

Development Control Committee 3rd June 2020

Update Sheet

Item 5 Application LCC/2019/0066 Chatburn Old Road

Consultations

Chatburn Parish Council: This is a retrospective application for a development which has already been the subject of an enforcement notice by the County Council to require the removal of the tipped material. The parish council consider that the applicant should be made an example of and be fined for ignoring the enforcement notices.

The parish council agreed with the original decision to refuse the application. The current application cannot be determined whilst the enforcement notice is in place.

The proposal to develop a house on the enforcement notice land is detrimental to the heritage of Chatburn.

Further representation from the applicant raising the following issues:-

- The infilling works were undertaken on the advice of the Health and Safety executive – the removal of the tipped material would require the construction of a significant retaining structure up to 8 metres high to ensure the stability of the properties.
- The original application was refused on the grounds that the mitigation was not sufficient - the current application provides for 900m² of calcareous grassland which addresses the previous reasons for refusal.
- No statutory consultees have objected and the County Council's Ecologist has confirmed that the proposed mitigation land is acceptable.
- Should permission be refused and the tipped material have to be removed there is no guarantee that the habitats would re-establish. Much of the area lies within an area recently granted a permission in principle for housing development and removal of the material would result in an incongruous, potentially unstable and unsafe landform which would be of limited ecological value.

Advice: The Parish Council's views should be noted. In relation to the enforcement notice, it is legitimate for an applicant to put forward an alternative proposal in order to attempt to resolve a breach of planning control that is the subject of an enforcement notice. Such a scheme should be assessed against the usual planning considerations that are set out in the report.

In relation to the issues raised by the applicant, these are largely already addressed in the report. Additional comments will be made in the officer's presentation and by reference to the photographs of the site.

Item 8 : Application LCC/2020/0023 The Laurels, Charnock Richard

Conditions

Proposed amendment to list of approved drawings in condition 4b:

Drawings accompanying planning application LCC/2019/0054:-

Drawing No. 19/078/LO1 – Proposed location plan

Drawing 19-078-PO1A – Proposed site overview

Drawing No 19/078/VR01 – Vehicle routes for mound construction

Drawing No. 19/078/PO2 – Proposed Site Plan – sheet 1 of 2

Drawing No. 19/078/PO3 – Proposed Site Plan – sheet 2 of 2

Drawings accompanying planning application LCC/2020/0023:-

Drawing No. SCP/200103/SK01 Rev A - Access Arrangement

Drawing No. SCP/200103/ATR01 Rev B Swept Path Analysis – Large Tipper

Drawing No. SCP/200103/ATR02 Rev B Swept Path Analysis – Large Tipper

Drawing No. SCP/200103/SK02 – Proposed Sign Arrangement