



# Development Control Committee

Agenda and Reports

For consideration on

## Tuesday, 12th October 2010

In the Council Chamber, Town Hall, Chorley

At 6.30 pm



[www.chorley.gov.uk](http://www.chorley.gov.uk)

## **PROCEDURE FOR PUBLIC SPEAKING AT MEETINGS OF THE DEVELOPMENT CONTROL COMMITTEE**

- Persons must give notice of their wish to address the Committee, to the Democratic Services Section by no later than midday, two working days before the day of the meeting. (12 Noon on the Friday prior to the meeting)
- One person to be allowed to address the Committee in favour of the officers recommendations on respective planning applications and one person to be allowed to speak against the officer's recommendations.
- In the event of several people wishing to speak either in favour or against the recommendation, the respective group/s will be requested by the Chair of the Committee to select one spokesperson to address the Committee.
- If a person wishes to speak either in favour or against an application without anyone wishing to present an opposing argument that person will be allowed to address the Committee.
- Each person/group addressing the Committee will be allowed a maximum of three minutes to speak.
- The Committees debate and consideration of the planning applications awaiting decision will only commence after all of the public addresses.

## **ORDER OF SPEAKING AT THE MEETINGS**

1. The Director Partnership, Planning and Policy or her representative will describe the proposed development and recommend a decision to the Committee. A presentation on the proposal may also be made.
2. An objector/supporter will be asked to speak, normally for a maximum of three minutes. There will be no second chance to address Committee.
3. A local Councillor who is not a member of the Committee may speak on the proposed development for a maximum of five minutes.
4. The applicant or her/his representative will be invited to respond, for a maximum of three minutes. As with the objector/supporter, there will be no second chance to address Committee.
5. The Development Control Committee, sometimes with further advice from Officers, will then discuss and come to a decision on the application.

There will be no questioning of speakers by Councillors or Officers, and no questioning of Councillors or Offices by speakers.

08 October 2010

Dear Councillor

**DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 12TH OCTOBER 2010**

You are invited to attend a meeting of the Development Control Committee is to be held in the Council Chamber, Town Hall, Chorley on Tuesday, 12th October 2010 at 6.30 pm.

**A G E N D A**

1. **Apologies for absence**
2. **Declarations of Any Interests**

Members are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda. If the interest arises **only** as result of your membership of another public body or one to which you have been appointed by the Council then you only need to declare it if you intend to speak.

If the personal interest is a prejudicial interest, you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

3. **Minutes (Pages 1 - 16)**

To confirm the minutes of the Development Control Committee meeting held on 14 September 2010 (enclosed).

4. **Planning applications to be determined (Pages 17 - 18)**

A list of planning applications to be determined is enclosed.

Please note that copies of the location plans are included (where applicable) on the agenda. Plans to be considered will be displayed at the meeting or may be viewed in advance following the links to current planning applications on our website.

[http://planning.chorley.gov.uk/PublicAccess/TDC/tdc\\_home.aspx](http://planning.chorley.gov.uk/PublicAccess/TDC/tdc_home.aspx)

- (a) **09/00933/FULMAJ - Land North of Duke Street including QS Fashions and bounded by Pall Mall and Bolton Street, Chorley Lancashire (Pages 19 - 98)**

Report of the Director of Partnerships, Planning and Policy (enclosed).

- (b) 10/00159/OUT - Land 35m West of 19 Bannister Lane, Ecclestone, Lancashire  
(Pages 99 - 108)

Report of Director of Partnerships, Planning and Policy (enclosed).

- (c) 10/00278/FULMAJ - Quarry Road Industrial Estate, Quarry Road, Chorley (Pages 109 - 116)

Report of Director of Partnerships, Planning and Policy (enclosed).

- (d) 10/00439/OUTMAJ - Grove Farm, Railway Road, Adlington, Chorley, PR6 9RF  
(Pages 117 - 128)

Report of Director of Partnerships, Planning and Policy (enclosed).

- (e) 10/00502/FUL - Chorley Motor Auction, Cottam Street, Chorley, PR7 2DT (Pages 129 - 138)

Report of Director of Partnerships, Planning and Policy (enclosed).

- (f) 10/00518/OUT - Back Lane Reservoir, Back Lane, Clayton-le-Woods (Pages 139 - 148)

Report of Director of Partnerships, Planning and Policy (enclosed).

- (g) 10/00594/COU - Matrix House, Friday Street, Chorley (Pages 149 - 156)

Report of Director of Partnerships, Planning and Policy (enclosed).

- (h) 10/00647/FUL - Golden Acres Ltd, Plocks Farm, Liverpool Road, Bretherton, Leyland (Pages 157 - 164)

Report of Director of Partnerships, Planning and Policy (enclosed).

- (i) 10/00659/FULMAJ - Land Adjacent 32 Moor Road, Croston (Pages 165 - 180)

Report of Partnerships, Planning and Policy (enclosed).

- (j) 10/00674/FUL - 5 Hawthorne Close, Clayton-le-Woods, Chorley (Pages 181 - 186)

Report of Director Partnerships, Planning and Policy (attached).

- (k) 10/00740/FUL - 605 Preston Road, Clayton-le-Woods, Chorley, PR6 7EB (Pages 187 - 192)

Report of Director of Partnerships, Planning and Policy (enclosed)

5. **Planning Appeals Notification Report (Pages 193 - 196)**

Report of Director of Partnerships, Planning and Policy (enclosed).



6. **Delegated decisions determined by the Director of Partnerships, Planning and Policy in consultation by the Chair and Vice Chair of the Committee**

Planning applications delegated on:

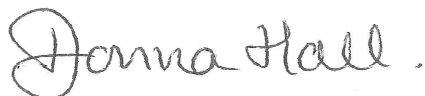
- (a) 14 September 2010 (schedule enclosed) (Pages 197 - 198)
- (b) 29 September 2010 (schedule enclosed) (Pages 199 - 200)

7. **Planning applications determined by the Director of Partnerships, Planning and Policy under delegated powers (Pages 201 - 218)**

A schedule of the applications determined between 1 September 2010 and 28 September 2010 is enclosed.

8. **Any other item(s) that the Chair decides is/are urgent**

Yours sincerely



Donna Hall  
Chief Executive

Cathryn.Barrett  
Democratic and Member Services Officer  
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**Distribution**

1. Agenda and reports to all members of the Development Control Committee, (Councillor Harold Heaton (Chair), Councillor Geoffrey Russell (Vice-Chair) and Councillors Alistair Bradley, Henry Counce, Alan Cullens, David Dickinson, Christopher France, Roy Lees, June Molyneaux, Simon Moulton, Mick Muncaster and Ralph Snape) for attendance.
2. Agenda and reports to Lesley-Ann Fenton (Director of Partnerships, Planning and Policy), Jennifer Moore (Head of Planning), Chris Moister (Head of Governance), Paul Whittingham (Development Control Team Leader) and Cathryn Barrett (Democratic and Member Services Officer) for attendance.

**This information can be made available to you in larger print or on audio tape, or translated into your own language. Please telephone 01257 515118 to access this service.**

આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپکی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون  
کیجئے: 01257 515823

**Development Control Committee****Tuesday, 14 September 2010**

**Present:** Councillor Harold Heaton (Chair), Councillor Geoffrey Russell (Vice-Chair), Councillors Henry Counce, Alan Cullens, David Dickinson, Dennis Edgerley, Christopher France, Roy Lees, June Molyneaux and Mick Muncaster

**Officers:** Lesley-Ann Fenton (Director of Partnerships, Planning and Policy), Paul Whittingham (Development Control Team Leader), Alex Jackson (Senior Lawyer), Caron Taylor (Planning Officer) and Cathryn Barrett (Democratic and Member Services Officer)

**Also in attendance:** Councillors Greg Morgan

**10.DC.190 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Simon Moulton and Councillor Ralph Snape.

**10.DC.191 DECLARATIONS OF ANY INTERESTS**

There were no declarations of interest.

**10.DC.192 MINUTES**

**RESOLVED – That the minutes of the Development Control Committee meeting held on 17 August 2010 be confirmed as a correct record and signed by the Chair.**

**10.DC.193 PLANNING APPLICATIONS TO BE DETERMINED**

The Director of Partnerships, Planning and Policy submitted report on five applications for planning permission to be determined by the Committee.

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

- (a) **10/00417/FULMAJ - 202 Chorley Old Road, Whittle-le-Woods, Chorley, PR6 7NA**

(The Committee received representations from an objector to the application and Ward Councillor, Councillor Greg Morgan in objection to the application)

Application no: 10/00417/FULMAJ  
Proposal: Erection of 13 dwellings and associated infrastructure (following demolition of no. 202 Chorley Old Road)  
Location: 202 Chorley Old Road, Whittle-le-Woods, Lancashire, PR6 7NA  
Decision:

Appealed against non-determination.

It was proposed by Councillor Roy Lees, seconded by Councillor David Dickinson and subsequently **RESOLVED (4:3:3) that Members of the Committee were minded to approve the planning application.**

**(b) 10/00446/FUL & 10/00447/LBC - Crostons Farm, Lucas Lane, Whittle-le-Woods, Chorley, PR6 7DA**

(The Committee received representations from the applicant in support of the application.)

Application no: 10/00446/FUL and 10/00447/LBC  
 Proposal: Works to and conversion of existing barn to form a single dwelling house together with associated works to reinstate the unauthorised works to reinstate the unauthorised development to form part of the existing barn structure.  
 Location: Crostons Farm, Lucas Lane, Whittle-le-Woods, Chorley, PR6 7DA  
 Decision:

It was proposed by Councillor Dennis Edgerley, seconded by Councillor David Dickinson and subsequently unanimously **RESOLVED – To permit full planning permission to grant listed building consent subject to the following conditions:**

**Application 10/00446/FUL**

1. **The proposed development must be begun not later than one year from the date of this permission.**  
*Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.*
2. **The development hereby permitted shall not commence until samples of all external facing materials to be used in the renovation and reconstruction of the barn and garage (notwithstanding any details shown on the approved plans) 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 DC7B of the Chorley Borough Local Plan Review and PPS5.*
3. **Before the development commences, full details of the treatment of all the proposed windows and doors to the barn and garage shall have been submitted to and been approved in writing by the Local Planning Authority. The submitted details shall include the proposed method of construction, the materials to be used, fixing details (including cross sections) and their external finish including any surrounds, cills or lintels. The windows and doors installed shall be in strict accordance with the approved details.**  
*Reason: In the interests of the character and appearance of the building and in accordance with Policy Nos. GN5 and DC7B of the Chorley Borough Local Plan Review and PPS5.*
4. **Before the development commences, full details of the proposed rainwater goods, including the eaves detail, to be used on the barn and**

garage shall have been submitted to and been approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

*Reason: In the interests of the character and appearance of the building and in accordance with Policy Nos. GN5 and DC7B of the Chorley Borough Local Plan Review and PPS5.*

5. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected to the garden curtilage boundaries (notwithstanding any such detail shown on the approved plans) shall have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

*Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property, in the interests of the adjacent listed building and in accordance with Policy Nos. GN5 and DC7B of the Chorley Borough Local Plan Review and PPS5.*

6. Before the development commences full details, in the form of a work methodology statement, shall be submitted to and been approved in writing by the Local Planning Authority in relation to the remedial repair and repointing of the existing brickwork of the buildings (barn and proposed garage building). The required details shall include the method for maintaining the existing brickwork in situ and include the method of 'raking out' the existing joints, the type of mortar to be used and the finished profile of the pointing. The works shall only be carried out in strict accordance with the approved work methodology statement.

*Reason: In the interests of the character and appearance of the Listed Building and in accordance with Policy No. DC7B of the Chorley Borough Local Plan Review and PPS5.*

7. Before work commences, full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the type of mortar to be used throughout the development. The required details shall include the ratio of the materials to be used in the mortar, its colour and the proposed finished profile of the pointing. The works shall only be carried out in accordance with the approved mortar details.

*Reason: In the interests of the character and appearance of the Listed Building and in accordance with Policy No. DC7B of the Chorley Borough Local Plan Review and PPS5.*

8. The development hereby permitted shall not commence until full details of the type, coursing and jointing of the natural stone to be used in the construction of the rebuilt and new external faces of the barn and garage (notwithstanding any detail shown on the approved plans) 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 DC7B of the Chorley Borough Local Plan Review and PPS5.*

9. No works shall take place until the applicant, or their agent or successors in title, have secured the implementation of a programme of building recording and analysis. 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 of the programme of building 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/historic importance associated with the building and in accordance with Policy No. DC7B of the Chorley Borough Local Plan Review and PPS5.*
10. The integral/attached garage 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 (as amended).  
*Reason: To ensure adequate garaging/off street parking provision 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.*
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E) (as amended), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwelling 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 Chorley Borough Local Plan Review and PPS5.*
12. 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 Chorley Borough Local Plan Review.*
13. 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 Chorley Borough Local Plan Review.*

14. The dwelling hereby permitted shall not be occupied until the reconfigured garage has been completed in full accordance with the approved plans and made available for the parking of vehicles associated with the owners/occupiers of the converted barn.

**Reason:** *To ensure adequate parking is provided and in accordance with Policy No. TR4 of the Chorley Borough Local Plan Review.*

15. The scheme of conversion shall involve no more rebuilding other than that highlighted red by the plans in the Structural Appraisal Report date stamped 2<sup>nd</sup> September 2010.

**Reason:** *To ensure no more rebuilding is carried out than necessary, to define the permission and in accordance with Policy No. DC7B of the Chorley Borough Local Plan Review.*

16. 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 the approved plans) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved ground surfacing materials.

**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 of the Chorley Borough Local Plan Review.*

#### **Application No 10/00447/LBC**

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

**Reason:** *Required to be imposed by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

2. The dwelling hereby permitted shall not be occupied until the reconfigured garage has been completed in full accordance with the approved plans and made available for the parking of vehicles associated with the owners/occupiers of the converted barn.

**Reason:** *To ensure adequate parking is provided and in accordance with Policy No. TR4 of the Chorley Borough Local Plan Review.*

3. The development hereby permitted shall not commence until samples of all external facing materials to be used in the renovation and reconstruction of the barn and garage (notwithstanding any details shown on the approved plans) 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 DC7B of the Chorley Borough Local Plan Review and PPS5.*

4. Before the development commences, full details of the treatment of all the proposed windows and doors to the barn and garage shall have been submitted to and been approved in writing by the Local Planning Authority. The submitted details shall include the proposed method of construction, the materials to be used, fixing details (including cross

sections) and their external finish including any surrounds, cills or lintels. The windows and doors installed shall be in strict accordance with the approved details.

*Reason : In the interests of the character and appearance of the building and in accordance with Policy Nos. GN5 and DC7B of the Chorley Borough Local Plan Review and PPS5.*

5. Before the development commences, full details of the proposed rainwater goods, including the eaves detail, to be used on the barn and garage shall have been submitted to and been approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

*Reason: In the interests of the character and appearance of the building and in accordance with Policy Nos. GN5 and DC7B of the Chorley Borough Local Plan Review and PPS5.*

6. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected to the garden curtilage boundaries (notwithstanding any such detail shown on the approved plans) shall have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

*Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property, in the interests of the adjacent listed building and in accordance with Policy Nos. GN5 and DC7B of the Chorley Borough Local Plan Review and PPS5.*

7. Before the development commences full details, in the form of a work methodology statement, shall be submitted to and been approved in writing by the Local Planning Authority in relation to the remedial repair and repointing of the existing brickwork of the buildings (barn and proposed garage building). The required details shall include the method for maintaining the existing brickwork in situ and include the method of 'raking out' the existing joints, the type of mortar to be used and the finished profile of the pointing. The works shall only be carried out in strict accordance with the approved work methodology statement.

*Reason: In the interests of the character and appearance of the Listed Building and in accordance with Policy No. DC7B of the Chorley Borough Local Plan Review and PPS5.*

8. Before work commences, full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the type of mortar to be used throughout the development. The required details shall include the ratio of the materials to be used in the mortar, its colour and the proposed finished profile of the pointing. The works shall only be carried out in accordance with the approved mortar details.

*Reason: In the interests of the character and appearance of the Listed Building and in accordance with Policy No. DC7B of the Chorley Borough Local Plan Review and PPS5.*

9. The development hereby permitted shall not commence until full details of the type, coursing and jointing of the natural stone to be



used in the construction of the rebuilt and new external faces of the barn and garage (notwithstanding any detail shown on the approved plans) 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 DC7B of the Chorley Borough Local Plan Review and PPS5.*

10. No works shall take place until the applicant, or their agent or successors in title, have secured the implementation of a programme of building recording and analysis. 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 of the programme of building 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/historic importance associated with the building and in accordance with Policy No. DC7B of the Chorley Borough Local Plan Review and PPS5.*

11. The integral/attached garage 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 (as amended).

*Reason: To ensure adequate garaging/off street parking provision 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.*

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E) (as amended), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwelling 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 Chorley Borough Local Plan Review and PPS5.*

13. 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 Chorley Borough Local Plan Review.*

14. 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 Chorley Borough Local Plan Review.*

15. 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 the approved plans) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved ground surfacing materials.

*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 of the Chorley Borough Local Plan Review.*

16. The scheme of conversion shall involve no more rebuilding other than that highlighted red by the plans in the Structural Appraisal Report date stamped 2 September 2010.

*Reason: To ensure no more rebuilding is carried out than necessary, to define the permission and in accordance with Policy No. DC7B of the Chorley Borough Local Plan Review.*

- (c) **10/00459/FUL - St John Ambulance Hall, 1 Granville Street, Adlington, Chorley, PR6 9PY**

(The Committee received representation from the applicant's agent in support of the application.)

Application no: 10/00459/FUL  
 Proposal: Proposed two storey development of eight apartments  
 Location: St John Ambulance Hall, 1 Granville Street, Adlington, Chorley, PR6 9PY

Decision:

It was proposed by Councillor Dennis Edgerly, seconded by Councillor Chris France and subsequently **RESOLVED – To approve planning permission subject to 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. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (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 No. 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 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 No. GN5 of the Adopted Chorley Borough Local Plan Review.***

4. Before the development hereby permitted is first occupied, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

***Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.***

5. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences, walls and gates to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include full details of any gate and its proposed position. No building shall be occupied or land used pursuant to this permission before all walls, fences and gates have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

***Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.***

6. Before the use of the premises hereby permitted is first occupied, full details of any lighting proposals for the site shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such details shown on previously submitted plans. 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 public safety and crime prevention and in accordance with Policy GN5 and EP21A of the Adopted Chorley borough Local Plan Review.***

7. 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 No. GN5 of the Adopted Chorley Borough Local Plan Review.***

8. The approved plans are:

Plan Ref.	Stamp Dated:	Title:
GS/PL/MMX/001 Rev C	29 July 2010	Proposed site plan, layouts and elevations

***Reason: To define the permission and in the interests of the proper development of the site.***

9. 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.***

10. 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.***

11. Due to the sensitive end-use, the development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on and/or adjacent to the site and where appropriate, necessary remediation measures.

The report should include an initial desk study, site walkover and risk assessment and if the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures.

The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

***Reason: In the interests of safety and in accordance with PPS23.***

12. The highest part of the building (the roof ridge closest to no. 74 Railway Road) shall not exceed 7.8m. The building shall be constructed using the figured dimensions as shown on plan GS/PL/MMX/001 Rev C.  
*Reason: To define the permission and for the avoidance of doubt to ensure a satisfactory form of development.*
13. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide information on:
- the parking of vehicles of site operatives and visitors
  - the hours of construction
- Reason: To minimise disruption to neighbouring properties as the site is located close to residential properties in a cul-de-sac.*

(d) **10/00502/FUL - Chorley Motor Auction, Cottam Street, Chorley, PR7 2DT**

Application no: 10/00502/FUL  
 Proposal: Proposed residential development of eight dwellings following the demolition of the existing commercial premises (redevelopment of part site only – amendment to previous approval 09/00985/FULMAJ)  
 Location: Chorley Motor Auction, Cottam Street, Chorley, PR7 2DT  
 Decision:

The report was withdrawn.

(e) **10/00653/FULMAJ - Formerly Multipart Distribution limited, Pilling Lane, Chorley**

Application no: 10/00653/FULMAJ  
 Proposal: Change of use of house type to phase 3, plots B 140 to B 172 approved under planning approval 07/01226/REMAJ  
 Location: Formerly Multipart Distribution Limited, Pilling Lane, Chorley  
 Decision:

It was proposed by Councillor Dennis Edgerly, seconded by Councillor Chris France and subsequently unanimously **RESOLVED – To approve 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. **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.*

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. 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.*

4. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.

*Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 and HT9 of the Adopted Chorley Borough Local Plan Review.*

5. The external facing materials detailed on the approved plans shall be used and no others substituted without the prior written approval of the Local Planning Authority.

*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.*

6. 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.*

7. Prior to the commencement of development full details of the proposed residents consultation procedure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information on how the residents will be kept informed on the progress of the development prior to commencement and during the development period. Additionally details of the main contact/site manager during the development shall be provided to the Local Planning Authority and the

residents prior to commencement of development. The residents' consultation plan shall be implemented and completed in accordance with the approved procedure. Reason: To ensure that the existing residents are fully aware of the progress of the development.

8. 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 and EM2 of the Adopted Chorley Borough Local Plan Review.*
9. The development hereby permitted shall be carried out in accordance with the measures set out in accordance with the measures set out within the action plan of the Residential Travel Plan dated April 2009 (submitted under application 09/00374/DIS). Reason:- To reduce the number of car borne trips and to encourage the use of public transport and to accord with Policies TR1 and TR4 of the Adopted Chorley Borough Local Plan Review.
10. Prior to the commencement of 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 space and in accordance with Policies TR4 and HS21 of the Adopted Chorley Borough Local Plan Review.
11. The site shall be remediated in accordance with BAE Environmental Remediation Strategy Report (Reference:A0356-02-R1-1). Upon completion of the remediation works a verification/completion report containing any validation sample results shall be 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. 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 TR4 of the Adopted Chorley Local Plan Review.
13. The garage 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 provision is made/maintained and thereby avoid hazards caused by on-street parking and in accordance with Policy No. TR8 of the Adopted Chorley Borough Local Plan Review.*
14. 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.*

15. The development hereby permitted shall be carried out in accordance with the submitted plan PL/PH3/R1, as amended by letter dated 1 September 2010 received on 3 September 2010.

*Reason: To define the permission and ensure a satisfactory form of development.*

#### **10.DC.194 ENFORCEMENT REPORT - WOODCOCK BARN RUNSHAW LANE EUXTON**

The Committee received a report of the Director of Partnership, Planning and Policy submitted a report asking Members of the Committee to consider whether it was expedient to take enforcement action to secure removal of an unauthorised development and to ensure the development is carried out in accordance with previously approved plans (08/01226/FUL) at Woodcock Barn, Runshaw Lane, Euxton..

The alteration to the design of the roves to the side extension and garage are contrary to saved Policy DC8A of the Chorley Borough Local Plan Review dates August 2003 and guidance set out in the Householder Design Guidance Supplementary Planning Document adopted February 2008.

It was proposed by Councillor Dennis Edgerley, seconded by Councillor Chris France and subsequently **RESOLVED – That it was considered expedient to pursue enforcement action.**

#### **10.DC.195 PLANNING APPEALS NOTIFICATION REPORT**

The Director of Partnerships, Planning and Policy submitted a report giving notification of three appeals that had been lodged against the refusal of planning permission, two appeal against the decision to refuse an application for certification of lawfulness, one appeal against the non-determination of a planning application, and one appeal against the decision to refuse to remove a condition.

There had also been one planning appeal dismissed, two appeals withdrawn, one enforcement appeal lodged and Lancashire County Council had granted permission on two planning applications.

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

#### **10.DC.196 DELEGATED DECISIONS DETERMINED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY IN CONSULTATION BY THE CHAIR AND VICE CHAIR OF THE COMMITTEE**

The Committee received for information, a schedule listing six planning applications for Category 'B' development proposals which had been determined by the Director of Partnerships, Planning and Policy in consultation with the Chair and Vice Chair of the Committee at a meeting held on 1 September 2010.

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



**10.DC.197 PLANNING APPLICATIONS DETERMINED BY THE DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY UNDER DELEGATED POWERS**

The Committee received, for information, a schedule listing planning applications determined by the Director of Partnerships, Planning and Policy under delegated powers between 29 July 2010 and 31 August 2010.

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

Chair

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# Report

Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	12 October 2010

## Planning Applications Awaiting Decision

Item	Application No.	Recommendation	Location	Proposal
4(a)	09/00933/FULMAJ	Report and recommendation to follow	Land North Of Duke Street Including QS Fashions And Bounded By Pall Mall And Bolton Street Chorley Lancashire	Full application for the demolition and redevelopment of existing structures to provide a Class A1 foodstore, petrol filling station, associated car parking, servicing, new accesses, public realm and landscaping. Outline application for the provision of a retail unit (Use Classes A1, A2, A3, A4, A5) and a business/non-residential institution unit (Use Classes B1 and D1) including details of scale and access.
4(b)	10/00159/OUT	Outline App Permitted with Legal Agmnt	Land 35m West Of 19 Bannister Lane Eccleston Lancashire	Proposed 6 No. houses and associated works
4(c)	10/00278/FULMAJ	Permit Full Planning Permission	Quarry Road Industrial Estate Quarry Road Chorley	Revisions to approved site layout involving 26 dwellings.
4(d)	10/00439/OUTMAJ	Refuse Full Planning Permission	Grove Farm Railway Road Adlington Chorley PR6 9RF	Application for outline planning permission (access only) for the erection of up to 75 dwellings and a park and ride parking area for Adlington Railway Station.
4(e)	10/00502/FUL	Permit Full Planning Permission	Chorley Motor Auction Cottam Street Chorley PR7 2DT	Proposed residential development of 8 dwellings following the demolition of the existing commercial premises (redevelopment of part site only - amendment to previous approval 09/00985/FULMAJ)
4(f)	10/00518/OUT	Permit Full Planning Permission	Back Lane Reservoir Back Lane Clayton-Le-Woods	Outline application for residential development with all matters reserved, except for access.

# Report

Item	Application No.	Recommendation	Location	Proposal
4(g)	10/00594/COU	Permit Full Planning Permission	Matrix House Friday Street Chorley	Change of use from office (B1) to NHS Centre (D1) covering the following services: Community Drug & Alcohol Services, Needle Exchange & Harm Reduction, Psychological Interventions, Community Detoxification, Drug Liaison, Midwife Services and Advice to public GP's. Opening times 10 am to 6 pm Monday to Friday, 10 am till 4 pm Saturday and at no time Sunday's and Bank Holidays
4(h)	10/00647/FUL	Permit Full Planning Permission	Golden Acres Ltd Plocks Farm Liverpool Road Bretherton Leyland	Relocation of plant to treat waste water from dry pet food production process
4(i)	10/00659/FULMAJ	Permit (Subject to Legal Agreement)	Land Adjacent 32 Moor Road Croston	Erection of 24 two-storey affordable houses (including new access from Moor Road).
4(j)	10/00674/FUL	Refuse Full Planning Permission	5 Hawthorne Close Clayton-Le-Woods Chorley PR6 7JL	Proposed single storey extension to front of house to provide disabled living facilities
4(k)	10/00740/FUL	Refuse Full Planning Permission	605 Preston Road Clayton-Le-Woods Chorley PR6 7EB	Application for 4 No dwellings amendment to previously approved layout (10/00418/FULMAJ)

<b>Item</b>	<b>09/00933/FULMAJ</b>
<b>Case Officer</b>	<b>Mr Paul Whittingham</b>
<b>Ward</b>	<b>Chorley South East</b>
<b>Proposal</b>	<b>Full application for the demolition and redevelopment of existing structures to provide a Class A1 foodstore, petrol filling station, associated car parking, servicing, new accesses, public realm and landscaping. Outline application for the provision of a retail unit (Use Classes A1, A2, A3, A4, A5) and a business/non-residential institution unit (Use Classes B1 and D1) including details of scale and access.</b>
<b>Location</b>	<b>Land North of Duke Street Including QS Fashions and Bounded by Pall Mall and Bolton Street Chorley Lancashire</b>
<b>Applicant</b>	<b>ASDA Stores Ltd</b>
<b>Consultation expiry:</b>	<b>15 February 2010</b>
<b>Application expiry:</b>	<b>19 February 2010</b>

## 1. INTRODUCTION

1.1. This application involves a significant amount of information, and there are a number of appendices to the report:

- Appendix A – Location Plan
- Appendix B – Site Layout
- Appendix C – Existing Site with key features identified.
- Appendix D – Proposed Market St Improvements & Big Lamp Junction
- Appendix E – Local Plan Extract showing Application Site
- Appendix F – Local Plan – The Allocated sites under Policy SP2
- Appendix G – Local Plan Policies
- Appendix H – PPS4 Policies
- Appendix J – Artist's impression of the view from Bolton Tunit

## 2. PROPOSAL

2.1. A location plan of the application is shown in appendix A, while appendix B details the site layout. The application is a hybrid application in that it includes both outline and full elements as follows:

**Full:** Class A1 food store with a gross floorspace of 7,335m<sup>2</sup> with a total net sales area of 4,088m<sup>2</sup> comprising 2,289m<sup>2</sup> (56%) convenience and 1,799m<sup>2</sup> (44%) comparison floorspace; a Petrol Filling Station (without a kiosk); 437 car parking spaces; and Service Yard (including revised access to existing commercial building currently trading as Tunit)

**Outline** (access and scale to be determined): a Development Opportunity at the Big Lamp junction for Use Classes A1/A2/A3/A4/A5 with a 511m<sup>2</sup> gross floor plate and a

maximum height of 7m; a further Development Opportunity on Bolton Street (the site previously occupied by Kwik Save) for Use Classes B1 & D1 with a 2657m<sup>2</sup> footplate and a similar height to that of the proposed food store at a maximum of 10.5m. For the purposes of this report, these sites are respectively termed as the Big Lamp Development Opportunity Site and the Bolton Street Development Opportunity Site.

As submitted, the outline element of the application scheme reserved all matters save scale and access. The floorspaces detailed for the two development opportunity sites are maximum floorplates and in accordance with DCLG Circular 01/2006 the parameters of any planning consent would be constrained to the parameters detailed within the design and access statement and upon which there has been consultation. However, the applicant has subsequently asked that the application be determined with all matters reserved.

The Bolton Street Development Opportunity Site is proposed as a location to relocate the Probation Service, whose office is currently located within the site. Agreement has been reached between Asda and the Probation Service as to the internal layout and requirements of a replacement office and Asda must relocate the Probation Service because they enjoy crown immunity. No operator or occupant is currently identified for the Big Lamp Development Opportunity Site.

2.2. The application also includes:

- Works/Improvements to Market Street (see appendix D) from the Pall Mall/Bolton Street junction to St Georges Street. This includes replacement paving, street furniture, landscaping and works to provide parking bays and informal crossing areas. These works would be subject to a s278 highways agreement.
- A traffic light junction to replace the current 'Big Lamp' roundabout (see appendix D). This will require the existing Big Lamp to be relocated to an area adjacent to the junction to form part of a public space. These works would also be subject to a s278 highways agreement. A key purpose of the new junction will be to provide for improved connectivity between the site and Market Street.

2.3. The application is supported by the following statements:

- Planning Statement
- Retail Assessment (including PPS4 update)
- Transport Assessment (including appendices)
- Travel Plan
- Environmental Noise Assessment
- Resource Conservation Statement
- Community Consultation Report
- Car Parking Strategy Statement

### 3. **RECOMMENDATION**

3.1. By virtue of Section 77 of the Town & Country Planning Act 1990 and Circular 02/09 The Town & Country Planning (Consultation) (England) Direction 2009, this application is subject to referral to the Secretary of State. Members should therefore note that if they are minded to approve the application, the application would be referred to the Secretary of State for his consideration as to whether he wishes to call in the application for his determination. Alternatively, if members are minded to refuse the application, then the matter would not be referred, and a decision notice of refusal would be issued.

3.2. **It is recommended that:**

- 3.3. the Director of Partnerships, Planning & Policy notifies the Secretary of State that the Development Control Committee is MINDED TO APPROVE the application, subject to the conditions listed in this report;
- 3.4. and
- 3.5. IF the Secretary of State is minded NOT to call in the application, then authority be delegated to the Director of Partnerships, Planning & Policy in consultation with the Chair of the Development Control Committee to issue a decision notice of approval for the respective elements of the proposal, subject to the conditions in this report;
- 3.6. and
- 3.7. that the Director of Partnerships, Planning & Policy further advises the Development Control Committee whether the Secretary of State wishes to consider the matter himself.

#### **4. DESCRIPTION OF SITE AND SURROUNDINGS**

- 4.1. A location plan is attached to this report at appendix A, together with a layout of the development at appendix B.
- 4.2. The application site is roughly triangular in shape and lies broadly within an area bounded by the Big Lamp roundabout to the north, Pall Mall to the west, Bolton Street to the east, the residential areas of Duke Street to the south east and Shaw Hill Street/Silvester Street to the south west.
- 4.3. The site includes a number of existing properties and their curtilages including the Former Kwik Save; the existing Big W (formerly QS Fashions); the Thermagas showroom and the Europcar building adjoining the building occupied by Tunit. The development site excludes the carpet shop on Bolton Street, the block of properties including a former public house and two takeaways on Bolton Street, as well as the industrial building occupied by Tunit.
- 4.4. Market Street leads into the town centre and forms a secondary retail frontage. The secondary retail frontage continues down Bolton St (the original A6 prior to construction of the ring road) and also down Pall Mall where there is currently a gap in retail frontage where the Eagle and Child pub is located, and this has an extant consent for retail.
- 4.5. Beyond the Eagle and Child pub, there is an identified linear retail parade of mixed shops and service related A2 units. Both Bolton St and Pall Mall comprise mainly commercial and retail properties with limited residential uses above shops. The Ford dealership that fronted Bolton Street is currently vacant.
- 4.6. The main residential elements in proximity to the site are Shaw Hill Street and Duke Street and these areas will be considered in detail later in the report.
- 4.7. Land Levels**
- 4.8. The applicant has provided cross-sections to illustrate changes in land levels. The application site and the proposed finished floor level of the store at 87.5m (AOD) is at a higher level than the properties closest to the store on Shaw Hill Street but lower than the properties on Duke Street closest to the junction with Bolton Street and lower than the Tunit building. The gas showroom is the closest existing building to the properties on Shaw Hill Street that surround the site and is built on the boundary with an eaves height of 5.5m and a ridge height of 6.57m.
- 4.9. The existing Tunit building currently comprises one part of a semi detached industrial building, the other part of which is to be removed as part of the application. Once the part of the building has been removed, the land levels in this area are proposed to be reduced to form the service yard with an access formed to Bolton Street in the

location of the former Kwik Save building that will also serve the Bolton Street Development Opportunity Site (B1 & D1)

## 5. REPRESENTATIONS

### 5.1. Residents:

#### **Objection**

- The proposal will create 400 jobs, but at the expense of others, the proposal will cause people to lose their jobs.
- There will be a geographical shift which will have an adverse effect on the whole of Chorley's commercial future.
- Children and families often use the nearby areas and should be protected through highway safety measures. Measures should be taken to ensure the proposal does not cause detriment to highway safety. Increased traffic congestion around the Pall Mall roundabout and the increased volume of traffic will cause noise.
- Standish Street car park should not be blocked during construction.
- The impact of the proposal should be considered on the town's market and independent traders.
- Monies from the S106 should be spent on balancing parking issues in the town centre and physical improvements to Market Street. Car park income at other locations will be dramatically reduced.
- The proposal does not adequately assess the issue relating to the Lancashire's Probationary Trust's site and their ability to continue to provide an essential service and therefore recommend the following condition: "*The proposed demolition of the probation office site shall not be commenced until such time as an agreement has been reached that the probation office and their staff have been relocated to a site of the required specifications of the National Offender Management Service*"
- A store such as this should not be positioned in town centres.
- The proposal will cause disruption at anti-social hours through deliveries to the site and will be detrimental to the surrounding residential area.
- People should have a moral right to choose where they shop and the town centre should be 'customer driven'.
- Chorley is a 'market town' and if planning permission is granted, it will affect the future of the market. We should protect the identity and future of the people who live and work here and specialist shops will close as a result of the proposal.

#### **Support**

- The proposal will encourage smaller businesses to re-market and also attract other business to the town centre and the proposal will bring healthy competition between shops.
- The development will benefit the whole community and re-develop a site that needs re-developing. The proposal will make this area of Chorley a lot less of an eyesore.
- The proposal will bring many benefits including attracting people and employment to the area
- Asda would be a massive opportunity to re-generate the town centre, gain local jobs and show that Chorley is moving forward rather than backwards.
- Market Street will benefit from the surround improvements associated with the proposal.
- The proposal will be good for people who do not have access to private transport and will provide a 24 hour alternative.



- The proposal will ‘spill over’ into other areas of the town centre and have a positive impact.
- The proposal will create jobs for local people that are needed.
- Residents of Chorley should be encouraged to shop in Chorley and not in other locations; Asda will help to achieve this.
- The proposal will encourage Chorley to become a great place to shop.
- There is a facebook site with the title “Chorley Welcomes Asda” with 1,132 registered members (as at 5<sup>th</sup> October 2010).

## 5.2. **Objections by NJL on behalf of Reef UK (Owners of Market Walk)**

Three letters of objection have been received and are summarised as follows:

**Letter dated 22 January 2010** notes that there has been on-going consultation with the Council to progress a proposed extension to Market Walk and that they are committed to seek delivery of the extension. In respect of PPS4

- The proposed store should be considered as an “out of centre” location.
- There are barriers identified in PPS4 such as major roads and car parks and in this instance Bolton Street and Pall Mall act as barriers as does the car park.
- Reference to the relevant policies within PPS4 is made - policies EC14, EC15, EC16 and EC17. Attention is drawn to EC17.1, which states that “Applications should be refused where the applicant has not demonstrated compliance with the requirements of the sequential approach, or there is clear evidence that the proposal is likely to lead to significant adverse impacts in terms of any one of the impacts in Policy EC10.2 and 16.1 taking account of the likely cumulative effect of recent permissions, developments under construction and completed developments.”
- NJL assert that the applicant has failed the Sequential Site Assessment as they have not shown flexibility in disaggregating the store format and the proposal will have significant adverse impacts on vitality and viability and on in centre trade.

## 5.3. Sequential Site Assessment

- The Council must ensure that in considering alternative sites developers have demonstrated flexibility in terms of scale, format, car parking provision and scope for disaggregation.
- The applicant suggests the foodstore is a single entity and precludes splitting. The PPS4 practice guidance considers there to be a necessity for single retailers to demonstrate flexibility in their business model.
- The applicant fails to demonstrate flexibility and refers to retail consents on the application site totalling some 5,735m<sup>2</sup>, whilst the application floorspace totals 7,335m<sup>2</sup> (plus outline application).
- There is no evidence of suitability, availability and viability of the Flat Iron site (Market Walk extension).
- The applicant indicates the Flat Iron cannot accommodate the proposed sales area and its approach is not flexible in terms of business model or format.
- Assessment must be made to demonstrate how the applicant has been flexible, why the sale of the proposals has been justified and why the composition of the store is necessary.

## 5.4. Impact

- NJL highlight they are a key stakeholder and investor in Chorley and the impact the proposed store will have on Market Walk and the town centre is their primary concern.
- Reef do not object to robustly beneficial regeneration in Chorley though development can only be promoted should it be appropriate and any potential impacts mitigated fully.

- Policy EC14.4 – Pertinent tests. The impact of the proposal on existing committed and planned public and private investment in a centre or centres in the catchment area of the proposal.
- The Council must consider the impact of securing investment both by the private and public sector.
- The proposal will undermine retailer confidence within the retail core of Chorley town centre and further investment decisions could be affected.
- Para 7.17 of the practice guide states: where the LPA or private sector have identified town centre development opportunities and is actively progressing them, it will be highly material to assess the effect of proposals on that investment. Investor confidence may have a 'key bearing on the acceptability or otherwise of the proposals'.
- The decision regarding this competing use must be informed by robust and credible evidence that the proposals will not undermine investment confidence.

5.5. Town Centre Vitality & Viability

- No evidence that linked trips would occur and reference to barriers and the site is divorced from the retail core.
- The public realm works do not go far enough to outweigh the adverse impact.
- Two significant barriers: Bolton Street / Pall Mall junction which is insurmountable despite proposed improvements. The provision of free parking will compete with existing car parking for the town centre and will act as a deterrent to town centre shopping.
- Impact on Booths and the negative impact of proposal should be given due weight as it provides cross linkages to the Primary Shopping Area (PSA).
- Asda will create a competing 'One Stop Shop' with free car parking and will negatively impact on vitality and viability.

5.6. In Centre Trade

- Comparison floorspace of 1,799 and turnover of £17m is significant in context of Chorley.
- Applicant highlights £1.47m trade diversion in monetary terms only and this is too simplistic.
- The numbers of shops within the town centre that NJL consider Asda will compete with in terms of comparison sales and there will be a significant overlap.
- The Council cannot view the application positively as the proposals, due to the significance of the replication of comparison goods and the competition it would provide to the PSA.

5.7. A further letter dated 15<sup>th</sup> February 2010 advises that agents working on behalf of the developer have been in contact with tenants of Market Walk regarding relocating to the development opportunity site near to the existing big lamp roundabout ; that the proposals will not form a complementary function to the retail core of the town centre; they will compete with the Primary Shopping Areas (PSA); that active promotion to weaken the PSA is highly material as an impact consideration; and that the convenience floorspace will replicate and compete directly with the PSA.

5.8. A further letter dated 7 May 2010 refers to the advice provided to the Council by Martin Tonks and raises a number of areas within that advice that NJL consider should be addressed, and whilst the Council have engaged GVA Grimley to provide retail advice that consideration should also be given to the advice given by Martin Tonks.

**5.9. Objections from Steven Abbott Associates (SAA) on behalf of Booths**

5.10. In their letter dated 1 February 2010, SAA advise that Booths have had a presence in the town centre for 155 years and the company opened its current premises in 2005,

encouraged by the Council on the basis that the Booths store would act as an 'anchor' store for the Primary Shopping Area (PSA). Further comments are summarised as follows:

5.11. Car Parking

- Booths rely on the Flat Iron car park, which is Pay and Display, is consistent with other car parks and is an established pattern accepted by the public. Booths customers are placed at a disadvantage compared to Asda if their car park is free.
- The proposed Asda car park should be subject to the same charging regime as the rest of the town centre. If not, the free public car park will harm the PSA including Market Walk, covered Market and Booths.

5.12. Retail Impact & Scale

- Booths store does act as an 'anchor' store despite what DJD say and the 9% overall impact seems low.
- DJD consider Booths floorspace to be convenience and comparison and Booths do not sell comparison goods to any material extent. The assessment should be reassessed.
- The proposed store (Asda say) will be sufficient to compete with Out of Centre stores, but due to the size of comparison floorspace there is doubt if the Asda store will be able to compete and achieve claw back. Rather it will draw trade from Booths and comparison retailers in the town centre.

5.13. Future Uses - The A1 floorspace proposed in development opportunity building should be assessed. The scale of convenience should be controlled to ensure future impact is assessed.

5.14. Town Centre Regeneration - What contributions will Asda be making to regeneration and Market Street in particular. There is no evidence that the contribution will happen.

5.15. Economic Development - How many full-time equivalent jobs are to be provided?

5.16. Urban Design - The PFS is located between the store and Bolton Street. This is a poor urban design approach and the physical inter-relationship of this design is thus vital.

5.17. Conclusions - Welcomes appropriate inward investment into town centre and need to regenerate Market Street. SAA raises concerns about way that the Asda development respects the town centre and the car park issue is important and the scale of convenience floorspace allowed and controlled.

5.18. In response to the applicant's letter of 10 September, SAA have responded by proposing an alternative wording to that submitted by the applicant that "Booths would be satisfied with".

5.19. **Objections on behalf of the Probation Service** - Whilst the Probation Service support the regeneration of this site and the area and would not seek to block this development, adequate alternative provision should be made to secure the relocation of the Probation Service. An appropriate condition could be imposed on any planning permission to ensure the development is not commenced until these matters have been resolved. The Probation Service has further informed the Council that the details of the relocation in terms of accommodation needs and layout of a replacement facility have been agreed.

**5.20. Objections on behalf of Tunit (Mr Bromley)**

5.21. Concerns are expressed by Mr Bromley, who is the property owner of the Tunit building and the proprietor of the Tunit business. The Tunit building is shown on the

plan at appendix B and will remain as a free standing building after demolition of the adjoining part, with the store service yard at a lower level than his building. Mr Bromley is also concerned about the means of access and how visible his building will remain as the new access will be from Bolton St. This matter can be addressed by a suitable condition to safeguard the access to the Tunit building.

- 5.22. Asda have been in communication with Mr Bromley and are aware that the works would need to be undertaken in accordance with a Party Wall Act agreement. Such an agreement would need Mr Bromley to agree a schedule of works to enable the Asda store to be constructed if planning consent is forthcoming and if agreement is not reached then an independent surveyor will mediate. The artist's impression of the view from Bolton St of Mr Bromley's site is shown at appendix J.

## **6. CONSULTATIONS**

### **6.1. Lancashire County Council (Highways)**

- 6.2. Lancashire County Council, as Highway Authority, do not object to the development providing that all requested conditions are satisfied; an acceptable Car Park Management Strategy is agreed (controlled by condition); the production and implementation of a Travel Plan; and that all s278 measures as indicated on plans are provided. This position follows extensive discussions with the applicant prior to and since the submission of the application.
- 6.3. The following detailed comments are made on the application:
- 6.4. Each element of the development will attract trips by most modes, including the private car and will require deliveries, servicing and waste collection; resulting in new vehicle trips on a number of links in the surrounding area during periods of the weekday and weekend.
- 6.5. It is important that the network can maintain a level of reliability at all times of day for all transport modes, including public transport, and that any increase in congestion can be suitably managed so as not to cause network gridlock.
- 6.6. Hence it is critical, that any development that impacts within this constrained town centre, or on a congested corridor etc, is supported by suitable mitigating measures and sufficient planning obligation in order to minimise their impact on the local and surrounding transport network.
- 6.7. In conclusion on the modelling (and also considering linked MOVA control), LCC believe the developer has demonstrated that there is a solution to the safe access to the store for pedestrians, cyclists and vehicles. During the detail design stage there will be fine tuning the current proposals to provide the best possible level of service to vehicles whilst maximising connectivity to Market Street for pedestrians. At the Big Lamp junction including George Street we will look to manage any queuing that may occur at peak times to within acceptable levels associated with a busy town centre site.
- 6.8. Overall the proposed parking provision is in line with the Regional Spatial Strategy (evidence based Draft Partial Review July 2009) and current Lancashire's Parking Standards. However, I understand that a car parking study by Singleton Clamp & Partners raised concern that the proposed Asda car park will operate at 85-95% capacity. My concerns therefore, relate to the availability of parking for Asda customers and potential highway impacts of uncontrolled on-site parking; while I welcome and would encourage linked town centre trips, I do not wish to encourage use of the Asda car park for long-stay town centre parking. Uncontrolled use of the car park will generate vehicle trips and traffic movements not modelled in the submitted transport assessment and consequently bring into question the traffic modelling conclusions. The overall assessment of the development is based on the assumption of strictly enforced 3 hour maximum parking on the retail store car park.

Hence, in the circumstance of the site location and likely demand for town centre parking a car park management strategy is essential for the Asda store car park to establish operational parameters. Therefore, a car park strategy and a planning condition are required to control the operation of the proposed car parking by means of a developer/management strategy/plan. The strategy/plan needs to include links to the travel plan, parking layouts, allocation of spaces (including disabled, parent and child, motorbikes and bicycle parking), security measures, car park enforcement and where necessary measures to negate misuse by other town centre users. This will allow for safe and efficient operation i.e. to prevent any queuing onto the public highway and vehicle circulation or trips associated with town centre car parking.

- 6.9. The proposed public realm improvement proposals (Drawing No. 07\_035/PL\_11 REV A) are acceptable in principle to the highway authority subject to an appropriate agreement with the developer for the works in the public highway. During the s278 detail design process the plan may require amendments/revising to satisfy design, safety and any supporting infrastructure such as signs; signal controls etc. However, I stress that the brief would be to minimise street “clutter”.
- 6.10. Further to my observations of 8 April 2010, stating that the County Council would seek contributions from this development to fund measures that support sustainable transport and communities. It is acknowledged that the improvements to Market Street will involve the developer in substantial expenditure and this improvement together with a number of measures provided under the s278 agreement support sustainable developments; in these circumstances I would only insist on very limited s106 funds being requested for the following:
- 6.11. To provide advice and guidance on travel plan development and implementation in line with 2.15.16 of the Planning Obligations in Lancashire Policy (Sept 2008) - a one off payment of £3,000.
- 6.12. Note: This is on the assumption that provision of Real Time Information Displays for bus services within the proposed Asda food store will be subject to a planning condition and the following improvements made to existing bus stops on Bolton Street and Pall Mall will be included in the s278 agreement:
- Introduction of Real Time Information Displays (Bolton Street and Pall Mall)
  - New bus stops, shelters and low floor infrastructure (Bolton Street only)
  - Repainting bus stop markings (Pall Mall only)
- 6.13. To deliver the proposed scheme the developer seeks approval via a s247 stopping-up order to close existing highways within the red edge plan. The planned proposals are acceptable to the highway authority, subject to appropriate stopping-up order for these public highways, and this can be conditioned..
- 6.14. **Chorley’s Economic Development Officer** – Overall positive response and investment in the South end of Market Street is a must for the continued growth and vibrancy of the town centre. Main concerns are the impact on independent traders and potential for increased vacancies in the town centre’s smaller units. Detailed comments:
- The added value in public realm works connecting Pall Mall triangle with the centre of town (pedestrianised areas) are key to the scheme being successful in regenerating the shops / sites along southern Market Street / Pall Mall / Bolton Street.
  - The attraction of a large supermarket at the southern end of Market Street is more likely to bring new customers to the town centre who currently shop at other supermarkets on the periphery such as Morrisons, Tesco and Asda at Clayton Brook.

- Needs to address accessibility and pedestrian links along Market Street, Pall Mall and Bolton Street as part of highway improvements to ensure uninterrupted flow from the site to the town centre.
  - Needs to address changes to traffic flow up Market St and St Georges St as part of the urban realm works to make it more pedestrian friendly.
  - The additional jobs created will add wealth to the local economy and recommend using the Employment Charter as a condition on the approval
  - Concerns that the car park will attract short stay custom away from existing council car parks and swing the balance of shoppers away from the concentration of individual businesses in the town centre.
  - Concerns that the impact of a large supermarket will draw more convenience shopping out of the town centre's smaller independent shops leading to increased vacancies of small units. However, current vacancy rate of 4.22% is comparatively low to other centres and the national average of 12%, and Chorley seems to be holding up in the face of recession.
- 6.15. Finally, we would be pleased to look at the scheme details for the Market Street public realm when they are available.
- 6.16. The Environment Agency** - No objection subject to the provision of SUDS systems on the application site and appropriate conditions for contamination.
- 6.17. The Architectural Design and Crime Reduction Advisor** - Raised some issues in respect of the design of the public area near the Big Lamp roundabout principally around maintaining CCTV coverage of the area and in respect of the works proposed to Market Street again concerned with the improvement works to Market Street and the maintenance of CCTV coverage. The issues raised can be overcome by condition or as part of a 106 contribution towards CCTV.
- 6.18. Corporate Director (Neighbourhoods)**
- 6.19. Raises concerns about the impact of the car park operation on the properties on Shaw Hill Street and in respect of the operation of the service yard including timing and lighting and the location and operation of plant on the building. These matters have been resolved or conditions can be attached to overcome the issues raised, the matters raised and how they have been resolved will be dealt with in more detail within the main report.
- 6.20. **United Utilities** - No objection to the proposal in principle subject to conditions covering surface water discharge and dealing with existing sewers within the land.
- 6.21. **Chorley's Waste & Contaminated Land Officer** - The consultation response raises no objection however there is a request that a recycling facility is placed within the site for the benefit of customers of the store. This will be discussed in detail within the report. A contaminated land condition would be needed for the redevelopment of the site.
- 6.22. While the Waste Officer's comments are noted, it is not possible to appropriately locate a recycling facility without intruding upon either the residential amenity of neighbours, the character of the public realm, or the operation of vehicles using the site.
- 6.23. **Lancashire County Council (Planning Contributions)** - Contributions have been requested encompassing a number of different funding areas including waste, sustainable transport etc. No justification has been provided for this request. It is considered that the request does not meet the tests in the prescribed regulations for Community Infrastructure Levy in that it cannot be shown that the requested contribution is necessary to make the development acceptable in planning terms; is directly related to the development; and fairly and reasonably related in scale and kind to the development.

## 7. POLICY CONSIDERATIONS

### 7.1. The Development Plan

7.2. In accordance with s.38(6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan, unless material considerations indicate otherwise.

7.3. Until this year, the development plan included (in part) Regional Spatial Strategy. However, the Ministerial Statement of 6 July 2010 "Revocation of Regional Spatial Strategy (RSS)" confirmed that RSS no longer forms part of the development plan; that the national policy statement on Regional Strategies is cancelled; that references to RSS in other policy statements are no longer valid; and that all other national planning policy statements will continue to apply until they are replaced by the national planning framework. In determining planning applications, planning authorities must continue to have regard to the development plan which will now only consist of adopted development plan documents, saved policies and any old style plans that have not lapsed.

7.4. Advice from the Chief Planner at DCLG has been received and this advises (inter alia) that the revocation of RSS may be a material consideration; that evidence which informed RSS may be a material consideration, depending on the facts of the case; and that decisions on planning applications in the pipeline may be reviewed in the light of the new freedoms following revocation of RSS. With particular regard to retail matters, local planning authorities are advised to continue to have regard to PPS4.

7.5. In this case, the development plan therefore comprises the saved policies of the Chorley Borough Local Plan Review (adopted August 2003) as per the direction made by the secretary of state in September 2007; together with the Sustainable Resources Development Plan Document adopted September 2008.

### 7.6. Chorley Local Plan

7.7. The relevant saved Local Plan Policies are as follows (and for information are detailed in appendix F):

- SP1 – Locations for Major Retail Development
- SP2 – Retail Allocations
- SP4 – Primary Shopping Area
- SP5 – Secondary Shopping Areas
- LT2 – Leisure Allocations
- TR1 – Major Development – Tests for Accessibility & Sustainability
- GN5 – Building Design & Retaining Existing Landscape Features

### 7.8. Sustainable Resources DPD

- Policy SR1 – Incorporating Sustainable Resources into New Development

### 7.9. National Planning Policy

7.10. The relevant national planning policy statements are as follows:

- PPS1 Delivering Sustainable Development
- PPS4 Planning for Sustainable Economic Growth (detailed in appendix H)
- PPS6 Planning for Town Centres: Guidance on Design & Implementation Tools (still extant following publication of PPS4)
- PPS12 Local Development Frameworks
- PPG13 Transport

7.11. The Chorley Local Plan Review was adopted in August 2003. It was saved in September 2007 and (applying principles contained in PPS12, especially section 9), in deciding to "save" policies, the Secretary of State would have had regard to

consistency with extant national policy (including PPS 6). Since that date, PPS6 has been superseded by PPS4. It is considered that PPS4 is a material consideration which post-dates the adoption of the Local Plan Review. Accordingly, where there are inconsistencies between the two policy documents, it is considered that greater weight should attach to PPS4.

**7.12. Other Material Considerations**

7.13. Partial Review of Regional Spatial Strategy (RSS)

7.14. The Partial Review of the RSS included a review of Parking Standards and set maximum standards in line with PPS4. The Partial Review was at an advanced stage and whilst regard must be taken of the revocation on RSS, the evidence base that supported the Partial Review is still a material consideration.

7.15. With regard to retail matters, the advice from the DCLG Chief Planner following revocation of RSS was to have regard to PPS4.

7.16. Central Lancashire Joint Core Strategy

7.17. A joint core strategy is being prepared as part of the LDF for Preston, Chorley and South Ribble Councils. The strategy is scheduled for publication later this year and therefore has little weight at this time. Emerging policies on retail matters are supported by an evidence base that includes the Chorley Retail Study 2005 and the 2010 Central Lancashire Study. Both these documents are considered below.

7.18. Chorley Corporate Strategy 2009/10 – 2010/11

7.19. This strategy seeks to ensure a vibrant local economy and a thriving town centre and a key project to achieve this outcome is to secure the redevelopment of the Pall Mall Triangle and Market Street.. Although not a planning policy, the Council's strategy recognises that the application site is a regeneration opportunity and it is therefore considered that substantial weight should be attached to its beneficial redevelopment.

7.20. Chorley Town Centre Strategy 2006

7.21. This strategy sets out a vision for the town centre and details the objectives and priorities. As it is not a statutory planning document, it has limited weight. However, it was prepared with the benefit of public consultation in April 2006 and is based upon the findings of the Chorley Retail Study 2005. (see below). The Town Centre Strategy identifies a positive picture that arises from studies and surveys about the town centre. It highlights a strong comparison offer 7th highest for non-food in the country and a turnover of £80 million (2003). The town had a low vacancy rate (2005) of 4.5%.

7.22. In particular, the strategy identifies the QS site as a key site that if developed properly will make a real difference. A main focus is to improve the fabric of the town centre, to concentrate on gateway sites that give people their first impression of the town centre (including Bolton Street and Pall Mall) with improvements to Market Street also a key priority. The strategy seeks to encourage people to come into Chorley and stay longer and a key to that is to improve accessibility.

7.23. Chorley Retail Study 2005 (White Young Green)

7.24. This is the most recent fully published Borough wide retail assessment for Chorley, and whilst it is at the end of its design life its basis is still relevant. The study was prepared in the context of the Booths store being under construction, and the Kwik Save store was still operating on Bolton Street. The relevant key messages of the study were:

- Chorley is a vibrant and vital town centre, however it cannot afford to stay still;
- There is a strong loyal catchment;



- There is surplus convenience expenditure available within the Borough totalling £39.2m and although the new Booths store will absorb a significant proportion of the projected capacity the residual is sufficient to support additional convenience floorspace (food grocery) in Chorley;
  - There is a requirement for approximately 9,400m<sup>2</sup> gross of additional non-food floorspace within Chorley town centre;
  - There is a need to broaden the range and choice of retailing;
  - There are areas of poor quality of public realm and need for environmental improvements;
  - There is a need for new leisure /evening facilities. Growth in the evening economy would be stimulated by improvements to the cultural facilities, quality restaurants, cafes, pubs and the attraction of more tourists;
  - There is scope to improve the operation of car parking.
- 7.25. The study recommended 4 priorities for the town centre:
- Town Centre Environment - Ensure that the physical fabric of the town maximises its contribution to future competitiveness of the centre through significant enhancement and general maintenance;
  - Town Centre Diversification - Address the underlying need to broaden Chorley Town Centre's economic base particularly in relation to stimulating the expansion of the evening economy, increasing the clothing and footwear offer and encouraging new small independent specialist retailers;
  - Business Promotion and Support - Provide greater opportunities for the strengthening of the town centre's role through stronger links with the business community and a greater level of support. This should be through the establishment of a town centre management structure.
  - Accessibility and Movement - Build upon the current high levels of accessibility and address specific deficiencies such as the current car parking system and pedestrian linkages within the town centre.
- 7.26. The study also provided information on the future need for retail floorspace to 2015. In 2005, a surplus of £39.2m, was available for convenience goods, but Booths was estimated to take £11.3m of that, and the residual £27.9m in 2005 was estimated to rise to £29.8m by 2015. The study also found significant overtrading at Morrisons, significant spending at out of centre locations, and a significant deficiency in convenience floorspace in Chorley. The study concluded that there was a clear quantitative need existed for a major supermarket in the town centre if a suitable site could be assembled.
- 7.27. In terms of comparison floorspace, the study forecast that by 2015, an additional £70.1m was available for comparison floorspace, equivalent to 9,355m<sup>2</sup> gross, assuming a constant market share..
- 7.28. The study looked at where there might be opportunities for additional retail and leisure development in Chorley. The following locations were identified:
1. Off Gillibrand Street and 5-9 Market Street possibly incorporating part of Fleet Street car park;
  2. QS fashions, Corner of Pall Mall/Bolton Street
  3. Redevelopment of part of Union Street Car Park
  4. Redevelopment of Market Place (the covered market)



Tesco Extra	31.3% (out of centre)
Asda (Clayton Green)	6.1%
Netto	5.1%

7.38. The main food retention within Chorley catchment is 83.9%. This is a relatively strong market share performance.

7.39. Convenience

7.40. Including forward projections of population and expenditure and commitments plus claw back from the stores above, the forward capacity table is below:

YEAR	2015	2018	2021	2026
Medium Retailer	3,723m <sup>2</sup> (gross)	4,704m <sup>2</sup> (gross)	5,511m <sup>2</sup> (gross)	6,889m <sup>2</sup> (gross)
Large Retailer	1,773m <sup>2</sup> (gross)	2,240m <sup>2</sup> (gross)	2,624m <sup>2</sup> (gross)	3,280m <sup>2</sup> (gross)

7.41. Comparison

7.42. Including forward projections of population and expenditure and commitments the capacity table is below:

YEAR	2015	2018	2021	2026
CAPACITY	14,886m <sup>2</sup> (gross)	18,062m <sup>2</sup> (gross)	22,015m <sup>2</sup> (gross)	29,479m <sup>2</sup> (gross)

7.43. The study notes that the quantitative capacity identified through the modelling exercise should not be viewed as a restrictive position, and that if sequentially preferable developer-led proposals for new comparison retail development emerge outside of the LDF process, which would complement and qualitatively enhance the retail offer within Chorley, then additional comparison retail provision could be supported in quantitative terms.

7.44. The study notes that independent provision in Chorley town centre is performing strongly. The strong independent trading should not be used to justify any quantitative need for new convenience provision, given that it is based on a hypothetical sales density figure.

7.45. The study notes that Morrisons is significantly overtrading, to the extent that there are qualitative and quantitative concerns in terms of consumer choice and competition within the town centre. The study notes that the re-assignment of the Morrisons overtrading surplus to a sequentially compliant location which encourages linked shopping trips with the town centre will deliver significant PPS4 benefits. The claw back of the Morrisons overtrading surplus will however only be realised through the provision of a new main stream foodstore which is of a comparable scale (full range convenience offer). The study also notes that there is no realistic prospect of a medium retailer genuinely clawing back from Morrisons. A new foodstore for Chorley therefore needs to be of sufficient critical mass so that a sufficiently broad offer can be made to the extent that it will be a genuine competitor and influence the behaviour of shoppers. The applicant has placed a high degree of reliance upon these findings and no objection has been received to this application from Morrisons.

**8. ASSESSMENT**

8.1. Applying s.38(6) of the Planning & Compulsory Purchase Act 2004, the application is to be determined in accordance with the development plan, unless material considerations indicate otherwise.

8.2. Consultants were appointed to advise the local planning authority on retail matters, (initially Martin Tonks and later GVA Grimley); and also on highway matters There

has been considerable debate over the retail and transport assessments provided by the applicant and that of the Council's own advisors. Members may wish to note that the assessments undertaken by different experts are often based on different datasets and different methods may be used in their preparation. Such assessments do require an amount of interpretation and estimation. It is therefore normal for experts to reach the same conclusions whilst differing in approach, and for different conclusions to be reached.

**8.3. Chorley Local Plan Review**

- 8.4. Appendix G details the relevant local plan policies. Appendix F details the proposals map for the site and its context.
- 8.5. While the local plan was adopted in 2003, many of its policies, including those on retail matters were saved by the Secretary of State in 2007.
- 8.6. SP1 – Locations for Major Retail Development: this policy follows the approach advocated in the now superseded PPS6 (1996), based on the needs test and the sequential approach. The policy essentially seeks to permit in-centre developments, subject to no adverse environmental or highway impacts; and details a criteria based approach to edge of centre and out of centre developments. This policy has been superseded by PPS4.
- 8.7. SP2 – Retail Allocations: this policy identifies a number of sites for retail development, again in the context of the now superseded PPS6.
- 8.8. Primary and secondary shopping frontage is defined on the proposals map. No challenge has been made by the applicant nor any objector to challenge the definition of the primary and secondary frontages. They are considered to be reasonably robust for the purposes of this application, in the light of all extant planning policy.
- 8.9. Policy LT2 allocates sites for leisure development, again based on the now superseded PPS6, followed a sequential approach and detailed criteria to prevent adverse impacts. LT2.1 details an allocation for Pall Mall/Bolton Street.
- 8.10. The proposed foodstore and the Bolton Street Development Opportunity Site are located outside the Chorley town centre boundary, while the car park and the Big Lamp Development Opportunity Site are located within the boundary.
- 8.11. The application site is partly allocated for retail development under policy SP2.2 and also partly allocated for leisure development under policy LT2.1, in that the site could be for either retail or leisure development. This part of the application site would include the petrol filling station, car parking and the Big Lamp Development Opportunity Site. However the proposed store is clearly outside the existing allocation, and does not benefit from any retail allocation.
- 8.12. Policy TR1 seeks to support the aims of PPG13 in seeking to reduce the need to travel. By influencing the location of development and infrastructure which encourage alternatives to the car then this will reduce congestion and promote a more sustainable form of development. It must be noted that matters in relation to transport and congestion also form part of the consideration within PPS4. The LCC highways officer has considered these matters and these are reported earlier in this report, and has concluded that there is no objection to the development. In assessing compliance with policy TR1, it is considered that the scope of highway improvements, mitigation measures and proposed conditions detailed within this report satisfy this policy.
- 8.13. Policy GN5 seeks to ensure that the design of new development is well related to its surroundings etc, and the policy requires the applicant to demonstrate a particular approach in relation to these matters. However, since the plan was adopted, PPS1

has been revised, and this prescribes a design led approach to development. Applicants are now required to submit a Design & Access Statement under circular 01/2006, and PPS4 requires proposals for economic growth to be assessed against design ,character and functionality under policy EC10.2. Accordingly, this aspect of the proposal is assessed later in this report.

- 8.14. In terms of the local plan as a whole, the fundamental guiding principle was to achieve sustainable development, and this remains a key principle of the plan making system today. The plan's objectives also remain relevant, in particular:
- to direct development to settlements and sites well served by public transport and where people are able to move safely on foot or cycle
  - To encourage investment in public transport and other non-car modes of travel, and seek to reduce the impact of road traffic;
  - To aim for good design and retain local distinctiveness;
  - To assist the regeneration of rundown areas.
  - To assist in improving the vitality and viability of Chorley town centre.
  - To avoid overloading local services and infrastructure by restricting development or requiring developers to contribute financially to improvements
- 8.15. It must be noted that the proposal also is considered to offer a range of benefits and these may be considered to be in keeping with the plan as a whole. This matter will be addressed later in the report.
- 8.16. In so far as the proposed store lies outside the town centre, the proposal is not considered to be in keeping with the local plan. However, notwithstanding that non-compliance with the local plan, for the reasons set out above, the application also needs to be assessed in accordance with PPS4 and other material considerations.
- 8.17. Sustainable Resources Development Plan Document**
- 8.18. The Sustainable Resources DPD and its companion guide SPD sets out the key principles associated with all forms of development with the priority being to reduce CO<sup>2</sup> emissions. The store has been designed to make a significant contribution to reducing CO<sup>2</sup> emissions. The applicant has also agreed to comply with the Council's DPD on Sustainable Resources, in that the building will be required to reach the BREEAM standard of 'very good' and renewable energy will be installed. The store and the two development opportunity sites can also be appropriately conditioned.
- 8.19. PPS4 – Planning for Sustainable Economic Growth**
- 8.20. The current PPS4 was published after the adoption of the Chorley Local Plan Review, the direction on saved policies, and the Sustainable Resources Development Plan Document. The recent advice following the ministerial statement of July 2010 advises that regard should be made to PPS4 for retail proposals. Compliance with PPS4 is therefore of key importance in determining this application. Appendix H details the key policies of PPS4.
- 8.21. PPS4 Overview**
- 8.22. This is an application for economic growth for the purposes of PPS4. PPS4 requires an approach to assessment based on whether the proposal is for a main town centre use, whether it is within a centre and also whether it is in accordance with an up to date development plan.
- 8.23. Retail development is a main town centre use; and, for the reasons set out above the proposal is not regarded as being within Chorley town centre. Compliance with the local plan is addressed above. With regard to the mechanism of assessment of a retail proposal, the local plan is considered out of date as PPS4 requires a different approach. No objection or evidence has been provided to challenge the boundary of

the town centre shopping area, nor that of the primary and secondary frontage, and therefore in these matters the local plan is considered to be up to date.

- 8.24. For the reasons set out above, it is considered that this application falls to be assessed under PPS4 as a proposal not within an existing centre and not in accordance with an up to date development plan.
- 8.25. Under policy EC10.1, local authorities should adopt a positive and constructive approach towards applications for economic development, and applications to secure economic growth should be treated favourably. Under policy EC10.2, the proposal should be considered against five impact considerations.
- 8.26. In this case, where the proposal lies outside the town centre and is not in accordance with the development plan, then under policy EC16.1, the proposal must be assessed against the six impact considerations upon town centres, and under policy EC17.1, consideration must be made in terms of whether the applicant has demonstrated compliance with the sequential approach as per policy EC15, and whether the proposal leads to any significant adverse impacts under policy EC10.2 and EC16.1.
- 8.27. If no significant adverse impacts have been identified, then under policy EC17.2, the application should be determined by taking account of the positive and negative impacts of the proposal and any other material considerations, together with the likely cumulative effects of recent permissions, developments under construction and completed developments. Any judgements about any impacts should be informed by the development plan, recent local assessments of the health of town centres which take account of vitality and viability indicators (in this instance the Chorley Retail Study 2005 and the Draft Central Lancashire Retail Study 2010); and any other published local information such as a town centre or retail strategy (in this instance the Chorley Town Centre Strategy and Chorley Corporate Strategy).
- 8.28. **Policy EC10.2 – Impact Considerations**
- 8.29. All applications for economic development should be assessed against the following impact considerations:
- 8.30. **Policy EC10.2a – Climate Change**
- 8.31. As previously explained in this report, the store has been designed to make a significant contribution to reducing CO<sup>2</sup> emissions. The applicant has also agreed to comply with the Council's DPD on Sustainable Resources, in that the building will be required to reach the BREEAM standard of 'very good' and renewable energy will be installed. The policy is up to date with current guidance and assessment and therefore the proposal complies with those elements of EC10.2.a. A reviewable Travel Plan will also help to ensure that the store can respond to climate change and limit associated CO<sup>2</sup> over the lifetime of the store. These matters can also be conditioned for the development opportunity sites.
- 8.32. It is not considered that the development would result in significant adverse impacts having regard to the information already presented in the applicant's design & access statement and resource conservation statement, together with the imposition of suitable conditions in accordance with the Council's DPD.
- 8.33. **Policy EC10.2b – Accessibility**
- 8.34. This policy seeks to deliver accessibility by a choice of means of transport including walking, cycling, public transport and the car, the effect on local traffic levels and congestion after public transport and traffic management measures have been secured. The County Highways officer has no objection to the proposal subject to various matters. The local planning authority have received specialist advice from

- Singleton Clamp on whether the accessibility of the proposed development is acceptable.
- 8.35. The initial submitted solution of a modified roundabout at the Big Lamp junction and a roundabout at the store entrance, together with subsequent modifications did not improve the current poor connectivity between Market Street and the site. The physical barriers of Pall Mall, George Street and Bolton Street were not overcome. Such barriers would result in little connectivity, little potential for linked trips, lack of regeneration and create the potential for an adverse impact on the southern end of Market Street in that it had the potential to draw visitors and shoppers to the town centre away from established patterns of movement and parking that may in turn impact on vitality and viability.
  - 8.36. Following discussions with LCC Highways and the Council's own advisors (Singleton Clamp), the proposal has been significantly modified by the applicant to improve the existing arrangements for pedestrians and cyclists, and to encourage linked trips between the store and the town centre and to improve accessibility to the bus station, the train station and local residential areas.
  - 8.37. The technical information has been amended several times, and LCC Highways and Singleton Clamp hold the view that there remain errors in the information and assessments submitted.
  - 8.38. The significant modifications to the initial submission include a signalled control solution to the Big Lamp junction with closer crossing points – an innovative solution not yet seen in Lancashire; a signalled controlled junction to the store entrance, improved provision for cyclists and a pedestrian first focus to the design and layout of the site. The store will include a real time passenger information system, and the applicant has agreed to provide real time passenger information displays on Bolton St and Pall Mall, and to improve the provision and location of bus stops and floorscape of Bolton St, and repainting of bus stop markings on Pall Mall. Such improvements are considered to improve access to sustainable forms of travel.
  - 8.39. The comments of LCC highways are recorded earlier in this report and no objection is made subject to certain matters. Singleton Clamp take the view that that the revised arrangements 'offer a significant improvement for pedestrians and cyclists' and the ability to link the signal timings will maximise car movement'.
  - 8.40. The new Big Lamp junction whilst a significant improvement raises some concerns about the detailed design of the junction and that there are some weaknesses with the modelling and layout. LCC Highways have considered the modelling and the layout of the junction and it is their view that despite there being some errors, once the errors have been corrected and with potential design changes that can be implemented during the design work linked to the s278 highways agreement, that the junction is acceptable and the best possible solution to improving connectivity.
  - 8.41. The treatment of the Big Lamp junction is critical to improving accessibility to the town centre. The proposed junction offers a significant improvement for pedestrians and cyclists in terms of its physical operation and its attractiveness for linked trips. During the detail design stage there will be fine tuning of the current proposals to provide the best possible level of service to vehicles whilst maximising connectivity to Market Street for pedestrians.
  - 8.42. In particular, Singleton Clamp acknowledge that the applicant has admitted that there is likely to be linked trips to the town centre but take the view that these trips have not been taken into account. Singleton Clamp also advise that the car park will operate at a capacity of 85-90% without taking into account the attractiveness of the car park for linked trips and this has the potential to result in over demand for spaces, with visitors searching for spaces and the potential for Asda shoppers and visitors to Chorley to abandon their intended visit. While the applicant's car parking strategy

included a control for long stay parking (over 3 hours), no controls were initially submitted for control of parking for less than 3 hours. This was considered to effectively draw trade from other car parks in the town centre which do operate a pay and display control, leading to further demand for spaces. When set against the 85%-90% capacity referred to above, it was concluded that the applicant's position on car parking strategy would result in an adverse impact on the highway in the form of congestion on the highway and reduce the potential for linked trips.

- 8.43. While other impacts of the applicant's initial car parking strategy will also be addressed later in the report, in essence, for the purpose of addressing this test, it should be noted that the impact includes congestion, reduced connectivity and the potential for shoppers to abandon visits. The applicant has recently amended their approach to car parking by agreeing to a pay and display mechanism consistent with other car parks in the town centre to effectively address this issue.
- 8.44. Policy EC10.2b envisages that traffic management measures should be taken into consideration before the impact test for congestion and local traffic levels is considered. Whilst improvements to junctions will assist in improving capacity around the application site, there is a need to maintain a balance of accessibility for pedestrians and ensure congestion and local traffic levels are at acceptable levels.
- 8.45. Overall, and with all improvements appropriately secured, including an appropriate car parking strategy, it is considered that the impact of the development will not be significantly adverse.
- 8.46. *Policy EC10.2c – Design, Character & Function***
- 8.47. This impact consideration reflects PPS1 paragraph 34. There are essentially 2 considerations. Firstly, whether the proposal secures a high quality and inclusive design, which is appropriate in its context; and secondly whether the proposal takes the opportunity available for improving the character and quality of the area and the way it functions.
- 8.48. The positive aspects of the character of the area are not reflected in the QS fashions building which appears dated, reflective of 1980s style retail architecture and sits rather uncomfortably in an area more characterised by smaller scale retail units of Victorian origin which still largely display their original scale and massing. Accordingly, this application offers an opportunity to introduce a high quality appropriately scaled modern building at this location which forms a focal point of interest yet still allows views into the site, opening it up and thereby bringing an isolated site back into the main shopping area of Chorley. The Asda store is set back at a distance so as to appear at an appropriate scale in the streetscene.
- 8.49. The proposed enhancements to the public realm will create opportunities for public enjoyment of a significantly improved, safe and attractively landscaped environment. Market Street is currently suffering decline, and this is reflected in the quality of the public realm. Improvements along this Street will enhance the main route in and out of the town centre, creating a pedestrian priority route along which the needs of the car are subservient to those of pedestrians and cyclists. Footpaths will be widened and raised crossing points introduced which will allow a greater diversity of uses along Market Street such as cafes and restaurants with outdoor sitting areas as people will be more inclined to linger and enjoy this enhanced environment. This should re-establish Market Street as a key destination in Chorley town centre.
- 8.50. The existing QS fashions building fails in terms of the streetscene as it turns its back on the street. There are no active frontages. This proposal offers an opportunity to redress this and create an attractive visual stop to Market Street by way of the Big Lamp Development Opportunity Site, whilst still affording views to the Asda store and car park to the rear, thus improving the legibility and therefore connectivity to the town centre. The car park includes a walkway which will be enhanced with tree



planting and link as directly as practicable to the store entrance, thereby promoting pedestrian movements.

8.51. A standard format Asda store has been successfully adapted to respond to its context. Brick has been introduced to reflect local materials, the entrance has been better articulated and a strong overhang has been introduced to create design interest.

8.52. In conclusion, the proposal delivers high quality design, in a contextually appropriate fashion and takes the opportunity available to deliver a significant improvement to the character, appearance and function of the local area; and will serve to establish a high quality distinctive built environment at the southern gateway to the town centre.

**8.53. *EC10.2d – Impact on Regeneration***

8.54. It is acknowledged in the Council's corporate strategy, town centre strategy and recent retail studies that the site and the surrounding area are in need of physical and economic regeneration. The proposal itself will involve a comprehensive redevelopment of the site and remove poorly maintained and vacant buildings and provide a modern high quality development well integrated with its surroundings. The proposal provides the best possible access by all available modes of transport and gives a high priority to pedestrian access. The improvements to Market Street, Bolton St and Pall Mall will enhance the permeability, accessibility and attractiveness of the area, and promote linked trips with the town centre.

8.55. The proposal represents a significant investment in Chorley and this will enhance and profile of the town in attracting other investment, and help stimulate further economic activity in terms of jobs and shopping behaviour that will result in spin off benefits for the wider town centre. There are other sites close to the application site that have stalled and have not been developed. The proposal is considered likely to positively influence the attractiveness of these sites for redevelopment.

8.56. The Council's Economic Development Officer has provided a favourable response to the proposal and views the scheme as essential to the continued growth and vibrancy of the town centre. In particular, the employment generated and the applicant's willingness to comply with the employment chart is welcomed, together with the added value to public realm, the works to Market Street and improved connectivity. In addition, she recognises that the proposal will claw back trade from out of centre stores. She reflects the concerns for local traders as expressed by objectors, but also notes the relatively low vacancy rate, and is concerned about the applicant's initial car parking strategy proposals in that they may undermine the balance of the town centre.

8.57. In terms of social inclusion, the proposal includes access provision for those with disabilities, and provides an attractive form that provides legibility. The applicant's approach to recruitment will provide training and employment opportunities for all sectors of the community, and the provision of the foodstore will widen consumer choice, especially important since Chorley is considered to be under represented in convenience provision.

8.58. Overall, the impact upon regeneration is positive and certainly not considered to be 'significantly adverse.'

**8.59. *EC10.2e – Impact on Local Employment***

8.60. The applicant estimates that the proposed Asda store will generate 400 jobs. However, no further breakdown of this number of 400 jobs is provided. GVA Grimley indicate that a more realistic figure for full time equivalent is 215 jobs. GVA Grimley also indicate that the trade diversion from existing stores is unlikely to lead to any loss of jobs because those stores would need to respond; and that there is a likelihood that there could be some employment displacement from the town centre.

Conversely, the Asda store is likely to support regeneration and retention of shops at the southern end of Market Street. Asda have indicated a commitment to sign up to the Council's Employment Charter, to identify local unemployed people suitable to be employed and they have also submitted evidence of other stores where this has happened. Employment will also be generated during the construction phase, and indirect employment would also be generated from the suppliers of goods and services. So, on balance, it is considered that the impact upon employment will be a positive one in relation to job creation and local employment considerations and is not considered to be 'significantly adverse'. This view is also supported by the comments of the Council's Economic Development Officer.

8.61. Considering the 5 impact considerations of EC 10.2 (both individually and as a whole), it is not considered that there will be any significant adverse impacts for the purposes of EC 17.1 and 17.2 PPS 4.

**8.62. EC15 – Sequential Test**

8.63. A key consideration in assessing whether a sequential assessment is required is whether the proposal is classed as "out of centre" or "edge of centre", and the proximity to the Primary Shopping Area (PSA) is a key consideration in this regard. A proposal is considered to be "edge of centre" if it is well connected to, and within easy walking distance (i.e. up to 300m) of the PSA and account should also be taken of local circumstances, and must have regard to crossing points etc. Distance is measured from the PSA to the store entrance, and PPS4 seeks to assess a walking distance that must have regard to the crossing points etc. The proximity to the PSA has been subject to debate between various parties including the applicant, objectors and advisors.

8.64. The Primary Shopping Area (PSA) is defined within the Chorley Borough Local Plan and stretches south along Market Street to its corner with St Georges Street. The appropriateness of the boundary of the PSA is not challenged by the applicant; and is confirmed as appropriate by GVA Grimley and Singleton Clamp. Accordingly, this proposition is accepted for the purpose of this assessment.

8.65. The current QS store is at the edge of the application site facing the Big Lamp roundabout, and is 315m from the PSA. There are entrance doors facing onto the Big Lamp roundabout and this would meet the PPS4 test, but the doors are not currently in operation, and access is currently gained at the rear of the store.

8.66. The entrance to the proposed store is situated further to the rear of the site towards Duke Street. The Council's advisors hold the view that the straight line distance from the PSA to the proposed store is 260m, and the walking distance from the PSA to the store entrance is 440m and 315m to the edge of the site. NJL suggest the distance to the store entrance is 350m, while SAA do not take a view on distance.

8.67. On the basis of all the information supplied and the evidence from the GVAG/Singleton Clamp, the distance of 315m to the edge of the site and 440m to the store entrance is considered accurate for the purpose of this assessment. This would lead to a conclusion that the store is "out of centre".

8.68. In their letter of 24<sup>th</sup> May, the applicant acknowledges that the relationship to the PSA is complex, accepts the food store is out of centre, but considers this to be too simplistic an approach as the proposal as a whole offers the potential for improved linkages and spin off benefits. The resulting development would result in the store operating effectively as an edge of centre store. This position is accepted. Physical distances are just one (important) input into the judgment, but this does not change the position that the proposed store falls to be considered as a proposal outside the town centre for the purposes of PPS4.

8.69. Accordingly, it is considered that the development is not in a centre and not in accordance with an up to date development plan. A sequential assessment is therefore required under policy EC15 of PPS4 and this has been undertaken by the applicant.

**8.70. Sequential Assessment**

8.71. Applying EC 15.1 PPS4, all "in-centre" sites should be assessed in terms of availability, suitability and viability before less central sites are considered. Where it can be demonstrated that there are no 'in centre' sites which can accommodate a proposed development, preference should be given to edge of centre locations which are well connected to the centre by means of easy pedestrian access. Developers are required to demonstrate flexibility in terms of scale (reducing the floorspace of their development), format (more innovative site layouts such as multi-storey developments with smaller footprints), reduced car parking provision or reconfiguration, and the scope for disaggregation.

8.72. In terms of flexibility, PPS4 advocates high density and multi storey design as one option. However, PPS4 guidance also highlights that it is not the purpose of national policy to require development to be split into separate sites where flexibility and the scope for disaggregation have been demonstrated. The requirement for consumer choice and the promotion of competitive town centres is also a consideration.

8.73. The applicant's position on flexibility is that is that the foodstore needs to be of this scale in order to ensure successful claw back from existing out of centre provision; and that the inclusion of an element of comparison goods is also required to provide a full offer for the same purpose.

8.74. In terms of the Big Lamp Development Opportunity Site, it has been argued that this element of the scheme could be located on a more sequentially preferable site. However, this would remove the possibility of enhancing the design and character of the site, and to create a focal point at the gateway to the southern part of the town centre. The disaggregation of this element would not, therefore, on balance be considered to be appropriate.

8.75. In terms of scale, GVA Grimley advise that the proposed store is of an appropriate scale relative to existing foodstore provision in the borough and the wider retail hierarchy. They do raise concerns about the amount of non-food floorspace, in that they take the view that the applicant has not robustly addressed the matter. They also acknowledge an existing fall back position.

8.76. *Fallback Position* - The site currently includes the Big W and Kwik Save buildings to be used for food retailing. These two units have established unrestricted class A1 retail use with the former Kwik Save building having a floor space of 2,073m<sup>2</sup> gross and the Big W (former QS) having 3,662 m<sup>2</sup> gross. Asda indicate that the uplift in retail floor space will only be 688m<sup>2</sup> net from the redevelopment of this site.

8.77. The weight that can be attached to the fallback position depends on whether the prospects of the fallback occurring are "real" and not merely "theoretical". GVA Grimley consider, on balance, the weight to be attached to the fallback to be limited and may constitute a hypothetical situation. There is no reference to the fallback position expressed in the comments of the objectors.

8.78. In respect of the Kwik Save building, it has not been occupied for convenience retailing since 2007, and the prospect of this being used in its current form is considered theoretical and so limited weight can be attached to the presence of the retail unit within the application site.

8.79. In respect of the Big W store, it is currently occupied. The property is now owned by Asda, and the existing tenant has indicated an intention to relocate. If it were not for the proposal, it is considered reasonable that the occupier would remain on site. The

store is located close to the town centre and has realistic prospects of attracting a tenant. Greater weight can therefore be attached to this element of the fallback position.

- 8.80. Therefore, the fallback position asserted by the applicant is considered to be overstated. The net fall back position is for comparison floorspace only, for 2,200m<sup>2</sup>, which is some 400m<sup>2</sup> more than the comparison element of the proposed store of 1,799 m<sup>2</sup>.
- 8.81. GVA Grimley take the view that the proposed store needs to be of a comparable non-food offer in order to effectively compete on both qualitative and quantitative terms in order to materially change existing shopping patterns and draw residents back into Chorley. They conclude that whilst the applicant fails to robustly address their main points of concern regarding the scale of non-food provision within the store, they do concede that the scale of such provision may be appropriate in this instance. It is therefore considered that flexibility must be balanced against the need for a large operator to support more sustainable patterns of shopping behaviour; and that it is appropriate for the sequential assessment to be undertaken on the basis of the Asda floorspace and footprint. Accordingly, it is considered that the scale of the development is appropriate and that the floorspace of the development should not be reduced.
- 8.82. It is considered that all relevant sites have been assessed by the applicant. In particular, all in-centre options have been thoroughly assessed before the application site has been considered.
- 8.83. **Sequentially Preferable Sites**
- 8.84. The “saved” policy SP2 of the Chorley Local Plan identifies several Major Retail Sites and these are detailed below:

SITE	CURRENT POSITION
2.1 - High Street / Cleveland Street / Union Street including the bus station site / New Market Street and the Flat Iron	Booths / Pub on half the site and the remaining part of the Flat Iron is still operating as a car park.
2.2 - Bolton Street / Pall Mall	Currently occupied by QS Fashions / Big W and Car Park
2.3 - Corner of Gillibrand Street and Market Street	Now built with shops and flats above.
2.4 - 5-13 Fazakerley Street	Now built.
2.5 - 5-9 Gillibrand Street	Land rear of former McDonalds site remains vacant as does McDonalds building.
2.6 - Clifford Street / Portland Street	Retail Development now built.
2.7 - George Street / Lyons Lane	Retail Development now built.

- 8.85. Members will be aware that an application for an extension to Market Walk has been submitted, and that a previous scheme was abandoned prior to submission. This site comprises part of the Flat Iron Car Park, and is unallocated in the local plan, but abuts the boundary of the town centre and that of the PSA. The applicant for the Market Walk Extension scheme has objected to this application, taking the view that the Market Walk Extension site is a sequentially preferable site. SAA (on behalf of Booths) do not refer to the sequential assessment or identify any alternative sites.
- 8.86. It is considered that only two allocated sites (2.1 Bolton Street/Pall Mall and also 2.5: 5-9 Gillibrand Street) under policy SP2 need to be examined for the purpose of the sequential test, as they are of a sufficient size to accommodate the proposed development, together with the site for the proposed Market Walk Extension. The plan at appendix F highlights the sites for consideration. Site 2.1 has in part been

developed by the construction of the Booths store (site A on the plan), while the western portion of the Flat Iron Car Park remains allocated but unimplemented and is marked as site B on the plan. The proposed Market Walk Extension is marked as site C, and the site at Gillibrand Street is also illustrated.

8.87. Site 2.1. High Street / Cleveland Street / Union Street (Site A & B)

8.88. *Availability* - The site has been partly developed leaving the western half of the Flat Iron car park allocated site for retail development. The whole of the Flat Iron car park is owned by the Council. It is therefore considered that the site would meet the definition of 'Availability' within PPS4 Practice Guidance at paragraph 6.37).

8.89. *Suitability* – The site is currently used as a location for an open market each Tuesday. Any development would require the permanent relocation of the market. Following consultation and the preparation of a town centre strategy, the Council has identified the Flat Iron Car Park as a key project within the current corporate strategy. The scope of the study and initial designs identify the need to enhance Clifford Street and Market Street and provide landscaped buffer areas. Such requirements will constrain the potential developable area of this potential site.

8.90. The western half of the Flat Iron Car Park would have 4 active frontages, no identified location for servicing and the size of the site means that the development would require a multi storey solution and would therefore not support the aims of PPS1 in responding to the local context or reinforcing local distinctiveness. This site due to its constraints and the potential for harm is not considered to be a suitable site.

8.91. *Viability* – Having regard to the constraints associated with suitability if the site is not 'suitable' then the viability cannot be robustly tested for Site B.

8.92. Site of Proposed Market Walk Extension (Site C)

8.93. *Availability* – The site forms the eastern part of the Flat Iron Car Park, and is owned by the Council. Members may recall that discussions on the sale of land to facilitate the previous scheme reached an advanced stage prior to abandonment. The owner has contacted the Council to commence discussions about the sale of the land for the new scheme. It is therefore considered that the site would meet the definition of 'Availability' within PPS4 Practice Guidance (paragraph 6.37).

8.94. *Suitability* - There have been discussions regarding the Market Walk extension for approximately 3 years, with public consultation undertaken on the first scheme in 2007. The scheme was abandoned before an application was submitted. An application has recently been submitted (5 March 2010) but has yet to be determined for a 7,600m<sup>2</sup> open A1 retail development with 451 parking spaces over 5 floors with a max height of 21.5m. This application was submitted following the submission of this application by Asda (submitted 20 November 2009), without any further public consultation and the scheme is much different to the previous scheme.

8.95. Whilst there has not yet been any formal consideration of this Market Walk extension application, nor have any formal comments been received on the recently submitted amendments to this scheme at the time of writing this report, Planning Officers have significant concerns about the impact of this proposed development on connectivity and in highway terms, especially upon the access to the bus station, together with the location and method of servicing. These matters are the subject of ongoing discussions which have resulted in a greater proportion of the land owned by Rreef being included in the application site and making its use and development for a single 3<sup>rd</sup> party operator more complicated. Whilst GVA Grimley (on behalf of the Council) acknowledge that there are major technical constraints which may preclude the proposed scheme coming forward and whilst they also conclude that the current Rreef proposal may not be deliverable, they rightly consider it will be for the local

- planning authority to consider this latest application through the development control process.
- 8.96. Regardless of the merits of the latest proposal, the merits of the site must nonetheless be considered in the sequential assessment. The site is constrained by the Flat Iron improvement scheme and the presence of the Shopmobility office and associated parking. In addition to which the servicing of the site is constrained due to the dual carriageway arrangement of Clifford Street and the presence of the Bus Station and pedestrian access to the train station. There are significant constraints to developing the Asda scheme on this site and as such the site is not considered suitable or acceptable for the Asda scheme. In reaching this conclusion the advice in the companion guide to PPS4 regarding multi storey stores has been taken into account but there is no robust evidence to support the case that this site is suitable for this form of development. Indeed, the absence of an acceptable scheme emerging in the last 2-3 years further supports this conclusion.
- 8.97. GVA Grimley have raised the possibility that “the Reef proposal is a commercially motivated response to ‘block’ the Asda scheme; PPS4 specifically raises caution when such applications are received and the Council must determine whether the Reef scheme is a ‘blocking’ proposal with little realistic prospects of implementation”.
- 8.98. Having considered the various schemes submitted on this site and the various amendments to the current scheme, including one submitted on the 28<sup>th</sup> September 2010, it is considered that the view previously expressed that this site is not suitable remains as there is insufficient evidence before the Council that a scheme can be designed that meets the requirements of PPS1 in terms of design and PPS4 policies that would be applied to this site, together with concerns about connectivity and highway safety.
- 8.99. The development of this scheme has been going on for a significant length of time and the recent application is considered to be a response to the Asda proposal. It is considered not to be in the public interest to delay the consideration of this application pending ever further amendments that will attempt to demonstrate that a scheme can be delivered on this site. Ultimately, it is considered that the site is not suitable for a scheme of this scale and (for the reasons set out above) the scale of the Asda scheme is deemed to be appropriate.
- 8.100. *Viability* - There are no significant viability constraints to establishing a store of the scale of Asda on this site. However, having regard to the constraints associated with suitability if the site is not ‘suitable’ then the viability cannot be robustly tested.
- 8.101. Conclusion - It is concluded therefore that the Flat Iron site, whilst in location terms a preferred location, it will not meet the ‘need’ and has significant constraints that would rule out the site in terms of the sequential assessment.
- 8.102. Site 5 to 9 Gillibrand Street
- 8.103. In terms of other sites within the town centre, the only other site of an appropriate size would be the Market Street/Gillibrand Street site that has a small (short stay) Council car park adjoining. Significant work to identify a design solution for a smaller scale of retail has been undertaken for this site and there are significant constraints associated with levels, access for servicing and the proximity of adjoining residential properties and existing businesses. In the light of this work, it is not considered that this site meets the PPS4 tests and is not considered a sequentially preferable site because it is not suitable.
- 8.104. Overall Conclusion on the Sequential Assessment:
- 8.105. Sequential Assessment Conclusion: - The proposal is out of centre, but with the associated improvements, it will operate as an edge of centre store. Whilst walking distances are one element of this judgement, ultimately a balanced planning

judgement is required on this issue. The development plan is not up to date in regard to the mechanism for assessing applications for development, and a sequential assessment is required. All relevant sites for that assessment have been identified. On balance, a store of this scale is required to effectively claw back leakage to other out of centre locations. In applying the requirement to demonstrate flexibility, this has to be set in the context of other national planning policy objectives and local circumstances. There are no sequentially preferable sites, which are suitable, viable and available, and therefore the application passes the sequential test and is in accordance with policy EC15.

- 8.106. **Development Opportunity Sites** - It has been suggested the sequential test is also required for the two development opportunity sites. This issue has been carefully considered by the local planning authority and discussed with the applicant and the Council's advisors.
- 8.107. Paragraphs 6.9 – 6.10 of the PPS4 good practice guide considers the approach to different town centre uses, and notes that the sequential approach applies to all main town centre uses. This would therefore be considered to apply to the open A class and the B1 class, but not the D1 class at the Bolton Street Development Opportunity Site.
- 8.108. The Big Lamp Development Opportunity Site lies wholly within the existing allocation under policy SP2.2 and would therefore fall to be considered as in keeping with the local plan (notwithstanding the position on whether the local plan can be regarded as up to date). The existing QS site also benefits from an open class A consent.
- 8.109. The guide also requires local authorities to consider the relative priorities and needs of different main town centre uses, particularly recognising their differing operational and market requirements; to make the best possible use of scarce town and city centre sites, and promoting mixed uses wherever appropriate resources. Acknowledgement should also be made of the role of key retail anchors in generating pedestrian flows and reinforcing a compact well-defined retail area.
- 8.110. Annex B of PPS4 concerns definitions, and the footnote to the definition of edge of centre sites notes that for office development, locations outside the town centre but within 500m of a public transport interchange (including railway and bus stations) should be regarded as edge of centre locations for the purposes of the sequential approach. In this regard, the Bolton Street Opportunity Site (B1 class) is over 600m from the bus station, lies within the town centre inset boundary and outside the boundary of the town centre shopping area as defined on the local plan proposals map, and could therefore be considered to require a sequential assessment. It is also noted that the intention is for the Probation Service to relocate from within the existing site.
- 8.111. It is therefore accepted that the intended open A and B1 uses could be sited in another perhaps more sequentially preferable site within or (in the case of the Bolton Street site) on the edge of the town centre.
- 8.112. However, it is also important to note that the two development opportunity sites arise out of the fact that the development is proposed to meet the retail needs of Chorley town centre. In this regard, they can be regarded as subordinate to the principle land use of the development site as a whole, and to include them in a sequential assessment would be disproportionate.
- 8.113. In addition, the role of the proposed foodstore as an anchor store for the southern end of the town centre is significant, and the comprehensive scheme proposal will allow the best possible use of land.
- 8.114. It is therefore concluded on balance that a sequential assessment for the two development opportunity sites is not required. It is further concluded that even if an

alternative view is taken, it is considered likely that the potential benefits of the scheme as a whole (as detailed elsewhere in this report) would outweigh the harm that may arise from not locating these uses in more sequentially preferable locations.

- 8.115. Accordingly, for the above reasons, the applicant has not been requested to include the two development opportunity sites in a sequential assessment.

**8.116. EC16.1 – Impact Assessment**

- 8.117. The application must be assessed against the six impacts identified under policy EC16. In applying EC 17.1 (b), the LPA must consider whether there is likely to be a significant adverse impact.

**8.118. EC16.1a – Impact on Investment**

- 8.119. PPS4 requires the impact to be considered on existing, committed and planned public and private investment in a centre or centres within the catchment area of the proposal. GVA Grimley advise that the main impact is considered to be upon existing out of centre stores including Morrisons in Chorley, Asda at Clayton Green and Tesco at Foxhole. Such impact would claw back expenditure to the town centre. However, the principal concern is the impact on the more centrally located Booths store. GVA Grimley take the view that the applicant proposes a relatively low trade diversion from Booths and that the applicant accepts the proposition of the 2010 draft study that Booths may be undertrading. GVA Grimley have also taken the view that Booths position may be under estimated in that study as trips to Booths may have been recorded as town centre trips rather than the actual store; that the increase in convenience trading for the town centre since 2005 is attributed to the Booths store.

- 8.120. GVA Grimley estimate the impact of the proposed Asda upon Booths at 2013 is to be 7% and they take the view that Booths can accommodate the impact; that the potential trading impact upon Booths must be balanced against the wider quantitative and qualitative benefits arising from the new store, which would provide effective competition and choice for local residents. While PPS4 guidance is clear in that the impact should not fall on one particular retailer but on the centre as a whole; and that on balance, the positive benefits arising from the Asda store may outweigh the harm identified to Booths.

- 8.121. In terms of comparison trading, GVA Grimley advise that the applicant has understated the impact from the non-food element of the store, and that the town centre while relatively healthy and capable of accommodating the forecast expenditure, has an offer which is not particularly different to that of an Asda store. The applicant accepts that the new store is unlikely to alter comparison shopping patterns. |

- 8.122. GVA Grimley advise that the impact is difficult to estimate. Their assessment is based on the draw across the town centre and a 21.6% trade draw is identified at 2013 across the town centre with that being shared amongst all the shops. GVA Grimley hold the view that the potential non-food impact would not be significantly adverse given the fallback position and the comparison expenditure capacity within the Chorley catchment.

- 8.123. In terms of proposed investment, the key scheme is the proposed Market Walk extension. Whilst there is an emerging scheme which could be realised, it must be noted that the scheme has been in the pipeline for about 3 years with amendments still being submitted. There are significant doubts about an acceptable scheme being able to be designed and approved for the level of floor space proposed. As GVA Grimley advise, no operator is identified for the scheme, the scheme does not benefit from an allocation in the local plan, it is based on a previous scheme which was considered unviable prior to any formal submission, and it utilises technical work associated with a previous scheme. GVA Grimley take the view that it is not a



proposal which has been actively planned or promoted prior to the Asda scheme coming forward, and conclude that it is possible that the scheme is a commercially motivated response to block the Asda scheme with little prospect of implementation.

- 8.124. NJL argue that existing operators have been approached in relation to the Big Lamp Development Opportunity Site, but no substantive evidence has been submitted. GVA Grimley advise that there is no evidence to suggest that the two schemes are competing for the same market opportunity, given that the extension scheme seeks an unrestricted class A1 consent and this suggests that the extension scheme is not specifically targeting a foodstore operator. GVA Grimley note NJL's responses express concerns as to the potential negative impact of the non-food element of the Asda scheme, but find nothing in their submitted objections that the Asda scheme would ultimately undermine the deliverability and viability of their own scheme.
- 8.125. For the reasons above, it is concluded that limited weight can therefore be attached to the likelihood of the extension scheme being developed within 5 years and if developed it is considered (at this time) more likely to be for a smaller convenience floorspace anchor store and/or complementary comparison provision to support the existing Market Walk as NJL state in their responses. The evidence therefore suggests that the impact cannot be regarded as significantly adverse.
- 8.126. While a Tesco store at Buckshaw is currently under construction, account has been taken of this in the relevant assessments. The store is not within a centre, and impact assessments identify no adverse impacts upon the scheme.
- 8.127. In terms of the impact upon investor confidence, it is considered by the applicant that the proposal will act as a catalyst for further investment, especially on Market Street, and this position is considered reasonable. It is also considered that the NJL's submissions are evidence of Rreef's reduced confidence in Market Walk (the existing centre and their proposed scheme), but on balance, the reduction in confidence in Market Walk against increased confidence on Market Street is considered to be positive.
- 8.128. It is therefore concluded that there is no robust evidence of 'significant adverse' impacts with regard to investment within the town centre. On the contrary, on balance, the impact is considered to be positive.

**8.129. EC16.1b – Impact on Vitality & Viability**

- 8.130. In assessing the impact of a proposal on town centre vitality & viability. PPS4 directs local planning authorities to balance the desirability of maintaining and enhancing the turnover of existing facilities with the benefits of improved consumer choice, competition and access to new retail facilities. PPS4 practice guidance acknowledges that impacts are inter-related and judging their significance requires an understanding of the centre and its vulnerability.
- 8.131. PPS4 acknowledges that trade diversion from a centre can seriously undermine vitality and viability, resulting in reduced footfall, increased vacancies and a more 'down market' offer. The PPS4 practice guide does highlight that there are no meaningful benchmarks of what constitutes an acceptable level of trade diversion and that a judgement about the positive and negative effects needs to be taken.
- 8.132. There has been considerable debate from stakeholders within the town centre about the degree of impact. As referred to and considered above in the assessment against EC16.1a and elsewhere in this report, the main impact will be on existing out of centre stores (this will serve to claw back trade) and the impact upon Booths (the potential impact may be offset by other benefits).
- 8.133. Whilst SAA and NJL highlight the impact of trade draw upon vitality & viability, town centre traders and other parties are concerned about the impact on independent and smaller businesses. Others feel that additional footfall generated on Market Street

- will assist in maintaining and improving the offer at the southern end of Market Street, and prevent further vacancies, and promote further investment.
- 8.134. As noted earlier in this report and by the applicant and GVA Grimley, and in retail studies, Chorley town centre performs comparatively well for example in terms of vacancies and independent retailing. GVA Grimley conclude that Booths can withstand the impact identified and that it has failed to reverse the dominance of out of centre mainstream stores in the Chorley catchment.
- 8.135. SAA consider the impact of a 400+ space car park being freely available to be significant to Booths, and whilst as a store Booths has the potential to compete to some degree, without some controls on car parking the position of Booths is weakened. This is an important consideration for the Booths / Market Walk end of the town centre and is considered to be a potentially significantly adverse impact upon the town centre.
- 8.136. In response, the applicant has agreed to the imposition of a more suitable car park management strategy (letter of the 10<sup>th</sup> September 2010) and this is considered to address the Booths position and mitigate concerns expressed by NJL. The commitment from the applicant to a more appropriate car parking strategy in the form of a pay and display/ticketing control for short stay visitors together with the initial proposals to control parking over three hours will mitigate against the negative impact of the development by maintaining the “level playing field” within the town centre and minimising congestion.
- 8.137. The applicant (in their letter of the 10<sup>th</sup> September) whilst criticising some of the work undertaken and raising concerns have accepted that parking controls in the form of pay and display will be introduced and this provides the “level playing field” raised by NJL as a concern and requested by Booths to overcome or limit the impact on their store. This is a positive step and overcomes a great many of the concerns and objections that have been raised by individuals and agents on behalf of their clients.
- 8.138. Singleton Clamp who have provided advice on highways matters particularly around car park impact have provided a robust rebuttal letter to the applicant’s position with regard to the soundness of their advice. Singleton Clamp have also provided further information to support the need for pay and display parking and assessed it against the tests in Circular 11/95.
- 8.139. Without the parking controls now accepted by the applicant, the negative impact resulting from a free park for up to three hours would outweigh the positive impacts outlined. The applicant has agreed that a condition can be imposed and their view is that a condition would meet the tests of circular 11/95 (Use of Conditions in Planning Permissions). With such a suitable control, the impact is considered not to be significantly adverse.
- 8.140. In respect of comparison goods, the applicant makes reference to the fallback position and this has been addressed earlier in this report. The existing comparison floorspace on site is greater than the proposed Asda store by approximately 400m<sup>2</sup>. It is considered that significant weight should be placed on this position.
- 8.141. It is important to acknowledge the positive contribution to vitality & viability of the other aspects of the proposal, and these are referred to earlier in the report under the tests concerning EC10., and will be addressed in the later section of this report as part of the assessment against EC17.
- 8.142. Given the advice of GVA Grimley and Singleton Clamp referred to above, it is therefore concluded that there is no robust evidence of ‘significant adverse’ impacts with regard to the vitality and viability of the town centre. On the contrary, on balance, the impact is considered to be positive.
- 8.143. EC16.1c – Impact on Allocated Sites outside Town Centres**

8.144. There are no sites outside the town centre that are presently subject to an allocation and therefore it is considered that there will be no 'significant adverse' impact.

**8.145. EC16.1d – Impact on turnover and trade**

8.146. The applicant undertook their own retail assessment and took account of the 2005 WYG retail study. GVA Grimley have prepared the draft 2010 study for Central Lancashire and provided advice upon this application to the local planning authority. Extracts from the 2010 study have been published for the purpose of determining this application; they have been made available to objectors and the general public, and are summarised within this report. It is considered that the assessment of this application has had the benefit of up to date information upon which to assess the impact on turnover and trade. These impacts are detailed earlier within this report.

8.147. With regard to the impact upon Booths, it is accepted that the ability to withstand an impact does not necessarily mean that this impact is acceptable. However, it is also acknowledged that Booths appear not to have stemmed the leakage to out of centre stores, and that a large mainstream foodstore within or on the edge of the town centre is needed to address this. It is also relevant that the proposed car parking controls offered by the applicant will mitigate against this impact.

8.148. While the respective positions of the applicant and GVA Grimley rely on judgment, from the information provided and assessed, and taking into account the objections from third parties, together with the fact that there is no meaningful benchmark of an acceptable level of trade diversion, and the particular local circumstances it is concluded that the impact upon trade and turnover is unlikely to be significantly adverse, especially when set against the benefits of improved customer choice, competition and access to new facilities, and the benefits arising from improved connectivity within the proposed scheme. It is therefore concluded that there is no robust evidence of 'significant adverse' impacts with regard to impact on trade and turnover, and on the contrary, on balance, the impact is considered to be positive.

**8.149. EC16.1e – Appropriateness of Scale**

8.150. As noted earlier in this report, GVA Grimley hold the view that the applicant has not robustly addressed the issue of scale in relation to the comparison element of the proposed store. However, on balance, they accept that the scale of the store including its comparison element is considered to be appropriate in order to effectively compete on both quantitative and qualitative terms in order to materially change existing shopping patterns and draw residents back into Chorley. Such a scale is also required to enable the Asda store to act as an anchor to the Southern end of the town centre, resulting in increased footfall between the site and the town centre and securing the occupation of the Big Lamp Development Opportunity Site.

8.151. The proposals will also be accessible to the catchment by virtue of their accessibility to alternative means of transport. The scheme includes proposals to provide real time passenger information and to improve the number and location of bus stops, disabled parking for example.

8.152. It is therefore concluded that the scale of the store will not result in 'significant adverse' impact, and on the contrary, on balance, the impact is considered to be strongly positive. In reaching this conclusion, the views of all objectors, the applicant and the GVA Grimley have been taken into account.

**8.153. EC16.1f – Locally Important Impacts**

8.154. Such tests would emerge from the joint Core Strategy and whilst there are no definitive tests, the Council's Corporate Strategy identifies some key projects, one of which is Market Street improvements, towards which this proposal contributes, and the other is the regeneration of the Bolton Street / Pall Mall Triangle. For the reasons previously outlined in this report in respect of the impacts upon regeneration, the

proposal makes a significant contribution. The impact is not therefore considered to be 'significant adverse'.

8.155. Overall, GVA Grimley conclude that the impact of the proposed store is unlikely to be significantly adverse as there is significant growth arising within the Chorley catchment and the provision of the new store in close proximity to the town centre will deliver positive benefits in terms of consumer choice, competition and potentially supporting linked trips.

8.156. It is therefore concluded that there will be no adverse local impact and on the contrary, on balance, the impact is considered to be strongly positive.

**8.157. EC17- Consideration of Planning Applications for development of main town centre uses not in a centre and not in accordance with and up to date development plan**

8.158. Policy EC17 requires that planning permission should be refused for sites not in accordance with an up to date development plan if the applicant has not satisfied the sequential assessment or if there is a significant adverse impact in respect of the impact considerations under policy EC10 and EC16. The preceding paragraphs have undertaken the required assessments and concluded that there are no sequentially preferable sites and also that the test of significant adverse has not been met for any of the impact considerations.

8.159. Policy EC17 then requires a balancing exercise of the positive and negative impacts assessed under policy EC10.2 and EC16, and any other material considerations; and the likely cumulative effect of recent permissions, developments under construction and completed developments.

8.160. The balancing exercise for the impact areas under policy EC16 have been addressed in the preceding paragraphs dealing with EC16 in this report, the balancing exercise in respect of the impact areas under EC10 follow.

8.161. It is not intended to repeat the information already provided and assessed. However similar headings will be used to balance those negative and positive impacts. Members should have regard to what has been presented previously in the report in addition to the following:

**8.162. Climate Change**

8.163. It has been concluded above that the impact of the development will not be significantly adverse. The Council's policy on climate change is seeking a significant reduction of CO<sup>2</sup> emissions over and above the current legislation in the form of the Building Regulations. The development, encompassing a large retail unit, small retail unit and potential office block would all have to meet and comply with the Councils DPD and SPD on climate change. Achieving development on the ground that complies with the strict guidance in those documents will be a positive step for this development site as all the existing buildings are outdated and are likely to be highly inefficient, but also for signalling a commitment towards achieving national targets and local targets (Corporate Priority) for CO<sup>2</sup> emission reduction. On the basis of the imposition of a condition in line with the Councils DPD this development represents a positive contribution towards Chorley's planning and corporate objectives.

**8.164. Accessibility**

8.165. The assessment under EC10 and EC16, together with the comments of the LCC Highways Officer and the advice of Singleton Clamp are extensively considered earlier in the report. The improvements to connectivity (notably the Big Lamp junction), the improvements to Market Street and an appropriate car parking strategy which includes effective short stay parking controls are particularly significant benefits

arising from the proposal that assist in mitigating any potential negative impacts, which may have previously been regarded as adverse.

#### **8.166. Economic & Physical Regeneration**

- 8.167. *Physical Regeneration* - The fact that the Pall Mall triangle and Market St are key projects in the Corporate Strategy 2010-11 is a material consideration in the determination of this application. NJL state that they do not object to robustly beneficial regeneration but feel that the impacts must be mitigated fully and also that the works to Market St do not go far enough to outweigh the adverse impact. Booths have commented on the position of the petrol filling station (PFS) on the site and question the implementation of the Market St works, whilst welcoming the potential for inward investment.
- 8.168. The elements of the scheme including the external works to Market St, the Big Lamp signalled controlled junction, the public open space; the development opportunity site, the design and presence of the store within a landscaped site and the removal of visual blockages and over dominant buildings like the QS store all contribute positively to the regeneration of the site which has had a mixed and very much ancillary status in the past. The Town Centre Strategy refers to a missed opportunity for the Pall Mall triangle site and this development represents the significant investment required to achieve the regeneration of a site such as this with multiple land uses and owners. The replacement of the Probation Service building also represents a significant indication of investment in securing the retention of an important resource and opportunity for new office development on the site. The position of this new office base is considered appropriate having regard to the existing location of the offices, access by clients in a more accessible location to the previous offices and the individual requirements of the service that limits choice as to other locations in the town centre (Crown Exemption).
- 8.169. *Investment benefit (upward spiral)* - All contributors to this application welcome inward investment that supports the town centre and its regeneration. The current situation on a number of sites is that investment is not possible due to lack of demand but also lack of confidence in the wider Market. Chorley has fared better than some in retaining shops and maintaining low vacancy rates. There are sites such as the old McDonalds site, the Eagle and Child and the former Ford showroom that have failed to secure a scheme or have been delayed in their implementation.
- 8.170. Investment and activity can bring with it confidence and during a period when there is little active construction elsewhere then such investment can assist and support in kick-starting other sites or provide evidence both physically on the ground but also in national reports on where money is being invested. This is a positive outcome associated with the redevelopment of this site. It does not justify the development in its own right but carries some weight in the consideration of the application. The most likely positive impact would be the Eagle and Child where shops and flats will replace the rundown pub and shops, the McDonalds site may come forward following the implementation of the Market St works. The creation of an upward spiral of investment will also support the existing Market Walk and also the potential Market Walk extension application by identifying that investment is taking place in Chorley.
- 8.171. There is therefore potential for this site to contribute to an upward spiral and to support wider regeneration. In this instance the positive effects of the development outweigh the potential negative effects of the development.
- 8.172. *Employment* - This has been assessed previously in this report, and the scale of employment stated by Asda and queried by individuals and NJL/SA has been assessed by GVA Grimley to be 215 full time equivalent jobs. This nonetheless represents a significant investment in jobs within Chorley and is a material consideration of significant weight in the determination of the application. Asda have

also agreed to sign up to the Council's Employment Charter and there is evidence that large employers working with the Councils Employment Charter can create significant benefits for local employment and securing work for the longer term unemployed.

8.173. This aspect of the scheme is a positive outcome if the scheme goes ahead, including construction jobs and other indirect employment and trade.

**8.174. Impact of proposal on centre trade/turnover and current/future consumer expenditure capacity in the catchment for up to 5 years**

8.175. The most recent tables on population projections and expenditure capacity identify that there will be significant additional expenditure that will be delivered close to the design date of the store. The existing housing completions are bucking the trend for house building and Chorley is in a strong position to resist recession (as it has done) and to deliver housing and future expenditure increases. This evidence shows a strong 5 year supply of deliverable housing and demand for housing even in the current market.

8.176. The potential expenditure levels and the lower rates for vacancies within the town centre would indicate a strength in existing trade that has the potential to increase and develop and for increased numbers of town centre shoppers that would support both the town centre and Asda. Asda may be concerned about the parking charge and the impact that will bring to their store however the potential to claw back trade and the proximity to the town centre with the associated improvements, is likely to support combined growth.

**8.177. Layout and Design**

8.178. Applications do evolve throughout the consideration of the application and in this instance a significant amount of design work was undertaken at pre-application stage. The standard designs used by Asda have been avoided and the visibility of the store from Market Street has been designed into the scheme. This improves legibility and encourages pedestrian access and linked trips. The majority of the building uses brick with elements of timber and this is considered to be an appropriate solution following comparison to a significant number of other Asda stores in the North West. The single storey element and canopy to the front has been used at the Bootle store and this represents a good example of reducing the prominence of the front of the store.

8.179. One design option that could be considered is that a replacement store could be located at the same point as the QS store and have a front entrance onto the Big Lamp junction and be deemed within tolerance to be an edge of centre store. Whilst the QS store was erected as a convenience store with the emphasis upon locating the store close to the town centre boundary with the parking to the rear, the store did not operate for long and it did not work effectively either in securing linked trips to the town centre or in urban design terms due to its position, the position of the parking and the degree to which it wraps around the junction. For those reasons it is considered that a replacement store in this location would not achieve the desired outcomes of Chorley for this site and Market Street nor meet the main aims of securing sustainable economic growth as set out in PPS4. Whilst the QS store could be considered a recent addition, the site is identified within the Corporate Strategy as a key site for redevelopment identifying the failings of the current format. Any replacement of QS must acknowledge the failings of the past and secure a scheme that links the site to the town centre, provides for linked trips, has visual linkages to parts of the town centre and as a whole positively contributes to this end of Market Street.

8.180. The landscaping proposals for the site aim to mitigate the impact of various elements of the scheme. The service yard has a 4 metre high acoustic fence near to

neighbouring properties, however a landscaping scheme is designed to mitigate the fence and this is now considered acceptable. The other main area of landscaping is at the site entrance and there are significant proportions of landscaping that will enable the site and the proposed petrol station to be mitigated in landscape terms. The scale and maturity of this landscaping is critical to the decision and critical to how well the site can be mitigated and at what stage in the development. The landscaping must be mature and be implemented prior to the opening of the store. This is a matter that is appropriate to be conditioned

- 8.181. The position of the development opportunity site has been chosen so that there is the legibility and a visual link from Market St to the development opportunity and then onto the store. The indicative plans for the site demonstrate that a contemporary solution would be appropriate for this site and would combine effectively with the public space to be created. This area creates a visual focal point without being a visual or actual barrier to connectivity, the site draws the visitor or shopper in and through towards the store even more effectively with the new highway layout proposed.
- 8.182. The remaining development opportunity site that is likely in part to be the site for relocating the Probation Service can introduce a quality of design and set a standard for other development in the vicinity where older buildings exist that do not contribute effectively to a quality environment. A scheme for this site will be forthcoming if permission is granted, the Probation Service have all but agreed the details of the required replacement building.
- 8.183. Impact on Surrounding Land Uses**
- 8.184. There are concerns about the impact of the store upon residential properties and this will be considered as two areas firstly Shaw Hill Street and then the impact on Duke Street. In respect of Shaw Hill Street, visualisations have been completed to assess how large the store would appear when looking from Pall Mall. The scale of the store having regard to the scale of the adjacent gas showroom has been considered and whilst Asda represents a taller building it is situated further away from residential properties and set at an angle. The scheme will also open up the area within the site adjacent to Shaw Hill Street which will be a positive contribution to the design of the area. It is not considered that the position of the store will harm materially or at all the amenities of those properties nearest to the store by reason of its size.
- 8.185. Duke Street will be situated at a higher level than the floor of the store and significantly higher than the level of the service yard. The Tunit building is situated between the store and the majority of properties on Duke Street. The impact on these properties with this intervening use between them is therefore limited. The properties on Duke St closer to the junction with Bolton St will be closer to the service access and as a result may well be impacted upon to a greater degree. The hours of servicing will be limited to daytime hours and this will mitigate and limit the harm to those properties to an acceptable degree.
- 8.186. The service yard in most stores is the cause of most complaints. In this instance there will be no movement of goods by forklift within the yard as lorries will have to back up to loading bays with seals around the unit. The design means there is a lot more storage and servicing space than say Clayton Green. The plant has been designed to minimise noise related impact and there will be limits placed on the service yard to prevent its use overnight, prevent the compactor running and prevent temporary units from being placed in the yard at peak periods.
- 8.187. The creation of the service yard will result in the need to demolish half an industrial unit, leaving the Tunit building still standing. Asda have been in communication with the owner of that building as there will be a need to enter into a Party Wall Agreement that would seek to protect the owner of the building but not seek to prevent the

development. In terms of dealing with the application, conditions can be imposed to protect the owner and his business and the Council is satisfied that the development can be constructed and still leave the owner with his business in place.

8.188. Accordingly, the impact on surrounding land uses is considered to be acceptable.

**8.189. Delivery of the Big Lamp Development Opportunity Site**

8.190. The Big Lamp Development Opportunity Site is an essential element of the scheme and its delivery would require an appropriate condition that secures the delivery of the building within a reasonable period of time. Given its location within the site, and its close proximity to the town centre, the prospects for delivery and subsequent occupation are reasonable.

**8.191. Overall Conclusion under EC17**

8.192. In regard to policy EC17, it is concluded that the applicant has demonstrated compliance with the sequential approach (EC15), and that there is no clear evidence that the proposal (subject to the provisions detailed within this report) will lead to significantly adverse impacts in terms of any of the impacts set out in policy EC10.2 and EC16.1.

8.193. It also concluded that the positive benefits of the proposal outlined above (including the previous paragraphs concerning the assessment under policies EC10.2 and EC16.1), and the other material considerations are considered to positively outweigh the potential negative impacts of the proposal.

**8.194. PPS 4 – Overall Conclusion**

8.195. The proposal has been assessed against PPS4 and no reason has been found to refuse the application and it should therefore be treated favourably, subject to appropriate conditions and s278 agreement(s).

**8.196. PPG13: Transport**

8.197. The main objective of PPG13 is to promote more sustainable transport choices for both people and moving freight. It aims to promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and reduce the need to travel, particularly by car. For retail and leisure developments, policies should seek to promote the vitality and viability of town centres, which should be the preferred location for new retail and leisure developments. Preferences should be given first to town centres then edge of centre and then on out of centre sites in locations which are (or will be) well served by public transport.

8.198. It should be noted that PPS4 does replace PPG13 in respect of Parking Standards and there is a requirement within PPS4 to set local maximum standards as part of the development plan.

8.199. The comments of the LCC Highways Officer and the assessment of accessibility under PPS4 detailed earlier in this report are significant in terms of compliance with PPG13 and no objection is made subject to appropriate conditions and s278 agreements. Accordingly, the proposal is considered to comply with PPS13.

**8.200. PPS1: Delivering Sustainable Development**

8.201. PPS1 states that sustainable development is the core principle underpinning planning. Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by : making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life; contributing to sustainable economic development; protecting and enhancing the natural and historic environment, the quality of the countryside and the existing communities; ensuring high quality development; and supporting existing communities and contributing to the creation of safe, liveable and mixed communities



with good access to jobs and services for all. On sustainable economic development, local authorities should recognise that economic development can deliver environmental and social benefits; that they should also recognise the wider sub regional economic benefits and that these should be considered alongside any adverse local impacts.

- 8.202. From the information provided by the applicant, and from the Council's own advisors and third parties, and for the reasons detailed previously in this report, it is considered that the proposal is considered to positively contribute to sustainable development by promoting more sustainable patterns of shopping and travel behaviour, by contributing to sustainable economic development; by ensuring a high quality redevelopment to an otherwise poor quality site, by providing jobs and services to all, and by delivering a range of environmental and social benefits. Wider benefits have been considered alongside any adverse impacts.
- 8.203. Paragraph 28 of PPS1 advises that planning decisions should be taken in accordance with the development plan unless other material considerations indicate otherwise. The assessment of the application is considered to be in conformity with this paragraph.
- 8.204. Paragraph 29 of PPS1 acknowledges that in some circumstances, a planning authority may decide in reaching a decision to give different weight to social, environmental, resource or economic considerations. Where this is the case the reason for doing so should be explicit and the consequences considered. Adverse environmental, social and economic impacts should be avoided, mitigated or compensated for. As detailed in this report, weight has been applied to such factors together with reasons, and the consideration of consequences. Where possible adverse impacts are considered to have been avoided, mitigated or compensated for, and as such the proposal and consideration of this application is considered to comply with this aspect of PPS1.

## **9. USE OF CONDITIONS**

- 9.1. Policy EC19.1 of PPS4 regarding effective use of conditions for Main Town Centre uses encourages planning authorities to productively manage the impacts of development by imposing conditions.
- 9.2. A number of options are open to the local planning authority to control the development and its impacts. The report considers the need for conditions in respect of a number of matters and in response to consultee requests. The conditions to be appended to this report do proactively manage the impacts identified within the report.

## **10. OVERALL CONCLUSION**

- 10.1. The proposal has been assessed against the development plan, national planning guidance and other material considerations.
- 10.2. In so far as the proposed store lies outside the town centre and is not wholly within an allocated site for retail development, the proposal is not considered to be in keeping with the local plan, and as such the proposal should be treated as such in terms of compliance with PPS4.
- 10.3. The proposal also complies with the policies of the Sustainable Resources DPD and satisfies other material considerations including the Council's corporate and town centre strategies.
- 10.4. The proposal is considered to comply with PPS4. It should therefore be treated favourably, subject to appropriate conditions and s278 agreement(s). The proposal is also considered to comply with PPS1 and PPS13.

- 10.5. It must be noted that the proposal also will redevelop previously developed land in a reasonably accessible location and will lead to the beneficial redevelopment of an identified regeneration site, improve the character and appearance of the area and will ultimately relate well to the town centre. The proposal will increase expenditure within the town centre both directly and as a result of linked trips and create jobs.
- 10.6. Therefore, while the proposal may not strictly comply with the local plan and therefore may have some conflict with that plan, these matters identified above would lead to the conclusion that it is in broad conformity with the local plan. Given the matters outlined in this report, then on balance, the potential benefits of the proposal are considered to outweigh the conflicts with the local plan. Consequently, it is considered that further weight can be added to this conclusion in the light of the PPS4 assessment.
- 10.7. Subject to the appropriate conditions detailed in section 9, the application should therefore be positively referred to the secretary of state as per the recommendation in section 3 of this report.

## **11. PLANNING HISTORY**

### **11.1.**

## **12. Planning Policies**

### National Planning Policies:

Planning Policy Guidance - PPG13 Transport

Planning Policy Guidance - PPS1 Delivering Sustainable Development

Planning Policy Guidance - PPS4 Planning for Sustainable Economic Growth

Planning Policy Statement - PPS12 Local Development Frameworks

### North West Regional Spatial Strategy

Policies:

### Adopted Chorley Borough Local Plan Review

Policies:

Supplementary Planning Guidance:

Statement of Community Involvement

Design Guide

### Chorley's Local Development Framework

Policy SR1: Incorporating Sustainable Resources into New Development

Sustainable Resources Development Plan Document

Sustainable Resources Supplementary Planning Document

DocRef: T:\Asda Final Draft Report V0.13.1.doc

Authors: Paul Whittingham –Development Control Team Leader, Jennifer Moore – Head of Planning Services

- **National Planning Policy**
- 
- ***PPS4: Planning for Sustainable Economic Growth***
- PPS4 was published 29 December 2009 and provides new national guidance in respect of all economic activity by amalgamating policies concerning employment and town centre uses in one document, and supersedes PPS6.
- Members are reminded that the main retail changes in PPS4 relate to the treatment of retail need and capacity. The assessment of *convenience* and comparison retail need is a matter for the development plan process that is in turn guided by retail assessments such as the White Young Green and GVA work. The retail need test for the determination of planning applications for retail development is no longer required, but greater emphasis is placed on retail impact and the sequential test is strongly re-affirmed.
- The principle aims of PPS4 are to encourage sustainable economic development based upon:
  - Building prosperous communities by improving economic performance;
  - Reducing the disparities in regional economic growth rates, promoting regeneration and tackling deprivation;
  - Delivering sustainable patterns of development, reducing the need to travel and responding to climate change; and
  - Protecting the vitality and viability of town centres. (paragraphs 9/10).
    - PPS4 provides a number of “Development Management Policies” to be considered in respect of planning applications involving economic development including retail. The following policies are particularly relevant to this application: The full text of the policies can be seen at Appendix F
    - Policy EC10 Determining Planning for Economic Development - Policy E10.1 requires local planning authorities to adopt a positive and constructive approach towards planning applications for economic development; and advises that planning applications that secure sustainable economic growth should be treated favourably. Policy EC10.2 requires applications to be assessed against the following impact considerations:
      - whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions, and minimise vulnerability and provide resilience to, climate change
      - the accessibility of the proposal by a choice of means of transport including walking, cycling, public transport and the car, the effect on local traffic levels and congestion (especially to the trunk road network) after public transport and traffic management measures have been secured
      - whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions
      - the impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusion objectives
      - the impact on local employment

- Policy EC14 deals with Supporting Evidence –applications for main town centre uses that are not in an existing centre and are not in accordance with the development plan require a sequential assessment (EC14.3) and an Impact Assessment if over 2,500m<sup>2</sup> (EC14.4).
- Policy EC15 deals with the Sequential Assessment. For a site to be sequentially preferable the sites must be assessed for their availability, suitability and viability.
- Available is defined as: Whether sites are available now or are likely to become available for development within a reasonable period of time.
- Suitability is defined as: With due regard to the requirements to demonstrate flexibility, whether sites are suitable to accommodate the need or demand which the proposal is intended to meet. Relevant factors in assessment are:
- Policy Restrictions – such as designations, protected areas, existing planning policy and corporate or community strategy policy.
- Physical problems or limitations
- Potential Impacts – including effects on landscape futures and conservation.
  - Viability is defined as : Whether there is a reasonable prospect that the development will occur on a site at a particular point in time. Again the importance of demonstrating the viability of alternatives depends in part on the nature of the need and the timescale over which it is to be met.
  - Policy EC16 the Impact Assessment. Developments should be assessed against the following impacts on centres:
  - Impact on existing, committed and planned public and private investment.
  - Impact on town centre vitality and viability, including local consumer choice.
  - Impact on in-centre trade/turnover (taking account of current and future consumer expenditure capacity in the catchment area up to 5 years from when the application is made)
  - If located on the edge of a town centre, whether the proposal is of an appropriate scale.
  - Policy EC17 deals with the consideration of applications for main town centre uses that are not in a centre and not in accordance with an up to date development plan.
  - Policy E17.1 prescribes that applications should be refused where:
- the applicant has not demonstrated compliance with the requirements the sequential approach (policy EC15); or
- there is clear evidence that the proposal is likely to lead to significant adverse impacts in terms of any one of impacts set out in policies EC10.2 and 16.1 (the impact assessment), taking account of the likely cumulative effect of recent permissions, developments under construction and completed developments
  - Under policy EC17.2, where no significant adverse impacts have been identified under policy EC10.2 and EC16.1, planning applications should be determined by taking account of:
- the positive and negative impacts of the proposal in terms of policies EC10.2 and 16.1 and any other material considerations; and
- the likely cumulative effect of recent permissions, developments under construction and completed developments.

- Under policy EC17.3, judgements about the extent and significance of any impacts should be informed by the development plan (where this is up to date), recent local assessments of the health of town centres which take account of vitality and viability indicators and any other published local information (such as a town centre or retail strategy), will also be relevant.
- Policy EC18 deals with the application of car parking standards for non-residential development, and policy 18. states that local parking standards should apply to individual planning applications unless:
  - the applicant has demonstrated (where appropriate through a transport assessment) that a higher level of parking provision is needed and shown the measures proposed to be taken (for instance in the design, location and operation of the scheme) to minimise the need for parking.
  - for retail and leisure developments located in a town centre, or on an edge of centre site, the local planning authority is satisfied that:
    - the parking provision is consistent with any town centre parking strategy and the facilities will genuinely serve the town centre as a whole and this has been secured before planning permission is granted
    - the scale of parking is proportionate to the size of the centre
    - Policy EC19 deals with the effective use of conditions for main town centre uses

**Recommendation:**

the Director of Partnerships, Planning & Policy notifies the Secretary of State that the Development Control Committee is MINDED TO APPROVE the application

**Conditions**

Conditions to follow

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**APPLICATION 09/00933/FULMAJ - Planning Conditions****(Asda scheme)**Highways and Market Street

1. **Condition:** No part of the development hereby approved shall commence until a scheme for the construction of all site access by vehicles, pedestrians and cyclists and the off-site works of highway improvement has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The scheme shall include the timing of the delivery of all such works, including the Market Street improvements, together with contingency arrangements.  
*Reason: In the interests of highway safety and to ensure appropriate pedestrian connectivity between Chorley Town Centre and the Class A1 foodstore before it commences trading, and in order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site*
  
2. **Condition:** No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in condition 1 has been constructed and completed in accordance with the scheme details.  
*Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.*
  
3. **Condition:** The proposed scheme improvement works to Market Street shown on approved plan Ref. PL-11/RevB shall be implemented in general conformity with that plan before the store commences trading unless otherwise agreed in writing with the Local Planning Authority.  
*Reason: To ensure appropriate pedestrian connectivity between Chorley Town Centre and the Class A1 foodstore, to mitigate against the potential impacts of the development and to accord with the requirements of PPS4 and PPG 13*
  
4. **Condition:** Before occupation of the development hereby permitted, the following improvements will be made to existing bus stops on Bolton Street and Pall Mall:
  - Introduction of Real Time Information Displays to bus stops on Bolton Street and Pall Mall identified in the approved highways plan
  - New bus stops, shelters and low floor infrastructure (Bolton Street only)
  - Repainting bus stop markings (Pall Mall only)
 Full details of the works shall be submitted to the Local Planning Authority and written approval to the details obtained from the Local Planning Authority prior to the commencement of development. Such works to be retained thereafter.  
*Reason: In order to ensure that the development is accessible by a choice of means of transport including public transport in accordance with PPS4 and Policy TR1 of the Chorley Borough Local Plan*
  
5. **Condition:** Before occupation of the development hereby permitted, Real Time Information Displays for bus services shall be installed within the proposed foodstore and retained thereafter. Full details of the works shall be submitted to the Local Planning Authority and written approval to the details obtained from the Local Planning Authority prior to the commencement of development.  
*Reason: In order to ensure that the development is accessible by a choice of means of transport including public transport in accordance with PPS4 and Policy TR1 of the Chorley Borough Local Plan*
  
6. **Condition:** The development shall not be occupied or brought into use until details of a Travel Plan (Broadly in accordance with the draft Travel Plan submitted as part of this application) have been submitted to and approved in writing by the Local Planning Authority, such Travel Plan to include:
  - a. the form and timing of travel surveys
  - b. interim targets pending the results of travel surveys
  - c. actual targets based on the results of travel surveys
  - d. measures proposed to achieve the targets
  - e. the means and funding for the monitoring of the travel plan
  - f. enforcement and sanctions
  - g. timing of submission of the final travel plan

Together with a timetable for the implementation of each such element.

The development shall not be occupied prior to implementation of those parts of the approved Travel Plan that are capable of being implemented prior to occupation. Those parts of the approved Travel Plan that are identified therein as only being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as the development is occupied.

*Reason: In order to ensure that the development is accessible by a choice of means of transport including public transport in accordance with PPS4 and Policy TR1 of the Chorley Borough Local Plan*

7. **Condition:** No development shall take place until the sections of the public highway that fall within the development site (unless otherwise agreed to remain as Public Highway) have been stopped up in accordance with an Order made under the provisions of Section 247 of the Town and Country Planning Act 1990

*Reason: In order to ensure the proper development of the application site and as the grant of planning approval does not override other legislation*

#### Tunit

8. **Condition:** The construction of the foodstore shall not be commenced until detailed plans of the works proposed to the boundary with Tunit (building defined on plan LE-07), details of access to that building and a development phasing plan have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be carried out in full in accordance with the approved plans and shall be retained thereafter.

*Reason: To safeguard the operation and amenity of this nearby business and to ensure that access to the existing business is maintained during and upon completion of the development*

#### BREEAM and Energy Conservation

9. **Condition:** Each building hereby permitted which provides more than 500sqm gross floorspace shall be constructed to achieve a minimum Building Research Establishment (BREEAM) standard of 'very good' and achieve 2 credits within Issue Ene 5: Low or Zero Carbon Technologies.

*Reason: In the interests of minimising the environmental impact of the development and to accord with the requirements of Policy SR1 of the Sustainable Resources DPD and PPS4*

10. **Condition:** No phase or sub-phase of the development shall begin until details of a 'Design Stage' assessment and related certification have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out entirely in accordance with the approved assessment and certification unless the Local Planning Authority otherwise approve in writing.

*Reason: In the interests of minimising the environmental impact of the development and to accord with the requirements of Policy SR1 of the Sustainable Resources DPD and PPS4*

11. **Condition:** No building unit shall be occupied until a 'Post Construction Stage' assessment has been carried out and a Final Certificate has been issued for it certifying that a BREEAM standard of 'very good' and 2 credits under Issue Ene 5 have been achieved and the Certificate has been submitted to and approved in writing by the Local Planning Authority.

*Reason: In the interests of minimising the environmental impact of the development and to accord with the requirements of Policy SR1 of the Sustainable Resources DPD and PPS4*

#### Servicing

12. **Condition:** Deliveries, servicing and collections to and from the Class A1 Foodstore, including waste collections, shall not take place outside the following hours:

06:00 to 23:00 – Monday to Saturday

08:00 to 19:00 – Sundays and Bank Holidays

Where exceptional circumstances require deliveries/servicing/collections to take place outside these stated hours, full written permission will firstly be sought from Chorley Council.

*Reason: To safeguard the amenities of the occupiers of nearby residential accommodation and to accord with the requirements of the Chorley Borough Local Plan and in particular Policy EP20*

#### Waste Compactor



- 13. Condition:** The Class A1 Foodstore's waste compactor shall not operate outside the following hours:

06:00 to 23:00 – Monday to Saturday  
08:00 to 19:00 – Sundays and Bank Holidays.

**Reason:** *To safeguard the amenities of the occupiers of nearby residential accommodation and to accord with the requirements of the Chorley Borough Local Plan and in particular Policy EP20*

#### Use of Temporary Refrigeration

- 14. Condition:** No temporary refrigeration units are to be used in the outdoor areas of the Class A1 Foodstore's service yard except in exceptional circumstances (such as the failure of the Class A1 Foodstore's internal refrigeration units).

In such exceptional circumstances full written permission will be sought from Chorley Council prior to or within 24 hours of the temporary refrigeration units being used in the outdoor areas of the Class A1 Foodstore's service yard. Written permission will not be unreasonably withheld.

**Reason:** *To safeguard the amenities of the occupiers of nearby residential accommodation and to accord with the requirements of the Chorley Borough Local Plan and in particular Policy EP20*

#### Service Yard Lighting

- 15. Condition:** Service Yard lighting will be reduced to minimum safe illumination levels (20 Lux) outside the Class A1 Foodstore's hours of servicing:

06:00 to 23:00 – Monday to Saturday  
08:00 to 19:00 – Sundays and Bank Holidays

Where exceptional circumstances require that Service Yard lighting is not reduced to minimum safe illumination levels (20 Lux) outside the Class A1 Foodstore's hours of servicing, full written permission will firstly be sought from Chorley Council.

**Reason:** *To safeguard the amenities of the occupiers of nearby residential accommodation and to accord with the requirements of the Chorley Borough Local Plan and in particular Policy EP21A*

#### Lighting

- 16. Condition:** The approved lighting scheme **Ref: TBC** shall be implemented in full prior to first use of the development hereby approved. All lighting should be designed to reduce spillage outwith the site.

**Reason:** *To safeguard the amenities of the occupiers of nearby residential accommodation and to accord with the requirements of the Chorley Borough Local Plan and in particular Policy EP21A*

#### Service Yard Boundary

- 17. Condition:** Access to the strip of land between the service yard and western site boundary (as defined on approved plan Ref.07035.PL14.RevA) will be controlled by secure gate within the service yard of the foodstore.

**Reason:** *In the interests of security, to prohibit anti-social behaviour and to safeguard amenities of the occupiers of nearby residential accommodation*

#### Landscaping

- 18. Condition:** Development shall not begin until full details of both hard and soft landscape works (both temporary and permanent) have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels, means of enclosure, pedestrian access and circulation areas, hard surfacing materials, minor artefacts and structures (such as furniture and signs and ticket machines) and planting plans. All hard and soft landscape works shall be carried out in accordance with the approved details and shall be carried out prior to the occupation of any part of the development or in accordance with a programme first submitted to and approved in writing by the Local Planning Authority.

**Reason:** *To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design in accordance with PPS4*

#### Standard Time Conditions:

- 19. Condition:** The development of the Class A1 foodstore hereby permitted shall begin not later than three years from the date of this permission.

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

- 20. Condition:** Approval of the details of the scale, access, appearance, landscaping and layout of the free-standing buildings proposed for each of the development opportunity sites, hereafter called the reserved matters, shall be obtained from the Local Planning Authority before any development of the development opportunity sites is commenced.

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

- 21. Condition:** Application for the approval of the Reserved Matters relating to the development opportunity sites shall be made to the Local Planning Authority before the expiration of three years from the date of the outline permission.

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

- 22. Condition:** Each of the units proposed to be developed on the development opportunity sites should be available for occupation within 4 years of the granting of outline permission for that building.

**Reason:** *in order to secure the implementation of the Development Opportunity building that has been considered within the assessment of this application to be an essential element of the scheme as a whole and supports the conclusion that the development as a whole is acceptable in accordance with PPS4*

#### Construction Environmental Management Plan

- 23. Condition:** Before any demolition, construction or contaminated land remediation works commence in connection with each identified phase, a Construction Environmental Management Plan (CEMP) must be submitted to, and approved in writing by, the Local Planning Authority detailing the provisions to be made for the monitoring and control of:

- a. Operating hours: No demolition, construction or contaminated land remediation activities, movement of traffic, or deliveries to and from the premises, shall occur other than between the hours agreed with the Local Planning Authority. Any proposed extension to these agreed hours, other than for emergency works, shall be agreed with the Local Planning Authority before work commences;
- b. Noise and vibration: To demonstrate compliance with the guidance in British Standard BS5228 Noise and vibration control on construction and open sites; including the proposed measurement methodology, the location of monitoring locations and noise-sensitive premises, the maximum permitted facade noise levels. No piling, blasting, dynamic compaction or use of vibrating rollers shall occur without the written approval of the Local Planning Authority;
- c. Dust/Particulate emissions: To include the prevention of dust/particulates being blown off-site, the sheeting of vehicles and preventing the deposition of dust and mud on the highway. At such times as the prevention of dust/particulate nuisance by the agreed means is not possible, the movement of vehicles, soils or dusty materials must temporarily cease until such time as weather conditions improve;
- d. Waste: To include suitable and sufficient provisions for the collection, storage and disposal of waste materials. No unwanted materials shall be disposed of on site by burning without the prior written approval of the Local Planning Authority;
- e. Lighting: To include a site plan showing the proposed types, locations and heights of the lamps, vertical illuminance levels (Lux) to the facades of agreed light-sensitive premises and operating times. All works shall be fully implemented in accordance with the approved CEMP.

The CEMP shall include:

- f) arrangements for the frequency and criteria for review of the CEMP and its consequential approval by the local planning authority;
- g) arrangements for liaison to be undertaken with affected residents and town centre stakeholders

**Reason:** *To safeguard the amenities of the occupiers of nearby residential accommodation and to ensure that the impacts of the construction phases of the development are appropriately mitigated against.*

#### Car Parking Control

- 24. Condition:** No development shall take place until a scheme for the management, charging and charging review mechanism for the class A1 foodstore and retail development opportunity site for use

classes A1/A2/A3/A4/A5 has been submitted to and approved in writing by the local planning authority. The charging review mechanism shall include:

- a. Frequency / criteria for review
- b. Process of review
- c. dispute resolution mechanism

The car parking spaces shown on the approved plan shall be made available at all times in connection with the use of the class A1 foodstore and the retail development opportunity site (use classes A1/A2/A3/A4/A5).

**Reason:** *To ensure that the management of the car park is consistent with other car parks which currently serve Chorley Town Centre and in order to secure the implementation of the car parking control mechanism that has been considered within the assessment of this application to be an essential element of the scheme as a whole and supports the conclusion that the development as a whole is acceptable in accordance with PPS4.*

**25. Condition:** The retail store and retail development opportunity site shall not be open for trade until the car park circulatory aisles, and spaces have been provided, surfaced and marked out in accordance with the approved plan ref: 07\_035/PL\_01 RevV.

**Reason:** *To ensure the proper planning of the development, and in accordance with policy TR4 and DCLG "Manual for Streets".*

#### Land Contamination

**26. Condition:** No development approved by this planning permission shall be commenced until:

- a. a strategy for investigating contamination present on the site has been submitted to and approved in writing by the Local Planning Authority;
- b. an investigation has been carried out in accordance with the approved strategy; and,
- c. a written report, detailing the findings of the investigation, assessing the risk posed to receptors by contamination and proposing a remediation scheme, including a programme for implementation, has been submitted to and approved in writing by the Local Planning Authority;

Remediation work shall be carried out in accordance with the approved remediation scheme and programme. Remediation work on contamination not identified in the initial investigation but found during construction work shall be carried out in accordance with details approved in writing by the Local Planning Authority subsequent to its discovery. Evidence verifying that all remediation work has been carried out in accordance with the approved scheme shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use.

**Reason:** *To ensure that the presence of or the potential for any contaminated land is detected and appropriate remedial action is taken in the interests of public safety and in accordance with PPS25.*

#### Drainage

**27. Condition:** No development approved by this permission shall be commenced until a surface water drainage strategy and phased delivery programme has been submitted to and approved by the Local Planning Authority. The surface water drainage scheme shall be completed in accordance with the approved strategy and programme.

**Reason:** *To reduce the increased risk of flooding and in accordance with PPS25.*

#### Public Art

**28. Condition:** Development shall not be commenced until a scheme for the retention of the 'Big Lamp' and its incorporation within the development have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the timing of removal, location and method of storage and the timing of installation together with its protection during any construction phase. Development shall be carried out in accordance with the approved scheme.

**Reason:** *In the interests of preserving an existing feature of local interest in the interests of the proper planning of the site and to achieve a high quality development.*

#### CCTV Coverage

**29. Condition:** Prior to or within one month of completion of the landscaping scheme defined in Condition 7, details of the location and design of CCTV to cover the development site and Market Street shall be submitted to and approved by the Local Planning Authority.

**Reason:** *In the interests of safety and security*

#### Scale of Buildings Proposed on Development Opportunity Sites

- 30. Condition:** Any building(s) constructed on the proposed development opportunity sites shall fall within the maximum and minimum scale parameters as set out below:

*Retail Development Opportunity Site:*

Max Height 7m, Max Width 20m, Max Length 40m

Min Height 4m, Min Width 10m, Min Length 15m

*B1/D1 Development Opportunity Site:*

Max Height 11m, Max Width 16.5m, Max Length 55m

Min Height 5m, Min Width 8m, Min Length 18m

**Reason:** *in order to secure the implementation of the Development Opportunity buildings that have been considered within the assessment of this application to be an essential element of the scheme as a whole and supports the conclusion that the development as a whole is acceptable in accordance with PPS4*

Plans

- 31. Condition** The development hereby permitted shall be carried out in accordance with drawing numbers... **TBC**.

**Reason:** *To ensure that the development is carried out in accordance with the approved plans.*

Floorspace Restriction

- 32. Condition** The net sales area of the Class A1 foodstore shall not exceed 4,088sqm, comprising 2,289sqm maximum for the display and sale of convenience goods and 1,799sqm maximum for the display and sale of comparison goods.

**Reason:** *In order to protect the vitality and viability of Chorley Town Centre and in accordance with PPS4.*

Subdivision Restriction

- 33. Condition** The Class A1 foodstore shall not be sub-divided into smaller retail units.

**Reason:** *In order to protect the vitality and viability of Chorley Town Centre and in accordance with PPS4.*

**Materials**

- 34. Condition** No development shall commence until details and samples of the materials to be used in the construction of the external surfaces of the class A1 foodstore have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.

**Reason:** *To secure a high quality design in accordance with PPS1, PPS4, policy GN5 of the Chorley Local Plan Review.*

**Foodstore FFL**

- 34. Condition** The finished floor level of the class A1 foodstore shall be constructed at a height not exceeding 87.5m AOD

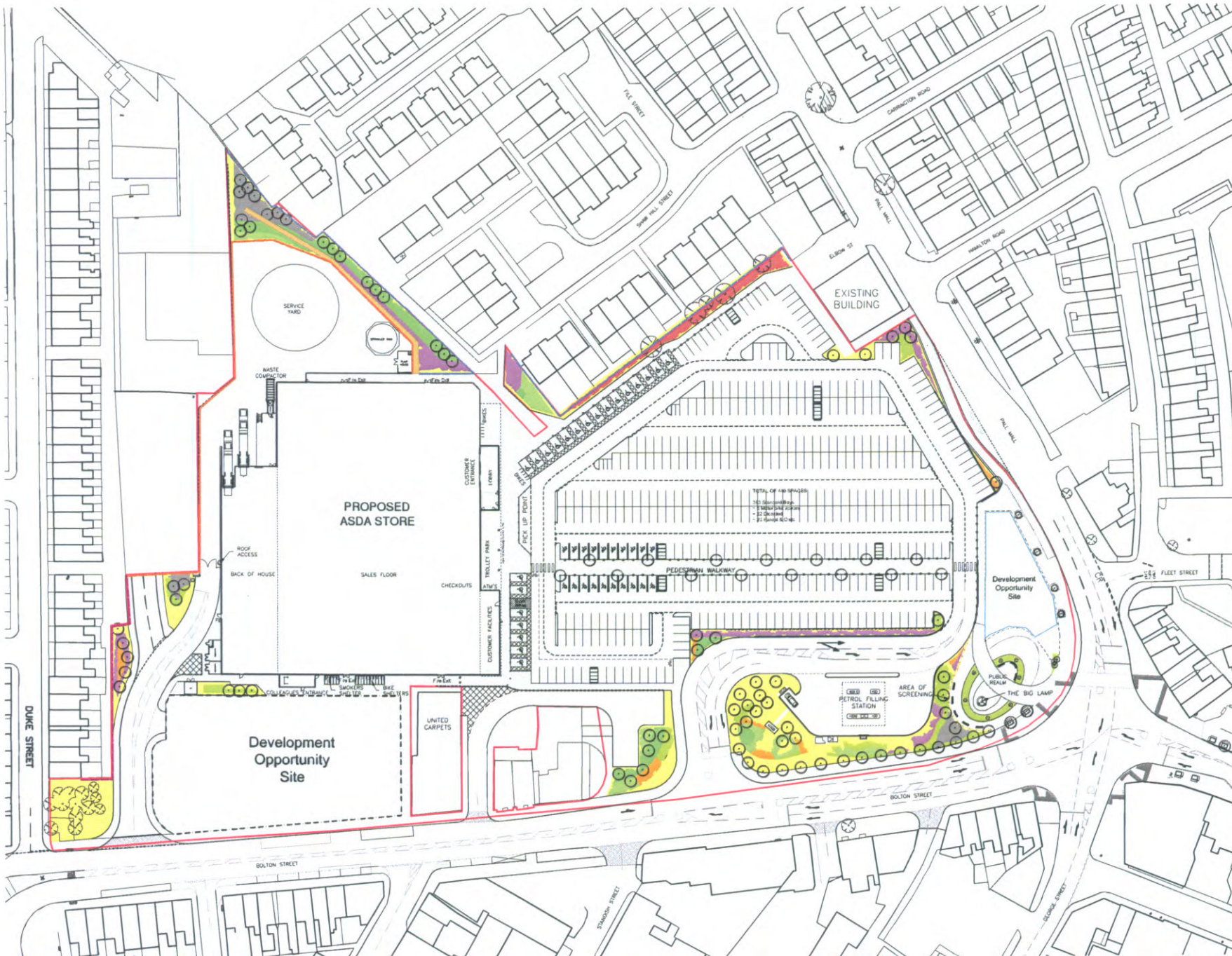
**Reason:** *To secure a high quality design in accordance with PPS1, PPS4, policy GN5 of the Chorley Local Plan Review, and to control the impact to surrounding residential properties.*

**Asda conditions v4 – 8/10/10**



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**XREF'S IN THIS DRAWING**

PLEASE REFER TO LANDSCAPE ARCHITECTS DRAWING FOR LANDSCAPE PROPOSALS.  
 PLEASE REFER TO TRANSPORT PLANNERS DRAWINGS FOR HIGHWAYS PROPOSALS.

Legend

V 11.06.10	Revised site access	dpb/ATW
U 25.05.10	Revised site access	dpb/ATW
T 26.04.10	Revised site access	dpb/ATW
S 08.03.10	Revised Planning drawings - (original site access)	dpb/ATW
R 16.02.10	Revised Planning drawings - (original site access)	dpb/ATW
Q 16.02.10	Revised Planning drawings - (original site access)	dpb/ATW
P 09.02.10	Revised Planning drawings - (original site access)	dpb/ATW
O 02.12.09	Revised Planning drawings - (original site access)	dpb/ATW
M 13.11.09	Planning issue	dpb/ATW
L 12.11.09	Line of site access to be added in plan area (see Planning Application)	dpb/ATW
J 02.11.09	Updated access to garage (access issue)	dpb/ATW
I 23.08.09	Updated boundary	dpb/ATW
H 15.08.09	Updated boundary and building (see Planning Application)	dpb/ATW
G 10.08.09	Showing information needed to PL 09 (Landscape masterplan drawing)	dpb/ATW
F 26.06.09	Team access to Highway - (original site access)	dpb
E 06.06.09	Revised Car Plan	dpb
D 04.06.09	Revised site access	dpb
C 24.07.09	Revised site access	R/S/DPS
B 20.07.09	Revised site access	R/S/DPS
A 15.07.09	Revised site access	MC/DPS

CLIENT  
  
**ASDA STORES LTD**  
 PROJECT  
**CHORLEY TOWN CENTRE REGENERATION**  
 TITLE  
**PROPOSED SITE PLAN**

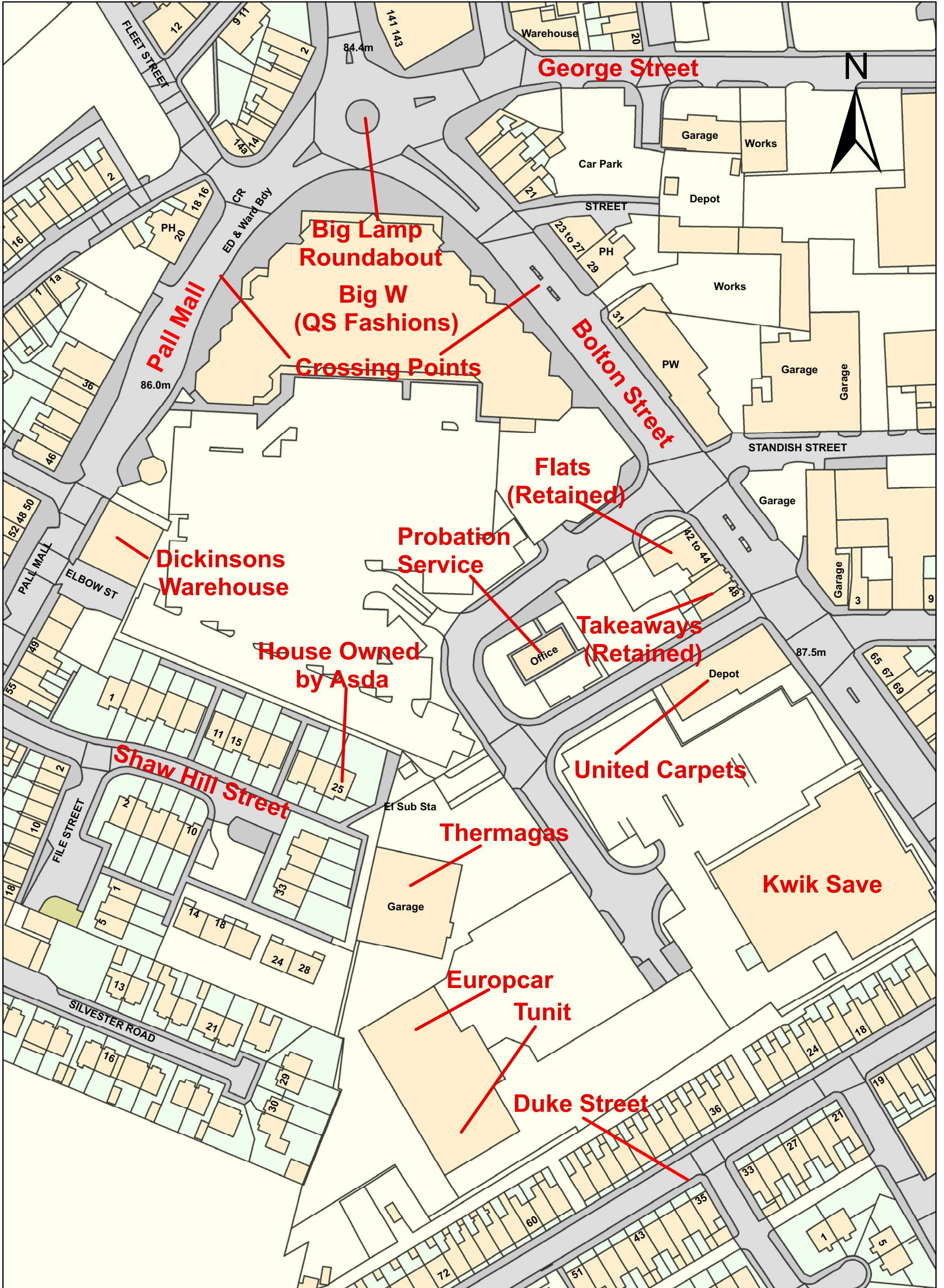
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 SCALE 1:500 @A1  
 DATE JUNE 2009

CARROWBOO COURT  
 CARROWBOO ROAD  
 SHEEPHALLS  
 CHESTERFIELD  
 S41 10UR  
 T: 01246 28281  
 F: 01246 28278  
 E: [enquiries@wcec.co.uk](mailto:enquiries@wcec.co.uk)  
 www.wcec.co.uk

JOB NO.	DRAWING NUMBER	REV
07_035	PL_01	V

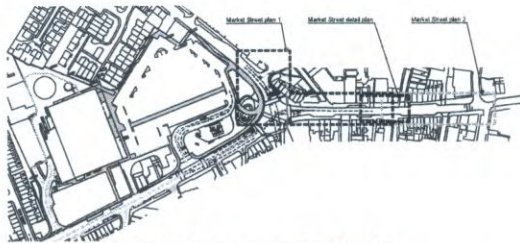
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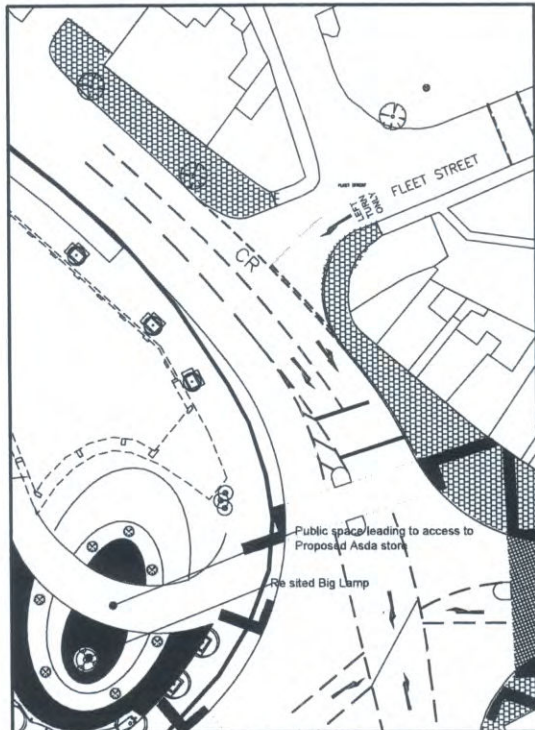


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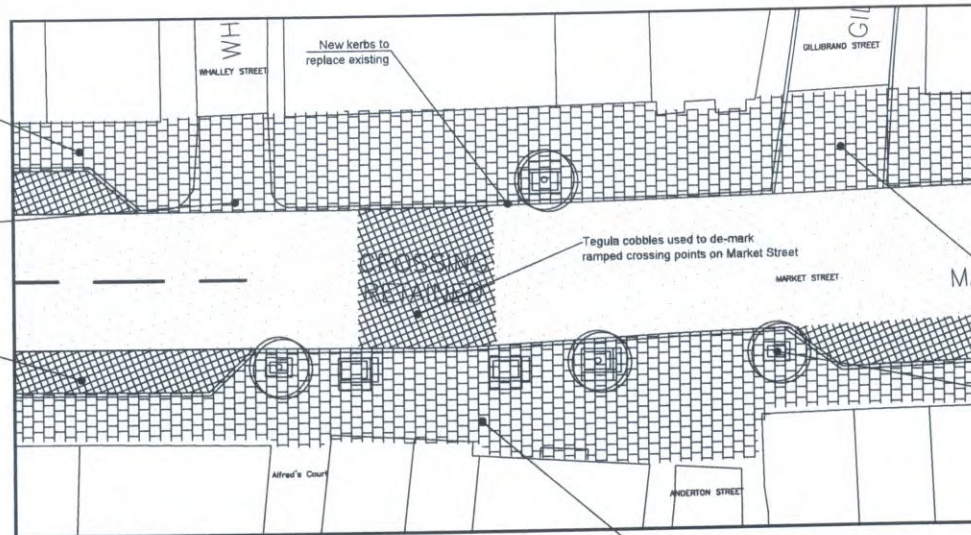




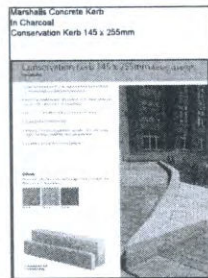
**MARKET STREET LOCATION PLAN  
1:2000**



**MARKET STREET PLAN 1. 1:200**



**MARKET STREET DETAIL PLAN  
1:100**



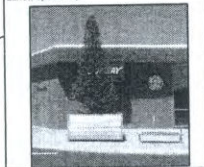
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 PLEASE REFER TO TRANSPORT PLANNERS DRAWINGS FOR HIGHWAYS PROPOSALS.



Gray textured buff paving slabs to de-mark ramped crossing points on Market Street

Timber planter with tree

The trees to be *Carpinus betulus fastigiata* (Hornbeam), a densely conical form of the common Hornbeam, excellent when planted as a specimen tree or where space is limited as it will remain in a columnar shape and fit well within the constraints of the Market Street setting.  
 Timber Planters: Street Design Limited, Unit 47 Hayhill Industrial Estate, Garraway Lane, Glastonbury.



Pedestrian access enhanced with new crossings

Public space leading to access to Proposed Asda store  
 Re-sited Big Lamp

1	2	3	4
DATE	BY	CHECKED	APPROVED
15/09/16	ASDA	ASDA	ASDA
DATE	BY	CHECKED	APPROVED
15/09/16	ASDA	ASDA	ASDA

CLIENT  
**ASDA**  
 ASDA STORES LTD

PROJECT  
 CHORLEY TOWN CENTRE REGENERATION

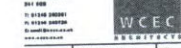
TITLE  
 PROPOSED MARKET STREET WORKS

DRAWING STATUS  
 FOR PLANNING

DRAWN BY: RJS  
 CHECKED BY: ATW

SCALE: AS SHOWN @ A0

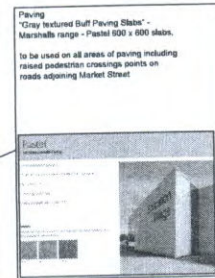
DATE: SEPTEMBER 2009



JOB NO: 07\_035  
 DRAWING NUMBER: PL\_11  
 REV: B



Marshall's Tegula cobbles in 'pennant' gray colour (80x80) to be used to de-mark parking and the ramped areas of raised pedestrian crossing points on roads adjoining Market Street.

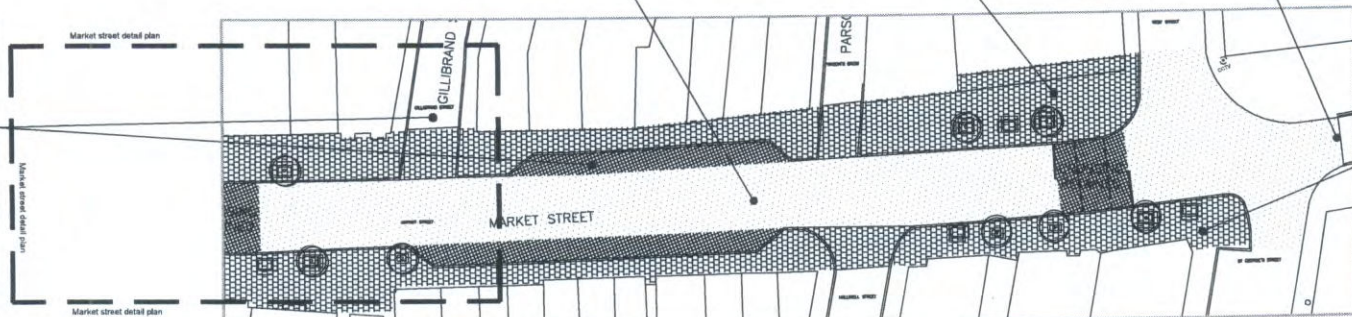


Paving 'Gray textured Buff Paving Slabs' - Marshall's range - Pavelet 600 x 600 slabs. to be used on all areas of paving including raised pedestrian crossing points on roads adjoining Market Street.

Road layout improved and enhanced with new surfacing to road

Pedestrian areas improved with new paving surfaces and new street furniture

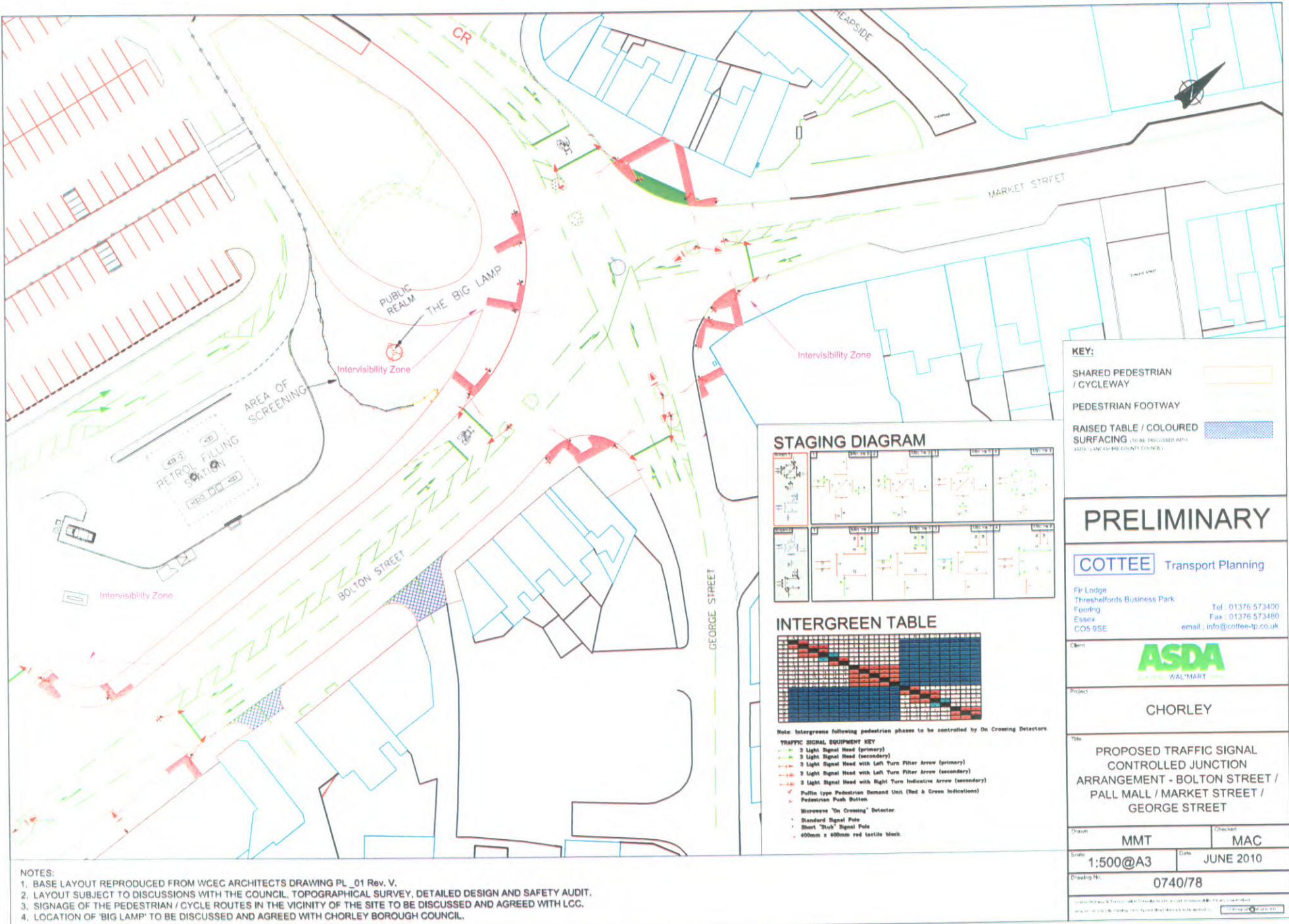
End of market street works



**MARKET STREET PLAN 2. 1:200**

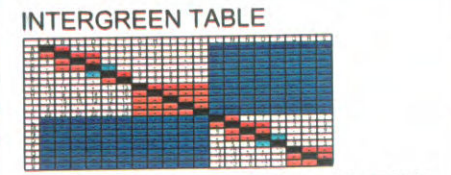
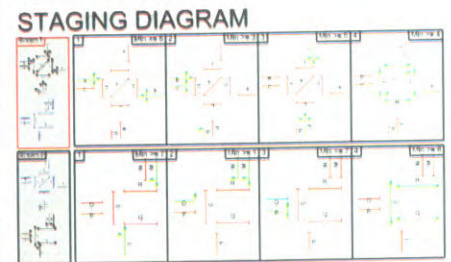
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**KEY:**

- SHARED PEDESTRIAN / CYCLEWAY
- PEDESTRIAN FOOTWAY
- RAISED TABLE / COLOURED SURFACING (TO BE DISCUSSED WITH ASDA - CHORLEY BOROUGH COUNCIL)



- Note: Intergreens following pedestrian phases to be controlled by On Crossing Detectors
- TRAFFIC SIGNAL EQUIPMENT KEY**
- 3 Light Signal Head (primary)
  - 3 Light Signal Head (secondary)
  - 3 Light Signal Head with Left Turn Filter Arrow (primary)
  - 3 Light Signal Head with Left Turn Filter Arrow (secondary)
  - 3 Light Signal Head with Right Turn Indicative Arrow (secondary)
  - Puffin Type Pedestrian Demand Unit (Red & Green Indications)
  - Pedestrian Push Button
  - Microsense 'On Crossing' Detector:
    - Standard Signal Pole
    - Short 'Stub' Signal Pole
    - 600mm x 600mm red tactile block

**PRELIMINARY**

**COTTEE** Transport Planning

Fir Lodge  
Threshfords Business Park  
Footing  
Essex  
CO5 9SE  
Tel: 01376 573400  
Fax: 01376 573400  
email: info@cotee-tp.co.uk

Client: **ASDA**  
WALMART

Project: **CHORLEY**

Title: **PROPOSED TRAFFIC SIGNAL CONTROLLED JUNCTION ARRANGEMENT - BOLTON STREET / PALL MALL / MARKET STREET / GEORGE STREET**

Drawn: **MMT** Checked: **MAC**

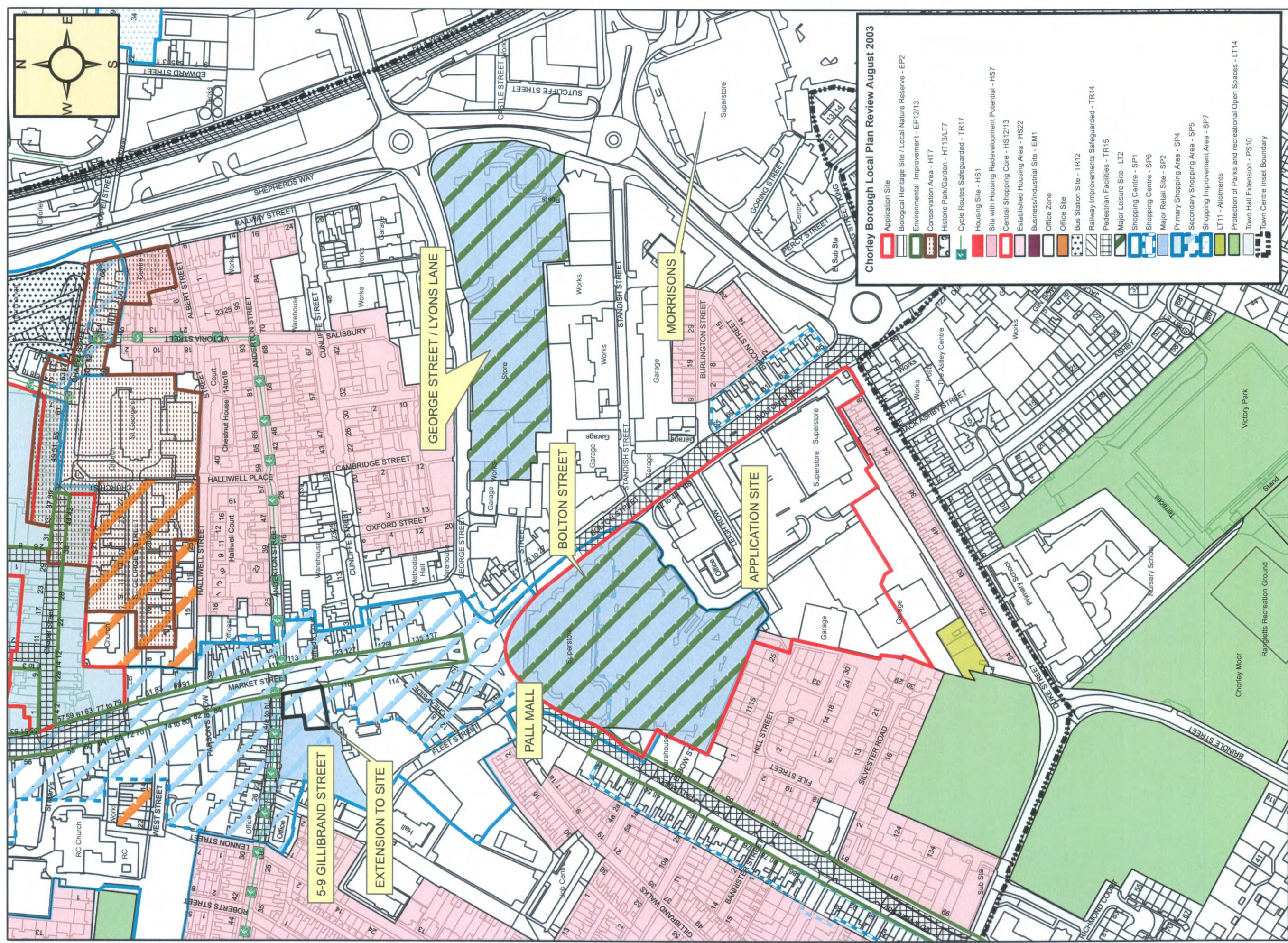
Scale: **1:500@A3** Date: **JUNE 2010**

Drawing No: **0740/78**

- NOTES:**
1. BASE LAYOUT REPRODUCED FROM WCEC ARCHITECTS DRAWING PL\_01 Rev. V.
  2. LAYOUT SUBJECT TO DISCUSSIONS WITH THE COUNCIL, TOPOGRAPHICAL SURVEY, DETAILED DESIGN AND SAFETY AUDIT.
  3. SIGNAGE OF THE PEDESTRIAN / CYCLE ROUTES IN THE VICINITY OF THE SITE TO BE DISCUSSED AND AGREED WITH LCC.
  4. LOCATION OF 'BIG LAMP' TO BE DISCUSSED AND AGREED WITH CHORLEY BOROUGH COUNCIL.

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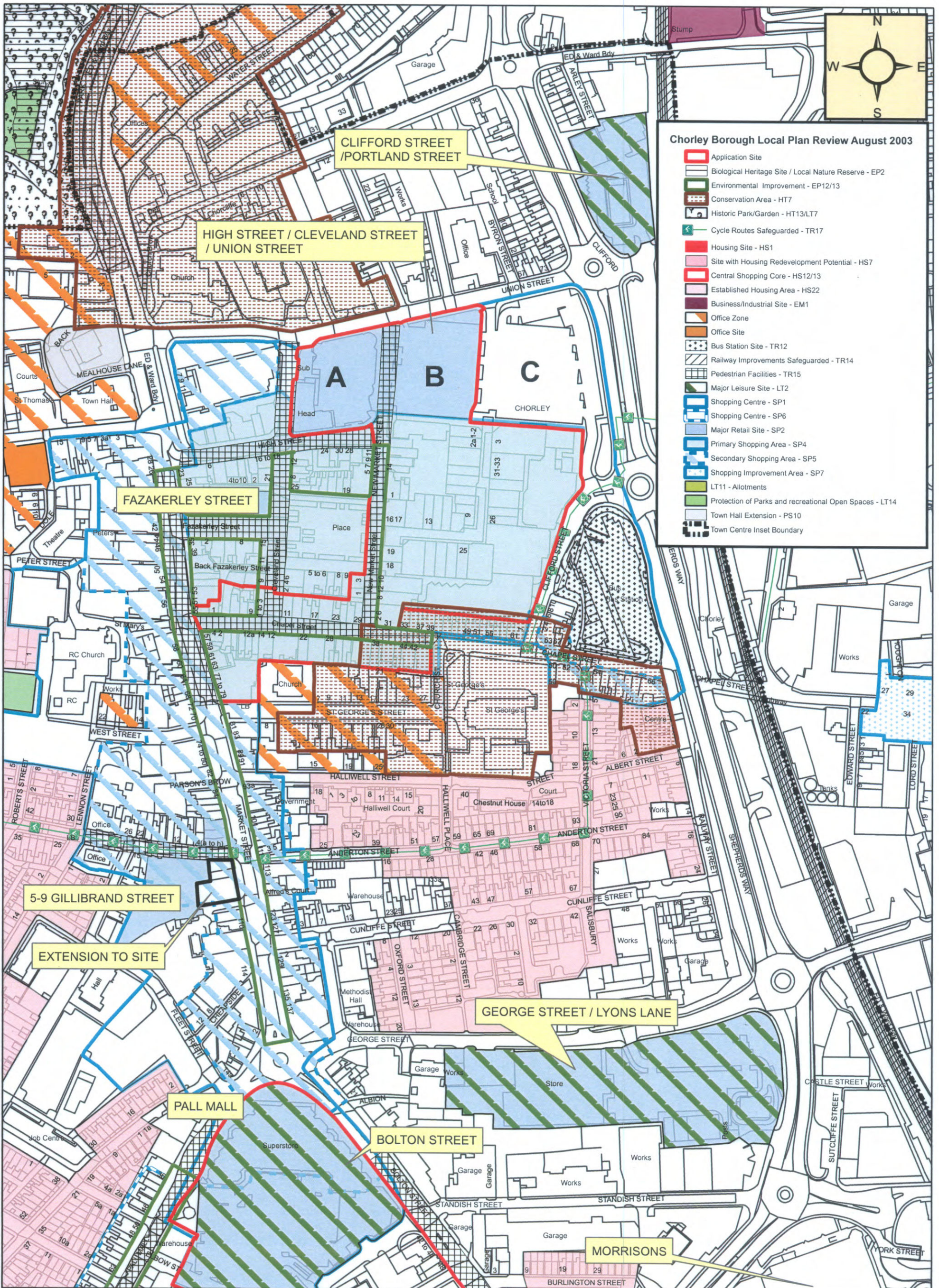
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APPENDIX F



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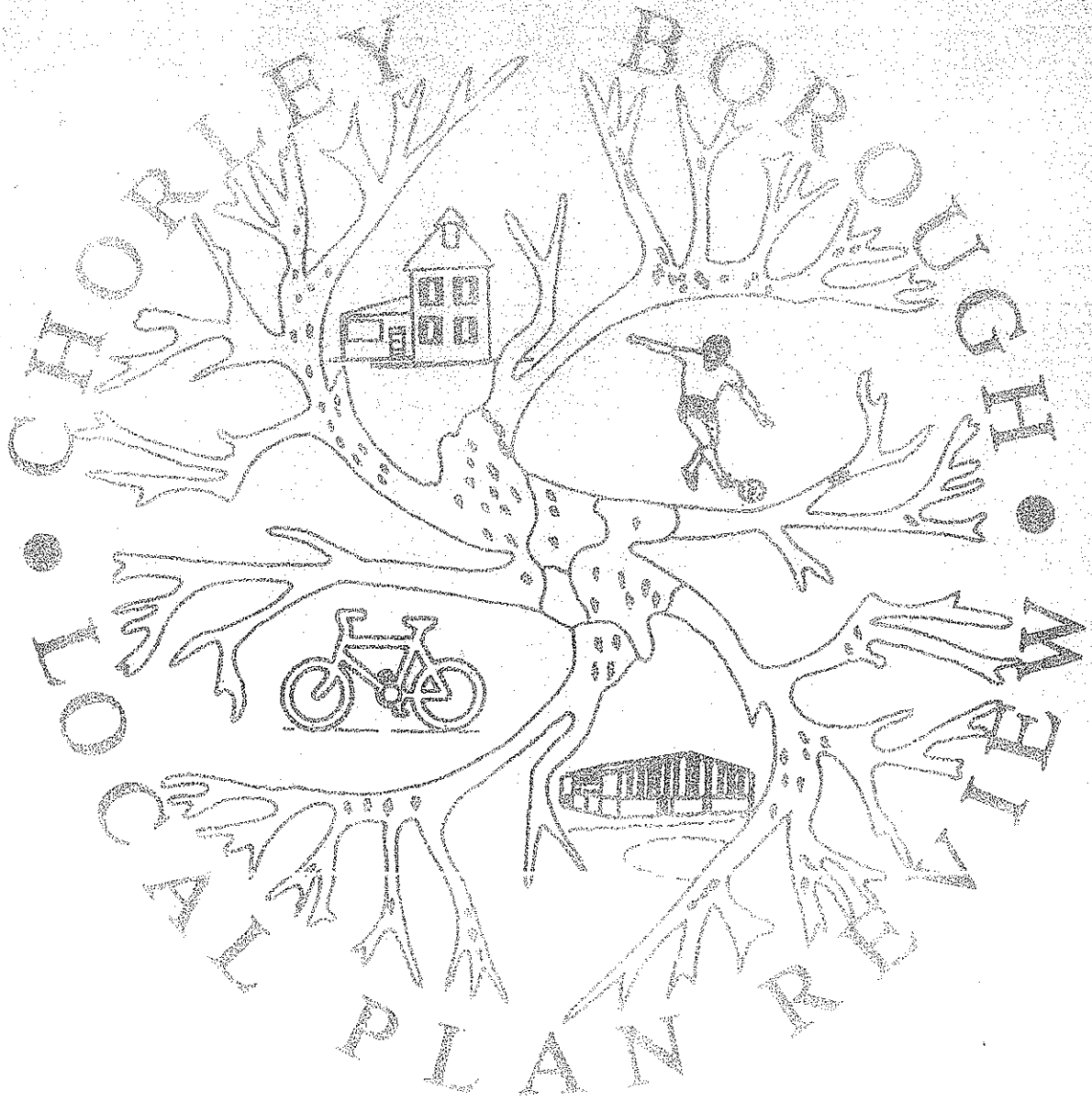


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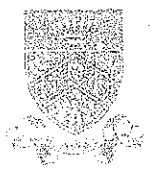
# Written Statement

Adopted Edition

February 2015



**Chorley**  
Borough Council



[www.chorley.gov.uk](http://www.chorley.gov.uk)

attractions. At the same time the market town character of Chorley needs to be preserved and local specialist shops encouraged to remain in the town centre. The Borough Council has also embarked on environmental improvements in the main shopping streets and this Plan endorses that commitment into the future, coupled with traffic management measures wherever necessary (Policies EP12 in Chapter 4 and TR15 in Chapter 8). Chorley has to fulfil its retail potential if only to retain, rather than improve, its position as a shopping centre. Anything less could well see a further loss of trade and employment to elsewhere.

#### LOCATIONS FOR MAJOR RETAIL DEVELOPMENT

9.15 Major retail development is that which is intended to serve a wide shopping catchment area. The sequential approach to selecting sites for retail (and other uses) set out in PPG6 means that first preference should be given to locations in town centres, then other centres, with locations away from such centres only being acceptable if there are no suitable more central sites and there would not be an adverse impact on the vitality and viability of nearby town, district, or local centres. Chorley is the only main shopping town centre in the Borough but account must be taken of nearby town centres in neighbouring local authority areas. Clayton Green is considered to be the only district centre in the Borough.

**SP1 Subject to the full provisions of this Policy, major retail development proposals will be permitted in Chorley Town Shopping Centre, as shown on the Proposals Map. If no suitable site exists here preference will next be given to sites on the edge of the centre and then, providing the proposal is consistent with their scale and function, to District and then Local Centres, as shown on the Proposals Map.**

**Major retail development proposals will not be permitted:**

- (a) if there is an unacceptable environmental impact; or
- (b) the road network, with any suitable improvements proposed, is unable to accommodate predicted traffic levels; or
- (c) on sites outside the above mentioned Centres unless there is no suitable site available within the Centres. If this is the case appropriate proposals may be permitted on sites on the edge of these Centres provided that the applicant can demonstrate a need for the proposal.

If there is no suitable site available in or on the edge of the above Centres appropriate proposals may be permitted in out-of-centre locations provided that the applicant can demonstrate a need for the proposal and subject to the provisions below.

On all sites outside Chorley Town Shopping Centre, the following criteria must also be satisfied:

- (i) that the applicant can demonstrate that the impact likely to result from the development, including impact from other recent and proposed developments in the locality would not undermine the vitality and viability of a nearby Town, District or Local Centre as a whole including those outside the Borough; and
- (ii) the site is well served by public transport and is readily accessible by foot and cycle.

In assessing whether sites and locations are suitable, account will also be taken of whether, from a functional point of view, the use genuinely requires a substantial adjacent customer car park, a large single floor area or a large external use and storage area.

**SP2** The following sites have been allocated for retail development taking account of the provisions of Policy SP1:

1. High Street/Cleveland Street/Union Street including the bus station site/New Market Street and the Flat Iron;
2. Bolton Street/Pall Mall, Chorley +
3. Corner of Gillibrand Street and Market Street, Chorley +
4. 5-13 Fazakerley Street, Chorley +
5. 5-9 Gillibrand Street, Chorley

or, if there are no other suitable sites for the use proposed in a Centre:

6. Clifford Street/Portland Street, Chorley +
7. George street/Lyons Lane, Chorley +

+ These sites had been redeveloped, or were in use, for retail purposes as of August 2003.

### PEDESTRIANISED DEVELOPMENTS

9.20 Pedestrian priority in shopping streets can greatly add to their retail attractiveness. For its part the Borough Council is proposing to extend such measures (Proposal TR15 in Chapter 8) and improve the environment of the existing pedestrianised areas (Proposal EP12 in Chapter 4). It is appropriate to ensure that new shopping developments link to and complement these schemes.

**SP3** In Chorley town shopping centre pedestrianised thoroughfares should be incorporated within new shopping developments where practical and these should link into existing pedestrianised areas whenever possible including proposals for Market Street, Chorley in Proposal TR15.

### PRIMARY SHOPPING AREA

9.21 A major attraction to shoppers in Chorley town centre is the Primary Shopping Area where there is a compact concentration of predominantly shopping frontages at street level. To break up this area with numerous non-retail uses such as banks, building societies, estate agents, betting offices or amusement arcades would significantly reduce its attractiveness to shoppers.

However, if carefully controlled such uses can support the retail attractiveness of the area. Greater provision for non-retail uses is made in Policy SP5 below. Cafes and restaurants can make a positive contribution to the street scene, to the vitality and viability of shopping areas and to the continued use of town centres outside normal shopping hours. They are therefore uses which should be allowed in the Primary Shopping Area.

**SP4** Within the Primary Shopping Area of Chorley town shopping centre, as shown on the Proposals Map, the only uses which will be permitted at ground floor level are: Class A1 (shop) or A3 (food and drink) and, with the exception of properties in Market Walk, Class A2 (financial and professional services); provided that the proposal will not have a detrimental effect either individually or cumulatively, on the shopping character of the Primary Shopping Area, and will contribute to its vitality and viability.

**SECONDARY SHOPPING AREAS**

- 9.22 Away from the Primary Shopping Area in Chorley town centre there are secondary frontages comprised of mixed retail and office uses such as banks and building societies which require central locations. Smaller retail and 'specialist' shops can locate here benefiting from close association with each other. However if such retailers are separated by prolonged dead frontages at street level – non-retail uses (including residential) without window displays – the attractiveness of such streets to shoppers will be impaired. Professional and financial service office users (Class A2 of the Town and Country Planning (Use Classes) Order 1987) can also be accommodated in the town centre office zones (see Policy EM6 in Chapter 7).

**SP5 Within the Secondary Shopping Areas of Chorley Town Shopping centre, as shown on the Proposals Map, a combination of retail and non-retail commercial uses appropriate to a shopping area is acceptable providing the proposal would not undermine the shopping character of that street or the Secondary Shopping Area. Proposals for residential use at ground floor level will not be permitted.**

**DISTRICT, NEIGHBOURHOOD AND LOCAL SHOPPING CENTRES**

- 9.23 Clayton Green Centre with its Asda superstore, unit shops, sports centre, public house, library and office park, functions as a District Centre in the hierarchy of shopping centres in the Borough headed by Chorley town centre. Chorley town itself has a number of Neighbourhood Shopping Centres. These are along Pall Mall and Bolton Street, and at Eaves Lane. They serve as locations for local and specialist uses; including retailing and food and drink; as well as offices. In shopping hierarchy terms they are equivalent to Local Centres. However, it is important to contain the spread of these areas in order to protect the vitality and viability of the town centre and the amenity of the surrounding residential areas.
- 9.24 Concentrations of retail uses elsewhere in the Borough serve local needs and can be termed Local or Village Centres. These are located in the most accessible places enabling residents to reach them on foot. Retailers as well as shoppers benefit from stores being close together. However, as explained in the introduction to this Chapter, the typical corner shops in towns and villages have to compete with the larger stores by being even more convenient to use – such as by opening longer hours. The Borough Council cannot protect individual shops from competition, but can ensure large stores out-of-scale with the neighbourhood or settlement are not located there and can encourage small shops by granting planning permission. During the 1990's the number of vacant shop premises in the Borough significantly increased in locations away from Chorley town centre. Weakest commercial demand for re-use is likely to be at premises well outside District, Neighbourhood and Local Centres. However, within these Centres the Borough Council will need to be satisfied that there is no demand for retail or appropriate commercial re-use of vacant property before granting planning permission for a different use. This would involve the applicant supplying details showing that the premises have been appropriately advertised for retail/commercial and providing details of the offers made.
- 9.25 However, the Shopping Centres can themselves serve a residential purpose by accommodating flats above the shops so helping to make good use and maintenance of these upper storeys – see Policy HS12 in Chapter 6.

**LT1** Subject to the full provisions of this Policy, major leisure development proposals or other key town centre uses will be permitted in Chorley Town Shopping Centre, as shown on the Proposals Map. If no suitable site exists here preference will next be given, to sites on the edge of the centre and then, providing the proposal is consistent with their scale and function, to District and then Local Centres, as shown on the Proposals Map.

Major leisure development proposals or other key town centre uses will not be permitted:

- (a) if there is an unacceptable environmental impact; or
- (b) the road network, with any suitable improvements proposed, is unable to accommodate predicted traffic levels; or
- (c) on sites outside the above mentioned Centres, as shown on the Proposals Map, unless no suitable site is available within the Centres. If this is the case, appropriate proposals may be permitted on sites on the edge of these Centres, provided that the applicant can demonstrate a need for the proposal.

If there is no suitable site available in or on the edge of the above Centres, appropriate proposals may be permitted in out-of-centre locations provided that the applicant can demonstrate a need for the proposal and subject to the provisions set out below.

On all sites outside Chorley Town Shopping Centre, the following criteria must also be satisfied:

- (i) that the applicant can demonstrate that the impact likely to result from the development, including the impact of other recent and proposed leisure developments, would not undermine the vitality or viability of any nearby Town, District or Local Centre as a whole, including those outside the Borough; and
- (ii) the site is well served by public transport and is readily accessible by foot and cycle.

In assessing whether sites and locations are suitable, account will also be taken of whether, from a functional point of view, the use genuinely requires a substantial adjacent customer car park, a large single floor area or a large external use and storage area.

The suitability of the sites allocated in Policy LT2 for major leisure development has been assessed against the above criteria.

In addition, leisure or other key town centre uses will not be permitted on sites allocated for other uses unless the applicant can demonstrate that the proposal would not reduce the range and quality of sites available for such uses.

#### LEISURE ALLOCATIONS

**LT2** The following sites are allocated for leisure development:

1. Bolton Street/Pall Mall, Chorley+
2. Clifford Street/Portland Street, Chorley+
3. George Street/Lyons Lane, Chorley+
4. M61/Botany Bay, Chorley is also suitable for a hotel, pubs, restaurants, and leisure uses as part of a mixed use development with B1 and B2 uses

+ These sites had been redeveloped, or were in use, for retail purposes as of August 2003.

However, all development proposals need to be appropriately designed in terms of their external appearance and respect the character of the areas in which they are located.

- 2.20 The Council applies spacing standards to ensure that new dwellings are not too close to each other and nearby buildings in terms of amenity and privacy. It has also produced guidelines on the size, design and positioning of house extensions. However, all too often designers produce scheme proposals which use standard building types, external materials that are alien to the local area and estate layouts which take little account of the individual features of the site and its surroundings.
- 2.21 The development must also be sensitive to the character and local distinctiveness of the wider area around the site, which is the result of a series of natural and human processes and events over many hundreds, sometimes thousands of years. Attention needs to be paid therefore not only to creating a new development which both works well as an environment for those that are going to use it, but also fits well on the site, incorporating existing landscape and wildlife features. Very often retaining vegetation and water areas, boundary and other landscape features currently present on a site can help the new development appear less stark and blend in with its surroundings.
- 2.22 To ensure that proper account is taken of the characteristics of the site, designers are required to adopt a thorough and systematic approach to planning a new development. The Borough Council will expect designers to have surveyed the site and its surroundings, identified key features worthy of retention and prepared a design proposal which incorporates these and is in keeping with the character of the area. The Council will expect designers to take full account of any development brief and other guidance produced or adopted by the Authority including Village Design Statements and the Lancashire-wide assessment of landscape character which provides guidance on respecting local distinctiveness. However, this does not mean that the designs for new buildings should just be copies of period styles, as modern interpretations of locally characteristic architectural features could be appropriate. The layout and spacing of new development is similarly an important aspect of ensuring that the character of the surrounding area is respected. In terms of housing these sentiments are set out in paragraphs 54 to 56 in Planning Policy Guidance Note 3. The Council is preparing Supplementary Planning Guidance on design in order to raise design standards within the Borough.

**GN5 The design of proposed developments will be expected to be well related to their surroundings, including public spaces, and with landscaping fully integrated into the overall scheme. The appearance, layout and spacing of new buildings, which may include innovative and original design forms, should respect the local distinctiveness of the area.**

**Applicants for planning permission will be expected to demonstrate that they have followed a methodology which sets out the design principles adopted, and have carried out a full survey of the site and its surroundings, the likely impact of the development and how this is to be mitigated, and propose a design which is specific to the site. The following design features will also be considered:**

- (a) building height, bulk and roof shape;**
- (b) external construction materials;**
- (c) proposed landscaping and incorporating existing important and characteristic landscape features;**
- (d) layout, levels and spacing of buildings;**
- (e) retaining important natural habitats and historical landscape features; and**
- (f) measures which help to prevent crime and promote community safety.**

**During construction works developers will be required to suitably protect those wildlife, landscape and other important features which are to be retained.**



## LANCASHIRE STRUCTURE PLAN

- 8.13 This takes into account how to manage the demand for movement through increases in personal mobility and the demand for transport effectively, especially in urban areas. One of the objectives is to constrain peak hour traffic volumes in the towns by 2006 to, or below, those of 1991. It contains a number of policies to secure improvements to the transportation network, seeks to improve public transport facilities and proposes no further increases in town centre parking with a shift to short stay parking in town centres. It resists the provision of additional long stay commuter parking.

## MAJOR DEVELOPMENT – TESTS FOR ACCESSIBILITY AND SUSTAINABILITY

- 8.14 The primary mechanism for achieving the aims of PPG13 for land use and transport planning is to reduce the need to travel. By influencing the location of different types of development relative to transport provision, fostering forms of development and public infrastructure which encourage walking, cycling and public transport use, the Council will seek to promote a more sustainable form of development. In turn this will reduce congestion and therefore the environmental impact of private transport. It will also ensure that where new development is proposed any increase in traffic will not result in a loss of amenity in adjacent areas by virtue of increased noise, poor highway safety etc.

**TR1 Development in accordance with other Policies in the Plan which is likely to generate a significant number of trips will only be granted planning permission where:**

- (a) it can be served by existing public transport provision or appropriate provision can be made for public transport services;
- (b) appropriate measures are included to enable access by foot;
- (c) appropriate measures are included to enable access by bicycle;
- (d) it will not result in an unacceptable increase in traffic flows through residential or other environmentally sensitive areas;
- (e) it is situated adjacent to primary routes or other main roads or is close to and can be linked adequately to appropriate roads.

## ROAD HIERARCHY

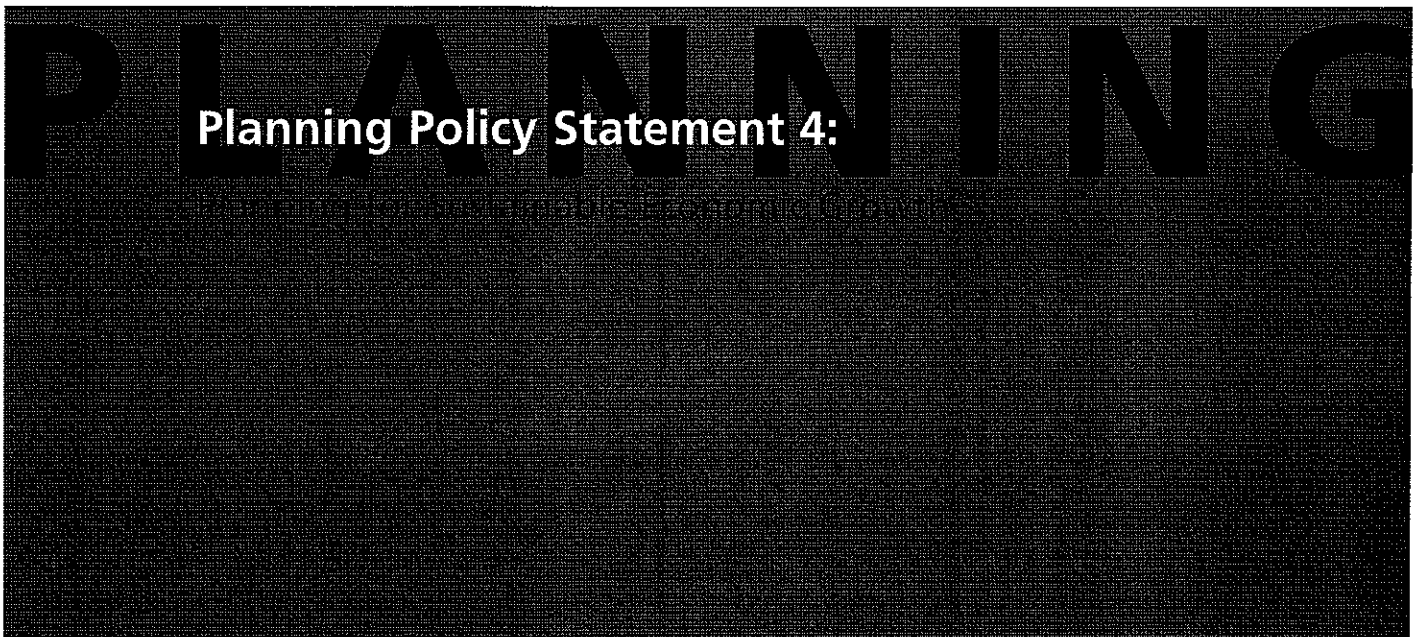
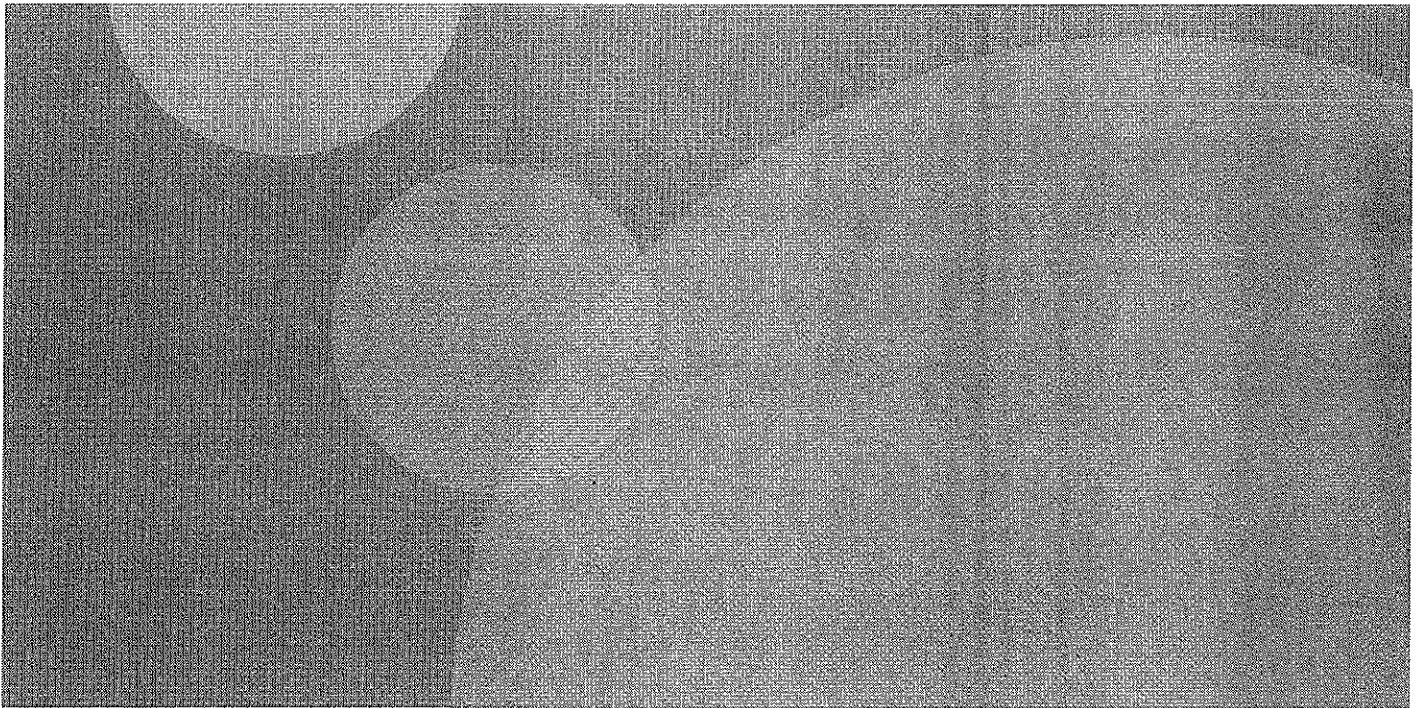
- 8.15 Lancashire County Council is the authority responsible for most roads in the Plan area. The Borough Council is not a Highway Authority in its own right although for the central urban area of the District it acts as the County Council's partner in respect of many highway matters. The Highway Authority for the M6, M61 and M65 Motorways and all purpose trunk roads is the Highways Agency.
- 8.16 To assist with justifying road schemes and improvements and to help make best use of the existing highway network particularly in terms of influencing the location of large development sites a hierarchy of traffic routes has been defined for the Plan area this is shown on Map 3.

**TR2 A hierarchy of traffic routes is proposed. All new major development will be expected to be sited close to the main road network or be linked adequately to this by the secondary road network. Planning permission will not be granted for development involving access to the main road network which would result in unacceptable interference with the free and safe flow of traffic.**

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Planning shapes the places where people live and work and the country we live in. It plays a key role in supporting the Government's wider social, environmental and economic objectives and for sustainable communities.



## DEVELOPMENT MANAGEMENT POLICIES

### **POLICY EC10: DETERMINING PLANNING APPLICATIONS FOR ECONOMIC DEVELOPMENT**

- EC10.1 Local planning authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably.
- EC10.2 All planning applications for economic development should be assessed against the following impact considerations:
- a. whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions, and minimise vulnerability and provide resilience to, climate change<sup>14</sup>
  - b. the accessibility of the proposal by a choice of means of transport including walking, cycling, public transport and the car, the effect on local traffic levels and congestion (especially to the trunk road network) after public transport and traffic management measures have been secured<sup>15</sup>
  - c. whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions
  - d. the impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusion objectives
  - e. the impact on local employment

### **POLICY EC11: DETERMINING PLANNING APPLICATIONS FOR ECONOMIC DEVELOPMENT (OTHER THAN MAIN TOWN CENTRE USES) NOT IN ACCORDANCE WITH AN UP TO DATE DEVELOPMENT PLAN**

- EC11.1 In determining planning applications for economic development other than for main town centre uses which are not in accordance with the development plan, local planning authorities should:
- a. weigh market and other economic information alongside environmental and social information
  - b. take full account of any longer term benefits, as well as the costs, of development, such as job creation or improved productivity including any wider benefits to national, regional or local economies; and
  - c. consider whether those proposals help to meet the wider objectives of the development plan

<sup>14</sup> See Paragraph 9 and 42 of *Planning and Climate Change: Supplement to Planning Policy Statement 1* (CLG, 2007).

<sup>15</sup> Advice on assessing transport impacts is set out in *Guidance on Transport Assessments* (DfT and CLG, 2007).

## **POLICY EC12: DETERMINING PLANNING APPLICATIONS FOR ECONOMIC DEVELOPMENT IN RURAL AREAS**

- EC12.1 Re-use of buildings in the countryside for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations and for some types of building. In determining planning applications for economic development in rural areas, local planning authorities should:
- a. support development which enhances the vitality and viability of market towns and other rural service centres
  - b. support small-scale economic development where it provides the most sustainable option in villages, or other locations, that are remote from local service centres, recognising that a site may be an acceptable location for development even though it may not be readily accessible by public transport
  - c. take account of the impact on the supply of employment sites and premises and the economic, social and environmental sustainability of the area, when considering planning applications involving the loss of economic activity.
  - d. approve planning applications for the conversion and re-use of existing buildings in the countryside for economic development, particularly those adjacent or closely related to towns or villages, where the benefits outweigh the harm in terms of:
    - i. the potential impact on the countryside, landscapes and wildlife
    - ii. local economic and social needs and opportunities
    - iii. settlement patterns and the level of accessibility to service centres, markets and housing
    - iv. the need to conserve, or the desirability of conserving, heritage assets and
    - v. the suitability of the building(s), and of different scales, for re-use recognising that replacement of buildings should be favoured where this would result in a more acceptable and sustainable development than might be achieved through conversion

### **POLICY EC13: DETERMINING PLANNING APPLICATIONS AFFECTING SHOPS AND SERVICES IN LOCAL CENTRES AND VILLAGES**

- EC13.1 When assessing planning applications affecting shops, leisure uses including public houses or services in local centres and villages, local planning authorities should:
- a. take into account the importance of the shop, leisure facility or service to the local community or the economic base of the area if the proposal would result in its loss or change of use
  - b. refuse planning applications which fail to protect existing facilities which provide for people's day-to-day needs
  - c. respond positively to planning applications for the conversion or extension of shops which are designed to improve their viability
  - d. respond positively to planning applications for farm shops which meet a demand for local produce in a sustainable way and contribute to the rural economy, as long as they do not adversely affect easily accessible convenience shopping

### **POLICY EC14: SUPPORTING EVIDENCE FOR PLANNING APPLICATIONS FOR MAIN TOWN CENTRE USES**

- EC14.1 References in this policy to planning applications for main town centre uses include any applications which create additional floorspace, including applications for internal alterations where planning permission is required, and applications to vary or remove conditions changing the range of goods sold.
- EC14.2 The town centre policies in this PPS apply to planning applications for the above uses unless they are ancillary to other uses. Where office development is ancillary to other forms of economic development not located in the town centre there should be no requirement for such offices to be located in the town centre.
- EC14.3 A sequential assessment (under EC15) is required for planning applications for main town centres uses that are not in an existing centre and are not in accordance with an up to date development plan. This requirement applies to extensions to retail or leisure uses only where the gross floor space of the proposed extension exceeds 200 square metres.
- EC14.4 An assessment addressing the impacts in policy EC16.1 is required for planning applications for retail and leisure developments over 2,500 square metres gross floorspace or any local floorspace threshold set under policy EC3.1.d not in an existing centre and not in accordance with an up to date development plan.

- EC14.5 In advance of development plans being revised to reflect this PPS, an assessment of impacts in policy EC16.1 is necessary for planning applications for retail and leisure developments below 2,500 square metres which are not in an existing centre and not in accordance with an up to date development plan that would be likely to have a significant impact on other centres.
- EC14.6 An impact assessment dealing with the impacts set out in policy EC16.1 is also required for planning applications in an existing centre which are not in accordance with the development plan and which would substantially increase the attraction of the centre to an extent that the development could have an impact on other centres.
- EC14.7 Assessments of impacts should focus in particular on the first 5 years after the implementation of a proposal and the level of detail and type of evidence and analysis required in impact assessments should be proportionate to the scale and nature of the proposal and its likely impact. Any assumptions should be transparent and clearly justified, realistic and internally consistent.
- EC14.8 Local planning authorities should respond positively to approaches from applicants to discuss their proposals before a planning application is submitted and seek to agree the type and level of information that needs to be included within an impact assessment.

### **POLICY EC15: THE CONSIDERATION OF SEQUENTIAL ASSESSMENTS FOR PLANNING APPLICATIONS FOR MAIN TOWN CENTRE USES THAT ARE NOT IN A CENTRE AND NOT IN ACCORDANCE WITH AN UP TO DATE DEVELOPMENT PLAN**

- EC15.1 In considering sequential assessments required under policy EC14.3, local planning authorities should:
- a. ensure that sites are assessed for their availability, suitability and viability.
  - b. ensure that all in-centre options have been thoroughly assessed before less central sites are considered
  - c. ensure that where it has been demonstrated that there are no town centre sites to accommodate a proposed development, preference is given to edge of centre locations which are well connected to the centre by means of easy pedestrian access
  - d. ensure that in considering sites in or on the edge of existing centres, developers and operators have demonstrated flexibility in terms of:
    - i. scale: reducing the floorspace of their development;

- ii. format; more innovative site layouts and store configurations such as multi-storey developments with smaller footprints;
- iii. car parking provision; reduced or reconfigured car parking areas; and
- iv. the scope for disaggregating specific parts of a retail or leisure development, including those which are part of a group of retail or leisure units, onto separate, sequentially preferable, sites. However, local planning authorities should not seek arbitrary sub-division of proposals

EC15.2 In considering whether flexibility has been demonstrated under policy EC15.1.d above, local planning authorities should take into account any genuine difficulties which the applicant can demonstrate are likely to occur in operating the proposed business model from a sequentially preferable site, for example where a retailer would be limited to selling a significantly reduced range of products. However, evidence which claims that the class of goods proposed to be sold cannot be sold from the town centre should not be accepted.

## **POLICY EC16: THE IMPACT ASSESSMENT FOR PLANNING APPLICATIONS FOR MAIN TOWN CENTRE USES THAT ARE NOT IN A CENTRE AND NOT IN ACCORDANCE WITH AN UP TO DATE DEVELOPMENT PLAN**

- EC16.1 Planning applications for main town centres uses that are not in a centre (unless EC16.1.e applies) and not in accordance with an up to date development plan should be assessed against the following impacts on centres:
- a. the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal
  - b. the impact of the proposal on town centre vitality and viability, including local consumer choice and the range and quality of the comparison and convenience retail offer
  - c. the impact of the proposal on allocated sites outside town centres being developed in accordance with the development plan
  - d. in the context of a retail or leisure proposal, the impact of the proposal on in-centre trade/turnover and on trade in the wider area, taking account of current and future consumer expenditure capacity in the catchment area up to five years from the time the application is made, and, where applicable, on the rural economy
  - e. if located in or on the edge of a town centre, whether the proposal is of an appropriate scale (in terms of gross floorspace) in relation to the size of the centre and its role in the hierarchy of centres
  - f. any locally important impacts on centres under policy EC3.1.e



**POLICY EC17: THE CONSIDERATION OF PLANNING APPLICATIONS FOR DEVELOPMENT OF MAIN TOWN CENTRE USES NOT IN A CENTRE AND NOT IN ACCORDANCE WITH AN UP TO DATE DEVELOPMENT PLAN.**

- EC17.1 Planning applications for main town centre uses that are not in an existing centre and not in accordance with an up to date development plan should be refused planning permission where:
- a. the applicant has not demonstrated compliance with the requirements the sequential approach (policy EC15); or
  - b. there is clear evidence that the proposal is likely to lead to significant adverse impacts in terms of any one of impacts set out in policies EC10.2 and 16.1 (the impact assessment), taking account of the likely cumulative effect of recent permissions, developments under construction and completed developments
- EC17.2 Where no significant adverse impacts have been identified under policies EC10.2 and 16.1, planning applications should be determined by taking account of:
- a. the positive and negative impacts of the proposal in terms of policies EC10.2 and 16.1 and any other material considerations; and
  - b. the likely cumulative effect of recent permissions, developments under construction and completed developments
- EC17.3 Judgements about the extent and significance of any impacts should be informed by the development plan (where this is up to date). Recent local assessments of the health of town centres which take account of the vitality and viability indicators in Annex D of this policy statement and any other published local information (such as a town centre or retail strategy), will also be relevant.

**POLICY EC18: APPLICATION OF CAR PARKING STANDARDS FOR NON-RESIDENTIAL DEVELOPMENT**

- EC18.1 Local parking standards should apply to individual planning applications unless:
- a. the applicant has demonstrated (where appropriate through a transport assessment) that a higher level of parking provision is needed and shown the measures proposed to be taken (for instance in the design, location and operation of the scheme) to minimise the need for parking.

- b. for retail and leisure developments located in a town centre, or on an edge of centre site, the local planning authority is satisfied that:
  - i. the parking provision is consistent with any town centre parking strategy and the facilities will genuinely serve the town centre as a whole and this has been secured before planning permission is granted
  - ii. the scale of parking is proportionate to the size of the centre

EC18.2 In the absence of local parking standards, the maximum standards set out in Annex D of Planning Policy Guidance Note 13: Transport will apply (subject to the provisions in Policy EC18.1).

## **POLICY EC19: THE EFFECTIVE USE OF CONDITIONS FOR MAIN TOWN CENTRE USES**

EC19.1 Local planning authorities should make effective use of planning conditions to implement their policies and proactively manage the impacts of development by imposing planning conditions to:

- a. prevent developments from being sub-divided into a number of smaller shops or units, or to secure the provision of units suitable for smaller business, by specifying the maximum size of units
- b. ensure that ancillary elements remain ancillary to the main development
- c. limit any internal alterations to increase the amount of gross floorspace by specifying the maximum floorspace permitted
- d. limit the range of goods sold, and to control the mix of convenience and comparison goods and
- e. resolve issues relating to the impact of the development on traffic and the amenity of neighbouring residents, such as the timing of the delivery of goods to shops and the adequate provision for loading and unloading

EC19.2 In considering restrictions on deliveries, local authorities should take account of all relevant factors, including impact on congestion, especially in peak periods. In considering how to mitigate night-time noise, local authorities should consider alternatives to a complete ban, such as embodying codes of practice into planning obligations relating to the number of vehicles and noise standards.







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<b>Item</b>	<b>10/00159/OUT</b>
<b>Case Officer</b>	<b>Mr David Stirzaker</b>
<b>Ward</b>	<b>Eccleston And Mawdesley</b>
<b>Proposal</b>	<b>Proposed 6 No. houses and associated works</b>
<b>Location</b>	<b>Land 35m West Of 19 Bannister Lane Eccleston Lancashire</b>
<b>Applicant</b>	<b>Lancashire County Council</b>

**Consultation expiry: 18 October 2010**

**Application expiry: 29 July 2010**

### **Proposal**

1. This application, submitted in outline format by Lancashire County Council, seeks permission for the erection of six dwellings on a vacant piece of land off Bannister Lane in Eccleston. The site is within the settlement boundary of Eccleston. Members will recall an application for residential development on this site was reported to Development Control Committee last year on 18<sup>th</sup> August 2009 with an officer recommendation to grant planning permission although this recommendation was not agreed with and planning permission was subsequently refused by Members.
2. An illustrative layout has been submitted as part of the application, indicating how six 2 storey dwellings can be accommodated on the site with access taken from Larkfield to the east of the site. The layout also provides a turning head.
3. The site comprises of a roughly level overgrown piece of land bounded to the west by Larkfield, a telephone exchange to the north, and Bannister Lane to the east and south wherein the site tapers back at roughly 45° following the line of the road. A public footpath crosses the site from east to west and there are trees on the site in the north eastern corner which are the subject of a TPO (Tree Preservation Order) along with other trees to the east outside of the site boundary which are also subject to the same TPO. There are other trees on the site boundaries which are not the subject of a TPO.

### **Recommendation**

6. It is recommended that this application be granted outline planning permission.

### **Main Issues**

7. The main issues for consideration in respect of this planning application are:
  - The principle of development
  - Design & Layout
  - Amenities of neighbours
  - Highway safety & parking provision
  - Impact on trees
  - Ecological Impacts

### **Representations**

8. Six letters of objection has been received from local residents. The representations raise objections to the application and can be summarised as follows: -
  - The land is covered by a restrictive covenant which restricts its use to highway purposes
  - The density of the development is too high and a maximum of 4 dwellings should be provided on the site
  - The development would lead to a loss of light, overlooking, invasion of privacy and

increased noise levels

- There would be extra traffic running to the site which could cause parking issues and problems if the public footpath is closed
- Pedestrian safety could be compromised
- The volume of traffic would increase leading to problems for local residents with access and parking
- There are protected trees in the area
- Construction traffic could harm the local road running to the site
- Site security is a concern as the building site could attract unwanted interest
- It would be more beneficial to widen Bannister Lane and provide better pedestrian and cycle facilities
- The site was cleared at a time of year when environmental impacts would have been at their greatest
- The narrow entrance from Larkfield would cause problems for bin wagons and delivery vehicles
- The land should be landscaped and replanted and could perhaps be used as a memorial garden
- If development is the only option, 3 bungalows should only be allowed on the site
- The new houses do not have sufficient parking space
- Bannister Lane is dangerous adjacent to the site and many cars have mounted the pavement coming from Wrightington
- Bollards on the footpath through the site have solved recent issues with motorbikes using the footpath and this issue could crop up again is planning permission is granted

### Consultations

9. **Eccleston Parish Council** object to the application stating that the development would be out of character with the dormer bungalow style properties on Larkfield whilst the density is not considered to be in keeping with the locality.
10. **LCC (Highways)** do not raise any objections to the application.
11. **LCC (Ecology)** request conditions to secure a methodology for any tree removal works to ensure bats are safeguarded and a native scheme of planting.
12. **The Director of People & Places** request a condition to secure a desk study and risk assessment of the potential for ground contamination.
13. **Planning Policy** advise that the application accords with Policy GN3 of the Local Plan Review but needs to be assessed against Policy LT15 which seeks to protect open land which makes a significant contribution to the character of an area, either individually or as part of a wider network of open space. A condition is also recommended to secure compliance with Policy SR1 (Sustainable Resources).
14. The **Arboricultural Officer** originally objected to the application citing the removal of the Willow trees as a particular concern. Following further negotiations, the applicant no longer proposes the removal of the protected Willow trees and the Tree Survey has been amended to now propose only the removal of Pear trees and 3 no. Poplar trees.

### Applicant's Case

15. Following the refusal of the last application (09/00507/OUT), the applicant had pre-application discussions with the Council in an attempt to address issues with the application, the result of which is this latest application.
16. The applicants Design & Access Statement states that the site is in a sustainable location in that it is within walking distance of local amenities including shops, a library and a number of local schools. The applicant also states that there are two local bus stops within 200 metres of the site which provide services to local towns. The applicant also states that the site was part of

the neighbouring telephone exchange and was purchased by Lancashire County Council in 1975 for a highway improvement scheme which has since been abandoned. The scale of the dwellings has now been reduced from 2.5 storey to 2 storey.

## Assessment

### Principle of development

17. The site was formerly part of the telephone exchange located at the end of Hawkswood and lies within the settlement boundary of Ecclestone and Policy GN3 offers specific guidance to the effect that so long as the site is wholly within the existing built-up extent of the settlement market housing development would be acceptable. Sites in Ecclestone are not limited to infill as in other rural settlements.
18. Policy LT15 refers to other open land which makes a significant contribution to the character of an area and that development on such sites will not be permitted. It is considered that it would be difficult to argue that the site makes a significant contribution to the character as it small in size, left over from the erection of the telephone exchange to the north and there are several other areas of designated amenity open space within a short distance. The land was acquired in 1975 for a now abandoned road improvement scheme. It is also not considered that the site has any wildlife or ecological value especially as it has been cleared and has since become overgrown and rubbish is accumulating.
19. Overall developing the site for residential purposes could be seen as assisting in consolidating the built form in this part of Ecclestone.

### Design & Layout

20. This is the part of the application that proved to be the most problematical when the last application (09/00507/OUT) was reported to Development Control Committee on 18 August 2009. The layout of the development comprises of 6 dwellings with 3 on each side of the access facing each other in a linear pattern. The previous scheme of development proposed 5 no. 2.5 dwellings and a single 2 storey dwelling. The dwellings now proposed have been reduced in scale to 2 storeys. Parking spaces are proposed to the front of the dwellings and the access incorporates a pavement to either side which to the north is linked to the public footpath which bisects the site.
21. The previous scheme was refused planning permission on the basis that the dwellings were out of character with the dormer bungalows on Larkfield to the west of the site. Obviously, there are no design details at this stage but the applicant has reduced the scale of the dwellings so as they now are all 2 storey in nature. It is accepted that such dwellings do not resemble the said dormer bungalows to the west but the style of these dwellings are reflective of a certain period of house building which is no longer popular amongst developers for various reasons. However, this does not override the fact that the development should reference local character. In response to this, to the east and north of the site are older and more traditional two storey dwellings comprising of a diverse mix of detached and semi-detached dwellings with several being close to Bannister Lane (nos. 15 & 19 in particular) so the dwellings proposed would reference the scale of these dwellings rather than those on Larkfield. This reference could be bolstered with the use of appropriate materials and detailing. The dwellings would also be prominent from Bannister Lane so in this context, they are reflective of the said local character identifiable along Bannister Lane but when seen from Larkfield, obviously they would not reflect the dormer bungalows. A balance has to be struck between reflecting the older more traditional properties on Bannister Lane or the dormer bungalows on Larkfield.
22. In terms of density, as stated, the locality comprises of a diverse mix of property types ranging from large traditional detached dwellings, small and medium sized traditional semi-detached dwellings and the more modern semi-detached and detached dormer bungalows on Larkfield. There are also traditional terraced dwellings fronting onto Bannister Lane to the east of the site. All of these properties sit of plots of varying size. Recent changes to PPS3 have removed minimum density levels of 30 dwellings per hectare that new developments should meet so a greater emphasis needs to be placed on reflecting local character and in this case, the size of the properties and plots are on balance, considered to be reflective of the local character.

23. There is also adequate space for bin storage for each of the dwellings proposed and for a bin wagon to enter and leave the site in a forward gear on collection days.

#### The amenities of neighbours

24. The dwellings are now 2 storey in nature and the levels details submitted by the applicant show that a suitable relationship can be achieved between the proposed and existing properties as there are not significant differences in level across the site. Conditions can be imposed to prohibit clearly glazed opening windows in the west facing elevations of the properties on plots 1 and 6 to mitigate overlooking and these dwellings are sited as such that they will not cause detrimental overshadowing, loss of light or loss of outlook in relation to 33 and 94 Larkfield, the properties closest to the development.
25. With regards to the property to the south of the site (72 Larkfield), the dwelling on plot 6 would be approx. 17.8m from the boundary with this property and approx. 26m from the rear elevation of this property. These distances are sufficient to address the difference in levels between these properties.
26. With regards to the properties on Bannister Lane nearest to the development (19 Bannister Lane and Knowle, Woodhart Lane), the dwelling on plot 4 would be approx. 19m from 19 Bannister Lane and approx. 18.5m from Knowle, Woodhart Lane. These distances are sufficient to ensure the amenities of the occupiers of these properties are also safeguarded.

#### Highway safety & parking provision

27. The layout includes a turning head within the site and there is adequate parking provision to serve each of the dwellings and it should be noted that LCC (Highways) have not raised any objections to the application. With regard to the footpath crossing the site, the applicant can divert this using the statutory procedure but it is essential that it is designed in a safe manner and lighting is maintained.

#### Impact on trees

28. The layout has been amended following comments from the Councils Arboricultural Officer wherein the dwelling closest to the protected trees will not breach a Root Protection Area. Some of the trees on the site will be felled but these comprise of a single Pear tree, a group of 3 no. Poplars and a group of 3 no. Pear trees. However, these trees are not the subject of a Tree Preservation Order and are not considered to be of such stature that they are worthy of retention.

#### Ecological Impacts

29. The applicant has undertaken a Bat survey and LCC (Ecology) have advised that no tree felling should be carried out until a method statement has been submitted to and approved in writing by the Council (in conjunction with LCC Ecology) which will set out measures to safeguard any species on the site. LCC (Ecology) also recommend compensatory native tree planting as part of any landscape proposals. Both of these matters can be dealt with via appropriately worded conditions.

#### Other matters

30. The issue raised regarding the covenant on the site is noted. However, this is a separate legal matter and it would be the applicants responsibility to address this matter if planning permission is granted as it is not a reason to withhold granting planning permission.

#### **Overall Conclusion**

31. In principle, the development of the site for housing purposes is considered acceptable. The illustrative layout shows how the site can suitably accommodate six dwellings and there are no highway objections to the access and parking. The development will also not have a harmful impact on the trees on the site which are the subject of a Tree Preservation Order.

#### **Planning Policies**

32. National Planning Policies:  
PPS1 / PPS3



33. Adopted Chorley Borough Local Plan Review

Policies: GN3 / GN5 / EP4 / EP9 / HS4 / HS6 / HS21 / TR4 / Design SPG

**Planning History**

34. The site has been the subject of the following planning applications: -

- 08/01215/OUT - Proposed erection of 6 two storey houses and associated works (Withdrawn)
- 09/00274/OUT - Development of 6 houses and associated works (Withdrawn)
- 09/00507/OUT - Erection of 5 No. 2.5 storey and 1 No. 2 Storey houses and associated works (Refused)

**Recommendation:**

It is recommended that planning permission be granted subject to the signing of a S106 Legal Agreement to secure the requisite sum towards playspace provision and the following conditions: -

**Conditions**

1. The approved plans are:

Plan Ref.	Received On:	Title:
08-1303-L01	4 June 2010	Location Plan
08-1303-OP01 Rev F	15 September 2010	Site Plan
-----	15 September 2010	Tree Survey & Constraints Plan
08-1303-SS01	31 August 2010	Existing Site Sections
08-1303-SS02	31 August 2010	Proposed Site Sections

*Reason: To define the permission and in the interests of the proper development of the site.*

2. The development hereby permitted shall only be carried out in accordance with the approved site plan date stamped 15 September 2010 (Ref No. 08-1303-OP01 Revision F) and the scale of the dwellings shall be two storey.

*Reason: To define the permission and in accordance with Policy Nos. GN3 and HS4 of the Chorley Borough Local Plan Review.*

3. Before the development hereby permitted is first commenced, full details of all reserved matters (namely the siting, design, external appearance of the building(s), the means of access thereto and the landscaping of the site) shall be submitted to and approved in writing by the Local Planning Authority.

*Reason: The permission is in outline only and in accordance with Policy Nos. GN5, HS4 and TR4 of the Chorley Borough Local Plan Review.*

4. Each dwelling hereby permitted shall be constructed to achieve the relevant Code for Sustainable Homes Level required by Policy SR1 of the Sustainable Resources DPD (Level 3 for all dwellings commenced from 1 January 2010, Level 4 for all dwellings commenced from 1 January 2013 and Level 6 for all dwellings commenced from 1<sup>st</sup> January 2016) and achieve 2 credits within Issue Ene7: Low or Zero Carbon Technologies.

*Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*

5. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (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 and HS6 of the Chorley Borough Local Plan Review.*

6. 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 the approved 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 Chorley Borough Local Plan Review.*
7. 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 the approved plans). The development shall only be carried out in conformity with the approved level 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 Chorley Borough Local Plan Review.*
8. 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.*
9. 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.*
10. The existing soil levels around the base of the trees to be retained shall not be altered.  
*Reason: To safeguard the trees to be retained and in accordance with Policy No. EP9 of the Chorley Borough Local Plan Review.*
11. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.  
*Reason: To safeguard the trees to be retained and in accordance with Policy No. EP9 of the Chorley Borough Local Plan Review.*
12. 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 the approved plans) 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 Chorley Borough Local Plan Review.*

13. Notwithstanding the details shown on the approved plans, the proposed driveways/parking spaces associated with the dwellings hereby permitted shall be constructed using permeable materials on a permeable base, the details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall only be carried out using the approved materials and construction details and shall be retained at all times thereafter, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run off. In accordance with Policy No.GN5 and EP18 of the Chorley Borough Local Plan Review.*

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E) (as amended) 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 in accordance with Policy Nos. GN5 and HS4 of the Chorley Borough Local Plan Review.*

15. The development hereby permitted shall not commence until a Method Statement detailing the precautionary measures to be adopted when pruning or felling any trees on the site to safeguard potential bat roosts has been submitted to and approved in writing by the Local Planning Authority. The Method Statement shall detail the timing of any works and how the cutting back of the ivy at the bases of the trees to allow further inspection after dieback will be carried out prior to any felling or pruning works. Any tree pruning and felling works shall only be carried out in accordance with the approved Method Statement.

*Reasons: To safeguard protected species and in accordance with Policy No. EP4 of the Chorley Borough Local Plan Review.*

16. All windows in the west facing elevations of the dwellings on plot 1 and plot 6 shall be fitted with Pilkington privacy level 3 obscure glazing (or a glass from an alternative manufacturer with an equivalent level of obscurity) and shall be non-opening. Non-opening obscurely glazed windows shall be retained as such at all times thereafter.

*Reason: To protect the amenities of neighbours and in accordance with Policy No. HS4 of the Chorley Borough Local Plan Review.*

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**Item** 10/00278/FULMAJ

**Case Officer** Liz Beard

**Ward** Chorley East

**Proposal** Revisions to approved site layout involving 26 dwellings.

**Location** Quarry Road Industrial Estate Quarry Road Chorley

**Applicant** M.J.Fellows Ltd & Northern Trust

**Consultation expiry: 18 August 2010**

**Application expiry: 20 October 2010**

### **Proposal**

1. The proposal is for revisions to the approved site layout in relation to 26 dwellings. The plots that are included within this application are no.s 1-19 (inclusive), 27, 50, 51, and 64-67 (inclusive).
2. The original application was approved in July 2010 which was an application for 66 houses application ref. The site is located between Quarry Road and Fell View in Chorley covering a site of 1.546ha.
3. The proposal includes changes to 13 no. 3 bed houses (market housing) and 8 no 2 bed houses and 5 no. 3 bed houses (affordable housing: social rented).

### **Recommendation**

4. It is recommended that this application is approved with conditions.

### **Main Issues**

5. The main issues for consideration in respect of this planning application are:
  - Design and layout of the development.
  - Impact on the amenity of the neighbouring properties and proposed.
  - Highway safety.

### **Representations**

6. No letters of objection have been received.

### **Consultations**

7. Lancashire County Council (Highways) have not provided any comments on this scheme.

### **Assessment**

#### Design and Layout

8. The application for 66 dwellings was approved in December 2009 subject to the signing of the S106, which was signed in July 2010. Access to 53 dwellings, which are market housing, is from Quarry Road and access to 13 dwellings, which is a courtyard of affordable housing, social rented, is from Fell View. The accesses remain as previously approved, however, the layout of the houses and types have been changed.
9. Plots no.s 1-13, all have access from Fell View. This now forms a larger courtyard, with parking provided within the actual courtyard and the houses looking onto the parking. Three of the properties look onto Fell View (Plots 1-3) where the house types for Plots 1 and 3 have changed and Plot 2 remains as previously approved. The other changes include changes in house types for the other houses, which all now form small terraces. The garden sizes and privacy distances are still within those previously approved and the Council's guidelines.

10. Plots 14 to 19 have changed layout and orientation. The previous layout meant that this section of the layout had 7 no dwellings taking access off Fell View. The proposed layout has 6 no dwellings in this area where their orientation has been changed so they gain access from Quarry Road and the internal roads, with parking provided in a parking court in front of their properties. Their back gardens now back onto Fell View. This switch has provided better natural surveillance whilst maintaining the privacy distances as previously approved. The existing trees along Fell View will be maintained and located in a landscaping area out with the future owners gardens. The house types have changed, however, they are all three bedroom houses instead of 2 no two bedroom houses and the remainder as three bedroom houses.
11. Plot 27 is now located in the eastern part of the side, and was formerly Plot 22. The house type remains as that previously approved but the double garage has been moved from the top of the cul-de-sac to be located adjacent to the property. The drive way has then been relocated accordingly. This provides a neater layout in this section of the scheme and again does not impact on the privacy distances as approved.
12. Plots 50 and 51 were previously Plots 44 and 45. The house types have changed from semi detached to one detached property and the other joining to form a row of three properties. The garages, which were previously joined, have now been separated. The properties now all have the same building line and the privacy distances and garden sizes have all been maintained.
13. Plots 64 to 67 are located in the position of where Plots 64 to 66 were located. As well as the addition of one extra house in this location, there has also been a change in orientation and in house types. The layout now consists of three bedroom houses and a more regular layout, which again forms a neater layout. Car parking is provided by way of single garages with driveways in front. The distances are all met as per the Council's design standards as set out in the SPD.
14. The actual design of the dwellings proposed are similar to those previously approved. The changes in the layout provide a more uniform layout, and in some areas provide better natural surveillance, which is acceptable. There are some garden areas that are not 10 metres in length, however, in these instances where the garden is not 10 metres in length these properties are sited to ensure there will be no overlooking created by first floor windows to neighbouring garden areas and back onto courtyard areas, and therefore complies with PPS3.

#### Impact on the Amenity

15. The changes in house types and layout all meet the minimum privacy distances as outlined in the Design Supplementary Planning Document this is both in relation to the proposed housing and the proposed housing and existing housing adjacent to the site.

#### Highway Safety

16. The access is as per the approved plan except for some accesses on the former Plots 7 to 13, which have been changed to Plots 14 to 19, have now been removed from Fell View, and now have access from within the scheme itself.
17. There is adequate parking provided in relation to the amended plots and the scheme overall. Therefore there are no issues in relation to highway safety.

#### **Overall Conclusion**

18. The proposed substitution of house types and changes in layout are acceptable and provide an acceptable layout. The mix of materials and designs is appropriate for the area and fits in with what has already been approved. The proposal complies with the privacy distances and where the garden areas are slightly reduced in length it is considered that there will not be an impact on amenity. The scheme is therefore considered acceptable and complies with national and local policies.

#### **Planning Policies**

National Planning Policies:  
PPS1 and PPS3



Adopted Chorley Borough Local Plan Review

GN1: Settlement Policy

GN5: Building Design and Retaining Existing Landscape Feature and Habitats

HS4 Design and Layout of Residential Development

## Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

**Planning History**

08/00023/OUTMAJ Proposed residential development for 72 no 2, 2.5 and 3 storey mixed dwelling types with associated roads and open space. Refused in April 2008.

09/00745/FULMAJ Proposed residential development. Erection of 66 dwellings and associated infrastructure. Approved with conditions 20 July 2010.

**Recommendation: Permit Full Planning Permission 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. 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(s) (notwithstanding any details shown on the 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, and HS4, of the Adopted Chorley Borough Local Plan Review.*
3. 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.*
4. 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.*

5. 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.*

6. No development shall take place until :

- a) 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 Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.*

7. Japanese Knotweed is present within the application area. Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to cause Japanese Knotweed to grow in the wild. Therefore a programme of control/eradication of this species shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The programme shall accord with the Environment Agency Guidelines.

*Reason: To ensure the eradication of Japanese Knotweed in accordance with the Wildlife and Countryside Act 1981 (as amended).*

8. No development shall take place until full details have been submitted of the predicted energy use of the development expressed in terms of carbon emissions and a schedule setting out how energy efficiency is being addressed, including benchmark data. I will show on-site measures to be installed and implemented so as to produce a minimum of 10% or locally set targets whichever is the higher) of the predicted energy use of the development by means of low carbon energy sources. Appropriate on-site measures including rainwater/brown water recycling. No development shall commence until implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure the proper planning of the area, in line with the objective of National Planning Policy contained in Planning Policy Statement: Planning the Climate Change Supplement to PPS1 and Chorley Borough Council's adopted Sustainable Resources SPD.*

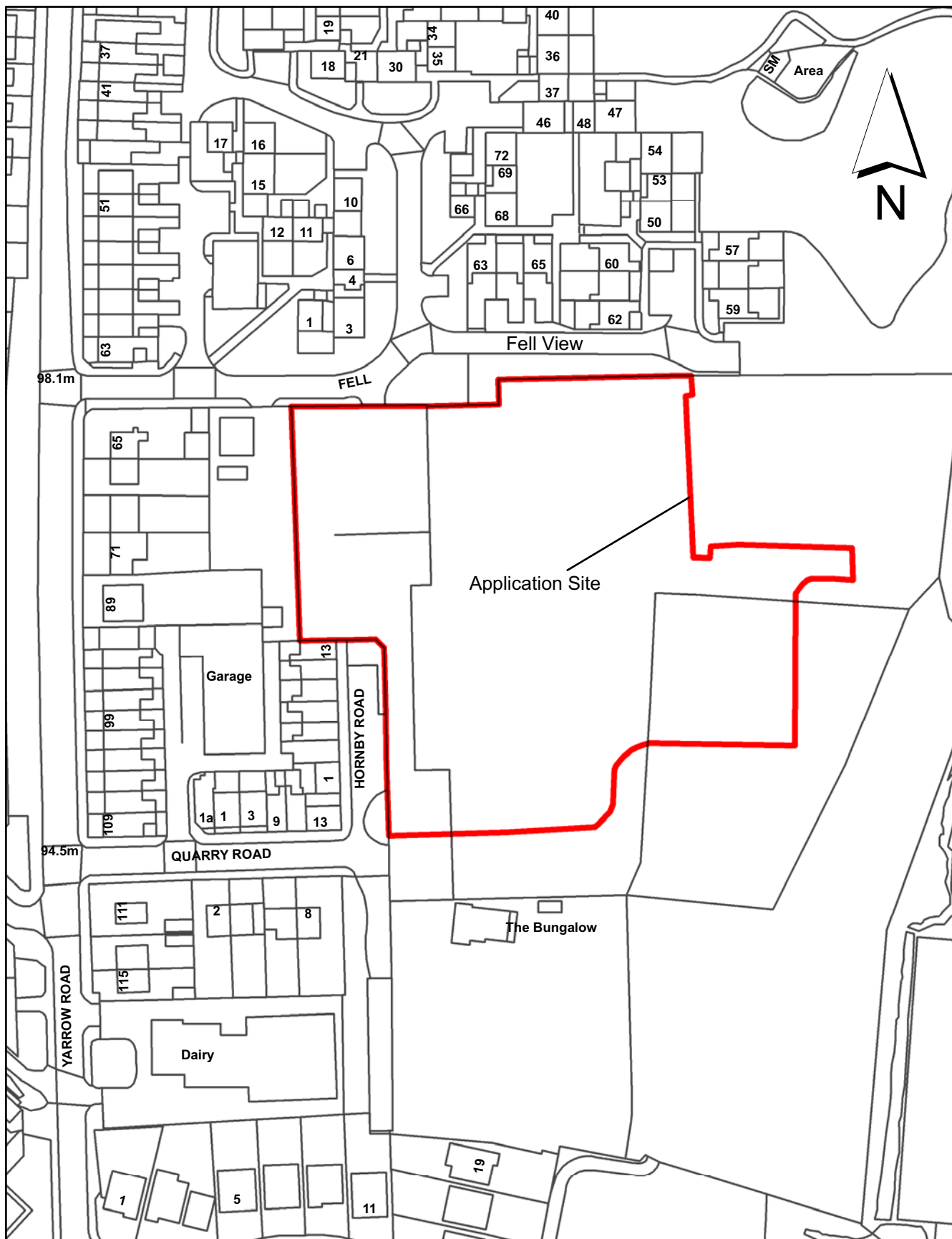
9. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.

*Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 and HT9 of the Adopted Chorley Borough Local Plan Review.*

10. 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.*

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**Lesley - Ann Fenton**  
 Director of Partnerships, Planning & Policy

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Application Number:  
**10/00278/FULMAJ**

Grid Ref:  
**E: 359401**  
**N: 416878**

Scale:  
**1:1,250**

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**Item** 10/00439/OUTMAJ

**Case Officer** Liz Beard

**Ward** Adlington & Anderton

**Proposal** Application for outline planning permission (access only) for the erection of up to 75 dwellings and a park and ride parking area for Adlington Railway Station.

**Location** Grove Farm Railway Road Adlington Chorley PR6 9RF

**Applicant** Hollins Strategic Land, Ms Margaret Hardman

**Consultation expiry: 14 July 2010**

**Application expiry: 2 September 2010**

### **Proposal**

1. The application is an outline planning application for the erection of up to 75 dwellings and a park and ride area for Adlington Railway Station, on a site of 2.44 hectare, which equates to approximately 31 dwellings per hectare. The proposal includes access to the site, but all other matters are reserved for future consideration.
2. It is proposed to demolish the existing buildings on the site. The existing buildings are difficult to see from the frontage of the site, as the site is quite overgrown. There is an existing dwelling on the site and a collection of other buildings, which include small outbuildings and a greenhouse.
3. A new access is proposed from Railway Road, which will be 5.5m wide with 2.m footways on both sides of the carriageway. The visibility splay is shown to be 2.4m x 43.0m, on the plan, which forms part of the planning application. The existing access from Railway Road will be closed.
4. The site is an allocated employment site allocated under Policy EM1 of the Adopted Chorley Local Plan Review.

### **Recommendation**

5. It is recommended that this application be refused.

### **Main Issues**

6. The main issues for consideration in respect of this planning application are:
  - Principle of Development
  - Access
  - Affordable Housing
  - Park and Ride Facility
  - Design Issues
  - Trees and Vegetation
  - Impact on Local Services
  - Highway Safety
  - Section 106 Agreement

### **Representations**

7. 26 letters of objection have been received raising the following points:
  - Concern about extra traffic on the road, which is already busy.
  - Difficulty opening the information on line.
  - Proposed junction with Railway Road would be unsafe due to its poor visibility both up and down Railway Road.

- Park and Ride traffic will be at the same time as school traffic.
- Proposed development not in keeping with other property in the area.
- Existing houses are predominantly bungalows and cottages and the proposed two and three storey houses would have an adverse affect on their privacy and outlook.
- Extra housing could lead to increase in noise & crime, again affecting the quality of life of existing residents.
- Existing sewerage and drainage systems would be put under increased pressure by extra housing.
- Development could lead the way to further development of other land in the adjoining area.
- Planning application not for redevelopment but for a new development.
- There is no requirement for 55 park and ride spaces, only a few cars are daily parked near the station for 'park & ride' reasons.
- The 55 car parking spaces are only created as extra parking spaces for residents of proposed development.
- Scale of development is too large for this area.
- Proposed 75 dwellings have a negative impact on our privacy and views to the front.
- It is a Greenfield site.
- The 30 mph limit is already busy for users of the school, churches, library and popular Community Centre.
- Bring more cars onto a congested road, which creates issues for the safety of pedestrians and road users entering and exiting the proposed site.
- Been said that Buckshaw will provide all required housing for coming years for Chorley Borough.
- This proposed development is designed to attract motorway users.
- Concerned for the habitat of the local wildlife.
- Do not believe that there is the demand for Adlington for additional 75 new homes.
- If planning permission granted an irreversible effect on the environment.
- Put a strain in existing services.
- If drainage ditch between the site and Mayfield Avenue is not reinstated then this will cause gardens to flood again.
- Concern that drive bats out of the area.
- No desire to be looking out at yet more three storey housing developments. These are very intrusive and not in keeping with the surrounding property.
- Trees and vegetation on front of proposed development have a TPO7 on them since 2006.
- Close proximity to the existing houses will reduce the amount of light and sunshine and will increase the noise and disturbance in a very quiet area.
- Concerned that there has been no consideration of the impact that this would make to the environment and to existing services.

8. Adlington Town Council raise the following concerns;

- That they cannot see reasons to support the change of designation from industrial/commercial use in order to develop housing for which there is not an immediate or medium-term need.
- Railway Road is a narrow, very busy road, carrying a bus route and through traffic, and traffic feeding to and from Railway Road to a number of facilities.
- Traffic problems on Railway Road will be exacerbated by the Park and Ride facility proposed.
- Conservative Club may not be fully utilised but it is still used and adds further traffic problems.
- Adlington and District Community Centre is close to proposed houses with gable end (nearest to the application site) which houses the stage and sound production which will have a noise impact on any new houses.
- There is a culvert system on the site and Town Council cannot see any evidence that this issue has been investigated fully. Houses and hard standing will increase the incidence of surface run-off thus exacerbating wet conditions.

- It is important that the existing woodland is retained for birds and as a green buffer between any development and Railway Road.
- It is noted that the planning application identifies the presence of bats, within the area, and that appropriate steps must be taken to provide full protection.
- In recent years the population of Adlington has increased by approximately 20%. This proposed development would increase the population by approximately a further 5% placing a severe burden on local services. In the Town Council's view such a large development can only have a detrimental effect on local facilities and amenities, especially bearing in mind the already significant increase in population over the last few years.
- Should the residential development be permitted the Town Council sees a local need for affordable housing and would therefore seek that a much higher proportion of the development is devoted to that type of residential accommodation.
- The Town Council would strongly support conditions attached to the development for Equipped Play Space and LCC educational facilities.

### Consultations

9. Lancashire County Council (Ecology) states that the main ecological issues arising from this proposal include impacts on bats, habitat loss, impacts on breeding birds and the potential spread of Japanese Knotweed. Owing to the presence of bats (European Protected Species) the requirements of the Conservation of Habitats and Species Regulations 2010 will need to be applied to the planning decision. Paragraph 98 of DEFRA Circular 01/2005 indicates that where there may be harm to a protected species or habitat, then Natural England should be consulted before granting planning permission. If these requirements are adequately addressed and Chorley Borough Council are minded to approve the planning application, it will also need to be demonstrated that the landscaping/restoration/habitat creation proposals will maintain and enhance biodiversity interests as required by PPS9. This may be addressed at reserved matters stage or by an appropriate planning condition.
10. The Environment Agency no objections to the principle of development but suggest a planning conditions in relation to surface water drainage strategy, site investigation is carried out and scheme for the eradication of Japanese Knotweed is provided.
11. The Architectural Design and Crime Reduction Advisor no comments to make.
12. United Utilities have no objections in principle, no surface water allowed to be discharged into the system.
13. Lancashire County Council (Highways) any comments will be reported on the addendum.
14. Chorley's Waste & Contaminated Land Officer due to the sensitive end nature if the end user of the site then a condition in relation to an appropriate site investigation is required.
15. English Nature state that they are not aware of any nationally designated landscapes or any statutorily designated areas of nature conservation importance that would be significantly affected by this planning application. Note that appropriate reports/assessments have been carried out. In general, advise that mitigation strategies clarify how the likely impact will be addressed in order to ensure no detriment to the maintenance of the population at a favourable conservation status of the protected species. In summary, taking into account the nature of the application, advise that the local authority consider the requirements of protected species in the determination of this application, and may wish to seek advice of the ecologists of Lancashire County Council.
16. The Council's Arboriculture Officer any comments will be reported on the addendum.

## Assessment

### Background Information

17. The site is a large area of predominantly open land, which covers approximately 2.44 hectares in area, and is located within the settlement boundary of Adlington. There are currently two dwellings on the site, although only one is occupied, and various warehouse/industrial buildings which were associated with the previous use.
18. In relation to the history of the site it is apparent that there has been a dwelling on the site for over 50 years. Subsequently the owner of this property decided to move from farming and into business where planning permission was granted for the erection of a bungalow on the site. It was intended for the landowner to occupy the bungalow and utilise the existing farmhouse for storage. Both these buildings are in situ, with the bungalow still being occupied.
19. In 1977 planning permission was granted to A&F Suppliers for a storage shed on the site. They also occupied the farmhouse and various storage sheds/buildings on the site for a number of years and the presence of this business on the site is still evident. A&F Suppliers business was that of expanded metal and wire goods manufacturers and it is understood from Council Tax that this business ceased being on site from March 2008.

### Principle of Development

#### **Employment Land**

The site is allocated in the Chorley Local Plan Review under Policy EM1.2 for B1 (business use comprising offices (B1a), research and development (B1b) and light industry (B1c)) and part of the site is safeguarded for an extension to the rail based park and ride facility at Adlington Station (Policy TR13).

B1 use is considered an appropriate use within predominantly residential areas. The proposed use C3 (residential development) does not fall within the allocated uses for this site and as such is contrary to Saved Policy EM1 of the Adopted Local Plan.

The site was first allocated for B1 use in 1997 and was reviewed as part of the Chorley Local Plan Review. The Inspector's Report concluded that '...as it is likely that the demand for-and the value of-housing land is likely to be stronger than any other feasible use, this is tantamount to committing the site to a residential use.' The Inspector accepted the relative planning merits of the site for B1 uses (which by definition is suitable for a residential area) compared to the need for more housing land.

Policy EM9 is also of relevance as part of the site has previously been used for employment use. Policy EM9 does not cover the specific areas of land allocated in Policy EM1. However, in Policy EM9 it states that the redevelopment of a site for employment use will be encouraged and permitted unless the applicant can demonstrate that employment use re-use is not appropriate and economically viable. The Supplementary Planning Guidance document Proof of Marketing: Policy EM9 is relevant where non employment use is put forward and there is no realistic prospect of an employment re-use of the land or premises or redevelopment for an employment use would not be economically viable.

The site has also been considered through a Joint Employment Land Review with South Ribble and Preston (April 2009). This site was identified as an 'Other Urban' site. These sites are generally of reasonable quality but may be constrained limiting their full current availability or market attractiveness. The report recognises the owner's aspirations, that the rest of the site could be developed to improve the local environment and the site has the potential to deliver economic development benefits. The report also, states unless sites are committed for other forms of development it is not recommended releasing or de-allocating any employment sites ranked as Best Urban, Good Urban or Other Urban at this time through the Development Plan Process. This stance has been taken in the Emerging Central Lancashire Core Strategy (Preferred) Policy PCS11.

The site is due to be re-assessed as part of the Site Allocations Development Plan Document process. An Issues document in the form of a Discussion Paper will be published in November 2010. There are presently 3 site suggestions on this site as part of this process. These are for housing use (put forward by the owners of the site), a mix of housing and commercial use (put forward by the owners of the site); and a mix of social housing and leisure use.

The B1(a) office use would need to conform to Planning Policy Statement 4 (PPS4): Sustainable Economic Growth. This indicates at EC14.3 a sequential assessment (under EC15) is required for applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date development plan.

PPS4 indicates at a local level (EC2.1(h)), where necessary to safeguard land from other uses the local planning authority should identify a range of sites, to facilitate a broad range of economic development including mixed use. Existing site allocations should not be carried forward from one version of the development plan to the next without evidence of need and reasonable prospect of take up during the plan period. If there is no reasonable prospect of the site being used for the allocated economic use during the plan period, the allocation should not be retained, and wider economic uses or alternative uses such as housing should be actively considered.

### **Housing Development**

In accordance with PPS3 there is a requirement for Local Authorities to demonstrate a 5 year housing land supply. Where there is no deliverable five-year housing supply, national guidance states that authorities should consider favourably applications for housing, having regard to other planning policies. There is considered to be a five-year housing supply in Chorley and therefore no additional presumption in favour of this planning application.

The September 2010 Strategic Housing Land Availability Assessment indicates that there is a 5.94 year deliverable housing supply in the Borough. There is also sufficient land in the Borough to meet longer term housing requirements. Detailed housing site surveys have been completed and have been published in the Housing Land Monitoring Report (April 1<sup>st</sup> 2009 to March 31<sup>st</sup> 2010), which outlines the housing land availability and completion position on 31<sup>st</sup> March 2010. These detailed surveys indicate that over 300 units were under construction throughout the Borough, indicating that housebuilding activity is strong in Chorley, despite the current economic climate.

In accordance with Policy HS5 of the Adopted Local Plan 20% of the site will be required to be Affordable Housing. The applicant has stated that there will be 15 Affordable Houses Provided on site, which will include 5 x 2 bedroom mews houses and 5 x 3 bedroom mews houses as rented affordable units and a further 5 x 2 bedroom mews houses as discounted housing for sale. This equates to 20% Affordable Housing.

The 20% Affordable Housing is an increase from that provided in the previous application (ref. 09/00721/OUTMAJ) and complies with Policy HS5.

### **Conclusion**

Chorley are in the unusual position of having both a 5 year housing supply and an existing employment land supply of 94 hectares. However, Chorley still has to find a minimum of 38 hectares of new supply for B1, B2 and B8 employment uses, and also need to consider any other employment uses. As explained above this land is allocated as Employment Land, and has previously been used for employment therefore there is a requirement for the site to be marketed for employment uses. It stated in the Planning/Design and Access Statement paragraph 6.4 that the Council agreed that Policy EM9 as well as the SPG was irrelevant to the application site as it is allocated for employment purposes under EM1, rather than being an employment site under Policy EM9. There appears to be some misunderstanding, as this was not agreed. The applicant has not carried out the Policy EM9/SPG marketing requirements, however, they have submitted an Employment Land Study with their application.

The applicants employment land study concludes that the sites allocation for B1 use does not need to be retained and the loss of this would have no significant impact on the overall supply of office accommodation within Chorley. The reasons given are:

-There is little perceived demand for office accommodation within Chorley (there is little perceived demand for B1 office space on the application site in the short and medium term; there is adequate supply of allocated employment sites, existing space and unimplemented space to address medium to long term demand).

-The existing buildings on the site are incapable of any beneficial use.

-Three factors affect the viability of the site: TPO on Railway Road, telecoms mast and sewer easement running through the site.

-Adlington is fairly localised as an office location.

-There is an abundance of both consented, unimplemented and developed office space accommodation on major business parks at Ackhurst Business Park, Buckshaw Village and Botany Business Park attractive to footloose occupiers.

-Office development on the site is unviable for reasons including cost infrastructure whether it be for a redevelopment of the whole or part of the site.

-Reserving the site for office development would preclude the development of a park and ride car park.

There is an absence of actual marketing of the site, however, the applicants contacted King Sturge who stated that there is little prospect of the site being developed due to a number of factors including the issue of pre-lets. It states that 'it is inconceivable that wholesale development of the site would occur without a significant occupational pre-lets being secured. This site would have to compete for pre-lets with other local and regional employment sites, which can provide serviced plots with infrastructure already in place, or existing premises. Consequently there are a number of other sites, which are superior to the subject site in terms of delivery of timescales and costs. This is compounded by the lack of urgency from companies who may have a commercial property requirement.'

Whilst the issues above are acknowledged it is clear in Policy EM9 (Redevelopment of Existing Employment Sites for Non-Employment Uses) and the SPG Proof of Marketing for Policy EM9 that a marketing exercise is required. The SPG outlines that the Council require a Statement of Efforts and Proof of Marketing for the site and sets out criteria how this should be undertaken including advertising and marketing over a 9-month period. The SPG also states that this period may need to be extended in times of flat or falling markets and the Council have advised that the period of marketing is now 12 months. There is a need to carry out a marketing exercise and this has not been submitted as part of the planning application. Therefore the applicant has not demonstrated that the site cannot be re-used for employment purposes.

The applicant then goes on to say that another reason that the site has not been developed for employment purposes is that the buildings may not be capable of being re-used. This does not necessarily equate to a prospective purchaser not wanting to develop a site for employment use. This is linked into the issue raised above, about the requirement for the proof of marketing and the requirements as set out in Policy EM9 and the associated SPG.

The three factors in relation to the affect of the viability of the site: TPO on Railway Road, telecoms mast and sewer easement running through the site, are not specific to developing the site for employment use. These are issues that relate to all uses and the redevelopment of the site, not just an employment use. Again this links into the need to demonstrate this through Policy EM9.

It states that Adlington is fairly localised as an office location, however, there are offices found in all main settlements of the Borough.

Whilst it is acknowledged that there are both consented, unimplemented and developed office space accommodation on major business parks at Ackhurst Business Park, Buckshaw Village and Botany Business Park attractive to footloose occupiers, there is still a requirement for Chorley to provide a continual employment land supply. There is a requirement for Chorley to find a minimum



of 38 hectares of new supply for B1, B2 and B8 employment uses, and also need to consider any other employment uses.

The next conclusion in the applicant's accompanying Employment Land Study was office development on the site is unviable for reasons including cost infrastructure whether it be for a redevelopment of the whole or part of the site. This has not been demonstrated as a financial breakdown for any of the B1 uses and there are no figures accompanying the planning application to demonstrate this.

The Employment Land Study also concludes that reserving the site for office development would preclude the development of a park and ride car park. This would need to be looked at through any marketing exercise, which again is linked to Policy EM9.

The Employment Land Study does not consider the site suitable for B1b) or B1c) in terms of modern occupational requirements. It concludes B1c) use is likely to come from the localised market place but the development of small industrial units would involve extensive infrastructure costs at the onset. These issues would make redevelopment of the site unviable due to the prohibitive financial holding costs incurred at the onset. Therefore it is not anticipated that interest in the site from developers will be forthcoming.

All the conclusions reached in the Employment Land Study link back to a requirement for these to be demonstrated through marketing. The applicant has not successfully demonstrated that the site cannot be re-used for employment purposes and therefore does not comply with Policy EM9 of the Chorley Local Plan Review.

#### Access

20. This application is an outline application and requires access to be agreed. The existing access to the site is from Railway Road into the northern corner of the site. It is proposed to close this existing access and introduce a new access 55 metres to the south west off Railway Road. The carriageway would be 5.5m wide and have 2.0 metre footways on both sides of the carriageway. This will require the removal of some of the trees to achieve a visibility splay of 2.4m x 43 metres. The applicant has stated that replacement planting would be provided, however, this would be looked at during the reserved matters stage.

21. The Highways Engineer has not provided any comments at the time of writing the report. Any comments provided will be reported on the addendum.

#### Affordable Housing

22. The applicant has stated that there will be 15 Affordable Houses Provided on site, which will include 5 x 2 bedroom mews houses and 5 x 3 bedroom mews houses as rented affordable units and a further 5 x 2 bedroom mews houses as discounted housing for sale. This equates to 20% Affordable Housing which complies with Policy HS5 of the Chorley Local Plan Review.

#### Park and Ride Facility

22. It is proposed that a 55 space Park and Ride Facility is provided as part of the scheme. This would be included in a Section 106 Agreement. Lancashire County Council are satisfied with the proposed extent of the Park and Ride Facility which they have indicated will be sufficient for Adlington Train Station.

23. Whilst this does not conform with the proposed area as identified in the Local Plan Review Lancashire County Council are satisfied with the size of it. It is not considered to be the best location for the facility; however, this would need to be looked at during the detailed design stage. Therefore the inclusion of this size Park and Ride Facility is considered appropriate for this location.

#### Design Issues

24. The application is an outline application, for 75 houses, which equates to approximately 31 dwellings per hectare, however, this excludes the area taken up by the Park and Ride facility therefore the final density would be higher if this was excluded. There are no illustrative drawings in relation to design, but there is an illustrative layout provided. Due to this application

only seeking access to be considered with this application the issues about detailed design would need to be looked at during the reserved matters stage.

#### Trees and Vegetation

25. There is a Tree Preservation Order on the site and the application has an accompanying tree survey included with it. The conclusions of the survey are that in order for the proposed access to be constructed the trees that will be required to be removed include those of low quality or value or of poor quality. The access will not result in the removal of any category A trees (High Quality and Value), however, it shows by way of an indicative road layout that some category B trees (Moderate Quality and Value) will require to be removed from within the site. There is also replacement planting proposed as part of the scheme.
26. The Council's Arboriculture Officer has been consulted on the proposal, however, these have not been provided at the time of writing the report. Any comments provided will be reported on the addendum sheet.

#### Impact on Local Services

27. This issue of the impact on Local Services has been raised by the Town Council and a number of residents who live close to the proposal site. An infrastructure delivery and requirements schedule for the Borough will be published as part of the Core Strategy Publication version in November 2010. Detailed work has been undertaken with a range of stakeholders to determine what local facilities, infrastructure and services are required in the Borough. Adlington is included within this exercise, and details will be identified in the Site Allocations DPD discussion paper also out for public consultation in November 2010.

#### Highway Safety

28. The issue of highway safety has been raised as a concern by the Town Council and local residents in relation to Railway Road being a busy through route, which would be exacerbated by such a scheme.
29. The Highways Engineer has not provided any comments at the time of writing the report. Any comments provided will be reported on the addendum.

#### Section 106 Agreement

30. The applicant has agreed to enter into a Section 106 agreement for the provision of a financial sum of £99,525 towards the provision of off-site open space/play space within Jubilee Playing Fields in Adlington. The 55-space Park and Ride Facility will also be included within the Section 106, along with the Affordable Housing Provision.

#### **Overall Conclusion**

31. The site is allocated for employment and there is a requirement for the applicant to carry out marketing requirements under Saved Policy EM9/SPG marketing requirements, however, they have submitted an Employment Land Study with their application. All the conclusions reached in the Employment Land Study link back to a requirement for these to be demonstrated through marketing. The applicant has not successfully demonstrated that the site cannot be re-used for employment purposes and therefore does not comply with Policy EM9 of the Chorley Local Plan Review. In addition to the above Chorley Borough Council can demonstrate that there is a 5 year Housing Land Supply, and therefore the proposal is recommended for refusal.

#### **Other Matters**

##### Public Consultation

31. There were no public consultation exercises carried out prior to the submission of these proposals.
32. The Council's Statement of Community Involvement identifies the types of developments that would benefit from community involvement. These include large scale residential development and developments where opportunity for community benefits may be available.

#### **Planning Policies**

##### National Planning Policies:

PPS1 and the Climate Change Supplement, PPS3 and PPS4.

Adopted Chorley Borough Local Plan Review

Policies:

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

**Planning History**

00/00467/MAS: Siting of 15m lattice tower approved July 2000

02/00323/OUT: Outline application for one detached house and garage, approved May 2002.

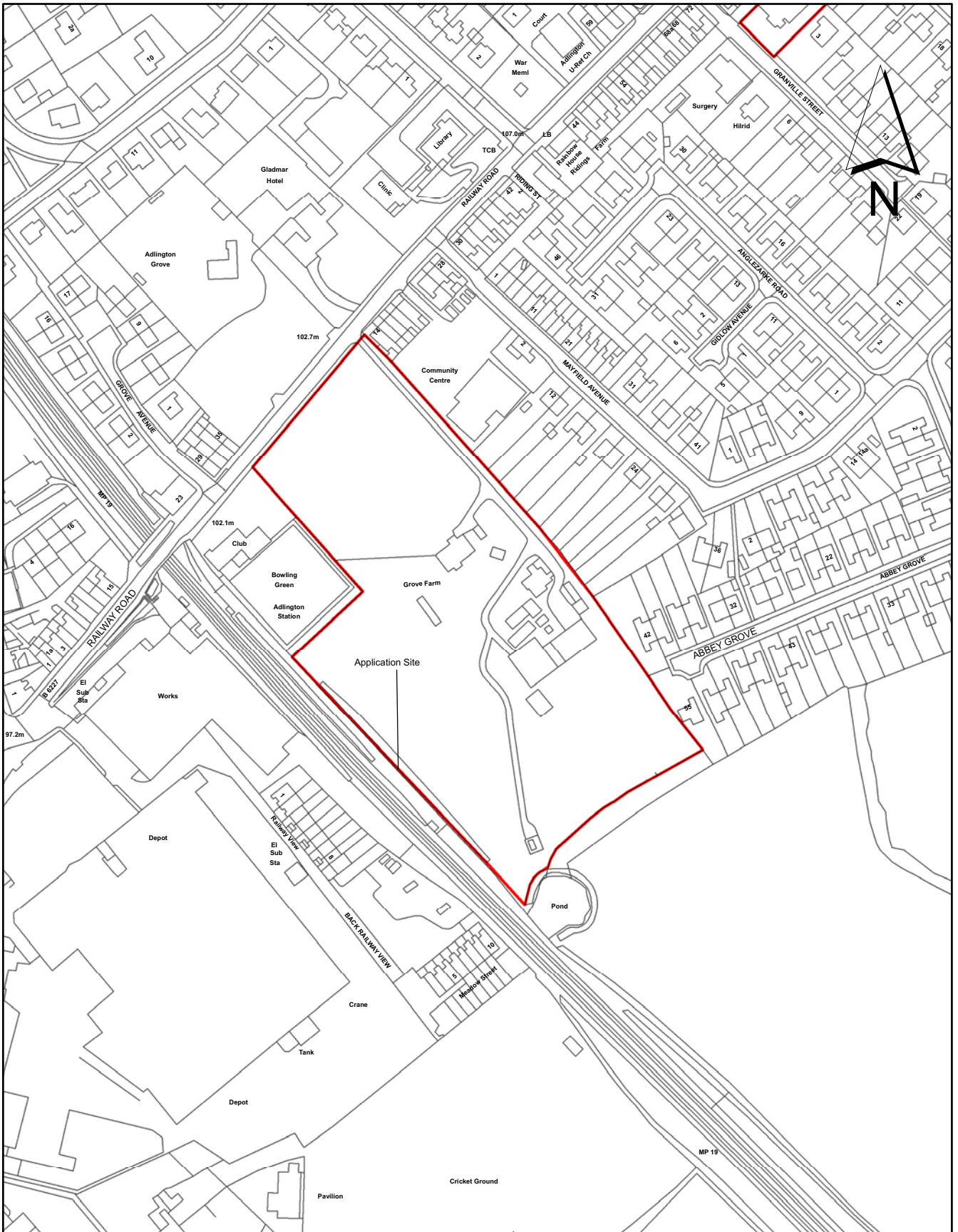
06/01290/FUL: Proposed extension to existing mast by 1.5m, removal of 6 no. antennas and replaced by 6 no. antennas, 3 no dishes together with ground based equipment cabins. Approved May 2007.

09/00721/OUTMAJ: Outline application for residential development (for a least 75 dwellings) and a 'park & ride' parking area for Adlington Railway Station. Approved December 2009.

**Recommendation: Refuse Full Planning Permission****Reasons**

- 1) The site is allocated under Policy EM1.2 for B1 (business use, comprising offices (B1a), research and development (B1b) and light industry (B1c)). The proposal is for housing (C3) which does not fall within the allocated uses for this site and as such is contrary to Policy EM1 (Saved) of the Chorley Local Plan Review. 2) Policy EM9 is also of relevance as part of the site has previously been used for employment purposes where it states that the redevelopment of a site for employment use will be encouraged. It is for the applicant to demonstrate that there is no realistic prospect of an employment re-use of the land or premises for redevelopment for an employment use would be economic viable. The applicant has failed to demonstrate this as specified in Policy EM9 and the accompanying Supplementary Planning Guidance Document Proof of Marketing: Policy EM9.

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**Lesley - Ann Fenton**  
 Director of Partnerships, Planning & Policy

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Application Number:  
**10/00439/OUTMAJ**

Grid Ref:  
**E: 360317**  
**N: 413108**

Scale:  
**1:2,500**

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<b>Item</b>	<b>10/00502/FUL</b>
<b>Case Officer</b>	<b>Caron Taylor</b>
<b>Ward</b>	<b>Chorley South West</b>
<b>Proposal</b>	<b>Proposed residential development of 8 dwellings following the demolition of the existing commercial premises (redevelopment of part site only - amendment to previous approval 09/00985/FULMAJ)</b>
<b>Location</b>	<b>Chorley Motor Auction Cottam Street Chorley PR7 2DT</b>
<b>Applicant</b>	<b>J.B.Loughlin (contractors) Ltd</b>

**Consultation expiry: 2 September 2010**

**Application expiry: 23 August 2010**

#### **Proposal**

1. The application is a full application for the erection of 8 dwellings following the demolition of the existing on site commercial premises and domestic garages.
2. An application was approved on the site in May this year. This was an outline permission for 15 affordable dwellings and covered a larger site area than the current application as it included the site currently occupied by Prontaprint. Prontaprint have a number of years left on their lease and so to progress the site the applicants now propose to develop the 8 plots the subject of this application is isolation. The remainder of the site occupied by Prontaprint will be developed in its own right once it becomes available. Although the previous approval was outline it approved the access, layout and the principle of redeveloping the site for housing.
3. The site occupies 0.151hectares (as opposed to the site covered by the previously approved application that was 0.254 hectares).

#### **Recommendation**

4. It is recommended that this application is granted planning permission, subject to conditions and a Section 106 legal agreement.

#### **Main Issues**

5. The main issues for consideration in respect of this planning application are:
  - Principle of Proposed Residential Development
  - Impact on the Neighbours' amenities
  - Highway Safety and Traffic
  - Section 106 Agreement
  - Ecology

#### **Representations**

6. 1 letter of objection has been received from 10 Lichfield Road, a bungalow opposite the site, on the grounds that people will park opposite their drive. When people do this they cannot get their car into their garage.

#### **Consultations**

7. **Director of People and Places** has no objection subject to suitable conditions.
8. **Planning Policy** has commented in respect of Policy HS7 (see main body of report).



9. **United Utility** have no objection subject to various conditions/ informatives
10. **Lancashire County Council (Ecology)** has no objection subject to appropriate conditions
11. **The Architectural Design and Crime Reduction Advisor** has commented on security issues for the future dwellings

### **Assessment**

#### Proposed Residential Development

12. The site is allocated within the local plan under Policy HS7 which relates to redevelopment for housing. The site consists of old buildings, which have historically been in employment use. The two storey building currently used by Prontoprint that formed part of the previous application does not form part of the current application site. Policy HS7 states that in the interests of sustainability it is important to retain employment opportunities within town centres at locations well served by public transport and close to residential areas. However certain sites and existing uses can cause significant amenity and environmental problems. The Policy identifies such sites where favourable consideration will be given for residential development and this site is included within the list of identified sites.
13. The site falls to be considered previously developed land in accordance with advice contained in PPS3 which is the preferred location for residential development.
14. The site also benefits from an extant outline planning permission for housing and as such it is considered that in principle the redevelopment of the site for residential purposes has been established. Although the proposal is not now for affordable housing, as it was previously, the number of dwellings proposed is below the threshold for the requirement of affordable housing. The Council cannot therefore insist that all or some of the dwellings are provided as affordable.

#### Design and Appearance

15. The area surrounding the application is predominantly residential with a mixture of terraced, semi-detached and detached dwellings including two-storey properties and bungalows.
16. The submitted proposals incorporate the erection of six dwellings along Lichfield Road accommodated in a single row of terraced properties (of two different house types) and the erection of a single pair of semi-detached dwellings at the rear of the site accessed between the side of the row of terraces and the existing Prontaprint building.
17. The dwellings will be two-storey (with an approximate eaves height of 5.1 metres and an approximate ridge height of 7.8 metres). There are a range of properties in the immediate area including bungalows at nos. 5 and 10 Lichfield Road, however the majority of properties are two-storey. Although the two-storey properties on Lichfield Road are mainly semi-detached, the site will be viewed in the context of Coventry Street which runs down to Pall Mall which is a street of terraced properties, as are the other streets that lead to Pall Mall to the east of the site. The proposed scheme of a mix of two-storey terraced properties with a pair of semi's to the rear is therefore considered acceptable in keeping with the area.

#### Impact on the Neighbours' amenities

18. The proposed layout is identical to that approved by application 09/00985/OUTMAJ in May this year for this part of the site, which is extant. This is a material consideration in determining the application. It is not considered that there has been any change in policy since this approval in relation to the Council's interface guidelines. It is therefore not considered that the proposed dwellings will adversely impact on the amenities of the existing or future residents. The further details included as part of this full application (appearance, scale and landscaping) are considered acceptable.

#### Highway Safety and Traffic

19. The access to the site also remains as per approved by the previous application with a 4m wide shared access drive between the row of proposed properties and the existing Prontaprint building leading to small parting court for the rear properties. The row or terraces will have frontage parking along Lichfield Road. The parking provision level remains identical to the

outline permission approving layout with 12 parking spaces being provided in total. The previous approval accepted this level of parking at 150% for 2/3 bed properties as the site is located within a very sustainable location close to Chorley Town Centre and alternative modes of transport. The properties currently proposed all have 2 or 3 bedrooms. 10% of the parking bays are set out for the mobility impaired. This level of parking is considered to be acceptable for this sustainable location.

20. A resident who lives at no. 10 Lichfield Road has objected to the scheme on the grounds that people will park outside the proposed properties. When people park there they cannot get their car into their garage. However, there are no double yellow lines on this part of Lichfield Road so people can park there now. In addition, the development of the site would only continue the existing housing development on the northwest side of Lichfield Road down further on this side of the road and result in a similar arrangement between facing properties. It is not considered the resulting relationship with no. 10 is an unusual or unacceptable relationship in a residential area.

#### Section 106 Agreement

21. The Section 106 Agreement will also include a clause requiring £10,616 for the provision of equipped play space within the Borough.

#### Ecology

22. The proposals involves the demolition of existing buildings on site and the application is accompanied by a Bat Survey in respect of the existing buildings on site. The Ecologist at Lancashire County Council has reviewed this document and has not raised any objection subject to suitably worded conditions/ informatives.

#### **Overall Conclusion**

23. The site is a brownfield, sustainable location. There is already an extant permission approving the same access and layout as now proposed for this part of the site that is a material consideration in determining this application. The additional details of appearance, scale and landscaping provided with this application are considered acceptable subject to appropriate conditions.

#### **Other Matters**

##### Sustainability

24. The first policy document, Sustainable Resources DPD, within Chorley's new Local Development Framework (LDF), the new style Local Plan, was adopted in September 2008. As such the scheme will be required to achieve a minimum 15% reduction in energy consumption and accord with Code for Sustainable Homes.
25. The application was accompanied by a Sustainability Statement. Planning Policy considers that sufficient information has been provided to demonstrate compliance with criterion (a) of Policy SR1 subject to conditions.

#### **Planning Policies**

##### National Planning Policies:

PPS1, PPS3, PPS9, PPS22, PPS23

##### Adopted Chorley Borough Local Plan Review

Policies: GN1, GN5, GN9, EP17, EP18, HS4, HS7.3, TR1, TR4

##### Supplementary Planning Guidance:

- Design Guide

##### Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

**Planning History**

**9/78/913-** New Roof to Existing Garage. Approved October 1978

**9/82/604-** Change of Use of Tyre Depot to Health Club. Approved November 1982

**03/01327/ADV-** Display of internally illuminated fascia sign, two flat signs and sign on yard entry. Approved March 2004

**09/00985/OUTMAJ-** Outline application for the erection of 15 affordable dwellings, following the demolition of the existing commercial premises

**Recommendation: Permit Full Planning Permission 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. The approved plans are:
 

Plan Ref.	Stamp Dated:	Title:
09/120/P02	18 June 2010	Proposed Site and Location Plan
09/120/P03	18 June 2010	House Type Plans & Street Scenes
10/120/F02	18 June 2010	Plot Division Fence

*Reason: To define the permission and in the interests of the proper development of the site.*
3. The development hereby permitted shall only be carried out in conformity with the proposed ground and finished floor levels shown on the approved plan(s) 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.*
4. The position, height and appearance of all fences and wall to be erected shall only be carried out in conformity with the details shown on approved plans 09/120/P02 and 10/120/F02 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.*
5. 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.*
6. All planting, seeding or turfing comprised in the approved details of landscaping shown on approved plan 09/120/P02 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.*
7. The development hereby permitted shall not commence until samples of all external facing materials to the proposed dwellings (notwithstanding any details 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 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.*

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 development hereby permitted shall be carried out in accordance with the bat mitigation proposals set out within Section 5 of the Bat Survey undertaken by ERAP Consultant Ecologists dated 30th January 2010.

*Reason: To ensure the continued protection and enhancement of bats. In accordance with Government advice contained in PPS9 and Policy EP4 of the Adopted Chorley Borough Local Plan Review.*

10. 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 Government advice contained in PPS25: Development and Flood Risk*

11. Prior to the commencement of the development a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures, shall be submitted to and approved in writing by the Local Planning Authority. The report should include an initial desk study, site walkover and risk assessment. If the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with Local Planning Authority and thereafter undertaken including details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

*Reason: In the interests of safety and in accordance with Government advice contained in PPS23: Planning and Pollution Control*

12. 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.*

13. Before the development hereby permitted is commenced a scheme and programme for the site enabling and construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme and programme shall cover: 1) Site/construction access points for each part of development. 2) Site compound and contractor parking and management of contractors parking. 3) Construction operating hours including deliveries and site construction staff. The approved scheme and programme shall be implemented in accordance with the approved details.

*Reason: To ensure the access used for construction traffic is appropriate in highway safety terms and to ensure that noise and disturbance resulting from hours of operation and delivery does not adversely impact on the amenity of existing residents.*

14. No phase or sub-phase of the development shall commence until a Design Stage assessment and related certification has been submitted to and approved in writing by the Local Planning Authority demonstrating that the proposed development will be constructed to achieve the relevant Code for Sustainable Homes level. All dwellings commenced after 1st January 2010 will be required to meet Code Level 3, all dwellings commenced after 1st January 2013 will be required to meet Code Level 4 and all dwellings commenced after 1st January 2016 will be required to meet Code Level 6. In accordance with Policy SR1 of the Sustainable Resources DPD, renewable or low carbon energy sources must be installed to reduce the predicted carbon emissions of the development by at least 15% (increasing to 20% from 2015). To demonstrate that this has been achieved, the Design Stage certification must show that the proposed development will achieve 2 credits within Issue Ene 7: Low or Zero Carbon Technologies. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*

15. No dwelling shall be occupied until a Code for Sustainable Homes 'Post Construction Stage' assessment has been carried out and a final Code Certificate has been issued certifying that the required Code Level and 2 credits under Issue Ene7 has been achieved and the certificate has been submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*

**Please note:** it is advised that the proposed dwellings incorporate the following features from a security perspective:

1. Doors- Comply with BSI PAS 24 - 1999 'Doors of Enhanced Security' glazing to be a minimum of 6.5mm laminated glass.
2. Windows- All windows should conform to 'improved security' window standard BS7950. Vulnerable windows on the ground floor should be fitted with minimum 6.5mm laminated glass.
3. Intruder Alarms- All properties should be fitted with an intruder alarm with PIR covering the ground floor to comply with BS4737.
4. Lighting- Security lights to be fitted to the front entrance door area and on the rear of each property.

**Please note:** It is advised that vegetation clearance works, demolition work and other works which may affect nesting birds should be avoided during the bird breeding/ nesting season (March to August inclusive)

**Please note:** the following comments from United Utilities:

1. Surface water should discharge to the soakaway/ watercourse/ surface water sewer and may require the consent of the Environment Agency;
2. The applicant must discuss full details of the site drainage proposals with John Lunt tel: 01925 537174;
3. If the sewers on this development are proposed for adoption then the developer should contact our Sewers Adoption Team on 01925 428266;
4. A water main crosses the south of the site. As we need access for operating and maintaining it we will not permit development in close proximity to the main. We will require an access strip of no less than 5 metres wide measuring at least 2.5 metres either side of the centre line of the pipe;
5. Any necessary disconnection or diversion required as a result of any development will be carried out at the developers expense. Under the Water Industry Act 1991, Sections 158

and 159, we have the right to inspect, maintain, adjust, repair or alter our mains. This includes works incidental to any of those purposes. If a diversion is required the applicant must discuss this at an early stage with our Regional Mains Division Team 01925 773444;

6. A water supply can be made available to the proposed development. A separate metered supply to each unit will be required at the applicants expense and all internal pipework must comply with current water supply (water fittings) regulations 1999;
7. The applicant should contact our Service Enquiries on 0845 746 2200 regarding connection to the water mains/ public sewers.

**Please note: The Desk Study Report** should include a desk study and site reconnaissance (walk over) in accordance with the recommendations in Planning Policy Statement 23: Planning and Pollution Control 2004. Further guidance and advice on producing the report can be obtained from the Councils Contaminated Land Officers on 01527 515737/515661.

**Please note:** The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

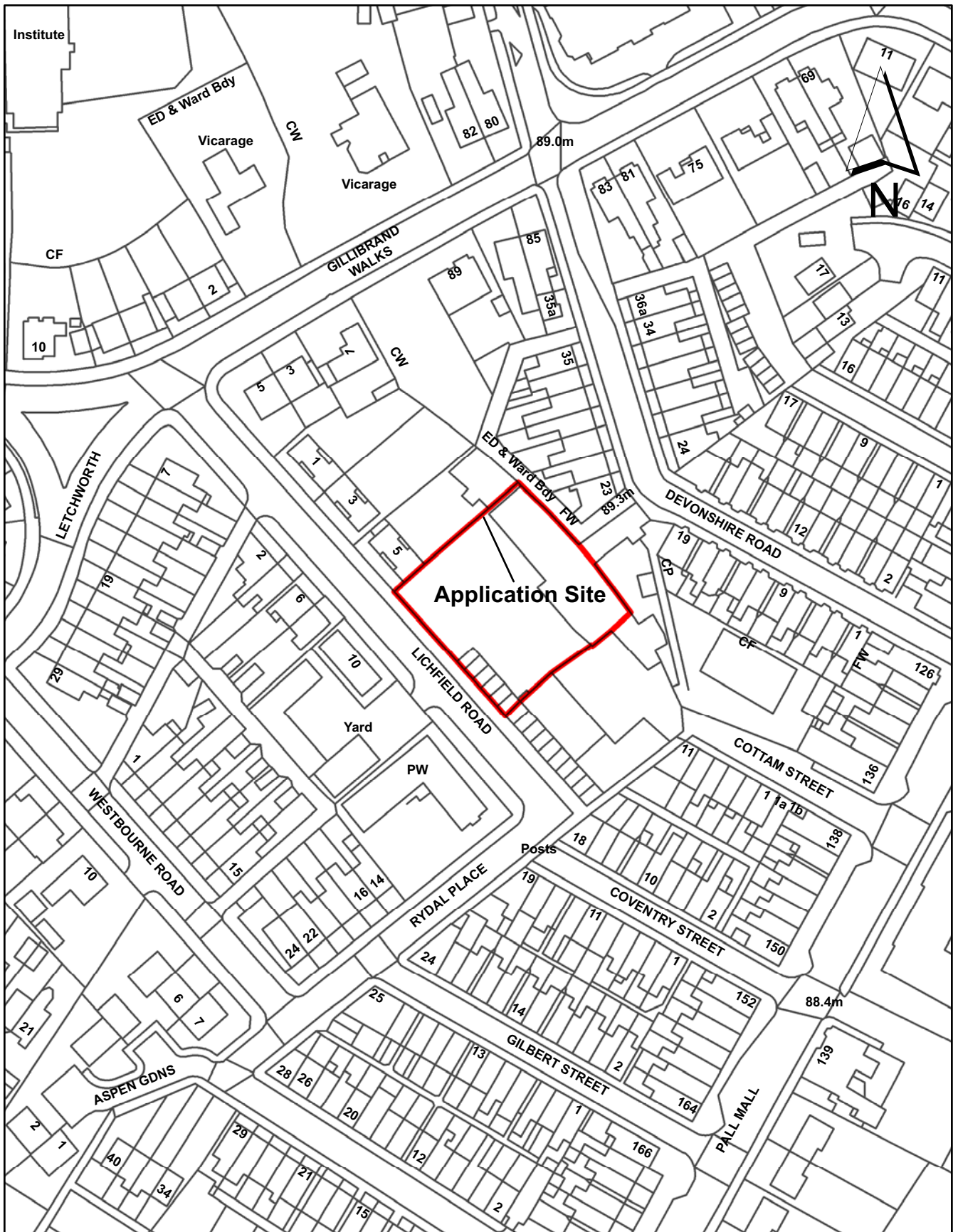
Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)

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**Lesley - Ann Fenton**  
 Director of Partnerships, Planning & Policy

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Application Number:  
**10/00502/FUL**

Grid Ref:  
**E: 358063**  
**N: 416908**

Scale:  
**1:1,250**

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<b>Item</b>	<b>10/00518/OUT</b>
<b>Case Officer</b>	<b>Liz Beard</b>
<b>Ward</b>	<b>Clayton-le-Woods And Whittle-le-Woods</b>
<b>Proposal</b>	<b>Outline application for residential development with all matters reserved, except for access.</b>
<b>Location</b>	<b>Back Lane Reservoir Back Lane Clayton-Le-Woods</b>
<b>Applicant</b>	<b>United Utilities Property Services</b>

**Consultation expiry: 12 August 2010**

**Application expiry: 14 September 2010**

### **Proposal**

1. The application is an outline application for residential development, for up to 8 no. dwellings, with all matters reserved, except for access at Back Lane Reservoir, Clayton-le-woods in Chorley.
2. The site is just over 0.5 hectares and is at the junction of Fiddlers Lane and Back Lane in Clayton-le-woods. It is a very low density scheme, with only 16 dwellings to the hectare being the density. The current use of the land is as a covered reservoir owned by United Utilities, which is surplus to their requirements. The reservoir protrudes 2.5m above the ground level and there is some plant and hard standing within the site. The existing access is from Fiddler's Lane.
3. Layout is a reserved matter, however, an indicative layout has been provided with the application. There are eight family homes, which will have individual accesses off Fiddler's Lane.
4. The applicants have requested a longer time limit is considered as part of this application in light of the extremely challenging economic climate.

### **Recommendation**

5. It is recommended that this application is granted conditional outline planning approval subject to the associated Section 106 Agreement

### **Main Issues**

6. The main issues for consideration in respect of this planning application are:
  - Principle of development
  - Design and appearance
  - Layout
  - Impact on neighbouring amenity
  - Highways and parking
  - Impact on the trees
  - Ecology
  - Drainage
  - Site clearance
  - Section 106 Agreement

### **Representations**

7. 12 letters of objection have been received where they raise the following issues:

- Impact on existing services in the area.
- Bringing additional driveways on Fiddlers Lane and the path would cause a danger to children walking to school.
- What safety procedures would be put in place for the dismantling of this reservoir?
- Site is a habitat for wildlife.
- Drainage problem as property is below the level of the field.
- Increase in traffic.
- Development in constructing driveways to properties would endanger the trees, which have a preservation order on them.
- Should the properties be more than single storey then I may suffer loss of light and be overlooked.
- Currently under a hosepipe ban situation and might well have been avoided should United Utilities have expanded their reservoir(s) capacity.
- Current aspect at the top of Back Lane is un-pressured semi-open space with tree lined road offering a safe, pleasant pedestrian access towards school and country park which will be totally spoilt.
- Eight new access points on this corner will make a huge difference to the available navigation of this road and will seriously reduce the easy flow of traffic.
- Loss of privacy and peace, which will result to residents in Carlton Avenue from such a proposal. The land under consideration is much higher than that in Carlton Avenue and will allow overlooking.
- Sewers which serve Carlton Avenue are already proving inadequate in that there have been several occasions when the pipes have become blocked.
- Increased likelihood of blocked/jammed passage for traffic including ambulances or fire engines.
- Roads are barely adequate for existing traffic.
- Been aware of bat activity on the site since 1958.

Clayton-le-woods Parish Council have contacted English Heritage and they have put in an application to see if English Heritage will list the structure. It is noted as being of Victorian Architecture and is built of vaulted brickwork and is the oldest remaining reservoir in Chorley.

### **Consultations**

8. Lancashire County Council (Ecology) states that the main ecological issue arising from the proposal is the overall loss of habitat. The applicant should demonstrate that sufficient habitat will be retained and/ or re-established to ensure that there will be no loss of biodiversity value. The habitats to be retained, enhanced or re-established are the 'Open Mosaic Habitats on Previously Developed Land'. It is suggested that conditions are added where tree felling, vegetation works or other works that may effect nesting birds will be avoided between March and August (inclusive) and no vegetation clearance, site preparation or development work shall take place until a detailed habitat creation/enhancement and management plan has been submitted and approved.
9. The Environment Agency have no objections in principle but suggest that the full justification is given for any decisions regarding pollution linkages as outlined in the Preliminary Risk Assessment report. Taking into account the environmental setting of the site in terms of the geology, hydrogeology and hydrology and the potential source of contamination the site is unlikely to pose a risk to controlled waters. If during development contamination is found then they must cease development and obtain written approval for the remediation strategy from the Local Planning Authority. They promote the use of Sustainable Drainage Systems (SUDS) and the foul drainage from the site must be drained to the foul sewer and surface water drainage from any areas likely to be contaminated should be connected to the foul sewer with consent from United Utilities.
10. Corporate Director of Streetscene, Neighbourhoods and Environment has no objection in principle to the application; however there are some concerns in relation to the drainage layout which would serve the new properties. Recent problems with the existing private drainage system serving all the properties on the adjacent Carlton Avenue estate suggests that this is not capable of readily receiving additional foul water and that connecting into this existing

private system should be avoided.

11. United Utilities have no objections providing that the site must be drained on a separate system. Only foul drainage should be connected to the foul sewer. Surface water should be discharged to the soakaway/watercourse/surface water sewer with consent from the Environment Agency. A survey needs to be carried out to ensure that all pipework from the old reservoir is correctly capped off. A water main crosses the site, as we there is a need to access it we will not permit development in close proximity to the main. The level of cover to the water mains and sewers must not be compromised either during or after construction.
12. Lancashire County Council (Highways) has no objections to the proposal and had pre-application discussion with the applicant.
13. Chorley's Waste & Contaminated Land Officer having viewed the preliminary risk assessment that accompanied the application the following comments were provided. Any residential development at this site should proceed in accordance with the report recommendations. A minimum of a watching brief should be maintained during site clearance and should pay particular attention to composition of the made ground beneath the brick lining of the reservoir, any made ground within the embankments surrounding the reservoir and any material used to infill the reservoir. If evidence of contaminants are identified then further sampling and remediation is required. Should any unusual ground conditions be identified then this information should be reported to the Local Authority. Any material used to infill the reservoir should be suitably chemically validated prior to its use along with any soil and top soil brought onto the site. All dwellings should have gas protection measures installed. These should include ventilation of confined spaces within buildings, well constructed reinforced cast in situ floor slabs, clear or granular filled sub-floor void vented into atmosphere, uprated damp proof membrane such as 200g fitted by professional contractor and validated by a third party and minimum penetration of ground slab by services with sufficient lapped and taped joints.
14. Chorley Council's Arboriculture Officer trees T1 to T5 are the prime consideration here, as they front the site and are part of the Tree Preservation Order. There are several effective techniques for putting a driveway over the root plate of a mature tree, but the preferred option, if available, is to avoid it. Plot 1 has a large garden and the driveway could go between tree T1 and T1a. The proposed removal of the suppressed Sycamore, T5a would leave room to straighten out the drive of Plot 2 and so move the drive entrance further away from the base of tree T5, which would mean a smaller percentage of the root zone being covered. Group G1, at the rear of plot 1 would benefit from the proposed thinning, leaving the remaining trees to fill out over the next few years. Transplanting of young trees on the boundary of the site is supported.

## **Assessment**

### Principle of Development

15. The site is located within the main settlement of Clayton-le-Woods, where Policy GN1 of the Local Plan Review is of relevance. There is a presumption in favour of development subject to the consideration of other policies and proposals. The surrounding area is a residential area, with the exception of the other reservoir located across the road, which is also owned by United Utilities. The site was also previously granted planning permission in March 1995 (ref. 94/00679/OUT), which was an outline application, with no specification of numbers of dwellings proposed. This application is for eight houses, which puts the density at 16 dwellings per hectare. Although it is a low density scheme there is a tree preservation order on the site which further constrains the development potential. Also there is a grass verge to the front of the site, with a footpath running through it. This has been retained and is also included in the application site. The surrounding development is low density family housing and this housing reflects that of the surrounding area, therefore in general terms the principle of residential development on this site is acceptable.

### Design and Appearance

16. The application is an outline application; therefore the design and appearance of the proposal will be looked at reserved matters stage. In general terms the layout of the housing is acceptable, however, the design of the ramps and the sloping of the front gardens has been raised as an issue with the applicant. There is the opportunity to redesign this element at the

reserved matters stage.

#### Layout of Development

17. A Design and Access Statement accompanies the application and explains the design rationale to the scheme. Whilst design and appearance are a reserved matter an indicative layout has been provided to assess whether eight dwellings can be developed without compromising neighbour amenity.
18. The layout shows eight detached properties, with individual driveways off Fiddler's Lane and Back Lane. The sections provided with the application specifically shown Plot 5 in relation to the existing property to the rear (11A Carlton Avenue), with a privacy distance of 26 metres, and Plot 3 in relation to 17 Carlton Avenue with a privacy distance of 24 metres. This complies with the standards as outlined in the Council's Design SPG.
19. The side elevations of Plots 1 and 8 maintain over 12 metres between the side elevations of the existing properties at 21 Fiddlers Lane and 66 Back Lane.

#### Impact on Neighbouring Amenity

20. The proposal site and existing reservoir is currently at a higher level than the residential development, to the rear, on Carlton Avenue. The proposal shows extensive engineering works to remove the reservoir and take the ground level, to where the proposed houses would be situated, to just around 1.5m above slab level of the existing houses in Carlton Avenue. The cross sections, as mentioned above, shown Plot 3 to be 1.25m above the slab level of 17 Carlton Avenue and Plot 5 to be 1.5m above the existing slab level of 11A Carlton Avenue.
21. Due to the proposal site being at a slightly higher level the proposed houses had to be moved beyond the standard 21 metres as outlined in the Council's Design SPG. Where the slab levels are 0.5 metres or more above that of a neighbouring or existing house the spacing should be increased by 1 metre for every 0.25m difference in slab levels. Appendix 1 of the Design and Access Statement provides a detailed breakdown of the differences in slab levels between the proposed and existing houses and a breakdown on differences when considering ridge heights. By changing the pitch of the roof from 30 degrees to 22 degrees this lowers the ridge level by 0.6m. The table in Appendix 1 of the Design and Access Statement shown how this change reflects in the interface distances required. It shows that if based on slab levels alone then the development meets the required interface distances and the same is true if measured by using ridge heights of roofs with a 22 degree pitch. However, when measuring interface distances by using ridge heights of roofs where there is a 30 degree pitch there a several plots that do not meet the minimum requirements. This is a consideration for the detailed design stage but this shows that the privacy distances can be accommodated within the scheme but it will involve a significant amount of material being taken off the site.
22. The indicative layout also shows a 10 metre garden length, which complies with the standards within the Design SPG. There are large gardens to the front of the proposed dwellings which, as discussed above, provides for the houses to be moved forward on the site.
23. When looking at the above it is considered that the privacy distances can be accommodated without compromising the amenity of existing neighbours, at the detailed design stage.

#### Highways and Parking

24. The Highways Engineer had pre-application discussion with the applicant. The existing road is designed in such a way that vehicle speeds are low. The driveways coming directly off Back Lane have adequate visibility and the layout is considered to be a suitable design solution in highway safety terms.
25. There is adequate parking shown within the curtilage of each of the dwelling houses.

The issue of highway safety for local school children was raised. Following a number of meetings and discussions between the Parish Council, Lancashire County Council (School Travel Officer) and United Utilities it has been agreed by the applicant to:

- Move the school signs. Currently, one of the school signs is barely visible to vehicular road users and therefore it needs moving to a more appropriate location to improve awareness of the school.
- Formalise the point for crossing the road at the north west corner of the site, which could be delivered through new white stud road markings.
- Reinststate the barriers which were partially removed when one of the dropped kerbs was constructed.

These have been shown on the amended plans, and a Grampian style condition can be added to ensure that these works are carried out.

#### Impact on the Trees

26. The application is supported by an arboriculture survey. This shows that three individual trees, four groups of trees and a hedge will have to be removed, as well as some thinning of the G1 area. None of these are subject of the Tree Preservation Order. The trees that are to be removed are highlighted as having low retention values.
27. The proposed access to driveways to Units 1 and 2 extend over the root protection areas. These works can be achieved providing that there are special working methods utilised where these encroachments occur. These would have to be detailed in an Arboriculture Method Statement. However, in answer to the comments provided the applicant has amended the scheme to straighten the driveway on Plot 2. The driveway of Plot 1 cannot be relocated to between Trees T1 and T1a as then this would not meet the visibility splay requirements. There appears to be room within the site to avoid the trees with the driveways when looking at the detailed design and layout at the reserved matters stage. It is considered that the site can be developed without having a detrimental impact on the trees that are subject of a Tree Preservation Order.

#### Ecology

28. A Phase 1 Habitat and Desk Study was provided with the application. Lancashire County Council's Ecologist raised the issue that adequate mitigation is required for the loss of habitat. The loss of Mosaic Grassland is the habitat in question. The applicant has had discussions with the Ecologist where it is suggested that the grassland could be replanted on the other reservoir site owned by United Utilities over the road or within the Manor Park school grounds. A condition can be added to ensure that a management plan is provided prior to the commencement of development.

#### Drainage

29. The neighbouring properties have raised concerns in relation to drainage in the area, where the drains have become blocked on a number of occasions. This has been reiterated by the Director of Streetscene, Neighbourhoods and Environment. United Utilities have provided comment that they do not object to the proposal providing that the site is drained on a separate system. Only foul drainage should be connected to the foul sewer. Surface water should be discharged to the soakaway/watercourse/surface water sewer with consent from the Environment Agency.
30. The applicant has consulted with United Utilities who have confirmed that the foul drainage can be connected to the public foul sewer within Back Lane. It is proposed that the surface water drainage will be accommodated through grey water recycling and soakaways or a connection to the public surface water drain. Conditions can be added to ensure that a suitable drainage scheme can be developed prior to the commencement of development at the reserved matters stage.

#### Site Clearance

A survey needs to be carried out to ensure that all pipework from the old reservoir is correctly capped off. A water main crosses the site, however, this is disused, as confirmed by United Utilities.



The Environment Agency stated that there is the possibility that the reservoir has been in-filled and raised issues in relation to pollutant linkages and the minor aquifer. Leyden Kirkby Associates (consultants employed by the applicant) have confirmed that the reservoir has not been in-filled and the risk to the aquifer is considered low given the site history, geology, hydrogeology and hydrology. A condition can be added to ensure that if during the site clearance any contamination is found then this has to be reported to the Local Planning Authority and appropriate remediation and mitigation measures will be required to be carried out.

### Section 106 Agreement

The applicant has agreed to enter into a Section 106 to provide a financial contribution of £10,616 in lieu of providing on-site playspace and open space.

### **Overall Conclusion**

31. The site is appropriate for residential development and it has been satisfied that eight houses can be accommodated on the site without compromising neighbour amenity and highway safety. However, the detail of the design and layout will need to be looked at during the reserved matters stage.

### **Other Matters**

#### Sustainability

32. Sustainability issues will be considered as part of any reserved matters application.

#### Extension to the Time Limit to Commence Works

The applicants have requested a longer time limit is considered as part of this application in light of the extremely challenging economic climate. This is an issue that is related to market forces as opposed to planning, and it is not a planning reason. Therefore it is not felt that this is an adequate reason for a longer time limit to be imposed.

#### Historical Significance

Since the application has been submitted there has been some information submitted in relation to the background to the reservoir, including some pictorial information. It is noted as being of Victorian Architecture and is built of vaulted brickwork and is the oldest remaining reservoir in Chorley. English Heritage has been contacted by the Parish Council and they have put in an application to see if English Heritage will list the structure. As the structure is not listed at present it is not a material planning consideration, however, given that there is some historical significance then this could be recorded and an information board could be provided on the site. This can be conditioned accordingly.

### **Planning Policies**

#### National Planning Policies:

PPS1 and the Climate Change Supplement, and PPS3.

#### Adopted Chorley Borough Local Plan Review

Policies: GN1, GN5, GN9, EP9 and HS4

#### Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

#### Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

### **Planning History**

94/00679/OUT Outline application for demolition of reservoir structure and development of the site for housing. Approved March 1995.

04/00880/FUL Installation of 17.8m monopole, 6 antennas, 1 Nortel 3G cabinet, 1 D5 Nokia cabinet and associated equipment. Refused September 2004.

**Recommendation: Permit Full Planning Permission  
Conditions**

1. All details in relation to the works for highway safety, as specified in the CBRE CB Richard Ellis Letter dated 22 September 2010, para c) on Neighbour responses, and as specified on plan no. 599007 Rev A shall be carried out prior the occupation of the proposed development.  
*Reason: In the interests of highway safety and to comply with Policy GN5.*
2. An application for approval of the reserved matters (namely the appearance, layout, scale 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.*
3. Before the development hereby permitted is first commenced, full details of all reserved matters (namely the siting, design, external appearance of the building(s), and the landscaping of the site) shall be submitted to and approved in writing by the Local Planning Authority.  
*Reason: The permission is in outline only and in accordance with Policy Nos. GN5 and HS4, 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. No development shall take place until :
  - a) 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 Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.*

6. There shall be no tree felling or vegetation works that may effect nest birds carried out between March and August (inclusive) unless an absence of birds has been confirmed by surveys.

*Reason: To ensure the protection of nesting birds and to comply with Policy EP4 of the Chorley Local Plan Review.*

7. Before the development hereby permitted is first commenced full details of the means of foul water drainage/disposal shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for foul water drainage/disposal have been completed in accordance with the approved details.

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

8. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.

*Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 and HT9 of the Adopted Chorley Borough Local Plan Review.*

9. Prior to the commencement of development a method statement shall be provided to show how the removal of the trees and any works around the trees is to be carried out. This shall be agreed in writing by the Local Planning Authority.

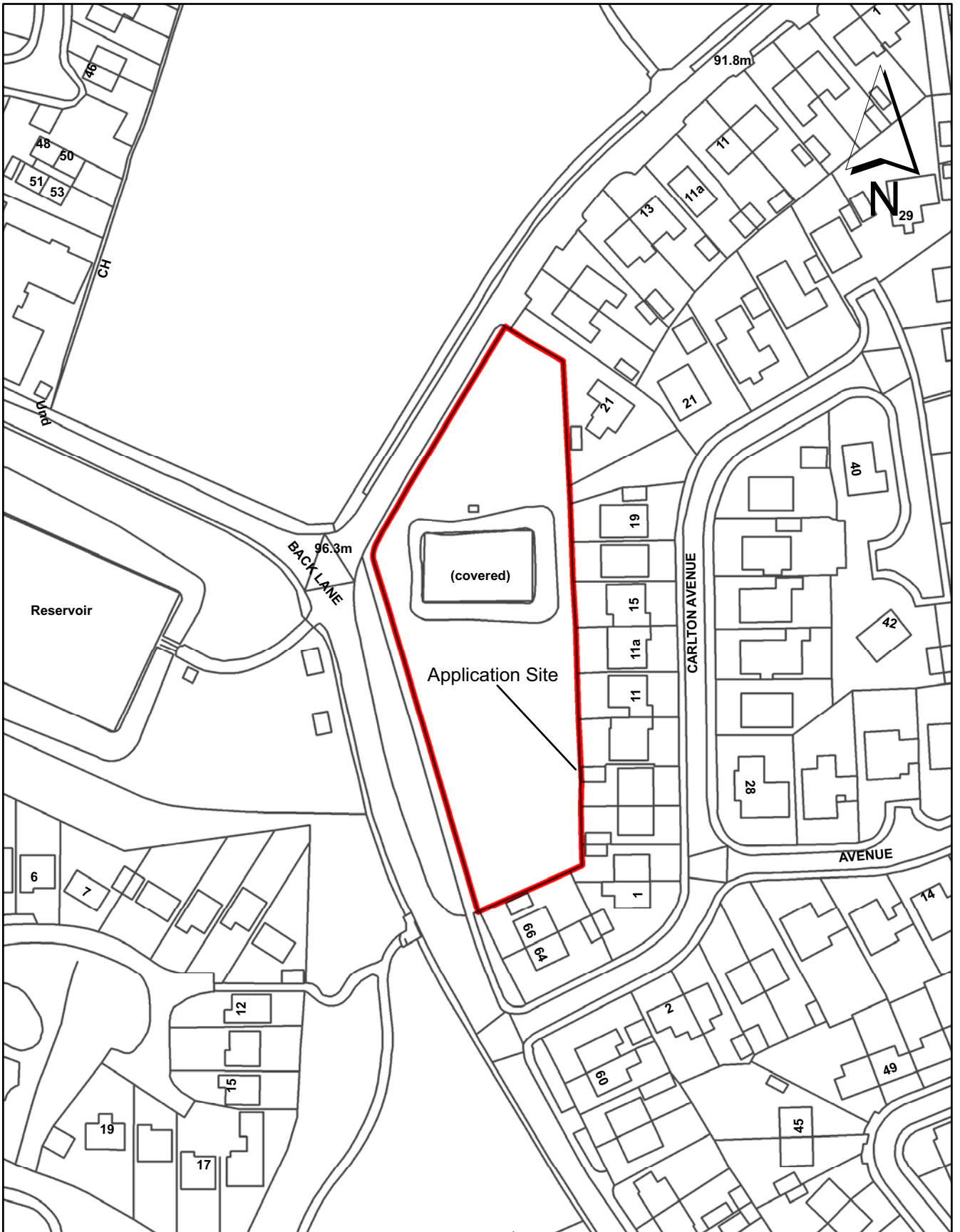
*Reason: To safeguard the visual amenity of the area and the safeguard the appearance and health of the trees.*

10. There shall be no vegetation clearance, site preparation or any other development work carried out until a detailed habitat creation/enhancement scheme and management plan is provided and agreed in writing by the Local Planning Authority. The management plan shall show that 0.1 ha of the acid grassland can be relocated off-site, within the vicinity of the application. The development shall not be occupied until such a scheme has been implemented and thereafter the acid grassland shall be maintained in accordance with the habitat management plan.

*Reason: To ensure that it can be demonstrated that sufficient habitat will be retained and/or re-established to ensure that there is no loss of biodiversity value and to comply with Policy EP4 of the Chorley Local Plan Review.*

11. 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 and EP19 of the Adopted Chorley Borough Local Plan Review.*



**Lesley - Ann Fenton**  
 Director of Partnerships, Planning & Policy

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Application Number:  
**10/00518/OUT**

Grid Ref:  
**E: 357730**  
**N: 422601**

Scale:  
**1:1,250**

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<b>Item</b>	<b>10/00594/COU</b>
<b>Case Officer</b>	<b>Liz Beard</b>
<b>Ward</b>	<b>Chorley North East</b>
<b>Proposal</b>	<b>Change of use from office (B1) to NHS Centre (D1) covering the following services: Community Drug &amp; Alcohol Services, Needle Exchange &amp; Harm Reduction, Psychological Interventions, Community Detoxification, Drug Liaison, Midwife Services and Advice to public GP's. Opening times 10 am to 6 pm Monday to Friday, 10 am till 4 pm Saturday and at no time Sunday's and Bank Holidays</b>
<b>Location</b>	<b>Matrix House Friday Street Chorley</b>
<b>Applicant</b>	<b>Greater Manchester NHS Foundation Trust</b>

**Consultation expiry: 3 September 2010**

**Application expiry: 30 September 2010**

### **Proposal**

1. The application is an application for the change of use from office (B1) to an NHS Centre (D1). The services included within this centre include community drug and alcohol services, needle exchange and harm reduction, psychological interventions, community detoxification, drug liaison, midwife services and advice to public GPs.
2. The premises is an existing office located in Friday Street. The elevation will remain as existing, with a sign (0.5m x 1.0m) to be added onto the window, all other signage is to be removed. There are existing roller shutters on this building, which will remain in use as part of the scheme.
3. The proposal is to have all the services in relation to substance misuse within one location. They are currently delivered from three different locations, 9 St George Street, 22 St. Thomas' Road and 57 St Thomas' Road in Chorley. The premises at 22 St Thomas' Road and 9 St George Street have all been given notice on that they will no longer be required. The other premises at 57 St Thomas' Road will be utilised by Greater Manchester West Mental Health NHS Foundation Trust as an interim measure whilst awaiting the outcome of this planning application.
4. The operating hours will be 10am to 6pm Monday to Friday, 10am to 4pm on Saturday and at no time on Sundays or Bank Holidays.

### **Recommendation**

5. It is recommended that this application is approved with conditions.

### **Main Issues**

6. The main issues for consideration in respect of this planning application are:
  - Principle of development
  - Impact on neighbouring amenity
  - Highways and parking

### **Representations**

7. 4 letters of objection have been received where they raise the following issues:
  - Effects on residents re noise and disturbance.
  - Impact on the character of the area.
  - The area and property has been previously designated as a regeneration area by

Chorley East a number of years ago.

- The application is likely to attract drug addicts and users to the area that is already in need of further regeneration for local residents by the Council.
- Unsuitable place due to primary school and nursery directly behind.
- Concern over safety of our young pupils attending our dance classes. Will it be a safe area?

There was one additional letter stating that there is an adjacent facility for vulnerable adults with a learning disability-no direct opposition.

A petition was received with 40 names in it objecting to the application as it will have an effect on the amenities of local residents, including loss of light, overlooking, loss of privacy, noise and disturbance, impact on the character of the area and whether the change of use is appropriate. Will effect safety of highway due to lack of parking outside premises.

### **Consultations**

8. Lancashire County Council (Highways): no comments have been provided.
9. Architectural Design and Crime Reduction Advisor states that he understands the sensitive nature of this development, however the NHS Trust have many of these establishments across the County and one exists in Chorley with a view to moving this development. Because the people attending are doing so voluntarily and seeking to rehabilitate they do not have intent to cause problems. In respect of the proposed location of this development I have no issues as it is opposite a car park that has a town centre CCTV monitored camera on site and is able to view the entire area. I have discussed this development with the Tower Project Liaison Officer and he has no concerns in respect of crime or antisocial behaviour. The risk level is considered to be low.

### **Assessment**

#### Background to the Proposal

10. A statement of need was provided with the application which makes reference to the drug and alcohol prevention and rehabilitation services within the Chorley area having been provided by Lancashire Care NHS Foundation Trust (on behalf of NHS Central Lancashire and the Local Authority, from three separate locations. They are currently delivered from 9 St George Street, 22 St. Thomas Road and 57 St Thomas Road in Chorley. As a result of a re-tendering process, the services as from 1 October 2010 will be provided by Greater Manchester West Mental Health NHS Foundation Trust (GMW). Under the GMW new service model, it is proposed to deliver services from one location within the Chorley area. Following an extensive search Matrix House was identified as meeting the requirements.

#### Principle of Development

10. The site is located on Friday Street in Chorley. The building is located outside Chorley Town Centre and the Settlement Policy GN1 is of relevance where there is a presumption in favour of appropriate development subject to normal planning considerations and the other Policies and Proposals of the Plan.
11. The proposal is for a change of use of an office building (B1 use) to a NHS facility (D1 use), whilst there are no specific policies in the Local Plan Review in relation to NHS facilities, it is the approach of the Government to provide NHS services within local areas, where the need arises, within one building.

#### Impact on the Neighbouring Amenity

12. The issue of public safety and an increase in crime in the area has been raised as a concern by a number of local residents. This was also the subject of a couple of questions at the open day. The response from the NHS with regards to this is that the Greater Manchester West Mental Health NHS Foundation Trust (GMW) already provide substance misuse services in the Greater Manchester and Blackburn and Darwen areas. From their experience with these services there have been no increase in crime. The aim of the service is to support crime reduction and community safety improvements. Drug liaison workers are a key part of their



substance misuse services and work hard to break the cycle of drug and alcohol use that leads to crime.

13. The above is reiterated by the Architectural Design and Crime Reduction Advisor and states that because the people attending are doing so voluntarily and seeking to rehabilitate they do not have intent to cause problems. He has discussed this development with the Tower Project Liaison Officer and he has no concerns in respect of crime or antisocial behaviour. The risk level is considered to be low.
14. The area also has the added benefit of a CCTV camera, which is able to view a wide area.
15. The majority of the client attendances will arise from GP or hospital referrals. There will be a 'drop-in' element also provided, which will be for the support during the recovery process. The GMW have stated in their feedback from the open day that they will closely monitor their client's behaviour and how the new services will be delivered. They will ensure that links are set up with the local community and regular community meeting are held to ensure that all voices are heard and that they can respond to any concerns. A condition can be added to request details of what this would entail prior to the commencement of development.

#### Highways and Parking

16. The proposal site is opposite the Friday Street car park, with the Portland Street car park beyond that. It is therefore considered that there is adequate parking both for staff and patients within the area. There is also the bus station and train station parking within walking distance of this facility and further car parking on the Flat Iron car park.

#### **Overall Conclusion**

17. The proposal will consolidate a number of services under one roof and is located adjacent to Friday Street Car Park as well as having good public transport links. The main issue of concern for local residents and businesses in the area is the issue of public safety and potential crime. The NHS already provide these services in a number of areas and from their experience there has not been any increase in crime. The aim of the service is to support crime reduction and community safety improvements and the NHS say that drug liaison workers are a key part of their substance misuse services and work hard to break the cycle of drug and alcohol use that leads to crime. The GMW have stated in their feedback from the open day that they will closely monitor their client's behaviour and how the new services will be delivered. They will ensure that links are set up with the local community and regular community meeting are held to ensure that all voices are heard and that they can respond to any concerns. The proposal is therefore recommended for approval.

#### **Other Matters**

##### Public Consultation

18. In addition to the consultation carried out as part of the planning application submission, there was an open day held on Wednesday, 8 September 2010 (3pm to 7.30pm) in the Tatton Community Centre on Silverdale Road.

The open day provided an opportunity for local residents to find out more about the facilities proposed within Matrix House, and took the form of an informal drop-in event for local residents to speak to staff from the organisations involved in the proposal.

The Greater Manchester West Mental Health NHS Foundation Trust leaflet dropped the area on Monday 6 September with 800 flyers distributed to promote the open day. They also arranged for notices to be put in the Chorley Guardian and Chorley Citizen papers on the day the open day was being held. All the Chorley Borough Councillors were also invited, along with Lindsay Hoyle MP and key stakeholders from the Chorley area.

There were a total of 15 people that attended throughout the day, where the questions/issues included the following:

*What parking provisions will be made available as this may cause more congestion in Chorley?*  
There is a public car park (which has in the region of 225 spaces) situated within 20 metres

of Matrix House, which will be used by staff based at Matrix House.

Clients in general will travel by public transport and will therefore arrive at the premises after a short walk on foot from the bus or railway stations. Therefore, the impact from additional vehicular traffic will be minimal.

*How will you respond to complaints or concerns?*

Greater Manchester West Mental Health NHS Foundation Trust (GMW), and Lancashire Drug and Alcohol Action Team (LDAAT) will closely monitor clients' behaviour and how the new services will be delivered at Matrix House.

We will ensure that links with the local community and regular community meetings are held to ensure that all voices are heard and that we are proactive in responding to concerns.

No concerns or issues in relation to the previous premises or clients accessing these services have been received by those services to their knowledge or by other agencies e.g. the local authority.

*I'm worried that this service will increase crime in the local area*

Greater Manchester West Mental Health NHS Foundation Trust (GMW) already provides substance misuse services in Greater Manchester and Blackburn with Darwen. From our experience with these services there has been no increase in crime. The aim of our services is to support crime reduction and community safety improvements. Drug liaison workers are a key part of our substance misuse services and work hard to break the cycle of drug and alcohol use that leads to crime.

*Will drugs be stored on the premises?*

No, except for vaccines and medicines, which are part of the emergency resuscitation kit.

*How will clinical waste be disposed?*

Clinical waste is stored inside the premises in approved storage containers, which comply with British safety standards. Sharps containers are used for the storage of hypodermic syringes, needles and other sharp items. GMW employs a clinical waste contractor to safely collect and dispose of this waste in-line with the latest environmental and regulatory guidance.

*What is being proposed in Chorley?*

There are currently three separate drug and alcohol services, which occupy three different buildings in Chorley. The plan is to merge these services into one location and building (Matrix House).

This will be a positive outcome for the community in Chorley and for clients accessing the new service as the service can be managed more effectively and will provide a broader range of accessible services to Chorley.

The focus of the new services is to enable clients to engage and receive support for their individual recovery journey through a service, which is more responsive, timely, accessible and equitable. The service will provide value for money and create a healthier and safer community.

The new service will focus on responding to the needs of Chorley now to prevent future long term issues, particularly in relation to increased alcohol consumption.

The service in Central Lancashire aims to:

- Reduce the number of people in drug treatment
- Enable progression through the treatment system and into employment, training and education
- Increase the number of people successfully completing treatment
- Engage under-represented groups and priority groups
- Reduce inequalities
- Provide parents with support so that they can care for their children

- Support crime reduction and community safety improvements
- Reduce the reliance on specialist services
- Provide a recovery-oriented service focussed on re-integrating people into society

### Planning Policies

#### National Planning Policies:

PPS1 and the Climate Change Supplement.

#### Adopted Chorley Borough Local Plan Review

Policies: GN1.

#### Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

#### Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

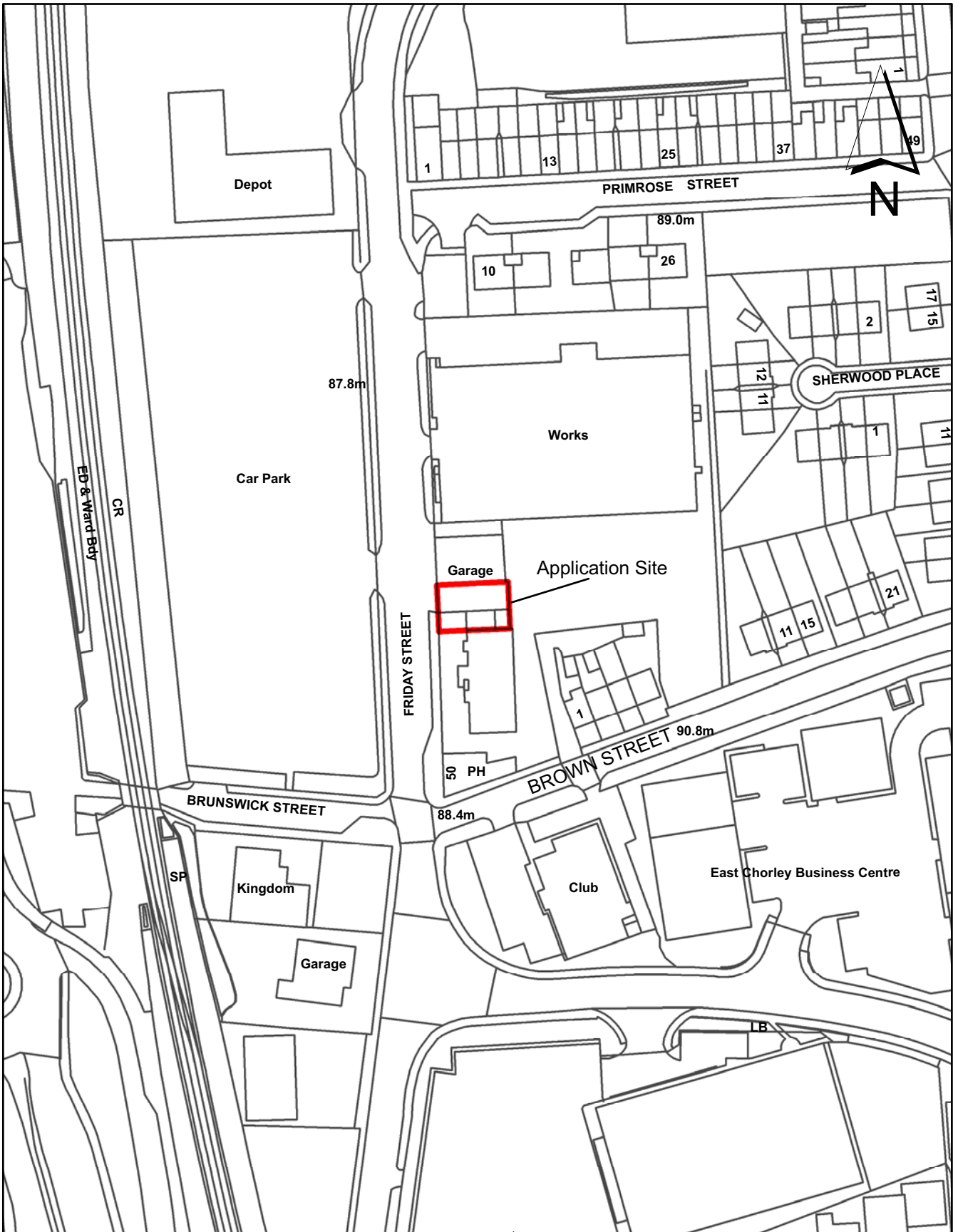
### Planning History

06/01167/FUL: Installation of new door and two windows to front elevation. Withdrawn June 2007.

### **Recommendation: Permit Full Planning Permission 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. Prior to the commencement of development full details of the proposed residents consultation procedure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information on how the residents and local community will be kept informed on the progress of the development prior to commencement and during the development period. The resident's/community consultation plan shall be implemented and completed in accordance with the approved procedure throughout the life time of the development.  
*Reason: To ensure that the existing residents are fully aware of the progress of the development.*
3. The premises shall be used for a NHS Centre (including community & alcohol services, needle exchange & harm reduction, psychological interventions, community detoxification, drug liaison, midwife services and advice to public GPs) Use Class D2 and for no other purpose (including any other purpose in Class D2; of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).  
*Reason: To protect the amenities of local residents and in accordance with Policy Nos. EP7 and EM2 of the Adopted Chorley Borough Local Plan Review.*
4. The use hereby permitted shall be restricted to the hours between 10.00am and 6.00pm on weekdays, between 10.00am and 4.00pm on Saturdays and there shall be no operation on Sundays or Bank Holidays.  
*Reason: To safeguard the amenities of local residents and in accordance with Policy Nos. EM2 and EP7 of the Adopted Chorley Borough Local Plan Review.*

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<p>Application Number:  <b>10/00594/COU</b></p>	<p>Grid Ref:  <b>E: 358717</b>  <b>N: 417713</b></p>	<p>Scale:  <b>1:1,250</b></p>	

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<b>Item</b>	<b>10/00647/FUL</b>
<b>Case Officer</b>	<b>Liz Beard</b>
<b>Ward</b>	<b>Lostock</b>
<b>Proposal</b>	<b>Relocation of plant to treat waste water from dry pet food production process</b>
<b>Location</b>	<b>Golden Acres Ltd Plocks Farm Liverpool Road Bretherton Leyland</b>
<b>Applicant</b>	<b>Golden Acres Group</b>

**Consultation expiry: 7 October 2010**

**Application expiry: 22 September 2010**

### **Proposal**

1. The application is a full planning application for the relocation of plant to treat waste water from the dry pet food production process at Plocks Farm, known as Golden Acres Ltd, at Bretherton. The site area is 0.149 hectares.
2. It is proposed to relocate the principle biological treatment part of the process. The existing waste water effluent plant would then be retained and modified to undertake primary treatment of effluent, being the removal of solids from the primary water effluent, and removal of water from the sludge arising by use of a centrifuge, leaving only a dry solid to be used as a fertilizer for agriculture.
3. The facility will be located in the optimum site relative to the waste water process. This is immediately adjacent to the wet scrubbers and the surface water run-off lagoon. The development takes the form of a functional response to the treatment process comprising of:
  - i) Three tanks-wet scrubber holding tank (6m diam x 4.9m high); balance tank (7.6m diam x 7m high); divert tank 12.8m diam x 7m high)
  - ii) Control room and store, housed in a building 13.6m x 6m x 5.7m high.
  - iii) Associated pumps and circulation equipment in ancillary buildings.
4. The control buildings are steel framed buildings, clad with an insulated olive green composite panel. The main tanks are constructed of in-situ cast concrete. The balance tanks are of glass coated steel panel construction, painted in a matching olive green colour. Materials for the elevations contribute to the mitigation of visual impacts, by being muted colour (olive green), which will blend with the generally wooded backdrop.

### **Recommendation**

5. It is recommended that this application is

### **Main Issues**

6. The main issues for consideration in respect of this planning application are:
  - Principle of Development
  - Design Issues
  - Flood Risk

### **Representations**

7. No letters of objection have been received raising the following points:
8. Bretherton Parish Council state that the proposed development is in a flood area yet no flood risk assessment has been supplied.



**Consultations**

9. The Environment Agency have not provided any comments. However, any comments received will be provided on the addendum.
10. Chorley's Conservation Officer has examined the application in terms of the impact it may have on the Grade II Listed Bank Mill (windmill) on Liverpool Road, Bretherton. Due to the position within the application site there will be considerable separation distance between it and the listed building. Furthermore there is screening of trees between the two which means one cannot be seen from the other. The impact on the listed building and its setting are unchanged and the status quo in terms of the relationship between the two sites will be retained. The significance of the designated heritage asset and its setting will be sustained.
11. United Utilities have no objections in principle, no surface water allowed to be discharged into the system.
12. Lancashire County Council (Highways) have not provided any comments. However, any comments received will be reported on the addendum.
13. Planning Policy comments are that previous planning permissions granted, with a number of conditions in relation to 09/00738/FULMAJ. Primarily the premises should only be used for the extrusion of agricultural produce for the purposes of animal and pet food production only and for not other purpose. This is due to the site being located within Green Belt and subject to strict controls. Also, prior to the commencement of development of each phase of the development, samples of all external facing materials to the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. This is to ensure that the materials used are visually appropriate to the locality. The original development Masterplan was approved in March 2010. Concerns were raised over the original location of the effluent treatment plant and its resultant 'sensitive' visual impact upon traffic heading north on Bank Bridge. The revised location would reduce the visual impact and potential odour complaints, due to the advanced planting already carried out during the first phase of development acting as a screen. This is in accordance with the principles of Policy no.GN5 of the Chorley Borough Local Plan Review. With regards to building materials, both the control buildings and balance tanks will be painted in a muted olive green in order to blend with the surrounding environment. This is also in general conformity with Policy GN5 of the Chorley Local Plan Review.
14. Environmental Health have not provided any comments. However, if any are received the these will be reported on the addendum.
15. West Lancashire Borough Council have been consulted as the application lies on the boundary between the two authorities. No comments have been received from them, however, should any be sent in then these will be reported on the addendum.

**Assessment**Principle of Development

16. There was an original application approved in 2003 (ref. 9/03/00528/FULMAJ) which provided a Masterplan for the site with a view to increase the output of production to 60,000 tonnes per annum, including an increase in 220 people, employed on a shift pattern. Subsequently an application was approved in ??? for the extensions and alterations to the pet food manufacturing facility (ref. 09/00738/FULMAJ) which has shown the implementation of that Masterplan.
17. The site is located in Green Belt. Within the Green Belt development will only be permitted if it falls to be considered appropriate development or where very special circumstances can be demonstrated, which outweigh the harm the development will have on the openness and character of the Green Belt.
18. The original scheme was accepted by the applicant that the development was inappropriate development within the Green Belt. However, it was demonstrated that the very special

circumstances outweigh the harm the development will have and very special circumstances outweigh the harm. The very special circumstances include:

- Development proposed relates to an existing enterprise with a strong affinity with agriculture. The proposals will enable an existing business which provides an important source of local employment to compete within the market and continue to the local, regional and national economy.
- The main impact on the Green Belt is the limited reduction in the openness resulting from the erection of new buildings and further expansion in the Green Belt. The proposals, however, are designed to minimise the impact on the local character of the Green Belt and the screening proposed will protect the character of the area. This will ensure the harm caused to Green Belt policy (in principle) will be minimised.
- The development proposed may be inappropriate by definition but will not in itself undermine the purposes of Green Belt or achievement of the objectives for it given the particulars and context.
- The proposals have significant benefits which include ecological enhancements, reduction in waste being transported from the site, improved noise mitigation, reductions in odour annoyance to neighbours, additional screening, a significant reduction in vehicle movements generated at the site and a reduction in energy consumption through renewable sources.
- The design of the buildings is sensitive to the context.

Notwithstanding the above, each application has to be treated on its own merits. Whilst this proposal conforms to the requirements for the functioning of the site, and the principle has been accepted on developing the site, this application still needs to be looked at in design terms and whether there will be any impact on the openness of the Green Belt. This is discussed below.

#### Design Issues

19. This proposal is for the relocation of the principle biological treatment part of the process. This includes the following:
  - iv) Three tanks-wet scrubber holding tank (6m diam x 4.9m high); balance tank (7.6m diam x 7m high); divert tank 12.8m diam x 7m high)
  - v) Control room and store, housed in a building 13.6m x 6m x 5.7m high.
  - vi) Associated pumps and circulation equipment in ancillary buildings.
20. The plant will treat waste water from the production process, particularly from the odour scrubbers and from high risk run-off from the yard areas. The requirement for a larger treatment plant are due to the increased volumes coming from the yard areas, allowing the capacity to be increased from 150 cubic metres a day to 450 cubic metres a day. Once treated, the water is recycled for re-use in the production process with surplus being discharged to the River Douglas, in line with the companies sustainability objectives. Surplus bacteria used in the effluent treatment process to treat the effluent to a water quality suitable to be discharged is then dewatered through a centrifuge, at the existing plant and reused as a fertilizer on agricultural land. The operation, control and management of the site is controlled through other legislation by the Environment Agency through the site's Environmental Permit.
21. The facility is located in the optimum site relative to the waste water treatment process. This is immediately adjacent to the wet scrubbers (biofilters) and the surface run-off lagoon. The layout of the development is dictated by the production process.
22. The control buildings are steel framed buildings clad with olive green composite panel. The principal tanks are constructed of in-situ cast concrete. The balance tanks are of glass coated steel panel construction, painted in a matching olive green colour. The buildings have been clad in this colour to blend with the generally wooded backdrop, and to contribute to the mitigation of the visual impacts

23. In relation to what has already been built on site, this element is relatively small. The masterplan has been approved within the previous application and it was known that there was a requirement to increase the capacity from 150 cubic metres a day to 450 cubic metres a day. Concerns were raised over the original location of the effluent treatment plant and its resultant 'sensitive' visual impact upon traffic heading north on Bank Bridge. The revised location would reduce the visual impact due to the advanced planting already carried out during the first phase of development acting as a screen, therefore the proposal is acceptable in design terms and would not have a detrimental visual impact on the Green Belt.

#### Flood Risk

24. The site is at risk of flooding, particularly if the flood defences were to fail. The previous application (ref 09/00738/FULMAJ) was accompanied by an Environmental Statement and include a Flood Risk Assessment. The relocation of the effluent treatment plant, within the site boundaries, should have no further impact upon flood risk.

25. The Environment Agency have been consulted on this scheme, however, they have not sent any comments. If any comments are received then these will be reported on the addendum.

#### **Overall Conclusion**

26. The original scheme and masterplan were approved in March 2010. As part of the masterplan there was a requirement to increase the capacity, which has resulted in this scheme. Also, the previous location of the effluent treatment plant raised concerns in relation to the visual impact upon traffic heading north on Bank Bridge. It is considered that the proposal is acceptable in this location and will have a reduced visual impact on the surrounding area, and is therefore recommended for approval with conditions.

#### **Planning Policies**

##### National Planning Policies:

PPS1 and Climate Change Supplement and PPG2.

##### Adopted Chorley Borough Local Plan Review

Policies:GN5, and DC1.

##### Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

##### Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

#### **Planning History**

03/00390/SCREEN: Screening report into whether an Environmental Impact Assessment (EIA) is required for a proposed development,

Decision: SCREEN Decision Date: 8 May 2003

94/00968/FUL: Erection of General Purpose Agricultural Building,  
Decision: PERFPP Decision Date: 15 March 1995

94/00969/FUL: Extension to existing building housing Extrusion Plant to accommodate Bio  
Filter Plant,  
Decision: PERFPP Decision Date: 15 March 1995

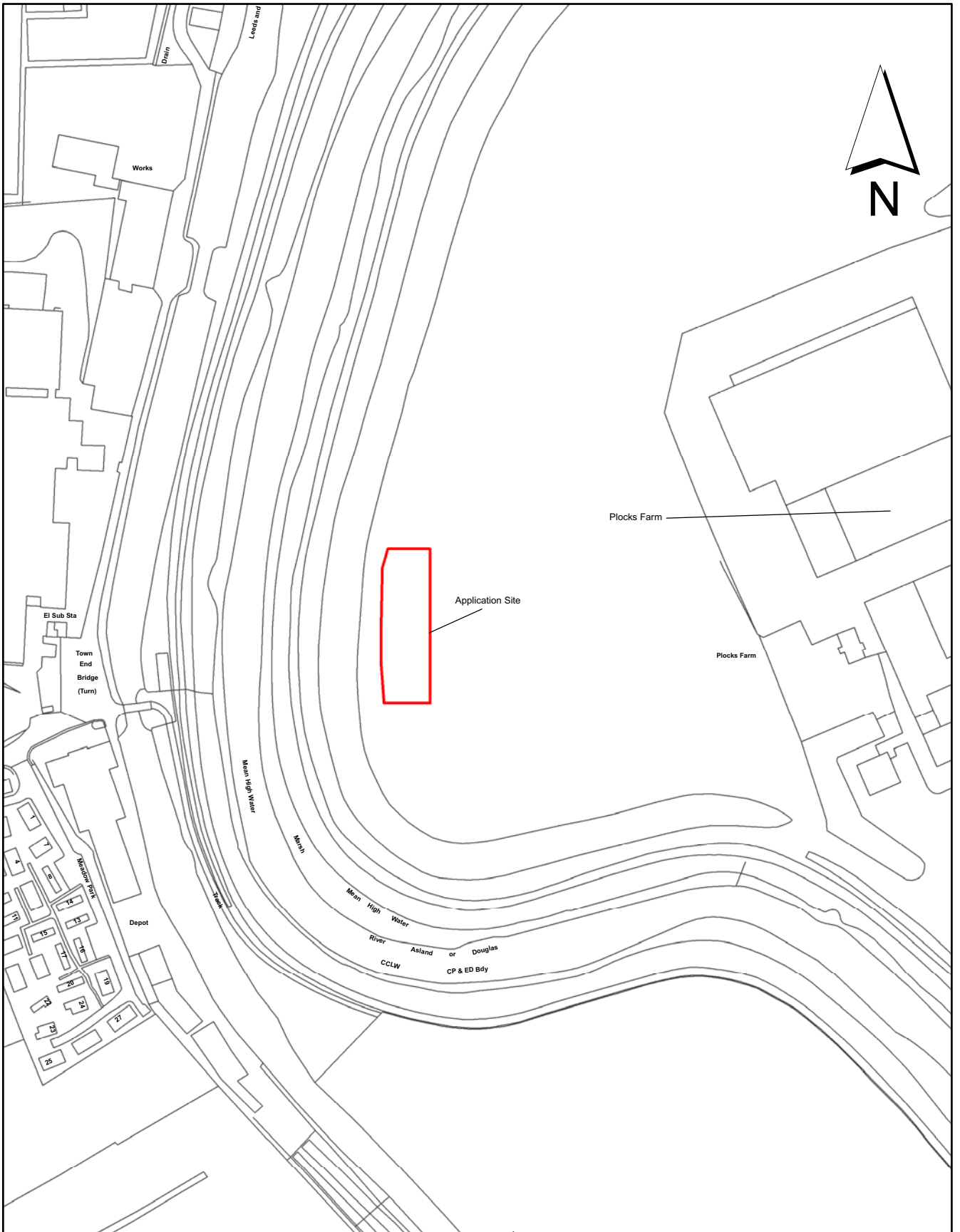
95/00279/FUL: Alteration of existing roofline to accommodate mixing bin,  
Decision: PERFPP Decision Date: 6 June 1995

96/00044/FUL: Widening of the existing driveway and improvements to the access,

- Decision: PERFPP Decision Date: 1 May 1996
- 96/00320/FUL: Extension of existing mill building over existing yard area incorporating raising of roof height,  
Decision: PERFPP Decision Date: 28 August 1996
- 99/00132/FUL: Demolition of outbuildings, construction of bin storage building together with canteen shower block, garage, stables and stores,  
Decision: PERFPP Decision Date: 7 July 1999
- 03/00528/FULMAJ: Extension to buildings to form produce store, tractor store, administrative and staff accommodation, raw materials store, new entrance control, landscaping and waste water treatment area,  
Decision: PERFPP Decision Date: 26 September 2003
- 05/01170/FUL: Construction of effluent treatment plant, including sedimentation pit, water balance tank, biological filters, reed beds and recycling lagoons, to treat the waste arising from the extrusion of agricultural produce for the purposes of animal and pet food production and the recycling of water back into the process (Site Area 0.65ha),  
Decision: INSFEE Decision Date: 6 January 2006
- 07/00843/FUL: Proposed installation of a sprinkler tank and associated pump house  
Decision: PERFPP Decision Date: 5 October 2007
- 08/00364/FUL: Installation of fan house, three activated carbon filters and flue to control odour emissions at Plocks Farm  
Decision: PERFPP Decision Date: 15 August 2008
- 09/00078/SCE: EIA Screening Opinion for Plocks Farm, Liverpool Road, Bretherton  
Decision: RESCEZ Decision Date: 23 February 2009
- 2009/00167/PREAPP:Chimney  
Decision: CLO Decision Date:
- 09/00236/SCOPE: Scoping Opinion for the Environmental Impact Assessment at Plock farm, Liverpool Road, Bretherton.  
Decision: PESCOZ Decision Date: 23 April 2009
- 09/00738/FULMAJ: Extensions and alterations to pet food manufacturing facility including an automated finished product store (AFPS); upgraded and new extrusion process lines including a sunken mill; raw material storage; odour abatement (a roofed pine bark based biological filter system including venting chimneys, one 30 metres high); waste water treatment; additional capacity of waste recovery and recycling facilities; landscaping including earth excavation and mounding; related infrastructure.  
Decision: PERFPP Decision Date: 25 March 2010
- 10/00572/DIS: Extensions and alterations to pet food manufacturing facility including an automated finished product store (AFPS); upgraded and new extrusion process lines including a sunken mill;raw material storage;odour abatement (a roofed pine bark based biological filter system including venting chimneys, one 30m high);waste water treatment;additional capacity of waste recovery and recycling facilities;landscaping including earth excavation and mounding; related infrastructure.  
Decision: PCO Decision Date: No Decision

**Recommendation: Permit Full Planning Permission  
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. Prior to the commencement of development details of the external facing materials shall be submitted to and approved in writing by the Local Planning Authority. *Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Saved Policy GN5 of the Adopted Chorley Local Plan Review.*
3. The development shall only be carried out in accordance with the approved plans, except as may otherwise be specifically required by any other condition of this permission or unless otherwise first agreed in writing by the Local Planning Authority. *Reason: To define the permission and in the interests of the proper development of the site.*
4. 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 Saved Policies EP17 and EM2 of the Adopted Chorley Borough Local Plan Review.*
5. Prior to the commencement of development full details of the existing and proposed slab levels (all relative to ground levels adjoining the site) shall be 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: As the site is within a Flood Risk Area and in accordance with Planning Policy Statement (PPS) 25: Development and Flood Risk.*



**Lesley - Ann Fenton**  
 Director of Partnerships, Planning & Policy

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Application Number:  
**10/00647/FUL**

Grid Ref:  
**E: 358717**  
**N: 417713**

Scale:  
**1:2,500**

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<b>Item</b>	<b>10/00659/FULMAJ</b>
<b>Case Officer</b>	<b>Caron Taylor</b>
<b>Ward</b>	<b>Lostock</b>
<b>Proposal</b>	<b>Erection of 24 two-storey affordable houses (including new access from Moor Road).</b>
<b>Location</b>	<b>Land Adjacent 32 Moor Road Croston</b>
<b>Applicant</b>	<b>Adactus Housing Association &amp; Seddon Homes</b>

**Consultation expiry: 8 September 2010**

**Application expiry: 22 October 2010**

### **Proposal**

1. The application is a full application for the erection of 24 two-storey affordable houses (including new access from Moor Road).

### **Recommendation**

2. It is recommended that this application is granted planning permission, subject to conditions and a Section 106 legal agreement, providing the additional ecological information is received and is satisfactory to the County Ecologist (this will be reported on the addendum).

### **Main Issues**

3. The main issues for consideration in respect of this planning application are:
  - Principle of the proposal
  - Appearance, layout and scale
  - Access and parking
  - Impact on neighbour amenity

### **History**

4. The site history of the property is as follows:

Ref: 98/00418/OUT Decision: Application Withdrawn  
 Decision Date: 30 July 1998  
 Description: Outline application for residential development,

Ref: 98/00779/OUT Decision: Refused  
 Decision Date: 28 April 1999  
 Description: Outline application for the erection of 5 detached houses and provision of 17 space car park,

Ref: 06/01043/FUL Decision: Refused  
 Decision Date: 23 November 2006  
 Description: Formation of builders yard with new vehicular access and erection of fencing,

Ref: 07/00370/FULMAJ Decision: Application Withdrawn  
 Decision Date: 4 June 2007  
 Description: Erection of 17 houses with associated car parking and landscaping,

### **Representations**

5. 21 individual letters of objection and 621 signed standard letters of objection have been received to the application. The grounds of objection can be summarised as:
  - Increased traffic and the access will cause safety issues. Previous applications have

been refused on access grounds. Visibility would be obscured by the houses nearest the junction;

- The proposal is out of keeping with the area and the properties nearby, which are terraced and semi-detached. The proposals are more densely packed than existing properties. PPS3 does not now require 30 dwellings per hectare – it should be a lower density given it is green field;
- There are not enough school places in the local primary school to absorb the development;
- The local medical services are full;
- The site is contaminated;
- Croston is in a flood area;
- Parking will overflow onto surrounding roads;
- Pollution;
- Strain on local current resources;
- The access to the development is unsuitable for the volume of traffic and existing road junctions;
- Loss of view over open land;
- Trees have been felled on the site;
- There are plenty of houses for sale in the Chorley area;
- There is little retail provision in the village;
- Poor transport service to the village;
- Burden on drainage/sewer systems;
- Land is a green break from housing lines;
- Croston Parish Plan showed that a minority of residents considered that there was a need for rented or housing associated shared ownership properties – there is current un-occupancy of affordable housing schemes in Croston;
- The scheme is too large to meet just local need;
- The density will exacerbate parking issues, the properties should have dedicated parking spaces;
- If affordable houses have to be built then local people should have them;
- Overlooking and loss of privacy to Dob Cross Farm;
- The distance between the proposal and no. 9 Station Road will be below the minimum distances and the proposed 1.8m high fence will take light from their garden;
- The proposal will reduce light and privacy to no. 25 Station Road;
- Loss of privacy to no. 32 Moor Road;
- Bins stores near their boundary could be a health hazard;
- The siting of plot 1 is inappropriate – it is close to the window at side of no. 1 Moor Road, reducing light;
- No play area is provided;
- Headlights from vehicles using the access will shine into properties opposite;
- Impact of vehicles close to boundary with existing residents properties;
- Waste disposal – where will bins be put on collection day?;
- The site is Greenfield land and a sequential test should have been carried out;
- Habitats will be destroyed Great Crested Newts have been seen on the site;
- There is already planning permission for houses on the former wood yard site which will have a cumulative impact;
- Only a single track road is proposed to serve the development and fire appliances and waste collection vehicles will not be able to access it;
- Building on the site will reduce natural drainage.

In addition two of the letters state:

- They do not disagree with building on it as it looks rough but they feel the younger locals should be given first priority;
- In principle Croston does need housing, but not in this position, but the housing needs to be affordable for the youngsters of Croston as they are having to move out of the village and they should be given preference over people that do not have family here.

**Consultations**

6. **United Utilities** – have no objection to the proposal.
7. **Environment Agency** – have no objection to the proposal subject to a condition and informative notes.
8. **Croston Parish Council** objects to the application on the following grounds:
- 1) Highway safety - Moor Road (B5249) is, despite being a 'B' road, used by a large number of heavy goods vehicles. The proposed location of the access is in the immediate vicinity of a small system of mini roundabouts which are already the scene of a number of incidents and near misses, caused by vehicles travelling along Moor Road failing to adhere to the 'Give Way' instruction to vehicles using the mini roundabout to enter and exit from Jubilee Way.
  - 2) The land is designated GN4 in the current Local Plan and, as such, 'development in .....Croston, ..... will be limited to:
    - (c) that which provides affordable housing to meet a recognised local need in accordance with Policy HS8;'
 

There seems to be no supporting evidence demonstrating a recognised local need within the application. The present study of Rural Housing Needs currently being undertaken may or may not provide this evidence, but pre-empting the outcome by granting permission for the proposed development may be seen to be inadvisable. The Croston Parish Plan describes a requirement for bungalows for the elderly.
  - 3) The development will impact adversely on the local infrastructure. Primary school places are currently at a premium. By virtue of the type of housing proposed this will add to an increase in the demand for child places. Additionally, there is an existing permission in place for a development on the site of the Former Woodyard, Station Road (08/00320/FULMAJ) which will further exacerbate these problems.

Additionally, the village currently suffers badly from flooding and sewer problems. The Parish Council is currently working with partner bodies, including Chorley Council, to devise a Community Flood Plan and this development will add to the amount of surface water discharged. The development will also add to the amount of sewage to be disposed of. United Utilities are aware of regular incidents of raw sewage emitting from their manholes onto roads in other parts of the village.

- 4) From the supporting information it would appear that, other than a desk top study, no survey has been carried out to establish the possible presence of Great Crested Newts, and other protected species, in the area. The Ecological Assessment states 'The site does however have good suitability as foraging and refuge habitat for amphibian species, including great crested newts' and 'The site does however represent suitable foraging habitat for a variety of bat species which may roost in adjacent residential properties'.

The Assessment (8.6) categorically states at 8.6 in relation to reptiles that the site contains good quality foraging and refuge sites for common reptile species. A detailed reptile survey of the site is recommended in order to determine the presence/absence of these species. The optimum timing for these surveys is April/May or September. If reptiles are found to be using the site a mitigation scheme will need to be implemented.'

There appears to be no indication this has been completed.

9. **Lancashire County Council (Highways)** –
- State that this application meets all the highway criteria they demand. They state they had several meetings with the applicant's consultants to resolve issues on this more difficult shaped site and found solutions to all the points and concerns raised. Access for the development at Moor Road is good with the required sight lines being well achieved. The proposed new junction will have no impact on the Jubilee Way/Moor Road and the Moor Road/Station Road junctions. Car parking is very well provided for within the site at two spaces per dwelling, which is above the minimum standard. The scheme itself has been designed to meet the requirements and philosophy of the Department for Transport Manual for Streets. The design speed for vehicular

traffic has been set very low with a view to making the development pedestrian friendly. This has been achieved by the use of irregular alignment and the use of features. The scheme is accessible by service vehicles, including refuse vehicles and fire appliances. The scheme that has been worked up is now a well designed scheme that meets the necessary requirements. They state they have no reason to object and could not sustain any objection at appeal. From a highways point of view, they state this is a good and workable application.

**10. Chorley Council Planning Policy –**

State this proposal lies within the settlement boundary of Croston, so should be assessed against the provisions of Policy GN4 in the Chorley Local Plan Review. This proposal accords with criterion c) of this policy, which allows development that provides affordable housing to meet a recognised local need, in accordance with Policy HS8 of the Local Plan. This proposal is for 100% affordable housing to meet local needs and is in accordance with Policy HS8 of the Local Plan. It is a scheme that should make a significant contribution to the solution of local housing problems in Croston.

11. This proposal is for more than 5 dwellings and as such it is required to accord with Policy SR1 of the Sustainable Resources DPD. The applicants state that the properties have been designed to meet Code for Sustainable Homes Level 3, which is in accordance with this policy. In terms of Policy SR1 criterion a) it is accepted that this is a long narrow site and that the layout is constrained by surrounding properties. Therefore, they have no objections in relation to criterion a). The applicants also indicate that they propose a water usage limit through the use of water saving sanitary fittings and they indicate that measures will be taken to control surface water run-off, which should accord with criterion c). Storage space is to be provided for recyclable waste materials and composting in accordance with criterion d). The proposal does not lie within a nationally designated area, so criterion e) is not applicable. In terms of Policy SR1 criterion b) the applicants state that the financial viability of the scheme would be severely compromised if the requirement for a 15% contribution from renewable sources were imposed. The applicants state that they will demonstrate through the use of open book accounting that this is the case. This is required if this element of the policy is not to be met.

**12. LCC Education –**

Using the LCC Planning Obligations Policy Paper, a yield of 0.35 primary and 0.25 secondary pupils per house has been used. Therefore, there is a possible yield of 8 primary and 6 secondary aged pupils.

13. A shortfall of places in these primary schools is already forecast, without the added impact which this development will have on pupil numbers. In addition, there is already a claim registered against a shortfall at Bretherton Endowed CE Primary, as a result of another development application pending. Therefore they are seeking a developer contribution in respect of the full potential yield of this site i.e. 8 places = £94,719. They state that without this contribution Lancashire County Council would be unable to guarantee that children in this area will be able to access a school place within a reasonable distance from their home.

14. With regard to secondary school places whilst there are also a number of planning applications pending which will impact on the available places in these schools, the total yield is expected to be around 52 pupils. They therefore anticipate that there will be sufficient secondary places available for the proposal.

**15. LCC Ecology –** state that the following matters will need to be addressed before the development can be determined:

- The reptile survey recommended in section 8.6 of the ecology report should be completed and any necessary mitigation compensation proposal should be submitted;
- It should be demonstrated that impacts on Species of Principal Importance (NERC Act, 2006) or their habitats will be avoided or that adequate mitigation/compensation measure will be provided;
- It should be demonstrated that sufficient replacement habitat will be created to offset habitat losses and deliver enhanced biodiversity.

If the above matters can be adequately addressed and Chorley Council is minded to approve the application a condition should be added regarding works affecting nesting birds should be

avoided between March and August inclusive without surveys being undertaken.

**16. Chorley Council Strategic Housing –**

**Housing Need & Waiting List Data**

The Central Lancashire Strategic Housing Market Assessment 2009 indicates that Chorley Borough has Annual Affordable Need of 791 Units per annum principally for 2 and 3 Bedroom Family Accommodation. The property mix for this site has been negotiated in accordance with these findings along with Housing Waiting List figures which demonstrate demand from households requiring social rented accommodation within Croston. Consideration has also been given to specific demands of this rural housing market - in particular the balance of existing stock (very limited social rented units, very high levels of owner occupation) in agreeing the proposed development of 100% Affordable Housing for Social Rent.

**17. Local Lettings Policy**

It is recommended that a Local Lettings Policy be applied to the nomination of all the units within the development, with priority being given to those households with a local connection to Croston which will enable the sustainability of this close knit rural community. The scheme will be aimed at those currently unable to afford to buy but wanting to remain in their village where they have local connection. It is anticipated that this will become part of their 'housing career' and as these people become able to afford to buy in Croston, this scheme will become a valuable resource for future new households. Adactus Housing Association has accepted this principle in respect of nominations.

**18. Homes and Communities Agency Grant Funding**

A successful bid for £1,488,000 to the HCA has been approved for this development on the condition that work commences by January 2011.

**19. Police Architectural Liaison Officer –** made comments in relation to the Secured by Design application regarding fencing to plots 4 and 20.

**20. Central Lancashire Primary Care Trust –** state there are no issues regarding access to GP services in Croston and therefore they have no comments to make on the application.

**21. Environmental Services –** State they have reviewed Sutcliffe Investigations Phase 1 desk study report for the site. They are generally satisfied with it making an initial appraisal of the site. They agree with the recommendations for further intrusive investigations and risk assessment and submission of a Phase 2 report. Details of which are provided in the desk study. These further works are required to fully characterise the site and to guide any site remediation works to render the site suitable for the proposed use. The applicant will be required to submit details of further investigation and where necessary a remediation strategy/detailed specification for remedial works for written approval by the Local Planning Authority. This should be the subject of a condition.

**22.** They have also reviewed the proposal from a waste storage and collection perspective and have no objections.

**Assessment**

Principle of the development

**23.** The application site is an old orchard, it is within the village of Croston which is covered by Policy GN4 of the Local Plan. This states that in villages including Croston development will be limited to:

- (a) infill sites;
- (b) the rehabilitation and reuse of buildings;
- (c) that which provides affordable housing to meet a recognised local need in accordance with Policy HS8;
- (d) that which meets a particular local community or employment need; or
- (e) the re-use of previously developed land, bearing in mind the scale of any proposed development in relation to its surroundings and the sustainability of the location.

As the proposal is for 100% affordable housing it meets criteria (c) providing it is in line with Policy HS8. This policy covers local needs housing within rural settlements excluded from the

green belt.

24. Policy HS8 states residential within a rural settlement excluded from the Green Belt will be restricted to schemes which would significantly contribute to the solution of a recognised local housing problem. The Council's Strategic Housing Team has given details of the current waiting lists for the Croston area. It is therefore considered that the proposal would significantly contribute to reducing the waiting lists in line with this policy.
25. Policy HS8 also states a number of criteria must be met: (a) a substantial majority of the dwelling will be made available at significantly below current market costs; (b) the occupancy of the dwellings will be limited on first and subsequent occupancy to people with close local connections who are unable to afford market housing; (c) the development is shown to be economically viable and be capable of proper management for example through a village trust or similar local organisation; (d) any remaining dwellings connected financially with the development will be limited to specialist types of accommodation for which there is a proven local need; (e) the scale and nature of the development will be in character with the settlement; (f) the development will be within a settlement with suitable adequate local facilities such as schools, shops and public transport services.
26. Taking each criterion in turn, in relation to (a) all the dwellings proposed will be affordable and secured as such through a legal agreement, in terms of (b) a local connections clause will be applied to the proposed properties on the advice of the Strategic Housing Section, (c) Adactus Housing Association, a Registered Social Landlord, are joint applicant for the proposal and will own and manage the properties. Criterion (d) is not relevant to the application, as no dwellings will remain, they will all be 100% affordable. Criterion (e) and (f) are discussed below in the relevant sections referring to scale and nature, and facilities. Subject to these being satisfactory the development will be acceptable in principle.

#### Appearance, Layout and Scale and Nature of Development

27. The application site is an area of open land of approximately 0.565 hectares accessed off Moor Road. It is a long narrow site running north to south. The land is lower than Moor Road but the site itself is relatively level although the frontage along Moor Road rises as it approaches the junction with Station Road. Opposite the site on Moor Road are terraced properties. To the West is a two mini-roundabouts arrangement, one at the entrance to the Jubilee Way estate and the other at the junction of Station Road, Moor Road and Bretherton Road.
28. The site bounds with the rear of the properties on Station Road to the west and the properties on Moor Road and Pear Tree Road to the east.
29. The application is accompanied by a Design and Access Statement detailing the design process the Architects for the scheme have gone through, this includes a photographic study of the immediate area and a comparison with historic maps of the village to see if there is a strong style to the buildings in the village and/or common themes in the appearance of the buildings. This showed that the oldest housing and that giving Croston its 'sense of place' is terraced with modest front gardens and relatively tight interface distances. Newer housing is more spread out, not typical to the village and less successful in creating a 'sense of place' i.e. it could be located anywhere.
30. The application therefore proposes two-storey terraced housing. One row on either side of the proposed access on to Moor Road facing the road, four rows within the site facing west and one row facing north rounding off the development at the southern end. Each property will have its own private rear garden with a small landscaped area to the front. Parking will be in spaces between the groups of terraces, provided in small groups along the access road and arranged around the turning head at the southern end of the site.
31. The applicant advises that the amount of the development has been determined by the scale and density of the surrounding area.
32. The proposal is considered in keeping with the surrounding area and specifically the historic character of the village of Croston, that is one of traditional terraces with small gardens with no

off-street parking to the frontages. The development replicates this form of housing found in the village rather than the newer housing, found on Moor Road which is not specific to Croston historically. The housing facing west will allow the front of properties to be viewed between the gaps in the properties from Station Road, rather than the rear of properties.

33. It is accepted that the restrictive shape of the site dictates that the properties are laid out on one side of the site only with the access to the other. The layout of the proposed properties facing Moor Road has been designed to be in keeping with the historic street pattern of Croston and the architect has provided a cross-section through Moor Road as it will be laid out and compared it to the layout of the terraced properties on Station Road as exists to show the layout is reflective of the character of Croston.
34. PSS3 not longer requires a minimum density of 30 dwellings per hectare, and the proposed development is 42 dwellings per hectare, however this is considered in keeping with the density of the immediate area, which is characterised by terraced housing.
35. Although the site is not within the conservation area, Croston Conservation Area Character Appraisal does cover traditional building styles and materials in the village which are useful in assessing this application. It states the most characteristic building form in the conservation is the terraced or linked cottage. Development, on the whole, fronts directly on to the road with the dominant building material being brick with slate roof tiles. In terms of materials, suitable materials can be controlled by a condition if the application is approved.
36. It is considered the scale and nature of the proposal will be in character with the village of Croston.

#### Access and Parking

37. In terms of the access, Lancashire County Highways state that they do not object to the scheme. The applicant has worked closely with them to come up with a proposal that meets the relevant highway criteria in terms of visibility splays onto Moor Road and keep speeds low within the development itself.
38. The proposal is for 10 two-bed properties and 14 three-bed properties. There will be 48 parking spaces provided in total. Some of these will be dedicated to certain properties but the majority will be provided as communal spaces. Although Chorley's Urban Designer made initial comments that it would be better if all the spaces were dedicated to individual properties in front of them, the applicant has explained that the parking layout proposed is intentionally designed to remove parking from in front of properties to allow landscaping to be introduced and increase the flexibility of the spaces. This approach is considered acceptable as it allows the parking to be better incorporated in the scheme, without it dominating the layout. With the majority of spaces not being dedicated it will allow a more flexible and efficient use of them as visitors will be able to park in spaces that would not otherwise be available if they were dedicated to a property, even if they were empty. This approach, with a mixture of dedicated and non-dedicated spaces, is supported by Manual for Streets which states a combination of on-plot, off-plot and on-street parking will often be appropriate. It also states that a key objective of PPS3 is the efficient use of land and to this end the total space taken up by parking needs to be minimised. The more flexible the use of parking spaces, the more efficient the use of space. In this case it is also considered that communal parking for residents and visitors is more likely to prevent parking on Moor Road itself.

#### Neighbour Amenity

39. In terms of neighbour amenity there will be approximately 15m between the proposed properties facing onto Moor Road and the existing terraced houses opposite. This is less than normally required for new housing schemes, however the interface distances are only guidelines and have to be balanced against other material considerations, in this case ensuring the proposal is in keeping with the surrounding layout and traditional form of development within the village. The properties facing Moor Road will be line with no. 1 Station Road which is on the corner of Station and Moor Road and has a date stone of 1888, rather than the semi-detached houses to the east of the site given planning permission in 1964/65, properties whose character and layout is not specific to the village. It can be seen from the Design and Access Statement



that the interface distance between the proposed properties and those opposite on Moor Road is similar to the distance between the terraced properties on Station Road. As Moor Road will separate the properties, the proposed layout is considered acceptable with an interface distance that will ensure the scheme will reflect the traditional form of development in the village.

40. Within the site the proposed properties on plots 8-20 face Station Road and back onto the properties on Pear Tree Road and no. 32 Moor Road. Plots 8-10 will back onto the side boundary of the rear garden of no. 32 Moor Road. This is a semi-detached property with a two-storey side extension, single storey side garage extension and rear conservatory. There will be 14m, 12m and 11m respectively between the first floor rear windows of plot 8, 9 and 10 and the garden boundary of no. 32 Moor Road which complies with the interface guideline. Properties on plots 11 - 14 will back on to a grassed area accessed between nos. 26 and 28 Pear Tree Road, however there will still be 10m between the first floor rear windows of the properties and their rear boundaries in accordance with the interface guideline.
41. Plots 17 - 20 will face the rear garden of no. 30 Pear Tree Road. There will be approximately 13m between the first floor windows of the proposed properties and the garden boundary with this property which complies with the Council's interface guidelines. Plot 20 will have its first floor windows in the side (south) elevation rather than towards no. 30. No. 30 is set at an angle to the application site and therefore the rear windows of the proposed properties will not directly face its rear windows. The impact of the proposal on this property is therefore considered acceptable.
42. Plots 21 – 24 will face north into the site, however there will be approximately 23m between the first floor windows of these properties and the windows in the side elevation of plot 20 which exceeds the interface guideline of 21m. The side elevation of plot 21 will face towards the rear of no. 36 Pear Tree Road, however there will be approximately 19m between the properties, exceeding the interface guideline of 12m. The side elevation of plot 24 will face the properties on Station Road. There will be no windows in this side elevation and the front windows of the proposed properties will be at right angles to the rear gardens. It is not therefore considered the proposal will result in an unacceptable loss of privacy to these properties. The side of the property proposed on plot 24 will face the rear of no. 25 Moor Road, which has a two-storey element on the rear. Although this relationship falls slightly short of the guideline of 12m (at 10.8m) between first floor windows and blank walls, it is not considered the proposal will cause an unacceptable loss of light, this is because of the orientation of the properties, any shadowing will only be limited to extremely early in the morning, which is considered acceptable.
43. Turning to the impact of the proposed development on the other properties on Station Road, plots 8 – 20 will face west towards their rear boundaries. Plots 8 – 10 will face towards Dob Cross Farm and Dob Cross Barn which bound with the site to the west. There will be 22m between the windows of Dob Cross Barn and the application properties and 11.5m between the first floor windows of the proposed properties and the boundary. The rear of plots 1 to 3 will face towards the rear of Dob Cross Barn, which has a single storey element on its north elevation with windows in. There will be between 11m and 12m between the first floor windows of the proposed properties on these plots and the boundary with Dob Cross Farm. All these distances comply with the interface guidelines. Moor Road rises as it approaches the junction with Station Road and the architect advises that the levels will be brought up by approximately 500mm. This will mean that Dob Cross Barn will be at a lower level than the application properties on this part of the site, however there are no first floor windows in this elevation of the Barn.
44. The side elevation of Dob Cross Farm faces towards the application site. There will be 21m between it and the property on plot 10 and also 11.5m to the boundary which complies with the interface distances. Plots 11 – 14 will face towards the garden of this property, however there will be 12m between their first floor windows and the boundary with Dob Cross Farm in excess of the interface guidelines.
45. Plots 15 and 16 will face towards the old corn mill, now in the ownership of 5 Station Road. There is a planning application (ref: 10/00643/FUL) currently under consideration to convert this to living accommodation, however only two high level windows at ground floor are proposed

facing towards the proposed properties to provide light to a kitchen area. The relationship between these properties is considered acceptable.

46. There will be between 10m and 13m between the first floor windows of plots 17 – 20 and the rear boundaries of the properties on Station Road which is considered acceptable and in accordance with the interface guidelines, which state there should be 21m between facing windows. There will be 26m between the first floor rear windows of no. 7 Station Road and the proposed properties on plots 17 and 18, and 21.9m between the windows on the nearest property on plot 19 and no. 9 Station Road (which has a two-storey rear extension). There will be 23m between nos. 11 and 13 Station Road and plots 19 and 20. These all comply with the Council's interface distances.
47. No.1 Moor Road is a large property divided into flats and is situated on the prominent corner of Moor Road and Station Road. It takes advantage of the land levels being two-storey at the front and three-storey to the rear. The side elevation of plot 1 will face the side elevation of this property and is a relationship that would be expected between the side elevations of adjacent properties.
48. It should be noted that the architect has advised that the topographical survey provides the most accurate survey of the surrounding properties, rather than the site plan. The topographical survey has therefore been used to assess the application in relation to neighbouring properties and the distances have been confirmed with the architect.
49. The proposed access will be adjacent to the rear boundaries with the properties on Station Road is considered acceptable as it is set off the boundary by parking spaces and spaced landscaping areas. The access road is also designed to keep traffic speeds low.

#### Impact on local services

50. Croston is a rural Village surrounded by Green Belt. The proposed development will increase the population of the Village and the indicative layout demonstrates that family accommodation will be provided on the site.
51. Lancashire County Council Local Education Authority (LEA) has requested a contribution towards education facilities due to the impact the development will have on pupil numbers. They have confirmed there will be sufficient secondary places to support the development. However, due to the rising birth-rate they are asking for a contribution from the developer for the full potential yield of places from the site of £94,719 in the form of a planning obligation (s106 Agreement).
52. Since 6 April 2010 planning obligations have had to comply with the Community Infrastructure Levy regulations in that they must meet the following tests:
  - (a) necessary to make the development acceptable in planning terms
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.
53. The request of the LEA is considered to comply with the regulations in this case subject to a clause in the legal agreement that the money will be spent within a 3 mile radius of the development, to ensure it is directly related to it.
54. Central Lancashire Primary Care Trust state there are no issues regarding access to GP services in Croston and have not requested any contribution to services. The existing service is therefore considered to be sufficient for the proposed development
55. Normally, such development would be required to contribute a sum of money per dwelling towards public open space. However, Adactus Housing Association has asked if this payment can be waived in this case as it would mean that the scheme isn't financially viable. They state they would be very grateful if this waiver could be agreed due the nature of the accommodation to be provided on the site and the high levels of grant funding applied for and considerable internal subsidy that the Association has put forward in order to make the scheme stack up. The scheme is for 100% affordable housing with a local connections policy to be applied. The

Local Education Authority has requested £94,719 towards primary school places (that the applicant had not budgeted for) and it is considered that the scheme would not be viable if both contributions were sought. Out of the two contributions, the contribution towards school places is considered the more important of the two.

56. Subject to the contribution towards school places being secured it is considered there are adequate facilities in the village to serve the proposed development.

#### Ecology

57. The application is accompanied by an Ecological Assessment. The County Ecologist has asked for a further survey to be undertaken in relation to reptiles and further information. The applicant advises that the further survey is being undertaken and it will be provided along with the information before the planning committee meeting. This information will be added to the addendum. Subject to this being satisfactory to the County Ecologist the application is considered acceptable in relation to Ecology. The Ecologist recommends a condition in relation to breeding birds. This is legislation separate and the planning system should not duplicate other legislation, however an informative note will be placed on any permission advising the applicant of the breeding birds issue.
58. In relation to the representation made about possible Great Crested Newts, there are no ponds on the site though there are two ponds within 250m of the site boundary. The Ecological Assessment states that the ponds are largely isolated from the survey area by roads and built-up areas reducing the potential for great crested newts to reach the survey site. Given the barriers between the pond and the site, and the suitable habitat immediately adjacent to the pond, the Ecological Assessment concludes the likelihood of great crested newts using the survey area is thought to be low.

#### **Other Matters**

59. Lancashire County Council have also requested £11,520 towards waste management, however they have not provided any justification for this amount or shown how it will be directly related to the development. It is not therefore considered that the request meets the requirements of the Community Infrastructure Levy in respect of planning contributions.
60. A Surface Water Assessment and Foul Sewerage Assessment have been done for the site and United Utilities have no objection to the proposal. The site is not within a Flood Zone as identified by the Environment Agency and they do not object to the application.
61. In relation to sustainable resources, conditions are proposed to ensure the requirements of Policy SR1 are met. The applicant is concerned that this may make the scheme unviable. Policy SR1 does make allowances for the viability of scheme as it states: *'All development should comply with Policy SR1 unless the applicant can demonstrate, including through the use of open book accounting, that an individual site's circumstances are such that development would not be feasible or viable if the policy were to be implemented'*. A clause will therefore be added to the normal condition that would give flexibility on the condition if the applicant can demonstrate through open book accounting that the requirements of Policy SR1 would make the development unviable.
62. With regards to the history of the site the application in 1998 (98/00779/OUT) that was refused for 5 detached houses and a 17 space car park was refused as it was contrary to the Lancashire Structure Plan (that is no longer in force) and the previous Local Plan as it was not for affordable housing to meet a recognised local need. It was not refused on highway grounds.
63. The Waste Management Officer has no objection to the proposal in terms of waste collection and storage. Bins within the proposed scheme are individual bins for each property, they are not large communal bins. It is not considered they will impact unacceptably on neighbouring properties.
64. The scheme includes a small landscaped area by the gable end of plot 20 in relation to the comments of the Police Architectural Liaison Officer. A condition regarding the approval of

details of fences, walls and gates is proposed for the scheme, which could include the side of plot 4 to the satisfaction of the Liaison Officer.

65. In relation to Croston Parish Plan, although this is not adopted for planning purposes it does state that young people are suffering from the high cost of houses in the village and that too much housing that there is too much housing that is expensive and unaffordable for local young people to get on the first rung of the housing ladder. It also states that cheaper housing is needed for children (who were) born here and want to stay here, and any further development should be for rented accommodation. Although the Parish Plan is not adopted for planning purposes it is considered that the proposed development with a Local Lettings Policy applied, will be in line with the aspirations of the Parish Plan.
66. A tree constraints plan has been submitted with the application. This states that the loss of tree on the site will not be a significant loss to amenity as they are predominantly in poor health and vigour and are rapidly reaching the end of their safe and useful life expectancy. The proposal includes provision for a considerable number of new trees to be planted as part of the landscape scheme that will adequately mitigate for the loss of trees.

#### Overall Conclusion

67. The principle of the proposal is acceptable in policy terms in accordance with GN4 providing it is in accordance with policy HS8. It is considered that the application meets the criteria of policy HS8 set out in this report and the application is therefore recommended for approval, subject to conditions and a s106 legal agreement. However, this recommendation of approval is subject to the additional information requested by the County Ecologist being received (and being to their satisfaction), an update will be placed on the addendum.

#### **Planning Policies**

68. National Planning Policies:  
PPS1, PPS3, PPS9, PPS22, PPS23, PPS25

#### Adopted Chorley Borough Local Plan Review

Policies:

GN4, GN5, GN9, EP4, EP9, EP17, EP18, HS4, HS5, HS6, HS8, TR4, LT14.

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

#### Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

#### **Recommendation: Permit (Subject to Legal Agreement) 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 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 plan(s)) 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.*

3. 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.*

4. Unless it can be demonstrated through open book accounting that the requirements of Policy SR1 would make the development unviable:

1. No phase or sub-phase of the development shall commence until a Design Stage assessment and related certification has been submitted to and approved in writing by the Local Planning Authority demonstrating that the proposed development will be constructed to achieve the relevant Code for Sustainable Homes level. All dwellings commenced after 1<sup>st</sup> January 2010 will be required to meet Code Level 3, all dwellings commenced after 1<sup>st</sup> January 2013 will be required to meet Code Level 4 and all dwellings commenced after 1<sup>st</sup> January 2016 will be required to meet Code Level 6. In accordance with Policy SR1 of the Sustainable Resources DPD, renewable or low carbon energy sources must be installed to reduce the predicted carbon emissions of the development by at least 15% (increasing to 20% from 2015). To demonstrate that this has been achieved, the Design Stage certification must show that the proposed development will achieve 2 credits within Issue Ene 7: Low or Zero Carbon Technologies. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

2. No dwelling shall be occupied until a Code for Sustainable Homes 'Post Construction Stage' assessment has been carried out and a final Code Certificate has been issued certifying that the required Code Level and 2 credits under Issue Ene7 has been achieved and the certificate has been submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*

5. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (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 and HS8 of the Adopted Chorley Borough Local Plan Review.*

6. 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.*

7. Before the development hereby permitted is first occupied, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with

the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

*Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR8 of the Adopted Chorley Borough Local Plan Review.*

8. 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.*
9. Notwithstanding the details shown on the submitted plans, the proposed driveway/hardsurfacing to the front of the property shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway), unless otherwise agreed to in writing by the Local Planning Authority.  
*Reason: In the interests of highway safety and to prevent flooding, in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review and PPS25*
10. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.  
*Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.*
11. The development hereby permitted shall only be carried out in conformity with the proposed finished floor levels shown on the approved plan(s).  
*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.*
12. No development shall take place until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. 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 PPS25 and Policy No. EP18 of the Adopted Chorley Borough Local Plan Review.*
13. Before the development hereby permitted commences, a Phase II: Intrusive Site Investigation shall be carried out as detailed at page 12 of the Sutcliffe Phase I Desk Study submitted with the application. Where the Phase II study deems necessary a remediation strategy/detailed specification for remedial works shall be submitted to and approved in writing by the Local Planning Authority. The development shall then only be carried out in accordance with the approved details unless otherwise agreed to in writing.  
*Reason: In the interest of safety and in accordance with PPS23.*
14. 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.*
15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without

modification), no windows other than those expressly authorised by this permission, shall be inserted or constructed at any time in the side elevations of the properties hereby permitted.

*Reason: To protect the amenities and privacy of the adjoining property and in accordance with policy HS4 of the Adopted Chorley Borough Local Plan Review.*

16. The approved plans are:

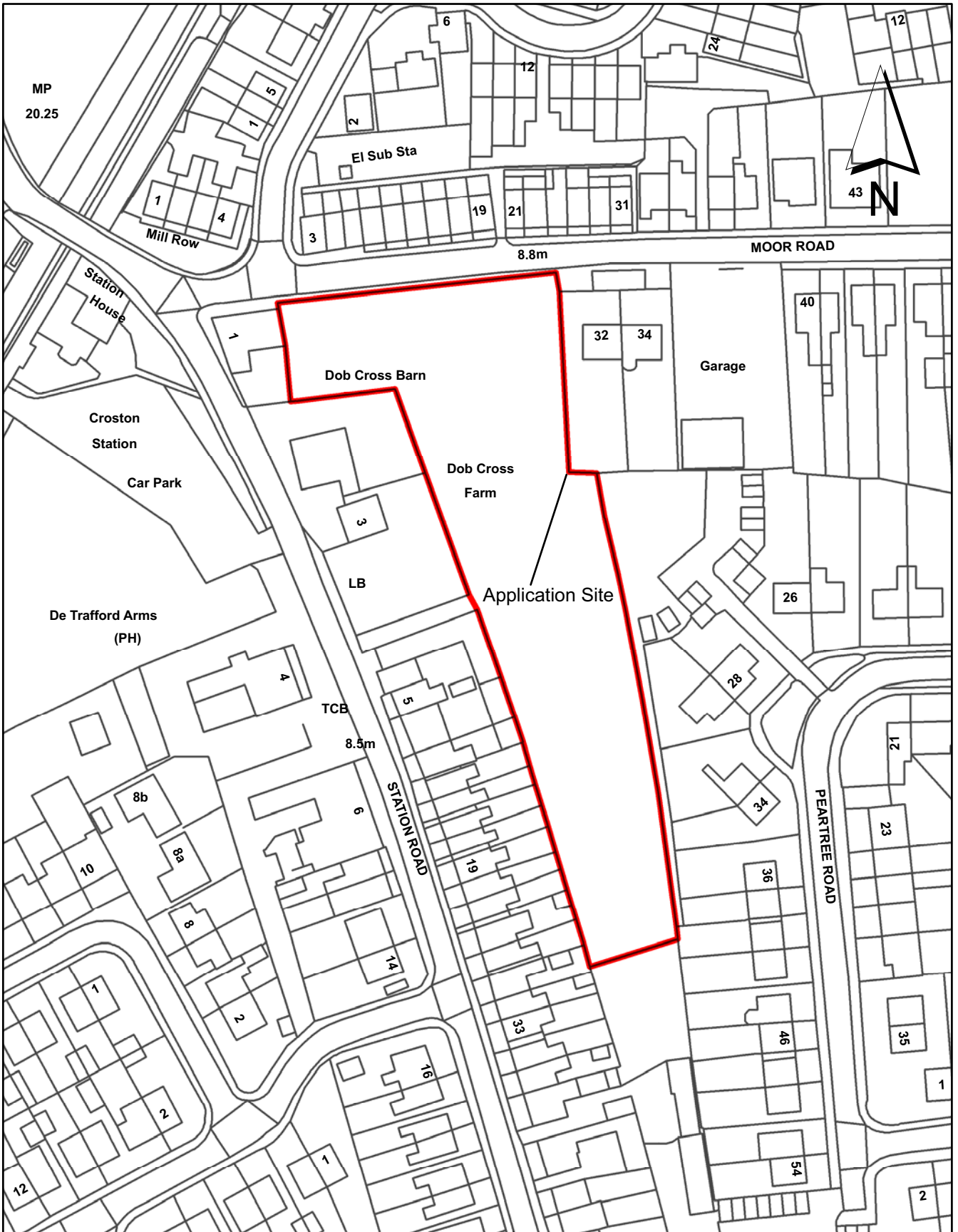
Plan Ref.	Received On:	Title:
P1126 05 Rev G	23 July 2010	Proposed Site Plan
P1126 06 Rev A	23 July 2010	Site Elevations/Sections
P1126 SK06 Rev B	23 July 2010	Unit A1 Floor Plans & Elevations
P1126 SK07 Rev B	23 July 2010	Unit A2 Floor Plans & Elevations
P1126 SK08 Rev B	23 July 2010	Unit A3 Floor Plans & Elevations
P1126 SK09 Rev B	23 July 2010	Unit A4 Floor Plans & Elevations
P1126 SK10 Rev B	23 July 2010	Unit A5 Floor Plans & Elevations
P1126 SK11 Rev B	23 July 2010	Unit B1 Floor Plans & Elevations
P1126 SK12 Rev B	23 July 2010	Unit B2 Floor Plans & Elevations
P1126 SK13 Rev B	23 July 2010	Unit B3 Floor Plans & Elevations
P1126 SK14 Rev B	23 July 2010	Unit B4 Floor Plans & Elevations
P1126 SK15 Rev B	23 July 2010	Unit B5 Floor Plans & Elevations
P1126 SK16 Rev B	23 July 2010	Unit C1 Floor Plans & Elevations
P1126 SK17 Rev B	23 July 2010	Unit C2 Floor Plans & Elevations

*Reason: To define the permission and in the interests of the proper development of the site.*

17. 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.*





**Lesley - Ann Fenton**  
 Director of Partnerships, Planning & Policy

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Application Number:  
**10/00659/FULMAJ**

Grid Ref:  
**E: 348820**  
**N: 449243**

Scale:  
**1:1,250**

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<b>Item</b>	<b>10/00674/FUL</b>
<b>Case Officer</b>	<b>Mr Matthew Banks</b>
<b>Ward</b>	<b>Clayton-le-Woods And Whittle-le-Woods</b>
<b>Proposal</b>	<b>Proposed single storey extension to front of house to provide disabled living facilities</b>
<b>Location</b>	<b>5 Hawthorne Close Clayton-Le-Woods Chorley PR6 7JL</b>
<b>Applicant</b>	<b>Nigel Bunney</b>
<b>Consultation expiry: 9 September 2010</b>	
<b>Application expiry: 27 September 2010</b>	

**Proposal** This application seeks permission to erect a single storey front extension to provide disabled living facilities for the applicant.

**Recommendation** It is recommended that this application is refused.

**Main Issues** The main issues for consideration in this application are as follows:

1. Need for the Development
2. Design and Impact on the Streetscene
3. Impact on Neighbour Amenity
4. Impact on Highways/Access

**Representations** To date, two neighbour objections have been received concerning this application, their comments can be summarised as follows:

4 Hawthorne Close:

- The proposed development is contrary to sections 2.9, 2.10, 5 and 6a of the Council's Adopted Householder Design Guidance SPG;
- The extension will stand focally from the close entrance and will appear claustrophobically dominant and destructive of the close's architectural integrity;
- The extension will overpower the front aspect of the house and dwarf the existing house;
- Question is raised into the need for a double garage of that size.

17 Bay Tree Road:

- The proposal will result in a detrimental effect on this property;
- The proposal will obliterate the existing view of trees, shrubs and hills from the rear window and garden of this property;
- The garage will tower above the garden of No. 17 at a height of 5m;
- A garage is not needed to provide disabled living facilities (this objector is also disabled).

**Consultations** Parish Council - None received

**Assessment**

1. Need for the Development

The proposed single storey front extension will include a double garage, bedroom, wet room, dining room and hallway to provide disabled living accommodation for the applicant who is suffering from

mitochondrial myopathy which is a disease that will result in the applicant becoming wheelchair bound.

The applicant has provided a supporting statement which outlines the nature of the disease as well as the need for each element of the proposed extension. This application is also accompanied by supporting letters from both an Occupational Therapist and Physician.

The applicant argues that the overall size of the extension has been dictated by the requirements for room sizes as set out in the Building Regulations Part M. As such, it is necessary to assess the need for each element of the proposal in relation to justifying the scale of the extension.

The appellant argues that the proposed bedroom is required as this will allow a special NHS bed and wheelchair access around the room. The letters from both the Community Occupational Therapist and Physician support this element of the proposal. In accordance with the information provided in support of the application, the need for this room is not disputed by the council.

The appellant argues that the wet room is needed as a shower room designed for wheelchair access. The letters that accompany the application also support this element of the proposal and therefore the council does not dispute the need for this element.

The applicant argues that the hallway is required at the proposed width to enable wheelchair access through the extension; that the existing WC has been converted to a utility room as this space can not function as a wash room for wheelchair access and that the existing dining room and kitchen will form a larger kitchen (although this is not shown on the submitted plans) and the proposed dining room will replace the existing.

The appellant argues that the double garage is required at the proposed size to enable ramp access from the house and enough room to enable the applicant to access one of the cars in privacy and under cover. However, the council does not consider that the garage is a necessity directly related to appellant's disease. This conclusion is drawn from the letters which accompany the application which support the need for a bedroom and wash room only.

The council considers that the garage could be omitted from the scheme and another option could be adopted which would allow the applicant to enter the property with minimal inconvenience in poor weather (ie. some form of cover to the front). The site is not particularly exposed to views from the surrounding area and adjacent properties.

The council acknowledges and certainly does not dispute that the applicant is in an unfortunate situation and that a certain level of disabled accommodation is required (ie. a bathroom and bedroom). However, in terms of need, it has been established (through the letters that accompany the application) that the only facilities which are medically required amount to a bedroom and showering facility. It has also been noted that an internal re-organisation of the property is also required to make the dwelling functional, however, it is also considered that this does not amount to the size of an extension as proposed.

As such, the council considers the applicant has failed to compromise given the difficult situation at the application site and the large size of the proposal. It is considered that the proposed facilities exceed what is reasonably necessary in line with the professional medical advice submitted with the application.

## 2. Design and Impact on the Streetscene

The Householder Design Guidance Supplementary Planning Guidance (SPG) states that extensions that project forward of the original building have a significant effect on the building itself and on the wider streetscape. Front extensions often upset building lines and architectural rhythms and appear unduly prominent in the streetscene.

The application dwelling is situated at the end of the cul-de-sac and forms the end property in a series of 5 that front the south side of Hawthorne Close. The proposed single storey extension would be situated to the front of the application dwelling in a relatively large expanse of front

garden. The proposed development will be prominent within the streetscene and be visible from numerous properties in the surrounding area. There are no distinct building lines on the cul-de-sac.

The proposed extension is not considered to be particularly well related to the design of the original house which has a distinctive style. This style is replicated throughout the immediate and surrounding property types. The proposal is not considered subordinate to the original house and will have a footprint larger than that of the original dwelling.

From views into Hawthorne Close the proposed development would not be overly prominent due to trees and shrubbery coverage that forms the front boundary treatment for many of the properties leading up to the application site. The only element of the proposal that would be visible from the entrance to the Close would be the attached garage. However, only part of garage would be visible from this viewpoint and it would not appear inappropriate in the context of other development on the site. It is not until you pass No. 4 Hawthorne Close that the true size of the extension would be visible, hence its impact on the surrounding area in terms of appearance would be localised.

Although the proposed extension is not considered to particularly enhance or positively contribute to the character and appearance of the surrounding area. It is not considered that the proposed extension would result in a form of development which would be significantly detrimental to the character and appearance of the surrounding area and as such, could not be refused on these grounds.

### 3. Impact on Neighbour Amenity

As discussed above, the visual impact of the proposed extension will be particularly localised to properties on Hawthorne Close and to the rear of the properties which front Bay Tree Road.

Although the proposed development would be visible from the properties on Hawthorne Close, it is not considered that it would result in any significant detrimental harm in terms of overlooking or loss of privacy to these properties. The proposal will have no windows serving a habitable room facing the adjacent property No. 4 Hawthorne Close and would be positioned as such that it would not have a significantly detrimental overbearing impact.

With regards to the properties situated to the immediate west of the application site which comprise Nos. 15, 17 and 19 Bay Tree Road, the impact will be significantly different.

The applicant has argued that the erection of the extension will not have an overbearing impact on these properties primarily because of the existing boundary treatment and the existence of the existing electricity sub-station which is positioned to the north of the application site. However, the council considers that the proposed development will have a significantly different impact on the amenity of these properties (particularly No. 17 Bay Tree Road) than the existing boundary treatment.

The properties Nos. 15, 17 and 19 all currently enjoy a relatively modest rear sized garden and have a rear boundary treatment separating them from the application site that comprises a 1.8m high wood boarded fence and in parts, trees and shrubbery that reach a height of over 3m.

The proposal seeks to remove much of the existing tree/shrubbery cover and retain the 1.8m high wooden fence. The proposal would extend approximately 17.3m from the front elevation of the application dwelling, at a distance of approximately 1m from the existing western boundary treatment. It would reach a maximum height of 5m at the highest point and as such, the properties Nos. 15, 17 and 19 Bay Tree Road would view the full extent of the proposal.

It is the combination of height, proximity and extent of the proposed extension that causes particular concern to the council. An extension of such a height, in such close proximity to the site boundary and of such an mass will have an unacceptable overbearing impact on the amenity space of Nos. 15, 17 and 19 Bay Tree Road.

The element of the proposal that is of particular concern is the garage which would be situated directly to the rear of No. 17 Bay Tree Road. The proposed extension would therefore result in an

overbearing form of development which would create an uncomfortable and unacceptable sense of enclosure to the occupiers of the adjacent properties, (particularly No. 17 Bay Tree Road) and would therefore be contrary to policy HS9 of the Adopted Chorley Borough Local Plan Review 2003.

It must be noted at this point that the applicant did submit a scheme to lower the ridge of the proposed garage and alter the ridge so that it would run concurrent with that of the remainder of the extension. However, this is not considered to significantly reduce the overbearing impact and massing of the extension and will not materially alter the consequential impact on the neighbouring properties. The amended scheme offers no break in the massing of the extension and as such, the applicant has confirmed that they would like to pursue the original scheme.

#### 4. Impact Highways/Access

The proposed development would result in an increase in demand for off-road parking at the site, however, the property has sufficient off-road parking provision to ensure that no significant harm would come to highways/access.

### **Overall Conclusion**

It is considered that the proposed extension will result in an overbearing form of development which would create an uncomfortable and unacceptable sense of enclosure to the occupiers of the adjacent properties and is therefore contrary to policy HS9 of the Adopted Chorley Borough Local Plan Review 2003.

It is also considered that the agent has failed to present a scheme that meets the medical needs of the applicant (in accordance with the letters that accompany the application) whilst maintaining an acceptable relationship between the proposal and the amenity of the neighbouring properties.

### **Planning Policies**

#### Adopted Chorley Borough Local Plan Review

Policies: GN1, GN5 and HS9

Supplementary Planning Guidance:

- Householder Design Guidance SPG

### **Planning History**

The site history of the property is as follows:

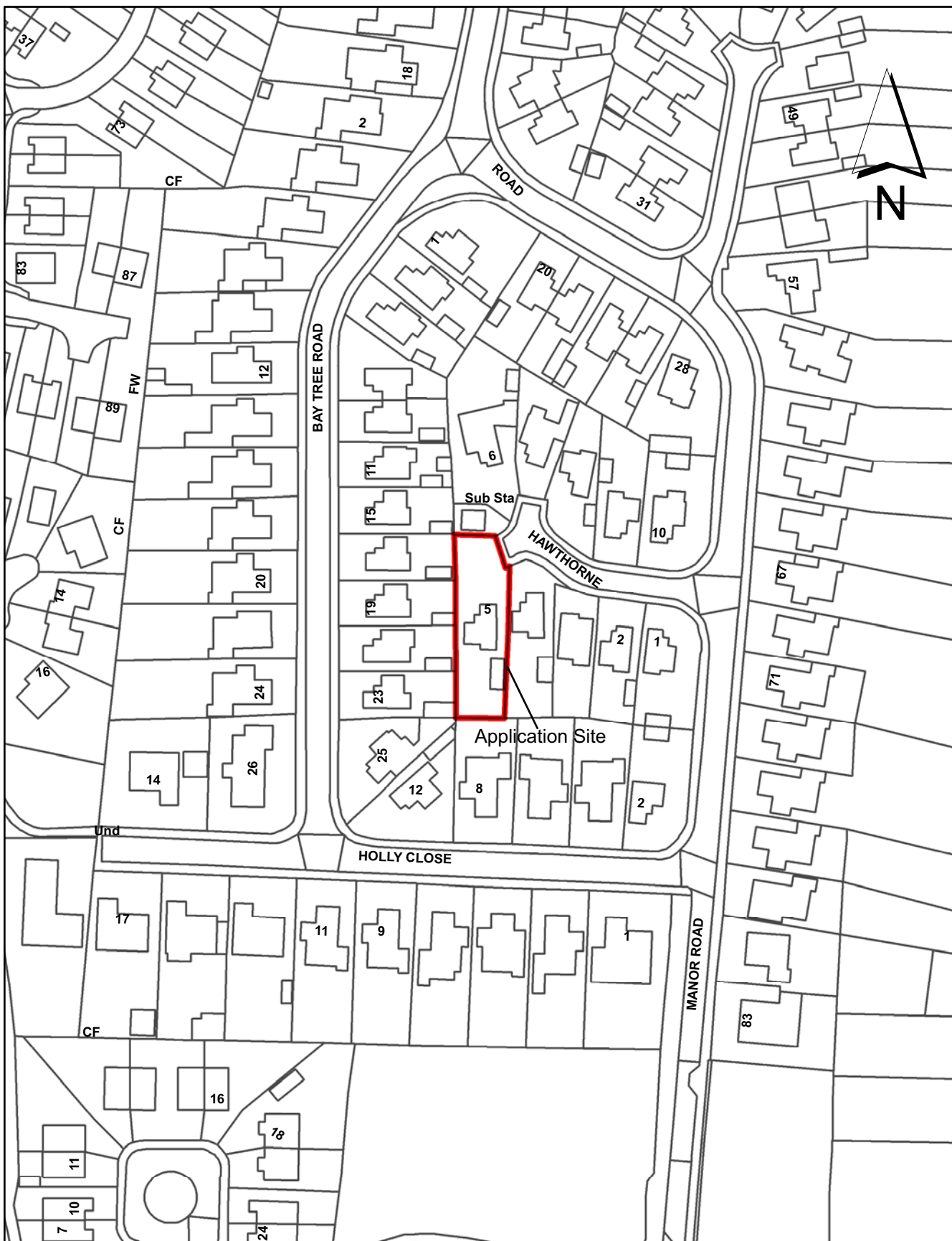
Ref: 03/00965/FUL Decision: PERFPF Decision Date: 21 October 2003

Description: Erection of conservatory to rear and dormer to front,

### **Recommendation: Refuse Full Planning Permission**

### **Reasons**

1. It is considered that a combination of height, proximity to the boundary and extent of the proposed development will have an overbearing effect on the neighbouring properties (with particular regard to No. 17 Bay Tree Road) and will dominate views of these dwellings and their associated private amenity space. The proposed development will result in an uncomfortable and unacceptable sense of enclosure to the occupiers of the adjacent properties and is therefore contrary to policy HS9 of the Adopted Chorley Borough Local Plan Review 2003.



**Lesley - Ann Fenton**  
 Director of Partnerships, Planning & Policy

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Application Number:  
**10/00674/FUL**

Grid Ref:  
**E: 357703**  
**N: 423000**

Scale:  
**1:1,250**



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<b>Item</b>	<b>10/00740/FUL</b>
<b>Case Officer</b>	<b>Liz Beard</b>
<b>Ward</b>	<b>Clayton-le-Woods North</b>
<b>Proposal</b>	<b>Application for 4 No dwellings amendment to previously approved layout (10/00418/FULMAJ)</b>
<b>Location</b>	<b>605 Preston Road Clayton-Le-Woods Chorley PR6 7EB</b>
<b>Applicant</b>	<b>Wainhomes Development</b>

**Consultation expiry: 28 September 2010**

**Application expiry: 28 October 2010**

### **Proposal**

1. The application is for 4 no. dwellings, which is an amendment to the previously approved layout (ref. 10/00418/FULMAJ) in September 2010 on land adjacent to 605 Preston Road.
2. The overall site is a flat site covering 0.6 acres. This application relates to a site area of 0.2 acres and is adjacent to 605 Preston Road. The site is contained in the New Towns Masterplan and was highlighted for a phase of office development. However, there is planning permission for 11 houses on this site.
3. The proposal is for a change in house type from Jenner to Baird house type, which is a two storey, three bedroom semi detached property. This scheme shows a replacement of 3 no. two and half storey houses (4 bedrooms) with 4no. two storey houses (3 bedrooms), along the frontage of Preston Road.

### **Recommendation**

4. It is recommended that this application is refused.

### **Main Issues**

5. The main issues for consideration in respect of this planning application are:
  - Principle of Development
  - Design and Appearance
  - Mix of Housing
  - Impact on Amenity of Future and Existing Occupiers
  - Highways and Parking

### **Representations**

6. No letters of objection have been received

### **Consultations**

7. The Environment Agency have no comments to make on the application.
8. Lancashire County Council (Highways) have no objection to the proposal.
9. Chorley Council's Conservation Officer (Design) has provided comments, which are discussed in the assessment part of the report under the heading Design and Appearance.

### **Assessment**

Principle of Development

10. The principle of development was considered in a previously approved scheme on this site ref.09/00750/FUL, and in the more recent scheme(ref. 10/00418/FULMAJ) which was approved in September 2010. Therefore the principle of residential development is acceptable.
11. This scheme shows a replacement of 3 no. two and half storey houses (4 bedrooms) with 4 no. two storey houses (3 bedrooms). There is also a current application, recently validated, for the change in house type to the remaining houses on the Preston Road frontage. This therefore increases the overall number of houses on the site, which previously had permission for 11 houses to 13 houses. Whilst there is an increase in numbers of dwellings this equates to an increase in two additional bedrooms overall. The density now equates to 52 dwellings per hectare, which was previously 44 dwellings per hectare.

#### Design and Appearance

12. The 4 new houses will be accessed from the existing access from Preston Road, into the adjoining site that has been developed by Wainhomes, and a further cul-de-sac will be taken off the existing road. This site will then be a continuation of the adjacent site. There were originally to be five houses located along the front of the site, along Preston Road, where they were to be four three 2.5 storey houses and one two storey house. They were all detached and four bed roomed properties, and house types that have been used elsewhere in the adjoining scheme.
13. The proposal is to replace three of those houses with two pairs of semi-detached properties. This is the Baird house type, which has not been used in the adjacent scheme, and is therefore a new house type for this development.
14. A key characteristic of the area, that the applicant acknowledges in their design and access statement, is the variety of properties to be found both in terms of scale and use. The previously approved scheme (Ref. 10/00418/FULMAJ) included a degree of variety in the size and height of the proposed buildings. This current application reduces the variety of buildings with the result that the streetscene now appears to be more uniform.
15. There is a significant reduction in amenity space within this scheme, compared to the previously approved scheme. The back gardens, as measured from the plan, are less than 6.0 metres in length. There is also a dominance of vehicles in rear parking bays, which now has eight vehicles parked in close proximity compared with four in the previously approved scheme. This looks cluttered and will not be visually pleasing to any future occupants, especially those that live opposite.
16. The current scheme appears cramped and compromised and the relationship of spaces to buildings and the parking arrangements are considerably less visually pleasing than the previously approved scheme.

#### Mix and Type of Housing

17. The housing previously approved on the whole of this site was a range of two, three and four bedroom properties, with car parking provided. The housing to be replaced was two and a half storey (4 bedroom) properties and this proposal is for two storey (3 bedroom), whilst it has reduced the number of 4 bedroom properties to be provided, the number of three bedroom properties has increased. The change to the mix of housing is still considered to be appropriate and complies with Planning Policy Guidance (PPG) Note 3 Housing.

#### Impact on Amenity of Future and Existing Occupiers

18. The houses all comply with the privacy distances as set out within the Council's Design Supplementary Planning Guidance (SPG), however, the garden areas fall well below 10m in length which is the requirement as set out in the SPG. The garden areas provided are just under 6.0 metres in length, when measured on the plan, with car parking provided outside the fencing to the rear. There will not be any harm to the amenity of the existing occupiers or the future occupiers in relation to privacy and therefore the proposal is acceptable in relation to privacy distances being maintained. However, as explained above there is an issue in relation to the design.

Highways and Parking

19. The access into this site is to be taken off the existing cul-de-sac into the adjacent site which, has previously been developed by Wainhomes.
20. There is car parking provided by way of driveways, which are located to the rear of the properties. This complies with the appropriate standards. Therefore there are no objections in terms of highway safety and parking.

**Overall Conclusion**

21. Whilst the principle of residential development is acceptable on this site, it is considered that the changes to the house types on the Preston Road frontage, within this part of the scheme will provide a more cramped appearance and compromise the spaces between the buildings. Also to the rear of the scheme the gardens are less than 6.0 metres in length, which is considerably lower than the suggested minimum length as outlined in the Council's Design Guidance Document. Behind this area there are eight car parking spaces provided which would appear cluttered and not provide a visually pleasing outlook for future occupants. The proposal does not provide a good quality design, which is expected as outlined in PPS1 and PPS3 and therefore the application is recommended for refusal.

**Planning Policies**National Planning Policies:

PPS1 and the Climate Change Supplement, PPS3, PPS4 and PPG13.

Adopted Chorley Borough Local Plan Review

Policies: GN1, HS4, EM6, and SP6

## Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

**Planning History**

07/00469/FULMAJ Erection of 1 no. two storey office building. Approved July 2007.

08/00203/FULMAJ Development of 24 no. residential dwellings, including the demolition of existing property. Approved July 2008.

08/00974/DIS Application to discharge conditions relating to 08/00203/FULMAJ. All conditions were discharged October 2008.

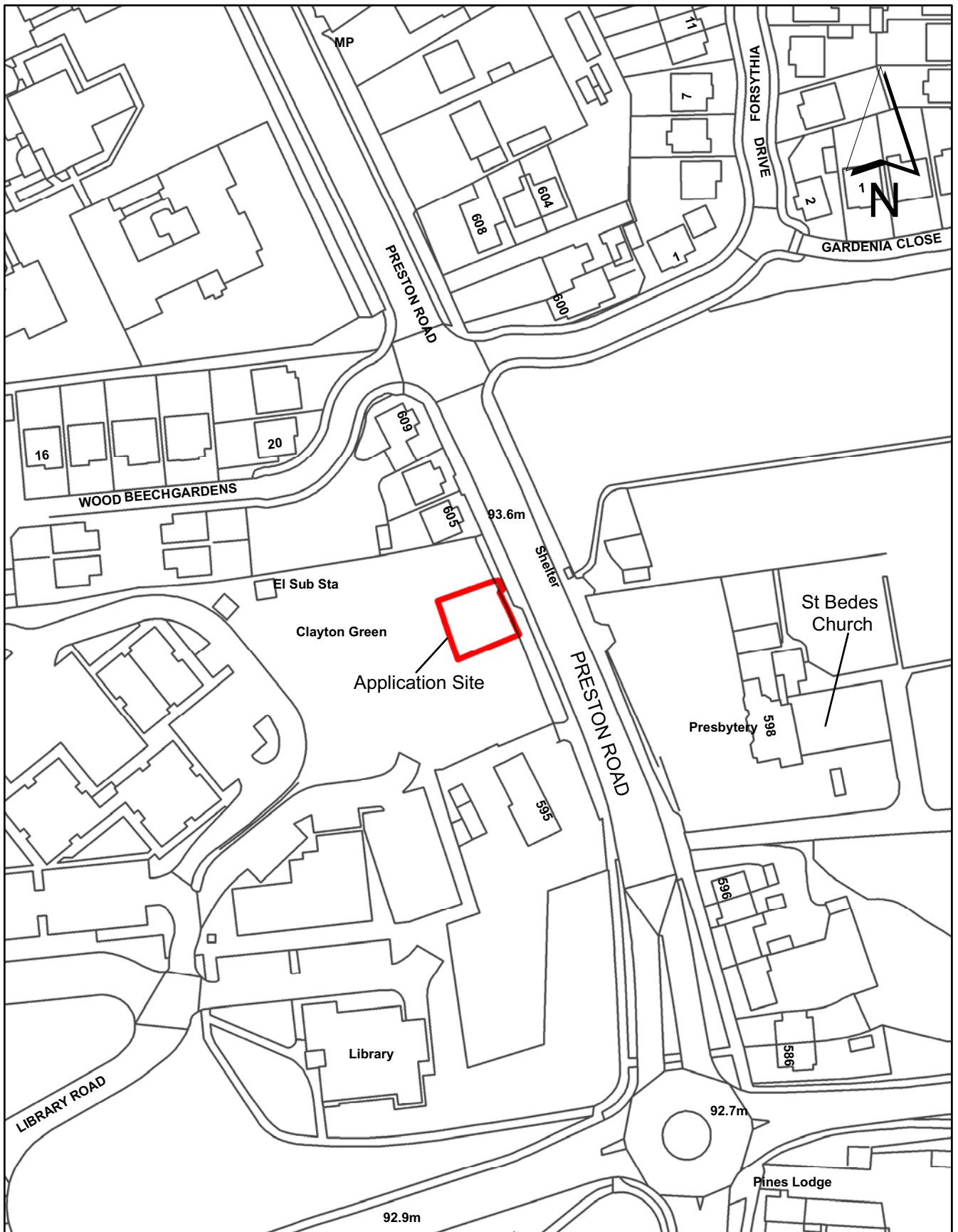
09/00042/FUL Amendments to previously approved layout (08/00203/FULMAJ) and erection of 7 no. detached houses including infrastructure. Refused February 2009.

10/00418/FULMAJ Resubmission of planning application 10/00047/FULMAJ for 11 no. dwellings & infrastructure to land adjacent to 605 Preston Road, including amendments/plot substitution to previously approved layout for planning application 08/00203/FUL. Approved September 2010.

**Recommendation: Refuse Full Planning Permission****Reasons**

1. 1) The amendment to the previously approved application, showing a change in house type, will provide a more cramped development and compromise the spaces between the

buildings on a prominent frontage (Preston Road), than previously shown and as such is contrary to Saved Policy HS4 of the Chorley Local Plan Review, and Planning Policy Guidance 3: Housing.2) The rear garden spaces do not provide a reasonable level of amenity for the future occupants of the dwellings. The gardens sizes shown are 6.0m which is less than the 10.0m minimum requirement as outlined in the Council's Supplementary Planning Guidance and as such is contrary to Saved Policy HS4 of the Chorley Local Plan Review.



<p><b>Lesley - Ann Fenton</b>                  Director of Partnerships, Planning &amp; Policy</p>		<p>Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Chorley B.C. 100018509 (2010)</p>	
<p>Application Number:  <b>10/00740/FUL</b></p>	<p>Grid Ref:  <b>E: 357834</b>  <b>N: 423694</b></p>	<p>Scale:  <b>1:1,250</b></p>	

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Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	12 October 2010

## PLANNING APPEALS AND DECISIONS - NOTIFICATION

### PURPOSE OF REPORT

- To advise Committee of appeal notifications and decisions received from the Planning Inspectorate and notification of decisions received from Lancashire County Council and other bodies between 31 August to 28 September 2010.

### RECOMMENDATION(S)

- That the report be noted.

### CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	X

### PLANNING APPEALS LODGED

- Appeal by Wainhomes (North West) against the delegated decision to refuse planning permission at 7 Chorley Old Road, Whittle-le-Woods for the demolition of No. 7 Chorley Old Road together with associated outbuildings and the construction of 9 No. residential dwellings and associated works and amendments to the access into No. 5 Chorley Old Road with new garage provision/location. (Application No. 10/00238/FUL).
- Appeal by Wainhomes (North West) Ltd against the Council's failure to issue a decision within 8 weeks for the erection of 6 dwellings at The Royle and The Coppice, Shaw Hill, Whittle-le-Woods (Application No. 10/00432/FUL).
- Appeal by Wainhomes (North West) Ltd against the Council's failure to issue a decision within 13 weeks for the erection of 13 dwellings and associated infrastructure (following demolition of no. 202 Chorley Old Road, Whittle-le-Woods). (Application No. 10/00417/FULMAJ).

**PLANNING APPEALS DISMISSED**

- 7. Appeal by J Y Kinsha against the Development Control committee’s decision to refuse planning permission for the conversion of retail units to form doctors surgery - change of use from A1 to D1 at 225 - 227 Eaves Lane, Chorley (Application No. 09/01016/COU).

**PLANNING APPEALS ALLOWED**

- 8. None

**PLANNING APPEALS WITHDRAWN**

- 9. Appeal by Wainhomes (North West) Ltd against the Council’s failure to issue a decision within 13 weeks for the proposed development of 12 dwellings, infrastructure and incorporating 1 plot substitution, amendments to previously approved layout (08/00203/FULMAJ) at former 605 Preston Road, Clayton-le-Woods (Application No. 10/00047/FULMAJ).

**ENFORCEMENT APPEALS LODGED**

- 10. Appeal lodged against enforcement notice reference EN630 (Without planning permission the formation of a vehicular access to a classified road at 176A Wood Lane, Heskin).

**ENFORCEMENT APPEALS DISMISSED**

- 11. None

**ENFORCEMENT APPEALS ALLOWED**

- 12. None

**ENFORCEMENT APPEALS WITHDRAWN**

- 13. None

**LANCASHIRE COUNTY COUNCIL DECISIONS**

- 14. Planning permission granted for the erection of a pram shelter at Highfield Children’s Centre, Highfield Nursery School, Wright Street, Chorley. (Application No. 10/00719/CTY)

**GOVERNMENT OFFICE DECISIONS**

- 15. None

**IMPLICATIONS OF REPORT**

- 16. This report has implications in the following areas and the relevant Corporate Directors’ comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this	√

	area	
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LESLEY-ANN FENTON  
DIRECTOR OF PARTNERSHIPS, PLANNING AND POILCY

Report Author	Ext	Date	Doc ID
Louise Taylor	5220	30.09.2010	

Background Papers				
	Document	Date	File	Place of Inspection
4	Letter from the Planning Inspectorate	14.09.2010	10/00238/FUL	Civic Offices, Union Street, Chorley or online at <a href="http://www.chorley.gov.uk/planning">www.chorley.gov.uk/planning</a>
5	"	17.09.2010	10/00432/FUL	
6	"	20.09.2010	10/00417/FULMAJ	
7	"	20.09.2010	09/01016/COU	
9	"	06.09.2010	10/00047/FULMAJ	
14	Notice from Lancashire County Council	17.09.2010	10/00719/CTY	

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# Report



Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	12 October 2010

## Planning Applications Decided by the Director of Partnerships, Planning and Policy, the Chair and Vice-Chair of the Committee on 14 September 2010

Application No.	Recommendation	Location	Proposal
10/00543/FUL	Refuse Full Planning Permission	Volvo Construction Equipment Unit 10 - 11 Adlington South Business Park Huyton Road Adlington	Proposed change of use from general industrial use (B2 use) to ski/snowboard boot fitting and ski/snowboard sale & hire of equipment and accessories (part A1, B2 & B8 use)
10/00587/FUL	Permit Full Planning Permission	Chorley Cricket Club Sandringham Road Chorley Lancashire PR7 1LG	Installation of a 17.5m dual use monopole and ground based equipment cabinets ancillary thereto

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# Report



Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	12 October 2010

## Planning Applications Decided by the Director of Partnerships, Planning and Policy, the Chair and Vice-Chair of the Committee on 29 September 2010

Application No.	Recommendation	Location	Proposal
10/00367/FUL	Permit Full Planning Permission	Tandeka Barn Bagganley Lane Knowley Chorley Lancashire	Erection of a two storey rear extension to create additional living room and bedroom and single storey rear extension
10/00486/FUL	Permit Full Planning Permission	Rawstone Gardens Development Lawrence Lane Eccleston Lancashire	Variation to site boundary fence from 1.4 m high fence to 1.8 m high fence
10/00549/FUL	Permit Full Planning Permission	The Old Stables West Street Chorley PR7 2SJ	Application to replace an extant planning permission in order to extend the time limit for implementation for a change of use of existing mixed (A1/B1) use to tea rooms (A3)
10/00636/FUL	Refuse Full Planning Permission	Former Print Works School Lane Brinscall Lancashire	Retention of existing apartment and conversion of existing commercial building to 5 no. apartments
10/00681/COU	Permit Full Planning Permission	Chapel Lane Business Park Chapel Lane Coppull Chorley PR7 4NB	Proposed change of use from use as pre metal treatment and surface coatings to warehousing and distribution, light manufacturing and offices
10/00716/FUL	Permit Full Planning Permission	Church View Vicarage Close Adlington Chorley PR6 9QP	Extension and change of use from garage to bungalow
10/00721/FUL	Permit Full Planning Permission	Lilac Mount 704 Preston Road Clayton-Le-Woods Chorley PR6 7EJ	Resubmission to sub divide large property into two separate dwellings

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Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	12 October 2010

**List of Applications Determined by the Director of Partnerships, Planning and Policy  
Under Delegated Powers**

**Between 1 September and 28 September 2010**

**Plan Ref** 10/00388/FUL      **Date Received** 14.05.2010      **Decision** Permit Full  
Planning  
Permission

**Ward:** Adlington &  
Anderton      **Date Decided** 15.09.2010

**Proposal :** Conversion of attached garage to kitchen/diner  
**Location :** 11 Outterside Street Adlington Chorley PR7 4HS  
**Applicant:** Mrs Christine McAllister 11 Outterside Street Adlington Chorley PR7 4HS

**Plan Ref** 10/00422/LBC      **Date Received** 27.05.2010      **Decision** Grant Listed  
Building  
Consent

**Ward:** Clayton-le-Woods      **Date Decided** 08.09.2010  
And Whittle-le-  
Woods

**Proposal :** Re-location of stairs and wc (amendment to previously approved plan)  
**Location :** Sibbering Farmhouse Dawson Lane Whittle-Le-Woods Chorley PR6 7DT  
**Applicant:** Mr & Mrs P Love 12 Yew Tree Grove Lostock Hall Preston PR5 5NP

**Plan Ref** 10/00423/FUL      **Date Received** 27.05.2010      **Decision** Permit Full  
Planning  
Permission

**Ward:** Lostock      **Date Decided** 10.09.2010

**Proposal :** Single storey rear extension to replace existing; alterations to front windows to  
provide opening windows and replacement of front door with stable type door;  
erection of detached summer house (retrospective).  
**Location :** 100 Station Road Croston Leyland PR26 9RP  
**Applicant:** Mrs Heather Jackson 100 Station Road Croston Chorley Lancashire PR26 9RP

**Plan Ref** 10/00429/DIS      **Date Received** 27.05.2010      **Decision** Condition(s)  
discharged

**Ward:** Clayton-le-Woods      **Date Decided** 16.09.2010  
North

**Proposal :** Discharge of planning conditions 1 to 10 of planning approval 09/00463/FUL  
**Location :** Lilac Mount 704 Preston Road Clayton-Le-Woods Chorley PR6 7EJ  
**Applicant:** Mr John Dickinson

**Plan Ref** 10/00452/FUL      **Date Received** 04.06.2010      **Decision** Permit Full Planning Permission

**Ward:** Chorley South East      **Date Decided** 13.09.2010

**Proposal :** Single storey rear extension  
**Location :** 50 Bolton Road Chorley PR7 3ET  
**Applicant:** Mr Premji Bhai 50 Bolton Road Chorley PR7 3ET

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**Plan Ref** 10/00472/ADV      **Date Received** 10.06.2010      **Decision** Advertising Consent

**Ward:** Astley And Buckshaw      **Date Decided** 07.09.2010

**Proposal :** Display of various illuminated and non-illuminated signage at site known as Southern Commercial Buckshaw Village for Tesco Store.  
**Location :** Land South Of Buckshaw Avenue Buckshaw Avenue Buckshaw Village Lancashire  
**Applicant:** Saunders Partnership Architects The Exchange 3 New York Street Manchester M1 4HN

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**Plan Ref** 10/00473/ADV      **Date Received** 10.06.2010      **Decision** Advertising Consent

**Ward:** Astley And Buckshaw      **Date Decided** 07.09.2010

**Proposal :** Display of various illuminated and non-illuminated signage at the site known as Southern Commercial Area for the petrol station  
**Location :** Land South Of Buckshaw Avenue Buckshaw Avenue Buckshaw Village Lancashire  
**Applicant:** Saunders Partnership Architects The Exchange 3 New York Street Manchester M1 4HN

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**Plan Ref** 10/00475/ADV      **Date Received** 10.06.2010      **Decision** Advertising Consent

**Ward:** Astley And Buckshaw      **Date Decided** 07.09.2010

**Proposal :** Proposed signage for ATM machine  
**Location :** Land South Of Buckshaw Avenue Buckshaw Avenue Buckshaw Village Lancashire  
**Applicant:** Saunders Partnership Architects The Exchange 3 New York Street Manchester M1 4HN

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**Plan Ref** 10/00474/ADV      **Date Received** 11.06.2010      **Decision** Advertising Consent

**Ward:** Astley And Buckshaw      **Date Decided** 07.09.2010

**Proposal :** Display of various illuminated and non-illuminated signage  
**Location :** Land South Of Buckshaw Avenue Buckshaw Avenue Buckshaw Village Lancashire  
**Applicant:** Saunders Partnership Architects The Exchange 3 New York Street Manchester M1 4NH

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**Plan Ref** 10/00479/TPO      **Date Received** 11.06.2010      **Decision** Consent for Tree Works

**Ward:** Coppull      **Date Decided** 15.09.2010

**Proposal :** Felling of 1 sliver birch tree - ( TPO 4 (Coppull) 1995)

**Location :** 5 Chancery Close Coppull Chorley PR7 4QZ

**Applicant:** Mr John Trezise 5 Chancery Close Coppull Chorley PR7 4QZ

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**Plan Ref** 10/00482/MNMA      **Date Received** 14.06.2010      **Decision** Minor Non-Material Amendment Accepted

**Ward:** Chorley North West      **Date Decided** 08.09.2010

**Proposal :** Application for non-material minor amendment to planning application 09/00977/FUL comprising of an extension to the canopy approved on the rear of the building

**Location :** Playdor Nursery School The Bungalow 4 Chorley Hall Road Chorley Lancashire

**Applicant:** Playdor The Bungalow 4 Chorley Hall Road Chorley

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**Plan Ref** 10/00484/FUL      **Date Received** 14.06.2010      **Decision** Permit Full Planning Permission

**Ward:** Chisnall      **Date Decided** 09.09.2010

**Proposal :** Construction of equestrian sand paddock

**Location :** Hurst House Farm Halfpenny Lane Heskin Chorley PR7 5PR

**Applicant:** Mr Samuel Ainscough Ashurst Hall Farm Higher Lane Dalton Ormskirk WN8 7RP

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**Plan Ref** 10/00487/FUL      **Date Received** 14.06.2010      **Decision** Permit Full Planning Permission

**Ward:** Heath Charnock And Rivington      **Date Decided** 17.09.2010

**Proposal :** Change of use to part living accommodation an part cafe/gallery

**Location :** Digital Workshop Spring Cottage Rivington Lane Rivington Bolton

**Applicant:** David Jones Rivington Lane Rivington Lancashire BL6 7SP

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**Plan Ref** 10/00490/FUL      **Date Received** 14.06.2010      **Decision** Permit Full Planning Permission

**Ward:** Chorley North East      **Date Decided** 13.09.2010

**Proposal :** Creation of two parking spaces within rear garden and associated vehicular access, new boundary fencing and gates and fences and walls within the garden property

**Location :** 12 Park Road Chorley Lancashire PR7 1QN

**Applicant:** Mr & Mrs A Morwood 12 Park Road Chorley Lancashire PR7 1QN

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**Plan Ref** 10/00491/LBC      **Date Received** 14.06.2010      **Decision** Grant Listed Building Consent

**Ward:** Chorley North East      **Date Decided** 13.09.2010

**Proposal :** Listed Building Consent for new boundary fencing and gates and fences and walls within the garden property

**Location :** 12 Park Road Chorley Lancashire PR7 1QN

**Applicant:** Mr & Mrs A Morwood

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**Plan Ref** 10/00496/DIS      **Date Received** 17.06.2010      **Decision** Condition(s) discharged

**Ward:** Chorley East      **Date Decided** 08.09.2010

**Proposal :** Discharge of conditions No's 1 to 7 (inclusive) attached to planning approval reference 10/00079/FUL

**Location :** Pennines 2 Crosse Hall Lane Chorley Lancashire PR6 0QJ

**Applicant:** Mr Lee Jackson 37 Longworth Avenue Coppull Chorley PR7 4PJ

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**Plan Ref** 10/00508/FUL      **Date Received** 21.06.2010      **Decision** Permit Full Planning Permission

**Ward:** Pennine      **Date Decided** 02.09.2010

**Proposal :** Erection of sand paddock and access path

**Location :** Laburnum Cottage Chapel Lane Heapey Chorley Lancashire

**Applicant:** Mr & Mrs P Baker Laburnum Cottage Chapel Lane Heapey Chorley Lancashire PR6 8EW

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**Plan Ref** 10/00510/DIS      **Date Received** 21.06.2010      **Decision** Condition(s) discharged

**Ward:** Chorley East      **Date Decided** 22.09.2010

**Proposal :** Discharge of conditions: 2, 3 & 5 attached to planning approval 10/00027/REM

**Location :** St James C Of E Primary School Devonport Way Chorley PR6 0TE

**Applicant:** J B Loughlin (contractors) Ltd Unit 41 Highfield Industrial Estate North Street Chorley Lancashire PR7 1QD

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<b>Plan Ref</b>	10/00519/FUL	<b>Date Received</b>	24.06.2010	<b>Decision</b>	Permit Full Planning Permission
<b>Ward:</b>	Eccleston And Mawdesley	<b>Date Decided</b>	13.09.2010		
<b>Proposal :</b>	Installation of pergolas with polycarbonate roof over decking. Remove window at front and replace with patio doors to provide access to area under front canopy.				
<b>Location :</b>	Rainbow House Langton Brow Eccleston Chorley PR7 5PB				
<b>Applicant:</b>	Ms Joanne Mawdsley Rainbow House Langton Brow Eccleston Chorley PR7 5PB				
<b>Plan Ref</b>	10/00520/FUL	<b>Date Received</b>	24.06.2010	<b>Decision</b>	Refuse Full Planning Permission
<b>Ward:</b>	Pennine	<b>Date Decided</b>	13.09.2010		
<b>Proposal :</b>	Proposed demolition of existing dwelling and construction of replacement dwelling				
<b>Location :</b>	19 Blackburn Road Whittle-Le-Woods Chorley PR6 8LD				
<b>Applicant:</b>	Mr D Heptonstall Neil Pike Architecture Limited Michigan House 17-19 Chorley New Road Bolton BL1 4QR				
<b>Plan Ref</b>	10/00528/FUL	<b>Date Received</b>	28.06.2010	<b>Decision</b>	Permit Full Planning Permission
<b>Ward:</b>	Chisnall	<b>Date Decided</b>	08.09.2010		
<b>Proposal :</b>	Erection of single storey front extension to create bedrooms				
<b>Location :</b>	151 Preston Road Coppull Lancashire PR7 5DR				
<b>Applicant:</b>	Mr P Downes The Willows Grimeford Lane Blackrod Bolton BL6 5LD				
<b>Plan Ref</b>	10/00529/FUL	<b>Date Received</b>	28.06.2010	<b>Decision</b>	Permit Full Planning Permission
<b>Ward:</b>	Chisnall	<b>Date Decided</b>	17.09.2010		
<b>Proposal :</b>	Demolition of existing garages and erection of a detached bungalow and garage.				
<b>Location :</b>	151 Preston Road Coppull Lancashire PR7 5DR				
<b>Applicant:</b>	Mr P Downes The Willows Grimeford Lane Blackrod Bolton BL6 5LD				
<b>Plan Ref</b>	10/00540/FUL	<b>Date Received</b>	30.06.2010	<b>Decision</b>	Permit Full Planning Permission
<b>Ward:</b>	Euxton North	<b>Date Decided</b>	08.09.2010		
<b>Proposal :</b>	Demolition of the existing conservatory and the erection of a single storey rear extension to create an extended living room				
<b>Location :</b>	121 Wigan Road Euxton Chorley Lancashire PR7 6JH				
<b>Applicant:</b>	Mr Jeff Duddy 121 Wigan Road Euxton Chorley Lancashire PR7 6JH				

**Plan Ref** 10/00543/FUL      **Date Received** 02.07.2010      **Decision** Permit Full Planning Permission

**Ward:** Adlington & Anderton      **Date Decided** 23.09.2010

**Proposal :** Proposed change of use from general industrial use (B2 use) to ski/snowboard boot fitting and ski/snowboard sale & hire of equipment and accessories (part A1, B2 & B8 use)

**Location :** Volvo Construction Equipment Unit 10 - 11 Adlington South Business Park Huyton Road Adlington

**Applicant:** DIG SKI Ltd T/A Rivington Alpine 83/87 Winter Hey Lane Horwich Bolton BL6 7PA

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**Plan Ref** 10/00553/FUL      **Date Received** 05.07.2010      **Decision** Permit Full Planning Permission

**Ward:** Clayton-le-Woods And Whittle-le-Woods      **Date Decided** 06.09.2010

**Proposal :** Timber decking to front of public house

**Location :** The Dog Inn Chorley Old Road Clayton-Le-Woods Chorley Lancashire

**Applicant:** Thwaites PO Box 50 Star Brewery

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**Plan Ref** 10/00561/FUL      **Date Received** 06.07.2010      **Decision** Permit Full Planning Permission

**Ward:** Heath Charnock And Rivington      **Date Decided** 06.09.2010

**Proposal :** Retrospective application for a velux roof in the rear roof and a garden shed

**Location :** 109 Chorley Road Heath Charnock Lancashire PR6 9JT

**Applicant:** Mr Mukesh Patel 109 Chorley Road Heath Charnock Lancashire PR6 9JT

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**Plan Ref** 10/00568/FUL      **Date Received** 07.07.2010      **Decision** Permit Full Planning Permission

**Ward:** Pennine      **Date Decided** 03.09.2010

**Proposal :** Erection single storey side extension to create additional kitchen space

**Location :** 17 Kittiwake Road Heapey Chorley PR6 9BA

**Applicant:** Mr C Metcalf 17 Kittiwake Road Heapey Chorley PR6 9BA

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**Plan Ref** 10/00570/FUL      **Date Received** 07.07.2010      **Decision** Permit Full Planning Permission

**Ward:** Brindle And Hoghton      **Date Decided** 02.09.2010

**Proposal :** Erection of a single storey side/rear extension to create additional living space  
**Location :** 42 Fowler Close Hoghton Preston PR5 0DS  
**Applicant:** Mr & Mrs Waddington 42 Fowler Close Hoghton Preston PR5 0DS

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**Plan Ref** 10/00573/FUL      **Date Received** 08.07.2010      **Decision** Permit Full Planning Permission

**Ward:**      **Date Decided** 02.09.2010

**Proposal :** Proposed residential development of 4 detached houses (plots 8 - 11) including the access road  
**Location :** 41 Wigan Road Euxton Chorley PR7 6JU  
**Applicant:** W Marsden And Sons 37 Wigan Road Euxton Chorley Lancashire PR7 6LA

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**Plan Ref** 10/00576/CTY      **Date Received** 09.07.2010      **Decision** No objection to LCC Reg 3/4 Application

**Ward:** Chorley South West      **Date Decided** 10.09.2010

**Proposal :** Temp school entrance and carpark  
**Location :** Southlands High School Clover Road Chorley PR7 2NL

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**Plan Ref** 10/00578/FUL      **Date Received** 09.07.2010      **Decision** Permit Full Planning Permission

**Ward:** Chorley North West      **Date Decided** 06.09.2010

**Proposal :** Demolition of the existing sitting room and the erection of a single storey rear extension to create an orangery, a new glass roof replacing the existing flat roof  
**Location :** 13 Rookwood Avenue Chorley Lancashire PR7 1RL  
**Applicant:** Mr Holt 13 Rookwood Avenue Chorley Lancashire PR7 1RL England

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**Plan Ref** 10/00579/TCON      **Date Received** 10.07.2010      **Decision** No objection to Tree Works

**Ward:** Wheelton And Withnell      **Date Decided** 15.09.2010

**Proposal :** Removal of diseased birch tree.  
**Location :** Oakbank Withnell Fold Chorley Lancashire PR6 8BA  
**Applicant:** Simon Brooke Oakbank Withnell Fold Chorley Lancashire PR6 8BA

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<b>Plan Ref</b>	10/00580/COU	<b>Date Received</b>	13.07.2010	<b>Decision</b>	Permit Full Planning Permission
<b>Ward:</b>	Clayton-le-Woods West And Cuerden	<b>Date Decided</b>	22.09.2010		
<b>Proposal :</b>	Proposed change of use of land at public open space to be incorporated into private garden				
<b>Location :</b>	Land Between 37 Spring Meadow And 7 Stoney Holt Clayton-Le-Woods Lancashire				
<b>Applicant:</b>	Mr Christopher Lamb 7 Stoney Holt Clayton-Le-Woods Leyland PR25 5US				
<b>Plan Ref</b>	10/00584/FUL	<b>Date Received</b>	13.07.2010	<b>Decision</b>	Permit Full Planning Permission
<b>Ward:</b>	Eccleston And Mawdesley	<b>Date Decided</b>	07.09.2010		
<b>Proposal :</b>	Erection of steel portal framed cattle building to replace existing dilapidated cow building				
<b>Location :</b>	Manor House Farm Towngate Eccleston Chorley PR7 5QL				
<b>Applicant:</b>	Mr Paul Smith Manor House Farm Towngate Eccleston Chorley PR7 5QL				
<b>Plan Ref</b>	10/00586/CLPUD	<b>Date Received</b>	13.07.2010	<b>Decision</b>	Grant Certificate of Lawfulness
<b>Ward:</b>	Wheelton And Withnell	<b>Date Decided</b>	06.09.2010		
<b>Proposal :</b>	Demolition of the existing conservatory and the erection of a single storey rear extension to create an extended kitchen/dining room				
<b>Location :</b>	28 Fellstone Vale Withnell Chorley PR6 8UE				
<b>Applicant:</b>	Mr J Swinscoe 28 Fellstone Vale Withnell Chorley PR6 8UE				
<b>Plan Ref</b>	10/00585/CLPUD	<b>Date Received</b>	14.07.2010	<b>Decision</b>	Grant Certificate of Lawfulness
<b>Ward:</b>	Lostock	<b>Date Decided</b>	16.09.2010		
<b>Proposal :</b>	Demolition of the existing conservatory and the erection of a single storey rear extension to create additional sun room				
<b>Location :</b>	4 Bamfords Fold Bretherton Preston PR26 9AL				
<b>Applicant:</b>	Mr & Mrs R Davidson 4 Bamfords Fold Bretherton Preston PR26 9AL				



<b>Plan Ref</b>	10/00595/FUL	<b>Date Received</b>	14.07.2010	<b>Decision</b>	Permit Full Planning Permission
<b>Ward:</b>	Clayton-le-Woods North	<b>Date Decided</b>	08.09.2010		
<b>Proposal :</b>	Erection of classroom extension and canopy over outdoor play area. Small scale internal alterations and refurbishment				
<b>Location :</b>	St Bedes RC Primary School Preston Road Clayton-Le-Woods Chorley PR6 7EB				
<b>Applicant:</b>	School Governors St Bedes RC Primary School Preston Road Clayton-Le-Woods Chorley PR6 7EB				
<b>Plan Ref</b>	10/00592/FUL	<b>Date Received</b>	15.07.2010	<b>Decision</b>	Permit Full Planning Permission
<b>Ward:</b>	Coppull	<b>Date Decided</b>	17.09.2010		
<b>Proposal :</b>	Erection of a first floor rear extension to create bedrooms. Demolition of the existing garage and the erection of a single storey side extension to create conservatory.				
<b>Location :</b>	Riversdale House 130 Birkacre Brow Coppull Chorley Lancashire				
<b>Applicant:</b>	Riversdale House Mr & Mrs MANUS Birkacre Chorley PR7 3QD				
<b>Plan Ref</b>	10/00593/FUL	<b>Date Received</b>	15.07.2010	<b>Decision</b>	Permit Full Planning Permission
<b>Ward:</b>	Coppull	<b>Date Decided</b>	13.09.2010		
<b>Proposal :</b>	Erection of two storey side extension				
<b>Location :</b>	24 Oakwood Road Coppull Chorley PR7 4PB				
<b>Applicant:</b>	Mr & Mrs Thompson 24 Oakwood Road Coppull Chorley PR7 4PB				
<b>Plan Ref</b>	10/00596/CLPUD	<b>Date Received</b>	15.07.2010	<b>Decision</b>	Grant Certificate of Lawfulness
<b>Ward:</b>	Astley And Buckshaw	<b>Date Decided</b>	17.09.2010		
<b>Proposal :</b>	Application for a certificate of lawfulness for proposed change of use of existing outbuilding to granny annexe				
<b>Location :</b>	Stansfield House Barn Euxton Lane Euxton Lancashire PR7 6DL				
<b>Applicant:</b>	Mr & Mrs R & J Harasimuk C/o Agent				
<b>Plan Ref</b>	10/00598/FUL	<b>Date Received</b>	15.07.2010	<b>Decision</b>	Permit Full Planning Permission
<b>Ward:</b>	Chorley South East	<b>Date Decided</b>	10.09.2010		
<b>Proposal :</b>	External alterations to existing building to include; removal of cupola roof (pyramid style roof), spraying of capping's, window frames, fire doors and double doors, new entrance door, removal of canopies and extension to form additional drive thru window				

**Location :** Kentucky Fried Chicken Unit 5 Chorley Retail Park George Street Chorley  
**Applicant:** B J R Foods Ltd 456-458 Leyland Road Lostock Hall Preston Lancashire PR5 5RY

**Plan Ref** 10/00599/ADV      **Date Received** 15.07.2010      **Decision** Advertising Consent

**Ward:** Chorley South      **Date Decided** 10.09.2010  
 East

**Proposal :** Advertising consent application for 9 No externally illuminated fascia signs, 2 No internally illuminated box signs and 8 No sets of internally illuminated individual white 'KFC' letters

**Location :** Kentucky Fried Chicken Unit 5 Chorley Retail Park George Street Chorley  
**Applicant:** BJR Foods Ltd 456-458 Leyland Road Lostock Hall Preston Lancashire PR5 5RY

**Plan Ref** 10/00648/FUL      **Date Received** 15.07.2010      **Decision** Permit Full Planning Permission

**Ward:** Astley And      **Date Decided** 17.09.2010  
 Buckshaw

**Proposal :** External alterations to existing outbuilding to enable conversion to granny annexe

**Location :** Stansfield House Barn Euxton Lane Euxton Lancashire PR7 6DL  
**Applicant:** Mr & Mrs R S Harasimuik C/o Agent

**Plan Ref** 10/00601/FUL      **Date Received** 16.07.2010      **Decision** Permit Full Planning Permission

**Ward:** Chorley North      **Date Decided** 13.09.2010  
 East

**Proposal :** Retrospective application for the erection of a detached garage with a pitched roof

**Location :** 44 Russell Square Chorley Lancashire PR6 0AS  
**Applicant:** Mr West 44 Russell Square Chorley Lancashire PR6 0AS

**Plan Ref** 10/00602/FUL      **Date Received** 16.07.2010      **Decision** Permit Full Planning Permission

**Ward:** Chorley South      **Date Decided** 13.09.2010  
 East

**Proposal :** Erection of a two storey rear extension to create additional living accommodation.

**Location :** 96 Pilling Lane Chorley PR7 3EE  
**Applicant:** Mrs D Ollerton 96 Pilling Lane Chorley Lancs PR7 3EE

**Plan Ref** 10/00607/FUL      **Date Received** 19.07.2010      **Decision** Permit Full  
Planning  
Permission

**Ward:** Eccleston And  
Mawdesley      **Date Decided** 13.09.2010

**Proposal :** Extension to front porch to include wc  
**Location :** 4 Cotswold Close Eccleston Chorley PR7 5TN  
**Applicant:** Mr & Mrs Heaton 4 Cotswold Close Eccleston Chorley PR7 5TN

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**Plan Ref** 10/00615/FUL      **Date Received** 19.07.2010      **Decision** Permit Full  
Planning  
Permission

**Ward:** Pennine      **Date Decided** 28.09.2010

**Proposal :** Erection of disability step lift to front of house to replace existing concrete steps  
**Location :** 1 Heys Lodge Dark Lane Whittle-Le-Woods Chorley Lancashire  
**Applicant:** Ms Jayne Martin 1 Heys Lodge Dark Lane Whittle-Le-Woods Chorley Lancashire  
PR6 8AH

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**Plan Ref** 10/00620/FUL      **Date Received** 19.07.2010      **Decision** Permit Full  
Planning  
Permission

**Ward:** Chorley North  
West      **Date Decided** 13.09.2010

**Proposal :** Erection of a single storey rear extension to create additional living space  
**Location :** 76 Millfield Road Chorley PR7 1RE  
**Applicant:** Mr Mark Hunt 76 Millfield Road Chorley PR7 1RE

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**Plan Ref** 10/00621/FUL      **Date Received** 20.07.2010      **Decision** Permit Full  
Planning  
Permission

**Ward:** Chorley South  
East      **Date Decided** 15.09.2010

**Proposal :** Demolition of the existing attached garage and the erection of a single storey side  
extension, single storey side/rear extension incorporating attached garage  
**Location :** 36 Melrose Way Chorley PR7 3EX  
**Applicant:** Mr & Mrs Wong 36 Melrose Way Chorley PR7 3EX

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**Plan Ref** 10/00623/FUL      **Date Received** 21.07.2010      **Decision** Permit Full  
Planning  
Permission

**Ward:** Brindle And  
Hoghton      **Date Decided** 15.09.2010

**Proposal :** Erection of a single storey rear extension to create an extended kitchen/utility room  
**Location :** 4 Hewngate Gregson Lane Brindle Preston PR5 0ED  
**Applicant:** Miss Margaret Rooney 4 Hewngate Gregson Lane Hoghton PR5 0ED

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**Plan Ref** 10/00630/FUL      **Date Received** 21.07.2010      **Decision** Permit Full Planning Permission

**Ward:** Coppull      **Date Decided** 21.09.2010

**Proposal :** Proposed raising of roof to form additional bedroom space and a rear dormer to form en suite bathroom

**Location :** 1 Millstone Close Coppull Chorley PR7 4QQ

**Applicant:** Mr & Mrs Casey 1 Millstone Close Coppull Chorley PR7 4QQ

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**Plan Ref** 10/00631/FUL      **Date Received** 22.07.2010      **Decision** Permit Full Planning Permission

**Ward:** Clayton-le-Woods North      **Date Decided** 17.09.2010

**Proposal :** Extension to existing entrance foyer and provision of cycle storage facility

**Location :** Asda Superstore Clayton Green Centre Centre Drive Clayton-Le-Woods Chorley

**Applicant:** ASDA Stores Ltd ASDA House Southbank Great Wilson Street Leeds Yorkshire LS11 5AD

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**Plan Ref** 10/00632/ADV      **Date Received** 22.07.2010      **Decision** Advertising Consent

**Ward:** Chorley South East      **Date Decided** 20.09.2010

**Proposal :** Replacement of existing fascia with new branding for Boots store.

**Location :** Boots The Chemist Market Walk Chorley Lancashire PR7 1DE

**Applicant:** Alliance Boots 1a Thane Road Nottingham Nottinghamshire NG90 1BS ENGLAND

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**Plan Ref** 10/00638/FUL      **Date Received** 22.07.2010      **Decision** Permit Full Planning Permission

**Ward:** Clayton-le-Woods North      **Date Decided** 16.09.2010

**Proposal :** Proposed single storey extension to form library/group room

**Location :** Clayton Le Woods C Of E Primary School Back Lane Clayton-Le-Woods Chorley PR6 7EU

**Applicant:** The Governors Clayton Le Woods C Of E Primary School Back Lane Clayton-Le-Woods Chorley PR6 7EU

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**Plan Ref** 10/00641/FUL      **Date Received** 23.07.2010      **Decision** Permit Full Planning Permission

**Ward:** Chorley North  
East      **Date Decided** 20.09.2010

**Proposal :** Erection of a single storey rear extension to create Living room.

**Location :** 73 Stump Lane Chorley PR6 0AL

**Applicant:** Mr Chris Walmsley 73 Stump Lane Chorley PR6 0AL

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**Plan Ref** 10/00644/FUL      **Date Received** 26.07.2010      **Decision** Permit Full Planning Permission

**Ward:** Chorley North  
West      **Date Decided** 21.09.2010

**Proposal :** Erection of a first floor side extension to create an extended bathroom

**Location :** 79 Rookwood Avenue Chorley PR7 1RG

**Applicant:** Mr G Parkinson 79 Rookwood Avenue Chorley PR7 1RG

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**Plan Ref** 10/00658/FUL      **Date Received** 26.07.2010      **Decision** Refuse Full Planning Permission

**Ward:** Eccleston And  
Mawdesley      **Date Decided** 20.09.2010

**Proposal :** Proposed replacement dwelling

**Location :** Daulby House Farm Meadow Lane Mawdesley Ormskirk L40 2QA

**Applicant:** Dr Mausumi Roy C/o Agent

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**Plan Ref** 10/00651/FUL      **Date Received** 28.07.2010      **Decision** Permit Full Planning Permission

**Ward:** Clayton-le-Woods  
North      **Date Decided** 22.09.2010

**Proposal :** Proposed security fencing and gates

**Location :** Clayton Le Woods C Of E Primary School Back Lane Clayton-Le-Woods Chorley PR6 7EU

**Applicant:** The Governors Clayton Le Woods C Of E Primary School Back Lane Clayton-Le-Woods Chorley PR6 7EU

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**Plan Ref** 10/00654/FUL      **Date Received** 28.07.2010      **Decision** Permit Full Planning Permission

**Ward:** Chisnall      **Date Decided** 21.09.2010

**Proposal :** Erection of a two storey side extension to create additional living accommodation.

**Location :** 16 Meadowlands Charnock Richard Chorley PR7 5RX

**Applicant:** Mr William Hough 16 Meadowlands Charnock Richard Chorley PR7 5RX

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**Plan Ref** 10/00661/FUL      **Date Received** 29.07.2010      **Decision** Permit Full Planning Permission

**Ward:** Euxton South      **Date Decided** 17.09.2010

**Proposal :** Proposed dormer to front elevation  
**Location :** 13 Hawkshead Avenue Euxton Chorley PR7 6NZ  
**Applicant:** Mr Chris Fairclough 13 Hawkshead Avenue Euxton Chorley PR7 6NZ

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**Plan Ref** 10/00662/MNMA      **Date Received** 29.07.2010      **Decision** Minor Non-Material Amendment Accepted

**Ward:**      **Date Decided** 17.09.2010

**Proposal :** Application for Minor None Material Amendment to raise the level on plot 4 by 450 mm  
**Location :** 2 Crosse Hall Lane Chorley Lancashire PR6 0QJ  
**Applicant:** Mr Lee Jackson 37 Longworth Avenue Coppull Chorley PR7 4PJ

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**Plan Ref** 10/00692/LBC      **Date Received** 29.07.2010      **Decision** Grant Listed Building Consent

**Ward:** Chisnall      **Date Decided** 22.09.2010

**Proposal :** Demolition of single storey extension and erection of a two storey rear extension (application for extension to the time limit to implement Listed Building Consent reference 05/00517/LBC)  
**Location :** Barmskin Hall Farm Barmskin Lane Heskin Chorley PR7 5PT  
**Applicant:** Mr Jonathan Barnes Barmskin Hall Farm Barmskin Lane Heskin Chorley

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**Plan Ref** 10/00697/LBC      **Date Received** 29.07.2010      **Decision** Permit Full Planning Permission

**Ward:** Wheelton And Withnell      **Date Decided** 23.09.2010

**Proposal :** Erection of time limit (application 07/01069/LBC) for erection of two storey & single storey extensions to farmhouse and erection of detached double garage  
**Location :** Miry Fold Farm Briers Brow Wheelton Lancashire PR6 8JN  
**Applicant:** Mr Joe Morgan Miry Fold Farm Briers Brow Wheelton Lancashire PR6 8JN

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**Plan Ref** 10/00699/LBC      **Date Received** 29.07.2010      **Decision** Permit Full  
Planning  
Permission

**Ward:** Wheelton And  
Withnell      **Date Decided** 23.09.2010

**Proposal :** Extension of time limit (application No 07/01258/LBC) for change of use and alteration to barn to form one dwelling.

**Location :** Miry Fold Farm Briers Brow Wheelton Lancashire PR6 8JN

**Applicant:** Mr Joe Morgan Miry Fold Farm Briers Brow Wheelton Lancashire PR6 8JN

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**Plan Ref** 10/00671/FUL      **Date Received** 02.08.2010      **Decision** Permit Full  
Planning  
Permission

**Ward:** Wheelton And  
Withnell      **Date Decided** 21.09.2010

**Proposal :** Proposed single storey rear extension and conversion of attached garage

**Location :** 35 Millbrook Close Wheelton Chorley PR6 8JY

**Applicant:** Mr Colin Burns 35 Millbrook Close Wheelton Chorley PR6 8JY

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**Plan Ref** 10/00673/FUL      **Date Received** 02.08.2010      **Decision** Permit Full  
Planning  
Permission

**Ward:** Euxton North      **Date Decided** 28.09.2010

**Proposal :** Erection of single storey rear extension to create additional living accommodation.

**Location :** 10 Runshaw Lane Euxton Chorley PR7 6AU

**Applicant:** Mr & Mrs Tatlock 10 Runshaw Lane Euxton Chorley PR7 6AU

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**Plan Ref** 10/00676/FUL      **Date Received** 03.08.2010      **Decision** Permit Full  
Planning  
Permission

**Ward:** Clayton-le-Woods  
And Whittle-le-  
Woods      **Date Decided** 22.09.2010

**Proposal :** Erection of a two storey side extension to create additional living accommodation.

**Location :** 109 Clover Field Clayton-Le-Woods Chorley PR6 7RY

**Applicant:** Mr S Mills 109 Clover Field Clayton-Le-Woods Chorley PR6 7RY

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**Plan Ref** 10/00677/FUL      **Date Received** 03.08.2010      **Decision** Permit Full Planning Permission

**Ward:** Chorley North East      **Date Decided** 28.09.2010

**Proposal :** Demolition of the existing garage/kitchen and rear utility room and the erection of a two storey side extension to create additional living space, single storey rear extension creating a porch and the erection of a detached single storey garage to the rear of the dwelling

**Location :** 40 Botany Brow Chorley Lancashire PR6 0JW

**Applicant:** Mr & Mrs Illahi 40 Botany Brow Chorley Lancashire PR6 0JW

**Plan Ref** 10/00679/FUL      **Date Received** 04.08.2010      **Decision** Permit Full Planning Permission

**Ward:** Wheelton And Withnell      **Date Decided** 22.09.2010

**Proposal :** Proposed single storey front extension

**Location :** Golden Lion Hotel 369 Blackburn Road Higher Wheelton Chorley Lancashire

**Applicant:** Daniel Thwaites Plc Po Box 50 Star Brewery Blackburn BB1 5BU

**Plan Ref** 10/00683/MNMA      **Date Received** 05.08.2010      **Decision** Minor Non-Material Amendment Accepted

**Ward:** Euxton South      **Date Decided** 03.09.2010

**Proposal :** Application for minor non-material amendment for the relocation of the garage

**Location :** West View Runshaw Lane Euxton Chorley PR7 6EX

**Applicant:** Mr David Entwistle 12 Shore Road Hesketh Bank Preston PR4 6RB

**Plan Ref** 10/00685/FUL      **Date Received** 05.08.2010      **Decision** Permit Full Planning Permission

**Ward:** Eccleston And Mawdesley      **Date Decided** 22.09.2010

**Proposal :** Erection of a two storey side extension to create additional living space and a dormer roof at first floor level

**Location :** Gales House Gales Lane Mawdesley Ormskirk L40 2QH

**Applicant:** Mr & Mrs P Muncaster Gales House Gales Lane Mawdesley Ormskirk L40 2QH



**Plan Ref** 10/00686/MNMA    **Date Received** 06.08.2010    **Decision** Minor Non-Material Amendment Accepted

**Ward:** Chorley North West    **Date Decided** 07.09.2010

**Proposal :** Non Material Minor Amendment for amendments to landscaping, reconfiguration of the cycle store and service yard

**Location :** The Fieldfare Foxhole Road Chorley Lancashire

**Applicant:** Marston's Inns & Taverns C/O Agent

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**Plan Ref** 10/00712/MNMA    **Date Received** 12.08.2010    **Decision** Minor Non-Material Amendment Accepted

**Ward:** Chorley South East    **Date Decided** 17.09.2010

**Proposal :** Minor Material amendment to amend the previous design house type R281, R300, R301, R363, R366 and R374 which were previously approved under 07/01228REMMAJ & 10/00404FULMAJ

**Location :** Formerly Multipart Distribution Limited Pilling Lane Chorley

**Applicant:** Redrow Homes Ltd (Lancs) 14 Redrow House Eaton Avenue Matrix Office Park Buckshaw Village Chorley PR7 7NA

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**Plan Ref** 10/00713/MNMA    **Date Received** 12.08.2010    **Decision** Minor Non-Material Amendment Accepted

**Ward:** Clayton-le-Woods And Whittle-le-Woods    **Date Decided** 08.09.2010

**Proposal :** Minor material amendment for additional garage for PLOT 897 to be added to side of double garage PLOT 888 & 889

**Location :** Land Parcel H6 Lancashire Drive Buckshaw Village Lancashire

**Applicant:** Redrow Homes Ltd (lancs) Miss Holly Catterall 14 Redrow House Eaton Avenue Matrix Office Park Buckshaw Village Chorley PR7 7NA

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**Plan Ref** 10/00719/CTY    **Date Received** 17.08.2010    **Decision** No objection to LCC Reg 3/4 Application

**Ward:** Chorley East    **Date Decided** 08.09.2010

**Proposal :** Erection of a pram shelter

**Location :** Highfield Nursery School Wright Street Chorley PR6 0SL

**Applicant:** Directorate For Children & Young People Lancashire County Council Country Hall Preston Lancashire

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**Plan Ref** 10/00720/CTY      **Date Received** 17.08.2010      **Decision** No objection to LCC Reg 3/4 Application

**Ward:** Chorley South West      **Date Decided** 09.09.2010

**Proposal :** Erection of 2.4 meter high security fence/gates to boundary of school  
**Location :** Gillibrand County Primary School Grosvenor Road Chorley PR7 2PJ  
**Applicant:** Directorate For Children & Young People Lancashire County Council County Hall Preston Lancashire PR1 8RE

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**Plan Ref** 10/00789/MNMA      **Date Received** 02.09.2010      **Decision** Minor Non-Material Amendment Accepted

**Ward:**      **Date Decided** 21.09.2010

**Proposal :** Application for non-material minor amendment following grant of planning permission proposed office development, land 80m northwest of unit 1-2 Chorley North Industrial Park, Drumhead Road, Chorley - Ref: 09/00840/FULMAJ  
**Location :** Land 80m North West Of Unit 1 - 2 Chorley North Industrial Park Drumhead Road Chorley  
**Applicant:** Mr Mark Rothwell Black Box Security Alarms Ltd 77 Golden Hill Lane Leyland PR25 3FF