

## Planning Committee

Tuesday, 6th February 2024, 6.30 pm

Council Chamber, Town Hall, Chorley and [YouTube](#)

I am now able to enclose, for consideration at the above meeting of the Planning Committee, the following reports that were unavailable when the agenda was published.

| <b>Agenda No</b> | <b>Item</b> |
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| <b>4</b> | <b>Appeals Report</b> |
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(Pages 3 - 6)

Chris Sinnott  
Chief Executive

Electronic agendas sent to Members of the Planning Committee

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| Report of                      | Meeting            | Date            |
|--------------------------------|--------------------|-----------------|
| Head of Planning & Enforcement | Planning Committee | 6 February 2024 |

## **PLANNING APPEALS AND DECISIONS RECEIVED BETWEEN 1 DECEMBER 2023 AND 31 JANUARY 2024**

### **PLANNING APPEALS LODGED AND VALIDATED**

Local Planning Authority Reference: 23/00616/PIP - Inspectorate Reference: APP/D2320/W/23/3331910

Appeal by Mr Paul Bennet against the Planning Committee decision to refuse permission in principle for up to 9 new build older persons accessible bungalow dwellings.

Whitegates, 75 Gorse Lane, Mawdesley, Ormskirk, L40 3TE.

Inspectorate letter confirming appeal valid received 4 January 2024.

Local Planning Authority Reference: 23/00446FUL - Inspectorate Reference: APP/D2320/W/23/3334370

Appeal by Mr M Nix against the delegated decision to refuse planning permission for the erection of stables building.

Land South Of, Town Lane, Heskin, Chorley, PR7 5QA.

Inspectorate letter confirming appeal valid received 19 January 2024.

### **PLANNING APPEAL DECISIONS**

Local Planning Authority Reference: 21/00253/OUTMAJ - Inspectorate Reference: APP/D2320/W/23/3314846

Appeal by Metacre Ltd against the non determination of an outline application (with all matters reserved) for residential development of up to 130 dwellings (including 35% affordable housing).

Land 150M North East Of 31, Paradise Street, Chorley.

Appeal dismissed 1 December 2023.

Local Planning Authority Reference: 23/00310/FULHH - Inspectorate Reference: APP/D2320/D/23/3328823

Appeal by Mr Robert Fairhurst against the delegated decision to refuse planning permission for replacement windows and doors to the front, side and rear elevations (retrospective).

9 Withnell Fold, Withnell, Chorley, PR6 8BA.

Appeal dismissed 12 December 2024.

Local Planning Authority Reference: 22/01296/FUL - Inspectorate Reference: APP/D2320/W/23/3321575

Appeal by Sarah Clarke against the delegated decision to refuse planning permission for the erection of building for use in connection with dog day care business (retrospective).

Holker Cottage, Holker Lane, Ulnes Walton, Leyland, PR26 8LL.

Appeal dismissed 25 January 2024.

Local Planning Authority Reference: 22/01217/FUL - Inspectorate Reference: APP/D2320/W/23/3321577

Appeal by Sarah Clarke against the delegated decision to refuse planning permission for the change of use of land to the east of Holker Cottage from agriculture to a dog day care facility and change of use of car park to the west of Holker Cottage from domestic (Use Class C3) to a mixed use of domestic car parking (Use Class C3) and car parking associated with the dog day care facility (retrospective).

Holker Cottage, Holker Lane, Ulnes Walton, Leyland, PR26 8LL.

Appeal dismissed 25 January 2024.

Local Planning Authority Reference: 22/01213/FUL - Inspectorate Reference: APP/D2320/W/23/3322008

Appeal by Colette Edwards against the delegated decision to refuse planning permission for the erection of stables and manege, including the widening of an existing access.

Land 55 Metres West of Stopes Farm, Bury Lane, Withnell.

Appeal dismissed 29 January 2024.

#### **PLANNING APPEALS WITHDRAWN**

None

#### **ENFORCEMENT APPEALS LODGED**

Local Planning Authority Reference: ENF729 - Inspectorate Reference: APP/D2320/C/23/3334083

Appeal by Mrs Kate Kaye against an Enforcement Notice served in respect of i) the unauthorised material change of use of an agricultural building (“the Building”) to a mixed-use building comprising agriculture, storage and distribution purposes in connection with a tree surgery and woodland management company and, ii) the unauthorised material change of use of the Building to a mixed-use building comprising agriculture and general industrial purposes in connection with the processing of wood in connection with a tree surgery and woodland management company

Breworth Fold Farm, Marsh Lane, Brindle, Chorley, PR6 8NZ

Inspectorate letter confirming appeal valid received 29 November 2023.

Local Planning Authority Reference: ENF728 - Inspectorate Reference: APP/D2320/C/23/3334083

Appeal by Mrs Kate Kaye against an Enforcement Notice served in respect of:

i) Unauthorised material change of use of an agricultural building (“the Building”), shaded blue on the plan attached to this notice to a mixed-use building comprising agriculture, storage and distribution purposes in connection with a tree surgery and woodland management company; and

ii) Unauthorised material change of use of the Building shaded blue on the plan attached to this notice to a mixed-use building comprising agriculture and general industrial purposes in connection with the processing of wood in connection with a tree surgery and woodland management company.

Breworth Fold Farm Marsh Lane, Brindle, Chorley, PR6 8NZ

Inspectorate letter confirming appeal valid received 29 November 2023.

Local Planning Authority Reference: ENF712 - Inspectorate Reference: APP/D2320/C/23/3331713

Appeal by Mr Stephen Hough against an Enforcement Notice served in respect of the unauthorised material change of use of land to land used for the storage of motor vehicles, motor vehicle parts and accessories and equipment for the servicing and maintenance of motor vehicles

72 Church Lane, Charnock Richard, Chorley, Lancashire, PR7 5NA.

Inspectorate letter confirming appeal valid received 4 January 2024.

**ENFORCEMENT APPEAL DECISIONS**

Local Planning Authority Reference: ENF715 - Inspectorate Reference: APP/D2320/C/23/3321544

Appeal by Muddy Trails n Happy Tails (Ms Sarah Clarke) against an enforcement notice served in respect of a building that has been erected within the green belt in connection with a dog day care business without planning permission.

Holker Cottage, Holker Lane, Ulnes Walton, Leyland, PR26 8LL.

Letter received from the Planning Inspectorate on 25 January 2025 confirming that the enforcement notice has been upheld, with variations, and planning permission has been refused in respect of the application deemed to have been made under section 177(5) of the 1990 Act as amended. The period of compliance has, however, been extended from 20 weeks to 12 months.

Local Planning Authority Reference: ENF716 - Inspectorate Reference: APP/D2320/C/23/3321537

Appeal by Muddy Trails n Happy Tails (Ms Sarah Clarke) against an enforcement notice served in respect of the unauthorised material change of use of land to the east of Holker Cottage from agriculture to a dog day care facility and change of use of car park to the west of Holker Cottage from domestic (Use Class C3) to a mixed use of domestic car parking (Use Class C3) and car parking associated with the dog day care facility.

Holker Cottage, Holker Lane, Ulnes Walton, Leyland, PR26 8LL.

Letter received from the Planning Inspectorate on 25 January 2025 confirming that the enforcement notice has been upheld, with variations, and planning permission has been refused in respect of the application deemed to have been made under section 177(5) of the 1990 Act as amended. The period of compliance has, however, been extended from 20 weeks to 12 months.

**ENFORCEMENT APPEALS WITHDRAWN**

None

| Report Author | Ext  | Date            | Doc ID |
|---------------|------|-----------------|--------|
| Adele Hayes   | 5228 | 31 January 2024 | ***    |

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