the site. However, as discussed above it is not considered that it is essential that the Go-Kart track be located within the Green Belt, therefore the associated built development is also unacceptable.

The mitigation measures suggested by Environmental Services (erection of a close boarded fence along the south and east boundary) are also of concern. The introduction of such an urbanising feature would be undesirable in the Green Belt and would cause harm to the open character of the area. Although similar such features exist in the locality, specifically the perimeter wall around the BWFC training ground, these serve to illustrate the harm that can be caused by such features and the existence of an existing detrimental feature is not a good reason to grant permission for another. A possible solution maybe to construct an earth mound or bund, but within a small site such as this, this is unlikely to be a practical solution.

In order to operate the facility until 9pm at night, it is likely that some form of floodlighting would be required, particularly during the winter months. The applicant has not shown any proposed floodlighting on the plans submitted, but there appears to be some existing floodlighting on the site. Policy EP21A states that lighting schemes will be expected to demonstrate that there would be no adverse character on the area. Although floodlighting is normally considered to be inappropriate in the Green Belt, Euxton Lane is well lit and the original permission for the golf driving range in 1988 and the permission granted in 1990 included flood lighting.

The application site is located in a peripheral location and surrounding land uses, although also located in the Green Belt, have a number of urban features. Land such as this, located at the urban fringe is often vulnerable to the pressures of development. Although it may not appear particularly rural or open in character, land such as this has an important role to play in contributing towards the purposes of including land in Green Belts, particularly to check the unrestricted sprawl of large built up areas, preventing neighbouring towns from merging into one another and safeguarding the countryside from development. It is considered that the amount of hardsurfacing required and associated development required (such as fences and metal cabins etc.) would mean that the use of the land as a Go-Kart track would result in a use of the land that would conflict with the purposes of including land within the Green Belt. The proposal would therefore represent inappropriate development in the Green Belt as set out in PPG2.

Neighbour Amenity

The nearest residential properties are Woodcock Fold Farm and Woodcock Fold Cottage approximately 190 m to the south west of the site (100m from the existing entrance to the golf driving range). The nearest properties on Mimosa Close are located approximately 250m to the south west the site. These properties are all separated from the site by Euxton Lane. Policy EP20 states that development which is likely to be noise generating will not be permitted in or close to noise sensitive areas unless adequate measures can be implemented as part of the development. With the appropriate mitigation measures suggested and conditions

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attached limiting the number of Go-Karts to be operated on the site it may be possible to reduce the level of impact on neighbour amenity to an acceptable level, however for the reasons discussed above I do not consider that these measures would be acceptable in this location.

Highway Safety

The area indicated by the applicant as being available for parking, is also available for use by visitors to the golf driving range. Parking spaces are not marked out. The applicant has estimated that 10 vehicles would be visiting the site daily and up to three members of staff would be working there. Recent applications from the golf driving range (ref. 9/02/00257 & 9/02/01040) have estimated that up to 200 vehicles would visit the site daily. In view of the comments received from the Head of Public Space Services it is considered that the proposal would be harmful to road safety.

Conclusion

This is a balanced case and there are many considerations, especially relating to the location of the proposed site within the Green Belt. Facilities for outdoor sport and recreation may be acceptable in the Green Belt, but only where there is no conflict with the purposes of including the land within the Green Belt. In this case it is felt that there are a number of conflicts.

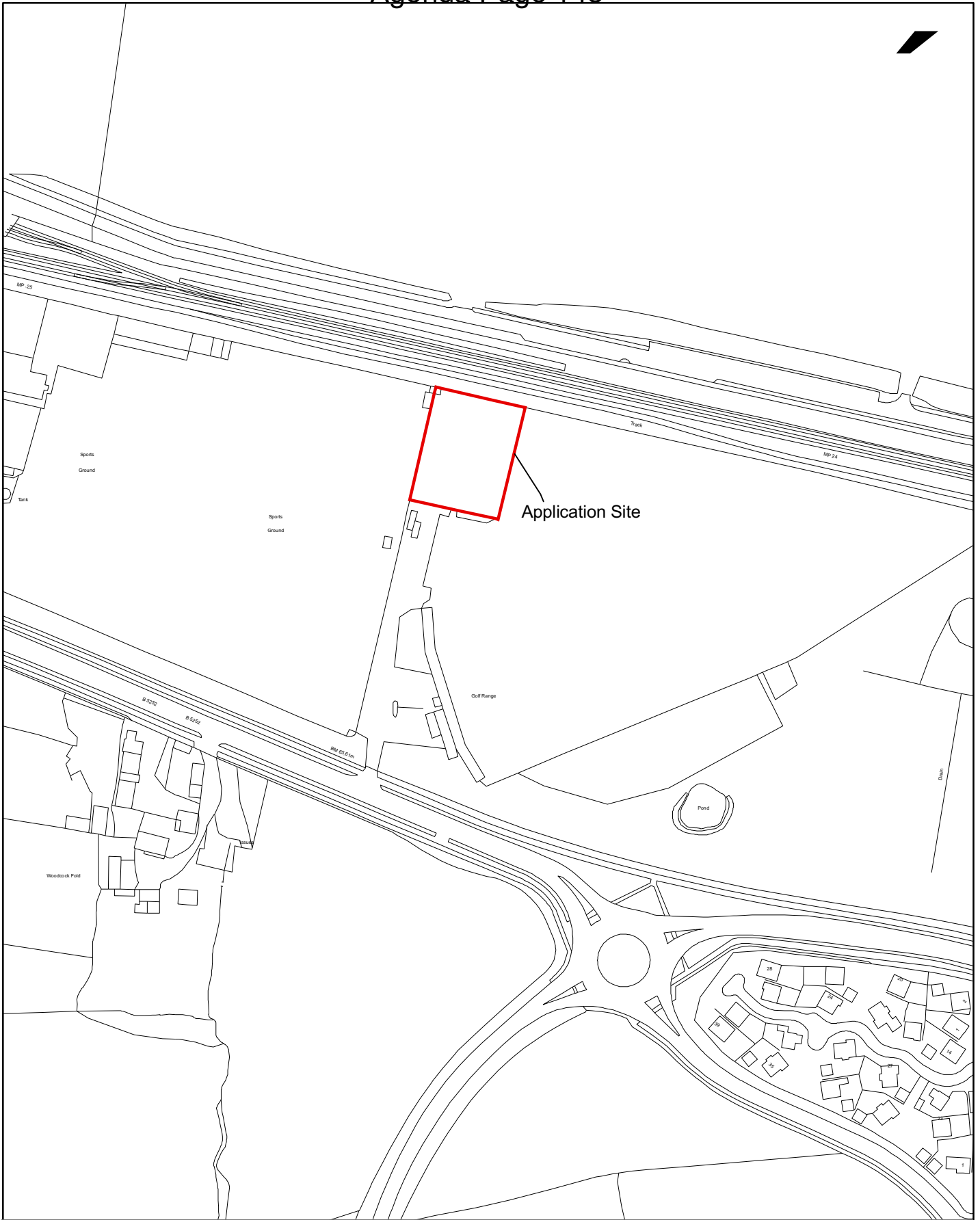
Recommendation: Refuse

Reasons

1. The proposed development would be located within the Green Belt as defined by Policy 2 and the Key Diagram of the Adopted Lancashire Structure Plan and by the Proposals Map of the Adopted Chorley Borough Local Plan Review. The proposed development is contrary to Policy 4 of the Adopted Lancashire Structure Plan, Policy DC1 of the Adopted Chorley Borough Local Plan Review and Planning Policy Guidance Note 2 'Green Belts'. The proposed use of the land as a Go-Kart track and the associated development required (hardsurfacing, metal cabins, fencing to form sound baffles etc.) would result in a use of the land that would conflict with the purposes of including land within the Green Belt, namely checking the unrestricted sprawl of built up areas, preventing neighbouring towns merging into one another and safeguarding the countryside from development. The proposal would therefore represent inappropriate development in the Green Belt as set out in PPG2.

2. The proposed development would be detrimental to highway safety as the access onto Euxton Lane is insufficient to allow two vehicles to enter and exit at the same time. Insufficient information has been submitted regarding parking arrangements and car parking layout to allow these matters to be fully considered. The proposal is therefore contrary to Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.

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<p>Application No. 05/00549/FUL</p>	<p>Grid Ref: E: 357127 N: 419502</p>	<p>Scale: 1:2,500</p>	<p>Agenda Item No. D. 2</p>

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Item D. 3	05/00555/COU	Permit
Case Officer	Mr David Stirzaker	
Ward	Chorley South East	
Proposal	Change of use from residential to offices (Class A2),	
Location	25 Halliwell Street Chorley Lancashire PR7 2AL	
Applicant	Mrs J Balcombe	
Background	This application relates to 25 Halliwell Street, an end terrace property located within the main Chorley settlement in the town centre.	
Proposal	This application proposes the change of use of the property, which is currently residential to offices (Use Class A2). The applicant has stated that the change will not require any external alterations and that the internal layout will remain the same.	
Policy	GN1 - General Settlement Policy EP20 - Noise EM6.2 - Financial and Professional Services	
Planning History	The property does not have any recent planning history.	
Representations	The application has generated four letters of objection, the contents of which can be summarised as follows: - <ul style="list-style-type: none">• There is little or no demand for offices in the this area which is evident from the number of empty similar properties in the locality• Insufficient parking space is available and Halliwell Street is a permit parking area• Increased traffic flow into the street could be detrimental to highway safety• The application property should remain residential to maintain the appearance and balance of the area• The offices would lead to noise disturbance and sound insulation should therefore be provided• Works vans parked outside of the property would lead to a loss of light	
Consultations	The Head of Public Spaces Services has made no comment on the application. The Head of Environmental Services has raised no objection to the principle of the application subject to the implementation of a scheme of noise insulation prior to the use of the building as offices being brought into use.	
Assessment	The part of Halliwell Street where the application property is located falls within an Office Zone covered by Policy EM6.2 of the Local Plan. This policy specifically allocates this area for uses falling within A2 hence the principle of the change proposed is acceptable.	

In terms of the objections raised citing additional vehicular traffic and parking, the Head of Public Space Services has been consulted on the application but raises no comment. However, the property is in the town centre hence there is a good provision of public car parking and given the location of the property in the town centre, it is to be expected that Halliwell Street experiences high levels of vehicular traffic.

It should be noted that no external changes are proposed to the property hence the impact on the character and appearance of the locality will be negligible and given no internal changes are proposed, it would be possible to convert the property back to a dwelling in the future.

In terms of the objection raised citing noise disturbance, the Head of Environmental Services has raised no objections to the principle of the application subject to the implementation of a scheme of noise insulation. This is concurred with hence an appropriate condition is recommended in line with Policy EP20.

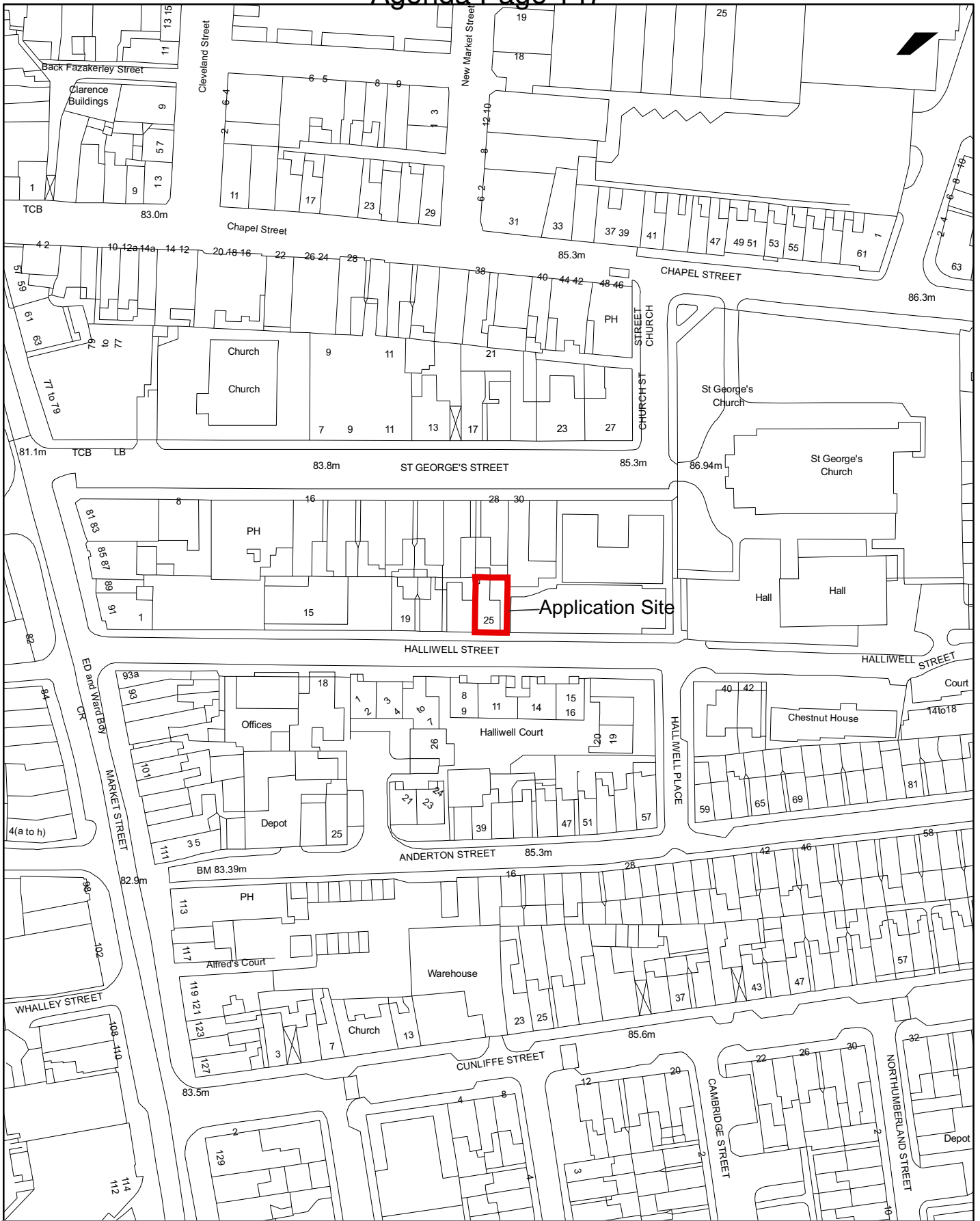
Conclusion Having regard to the above, it is recommended that planning permission be granted.

Recommendation: Permit

Conditions

1. Before the works required for the conversion of the property to offices are first commenced, full details of a scheme of soundproofing between the proposed offices and the adjoining property (23 Halliwell Street) shall have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved soundproofing scheme shall be completed before the proposed offices are brought into use.

Reason: In the interests of the amenity of future occupants of the proposed flat and occupants of adjoining property and in accordance with Policy No. EP20 of the Adopted Chorley Borough Local Plan Review.



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<p>Application No. 05/00555/COU</p>	<p>Grid Ref: E: 358429 N: 417439</p>	<p>Scale: 1:1,250</p>	<p>Agenda Item No. D. 3</p>

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Item D. 4	05/00598/FUL	Permit
Case Officer	Mrs Helen Lowe	
Ward	Adlington & Anderton	
Proposal	Erection of hay barn and two stables,	
Location	Land On Roscoe Lowe Hill North Of Roscoe Lowe Farm New Road Anderton Lancashire	
Applicant	Lorraine Cocker	
Proposal	<p>This application relates to a site located on New Road, Anderton, to the north of Roscoe Lowe Farm (although not associated with the farm). The proposal is for the erection of two stables and a hay barn and is a significantly revised submission of a proposal that was withdrawn last year. There is an existing block of stables on the site (see below). Both are for private use only.</p> <p>It is proposed to locate the stables and hay barn adjacent the existing hedge that bounds New Road. The stables would be located approximately 24.5 m to the north of the existing stables on the site, with the hay barn attached. The stables would be served by the existing field access. There is an existing area used for parking immediately adjacent to the existing access that would be retained. An existing timber post and rail fence (1.2m high) would be extended to enclose the proposed stables and hay barn. The stables would be constructed from block work to a height of 1.1m, the rest being timber cladding, with a total height of 3.3m. The proposed barn would measure 10m by 10m by 5 m high, constructed of the same materials as the proposed stables.</p>	
Policy	<p>The site lies within the Green Belt as defined by Policy DC1 of the Adopted Chorley Borough Local Plan Review. It is also appropriate to consider the proposals against policy EP8 'Development Involving Horses' and Supplementary Planning Guidance 'Development Involving Horses'.</p> <p>Planning Policy Guidance Note 2 'Green Belts' states that essential facilities for outdoor sport and outdoor recreation which do not conflict with the purposes of including land within the Green Belt are appropriate. One example given is small stables. Planning Policy Statement 7 'Sustainable Development in Rural Areas' (which has recently superseded PPG7) states that horse riding and other equestrian activities can fit in well with farming activities and help to diversify rural economies. Local Planning Authorities should set out policies for supporting equine enterprises that maintain environmental quality and countryside character.</p>	
Planning History	<p>9/96/00132/FUL Erection of stable block, Approved 11 July 1996</p> <p>These stables have been erected and are located to the south of the current proposal. This proposal comprised three stables, tack room and two storage rooms.</p> <p>9/04/00695/FUL Erection of hay barn and two stables,</p>	

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Withdrawn 17 August 2004

This application was considered to be unacceptable due to the size and scale of the proposed hay barn (14.9m long by 8.4m wide by 7 m high) and the proposed materials (stone/render and metal profiled cladding).

Consultations

Anderton Parish Council: no objection to the additional agricultural buildings proposed at this location, but is concerned about the loss of visual amenity along New Road as regards the further loss of open frontage. The Parish Council requests that consideration be given to the re-siting of the proposed buildings to the rear of the existing stable.

Additional concerns have been raised regarding any resulting increased use of the site (horses, vehicle access etc.) given the road safety problems along this stretch of New Road. The Council requests that site access be reviewed when considering this application.

At the time of writing the report, comments were awaited from the County Land Agent and the County Highway Engineer.

Representations

One letter of objection has been received from Cllr Michael Davies. He makes the following comments: the proposed development is in Green Belt land. I am concerned that this reflects a trend towards some form of building on every spare field in the area. The address of the applicant suggests that this is not diversification of an existing farm. The size of development is not indicated, but is suggestive of possible business use. This sort of development is not appropriate for its location.

Applicants case

The applicant has submitted the following information in support of their application:

- The need for a barn has arisen because the farmer that used to make our hay and bedding has now sold up. He used his barn to store our hay and bedding but this is no longer available to us.
- We need space to store between 1500-2000 bales of hay produced from our approximate 25 acres of land, also to store some bedding and hay making machinery to be under cover. The area of 10m by 10m by 5m high should suffice.
- We appreciate that the previously suggested materials may not be in keeping with the more natural appearance. The new application for the stables to be in wood clad to match the existing stables.
- The size of the stables are to accommodate larger horses, as one of our horses is 18.2 hands high. The vet has recommended that for a horse of this size a stable of 4.2m by 4.2m would be adequate.

Assessment

The main issues to consider are: impact on the Green Belt; scale, design and appearance; neighbour amenity and highway safety. Each is dealt with in turn:

Impact on the Green Belt: The proposed development is not inappropriate in principle. I am satisfied that the proposed hay barn is for an agricultural use and its size is commensurate with the intended use and activities on the land. Discussions have

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been held with the County Land Agent prior to the submission of this application.

The proposed stable and hay barn are considered to be sited in the most appropriate location, sited along the boundary where there is existing screening. It is considered that to site the proposed buildings to the west of the existing stables would cause a greater degree of intrusion into the open and rural character of the area.

It is not considered the proposal would appear incongruous in relation to its surroundings or unduly intrusive. The proposed buildings are considered to be modest in scale in relation to the surrounding countryside and of a size appropriate to their intended purpose. It is considered that they would not detract from the openness of the Green Belt.

Scale, design and appearance: The proposal is for two additional private stables, although the resulting number of stables would be larger than most private developments, it is the applicant's intention to use the stables for their own horses.

The proposed building would be appropriate in terms of design, having a traditional rural external appearance with doors and shutters and a pitched roof. The proposed materials are considered to be acceptable and in accordance with Council guidelines. The timber buildings would fit in with the rural character of the area

Neighbour Amenity: The nearest residential property is Roscoe Lowe Farm 80m to the south. It is not considered that the proposals would give rise to any undue harm to the amenities of neighbouring residents.

Highway Safety: Although the number of stables is high for a private development, as the proposed stables are not to be used for any commercial purposes the number of vehicle movements to and from the site is likely to be low. Given the use of the proposed buildings I consider it unlikely that they would give rise to any significant increase in vehicular activity to and from the site.

The proposal is accordingly recommended for approval.

Recommendation: Permit

Conditions

1. No system of external illumination shall be installed at the premises hereby approved.
Reason: To define the permission and the interests of the visual amenities and character of the area and to safeguard the amenities of local residents in accordance with Policy Nos. DC1, EP8 and EP21A of the Adopted Chorley Borough Local Plan Review.
2. The stables and hay barn hereby permitted shall be used for private purposes only for the stabling of horses and storage of associated equipment and feed only and, in particular, shall not be used for any trade, business or other storage purposes.
Reason: To define the permission and in the interests of the visual amenities and character of the area and in accordance with Policy No. EP8 of the Adopted Chorley Borough Local Plan Review.

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3. Where use of the stables and hay barn for the authorised purposes ceases for a period exceeding 6 months within 10 years of their substantial completion they shall be removed from the land and the land restored to its former condition.

Reason: To avoid the proliferation of buildings in the Green Belt for which there is not a continuing need and in accordance with Policy Nos. DC1 and EP8 of the Adopted Chorley Borough Local Plan Review.

4. The approved plans are:

Plan Ref.	Received On:	Title:
	6 June 2005	Location Plan
	27 May 2005	Fence Detail
	27 May 2005	Proposed Hay Barn and Stables

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



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<p>Application No. 05/00598/FUL</p>	<p>Grid Ref: E: 361732 N: 413428</p>	<p>Scale: 1:1,250</p>	<p>Agenda Item No. D. 4</p>

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Item D. 5	05/00608/COU	Permit
Case Officer	Miss Rachael Hulme	
Ward	Chisnall	
Proposal	Change of use of land to domestic curtilage,	
Location	Learoy Preston Road Charnock Richard LancashirePR7 5JZ	
Applicant	Mr D J Myall	
Background	<p>This application is a resubmission of application 04/01436/COU, which was refused planning permission on the 11 February 2005. That application covered a more extensive area that ran along the existing rear boundaries of the adjacent property known as Highwinds. Both the refused application and that currently proposed were submitted in retrospect.</p>	
Policy	<p>The most pertinent policy in the Chorley Borough Local Plan Review 2003 is policy DC1 and DC8a concerned with Green Belt. These policies limit types of development that are appropriate in the Green Belt and reflect the guidance in Planning Policy Guidance Note 2: Green Belts.</p>	
Representations	<p>One letter of objection has been received from neighbouring property Highwinds. The objection refers to a loss of privacy if permission were to be granted and also relates to some garden furniture and play equipment to the rear of their property that remains on the land.</p>	
Consultations	<p>The Parish Council has no objection to the proposal. No other consultation responses have been received.</p>	
Assessment	<p>Policy DC1 seeks to avoid inappropriate development within the Green Belt in order to retain the essentially open and rural character of land. PPG2 makes it clear that the visual amenities of the Green Belt should not in any case be injured proposals for development within or conspicuous from the Green Belt. It does however state that the use of land should be controlled unless it preserves the openness and visual amenity of the Green Belt.</p> <p>The extension of residential curtilages in this area is normally considered to be contrary to DC1 and DC8a. Policy DC8a whilst referring to extensions and replacement dwellings is pertinent in that it states that such developments should not result in an enlargement of the residential curtilage.</p> <p>However, in this instance it is considered that the proposed extension to the curtilage will not be detrimental to the open and rural character of the area, as it is a relatively modest area and is surrounded by a large area of rural land. The proposed curtilage extension has also been dramatically reduced in size in comparison to the previous application 04/01438/COU. This is subject to appropriate conditions being imposed that removed further rights to undertake any development on the land.</p>	

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In relation to the issues raised by the resident of the adjoining property, the applicant is aware that the existing garden furniture etc. (the neighbour refers to tables, chairs and swings) which have been placed on the unlawful curtilage extension need to be removed. This was made clear to them at the time of the previous refusal. This garden furniture and play equipment is not on the area of land the subject of the current application. The land to the rear of Highwinds belongs to the applicant, but is not part of the existing or proposed domestic curtilage. Whilst the breaches of planning control are noted, and will be followed up by the Councils Enforcement Officer, the issues raised in this respect by neighbouring property do not warrant the refusal of this application, being a separate matter.

Having regard to the above; it is recommended that planning permission be granted for the proposed application.

Recommendation: Permit

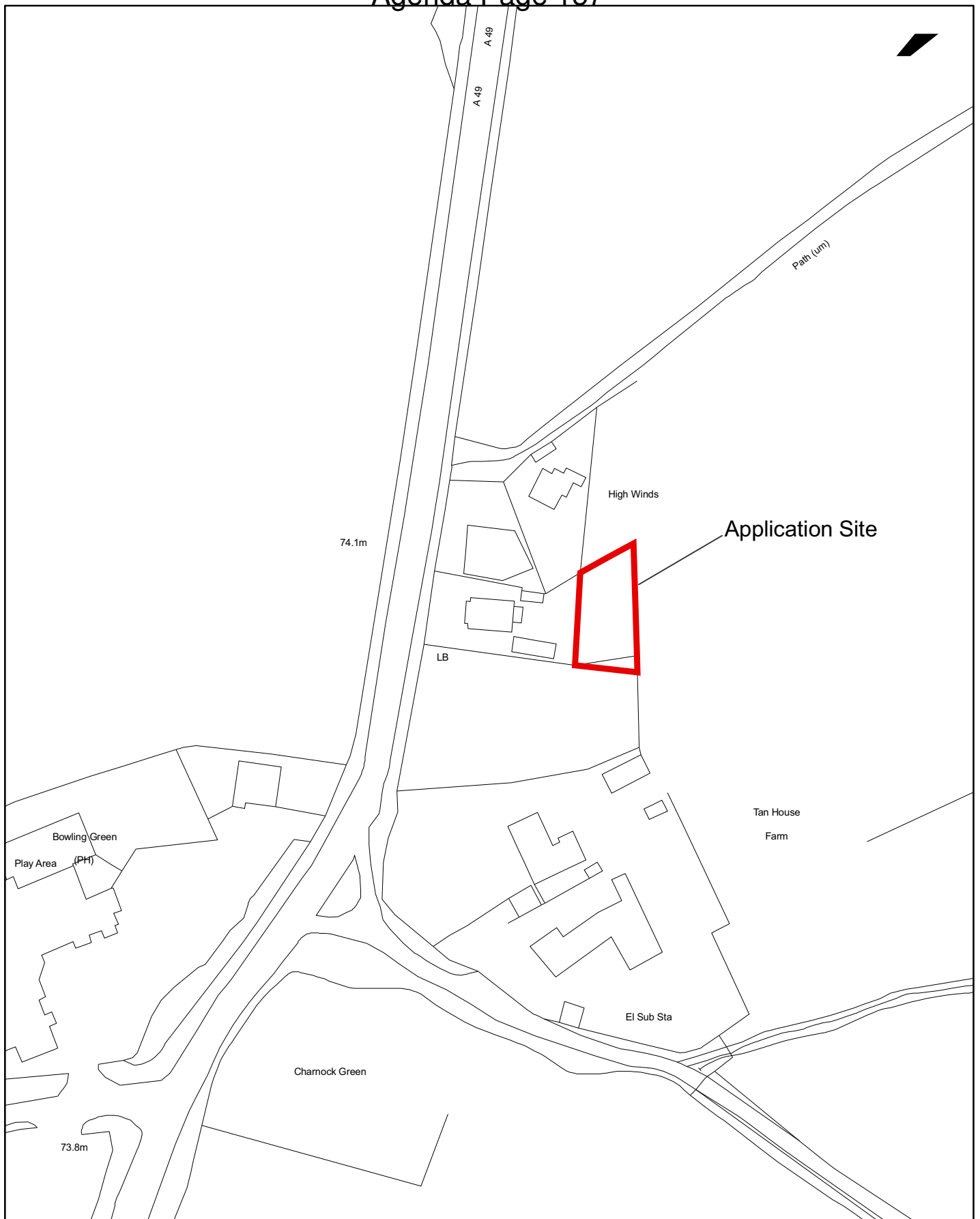
Conditions

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 1995 (Schedule 2, Part 1 Classes E, F and G and Part 2 Class A), or any other revoking or re-enacting the Order, no garage, shed or other outbuilding, area of hardstanding or fencing shall be erected (other than those expressly authorised by this permission) without the express consent of the Local Planning Authority first being obtained.

Reason: To protect the appearance of the locality and in accordance with Policy No.DC8A of the Chorley Borough Local Plan Review 2003.

2. Within two months of the date of this permission a post and rail fence shall be erected along the entire northern boundary of the domestic curtilage extension hereby approved. The existing stock proof fencing shall be retained on the boundary. All such fencing shall be supplemented with screen planting with native species, details of which shall be submitted to and approved in writing by the Local Planning Authority within 2 months of the date of this permission. This planting shall be undertaken in accordance with the appropriate British Standards in the first planting season (October 2005 to March 2006) following the permission hereby given and shall thereafter be retained.

Reason: In order to define the permission and to ensure that suitable screening is erected to the boundary of the site so as to properly define the residential curtilage and to reduce the impact of the proposal on the Green Belt in accordance with policy DC1 of the Chorley Borough Local Plan Review 2003.



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<p>Application No. 05/00608/COU</p>	<p>Grid Ref: E: 355365 N: 416867</p>	<p>Scale: 1:1,250</p>	<p>Agenda Item No. D. 5</p>

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Report of	Meeting	Date
Head of Planning Services	Development Control Committee	26.07.2005

LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

Between 16 June 2005 and 13 July 2005

Plan Ref 04/01227/LBC **Date Received** 25.10.2004 **Decision** Grant
Ward: Eccleston And **Date Decided** 13.07.2005
Mawdesley

Proposal : Proposed demolition of existing kitchen, lounge and bedroom to rear of property and erection of a two storey extension to the rear of the property, and replacement windows to front elevation

Location : 104 Towngate Eccleston Lancashire PR7 5QS

Applicant: Mr And Mrs Livsey 104 Towngate Eccleston Lancashire PR7 5QS

Plan Ref 04/01249/FUL **Date Received** 02.11.2004 **Decision** Permit
Ward: Eccleston And **Date Decided** 13.07.2005
Mawdesley

Proposal : Proposed demolition of existing kitchen, lounge and bedroom to rear of property and erection of a two storey extension to the rear of the property, and replacement windows to front elevation

Location : 104 Towngate Eccleston Lancashire PR7 5QS

Applicant: Mr And Mrs Livesey 104 Towngate Eccleston Lancashire PR7 5QS

Plan Ref 05/00257/FUL **Date Received** 18.03.2005 **Decision** Permit
Ward: Brindle And **Date Decided** 11.07.2005
Hoghton

Proposal : Replacement front and rear dormer windows (retrospective),

Location : 22 Viaduct Road Hoghton Lancashire PR5 0SE

Applicant: J Crook 22 Viaduct Road Hoghton Lancashire PR5 0SE

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Plan Ref 05/00330/FUL **Date Received** 29.03.2005 **Decision** Permit
Ward: Clayton-le-Woods **Date Decided** 16.06.2005
And Whittle-le-Woods

Proposal : Redevelopment of existing forecourt including replacement petrol storage tanks, 4 no. pumps and extended canopy, resited jet wash with glass screens, alterations to existing sales/workshop building to create larger shop, an office and store,
Location : Jubilee Service Station 65 Preston Road Whittle-Le-Woods Lancashire PR6 7PG
Applicant: Jubilee Service Station, 65 Preston Road Whittle-Le-Woods Lancashire PR6 7PG

Plan Ref 05/00349/FUL **Date Received** 14.04.2005 **Decision** Permit
Ward: Brindle And **Date Decided** 23.06.2005
Hoghton

Proposal : Replacement of concrete roof tiles with slate and addition of velux rooflight,
Location : Little Holt Farm Sandy Lane Brindle Lancashire PR6 8NA
Applicant: Mr & Mrs Matthews Little Holt Farm Sandy Lane Brindle Lancashire PR6 8NA

Plan Ref 05/00387/LBC **Date Received** 14.04.2005 **Decision** Grant
Ward: Brindle And **Date Decided** 23.06.2005
Hoghton

Proposal : Replacement of concrete roof tiles with slate and addition of velux rooflight,
Location : Little Holt Farm Sandy Lane Brindle Lancashire PR6 8NA
Applicant: Mr & Mrs Matthews Little Holt Farm Sandy Lane Brindle Lancashire PR6 8NA

Plan Ref 05/00410/FUL **Date Received** 20.04.2005 **Decision** Permit
Ward: Heath Charnock **Date Decided** 07.07.2005
And Rivington

Proposal : Formation of private access,
Location : Ridgewood Weavers Brow Heath Charnock Lancashire PR6 9EB
Applicant: Mr B K Jackson, Mrs B Barlow & Mr D Jackson C/o Agent

Plan Ref 05/00420/FUL **Date Received** 21.04.2005 **Decision** Permit
Ward: Wheelton And **Date Decided** 16.06.2005
Withnell

Proposal : Erection of single storey rear extension,
Location : 486 Blackburn Road Wheelton Lancashire PR6 8JA
Applicant: Mr J Lamb 486 Blackburn Road Wheelton Lancashire PR6 8JA

Plan Ref 05/00423/FUL **Date Received** 21.04.2005 **Decision** Permit
Ward: Brindle And **Date Decided** 16.06.2005
Hoghton

Proposal : Erection of timber summerhouse,
Location : Little Holt Farm Sandy Lane Brindle Lancashire PR6 8NA
Applicant: Mr & Mrs Matthews Little Holt Farm Sandy Lane Brindle Lancashire PR6 8NA

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Plan Ref 05/00424/LBC **Date Received** 21.04.2005 **Decision** Grant
Ward: Brindle And **Date Decided** 16.06.2005
Hoghton

Proposal : Listed Building Consent for the erection of a timber summerhouse,
Location : Little Holt Farm Sandy Lane Brindle Lancashire PR6 8NA
Applicant: Mr & Mrs Matthews Little Holt Farm Sandy Lane Brindle Lancashire PR6 8NA

Plan Ref 05/00426/COU **Date Received** 22.04.2005 **Decision** Refuse
Ward: Clayton-le-Woods **Date Decided** 16.06.2005
And Whittle-le-
Woods

Proposal : Change of use to domestic curtilage and construction of garage building,
Location : Land Adjacent 46 Cross Keys Drive Whittle Le Woods Lancashire PR6 7TF
Applicant: John Savigar 46 Cross Keys Drive Whittle Le Woods Lancashire PR6 7TF

Plan Ref 05/00427/ADV **Date Received** 22.04.2005 **Decision** Consent
Ward: Chorley South **Date Decided** 17.06.2005
East

Proposal : Erection of 1 projecting sign and 2 fascia signs both externally illuminated,
Location : National And Provincial Building Society 8 Fazakerley Street Chorley Lancashire PR7 1BG
Applicant: Abbey National Group Genesis House 301-349 Midsummer Boulevard Milton Keynes MK9 2JE

Plan Ref 05/00428/FUL **Date Received** 26.04.2005 **Decision** Permit
Ward: Eccleston And **Date Decided** 20.06.2005
Mawdesley

Proposal : Proposed side dormer
Location : 30 Beechfields Eccleston Chorley Lancashire PR7 5RE
Applicant: Mr And Mrs Jamieson 30 Beechfields Eccleston Chorley Lancashire PR7 5RE

Plan Ref 05/00432/FUL **Date Received** 22.04.2005 **Decision** Refuse
Ward: Coppull **Date Decided** 17.06.2005

Proposal : Installation of ATM cash machine to front of building,
Location : Royal Bank Of Scotland 157 Spendmore Lane Coppull Lancashire PR7 5BY
Applicant: The Royal Bank Of Scotland Group Drummond House 1 Redheughs Avenue Edinburgh EH12 9JN

Plan Ref 05/00433/FUL **Date Received** 22.04.2005 **Decision** Permit
Ward: Wheelton And **Date Decided** 17.06.2005
Withnell

Proposal : Erection of single storey rear extension,
Location : 48 Lodge Bank Brinscall Lancashire PR6 8QU
Applicant: Mrs S Bolton 48 Lodge Bank Brinscall Lancashire PR6 8QU

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Plan Ref 05/00436/FUL **Date Received** 27.04.2005 **Decision** Permit
Ward: Euxton South **Date Decided** 17.06.2005

Proposal : First floor side extension over existing, enclose front porch, and re-roof existing conservatory,
Location : 11 Chiltern Avenue Euxton Chorley Lancashire PR7 6NU
Applicant: Mr & Mrs K Marriott 11 Chiltern Avenue Euxton Chorley Lancashire PR7 6NU

Plan Ref 05/00437/FUL **Date Received** 26.04.2005 **Decision** Permit
Ward: Chorley North **Date Decided** 20.06.2005
East

Proposal : Installation of ATM cash machine to front of store,
Location : 301-303 Eaves Lane Chorley Lancashire PR6 0DR
Applicant: Lawrence Hunt & Co Ltd 40B Liverpool Road Penwortham Preston Lancashire

Plan Ref 05/00438/FUL **Date Received** 27.04.2005 **Decision** Permit
Ward: Adlington & **Date Decided** 17.06.2005
Anderton

Proposal : Formation of pitched roof over garage and rear extension,
Location : 18 Daisy Hill Drive Adlington Chorley Lancashire PR6 9NE
Applicant: Mr Lee 18 Daisy Hill Drive Adlington Chorley Lancashire PR6 9NE

Plan Ref 05/00439/LCC **Date Received** 29.04.2005 **Decision** No objection
Ward: Chorley North **Date Decided** 11.07.2005
West

Proposal : Provision of a double demountable classroom unit with ramped access,
Location : Astley Park School Harrington Road Chorley Lancashire PR7 1JZ
Applicant: Lancashire County Property Group PO Box 26 County Hall Preston PR1 8RE

Plan Ref 05/00443/REM **Date Received** 28.04.2005 **Decision** Approve
Ward: Clayton-le-Woods **Date Decided** 17.06.2005
And Whittle-le-Woods

Proposal : Reserved Matters Application for a detached house and garage
Location : Land To The Rear Of 209-213 Preston Road Whittle-Le-Woods Lancashire
Applicant: Lawson Margerison Partnerships Old Savings Bank 213 Preston Road Whittle-Le-Woods Lancashire PR6 7PS

Plan Ref 05/00444/ADV **Date Received** 29.04.2005 **Decision** Permit
Ward: Chisnall **Date Decided** 21.06.2005

Proposal : Erection of 7m high internally illuminated free standing pole sign,
Location : M6 Motorway Service Area Northbound Mill Lane Charnock Richard Lancashire
Applicant: Welcome Break Group Ltd 2 Vantage Court, Tickford Street, Newport Pagnell, Bucks, MK16 9EZ

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Plan Ref 05/00445/ADV **Date Received** 29.04.2005 **Decision** Permit
Ward: Chisnall **Date Decided** 21.06.2005

Proposal : Erection of 7m high internally illuminated free standing pole sign,
Location : M6 Motorway Service Area Southbound Mill Lane Charnock Richard Lancashire
Applicant: Welcome Break Group Ltd 2 Vantage Court, Tickford Street, Newport Pagnell,
Bucks, MK16 9EZ

Plan Ref 05/00446/FUL **Date Received** 03.05.2005 **Decision** Refuse
Ward: Eccleston And Mawdesley **Date Decided** 28.06.2005

Proposal : Erection of two storey extensions to side and rear, and bay window to front,
Location : Hill View Bradshaw Lane Mawdesley Ormskirk Lancashire
Applicant: Ms A Burnett Hill View Bradshaw Lane Mawdesley Ormskirk Lancashire L40 3SE

Plan Ref 05/00447/FUL **Date Received** 29.04.2005 **Decision** Permit
Ward: Coppull **Date Decided** 20.06.2005

Proposal : Conservatory to the rear
Location : 3 Summerfields Coppull Lancashire PR7 4LW
Applicant: Miss V Ellis 3 Summerfields Coppull Lancashire PR7 4LW

Plan Ref 05/00449/FUL **Date Received** 04.05.2005 **Decision** Permit
Ward: Chisnall **Date Decided** 24.06.2005

Proposal : Proposed erection of a detached double garage
Location : 1 Wood Lane Heskin Lancashire PR7 5PA
Applicant: Mr And Mrs Rothwell 1 Wood Lane Heskin Lancashire PR7 5PA

Plan Ref 05/00451/LCC **Date Received** 16.05.2005 **Decision** No objection
Ward: Chorley North West **Date Decided** 16.06.2005

Proposal : Single storey extension with link to existing building to provide new ICT Centre,
together with the formation of 8 No. staff and 2 No. disabled car parking spaces,
Location : The Woodlands Centre Southport Road Chorley Lancashire PR7 1NT
Applicant: Lancashire County Property Group PO Box 26 County Hall Preston PR1 8RE

Plan Ref 05/00453/FUL **Date Received** 03.05.2005 **Decision** Permit
Ward: Coppull **Date Decided** 28.06.2005

Proposal : Erection of single storey extension to rear,
Location : 5 The Chestnuts Coppull Lancashire PR7 4PT
Applicant: Mr & Mrs Leigh 5 The Chestnuts Coppull Lancashire PR7 4PT

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Plan Ref 05/00454/FUL **Date Received** 03.05.2005 **Decision** Permit
Ward: Heath Charnock **Date Decided** 17.06.2005
And Rivington

Proposal : Demolition of existing porch and erection of new enlarged porch to front and erection of single storey extension to rear,
Location : 6 The Green Heath Charnock Lancashire PR6 9JH
Applicant: Mr & Mrs Chuhan 6 The Green Heath Charnock Lancashire PR6 9JH

Plan Ref 05/00456/FUL **Date Received** 04.05.2005 **Decision** Permit
Ward: Adlington & **Date Decided** 22.06.2005
Anderton

Proposal : Erection of 3 storey side extension and single storey rear extension
Location : 3 Owsten Court Anderton Lancashire
Applicant: Siluerburn Trading Co. Ltd 3 Owsten Court Anderton Lancashire BL6 5HL

Plan Ref 05/00457/FUL **Date Received** 04.05.2005 **Decision** Permit
Ward: Coppull **Date Decided** 23.06.2005

Proposal : Erection of two storey side extension,
Location : 21 Lancaster Street Coppull Chorley Lancashire PR7 4QB
Applicant: Mrs Christine Glen 21 Lancaster Street Coppull Chorley Lancashire PR7 4QB

Plan Ref 05/00458/FUL **Date Received** 03.05.2005 **Decision** Permit
Ward: Clayton-le-Woods **Date Decided** 17.06.2005
West And
Cuerden

Proposal : Erection of rear conservatory,
Location : 8 Cyclamen Close Clayton-Le-Woods Preston Lancashire PR25 5LW
Applicant: Mr P Kaye 8 Cyclamen Close Clayton-Le-Woods Preston Lancashire PR25 5LW

Plan Ref 05/00460/FUL **Date Received** 05.05.2005 **Decision** Permit
Ward: Chorley South **Date Decided** 23.06.2005
East

Proposal : Installation of new shopfronts to front and rear,
Location : Unit 1A 9 Fazakerley Street Chorley Lancashire PR7 1BG
Applicant: Gladstone Projects Ltd North House 17 North John Street Liverpool L2 5EA

Plan Ref 05/00461/TPO **Date Received** 06.05.2005 **Decision** Consent
Ward: Chorley South **Date Decided** 17.06.2005
East

Proposal : Works to 3 trees covered by TPO 10 (Chorley) 1998
Location : 14 Rosewood Close Chorley Lancashire PR7 3BX
Applicant: Mrs Charlotte Wood 14 Rosewood Close Chorley Lancashire PR7 3BX

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Plan Ref 05/00462/FUL **Date Received** 09.05.2005 **Decision** Permit
Ward: Chisnall **Date Decided** 29.06.2005

Proposal : Erection of timber framed agricultural building for fodder storage and as an animal shelter
Location : Charnocks Farm Back Lane Charnock Richard Lancashire PR7 5JS
Applicant: Mrs J Miller Charnocks Farm Back Lane Charnock Richard Lancashire PR7 5JS

Plan Ref 05/00464/FUL **Date Received** 04.05.2005 **Decision** Permit
Ward: Heath Charnock **Date Decided** 29.06.2005
And Rivington

Proposal : Erection of first floor side extension and ground floor balcony to rear,
Location : 68 Rawlinson Lane Heath Charnock Lancashire PR7 4DE
Applicant: Mr & Mrs C Dyke High Rid Farm High Rid Lane Bolton

Plan Ref 05/00465/FUL **Date Received** 10.05.2005 **Decision** Permit
Ward: Coppull **Date Decided** 04.07.2005

Proposal : Convert existing garage to form living area and build new detached garage
Location : 64 Hurst Brook Coppull Chorley Lancashire PR7 4QX
Applicant: Mr And Mrs Wilson 64 Hurst Brook Coppull Chorley Lancashire PR7 4QX

Plan Ref 05/00466/FUL **Date Received** 05.05.2005 **Decision** Permit
Ward: Eccleston **Date Decided** 16.06.2005
And Mawdesley

Proposal : Erection of conservatory to rear,
Location : 15 The Hawthorns Eccleston Chorley Lancashire PR7 5QN
Applicant: Mr & Mrs Iddon 15 The Hawthorns Eccleston Chorley Lancashire PR7 5QN

Plan Ref 05/00467/FUL **Date Received** 05.05.2005 **Decision** Permit
Ward: Chorley **Date Decided** 29.06.2005
South West

Proposal : Single storey rear extension
Location : 20 Knowles Wood Drive Chorley Lancashire PR7 2FE
Applicant: Mr M I Dauleh 14 Arley Wood Drive Chorley Lancashire PR7 2FS

Plan Ref 05/00468/FUL **Date Received** 05.05.2005 **Decision** Permit
Ward: Lostock **Date Decided** 16.06.2005

Proposal : Proposed siting of a detached garage
Location : The Bungalow Flag Lane Bretherton Lancashire PR26 9AD
Applicant: Mrs K Foskett Ferndown, Broadhurst Lane, Wrightington, Wigan, WN6 9RX

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Plan Ref 05/00469/FUL **Date Received** 05.05.2005 **Decision** Permit
Ward: Chisnall **Date Decided** 16.06.2005

Proposal : Demolish existing rear extension and erection of single storey side and rear extension, alterations of porch and front extension to attached garage
Location : Joycelyn Preston Road Charnock Richard Lancashire PR7 5HH
Applicant: Mr And Mrs Unsworth Joycelyn Preston Road Charnock Richard Lancashire

Plan Ref 05/00473/FUL **Date Received** 06.05.2005 **Decision** Permit
Ward: Eccleston And **Date Decided** 29.06.2005
Mawdesley

Proposal : Erection of single storey rear extension,
Location : West View Blue Stone Lane Mawdesley Lancashire L40 2RH
Applicant: Mr & Mrs M Cobham West View Blue Stone Lane Mawdesley Lancashire L40 2RH

Plan Ref 05/00474/FUL **Date Received** 06.05.2005 **Decision** Refuse
Ward: Chorley South **Date Decided** 30.06.2005
West

Proposal : Erection of single storey side extension,
Location : 9 Evergreen Close Chorley Lancashire PR7 3QB
Applicant: Mr & Mrs Henry 9 Evergreen Close Chorley Lancashire PR7 3QB

Plan Ref 05/00476/FUL **Date Received** 09.05.2005 **Decision** Permit
Ward: Brindle And **Date Decided** 29.06.2005
Hoghton

Proposal : Single storey extension to the rear
Location : 9 Friths Court Brindle Lancashire PR5 0EF
Applicant: Mr S MacGregor 9 Friths Court Brindle Lancashire PR5 0EF

Plan Ref 05/00479/FUL **Date Received** 09.05.2005 **Decision** Permit
Ward: Chorley South **Date Decided** 01.07.2005
East

Proposal : Erection of single storey side extension,
Location : 42 Saville Street Chorley Lancashire PR7 3JB
Applicant: Mr B Robinson 42 Saville Street Chorley Lancashire PR7 3JB

Plan Ref 05/00480/FUL **Date Received** 11.05.2005 **Decision** Permit
Ward: Lostock **Date Decided** 06.07.2005

Proposal : Single storey extension to the side and rear
Location : Church House Barn South Road Bretherton Lancashire PR26 9AJ
Applicant: Mr And Mrs Fowler Church House Barn South Road Bretherton Lancashire PR26 9AJ

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Plan Ref 05/00492/FUL **Date Received** 11.05.2005 **Decision** Permit
Ward: Chorley South **Date Decided** 04.07.2005
West

Proposal : A proposed two storey side extension
Location : 21 The Oaks Chorley Lancashire PR7 3QT
Applicant: Mr S Tipper 21 The Oaks Chorley Lancashire PR7 3QT

Plan Ref 05/00494/FUL **Date Received** 13.05.2005 **Decision** Permit
Ward: Coppull **Date Decided** 06.07.2005

Proposal : Single storey side extension and a conservatory to the rear
Location : 26 Tanyard Close Coppull Chorley Lancashire PR7 5BT
Applicant: Mr And Mrs C Lucas 26 Tanyard Close Coppull Chorley Lancashire PR7 5BT

Plan Ref 05/00495/FUL **Date Received** 12.05.2005 **Decision** Permit
Ward: Chorley South **Date Decided** 06.07.2005
West

Proposal : Two storey side extension
Location : 174 Draperfield Chorley Lancashire PR7 3PR
Applicant: Mr And Mrs N Oxborrow 174 Draperfield Chorley Lancashire PR7 3PR

Plan Ref 05/00496/FUL **Date Received** 11.05.2005 **Decision** Permit
Ward: Chisnall **Date Decided** 04.07.2005

Proposal : Side extension over garage
Location : 2 Church Fold Charnock Richard Lancashire PR7 3RE
Applicant: Mr Stephen Johnson 2 Church Fold Charnock Richard Lancashire PR7 3RE

Plan Ref 05/00497/COU **Date Received** 11.05.2005 **Decision** Permit
Ward: Lostock **Date Decided** 04.07.2005

Proposal : Raise roof of link between house to barn and replace flat roof at rear of barn with a pitched roof and change of use from agricultural to antique restoration workshop (B1)
Location : Cocker Bar Bridge Farm Cocker Bar Road Bretherton Preston Lancashire
Applicant: Mr Raymond D Harrison Cocker Bar Bridge Farm Cocker Bar Road Bretherton Preston Lancashire PR26 9AZ

Plan Ref 05/00498/TEL **Date Received** 10.05.2005 **Decision** Prior
Notification
for Telecom
- Refusal
Ward: Coppull **Date Decided** 29.06.2005

Proposal : Erection of a 15m slimline monopole tower with two 2G and 3G equipment cabinets,
Location : Croston Sheet Metals Ltd Chapel Lane Coppull Lancashire PR7 4NB
Applicant: O2 (UK) Ltd C/o Agent,

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Plan Ref 05/00507/FUL **Date Received** 16.05.2005 **Decision** Permit
Ward: Chorley South **Date Decided** 30.06.2005
East

Proposal : Demolition of garage and erection of single storey side extension,
Location : 84 Lighthurst Lane Chorley Lancashire PR7 3EQ
Applicant: Mr & Mrs Kirby 84 Lighthurst Lane Chorley Lancashire PR7 3EQ

Plan Ref 05/00509/FUL **Date Received** 17.05.2005 **Decision** Permit
Ward: Adlington & **Date Decided** 06.07.2005
Anderton

Proposal : Conservatory to the rear
Location : 7 Thirlmere Close Adlington Chorley Lancashire PR6 9QD
Applicant: Mr J P Fishwick 7 Thirlmere Close Adlington Chorley Lancashire PR6 9QD

Plan Ref 05/00520/ADV **Date Received** 17.05.2005 **Decision** Consent
Ward: Chorley South **Date Decided** 06.07.2005
East

Proposal : Displaying of two internally illuminated fascia signs to shop front and rear,
Location : 9 Fazakerley Street Chorley Lancashire PR7 1BG
Applicant: Gladstone Projects Ltd North House 17 North John Street Liverpool L2 5EA

Plan Ref 05/00522/FUL **Date Received** 17.05.2005 **Decision** Permit
Ward: Pennine **Date Decided** 01.07.2005

Proposal : Erection of rear conservatory,
Location : 10 Dunham Drive Whittle Le Woods Lancashire PR6 7DN
Applicant: Mr & Mrs Woodley 10 Dunham Drive Whittle Le Woods Lancashire PR6 7DN

Plan Ref 05/00528/FUL **Date Received** 18.05.2005 **Decision** Permit
Ward: Clayton-le-Woods **Date Decided** 08.07.2005
And Whittle-le-
Woods

Proposal : Single storey rear extension
Location : 83 Foxglove Drive Whittle-Le-Woods Chorley Lancashire PR6 7SG
Applicant: Mr And Mrs Heywood 83 Foxglove Drive Whittle-Le-Woods Chorley Lancashire

Plan Ref 05/00532/FUL **Date Received** 17.05.2005 **Decision** Permit
Ward: Clayton-le-Woods **Date Decided** 12.07.2005
West And
Cuerden

Proposal : Erection of rear conservatory,
Location : 240 Spring Meadow Clayton-Le-Woods Leyland Lancashire PR25 5PP
Applicant: Mr & Mrs D Postlethwaite 240 Spring Meadow Clayton-Le-Woods Leyland
Lancashire PR25 5PP

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Plan Ref 05/00548/FUL **Date Received** 25.05.2005 **Decision** Permit
Ward: Eccleston And **Date Decided** 13.07.2005
Mawdesley

Proposal : Erection of single storey rear extension to replace existing,
Location : Limefield 77 Doctors Lane Eccleston Lancashire PR7 5QZ
Applicant: Mr & Mrs J Bradley Limefield 77 Doctors Lane Eccleston Lancashire PR7 5QZ

Plan Ref 05/00551/FUL **Date Received** 23.05.2005 **Decision** Permit
Ward: Eccleston And **Date Decided** 13.07.2005
Mawdesley

Proposal : Single storey rear and side extensions incorporating integral garage
Location : 57 Snipewood Eccleston Chorley Lancashire PR7 5RQ
Applicant: Mr And Mrs P Robinson 57 Snipewood Eccleston Chorley Lancashire PR7 5RQ

Plan Ref 05/00552/FUL **Date Received** 24.05.2005 **Decision** Permit
Ward: Astley And **Date Decided** 12.07.2005
Buckshaw

Proposal : Single storey side extension
Location : 32 Harperley Astley Village Lancashire PR7 1XB
Applicant: Mr & Mrs Mackenzie 32 Harperley Astley Village Lancashire PR7 1XB

Plan Ref 05/00560/FUL **Date Received** 23.05.2005 **Decision** Permit
Ward: Euxton South **Date Decided** 13.07.2005

Proposal : Erection of single storey extension and conservatory to rear,
Location : 82 Princess Way, Euxton, Chorley, Lancashire PR7 6PJ
Applicant: Mr & Mrs Wright 82 Princess Way, Euxton, Chorley, Lancashire PR7 6PJ

Plan Ref 05/00570/FUL **Date Received** 31.05.2005 **Decision** Permit
Ward: Chorley South **Date Decided** 13.07.2005
West

Proposal : Erection of conservatory to rear
Location : 8 Moss Wood Close Chorley Lancashire PR7 2FQ
Applicant: Mr & Mrs Nixon 8 Moss Wood Close Chorley Lancashire PR7 2FQ

Plan Ref 05/00577/FUL **Date Received** 31.05.2005 **Decision** Permit
Ward: Chorley South **Date Decided** 13.07.2005
West

Proposal : Erection of conservatory to rear,
Location : 74 Lakeland Gardens Chorley Lancashire PR7 2LS
Applicant: Mr Davenport 74 Lakeland Gardens Chorley Lancashire PR7 2LS

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Plan Ref 05/00584/FUL **Date Received** 01.06.2005 **Decision** Permit
Ward: Eccleston And **Date Decided** 13.07.2005
Mawdesley

Proposal : First floor side extension,
Location : 4 Brook Villas Smithy Lane Mawdesley Lancashire L40 2QG
Applicant: Mr & Mrs P Taylor 4 Brook Villas Smithy Lane Mawdesley Lancashire L40 2QG

Plan Ref 05/00587/FUL **Date Received** 06.06.2005 **Decision** Permit
Ward: Clayton-le-Woods **Date Decided** 12.07.2005
And Whittle-le-
Woods

Proposal : Change of roof type (flat to pitched) (amendment to 04/00676/FUL)
Location : 455 Preston Road Clayton-Le-Woods Lancashire PR6 7JD
Applicant: Mr J G McKenna 455 Preston Road Clayton-Le-Woods Lancashire PR6 7JD

Plan Ref 05/00594/FUL **Date Received** 06.06.2005 **Decision** Refuse
Ward: Eccleston And **Date Decided** 13.07.2005
Mawdesley

Proposal : Erection of porch to front and conservatory to side,
Location : 2 Reeds Cottages Black Moor Road Mawdesley Lancashire L40 2QD
Applicant: Mr & Mrs Baldwin 2 Reeds Cottages Black Moor Road Mawdesley Lancashire

Plan Ref 05/00595/TCON **Date Received** 06.06.2005 **Decision** No objection
Ward: Lostock **Date Decided** 11.07.2005

Proposal : Felling of two trees and pruning of one tree within Croston Conservation Area
Location : Hillocks Farm House The Hillocks Croston Lancashire PR26 9RE
Applicant: Mr Guinness Hillocks Farm House The Hillocks Croston Lancashire PR26 9RE

Plan Ref 05/00601/FUL **Date Received** 06.06.2005 **Decision** Permit
Ward: Chorley South **Date Decided** 13.07.2005
West

Proposal : Single storey rear extension,
Location : 30 Woodlands Meadow Chorley Lancashire PR7 3QH
Applicant: Mr & Mrs Cowell 30 Woodlands Meadow Chorley Lancashire PR7 3QH

Plan Ref 05/00615/AGR **Date Received** 13.06.2005 **Decision** Prior App
not required
- Agr
Ward: Chisnall **Date Decided** 06.07.2005

Proposal : Application for agricultural determination in respect of the erection of an agricultural building,
Location : Chisnall Hall Farm Chisnall Avenue Wrightington Lancashire WN6 9RR
Applicant: Mr T Green Chisnall Hall Farm Chisnall Avenue Wrightington Lancashire WN6 9RR

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Plan Ref 05/00634/LCC **Date Received** 22.06.2005 **Decision** No objection
Ward: Chorley South **Date Decided** 11.07.2005
West

Proposal : Single storey extension to create new head teachers office, waiting room and additional office accommodation, and the demolition of existing single storey extention

Location : Southlands High School Clover Road Chorley Lancashire PR7 2NL

Applicant: Lancashire County Property Group PO Box 26 South Area Office County Hall
Preston PR1 8RE

Report of	Meeting	Date
Head of Planning Services	Development Control Committee	18.07.2005

ENFORCEMENT ITEM

ERECTION OF BOUNDARY WALL AND STABLE BLOCK, CAM LANE COTTAGE, CAM LANE, CLAYTON-LE-WOODS

PURPOSE OF REPORT

1. To consider whether it is expedient to take enforcement action in respect of the above case.

CORPORATE PRIORITIES

2. This report raises no issues of corporate priorities .

RISK ISSUES

3. The report contains no risk issues for consideration by Members.

BACKGROUND TO DEVELOPMENT

4. Two reports appear on this agenda for retrospective applications for planning permission in respect of an unauthorised boundary wall and stable block. My recommendation is for planning permission to be refused. If committee agrees with the recommendations it would be expedient to take enforcement action for the reasons set out in the reports.

COMMENTS OF THE DIRECTOR OF FINANCE

5. No comments.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

6. No comments.

RECOMMENDATION

7. That it is expedient to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 in respect of the following breaches of planning control –
 1. without planning permission the erection of a boundary wall exceeding 2 metres in height.
 2. without planning permission the erection of a stable block.

Requirements of the Enforcement Notice

- 1.Reduce the height of the boundary wall to a maximum height of 2 metres.
2. Demolish the stable block and remove the materials from the land.

Period for Compliance

2 months

Reasons

Wall

The proposed development would be detrimental to the visual amenities within the Green Belt by reason of its siting, materials and design. The proposal is inappropriate development within the Green Belt and is therefore contrary to Government advice contained in PPG2: Green Belts and Policy DC1 of the Adopted Chorley Borough Local Plan Review.

Stable Block

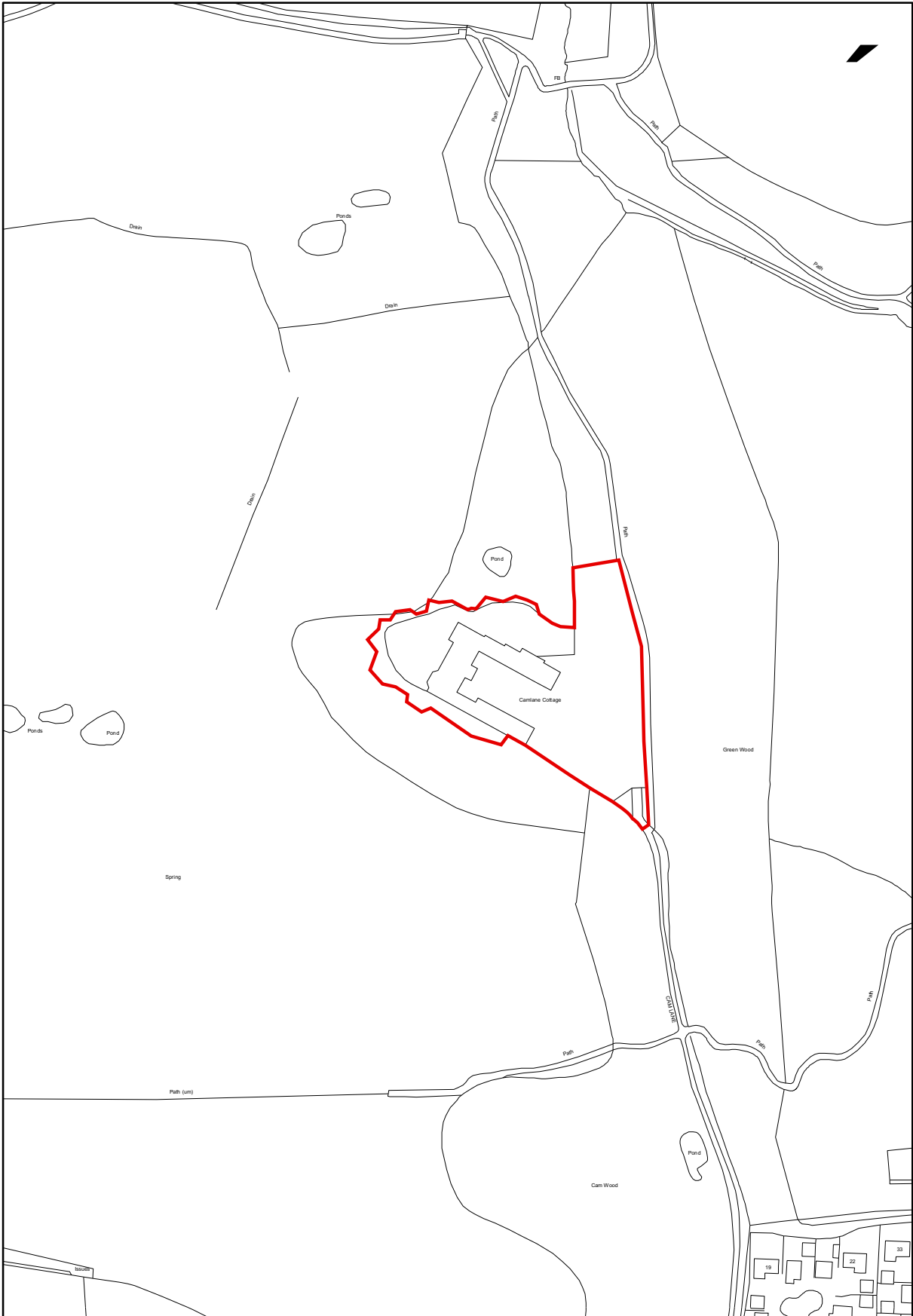
The proposed development would be detrimental to the visual amenities within the Green Belt by reason of its siting, materials and design. The proposal is inappropriate development within the Green Belt and is therefore contrary to Government advice contained in PPG2: Green Belts and Policy DC1 of the Adopted Chorley Borough Local Plan Review.

The proposed development for stables creates an intrusive feature within the area and is detrimental to the surrounding landscape. The proposal is unacceptable by reason of its size,siting and materials. The proposal is contrary to Policy EP8 of the Adopted Chorley Local Plan Review 2003.

ALAN CROSTON
HEAD OF PLANNING SERVICES

Background Papers			
Document	Date	File	Place of Inspection
Planning Applications		05/00553/FUL 05/00554/FUL	Union Street Offices

Report Author	Ext	Date	Doc ID
Peter Willacy	5226	12 th July 2005	



ENFORCEMENT ITEM

Cam Lane Cottage, Cam Lane, Clayton Le Woods

SCALE

1:2,500

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