

Development Control Committee

Tuesday, 29 April 2008

Present: Councillor Harold Heaton (Chair), Councillor David Dickinson (Vice-Chair), Councillors Eric Bell, Alan Cain, Henry Counce, Dennis Edgerley, Pat Haughton, Roy Lees, Adrian Lowe, Geoffrey Russell, Edward Smith and Ralph Snape

Officers: Jane Meek (Corporate Director (Business)), Samantha Marland-Fitzell (Solicitor), Paul Whittingham (Development Control Manager), Andy Wiggett (Principal Planning Officer) and Tony Uren (Democratic Services Officer).

Also in attendance: Councillors Iris Smith and Shaun Smith

08.DC.36 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Michael Davies, Mike Devaney, Daniel Gee and June Molyneaux.

08.DC.37 DECLARATIONS OF ANY INTERESTS

In accordance with the provisions of the Local Government Act 2000, the Council's Constitution and Members' Code of Conduct, the Vice-Chair (Councillor David Dickinson) declared a prejudicial interest in relation to Planning Application 08/00239/FUL (Minute 08.DC.39(b)).

08.DC.38 MINUTES

RESOLVED – That the minutes of the meeting of the Development Control Committee held on 1 April 2008 be confirmed as a correct record for signature by the Chair.

08.DC.39 PLANNING APPLICATIONS AWAITING DECISIONS

The Corporate Director (Business) submitted reports on two applications for planning permission to be determined by the Committee.

RESOLVED – That the planning applications, as now submitted, be determined in accordance with the Committee's decisions recorded below:

(a) A1: 07/00386/OUTMAJ - Land south of Next Generation Sports Centre, Moss Lane, Whittle-le-Woods

Application No: 07/00386/OUTMAJ

Proposal: Outline application for erection of 40 two bedroomed apartments (2 and 3 storey), with associated car parking.

Location: Land south of Next Generation Sports Centre,
Moss Lane, Whittle-le-Woods.

The Committee heard representations from an objector to the proposals.

Decision:

It was proposed by Councillor Eric Bell, seconded by Councillor Dennis Edgerley, and subsequently **RESOLVED unanimously that outline planning permission be refused for the following reasons:**

1. Part of 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 and Policy DC1 of the Adopted Chorley Borough Local Plan Review. Within the Green Belt planning permission will not be given, except in very special circumstances for the erection of new buildings other than for the purposes of agriculture, forestry, essential facilities for outdoor sport and recreation, for cemeteries, and other uses which do not conflict with the purposes of including land in it, or limited extension, alteration, or replacement of existing dwellings. The proposal is therefore inappropriate development and harmful by definition. It is not considered that there are very special circumstances to outweigh the presumption against the development.

2. The plans indicate it is proposed to access the development through a commercial car park. This is considered an inappropriate means of access to a residential development and it is not considered that a safe and adequate access could be achieved for the site. The development as submitted fails to provide for a safe and adequate means of both pedestrian and vehicular access, and is therefore contrary to Policy TR4 of the Adopted Chorley Borough Local Plan Review.

3. Part of the proposed development would be located within an Area of Safeguarded Land as identified by Policy DC3 of the Adopted Chorley Borough Local Plan Review. The proposed development is contrary to Policy DC3 in that development other than that permissible in the countryside under Policies DC1 or DC2 of the Adopted Chorley Borough Local Plan Review will not be permitted on Safeguarded Land.

(b) B1: 08/00239/FUL - Oak Royal Golf Club, Bury Lane, Withnell

Application No: 08/00239/FUL

Proposal: Deletion of Condition 19 and variation of Condition 11 of Planning Permission 06/00205/FUL to permit the illumination of the car park and allow the clubhouse to be open to members of the general public.

Location: Oak Royal Golf Club, Bury Lane, Withnell.

(The Vice-Chair (Councillor David Dickinson) declared a prejudicial interest in the application and left the meeting during the discussion and voting on the proposal).

The Committee heard representations from the applicant in support of the application, together with supporting representations from the Ward representatives, Councillors Iris Smith and Shaun Smith.

Decision:

It was proposed by Councillor Ralph Snape, seconded by Councillor Edward Smith, that planning permission be granted to the application.

An amendment to the motion was proposed by Councillor Dennis Edgerley, seconded by Councillor Adrian Lowe, that planning permission for the proposal be refused. Upon being put to the vote, the amendment was passed (6 – 4) and it was subsequently **RESOLVED (6 – 4) that planning permission be refused for the following reasons:**

1. It has not been demonstrated that the opening of the clubhouse facilities to the general public will not result in an intensification of the use of the clubhouse that will cause detrimental harm to the open and rural character of the Green Belt. The proposed modification of condition No 11 of planning permission 06/00205/FUL is therefore contrary to Policy Nos DC1 and LT12 of the Chorley Borough Local Plan Review and PPG2: Green Belts.

2. The deletion of condition No 10 of planning permission 06/00205/FUL would allow the retention and further addition of lighting for which it has not been demonstrated that harm will not occur to the open and rural character of the Green Belt. Moreover, no details of the existing lights installed have been submitted. The deletion of condition No 10 of planning permission 06/00205/FUL is therefore contrary to Policy Nos DC1 and EP21A of the Chorley Borough Local Plan Review and PPG2: Green Belts.

3. The opening of the clubhouse facilities to the general public has not been demonstrated as being an essential facility associated with the outdoor sport and recreation facilities available on site comprising of the golf course and fishing lakes and is therefore by definition inappropriate development on the Green Belt and no very special circumstances have been forwarded to justify the modification of the condition. Making the clubhouse facilities available to the general public by virtue of the modification of condition No 11 of planning permission 06/00205/FUL is therefore contrary to Policy Nos DC1 and LT12 of the Chorley Borough Local Plan Review and PPG2: Green Belts.

08.DC.40 PLANNING APPEALS AND DECISIONS - NOTIFICATION

The Committee received a report of the Corporate Director (Business) giving notification of the lodging of an appeal against the refusal of planning permission; the withdrawal of an appeal against a Lancashire County Council decision; the dismissal by the Planning Inspectorate of two appeals against the refusal of planning permission; and planning permission granted by the Lancashire County Council for two developments.

RESOLVED – That the report be noted.

08.DC.41 DELEGATED DECISIONS DETERMINED BY THE CORPORATE DIRECTOR (BUSINESS), THE CHAIR AND VICE-CHAIR OF THE COMMITTEE

The Committee received, for information, tables listing seven applications for Category 'B' development proposals which had, or were intended to be, determined by the Corporate Director (Business) under the adopted scheme of delegations, following consultation with the Chair and Vice-Chair of the Committee at meetings held on 1st and 16th April 2008.

RESOLVED – That the report be noted.

08.DC.42 LIST OF APPLICATIONS DETERMINED BY THE CORPORATE DIRECTOR (BUSINESS) UNDER DELEGATED POWERS BETWEEN 18 MARCH AND 16 APRIL 2008

The Committee received, for information, a schedule listing the remainder of the planning applications that had been determined by the Corporate Director (Business) under delegated powers between 18 March and 16 April 2008.

RESOLVED – That the report be noted.

08.DC.43 CHAIR'S THANKS TO COMMITTEE

The Chair expressed his thanks to members of the Committee for their support and contribution to the work of the Committee during the past municipal year.

Chair