

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 21ST JUNE 2016, 6.30 PM

COUNCIL CHAMBER, TOWN HALL, CHORLEY

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

Agenda No	Item	
3	PLANNING APPLICATIONS TO BE DETERMINED	
F	16/00102/FUL - LAND OPPOSITE 71 CHURCH LANE, CHARNOCK RICHARD	(Pages 111 - 118)
I	16/00290/FULHH - 125 THE FARTHINGS, ASTLEY VILLAGE, CHORLEY, PR7 1SH	(Pages 119 - 126)
J	16/00397/S106A - GROUP 1, EUXTON LANE, EUXTON	(Pages 127 - 136)

GARY HALL
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Development Control Committee

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Item 3f	16/00102/FUL
Case Officer	Iain Crossland
Ward	Chisnall Ward
Proposal	Retrospective application for retention of Wendy house as a stable, canopy forming tractor storage, boundary fence and gates and access and hard standing
Location	Land Opposite 71 Church Lane Charnock Richard
Applicant	Mr Steven Hough
Consultation expiry:	04 March 2016
Decision due by:	01 April 2016

Recommendation

It is recommended that this application is approved subject to conditions.

Representations

Charnock Richard Parish Council: No comments have been received

1 representation has been received objecting to the proposed development on the following summarised grounds:

- Impact on the Green Belt
- The applicant has carried out unauthorised development and activity at the site and has not complied with enforcement notices. How can permission be granted on this basis?
- Impact on the character and appearance of the local area

Consultees

Consultee	Summary of Comments received
GMEU Ecology	No overall objections to the application on nature conservation grounds

AssessmentThe Site

1. The application site forms part of a parcel of land located to the north of 71 Church Lane, Charnock Richard, and lies within the Green Belt. The land has no particular use and has been used in the past for grazing purposes although more recently a number of unauthorised activities involving vehicle storage and repair have been carried out on site.
2. The site has a vehicular access from Church Lane, with a gated entrance and timber fencing running adjacent to the highway and along the boundary with 110 Church Lane. There is a hard surfaced track and areas of hardstanding inside the site entrance and within the site. There are several small buildings and structures on the site including an open canopy structure, two shipping containers, a Wendy house and a shed.
3. The character of the area is rural being located on the fringe of a village. There is open agricultural land to the north and residential development of a suburban character to the south.

The Proposal

4. The application seeks planning permission for the retention of the Wendy house for use as a stable, the canopy structure canopy forming tractor storage, boundary fence and gates and access and hard standing.
5. The Wendy house building is a timber structure and measures 3m by 3.6m. There is a dual pitched roof with a ridge and eaves height of 2.3m and 1.5m respectively. The building would require some adaptation including the insertion of a new stable door. The open canopy structure measures 4.7m by 5.5m in area. There is a mono-pitched roof supported on four poles, with heights of 2.4m and 2.7m.
6. The fence adjacent to Church Lane is approximately 1.9m in height and the fence between the site and 110 Church Lane is 2.5m in height.
7. It is noted that there are a number of structures across the site that are unauthorised and are the subject of an enforcement notice. The applicant seeks to regularise the fencing, hard standing, canopy and Wendy house through this planning application. Should the application be approved, the remaining structures are the subject of separate enforcement action. As the existing enforcement notice includes structures that may become lawful as a result of this application, then the existing enforcement notice would no longer be applicable and a new replacement enforcement notice will be required.

Assessment

The main issues are as follows:-

Issue 1 – Impact on the Green Belt

Issue 2 – Impact on character and appearance of the locality

Issue 3 – Neighbour amenity

Issue 4 – Ecology

Principle of development

8. Paragraph 89 of the National Planning Policy Framework states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. There are a number of exceptions to inappropriate development. One exception is the provision of appropriate facilities for outdoor sport and outdoor recreation, which are not considered inappropriate by the National Planning Policy Framework (The Framework) as long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
9. The Central Lancashire Rural Development SPD sets out more detailed guidance in relation to equestrian development. In assessing the acceptability of equestrian development the SPD sets out matters relating to scale, siting, design, site treatment, highway safety and reinstatement, which should be taken into account. These are assessed below

Impact on the Green Belt

10. In accordance with the Framework, appropriate facilities for outdoor sport and recreation are not considered inappropriate provided that they preserve the openness of the Green Belt. The Central Lancashire Rural Development SPD provides more detailed guidance on this and the development is assessed in relation to this guidance
11. Scale: The stable building is for private use and will accommodate one pony, which is in accordance with the Central Lancashire Rural Development SPD. It is noted that the provision of a machine store is not specifically supported within the SPD. This would, however, provide space for a tractor and machinery for cutting grass and managing the land, as well as the storage of feed, which is considered to be an acceptable ancillary facility. The canopy is of a similar scale to the ancillary facilities normally associated with a small private stable building. The scale of the overall development is modest for a private stables development and supporting facilities, therefore, the impact on the openness of the Green Belt is considered to be acceptable.
12. Siting: The stable building and canopy are positioned on an area of the existing hardstanding, and are viewed against the backdrop of trees and hedgerow, which helps them to blend in to the landscape. The stable building is located more than 30m from any nearby properties, thereby complying with the guidance set out in the SPD. No arrangements for the storage of manure are have been provided and therefore it is recommended that a condition be attached requiring such details.
13. Design: The stable building and canopy are modest in size. The stable building has a timber frame with timber cladding. The building has a ridge height of 2.3m with an area of 3m by 3.6m. This is a very small stable building, however, it is capable of supporting a single pony as specified by the applicant. The conversion of the existing Wendy house structure would involve the insertion of a new stable door and removal of a stove and chimney. The canopy is also fairly modest in scale with a maximum height of 2.7m, measuring 4.7m by 5.5m in area, and is open sided, which helps to retain a sense of openness. Although the stable building and canopy are separate structures, they are positioned close together, and preserve an acceptable degree of openness.
14. Site Treatment: The access track and hardstanding appears to have been in situ for some time, and although it extends 26m into the site, this allows the stable building to be situated away from ponds and marshy land. On this basis, the length of track is considered to be acceptable in this instance.
15. Highway Safety: The site is served by an existing vehicular access which is to be retained as part of this development, and very few vehicle movements would be involved.
16. Re-instatement: A condition is recommended, which would require the removal of the stable building and restoration of the land to grass should development become unused for more than 6 months.
17. On the basis of the above the, it is considered that the development meets the guidelines set out within the Central Lancashire Rural Development SPD.

Impact on character and appearance of the locality

18. The stable building is a maximum of 2.3m in height, and very modest in size for a stable. The facing materials of timber cladding are appropriate for such a building and although the painted finish results in a somewhat domestic appearance, there is nothing to prevent any such stable building from being painted. The canopy is 2.7m high and open sided. This has a very open nature and blends into the site. As such its appearance is considered to be appropriate in the context of the area.
19. The building is of a modest scale and fairly well screened. As such, it is considered that the development does not have any detrimental impact on the character of the locality.
20. The fencing that has been erected adjacent to Church Lane is timber and extends approximately 96m in length and has a maximum height of 1.9m. The fence generally blends in well to the

landscape and views of the fence are filtered by dense vegetation along the highway verge between the highway and fence.

- 21. There is a taller timber fence of 2.5m in height between the application site and 110 Church Lane. This extends for a length of approximately 11m and is largely hidden from the street scene.
- 22. Although the fences are not what would normally be encountered in rural areas and on grazing land, the site is on the fringe of the settlement opposite a residential housing estate and its appearance in this context is not entirely alien.
- 23. On the basis that the boundary fencing is largely well screened, despite its height, and that the buildings to be retained on site are modest for such purposes, it is considered that the impact on the appearance of the site and character of the local area is acceptable.

Impact on neighbour amenity

- 24. The stable building is located approximately 45m from the nearest property at 16 Lichen Close. As such there would be minimal impact on the amenity of neighbouring occupiers from this aspect of the proposed development.
- 25. The boundary fencing adjacent to Church Lane is approximately 12m from the nearest properties and is positioned to the north of them. Due to the positioning and degree of separation, the impact on the levels of amenity enjoyed by nearby residents would not be unduly affected.
- 26. The boundary fencing between the site and 110 Church Lane is located approximately 65m from the property at 110 Church Lane. Due to the positioning and degree of separation the impact on the levels of amenity enjoyed by residents at 110 Church Lane would not be unduly affected.

Ecology impact

- 27. The application site is within the Biological Heritage Site (BHS) at 'Fishers Farm Ponds'. This local wildlife site is designated for its amphibian interest. It is not considered that the structures with which the application is concerned, and it is proposed are retained, will cause any substantive harm to the special nature conservation interest of the BHS, since the ponds and areas of optimal terrestrial habitat for amphibians have not, and will not, be greatly affected.

Overall Conclusion

- 28. The 'principle' of the proposed stable is an acceptable one. The design and scale of the stable building is appropriate in this context and is consistent with a small private development. The development will not detrimentally harm the openness of the Green Belt and there is a suitable distance between the site and the adjacent residential properties to ensure that living conditions will not suffer detrimental harm.

Planning Policies

In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

There is no relevant planning history at the site

Suggested Conditions

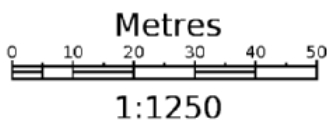
No.	Condition
1.	The proposed development must be begun not later than three years from the date of this permission. <i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory</i>

	<i>Purchase Act 2004.</i>									
2.	<p>The development shall be carried out in accordance with the following plans:</p> <table border="0"> <tr> <td>Title</td> <td>Plan Ref:</td> <td>Received on:</td> </tr> <tr> <td>Location Plan</td> <td></td> <td>09 May 2016</td> </tr> <tr> <td>Proposed Plans, Elevations, and Site Plans</td> <td>ML/AD/5408</td> <td>09 May 2016</td> </tr> </table> <p><i>Reason: To define the permission and in the interests of the proper development of the site.</i></p>	Title	Plan Ref:	Received on:	Location Plan		09 May 2016	Proposed Plans, Elevations, and Site Plans	ML/AD/5408	09 May 2016
Title	Plan Ref:	Received on:								
Location Plan		09 May 2016								
Proposed Plans, Elevations, and Site Plans	ML/AD/5408	09 May 2016								
3.	<p>No source of external illumination or sound amplification shall be installed on the development hereby permitted.</p> <p><i>Reason: To protect the open and rural character of the locality.</i></p>									
4.	<p>The stable building hereby permitted shall only be used for the private stabling of horses and storage of associated equipment and feed only and, in particular, shall not be used for any trade, business or other storage purposes.</p> <p><i>Reason: To define the permission and in the interests of the visual amenities and character of the area.</i></p>									
5.	<p>Where use of the stable building for the authorised purposes does not commence within 6 months of completion or ceases for a period exceeding 6 months within 10 years of its substantial completion it shall be removed and the land grass seeded.</p> <p><i>Reason: To avoid the proliferation of buildings in the Green Belt for which there is not a continuing need.</i></p>									
6.	<p>Notwithstanding any such detail shown on the submitted plans or application form, the following external facing materials shall only be used for the stable building and no others substituted without the approval of the Local Planning Authority:</p> <ul style="list-style-type: none"> • Elevations: timber boarding and block work to a maximum height of 1.2m; • Roof: mineral felt; • Windows and doors: timber. <p><i>Reason: To ensure that the materials used are visually appropriate to the locality</i></p>									



Produced 11 Jan 2016 from the Ordnance Survey MasterMap(Topography)Database and incorporating surveyed revision available at this date.

The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.



71, Church Ln, Cha
PR7 5NA

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Item *	16/00290/FULHH
Case Officer	Thomas O’Kane
Ward	Astley and Buckshaw
Proposal	Erection of first floor extension with part single part two storey rear extension
Location	125 The Farthings, Astley Village, PR7 1SH
Applicant	Mrs A Featonby
Consultation expiry:	1st June 2016
Decision due by:	21st June 2016

Recommendation
Permit Full Planning Permission (PERFPP)

Executive Summary -

The main issues to consider are whether the proposal is acceptable in terms of its impact on the character of the existing house and the wider area, the amenities of neighbouring properties and highway safety. While the existing bungalow would be remodelled to include an additional storey, it would not be out of character with the wider area due to the mix of dwelling types within the surrounding area. The amenity of neighbouring properties is not proposed to be unduly impacted upon.

Representations

Astley Village Parish Council – No comments received	
Objection	Not specified: 1
Total No. received: 5	Total No. received:
<ul style="list-style-type: none"> • Out of character with the wider area • The proposals are a remodelling of house rather than extension; • Concerns over delivery and siting of building materials and vehicles during construction; • Concerns over impact on designated children’s play area; • Concerns over parking following increase in bedrooms; • Overdevelopment; • Narrowness of access leading towards the dwelling – therefore potential for damage to properties during construction works; • Noise and dust during construction; • Lack of privacy; • Loss of sunlight; • Overbearing; and • Departure from planning policy. 	<ul style="list-style-type: none"> • Concern over parking for a 5 bedroom property

Consultees

Consultee	Summary of Comments received
Coal Authority	Standing Advice
Parish Council	None Received to Date

The Site

1. The application site is at the end of a cul-de-sac off The Farthings, Astley Village. The application site is enclosed to the north by the cul-de-sac, to the south by a wood which buffers the development from A581, to the east by no, 123 The Farthings and to the west by a public footpath and landscaping.
2. The application property is a detached red brick bungalow set off the cul-de-sac with hardstanding at the front, with an attached single garage and a rear garden.
3. The area is characterised by a mix of residential properties, including both bungalows and multi-storey dwellings.

The Proposal

4. Planning permission is sought for the erection of a first floor extension and part single part two storey rear extension, following the demolition of conservatory at the rear.
5. The first floor extension would be above the original footprint of the bungalow (with the exception of the garage). The height of the property to the eaves would increase from 2.72 to 5.11 metres (an increase of 2.39 metres) and to the ridge from 4.70 to 7.15 (an increase of 2.45 metres). The garage footprint and the roofscape on the host dwelling would remain as existing.
6. The two storey extension would be built at the rear of the property following the demolition of the existing conservatory. It would have a maximum projection of 5.10 metres; however the two storey element would only project 3.30 metres in length. The width of the proposed extension would have a width of 6.95 metres. The height to the eaves, ridge and roofscape would match the host dwelling at two storey. The single storey rear extension would have a height to the eaves of 2.35 metres, height to the ridge of 3.58 metres and a sloping roof.

AssessmentPrinciple of the development

The main issues are as follows:

Issue 1 – impact on character and appearance of the locality

Issue 2 – Impact on neighbour amenity

Issue 3 – Impact on parking provision and highway safety

Impact on character and appearance of locality

7. *Policy HS5 of the Chorley Local Plan 2012 – 2026 stipulates that the proposed extension respects the existing house and the surrounding buildings in terms of scale, size, design and facing materials, without innovative and original design features being stifled.*
8. *Policy BNE1 of the Adopted Chorley Local Plan 2012-2026 states that the proposal must not have a significantly detrimental impact on the existing building, neighbouring buildings or on the street scene by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, materials, orientation, use of materials.*
9. The proposals would add an additional storey to the host dwelling, making it a two storey dwelling (with the exception of the garage). While this would increase the height of the property, the materials and roofscape would match the host dwelling.
10. The only increase in footprint is at the rear of the property through the two storey extension, which would be obscured from view of the streetscene.
11. The host dwelling is not of special architectural merit, is not Listed or within a Conservation Area.

12. Officers acknowledge that bungalows do not predominate in this area, with a mixture of housing designs and examples of two storey houses in the immediate locality on The Farthings (notably Nos 117, 199 and. 121)
13. The proposals would maintain at least 1.50 metres with the common boundary with no.123, therefore above the 1 metre required in the Householder Design Guidance SPD.
14. Therefore in regards to impact on character and appearance in the locality, the proposals are acceptable.

Impact on neighbours

15. *HS5 of the Chorley Local Plan 2012 – 2026 states that there should be no unacceptable adverse effect on the amenity of neighbouring properties through overlooking, loss of privacy or reduction of daylight.*
16. *The Householder Design Guidance SPD asserts that extensions should not result in unacceptable harm to the amenity of neighbouring occupiers. It states that rear extensions do not project more than 3m beyond a 45 degree line drawn from the near edge of any ground floor rear facing window to a habitable room in a neighbouring house. Furthermore, it asserts that extensions should be located, and windows orientated, to prevent direct overlooking of habitable rooms or private amenity space that belongs to nearby properties.*
17. *For two storey rear extensions, these should not cross a 45-degree line drawn from the near edge of any ground floor rear facing window to a habitable room in a neighbouring dwelling.*
18. *In addition, it states that extensive overshadowing of a neighbouring building or amenity space is unacceptable. Furthermore, it asserts that extensions should be located, and windows orientated, to prevent direct overlooking of habitable rooms or private amenity space that belongs to nearby properties.*
19. In respect of the first floor extension, it would introduce new outlooks at the rear; however these would face towards the woods.
20. Proposed 'Bedroom 2' and 'Bedroom 4' would have an outlook which would face towards the common boundary of Ackhurst House, which is located on the A581. It is of note that this neighbouring property is not adjoining. The distance from these outlooks to the common boundary would be close to 13.80 metres, which is above the interface distance of 10 metres required from habitable rooms at first floor level looking towards neighbouring common boundaries.
21. No. 104 The Farthings, which is the closest property on the estate to Bedroom 2 and 4, would also be set back 13.80 metres, albeit at an oblique angle to the applicant's property.
22. Proposed 'Bedroom 3' and 'Bedroom 5' would face out towards the cul-de-sac, with no properties located within 21 metres of these outlooks.
23. No principal outlooks are proposed on the gable elevation facing No. 123; however there is a secondary outlook for an open plan kitchen/living room on the ground floor and a bathroom at first floor. These are to be obscure glazed to prevent any overlooking to this property and will be secured via condition.
24. There is a secondary outlook for the proposed 'Snug' facing no. 123, however it is acknowledged that this outlook already exists for the existing 'Bedroom 1'. A new en-suite bathroom window is located above, which will also be obscure glazed and secured via condition.

25. With regards to the two storey extension at the rear, this would not project beyond a 45 degree angle from the near edge of the conservatory window at No, 123. With regards to the single storey extension, the extension at single storey would not project more than 3 metres from a 45 degree line from the same point. In addition, the proposals are not located to the south of this property. Therefore the proposals would not have an undue loss of light, loss of privacy or overbearing impact on the neighbour property.
26. Therefore in regards to amenity, the proposals are acceptable.

Impact on parking provision highway safety

27. *Policy HS5 of the adopted Chorley Local Plan 2012 – 2026 states that permission will be granted provided that the proposal does not have an unacceptable adverse effect on highway safety. In addition, the Householder Design Guidance SPD states that off-street parking should generally be provided at a ratio of 2 spaces for a two or three bed dwelling, and 3 spaces for a larger property, including garages. It also states that car parking spaces occupy a space of 2.5 metres by 5.5 metres and spaces in front of a garage should be 2.5 metres by 6 metres.*
28. The property has a garage which matches the above standards with hardstanding at front to provide an additional two spaces. In this instance, it is considered that the proposal would not cause any significant harm to highway safety and accords the policy ST4 of the Chorley Local Plan 2012 – 2026.

Other Matters

29. An informative citing the Coal Authority standing advice will be placed on the decision notice.
30. Concerns were raised over the impact of the development on the children's play area; parking and siting of building materials during construction; noise and dust during construction and the narrow access to the dwelling, these are not material planning considerations for the determination of this planning application. These impacts are associated with most development but in this instance it is not considered necessary to impose conditions to control noise and dust due to the size and type of development proposed and the likely duration of the build phase.
31. The remaining concerns raised by the objectors are planning considerations; however the proposals (with appropriate mitigations such as obscure glazing) are considered compliant with the Chorley Local Plan policies BNE1, HS5 and ST4, as identified in the above assessment.

Overall Conclusion

32. The proposed development would not result in any significant harm to the character and appearance of the existing dwelling or the surrounding area, nor would it cause any significant harm to the amenity of neighbouring residents. The proposed development would therefore be in accordance with Policies BNE1 and HS5 of the Chorley Local Plan 2012-2026 and the Householder Design Guidance SPD. Consequently, it is recommended that the application be approved.

Planning Policies

In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

Reference	Description	Decision	Date
09/00387/FULH	Proposed rear conservatory	PERFPP	7 th July 2009

Suggested Conditions

No.	Condition						
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>						
2.	<p>All external facing materials for the walls, roof and windows shall match in colour, form and texture those on the existing building.</p> <p><i>Reason: In the interests of the visual amenity of the area in general and the existing building in particular</i></p>						
3.	<p>The approved plans are:</p> <table border="0" data-bbox="320 685 1305 882"> <tr> <td data-bbox="320 685 703 786">Title Survey of Existing, Site Plan and site location plan</td> <td data-bbox="703 685 1023 752">Plan Ref. 15-07-100</td> <td data-bbox="1023 685 1305 752">Received on: 29th March 2016</td> </tr> <tr> <td data-bbox="320 842 703 882">Proposed Layout</td> <td data-bbox="703 842 1023 882">15-07-101</td> <td data-bbox="1023 842 1305 882">29th March 2016</td> </tr> </table> <p><i>Reason: To define the permission and in the interests of the proper development of the site.</i></p>	Title Survey of Existing, Site Plan and site location plan	Plan Ref. 15-07-100	Received on: 29 th March 2016	Proposed Layout	15-07-101	29 th March 2016
Title Survey of Existing, Site Plan and site location plan	Plan Ref. 15-07-100	Received on: 29 th March 2016					
Proposed Layout	15-07-101	29 th March 2016					
4.	<p>The proposed ground floor window ('Sunroom/Kitchen') on the south east elevation facing No. 123 The Farthings, the first floor window on the south east elevation ('Bathroom') and first floor window above proposed 'Snug' ('Ensuite') facing No. 123 The Farthings shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.</p> <p><i>Reason: In the interests of the privacy of occupiers of neighbouring property.</i></p>						

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Item 3j	16/00397/S106A
Case Officer	Adele Hayes
Ward	Astley And Buckshaw
Proposal	Application under Section 106A of the Town and Country Planning Act 1990 (as amended) and the Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 to modify a planning obligation (Affordable Housing) dated 16 December 2002.
Location	Group 1 Euxton Lane Euxton
Applicant	Progress Housing Group
Consultation expiry:	2 June 2016
Decision due by:	28 July 2016

Recommendation

It is recommended that this application is approved and the terms of the Section 106 Agreement be amended.

Proposal

1. The Group One site is located to the west of Central Avenue and covers an area of 54.34 hectares. It is located to the south west of Buckshaw Village and forms part of the former Royal Ordnance site. It is split between the administrative areas of South Ribble Borough Council and Chorley Borough Council with the larger part of the site within the boundary of Chorley.
2. Outline planning permission was granted in December 2009 for the redevelopment of the Group One site for mixed use development comprising housing and commercial uses and associated landscape treatment and highway works (08/00910/OUTMAJ). Permission was granted subject to a number of conditions and obligations contained within a Section 106 Agreement.
3. Three further Section 73 applications (11/00403/OUTMAJ, 13/00126/OUTMAJ and 14/00927/OUTMAJ) to vary condition 29 (access on the A49) of the outline planning permission, to remove the requirement for the dwellings to achieve Code Level 6 and to realign the main spine road through the site were approved on 27th July 2011, 17 July 2013 and 30 March 2015 respectively.
4. Infrastructure has been constructed to deliver serviced land and reserved matters approval has been given for several of the land parcels. Development is underway.
5. An application to vary the affordable housing obligations contained in the original Section 106 Agreement dated 22 December 2009 (in so far as they relate to the part of the Group 1 site within Chorley Borough Council's administrative area) was approved in September 2013.
6. The amendments involved a reduction in the affordable housing provision from 20 per cent to 15 per cent and for all of the affordable housing units provided to be in the form of social rented housing.

7. Reserved matters consent was granted in March 2014 for the erection of 93 no. residential dwellings on Parcel H1a(ii). The approved scheme involved the delivery of 14 no. affordable dwellings within the same development parcel.

8. A further application submitted under Section 106A of the Town and Country Planning Act 1990 (as amended) and the Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 to modify the planning obligation again insofar as it relates to the delivery timeframe of the affordable units on this development parcel was approved in May last year.

9. Essentially the approved amendment allows a reduction to the amount of affordable housing that needs to have been practically completed, before 50% of the market dwellings have been built, to 35% (thirty five per cent). It is also enables the developer to be allowed to practically complete the final market dwelling before 100% of the affordable housing units have been practically completed

10. This current application has also been submitted under Section 106A of the Town and Country Planning Act 1990 and seeks to modify the planning obligation again insofar as it relates to five of the approved dwelling on plots 31-35 (inc).

11. It is proposed to change the tenure of these dwellings from social rent to shared ownership.

12. All of the other obligations within the original Agreement are not affected by this application.

Assessment

13. The Town and Country Planning Act allows Local Authorities to determine:
(a) that the planning obligation shall continue to have effect without modification;
(b) if the obligation no longer serves a useful purpose, that it shall be discharged; or
(c) if the obligation continues to serve a useful purpose, but would serve that purpose equally well if it had effect subject to the modifications specified in the application, that it shall have effect subject to those modifications.

14. Progress Housing have applied to vary the tenure of 5 no. units and in support of the application they advise that they have now sold or have agreed sales on all of their shared ownership properties now and even though the locality criteria sometimes falls away, they still market the properties on this basis. They add that all their sales have been to people with local connection, or a cascaded connection, such as South Ribble and Preston. Furthermore, in light of the rent reductions they are only now looking at schemes with an element of sales to subsidise the rental units, so this 100% rented scheme is not financially viable since the developer is not prepared to take an exceptionally low value and accordingly they cannot proceed on the approved basis.

15. In addition, on estates where there are Management Companies set up, with annual fees of c£150.00, once this is added to social rents they comment that there is not much difference between those and affordable rents.

16. Colleagues in the Council's Strategic Housing Team have advised, that after careful consideration, they have no objection to the request to convert 5 social rented units to shared ownership on this site and that from a Strategic Housing perspective the application is supported.

Overall Conclusion

It is recommended that the application is approved.

Planning History

The site history of the property is as follows:

97/00509/OUT: Outline application for mixed use development. Approved August 1999.

97/00660/CTY: Erection of a landfill containment facility for the storage of contaminated soils and demolition material and associated land forming. Approved January 1998.

02/00748/OUT: Modification of conditions on outline permission for mixed use development. Approved December 2002.

05/00017/CTY: Variation of conditions 1, 3 and 4 of planning permission 9/97/660 to allow the importation of hazardous waste and to amend the phasing of landfilling and restoration at the existing landfill containment facility. Approved March 2005.

07/01108/CTY: Variation of condition 1 of planning permission 09/05/0017, extending the period of operations of the contained landfill facility by 3 yrs. from 1/03/08 to 1/03/11. Approved by LCC January 2008.

08/00645/FUL: Erection of a bat house at Group One, Buckshaw Village. Approved July 2008.

08/00910/OUTMAJ: Outline planning application for the redevelopment of land at Group One (Site Area 54.34 Hectares), Royal Ordnance Site, Chorley for mixed use development comprising housing and commercial uses (including uses A1, A2, A3, B1, B2, C1, C2 and C3 of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2006) and associated landscape treatment and highway works. Approved December 2009.

08/01002/FUL: Erection of a bat house at group one Buckshaw Village. Approved November 2008.

09/00058/CTY: Construction of a landscape mound for recreational and nature conservation use, utilising surplus excavation soils from the restoration of the site. Approved by LCC April 2009.

09/00084/FUL: Erection of a bat house at group one, Buckshaw Village. Approved April 2009.

09/00095/FULMAJ: Land reclamation and remediation earthworks to create a development platform at Group 1, Buckshaw Village (site area 54.34 hectares). Approved December 2009.

10/00153/DIS: Application to discharge conditions 4, 9, 10, 11, 12, 14, 16, 17, & 18 attached to planning approval 09/00095/FULMAJ. Discharged April 2010.

10/00247/DIS: Application to discharge condition 32 of planning approval 08/00910/OUTMAJ. Discharged April 2010.

10/00309/DIS: Application to discharge condition 14 attached to planning approval 09/00095/FULMAJ (discharge of phase 1 only). Discharged July 2010.

10/00339/DIS: Application to discharge conditions 7, 8 and 23 of planning approval 09/00095/FUL. Discharged June 2010.

10/00608/NLA: Neighbouring local authority application for construction of an access road onto the A49. No objection August 2010.

10/00693/DIS: Application to discharge condition 14 attached to planning approval 09/00095/FULMAJ (further phase relating to more information on tree removal/tree retention in the high and medium risk remediation zones). Discharged September 2010.

10/00940/DIS: Application to discharge conditions 7, 10, 12, 22 & 28 attached to planning approval 08/00910/OUTMAJ. Discharged December 2010.

10/01061/DIS: Application to discharge condition 47 attached to planning approval 8/00910/OUTMAJ. Discharged January 2011.

10/01062/DIS: Application to discharge condition 13 attached to planning approval 9/00095/FULMAJ. Discharged January 2011.

11/00080/DIS: Application to discharge conditions 5, 6, 8, 9, 11, 29, 30 and 46 attached to planning approval 08/00910/OUTMAJ. Discharged March 2011.

11/00099/DIS: Application to discharge condition 14 attached to planning approval 9/00095/FULMAJ. (phase 2 of the tree removal/tree retention and amendments to Phase 1 previously approved as part of 10/00309/DIS and 10/00693/DIS). Discharged February 2011.

11/00361/NLA: Neighbouring Local Authority consultation on a reserved matters application for the construction of an access road, foul water pumping station and layout of the NEAP/ open space (site 0.9ha) at Group 1, Buckshaw Village. No objection May 2011.

11/00403/OUTMAJ: Section 73 application to vary condition 29 (access on the A49) attached to outline planning approval 08/00910/OUTMAJ. Approved July 2011.

11/00784/DIS: Application to discharge condition 45 attached to planning approval 11/00403/OUTMAJ. Discharged October 2011.

11/00897/DIS: Application to discharge condition 24 attached to planning approval 11/00403/OUTMAJ. Discharged October 2011.

12/00007/FUL: Construction of an access road to serve parcels H3 and H4 of Group 1 and the erection of a foul pumping station. Approved May 2012.

12/00265/MNMA: Application for minor non-material amendment to planning application 11/00403/OUTMAJ to amend to the remediation phasing. Approved April 2012.

12/00266/MNMA: Application for minor non-material amendment to planning application 09/00095/FULMAJ to amend to the remediation phasing. Approved April 2012.

12/00448/DIS: Application to discharge condition 17 attached to planning approval 09/00095/FULMAJ. Discharged May 2012.

12/00475/FULMAJ: Section 73 application to vary condition 18 (southern boundary treatment) attached to planning approval 09/00095/FULMAJ. Approved January 2013.

12/00688/FUL: Construction of an access road leading from Central Avenue together with earthworks and landscape treatment associated with the realignment of watercourses. Approved November 2012.

12/00791/MNMA: Application for minor non material amendment to outline planning application 08/00910/OUTMAJ comprising changes to the approved phasing of the development. Approved January 2013.

12/00801/DIS: Application to discharge conditions numbered 6 (exportation of material), 7 (cleaning of vehicle wheels), and 8 (routing of heavy goods vehicles) of planning approval 09/00095/FULMAJ. Discharged December 2012.

12/00835/DIS: Application to discharge condition 3 (requirement to agree the extent of the proposed sub-phase H3 for which a reserved matters application is to be submitted) of permission 08/00910/OUTMAJ (outline permission for the development of Group 1). Discharged September 2012.

12/00945/REMMAJ: Reserved matters application for the erection of 32no residential dwellings and associated landscaping treatment and highway works (pursuant to outline permission reference 08/00910/OUTMAJ). Approved December 2012.

12/00979/DIS: Application to discharge condition numbered 14 (tree survey) of planning approval 09/00095/FULMAJ. Discharged October 2012.

12/01205/DIS: Application to discharge conditions numbered 3 (phasing) and 24 (verification reports) of planning approval 11/00403/OUTMAJ. Discharged December 2012.

12/01237/DIS: Application to discharge condition numbered 14 (tree survey) of planning approval 09/00095/FULMAJ. Discharged February 2013.

13/00126/OUTMAJ: Section 73 application to vary condition no. 17 (Code for Sustainable Homes) of planning permission no. 11/00403/OUTMAJ to remove the requirement for dwellings built post January 2016 to achieve Level 6. Approved July 2013.

13/00310/FULMAJ: Engineering works comprising the re-grading of land at the ordinary watercourse crossing the site on a north-south alignment (following the installation of a culvert) to create a level platform for the construction of a Neighbourhood Equipped Area for Play to serve the planned housing neighbourhood. Approved June 2013.

13/00649/FUL: Application under Section 106 BA of the Town and Country Planning Act 1990 (as amended) to modify a planning obligation dated 22 December 2009. Approved September 2013.

13/00945/DIS: Application to discharge condition 3 (requirement to agree the extent of the proposed sub-phase H1a(ii) for which a reserved matters application is to be submitted) of permission 13/00126/OUTMAJ (outline permission for the development of Group 1). Discharged October 2013.

13/01014/DIS: Application to discharge of condition 22 (remediation strategy) and condition 24 (verification report) of planning permission of 13/00126/OUTMAJ. Discharged November 2013.

13/01113/DIS: Application to discharge of condition 22 (remediation strategy) and condition 24 (verification report) of planning permission of 13/00126/OUTMAJ. Discharged December 2013.

13/01132/REMMAJ: Reserved matters application pursuant to outline planning permission 13/00126/OUTMAJ for the erection of 93 no. 2, 3 and 4 bedroom, 2 storey residential dwellings, together with associated access roads, driveways, garages, private garden areas and means of enclosure. Includes for the provision of 14 no. affordable dwellings within the above. Approved March 2014.

13/01144/REMMAJ: Proposed erection of 20 no. dwellings and associated landscaping and highway works (re-plan of part of site previously approved by permission ref: 12/00945/REMMAJ). Approved February 2014.

14/00056/DIS: Application to discharge conditions numbered 11, 13, 14, 15, 16, 17, 18, 33, 36, and 37 attached to outline planning approval 13/00126/OUTMAJ in so far as they relate to development parcel H1a(ii). Discharged April 2014.

14/00177/FULMAJ: Application to vary condition 7 of planning permission ref: 12/00945/REMMAJ (which was a Reserved Matters application for the erection of 32 no. dwellings) to allow the dwellings to be built to Code Level 3 (but Code 4 Energy) rather than Code Level 4 or 6. Withdrawn May 2014.

14/00179/DIS: Application to discharge conditions 6 (carbon emissions statement) and 8 (Design Stage Assessment) of planning approval ref: 12/00945/REMMAJ (which was a Reserved Matters application for the erection of 32 no. residential dwellings. Pending.

14/00265/REMMAJ: Proposed erection of 20 no. dwellings and associated landscaping and highway works (further re-plan of part of site previously approved by permission ref: 13/01144/REMMAJ). Approved May 2014.

14/00343/DIS: Application to discharge condition numbered 25 (site compound) attached to outline planning approval 13/00126/OUTMAJ in so far as it relates to development parcel H1a(ii). Discharged May 2014.

14/00549/DIS: Application to discharge condition 3 (requirement to agree the extent of the proposed sub-phase H2 for which a reserved matters application is to be submitted) of permission 13/00126/OUTMAJ (outline permission for the development of Group 1). Discharged July 2014.

14/00635/REMMAJ: Reserved matters application for the erection of 64 no. residential dwellings and associated landscape and highway works (pursuant to outline permission ref: 13/00126/OUTMAJ). Approved September 2014.

14/00659/DIS: Application to discharge condition 3 (requirement to agree the extent of the proposed sub-phase H1e for which a reserved matters application is to be submitted) of permission 13/00126/OUTMAJ (outline permission for the development of Group 1). Discharged April 2015.

14/00927/OUTMAJ: Section 73 application to vary condition no. 30 (Construction of main access road) of planning permission no. 13/00126/OUTMAJ to enable re-positioning of the main access road through the site. Approved March 2015.

14/00933/REMMAJ: Reserved matters application for the erection of 51 no. residential dwellings (including 9 no. affordable) and associated landscape and highway works (pursuant to outline permission ref: 13/00126/OUTMAJ). Approved December 2014.

14/00990/ADV: Erection of 12 no. directional yellow signs (1m x 36cm) fixed to lampposts on routes leading from Euxton, the M61 and the M6 pointing the way to Redrow housing development at Buckshaw Village (Group 1 part of site). Withdrawn November 2014

14/01014/ADV: 1000 x 360 mm Lamppost mounted signs. Withdrawn January 2015.

14/01151/MNMA: Minor non-material amendment to plots 1 - 4 (approved under 13/01132/REMMAJ) involving repositioning of previously approved house types. Approved December 2014.

14/01152/REM: Reserved matters application pursuant to outline planning permission 13/00126/OUTMAJ for substitution of house type on Plot 5 approved under reserved matters approval 13/01132/REMMAJ. Approved 22 December 2014.

14/01231/REMMAJ: Reserved matters application pursuant to outline planning permission 13/00126/OUTMAJ for substitution of house type on Plots 64-68 and 70 approved under reserved matters approval 13/01132/REMMAJ. Approved February 2015.

14/01232/REMMAJ: Reserved matters application for 58 no. dwellings and associated works (pursuant to outline permission ref: 13/00126/OUTMAJ). Variation of the plans approved by permission ref: 14/00635/REMMAJ to amend the layout and house types on the parcel, including a reduction overall of 6 no. dwellings. Approved January 2015.

15/00144/S106A: Application under Section 106 A of the Town and Country Planning Act 1990 (as amended) and the Town and Country Planning (Modification and Discharge of

Planning Obligations) Regulations 1992 to modify a planning obligation dated 22nd December 2009. Approved 6 May 2015.

15/00207/DIS: Application to discharge condition 4 (foul and surface water drainage) of application ref: 14/01232/REMMAJ (which was for 58 dwellings and associated works). Pending.

15/00225/DIS: Application to discharge condition 4 (foul and surface water drainage) for planning permission ref: 14/01232/REMMAJ (which was for 58 dwellings). Pending.

15/00238/DIS: Application to discharge condition 14 (materials) of outline planning permission ref: 13/00126/OUTMAJ. Discharged May 2015.

15/00248/DIS: Application to discharge condition 14 (materials) of outline planning permission ref: 14/00927/OUTMAJ (outline permission for the development of Group 1), in relation to Parcel H2. Discharged May 2015.

15/00422/MNMA: Minor non-material amendment to plots 31-35 & 53-61 (14 plots) (approved under 13/01132/REMMAJ) involving a substitution of the approved roof tile specification. Approved May 2015.

15/00505/PNOT: Prior notification of the intention to install an electricity substation and pump station. Approved June 2015.

15/00674/OUTMAJ: Section 73 application to vary conditions nos. 28 (Junction configuration) and 30 (Construction of main access road) attached to outline planning permission no. 14/00927/OUTMAJ. Pending.

15/00769/OUTMAJ: Section 73 application to vary conditions nos. 16 (Code for Sustainable Homes) and 17 (Code for Sustainable Homes) in respect of plots 41 to 52 (12 plots) on development parcel H1a(ii), attached to outline planning permission no. 14/00927/OUTMAJ. Pending.

15/00825/DIS: Application to discharge condition 3 (requirement to agree the extent of the proposed sub-phase H1c for which a reserved matters application is to be submitted) of permission 14/00927/OUTMAJ (outline permission for the development of Group 1). Discharged October 2015.

15/01030/DIS: Application to discharge condition 3 of permission 14/00927/OUTMAJ (revision to agreed extent of the proposed sub-phase H2 to enable extension of shared driveway to provide improved turning head). Discharged November 2015.

15/01037/REMMAJ: Reserved matters application pursuant to outline planning permission 14/00927/OUTMAJ for the erection of 167 no. dwellings (including of 41 no. affordable dwellings). Approved 16 December 2015.

15/01169/DIS: Application to discharge condition 14 of permission 14/00927/OUTMAJ (insofar as it relates to sub-phase H2) to update approved materials schedule. Discharged 14 December 2015.

15/01196/S106A: Application under Section 106A of the Town and Country Planning Act 1990 (as amended) and the Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 to modify a planning obligation dated 16 December 2002. Pending.

15/01244/FUL: Section 73 application to vary conditions nos. 16 (Code for Sustainable Homes) and 17 (Code for Sustainable Homes) in respect of development parcels H1c, H1d, H1bi, M1 and H1a only attached to outline planning permission no. 14/00927/OUTMAJ. Pending.

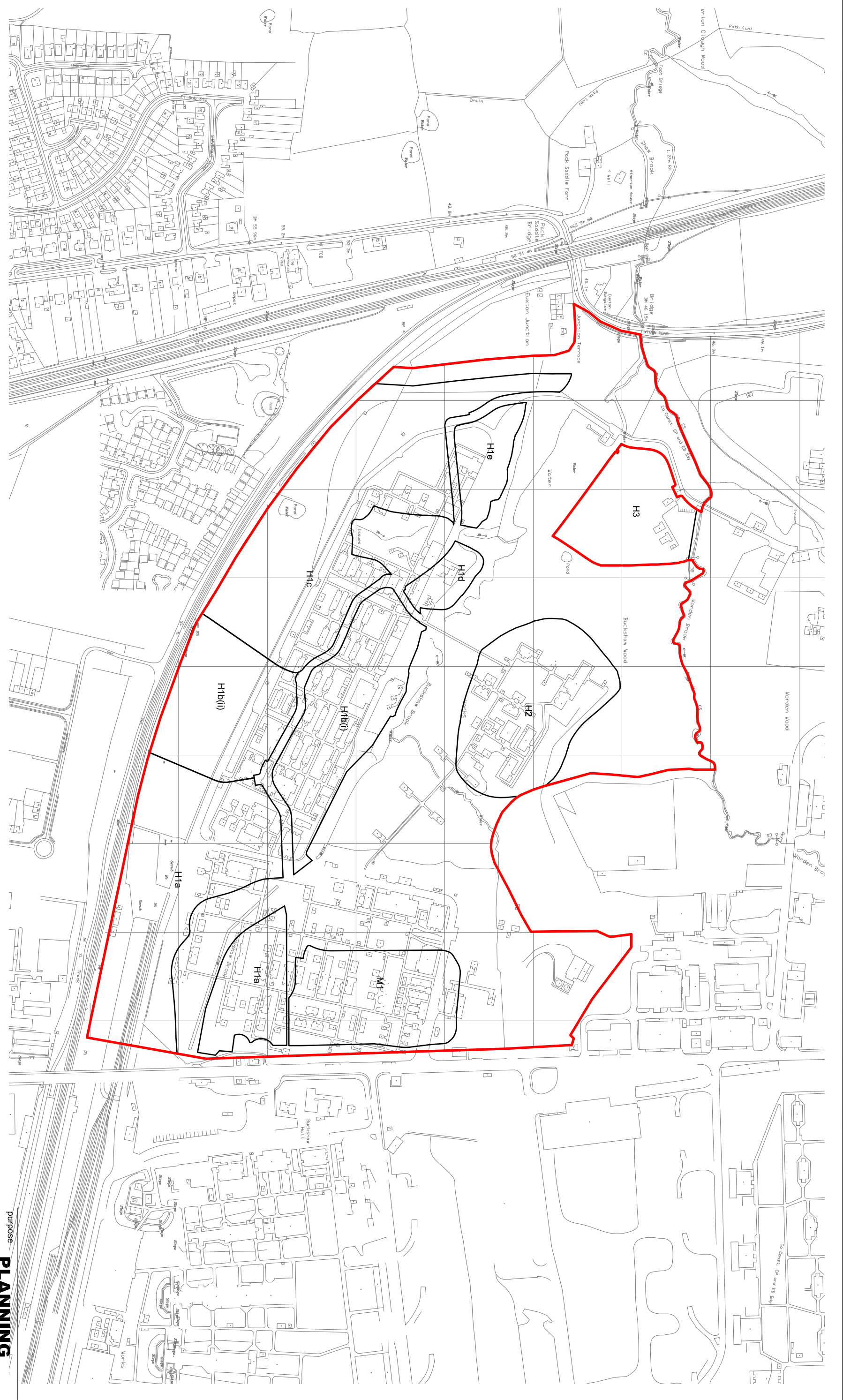
15/01207/MNMA: Minor non-material amendment to highway layout (approved under 14/01232/REMMAJ) involving revision to private drives serving Plot 23, Plot 24, Plot 40 and Plot 41 to provide improved turning head. Approved 18 January 2016.

16/00046/REM: Reserved matters application pursuant to outline planning permission 14/00927/OUTMAJ for substitution of house types on plots 23 and 41 on Parcel H2 approved under reserved matters approval 14/01232/REMMAJ. Approved 22 February 2016.

16/00110/REM: Reserved matters application pursuant to outline planning permission 14/00927/OUTMAJ for substitution of house types on plots 24 and 40 on Parcel H2 approved under reserved matters approval 14/01232/REMMAJ. Approved 9 March 2016

16/00397/S106A: Application under Section 106A of the Town and Country Planning Act 1990 (as amended) and the Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 to modify a planning obligation (Affordable Housing) dated 16 December 2002. Pending.

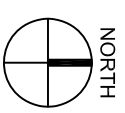
16/00444/CTY: Lancashire County Council consultation on a planning application for the erection of a new three form entry primary school for pupils aged 4-7 including single storey building, car parking area, hard surface play areas, grass playing pitch and 1.5m and 2.4m high perimeter fencing. Pending.



REVISIONS

Rev.	Description	Date	By	Chkd
A	Development plot boundaries added.	05.07.13	MW	GT

- Group One land subject to the S106 BA application
- Development plot boundaries (housing)



NORTH

purpose **PLANNING**

<p>CASS associates</p> <p>architectural master planning landscape ecology</p> <p>Studio 104 The Tea Factory 82 Wood Street Liverpool L7 4DQ T: +44 (0)151 707 0710 F: +44 (0)151 707 0222 W: cassassociates.co.uk</p>	<p>client BAE SYSTEMS</p> <p>project ROYAL ORDNANCE CHORLEY GROUP ONE</p>	<p>drawing title GROUP ONE LAND SUBJECT TO THE S106 BA APPLICATION</p>	scale @ A3 1:4,000
			<p>date 02.07.13</p> <p>dwn MW chkd GT</p>

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