

Development Control Committee

Tuesday, 24 June 2008

Present: Councillor Geoffrey Russell (Chair), Julia Berry, Alistair Bradley, Terry Brown, Henry Counce, David Dickinson, Harold Heaton, Roy Lees, Adrian Lowe, June Molyneaux, Simon Moulton, Mick Muncaster and Shaun Smith

Officers: Jane Meek (Corporate Director (Business)), Andrew Docherty (Corporate Director of Governance), Paul Whittingham (Development Control Manager), Ian Heywood (Conservation Officer) and Dianne Scambler (Trainee Democratic Services Officer)

Also in attendance: Councillors Mrs Doreen Dickinson (Lostock) and Iris Smith (Wheelton and Withnell)

08.DC.52 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Greg Morgan (Chair), Alan Cain and Keith Iddon.

08.DC.53 DECLARATIONS OF ANY 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 personal interest in relation to the planning applications listed below:

Councillor Simon Moulton - planning application 08/00320/OUTMAJ
Councillor Mick Muncaster – planning application 08/00433/FULMAJ

08.DC.54 MINUTES

RESOLVED – That the minutes of the Development Control Committee meeting held on 27 May 2008 be confirmed as a correct record for signing by the Chair.

08.DC.55 PLANNING APPLICATIONS AWAITING DECISIONS

The Corporate Director (Business) submitted reports on five 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: 08/00320/OUTMAJ - Croston Timber Works Goods Yard, Station Road, Croston

(The Committee received representations from an objector to the proposals)

(The ward representative, Councillor Doreen Dickinson also addressed the Committee and spoke against the proposals)

Application no: 08/00320/OUTMAJ

Proposal: Outline planning permission for the residential redevelopment of the site comprising of 45 dwellings (comprising a mix of apartments in 3-storey block, 2, 2.5 and 3 storey dwelling houses), and means of access into the site.

Location: Croston Timber Works Goods Yard, Station Road, Croston, Leyland

Decision:

It was proposed by Councillor Harold Heaton, seconded by Councillor Shaun Smith, and was subsequently **RESOLVED (11:2) to grant outline planning permission subject to a legal agreement and the following conditions:**

1. Prior to the commencement of the development hereby permitted, full details of how all dwellings/apartments will be constructed to comply with Level 3 of the Sustainable Code for Homes shall have been submitted to and approved in writing by the Local Planning Authority, unless it can be demonstrated that the achievement of this is not actually possible. The development shall only be carried out in accordance with the approved details thereafter.

Reason: To ensure the properties are energy efficient and in accordance with Policy No. EP22 of the Chorley Borough Local Plan Review.

2. The development hereby permitted shall not commence until a Construction Methodology has been submitted to and approved in writing by the Local Planning Authority in liaison with Network Rail. The construction Methodology address all the issues raised in the comments from Network Rail dated 30 April 2008 appended to this decision notice.

Reason: To ensure the safety, operational needs and integrity of the railway.

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 (notwithstanding any such detail shown on previously submitted plans) 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 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.

4. The application for approval of the 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 previously submitted plans and where slab levels of the proposed dwellings directly adjacent to Langdale Avenue are to be 0.5m or more above that of existing housing, the spacing guidelines within Appendix 2 of the Council's "Guidelines for new housing developments" should be increased by 1m for every 0.25 difference in slab level. 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 amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

5. 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 been previously submitted. The scheme shall take into account the comments from Network Rail dated 30 April 2008 and 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 the 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.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding sessions following the occupation of any buildings or the completion of the development, whichever is sooner, 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 a 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. The development hereby permitted shall not commence until samples of all external facing materials to the proposed buildings (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 of the Adopted Chorley Borough Local Plan Review.

8. 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.

9. Any integral garages in dwellings hereby permitted shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

Reason: To ensure adequate garaging/off street-parking provisions is made/maintained and thereby avoid hazards caused by on-street parking and in accordance with Policy No. 7 of the Joint Lancashire Structure Plan

10. The development hereby permitted shall only be carried out in accordance with the details set out in the Design and Access Statement dated 19 June 2008 and the indicative site plan dated 17 June 2008 unless an alternative or variation to the Design and Access Statement or site plan has first been submitted to and approved in writing to the Local Planning Authority wherein the development shall only thereafter be carried out in accordance with the amended Design and Access Statement and/or site plan.

Reason: To provide a satisfactory form of development and in accordance with policies GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

11. Prior to the commencement of the development full details of the Management Company to deal with the future management and maintenance of the site shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company.

Reason: To ensure the satisfactory management of the unadopted highways and public open spaces and in accordance with Policies TR4 and HS21 of the Adopted Chorley Borough Local Plan Review.

12. No development approved by this permission shall be commenced until a scheme for the provision and implementation, of a surface water regulation system has been submitted to and approved by the Local Planning Authority in consultation with the Environment Agency to attenuate surface water run off rates to existing levels. The scheme shall be completed in full accordance with the approved details prior to the occupation of any of the dwellings and shall be retained and maintained as such at all times thereafter.

Reason: To reduce the increased risk of flooding and in accordance with Policy Nos. EP18 and EP19 of the Chorley Borough Local Plan Review.

13. The new estate road between the site and Station Road shall be constructed in accordance with the Lancashire County Council specification for Construction of Estate Roads to be at least base course level before any development takes place within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative and in accordance with Policy No. TR4 of the Chorley Borough Local Plan Review and Policy 7 of the Joint Lancashire Structure Plan.

14. Before the use of the site hereby permitted is brought into operation, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. The wheel washing facilities shall only be removed from the site following written approval from the Local Planning Authority.

Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users and in accordance with Policy No. TR4 of the Chorley Borough Local Plan Review.

15. The proposed estate road from the site to Station Road shall be constructed to a (minimum) width of 5.5m with 6.0m radius kerbs and 2m footways to both sides of the estate road to a minimum point across the estate road that lines through with the frontage of the De Trafford Arms.

Reason: In the interest of highway safety and in accordance with Policy TR4 of the Chorley Borough Local Plan Review.

16. The existing access to the Railway Station shall be physically and permanently closed and the existing 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 which shall be completed in full prior to the first occupation of any of the dwellings and/or apartments hereby permitted.

Reason: To limit the number of access points to, and to maintain the proper construction of the highway and in accordance with Policy No. TR4 of the Chorley Borough Local Plan Review.

17. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system. If it is proposed that surface water is to be discharged to the public surface water sewerage system, full details of the surface water drainage system including flow discharge rate shall first be submitted to and approved in writing by the Local Planning Authority in liaison with United Utilities. The surface water drainage system shall thereafter only be implemented in accordance with approved details and maximum discharge rate specified by United Utilities.

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

18. The development hereby permitted shall not commence until a survey of the site to identify the presence of Barn Owls has been submitted to and approved in writing by the Local Planning Authority in liaison with LCC (Ecology). If the survey identifies the presence of Barn Owls on the site, a schedule of mitigation measures shall be proposed and implemented in full to ensure ongoing protection and safe translocation of the Barn Owls prior to the commencement of works on site.

Reason: To determine the presence of Barn Owls and propose suitable mitigation measures as Barn Owls are listed in Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) and are therefore protected species and in accordance with Policy No. EP4 of the Chorley Borough Local Plan Review.

19. No development approved by this planning permission shall be commenced until:

(a) A desktop study has been undertaken to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.

(b) A site investigation has been designed for the site using the information obtained from (a) above. This should be submitted to, and approved in writing by the local planning authority prior to that investigation being carried out on the site.

(c) The site investigation and associated risk assessment have been undertaken in accordance with details approved in writing by the local planning authority.

(d) A Method Statement and remediation strategy, based on information obtained from (c) above has been submitted to and approved in writing by the Local Planning Authority.

The development shall then proceed in strict accordance with the measures approved. Work shall be carried out and completed in accordance with the approved record statement and remediation strategy referred to in (d) above, and to a timescale agreed in writing by the local planning authority.

If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.

Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the planning authority that provides verification that the required works regarding contamination have been carried out in accordance with approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

Reason: To identify all previous site uses, potential contaminants that might reasonably be expected given those uses and source of contamination, pathways and receptors and to enable a risk assessment to be undertaken, refinement of the conceptual model, and the development of a Method statement and Remediation Strategy. In relation to (c) and (d), to ensure that the proposed site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site and in accordance with Policy EP16 of the Chorley Borough Local Plan Review.

20. All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a

'fail safe' manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Reason: To ensure the safety, operational needs and integrity of the railway.

21. All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property.

Reason: To ensure the safety, operational needs and integrity of the railway and in accordance with policy No. EP18 of the Chorley Borough Local Plan Review.

22. Prior to the commencement of development, full details of a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary shall have been submitted and approved in writing by the Local Planning Authority in liaison with Network Rail. The fence shall be erected prior to the occupation of any dwellings and/or apartments on the site and shall be maintained/renewed as such at all times thereafter and Network Rail's existing fencing/wall must not be removed or damaged.

Reason: To ensure the safety, operational needs and integrity of the railway and in accordance with Policy No. GN5 of the Chorley Borough Local Plan Review.

23. The reserved matters application shall include details of suitable crash barriers and/or high kerbs to prevent vehicles accidentally driving/rolling on to the railway or damaging the line side fencing where new roads, turning spaces or parking areas are situated adjacent to a railway which is at or below the level of development.

Reason: To ensure the safety, operational needs and integrity of the railway and in accordance with Policy No. TR4 of the Chorley Borough Local Plan Review.

24. An application for approval of the reserved matters (namely the scale and external appearance of the buildings and the layout and landscaping of the site) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

(b) **A2: 08/00433/FULMAJ - Land to rear of 243-289 Preston Road, Clayton-le-Woods**

(The Committee received representations from an objector to the proposals)

Application No: 08/00203/FULMAJ
Proposal: Erection of 25 residential properties, access alteration and provision of existing residents parking.
Location: Land to rear of 243 – 289, Preston Road, Clayton-Le-Woods
Decision:

It was proposed by Councillor Adrian Lowe, seconded by Councillor Harold Heaton, and was subsequently **RESOLVED (10:3) to grant planning permission subject to a Legal Agreement and the following conditions:**

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail, which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

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

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

4. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings (notwithstanding any details shown on the 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 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.

5. 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.

6. 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.

7. 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 plans) 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.

8. Prior to the commencement of the development a geotechnical investigation of the slopes adjacent to the application site shall be undertaken to ensure the stability of the slope. The investigation shall also include the trees located to the south west boundary to assess the long term impact of the regrading and any safety implications. This investigation shall be submitted to and approved in writing by the Local Planning Authority. Any remedial works required to ensure the continued stability of the ground shall be implemented prior to the commencement of development of the site.

Reason: To ensure the continued stability of the surrounding land and in accordance with Policy EP15 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 of the Adopted Chorley Borough Local Plan Review, Policy 24 of the Joint Lancashire Structure Plan and Government advice contained in PPS25: Development and Flood Risk

10. Prior to the commencement of the development full details of the Management Company to deal with the future management and maintenance of the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the future management of the proposed existing residents parking spaces detailed on plans reference 07/029 AL0001A. The site shall thereafter be managed by the approved Management Company.

Reason: To ensure the satisfactory management of the private driveway, residents parking spaces and refuse storage/ collection at the site and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

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

(b) 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;

(c) 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.

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 Government advice contained in PPS23: Planning and Pollution Control

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

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

13. No dwelling hereby permitted shall be occupied until that part of the service road which provides access to it from the public highway has been constructed in accordance with the approved plans.

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

14. No dwelling hereby permitted shall be occupied until the highway alterations to the site access and Preston Road have been completed in accordance with the details shown on plan reference AL(00)-001 , or as otherwise agreed in writing by the Local Planning Authority.

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

15. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

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 Government advice contained in PPS23: Planning and Pollution Control

16. 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.

(c) B1: 08/00421/FUL - The Old Rectory, High Street, Mawdesley

(The Committee received representations from an objector to the proposals)

(The applicant's agent also addressed the Committee speaking in favour of the proposals)

Application no: 08/00421/FUL
Proposal: Erection of Tennis Court in garden.
Location: The Old Rectory, High Street, Mawdesley, Ormskirk
Decision:

It was proposed by Councillor David Dickinson, seconded by Councillor Terry Brown, to defer the decision to allow the Members of the Development Control Committee to visit the site of the proposed development.

An amendment to the motion was proposed by Councillor Adrian Lowe, seconded by Councillor Harold Heaton, and was subsequently **RESOLVED (8:5) to grant full planning permission subject to the following conditions:**

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Before development hereby permitted is commenced, details of the colour of the proposed mesh enclosure and all weather surface to the tennis court shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenity of the area and in accordance with PolicyGN5 and DC1 of the Adopted Chorley Local Plan Review.

3. There shall be no illumination of the tennis court at any time.

Reason: The site is in the Green Belt and therefore in the interests of safeguarding visual amenity on this site viewed against the background of open countryside and in accordance with PPG2 and policy DC1.

(d) **B2: 08/00475/LBC - The Flying Arches, Chorley-Preston Railway Line, East of Euxton Lane, Euxton**

Application no: 08/00475/LBC

Proposal: Listed Building Consent for removal of the 'Flying Arches' on Chorley – Preston Railway Line, in order to facilitate essential engineering works.

Location: The Flying Arches, Chorley – Preston Railway Line, East of Euxton Lane, Euxton, Lancashire.

Decision:

It was proposed by Councillor Adrian Lowe, seconded by Harold Heaton, and was subsequently **RESOLVED to grant planning permission after referral to the Government Office North West (GONW) subject to the following conditions:**

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the making of a photographic record of the building. This must be carried out by a professionally qualified, archaeological/building recording consultant or organisation in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority. Upon completion the photographic record of the building shall be submitted to the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building/site and in accordance with PPG15.

3. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the making of a full record and catalogue of all pieces of masonry from all of the 16 original arches. This must be carried out by a professionally qualified archaeological/building recording consultant or organisation in accordance with a written scheme of investigation which shall first have been submitted to and approved in writing by the Local Planning Authority. Upon completion of the programme of recording and analysis it shall be submitted to the Local Planning authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building/site; in the

event of collapse the arches can be exactly reconstructed using the original materials in their original, relative positions and in accordance with PPG15.

4. In respect of the removal of the flying arches the local planning authority shall be given 14 days notice of the intention to carry out the works and an officer of the council shall be allowed access to the site to enable to take photographs of any fabric of historical interest before it is removed in continuance of the work or which consent has been given.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building/site and in accordance with PPG15.

5. No development shall take place until English Heritage (Architectural Investigation Section) have been given at least one months notice of commencement of the works. Enclosed is form Stat(E) which you as an applicant (or agent) must complete and send to the address given. Free access to the development site, at all reasonable times, must be given English Heritage (or appointed person) in order that the record of the building can be undertaken.

Reason: The building/site is of historic and architectural interest which requires recording and in accordance with PPG15.

6. Notwithstanding the details already provided no work shall take place on the site until the applicant, or their agent or successors in title have submitted to and been approved in writing by the local planning authority a detailed methodology statement for the removal of the arches.

Reason: The building/site is of historic and architectural interest and to safeguard the integrity of the arches during their removal and in accordance with PPG15.

(e) B3: 08/00219/CB3 - Covered Market, Market Place, Chorley

Application no: 08/00219/CB3
Proposal: Alterations to Market Hall entrance and roof.
Location: Covered Market, Market Place, Chorley
Decision:

It was proposed by Councillor Adrian Lowe, seconded by Councillor June Molyneaux, and was subsequently **RESOLVED to recommend full Council to grant planning permission subject to the following conditions:**

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Notwithstanding the submitted plans, no development shall commence until details of the proposed signs on the canopies have been submitted to and agreed in writing by the Local Planning Authority and thereafter constructed in conformity with the approved details.

Reason: In the interests of the visual amenity of the area and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.

3. 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 (notwithstanding any details shown on the 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 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.

08.DC.56 PLANNING APPEALS AND DECISIONS - NOTIFICATION

The Committee received a report of the Corporate Director (Business) giving notification of one appeal against the refusal of planning permission that had been dismissed and the dismissal of one enforcement appeal.

Members were also informed of two planning permissions that had been granted by the Planning Inspectorate, in particular to the decision on the 54, Lancaster Lane, Clayton-Le-Woods application that was appending the addendum circulated at the meeting.

RESOLVED – That the report be noted.

08.DC.57 DELEGATED DECISIONS DETERMINED BY THE CORPORATE DIRECTOR (BUSINESS), THE CHAIR AND VICE-CHAIR OF THE COMMITTEE

The Committee received, for information, tables listing sixteen 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 27 May and 11 June 2008.

RESOLVED – That the reports be noted.

08.DC.58 LIST OF APPLICATIONS DETERMINED BY THE CORPORATE DIRECTOR (BUSINESS) UNDER DELEGATED POWERS BETWEEN 16 MAY AND 11 JUNE 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 16 May and 11 June 2008.

RESOLVED – That the schedule be noted.

08.DC.59 PROPOSED CONFIRMATION OF TREE PRESERVATION ORDERS

The Committee were requested to confirm nine Tree Preservation Orders in respect of which no objections had been lodged.

RESOLVED – That the following Tree Preservation Orders be confirmed, without modification, as an unopposed order.

- (1) Tree Preservation Order No. 4 (Buckshaw) 2006**
- (2) Tree Preservation Order No. 3 (Whittle-Le-Woods) 2007**
- (3) Tree Preservation Order No. 4 (Euxton) 2007**
- (4) Tree Preservation Order No. 5 (Eccleston) 2007**
- (5) Tree Preservation Order No. 7 (Chorley) 2007**
- (6) Tree Preservation Order No.8 (Rivington) 2007**
- (7) Tree Preservation Order No. 9 (Chorley) 2007**
- (8) Tree Preservation Order No. 10 (Chorley) 2007**
- (9) Tree Preservation Order No. 1 (Coppull) 2008**

08.DC.60 09/07/1335 - WITHNELL QUARRY

The Corporate Director (Business) reported that the Council had been consulted on, with regards to the above application and tabled a draft letter at the meeting containing the Authority's comments to be sent to the Planning Inspectorate on the proposals. Any Member who wished to make any further comments needed to submit them in the next ten days.

Councillor Iris Smith addressed the Committee speaking in favour of the comments contained within the response and the ward representative Councillor David Dickinson also expressed his support.

RESOLVED – That the Corporate Director (Business) make any necessary amendments in light of any additional comments Members may make before submitting the Council's response to the Planning Inspectorate in ten days time.

Chair