

# Development Control Committee

**Tuesday, 11 November 2008**

**Present:** Councillor Greg Morgan (Chair), Councillor Geoffrey Russell (Vice-Chair), Councillors Ken Ball, Julia Berry, Alistair Bradley, Terry Brown, Alan Cain, Henry Caunce, David Dickinson, Harold Heaton, Keith Iddon, Roy Lees, Adrian Lowe, June Molyneaux, Simon Moulton, Mick Muncaster and Shaun Smith

**Officers:** Jane Meek (Corporate Director (Business)), Paul Whittingham (Development Control Manager), Dianne Scambler (Democratic Services), Lyndsey Cookson (Planning Assistant) and Andrew Docherty (Corporate Director of Governance)

## **08.DC.102 APOLOGIES FOR ABSENCE**

No apologies for absence were received.

## **08.DC.103 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 Member declared a personal interest in relation to the planning application listed below:

Councillor Greg Morgan – planning application 08/01027/CTY

## **08.DC.104 MINUTES**

**RESOLVED – That the minutes of the meeting of the Development Control Committee held on 14 October 2008 be confirmed as a correct record for signing by the Chair.**

## **08.DC.105 PLANNING APPLICATIONS AWAITING DECISION**

The Corporate Director (Business) submitted reports on three 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) A.1:08/00949/FULMAJ - Gillibrand Hall Grounds, Grosvenor Road, Chorley**

Application no: 08/00949/FULMAJ  
Location: Gillibrand Hall Grounds, Grosvenor Road, Chorley  
Proposal: Substitution of house types on plots 8 – 15 and plots 80 – 87 and amendment to site layout approved under application 06/00580/FULMAJ

Decision:  
It was proposed by Councillor Terry Brown, seconded by Councillor Adrian Lowe, and was subsequently **RESOLVED to grant full planning permission subject to the following conditions:**

1. Means of vehicular access to the development, including all construction traffic but excepting emergency access, shall only be taken from the site referred to as HS1.6 in the Chorley Borough Local Plan Review and the Gillibrand Link Road as identified in Policy TR3.1 of the Chorley Borough Local Plan Review, in accordance with Policy HS2 of the Chorley Borough Local Plan Review. Details of the emergency access to the site shall include the measures to be implemented to ensure that this access is only available for use in an emergency. The approved measures shall be implemented in full prior to the occupation of any dwelling.

*Reason: In the interests of highway safety on Rookery Close, Grosvenor Road and Thirlmere Road, and in accordance with Policy No's. HS2 and TR3.1 of the Chorley Borough Local Plan Review.*

2. 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.*

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

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

4. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall only be carried out in conformity with the approved details.

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, (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 dwellings 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 residential amenity in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

6. The development hereby permitted shall only be carried out using the approved external facing materials illustrated on the materials schedule submitted with the application.

*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.*

7. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system, unless otherwise agreed in writing by the Local Planning Authority.

***Reason: To secure proper drainage and in accordance with Policy No. EP17 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. The integral garage on Plot 85 shall be kept freely available for the parking of cars and shall not be converted to living accommodation, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

***Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking.***

10. 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.***

**(b) B.1:08/01019/FUL - Little Knowley Farm, 19 Blackburn Road, Whittle-Le-Woods**

Application no: 08/01019/FUL  
Proposal: Part retrospective application for the erection of a first floor side and rear extension, erection of a single storey rear conservatory and alterations to the roof.  
Location: Little Knowley Farm, 19 Blackburn Road, Whittle-Le-Woods, Chorley  
Decision: Application withdrawn

**(c) B.2:08/01027/CTY - Little Quarries, Hill Top Lane, Whittle-Le-Woods, Chorley**

(The Chair, Councillor Greg Morgan declared a personal interest; he spoke against the application, as a ward representative, he stayed in the room, but took no part in the voting).

(The Vice-Chair, Councillor Geoff Russell took the Chair for this item)

Application no: 08/01027/CTY  
Proposal: Variation of condition 1 and 28 of pp 09/04/1272 to allow landfilling operations to continue until Sept 2011 and amendments to final levels.  
Location: Little Quarries, Hill Top Lane, Whittle-Le-Woods, Chorley  
Decision: It was proposed by Councillor Julia Berry, seconded by Councillor Alistair Bradley, to object to the Reg 3/4 Application by only allowing landfilling operations to continue until 1 September 2009 to achieve stabilisation of the rock face.

An amendment to the motion was proposed by Councillor Harold Heaton, seconded by Councillor Roy Lees, to object to the LCC Reg 3/4 Application by only allowing landfilling operations to continue until 1 September 2010 to achieve stabilisation of the rock face, along with a strong letter to Lancashire County Council regarding enforcement of the conditions already placed and was subsequently **RESOLVED (11:5) with Councillors Terry Brown, Alan Cain, David Dickinson, Harold Heaton, Roy Lees, Adrian Lowe, June Molyneaux, Simon Moulton, Mick Muncaster, Geoff Russell and Shaun Smith voting for and Councillors Ken Ball, Julia Berry, Alistair Bradley, Henry Counce and Keith Iddon voting against.**

#### **08.DC.106 GROUP ONE OUTLINE PLANNING APPLICATION UPDATE**

The Corporate Director (Business) submitted a report providing Members with an update on the progress of the Outline Planning Application at Group One, Buckshaw Village (08/00910/OUTMAJ)

This site forms the last remaining part of the Royal Ordnance Factory and the redevelopment will form an extension to the Village. The site falls within the administrative boundaries of both Chorley and South Ribble Council, however Chorley Council are to take the lead on the planning application.

Consultation had taken place with approximately 2500 neighbours by letter allowing for a 5 week consultation process and by invitation to attend a public drop in session held in the Town Hall, Chorley, to ask specific questions or raise any concerns of the Chorley Planning Officers, the site owners, BAE, and the agent for the application.

To date 12 letters of objection had been received and one neighbour had attended the drop in session.

Additionally a session had been held on 7 October 2008 for officers of both Chorley and South Ribble Councils, the Council's Legal Advisor and a number of Statutory and other consultees. The comments raised, along with neighbours concerns would be reported back to BAE and agents for the application, Cass Associates, and are likely to lead to amendments of the scheme.

A further update will be provided at the next meeting of the Development Control Committee on 9 December 2008.

**RESOLVED – That the report be noted.**

#### **08.DC.107 PLANNING APPEALS AND DECISIONS REPORT**

The Committee received a report of the Corporate Director (Business) giving notification of one appeal that had been withdrawn against the refusal of planning permission; one enforcement appeal that had been withdrawn and one appeal that had been allowed by Lancashire County Council.

**RESOLVED – That the report be noted.**

#### **08.DC.108 ENFORCEMENT REPORT - LAND AT LITTLE KNOWLEY FARM, 19, BLACKBURN ROAD, WHITTLE-LE-WOODS**

The Corporate Director (Business) submitted a report to consider whether it was expedient to take enforcement action in respect of the erection of a first floor side and rear extension on land at Little Knowley Farm, 19, Blackburn Road, Whittle-Le-Woods.

Considering that the planning application had been withdrawn earlier on in the agenda and that the Council would pursuing a further enforcement report at the same address in the near future it was **RESOLVED to defer the enforcement report to a further meeting of the Committee.**

**08.DC.109 DELEGATED DECISIONS DETERMINED BY THE CORPORATE DIRECTOR (BUSINESS), THE CHAIR AND VICE-CHAIR OF THE COMMITTEE**

The Committee received for information tables listing eight 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 14 October and 29 October 2008

**RESOLVED – That the reports be noted.**

**08.DC.110 LIST OF APPLICATIONS DETERMINED BY THE CORPORATE DIRECTOR (BUSINESS) UNDER DELEGATED POWERS BETWEEN**

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 2 October to 29 October 2008.

**RESOLVED – That the schedule be noted.**

Chair