PLANNING COMMITTEE

TUESDAY, 3RD NOVEMBER 2020, 6.30 PM
THE LANCASTRIAN, TOWN HALL, CHORLEY AND VIA MICROSOFT TEAMS

AGENDA

APOLOGIES

1 **MINUTES OF MEETING TUESDAY, 6 OCTOBER 2020 OF PLANNING COMMITTEE** (Pages 3 - 6)

2 **DECLARATIONS OF ANY INTERESTS**

Members are reminded of their responsibility to declare any pecuniary interest in respect of matters contained in this agenda.

If you have a pecuniary 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 **PLANNING APPLICATIONS TO BE DETERMINED**

The Director (Customer and Digital) has submitted six items for planning applications to be determined (enclosed).

Plans to be considered will be displayed at the meeting or may be viewed in advance by following the links to the current planning applications on our website.
https://planning.chorley.gov.uk/online-applications/search.do?action=simple&searchType=Application

A **19/01142/FUL - LAND ADJACENT TO 715 PRESTON ROAD, PRESTON ROAD, CLAYTON-LE-WOODS** (Pages 7 - 36)

B **19/01050/FUL - WILBROOK, BLUE STONE LANE** (Pages 37 - 38)

This item has been withdrawn from the agenda.

C **20/00868/FULMAJ - ROYAL UMPIRE CARAVAN PARK, SOUTHPORT ROAD, ULNES WALTON, LEYLAND** (Pages 39 - 66)

D **20/00987/FUL - MEDITERRANEAN AT ROBIN HOOD, BLUE STONE LANE, MAWDESLEY, ORMSKIRK** (Pages 67 - 68)

Meeting contact Nina Neisser on 01257 515140 or email nina.neisser@chorley.gov.uk

This item has been withdrawn from the agenda.

	E	**20/00835/CB3MAJ - STAGECOACH NORTH WEST, RIBBLE MOTOR SERVICES BUS DEPOT, EAVES LANE, CHORLEY, PR6 0PU**	(Pages 69 - 120)
	F	**20/00861/CB3MAJ - LAND TO THE REAR OF BROOKFIELD, ALKER LANE, EUXTON**	(Pages 121 - 160)
4		**APPEALS REPORT**	(Pages 161 - 162)
		Report of the Director of Customer and Digital (enclosed).	
5		**DIVERSION OF PUBLIC RIGHT OF WAY (FOOTPATH NO 5 WHITTLE-LE-WOODS)**	(Pages 163 - 168)
		Report of the Chief Executive (enclosed).	
6		**ANY URGENT BUSINESS PREVIOUSLY AGREED WITH THE CHAIR**	

GARY HALL
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Planning Committee Councillor June Molyneaux (Chair), Councillor Christopher France (Vice-Chair) and Councillors Aaron Beaver, Martin Boardman, John Dalton, Gordon France, Danny Gee, Tom Gray, Yvonne Hargreaves, Alex Hilton, Alistair Morwood, Neville Whitham and Alan Whittaker.

Electronic agendas sent to Planning Committee reserves for information.

If you need this information in a different format, such as larger print or translation, please get in touch on 515151 or chorley.gov.uk

To view the procedure for public questions/ speaking click here https://democracy.chorley.gov.uk/ecSDDisplay.aspx?NAME=SD852&id=852&rpid=0&sch=doc&cat=13021&path=13021

Chorley Council

MINUTES OF **PLANNING COMMITTEE**

MEETING DATE **Tuesday, 6 October 2020**

MEMBERS PRESENT: Councillor June Molyneaux (Chair), Councillor Christopher France (Vice-Chair) and Councillors Aaron Beaver, Martin Boardman, John Dalton, Gordon France, Danny Gee, Tom Gray, Yvonne Hargreaves, Alex Hilton, Alistair Morwood, Neville Whitham and Alan Whittaker

OFFICERS: Adele Hayes (Service Lead - Planning), Iain Crossland (Principal Planning Officer), Alex Jackson (Legal Services Team Leader) and Nina Neisser (Democratic and Member Services Officer)

OTHER MEMBERS: Councillors Julia Berry, Mark Clifford, Peter Gabbott and Kim Snape

20.P.64 Minutes of meeting Tuesday, 8 September 2020 of Planning Committee

Decision – That the minutes of the hybrid Planning Committee meeting held on 8 September 2020 be approved as a correct record for signature by the Chair.

20.P.65 Declarations of Any Interests

There we no declarations of interest made.

20.P.66 Planning applications to be determined

The Director of Customer and Digital submitted ten items for consideration. In considering the applications, Members of the Planning Committee took into account the agenda reports, the addendum and the verbal representations and submissions provided by officers and individuals.

a 20/00516/FUL - Amelie's Restaurant, 311 Preston Road, Coppull, Chorley, PR7 5DU

Registered speakers: Councillor Julia Berry (Ward Councillor) and Michael Young (Agent).

After careful consideration, it was proposed by Councillor Alex Hilton that the decision be refused on the grounds that the development would have a greater negative impact on the openness of the Green Belt and was contrary to the National Planning Policy Framework and Policy BNE5 of the Chorley Local Plan 2012 –

2026. The motion was seconded by Councillor Alan Whittaker. A vote was taken, and the motion was lost (4:9:0)

It was proposed by Councillor Danny Gee, seconded by Councillor Alistair Morwood and a decision was subsequently taken (9:4:0) that planning permission be granted, subject to conditions in the report.

b 20/00377/FULMAJ - Land Adjoining, Cuerden , Residential Park, Nell Lane, Cuerden

Registered speakers: Anne Selby (Objector), Mark Browne (Parish Councillor), Councillor Peter Gabbott (Ward Councillor), Councillor Mark Clifford (Council Champion for Environment and Green Space) and Fran Lennon (Agent).

After careful consideration, it was proposed by Councillor Chris France, seconded by Councillor Alex Hilton and a decision was subsequently taken (unanimously) that planning permission be refused for the reasons set out below;

1. Due to the rural character of Nell Lane, which provides a high level of public amenity, works to the highway along Nell Lane necessary for the construction of access to the proposed development would be harmful to the character of the lane and locality through the urbanising effect from the scheme of highway works and removal of important hedgerow contrary to policy BNE1 of the Chorley Local Plan 2012 - 2026.

2. The application proposes a level of affordable housing that is below that required by policy 7 of the Central Lancashire Core Strategy. The financial viability case advanced by the applicant does not adequately justify the non-provision of affordable housing and does not meet the requirements of the National Planning Policy Framework and National Planning Practice Guidance. The proposal, therefore, conflicts with policy 7 of the Central Lancashire Core Strategy.

3. The application does not propose to provide any contribution towards public open space as required by policy HS4b of the Chorley Local Plan 2012-2026. The financial viability case advanced by the applicant does not adequately justify the non-provision of public open space and does not meet the requirements of the National Planning Policy Framework and National Planning Practice Guidance. The proposal, therefore, conflicts with policy HS4b of the Chorley Local Plan 2012-2026.

c 20/00841/FUL - Cuerden Valley Park, Shady Lane, Cuerden, Bamber Bridge

This application was withdrawn by the applicant.

d 20/00848/FUL - Hallsworth Manor, Long Lane, Heath Charnock, Chorley, PR6 9EG

Registered speakers: Craig Winter (Objector), Geraldine King (Supporter), Councillor Kim Snape (Ward Councillor) and Chris Weetman (Agent).

After careful consideration, it was proposed by Councillor Chris France, seconded by Councillor Alistair Morwood and a decision was subsequently taken (unanimously) that planning permission be refused for the reason set out below:

1. The proposed change of use would have an unacceptable adverse impact on the amenity of the neighbouring occupiers and satisfactory mitigation measures could not be put in place to reduce any detrimental impact to the occupiers of such properties, contrary to policy BNE1 of the Chorley Local Plan 2012 - 2026.

e 20/00816/OUT - Eccleston Equestrian Centre, Ulnes Walton Lane, Ulnes Walton, Leyland

Registered speaker: Chris Weetman (Agent)

After careful consideration, it was proposed by Councillor Morwood, seconded by Councillor Martin Boardman, and a decision was subsequently taken (10:0:3) that planning permission be granted, subject to conditions as set out in the addendum.

f 19/01142/FUL - Land Adjacent To 715 Preston Road, Preston Road, Clayton-le-Woods

Registered speakers: Tim Vincent-Barwood (Objector) and Rachael Leather (Agent).

After careful consideration, it was proposed by Councillor Alan Whittaker, seconded by Councillor Gordon France, and a decision was subsequently taken (7:6:0) that the decision be deferred to allow Members of the Planning Committee the opportunity to visit the site of the proposals.

Councillor Alan Whittaker left the call and did not partake in the remainder of the meeting.

g 20/00483/FUL - Cheeky Monkeys, Factory Lane, Whittle-le-Woods, Chorley

After careful consideration, it was proposed by Councillor Chris France, seconded by Councillor Alistair Morwood and a decision was subsequently taken (unanimously) that planning permission be granted, subject to conditions set out in the addendum and a Section 106 Obligation to secure improvements to public open space.

h 20/00653/FUL - The Royal Bank Of Scotland, 23 Town Road, Croston

Registered speaker: Tom Smith (Objector).

After careful consideration, it was proposed by Councillor Chris France, seconded by Councillor Alex Hilton and a decision was subsequently taken (unanimously) that planning permission be refused for the reasons set out below:

1. The proposed development would result in people congregating outside of an enclosed building that would result in noise, cigarette smoke and general disturbance, which would be harmful to the amenity of both direct neighbouring occupiers and those in the wider area, contrary to policy BNE1 of the Chorley Local Plan 2012 – 2026.

2. Insufficient information has been provided to demonstrate that the proposed drinking establishment, as a result of internal noise generation, would not have an unacceptable adverse impact on the amenity of the neighbouring occupiers or that satisfactory mitigation measures could be put in place to reduce any detrimental impact to the directly adjacent residential properties, contrary to policyBNE1 of the Chorley Local Plan 2012 - 2026.

i 20/00811/LBC - Astley Hall

After careful consideration, it was proposed by Councillor Danny Gee, seconded by Councillor Chris France and a decision was subsequently taken (unanimously) that listed building consent be granted, subject to conditions as outlined in the addendum.

j 19/01050/FUL - Wilbrook, Blue Stone Lane

This item was withdrawn from the agenda.

20.P.67 Appeals Report

Members noted the report of the Director of Customer and Digital which set out planning appeals and decisions received between 28 August 2020 and 28 September 2020.

Two planning appeals and two enforcement appeals had been lodged.

20.P.68 Any urgent business previously agreed with the Chair

The Chair of the Committee, Councillor June Molyneaux advised Members that a session would be organised this month for Members of the Planning Committee to consider the response to the Government White Paper.

Chair Date

APPLICATION REPORT – 19/01142/FUL

Validation Date: 11 December 2019

Ward: Clayton-le-Woods North

Type of Application: Full Planning

Proposal: Residential development comprising 6no. dwellings including demolition of existing garden outbuildings and garage

Location: Land Adjacent To 715 Preston Road Preston Road Clayton-Le-Woods

Case Officer: Mike Halsall

Applicant: Mrs N Thistlethwaite, Thistle Homes (NW) Ltd

Agent: PGB Architectural Services LTD

Consultation expiry: 9 July 2020

Decision due by: 6 November 2020 (Extension of time agreed)

UPDATE REPORT:

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

2. This application was originally reported to Committee on 6 October 2020 and a decision was deferred pending a site visit by the Committee.

3. Following Member discussions at the committee meeting, the applicant has revised the proposed site layout as detailed below. The list of approved drawings is, therefore, to be amended to reflect the new site layout drawing ref. 001 Rev H received on 23.10.2020:
   - The rumble strip has been removed as Members were of the opinion this would cause noise disruption to the occupiers of near-by properties. LCC Highways are of the opinion that the strip is not required as a traffic calming measure as there would be a natural turn in the road that would have the desired effect.
   - A bin storage area has been included
   - A landscaping buffer between the road and the existing dwellings has been added
   - Additional parking has not been included for the occupiers of existing dwellings as LCC Highways have confirmed this is not required and is not the responsibly of the applicant to provide.

4. There was also some discussion at the Planning Committee meeting about potential harm to the setting of the grade II listed building of Hawksclough Farm and whether the access to the listed building, which commences adjacent to the application site where a gatepost has reportedly been removed and one remains in-situ, forms part of the curtilage and setting of the listed building.

5. Members are advised the post in situ sits on the left hand side of the access track up against the end of a storage shed and adjacent to a telegraph post. The stone post has a tooled finish and is approximately 1.6m high, with angled top. It still has an iron gudgeon on it which is evidence that a gate was hung off it. There is no evidence of age but the access down to Hawksclough is shown on the 1845 map and it is possible that the gate post related to the house/estate.

6. Despite this, it is not considered that the post can be said to form part of the curtilage to Hawksclough, and since it is detached and divorced from it, fails in terms of the first test in relation to physical layout of the site.

7. In terms of its contribution to the setting it is considered that the gate post is a feature which in some small way contributes to the general historic significance of the area. However, because of the distance separation, the gate post and Hawksclough cannot be appreciated in the same context and as such its contribution to the setting of the farmhouse is minimal. The whole area has been substantially altered over the years by the development of Clayton Brook and the modern housing developments which run alongside the access track has completely altered the approach to the listed building.

8. In a similar way, it is considered that the degree of visual separation of the proposed housing site to Hawksclough, and the intervening modern residential developments which has occurred close, is such that the current housing scheme for a further 6no. dwellinghouses would not harm the contribution made by the current setting. It is concluded, therefore, that the proposed development would not have any impact on the significance of Hawksclough, which includes the contribution made by its setting.

9. In light of the above, the conclusions made within the original report at paragraph 31 below remain unchanged i.e. there would be no harm to the heritage asset or its setting

---

Original Report from 6 October 2020 – PLEASE NOT THAT THIS HAS BEE UPDATED TO INCLUDE THE INFORMATION DETAILED ON THE ADDENDUM

APPLICATION REPORT – 19/01142/FUL

Validation Date: 11 December 2019

Ward: Clayton-le-Woods North

Type of Application: Full Planning

Proposal: Residential development comprising 6no. dwellings including demolition of existing garden outbuildings and garage

Location: Land Adjacent To 715 Preston Road Preston Road Clayton-Le-Woods

Case Officer: Mike Halsall

Applicant: Mrs N Thistlethwaite, Thistle Homes (NW) Ltd

Agent: PGB Architectural Services LTD

Consultation expiry: 9 July 2020

Decision due by: 9 October 2020 (Extension of time agreed)

RECOMMENDATION

1. It is recommended that planning permission is granted subject to conditions.

SITE DESCRIPTION

2. This application site comprises a plot of land located to the side of and associated with 715 Preston Road. The land forms part of the garden to the property and there are several horticultural buildings in situ. The immediate surrounding area is predominantly residential in character but the Green Belt boundary partially overlaps the site boundary to the south west. A bridleway (BW6) is located along part of the site access road.

3. Outline planning permission was granted in 2018, ref. 17/00869/OUT, for two dwellings on the site.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. The application was originally submitted for the erection of 7no. dwellings following the demolition of existing buildings at the site, with one of the dwellings located partially within the Green Belt section of the site. The scheme was subsequently amended following comments from the case officer, tree officer and Lancashire County Council as local highway authority, further details of these comments are provided later in this report.

5. The application now seeks planning permission for the erection of 6no. dwellings, following the demolition of existing buildings, with two groups of three attached dwellings, replicating the built form of the existing adjacent dwellings of nos. 715, 717 and 719 Preston Road.

REPRESENTATIONS

6. Representations have been received from seven individuals, citing the following (summarised) grounds of objection:
    - The development would require access across private land and permission would not be given for this by the landowner
    - Noise and disturbance from occupiers of the dwellings
    - Loss of privacy
    - Impacts upon setting of a grade II listed building – Hawksclough Farmhouse, detracting from the historic character of the approach to the farmhouse
    - Increased traffic / congestion
    - Highway safety – A6 junction
    - Overdevelopment / out of character with the area
    - Landscape and visual impacts
    - Conflicts with Council policies on infill/garden development and Green Belt
    - Pedestrian safety down bridleway
    - Parking issues
    - Poor site layout
    - Cumulative impacts with conversion of stables and barn to dwellings adjacent to Hawksclough Farmhouse
    - Surface and foul water drainage
    - Requests for construction management plan to be submitted
    - Queries over lack of provision of parking for the existing dwellings and a bin storage area

7. Neighbours were re-notified in June 2020 upon receipt of the revised drawings, but no further responses have been received.

8. The above issues, where considered to be material planning considerations, are addressed under the Planning Considerations heading later within this report. For the avoidance of doubt, land ownership issues are a civil matter and not something that should be taken into account by the Council in the determination of this planning application.

CONSULTATIONS

9. Lancashire County Council Public Rights of Way: No comments have been received.

10. Environment Agency: No comments have been received.

11. Greater Manchester Ecology Unit: Have advised that planning conditions / informatives be attached to any grant of planning permission to protect Clayton Brook and the Cuerden Valley Park and River Lostock Biological Heritage Site (BHS); provide a landscaping buffer between the BHS and the site; protect nesting birds; and provide biodiversity enhancement measures.

12. Lancashire County Council Highway Services (LCC Highways): Initially responded to raise objections to the scheme and request amendments to the site layout plan in relation to; conflicts with the bridleway; increasing the width of the access road and including footways on either side; provision of a 6m corner radii at the junction of the unadopted access road and Preston Road and improved parking. Revised plans were subsequently submitted to the Council to meet the requirements of LCC Highways. Conditions and informatives have been suggested by LCC Highways to be attached to any grant of planning permission in relation to the future construction, management and maintenance of the vehicular site access.

13. Clayton-le-Woods Parish Council: No comments have been received.

14. Council's Tree Officer: Has no objection to the removal of two of the trees proposed for felling, but requested that T22, a mature poplar, be retained if possible as this has a higher value as a landscape feature. The site layout has been amended following the comments from the tree officer so that T22 is retained as part of the scheme.

15. United Utilities: Recommend conditions in relation to sustainable surface water drainage and the management of foul water.

PLANNING CONSIDERATIONS

Principle of development

16. The majority of the application site is located within Clayton Brook/Clayton Green settlement area as identified in policy V2 of the Chorley Local Plan 2012-2026. This policy sets out a presumption in favour of sustainable development, subject to material planning considerations and other policies and proposals in the plan. However, the Green Belt does overlap the boundary of the site and partially encroaches onto the application site to the south west.

17. The supporting text for policy V2 explains that development proposals within settlement areas may be appropriate for uses such as housing, offices, community facilities or green infrastructure. Proposals will be judged by their compatibility with existing surrounding development and their ability to satisfy material planning criteria. This includes factors such as access, parking, servicing, design and amenity, which includes an assessment of noise, emissions, disturbance because of anti-social hours of operation and traffic generation.

18. Whilst the National Planning Policy Framework (the Framework) and Chorley Local Plan policy V2 set out a presumption in favour of sustainable development, private residential gardens in built up areas are no longer regarded as brownfield land. The Framework allows Local Authorities to set out policies to resist development of residential gardens where the development would cause harm to the character of the area, local amenity or biodiversity balance.

19. Given the status of the site, the application falls to be considered against policy HS3 of the Chorley Local Plan which states that development within private residential gardens not allocated for housing will only be permitted for (a) appropriately designed and located replacement dwellings where there is no more than one for one replacement, (b) the conversion and extension of domestic buildings, and (c) infill development on gardens which is classified as the filling of a small gap in an otherwise built up street frontage which

is typically a gap which could be filled by one or possibly two houses of a type in keeping with the character of the street frontage.

20. The site does not specifically comply with either criteria (a) or (b) due to the nature of what is proposed. Additionally, with the location of the application site, off a narrow access road, located beyond the existing end dwelling and adjoining the Green Belt, does not strictly meet the definition of an infill plot with regards to criteria (c).

21. Notwithstanding this, paragraph 5.29 of the reasoned justification to policy HS3 states that when assessing applications for garden sites the Council will also have regard to the relationship of development to the surrounding character in terms of density, siting, layout, massing, scale, design, materials building to plot ratio and landscaping. The reasoned justification also states that the Council will have regard to sustainability issues such as access to public transport, school, businesses and local services and facilities.

22. With regards to the sustainability criteria detailed above, there are factors which weigh in favour of the proposal. Firstly, a large proportion of the site is located in the Clayton Brook/Clayton Green settlement area just off Preston Road, an A road which serves as one of the main routes into Chorley from the north.

23. The site is also within 600m of Clayton Brook Primary School and is within 1km of an Asda superstore, library and Clayton Green Sports centre. There is also a petrol filling station with Spar store on Preston Road approximately 140m away to the south east. In terms of bus stops, there are bus stops on both sides of Preston Road within close proximity to the site. From these bus stops, 5 services operate frequently.

24. On the basis of the above factors, it is considered that the site is in a sustainable location and, therefore, meets with the objectives of criteria (1) of policy HS3 which seeks to promote sustainable forms of development. This material consideration, therefore, weighs in favour of planning permission being granted for the development.

25. Part of the site is located within the Green Belt. Paragraph 145 of the Framework states that the construction of new buildings within the Green Belt should be regarded as inappropriate, except in a number of circumstances. In this instance, the development does not meet any of the exceptions detailed in paragraph 145. The introduction of a new building within the Green Belt is considered to be inappropriate development. The submitted site layout plan has been revised to exclude any built development within the Green Belt. The built development would be entirely within the settlement area and the part of the land included within the Green Belt would not be built upon.

26. In light of the above, the proposed development is considered to be acceptable in principle.

Highway safety

27. As part of the proposed development, the detached garage in front of the site is to be demolished to allow for the existing access road from Preston Road to be realigned and widened within the confines of the applicant's boundary for use to access the site.

28. The existing access road does not currently form part of the adopted highway, except for the first 10m from its junction with Preston Road. It is noted that the site would be accessed via a public bridleway (BW6).

29. The applicant has revised the site layout to meet the requirements of LCC Highways. On this basis, the proposal is considered to be acceptable in terms of parking and highway safety.

Ecology

30. The proposal includes the demolition of the existing horticultural buildings and the site is adjacent to Clayton Brook which also falls within Cuerden Valley Park and River Lostock

Biological Heritage Site (BHS). Following a review of the proposal by the council's ecology advisors, GMEU, it is considered that the likelihood of the built structures on the site having the potential to support bat roosting activity is negligible. Subject to conditions, there are no objections to the proposal on ecology matters.

Impact upon heritage assets

31. The site is located in excess of 180m from the grade II listed building of Hawksclough Farm and there is substantial intervening vegetation between the two and an existing housing estate. Any indivisibility is, therefore, unlikely and there would be no harm to the heritage asset or its setting. As such, there would be no conflict with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework, policy 16 of the Core Strategy and policy BNE8 of the Chorley Local Plan 2012-2026.

Affordable housing

32. Policy 7 of the Core Strategy relates to affordable housing and this site would require 30% on-site affordable housing. The Central Lancashire Affordable Housing SPD includes guidance on the range of approaches, standards and mechanisms required to deliver a range of affordable housing to meet local needs.

33. However, following publication of the revised National Planning Policy Framework, Local Planning Authorities can no longer seek affordable housing provision on developments in rural areas of less than 10 dwellings unless the site is 0.5ha or greater.

34. The higher threshold was introduced in a Ministerial Statement in 2014 and re-introduced into National Planning Practice Guidance (NPPG) in 2016 following a successful court appeal judgment. Since this time, Chorley Council, as the local planning authority have continued to apply the lower threshold as set out in Core Strategy policy 7 as it was considered that the borough wide need for affordable housing outweighed the guidance. However, now that the higher threshold is set out in the Framework, rather than the NPPG it is no longer possible to take this approach.

Public open space (POS)

35. Policy HS4 of the Chorley Local Plan 2021-2026 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided.

36. Until recently the National Planning Practice Guidance (NPPG) previously set out a threshold for tariff-style contributions, stating that planning obligations should not be sought from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres. This guidance has been removed from the latest NPPG and has been replaced with a requirement that planning obligations for affordable housing should only be sought for residential developments that are major developments.

37. Specifically the guidance as of last year was derived from the order of the Court of Appeal dated 13 May 2016, which gave legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 which has not been withdrawn and which should, therefore, clearly still be taken into account as a material consideration in the assessment of planning applications

38. To this end whilst it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances.

39. Consequently, the Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies and how much weight to give to the benefit of requiring a payment for 10, or fewer, dwellings. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.

40. There is currently a deficit of provision in Clayton-le-Woods-North in relation to this standard, a contribution towards new provision in the ward is, therefore, required from this development. The amount required is £134 per dwelling. However, a financial contribution for off-site provision can only be requested if there is an identified scheme for new provision and at present there are none identified.

Sustainability

41. Policy 27 of the Core Strategy currently requires dwellinghouses to be built to meet Code for Sustainable Homes Level 4 which increases to Level 6 on 1st January 2016. However the 2015 Deregulation Bill received Royal Assent on Thursday 26th March 2015 which effectively removes Code for Sustainable Homes. The Bill does include transitional provisions which include:

"For the specific issue of energy performance, local planning authorities will continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. This is expected to happen alongside the introduction of zero carbon homes policy in late 2016. The government has stated that, from then, the energy performance requirements in Building Regulations will be set at a level equivalent to the (outgoing) Code for Sustainable Homes Level 4. Until the amendment is commenced, we would expect local planning authorities to take this statement of the government's intention into account in applying existing policies and not set conditions with requirements above a Code Level 4 equivalent."

"Where there is an existing plan policy which references the Code for Sustainable Homes, authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard, or in the case of energy a standard consistent with the policy set out in the earlier paragraph in this statement, concerning energy performance."

42. As such, there is a requirement for the proposed dwellings to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations in accordance with the above provisions. This can be controlled by conditions.

Community Infrastructure Levy

43. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development will be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

CONCLUSION

44. There would be no unacceptable detrimental impact on the character and appearance of the area or the amenity of neighbouring occupiers as a result of the proposed development. In addition, the development is located in a sustainable location and would not have an unacceptable impact on highway safety, ecology or any heritage assets. On the basis of the above, it is recommended that planning permission be granted.

RELEVANT HISTORY OF THE SITE

Ref: 17/00869/OUT **Decision:** PEROPP **Decision Date:** 5 January 2018
Description: Outline application (all matters reserved, save for access) for the demolition of existing structures and erection of 2 no. detached dwellings

Ref: 87/00525/FUL **Decision:** REFFPP **Decision Date:** 25 August 1987
Description: Change of use to garden centre construction of car park and erection of shed for retail sales

RELEVANT 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.

Suggested 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 be carried out in accordance with the approved plans below:

Title	Plan Ref	Received On
Topographical Survey and Location Plan	002 Rev C	1 October 2020
Proposed Site Plan	001 Rev H	23 October 2020
Plans and Elevations	003 Rev A	25 June 2020

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to their installation, details all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure that the materials used are visually appropriate to the locality.

4. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason: Wild birds and their eggs are protected under Part 1 of the Wildlife and Countryside Act 1981, which makes it illegal to kill or injure a bird and destroy its eggs or its nest whilst it is in use of being built.

5. Prior to the commencement of development, a Landscaping and Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. This should:

Identify a biodiversity buffer zone between the site and the adjacent Biological Heritage Site (BHS) with a minimum 5m gap between rear property boundaries and the edge of the BHS
Demonstrate a net gain in the biodiversity value of the site post development

Provide full details of habitats to be enhance and habitats to be created including habitat type, area and target condition
Provide full details of proposed species to be planted or introduced by seed to the site, particularly with regard to the biodiversity buffer zone
Provide details on the methodology to create and establish the proposed habitats and enhance the existing habitats
Provide a bird and bat box plan
Provide details of mechanisms to monitor and remediate if necessary the success of the plan

The works shall be carried out strictly in accordance with the approved details.

Reason: To ensure the scheme promotes habitat enhancement.

6. During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards and the development shall be carried out in strict accordance with the submitted Arboricultural Method Statement and Tree Protection Plan.

Reason: To safeguard the trees to be retained.

7. 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.

8. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:
(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
(iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

9. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

10. No development shall be commenced until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed.

Reason: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a

satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

11. No dwelling or dwellings shall be occupied until the estate street(s) affording access to those dwelling(s) has been completed in accordance with the approved layout in conformity with the Lancashire County Council Specification for Construction of Estate Roads.

Reason: To ensure that the estate streets serving the development are completed and maintained to the approved standard, and are available for use by the occupants, and other users of the development, in the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

12. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason: To ensure that the estate streets serving the development are maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

13. No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

14. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

15. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 14 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.

16. Before the use of the site hereby permitted is brought into operation and for the full period of construction, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.

Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

17. Prior to construction, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Plan to include method and details of construction including vehicle routing to the site, construction traffic parking and any proposed temporary

closing of roads or streets. No construction traffic or deliveries to enter/exit during traffic peak periods or to wait on the public highway. Such construction plan to be implemented and adhered to during the construction of the development.

Reason: To maintain the operation of local streets and through routes in the area during construction, particularly during peak periods.

18. Prior to their erection, full details of the alignment, height and appearance of all fences and walls 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. No building shall be occupied or land used pursuant to this permission before 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 and to protect the amenities of occupiers of nearby property.

19. All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.

Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Ascent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.

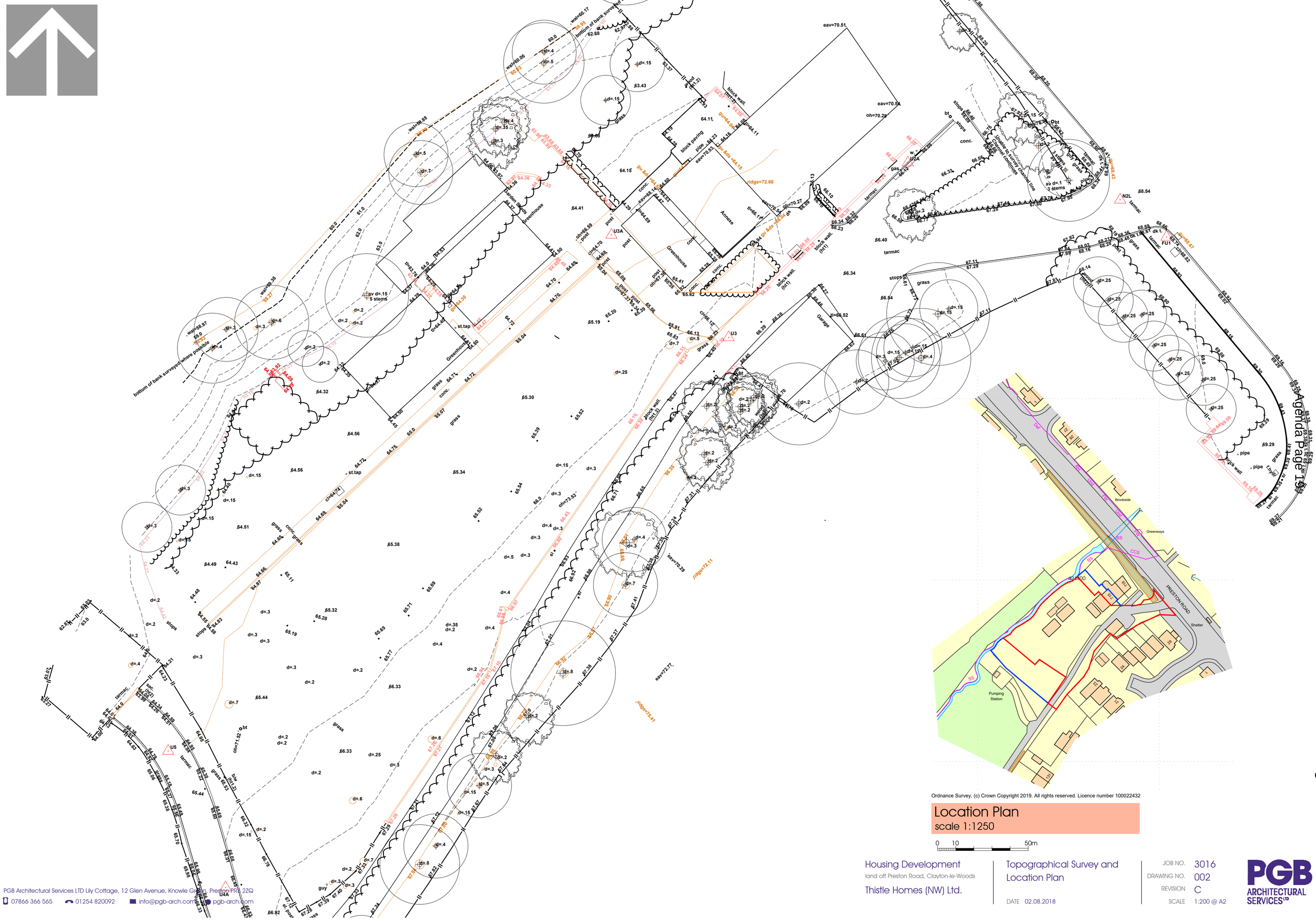
20. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.
Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Ascent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so is can be assured that the design meets the required dwelling emission rate.

21. No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.

Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Ascent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.

This page is intentionally left blank

NOTES:
1: Do not scale this drawing, use figured dimensions only 2: The Contractor, Sub Contractor or specialist supplier are responsible for confirming site dimensions prior to fabrication 3: Any dimensional discrepancies are to be reported to the Architect immediately



Ordnance Survey, (c) Crown Copyright 2019. All rights reserved. Licence number 100022432

Location Plan
scale 1:1250

0 10 50m

PGB Architectural Services LTD Lily Cottage, 12 Glen Avenue, Knowle Green, Preston PR6 2ZQ
07866 366 565 01254 820092 info@pgb-arch.com pgb-arch.com

Housing Development
land off Preston Road, Clayton-le-Woods
Thistle Homes (NW) Ltd.

Topographical Survey and Location Plan
DATE 02.08.2018

JOB NO. 3016
DRAWING NO. 002
REVISION C
SCALE 1:200 @ A2

PGB ARCHITECTURAL SERVICES LTD

This page is intentionally left blank

Chorley Council

Planning Committee Meeting

3 November 2020

Agenda Page 21 Agenda Item 3a

Item 3a

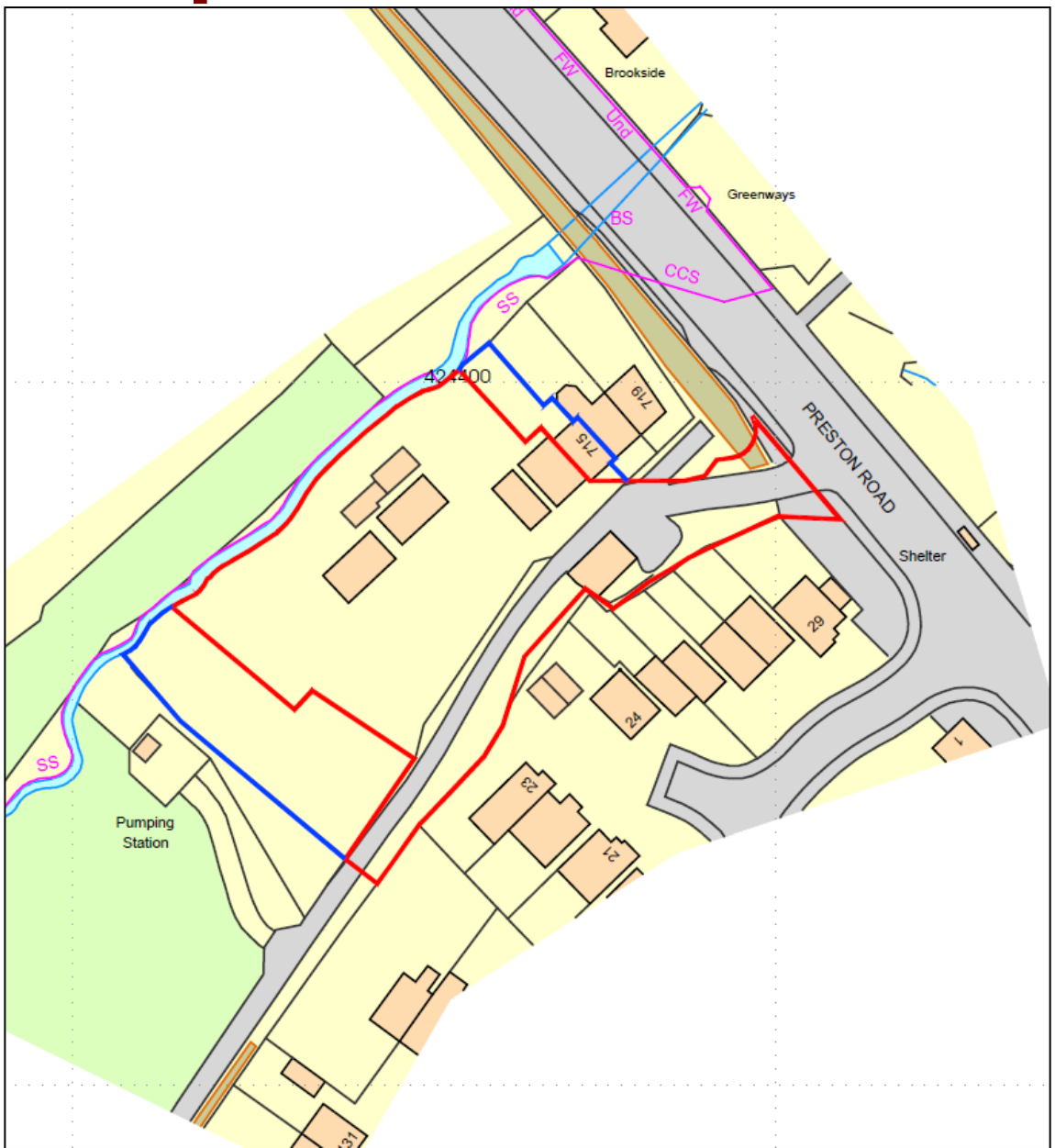
19/01142/FUL

Land Adjacent To 715 Preston Road

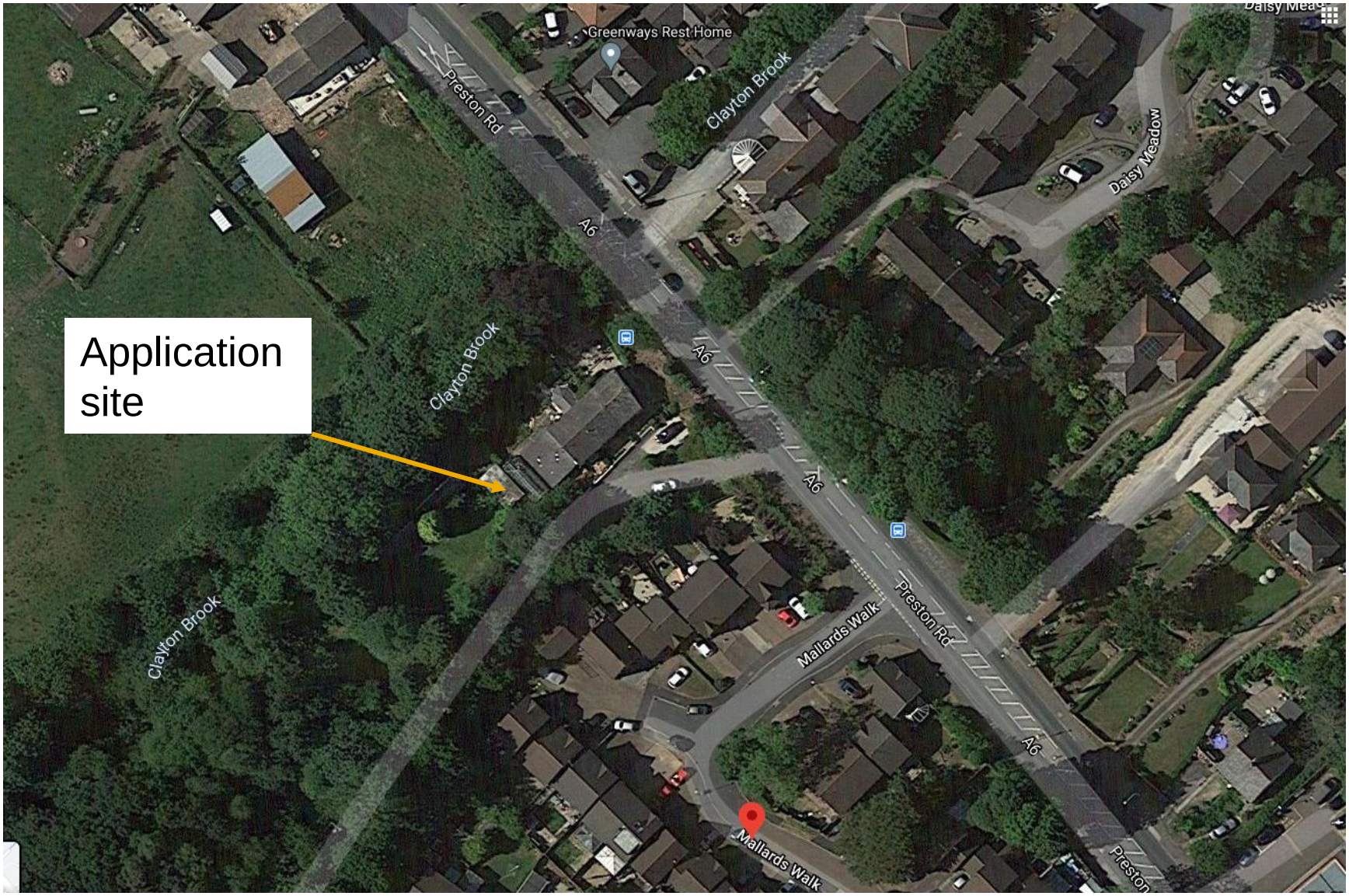
Preston Road, Clayton-Le-Woods

Residential development comprising 6no. dwellings including demolition of existing garden outbuildings and garage

Location plan



Aerial photo

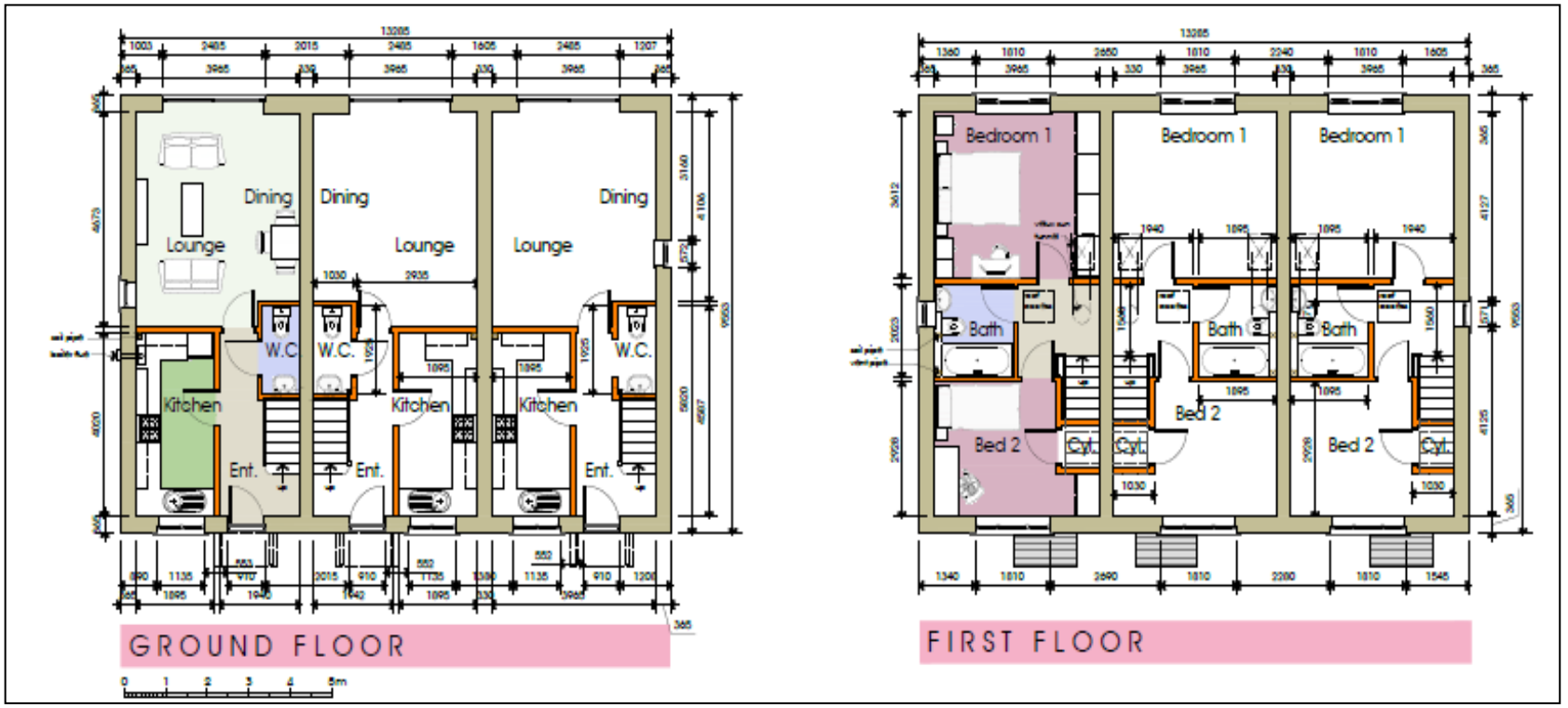


Proposed site plan

Proposed Elevations

Units 4, 5 and 6 as drawn
units 1, 2 and 3 handed

Proposed Floor Plans



Site photo – towards junction with Preston Road

Site photo – green building to be removed

Site photo – existing dwellings

Site photo – glasshouses to be removed

Site photo – glasshouses to be removed

Site photo – glasshouses to be removed

This page is intentionally left blank

C O M M I T T E E R E P O R T		
REPORT OF	**MEETING**	**DATE**
Director (Customer and Digital)	Planning Committee	3 November 2020

ADDENDUM

ITEM 3a – *19/01142/FUL – Land Adjacent to 715 Preston Road*

The recommendation remains as per the original report.

An additional response has been received from the owner of Hawksclough Farm as follows:

'I maintain that the gatepost/gateway is absolutely the marker of the boundary of the listed building and it therefore very much represents the curtilage and not merely something which contributes to the setting of the building. This is not just my opinion, but that of Chorley Council as can be demonstrated through reference to email correspondence between me and the planning service at the time that the gatepost was unlawfully removed. Please see emails below.

I have now reinstated the gatepost in its original position as can be seen in the attached photographs. The gateway makes a clear and very significant statement as to the entrance to the old farm estate.

Now that the gatepost has been reinstated the applicant will not be able to fulfill the conditions applied to the application. Namely that the road widening, layout, pavements etc that the Highways Authority have specified as being requirements cannot be met. The gatepost is my private property as is the land on which it stands, so its removal would require my permission and also, as your former colleague Ian Heywood advised, Listed Building Consent.

For these reasons I would argue that the application should be refused. I have asked to speak again at Planning Committee to make these points to the members.'

The correspondence includes an email from March 2019 from the Council's former conservation officer who has since left the Council. The email states that *'I would argue that the gatepost was part of the listing and therefore the removal is a criminal offence'*. The assertion contains no assessment however of the three tests which have been established though case law and applied by the Council's current heritage advisor, these are:

1. The physical layout of the site – relationship between buildings;
2. The ownership – both past and present; and
3. Their use/function past and present.

The Council's current heritage advisor has assessed the proposal in detail and concluded that *'it is not considered that the post can be said to form part of the*

curtilage to Hawksclough, and since it is detached and divorced from it, fails in terms of the first test in relation to physical layout of the site... because of the distance separation, the gate post and Hawksclough cannot be appreciated in the same context and as such its contribution to the setting of the farmhouse is minimal.'

In light of the above, the gate post is not considered to be within the curtilage of Hawksclough Farm and is therefore not listed and so its removal would not require listed building consent

The issue of the removal of the gatepost requiring the permission from the owner of Hawksclough Farm is a civil matter and not a material planning consideration in the determination of this planning application. The applicant's agent has fulfilled the statutory requirement of completing the relevant certificate of the planning application form to identify that notice has been served on the landowner of Hawksclough Farm.

It is also recommended that an additional planning condition be attached requiring details of site levels to be submitted for approval, as follows:

Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building finished floor 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 be carried out strictly in conformity with the approved details.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.

COMMITTEE REPORT		
REPORT OF	**MEETING**	**DATE**
Director (Customer and Digital)	Planning Committee	3 November 2020

ADDENDUM

ITEM 3b - ***19/01050/FUL – Wilbrook, Blue Stone Lane***

This item has been withdrawn from the agenda.

This page is intentionally left blank

APPLICATION REPORT – 20/00868/FULMAJ

Validation Date: 13 August 2020

Ward: Lostock

Type of Application: Major Full Planning

Proposal: Reconfiguration of existing caravan park from touring pitches to provide static caravans and associated works

Location: Royal Umpire Caravan Park Southport Road Ulnes Walton Leyland PR26 9JB

Case Officer: Mike Halsall

Applicant: G and E Harrison Ltd

Agent: StudioSDA

Consultation expiry: 14 September 2020

Decision due by: 12 November 2020

RECOMMENDATION

1. It is recommended that the application is approved, subject to conditions.

SITE DESCRIPTION

2. Royal Umpire Caravan Park is an established holiday park operated by Harrison Leisure UK Ltd, offering touring caravan pitches and camping. It is located on Southport Road, Croston close to Leyland Garden Centre, The Highfield Public House and the former Mill Hotel site. It is accessed from Southport Road and the proposed development would be accessed through the existing site.

3. The site has an extensive planning history. The original permission for the site (ref: 80/00972/FUL) was granted on appeal in January 1982 and permitted a touring caravan site with reception, toilets, washing facilities and shop.

4. There have been numerous subsequent applications regarding amendments of conditions, extension to the site and a mangers bungalow etc. Its current status is a touring caravan site. No static caravans have been approved on the site other than for the occupation of employees. The site is allowed to be used year round (permission ref: 95/00822/FUL) subject to a S106 legal agreement that no static caravans are allowed (except the ones used by employees), no caravans to remain on site for an aggregate period exceeding 35 weeks in any one calendar year and no person to reside at the site (except employees) for an aggregate period exceeding 35 weeks in any one calendar year.

5. A planning application was refused in 2016 for the change of use of a field to caravan park for the siting of 94 static holiday caravans and associated hard standings and access roads (accessed through existing caravan site) on land adjacent to the current application site. The reason for refusal was as follows:

   "The proposed development is inappropriate development in the Green Belt and therefore harmful by definition. The factors put forward as very special circumstances are not

considered to outweigh the harm to the Green Belt by reason of its inappropriateness. The proposal is therefore contrary to the National Planning Policy Framework."

6. More recently, planning application ref. 19/01042/FULMAJ for the reconfiguration of the existing caravan park site from touring caravan pitches to static caravan pitches and the provision of static caravan pitches in the adjacent tented camping area was refused by Planning Committee in March 2020. The reason for refusal was as follows:

   "The proposed development is inappropriate development in the Green Belt and therefore harmful by definition. The proposal would cause harm to the openness of the Green Belt and would conflict with one of the five purposes of including land within it through encroachment into the countryside. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The factors put forward as very special circumstances are not considered to outweigh the harm to the Green Belt. The proposal is therefore contrary to the National Planning Policy Framework."

7. Unlike the above referenced refused proposals, the current proposal only relates to the eastern part of the applicant's land which currently used for touring caravan pitches and not the adjacent greenfield, undeveloped land included in the previous proposals.

DESCRIPTION OF PROPOSED DEVELOPMENT

8. The application seeks planning permission for the reconfiguration of the existing caravan holiday park site from 201 touring caravan pitches to 114 static caravan pitches. No new buildings are proposed at the site and the existing toilet block building would be removed as part of the proposal. The existing site access from Southport Road would continue to be used to serve the reconfigured site.

9. The proposed static caravans would be arranged in a similar fashion to the existing pitches, in rows aligned around the existing access internal access roads, and along the eastern and western boundaries of the site. Existing hedgerows between the current pitches would be retained, as would existing boundary screening.

10. Each pitch would accommodate one static caravan and space to park one vehicle. A terrace would be included to the front and a garden area to the side. A typical plan and elevation drawing of the caravans to be used has been provided within the planning submission. At this stage, it is proposed that 'Willaby Vogue' static caravans would be used, which are approx. 3.4metres in height and clad in a ridged vinyl cladding in a Chateaux colour, to reduce the prominence of the caravans and provide consistency across the site.

11. The caravans would be used only for holiday purposes and none of them would be available for residential use. This could be secured by a suitably worded planning condition attached to any grant of planning permission.

REPRESENTATIONS

12. Representations have been received from 6 individuals, including Cllr Paul Sloan, and Croston Parish Council raising objections on the following grounds (summarised):
    - Noise and disturbance from residents / visitors of the caravan park
    - Increased traffic
    - Increased surface water run-off/ flood risk
    - Harm to wildlife / biodiversity
    - Visual impact
    - Harm to openness of Green Belt
    - More anti-social behaviour / crime
    - Increased lighting and pollution
    - Harm character of Croston – a historic village
    - Benefits do not outweigh the harm – no very special circumstances
    - Impact on river Lostock

- Planning history shows gradual 'ramping-up' of development at the site
- Same reasons apply to this application as for refusing previous applications
- Static caravans are there 365 days a year, touring caravans are temporary
- The planning application lacks specific details with regards to benefits
- No traffic modelling figures have been provided
- The company accounts for the applicant's business show that profits are up

CONSULTATIONS

13. Lancashire County Council Highway Services (LCC Highways): Have responded to state that a package of highway improvement measures were agreed with the applicant during the determination of the previously refused planning application for the site to maximise sustainable accessibility to the caravan park. The measures included improvements to walking and cycling provisions in the vicinity of the site as well as improvement to bus stops in the area.

    As the agreed measures were considered essential to ensure safe and suitable access for all users and necessary to make the proposal acceptable in planning terms, LCC consider that they are still relevant for the current application. Therefore, the same improvement measures should be implemented in respect of the current proposal. The agreed measures as listed in the highway response of 18 February 2020 are repeated below.

    - Provision of new 2.0m wide footway on the north side of Southport Road from a point 20.0m into the existing site access and in the easterly direction for approximately 142.0m (up to the access to the Wyevale Garden Centre).
    - Improvements to 4no. nearest bus stops to the site access (two to the east of the existing site access on Southport Road and two to the west on Moor Road, west of the diverted PROW (Footpath 11). The bus stop improvements should be to quality disability compliant standard to include, shelters, raised kerbs and boarding areas; bus stop bay and worded markings, clearways etc.
    - Improvement of the section of the diverted public right of way (PROW-FP 11) from Moor Road in the northerly direction for an approximate distance of 261.0m up to where it is met by an existing footpath that extends east into the application site.
    - The improvement of the PROW should include installation of low level lighting for the approximately 261.0m length and the introduction of measures at the junction of the diverted PROW and Moor Road to prevent vehicular access.
    - Closure of the existing PROW- FP11 using raised kerbs and extension of the existing footway across the PROW.

    The highway improvement works would be secured through a s278 agreement between the applicant and LCC Highways, with all costs borne by the applicant. The proposed measures have again been agreed with the applicant for the current scheme.

    LCC Highways have suggested 3no. planning conditions to be attached to any grant of planning permission for the proposed development in relation to securing the above listed highway improvement works.

14. United Utilities: Have responded to state that they have reviewed the submitted Drainage Impact Assessment Strategy and can confirm the proposals are acceptable in principle. UU have requested conditions be attached to any grant of planning permission relating to surface and foul water drainage.

15. Environment Agency: No response has been received. This application does not fall into any of the categories of development to which the EA now respond.

16. Greater Manchester Ecology Unit: Have responded to state that they are satisfied that the condition of the site would not have altered substantively in terms of biodiversity since 2016 and the current application can proceed to determination in respect of ecology with a number of conditions/informatives to ensure that biodiversity is suitably protected. GMEU

have suggested conditions and informatives in relation to roosting bats, great crested newts and birds.

17. Lead Local Flood Authority: No response has been received. It is considered that the response from UU is adequate to control any risks from surface water flooding and this issue is addressed in more detail below.

18. Ulnes Walton Parish Council: Have responded to object to the planning application on the following grounds:

- The proposed increase in the number of static caravans, as opposed to seasonal touring caravans, will lead to an increase in surface water run-off entering the local watercourse system, which is already prone to flooding. This change will also result in an increase in wastewater produced from the site.
- Static caravans are significantly larger than touring caravans and this will have a materially greater impact on the openness of the Green belt. The applicant has failed to provide details of the existence of very special circumstances which may outweigh this harm to the Green Belt.
- Concerns have also been raised that a number of the existing static caravans are used as permanent residences and an increase in the number will exacerbate this issue, unless adequate monitoring of the site is undertaken.

PLANNING CONSIDERATIONS

Principle of the development

19. The application site is located within the Green Belt and falls within the definition of previously developed land provided within the Framework. Section 13 of the Framework confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

20. Green Belt serves five purposes:

a) to check the unrestricted sprawl of large built-up areas;
b) to prevent neighbouring towns merging into one another;
c) to assist in safeguarding the countryside from encroachment;
d) to preserve the setting and special character of historic towns; and
e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

21. Development will only be permitted within the Green Belt, in accordance with the Framework, if it is considered appropriate development or where very special circumstances can be demonstrated. The Framework confirms that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

22. Paragraph 145 of the Framework states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt but lists a number of exceptions. The proposal is not for new buildings but rather for the use of land for the siting of static holiday caravans. Paragraph 146 sets out certain other forms of development that are also not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. These include b) engineering operations (reconfiguration of the caravan pitches) and e) material changes in the use of land (changing from touring to static caravans).

23. Whilst the proposal would reduce the number of caravan pitches from 201 to 114, the nature of impacts upon the Green Belt associated with the touring pitches are transient, whereas the static caravans would introduce a permanent impact. Further, the static caravans themselves would have a larger footprint than the touring caravans. The proposed static caravans would not, therefore, preserve the openness of the Green Belt

and the effect upon openness would be a permanent one, albeit in this instance the impact is only slight in magnitude.

24. Consideration also needs to be given to whether the development would conflict with the purposes of including land in the Green Belt.

25. Paragraph 134 of the Framework sets out the five Green Belt purposes, which the scheme is assessed against as below:

    Purpose 1 (to check the unrestricted sprawl of large built-up areas).
    The proposal does not relate to a large built up area. The area is rural/semi-rural.

    Purpose 2 (to prevent neighbouring towns merging into one another)
    Development of the site would not lead to the coalescence of neighbouring towns. In respect of the neighbouring villages, the development would not lead to a coalescence of neighbouring villages. The land is already developed and there is a large gap between the nearest towns/villages/settlements of Croston, Eccleston and Euxton.

    Purpose 3 (to assist in safeguarding the countryside from encroachment;).
    The proposed reconfiguration of the site would not result in any harmful encroachment into the countryside. The land is previously developed and the change from touring to static caravans would not result in encroachment.

    Purpose 4 (to preserve the setting and special character of historic towns;).
    This does not apply as the site is not located near a historical town. Croston is 1km to the west.

    Purpose 5 (to assist in urban regeneration, by encouraging the recycling of derelict and other urban land).
    It is not considered that the proposal conflicts with this purpose as the type of proposal would not normally be located within an urban area or on derelict land.

    There would, therefore, be no conflict with any of the purposes of including land within the Green Belt.

26. For the above reasons, it is concluded that the siting of the static caravans (with visitor vehicles) would not preserve the openness of the Green Belt and hence the proposal would amount to inappropriate development in the Green Belt. This is consistent with the Council's stance on the previously refused schemes on this site, albeit there was considered to be additional harm from encroachment into the countryside in those instances due to development taking place on a larger area of land that included undeveloped land. This is not the case in this instance as the proposal relates entirely to previously developed land.

27. As previously noted, inappropriate development is, by definition, harmful to the Green Belt and should not be approved, except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

28. In light of the above, an assessment needs to be made as to whether there is 'any other harm' caused by the development that needs to be added to the harm caused by its inappropriateness.

Is there any other harm?

Visual impact

29. There is a gentle downwards slope across the site from south to north as the land gradually descends to the River Lostock separated by fields to the north and a lesser slope from west to east.

30. The site is currently used for touring caravans and is restricted so that no caravans are to remain on site for an aggregate period exceeding 35 weeks in any one calendar year and no person to reside at the site (except employees) for an aggregate period exceeding 35 weeks in any one calendar year. Static caravans and their associated development would, therefore, have a much greater impact on visual amenity than how the site is currently used.

31. Given the number of static caravans and size of the site it is considered the site would have a stronger visual presence than currently. This would be greater from certain directions than others. The main views of the site would be from the west, particularly from the public footpath that runs along the west boundary and views from afar from the north. A landscaping scheme has been submitted in support of the proposal which identifies tree planting to the site boundaries, particularly to the north and west. Therefore, when the proposal is considered alongside these proposed mitigation measures, the visual impact of the proposal would be limited and acceptable.

Impact on neighbours

32. Policy BNE1 of the Chorley Local Plan 2012 - 2026 states that new development must not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact.

33. The nearest residential properties to the site would be Gradwell's Farm to the south and the properties on Moor Road to the southwest. Gradwell's Farm is within the control of the applicants. The properties on Moor Road are separated from the site by an area of land and a mature tree boundary. It is considered that noise and disturbance from the site should be limited and given the location of the site some distance from the nearest residential property it is considered the living conditions of the occupants of these properties would not be adversely affected.

Highway safety

34. The proposal would utilise the existing access onto Southport Road. A Transport Assessment has been submitted with the application which has been considered by Lancashire County Council as the Highway Authority (LCC Highways) for the borough. Details of the response from LCC Highways is detailed above.

35. The applicant has confirmed through their agent that they are willing to carry out the improvement works, outlined previously in this report, as part of any planning permission, therefore the application is considered acceptable in this respect subject to these being secured.

Ecology

36. A proposed landscaping scheme has been submitted with the application which has been reviewed by the Council's ecology adviser. They have confirmed that the proposal is acceptable in ecological terms, subject to conditions and informatives being attached to any grant of planning permission.

Public rights of way

37. Public Right of Way no.11 Ulnes Walton runs along the west boundary within the site for approximately 200m. Its route is clear as it has a stone surface across the field and has a stone surface across the field. The siting of the static caravans would not interfere with the route of the footpath. The proposal is considered acceptable in relation to the footpath.

Impact on a designated heritage asset

38. Gradwell's Farm is a grade II listed building located approximately 60m to the southeast of the nearest proposed caravan. The existing caravan park is nearer than the site now proposed to the listed building and there is a mature tree line between them. It is considered that the proposal would have no impact upon the setting of the listed building. As such, there would be no conflict with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework, policy 16 of the Core Strategy and policy BNE8 of the Chorley Local Plan 2012-2026.

Drainage

39. As noted previously in this report, United Utilities have reviewed the submitted Drainage Impact Assessment Strategy and have no objection to the application subject to conditions.

40. The hierarchy for disposal of surface water from new developments is outlined within National Planning Practice Guidance as follows:

- into the ground (infiltration);
- to a surface water body;
- to a surface water sewer, highway drain, or another drainage system;
- to a combined sewer.

41. The proposed drainage strategy is for surface water flows from static caravans to be directed to grass via rainwater downpipes with driveway areas to be covered in permeable paving to mimic greenfield runoff. The access roads would remain as existing therefore the current drainage regime would be maintained.

42. A foul drainage network flows from the static caravan plots down to the north west corner of the site using gravity via a network of sewers. Flows are then pumped up to the highest part of the site i.e. south east corner, before connecting via gravity to United Utilities combined sewer within Southport Road.

43. The proposal is considered acceptable in this respect, subject to conditions requiring; the scheme to be developed in accordance with the submitted Drainage Impact Assessment Strategy; foul water to be drained on a separate system to that of surface water; and for no surface water to drain directly into the public sewer.

Lighting

44. It would be expected for a holiday park site to be lit at night and, therefore, there is potential for light pollution, however it is considered that an acceptable low level lighting scheme could be secured via a condition, both to minimise the visual impact of the site at and also to ensure it does not impact on foraging bats.

Other harm to the Green Belt

45. It is not considered there is additional harm from technical matters that could not be overcome via the imposition of appropriate conditions.

46. Therefore, there needs to be very special circumstances sufficient to outweigh the harm to the Green Belt caused by the inappropriateness of the development.

Applicant's Case for Very Special Circumstances

47. Any material consideration can be considered to weigh in favour of a development but a judgment must then be made as to whether they are very special and secondly whether they are sufficient to outweigh the harm caused by inappropriateness and any other harm to the Green Belt.

Are there any material considerations in favour of the development?

48. The agent has put forward a case for very special circumstances with the application, as summarised below.

49. *"The Royal Umpire Caravan Park has experienced a prolonged period of crime and antisocial behaviour in recent years related to use of the touring pitches by large groups. This has resulted in the need for increased security and involvement by the police on several occasions. These issues undermine the appeal of the Park to future guests and mean that existing guests who experience problems are less likely to return. Ultimately, occupancy rates at the Park have fallen year on year as a result of these issues, as demonstrated in Table 1 below.*

50. *The problems experienced at the Park have negatively impacted the local area, harming the amenity of nearby dwellings and impacting on other local businesses.*

Table 1: Royal Umpire Caravan Park occupancy rates 2015-2019

Year	*No of bookings*	*Visitor nights*	*Occupancy rate*
2015	*5,289*	*170,291*	*46%*
2016	*4,953*	*165,251*	*45%*
2017	*4,672*	*161,036*	*44%*
2018	*4,536*	*158,996*	*43%*
2019 (to Oct)	*3,592*	*144,836*	*39%*

51. *The previous submission by the applicants outlined how the UK caravan sector has seen strong growth in recent years, particularly since the EU referendum, with more holidaymakers choosing to take domestic trips rather than travel abroad. It is highly likely that the current COVID-19 pandemic will see this trend continue as tourists look to stay closer to home. This presents an opportunity for the Park, and for the local area. There is very little in the way of alternative caravan park provision in Chorley, meaning that the Park plays a vital role in serving the area and boosting the local economy. Certainly, Policy 13 of the Core Strategy provides support for such businesses, with camping and caravan parks specifically mentioned.*

52. *Whilst caravan parks in general are experiencing an upward trend in demand, it is specifically the static caravan market, rather than touring pitches, which have seen the most growth. This change in holiday-maker preference, together with the decreased occupancy rates at the Park provided in Table 1, demonstrates the need for the applicants to diversify to meet demand. The consequences of not responding to market shifts and the problems at the Park would be dire, not only for the business itself, but also for the local economy.*

53. *As set out in the previous submission for the provision of static caravans at the site, albeit on a larger scale, (ref. 19/01042/FULMAJ), there are several factors that weigh in favour of approval of this application now before the Council. These relate primarily to the need for the development and the lack of alternative sites available as set out at the beginning of this section of the Statement, and the economic, social and environmental benefits of the scheme, which together with the aforementioned compliance with national and local planning policy, demonstrate that this is a sustainable development which should be offered the full support of the Council.*

Economic, Social and Environmental Benefits of the Proposed Development

54. *The Park makes an important contribution to the local economy by bringing visitors to the area, whose direct and indirect spending assists in sustaining local businesses. This includes for local pubs, restaurants, cafes and shops. An increase in occupancy rates at the Park will bring more guests to the area and a long-term increase local spending in Chorley, as well as sustaining jobs directly at the Park itself.*

55. *The proposed development would also result in economic benefits in the short-term, associated with the construction period of the proposals. Direct employment opportunities would be created for those working on the site itself, who in turn would likely increase spending at other local businesses, bringing more money to the area and helping to sustain further employment opportunities.*

56. At a time when economic development is so important, the applicants are prepared to invest heavily in the future of their business, bringing benefits not only to the Park itself, but ultimately the wider Chorley area.

*57. **The proposed development would therefore meet the economic aims of sustainable development.***

58. To a large extent, the social benefits arising from the proposals are related to the economic benefits associated with the long-term viability of the Park. The proposed development would ensure the security of jobs at the Park itself, whilst helping to support employment opportunities in the wider area. At a time of great uncertainty, any proposals which help to sustain and create jobs for the local area should be looked on favourably.

59. As set out above, the applicants believe that the replacement of the touring pitches with static caravans will remove the antisocial behaviour and crime problems which the Park has suffered from in recent years. This would be to the benefit of the Park itself, and immediate surrounding area, and to Chorley as a whole.

*60. **The social benefits of the proposals meet the social aims of sustainable development.***

61. Finally, the proposed development would result in environmental benefits for the site and the wider area. It has been demonstrated in the supporting assessment work and is outlined below that the proposed development can be undertaken not only without harm to the environment, but that it would result in benefits to biodiversity through the provision of additional high-quality planting through the proposed landscaping scheme.

62. It should also be noted that the proposed development offers a significant reduction on the previous proposals at the site, and now excludes any development in the camping field to the west of the application site.

*63. Taking the above into account, **the proposed development would meet the environmental aims of sustainable development."***

Summary

64. Improvements requested by LCC Highways to four bus stops in the vicinity of the site and public footpaths are material considerations that weigh in favour of the development, albeit they are required in order to improve accessibility to and from the site and safety for walking as an alternative mode of travel to the car.

65. There are clearly economic development benefits associated with the scheme to the local area as an extension of an existing rural business. This is a material consideration in determining the planning application.

Are these sufficient to outweigh the harm cause to the Green Belt by reason of inappropriateness added to any other harm?

66. Policy does aim to encourage economic development and encourage tourism both at a national level in the form of the Framework and at a local level.

67. Paragraph 83 of the Framework states that *"planning decision should enable sustainable rural tourism and leisure developments which respect the character of the countryside;"*

68. Paragraph 141 of the Framework advises local planning authorities should plan positively to enhance the beneficial use of the Green Belt, including looking for opportunities to provide access and to provide opportunities for outdoor sport and recreation.

69. Core Strategy policy 13 covers the Rural Economy and aims to support rural based tourist attractions, visitor facilities, and recreational uses and allow caravan and camping uses on appropriate sites subject to there being a proven demand.

70. There is clearly policy support for the proposal. The purpose of the planning system is to contribute to the achievement of sustainable development to which there are three dimensions: economic, social and environmental so a judgement has to be made as to whether the benefits outweigh the harm.

71. The benefits put forward clearly have weight in the planning balance. In accordance with the Framework when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

Do these factors actually amount to very special circumstances?

72. Although the above factors are accepted to contribute to weigh against the harm, it needs to be considered if the circumstances put forward amount to very special circumstances.

73. A strong national or regional economic benefit can be judged to be a very special circumstance that may override green belt policy, however although it is considered the proposal would have an economic benefit to the area it is not considered this could be classed as very special in isolation. It would not be on a significant large scale and in addition it is an argument that could quite readily be repeated by numerous rural businesses in the borough. That said, when the other social and environmental benefits of the scheme are considered alongside the economic benefits, it is considered that these amount to very special circumstances.

Balancing exercise

74. A careful balancing of material considerations needs to be applied to the application.

75. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. On the other hand, the Framework aims to support rural businesses and to increase opportunities for tourism and access to outdoor recreation.

76. The harm to the openness of the Green Belt in this instance is considered to be slight when one balances the current transient impacts from up to 201 touring caravans located at the site against the permanent impacts from 114 larger static caravans.

77. The material considerations put forward provide sufficient weight in favour of the proposal and in terms of the Framework in this case it is considered the economic, social and environmental benefits outweigh the environmental dimension from Green Belt harm of the holiday static caravans development. Very special circumstances exist sufficient to clearly outweigh the harm that would be caused by reason of inappropriateness and the Framework.

Community Infrastructure Levy (CIL)

78. The application would be liable for CIL, but is the chargeable rate is £0.

CONCLUSION

79. The proposed development is inappropriate development in the Green Belt and, therefore, harmful by definition. The factors put forward as very special circumstances are considered to outweigh the harm to the Green Belt by reason of its inappropriateness. The proposal would therefore comply with The Framework and the application is recommended for approval.

RELEVANT HISTORY OF THE SITE

Ref: 80/00971/FUL **Decision:** WDN **Decision Date:** 29 December 1980
Description: Touring caravan site for 186 caravans, together with reception, toilets, washing facilities. Phase 3

Ref: 80/00972/FUL **Decision:** REFFPP **Decision Date:** 9 June 1981
Description: Touring caravan site for 54 caravans with reception, toilets, washing facilities and shop

Ref: 80/00973/FUL **Decision:** WDN **Decision Date:** 5 December 1980
Description: Phase 2. Touring caravan site for 111 caravans together with reception, toilets, washing facilities

Ref: 82/00143/REM **Decision:** PERRES **Decision Date:** 25 May 1982
Description: Touring caravan site and associated reception area and toilet facilities, along with outfall sewer

Ref: 82/00272/FUL **Decision:** PERFPP **Decision Date:** 25 May 1982
Description: Retention of existing permanent play structures, and change of use of existing car park to play area with 4 temporary play structures

Ref: 85/00385/FUL **Decision:** REFFPP **Decision Date:** 10 September 1985
Description: Change to static caravans from touring on 18 pitches

Ref: 88/00459/FUL **Decision:** REFFPP **Decision Date:** 2 August 1988
Description: Use of land fronting moor road for craft fair and collectors market for fourteen days per annum

Ref: 88/00577/FUL **Decision:** PERFPP **Decision Date:** 6 September 1988
Description: Siting of static caravan for manager's accommodation

Ref: 88/00578/OUT **Decision:** REFOPP **Decision Date:** 6 September 1988
Description: Outline application for erection of club house for on site residents

Ref: 89/00080/FUL **Decision:** REFFPP **Decision Date:** 22 August 1989
Description: Use of part of site for winter storage of caravans

Ref: 89/00646/OUT **Decision:** PERFPP **Decision Date:** 26 September 1989
Description: Extension to existing office/shop to form games room/club room for caravanners only

Ref: 91/00871/FUL **Decision:** PERFPP **Decision Date:** 10 December 1991
Description: Erection of garage and compound for tractors and mowers

Ref: 92/00527/FUL **Decision:** PERFPP **Decision Date:** 30 March 1993
Description: Variation of conditions on 9/80/972 and 9/83/509 to allow the re-layout of existing touring caravan pitches on the area presently allocated for caravan rallies

Ref: 93/00305/OHL **Decision:** PEROHL **Decision Date:** 8 June 1993
Description: 33000 volt overhead line diversion

Ref: 93/00649/FUL **Decision:** PERFPP **Decision Date:** 9 November 1993
Description: Construction of cafe and shop

Ref: 94/00448/FUL **Decision:** PERFPP **Decision Date:** 27 September 1994
Description: Temporary siting of residential park home

Ref: 94/00449/FUL **Decision:** PERFPP **Decision Date:** 27 September 1994
Description: Retention of a residential park home

Ref: 95/00822/FUL **Decision:** PERFPP **Decision Date:** 24 April 1997
Description: Removal of condition no 2 on Permission 9/91/406 to increase the park use from 46 weeks to the full year

Ref: 97/00467/FUL **Decision:** PRRRTF **Decision Date:** 18 August 1997
Description: Renewal of planning permission 9/94/449 for the retention of a residential park home for assistant manager

Ref: 97/00468/FUL **Decision:** PRRRTF **Decision Date:** 18 August 1997

Description: Renewal of planning permission 9/94/448 for the retention of a residential park home for occupation by site operative

Ref: 04/00164/FUL **Decision:** REFFPP **Decision Date:** 30 April 2004
Description: Permanent retention of two residential park homes for occupation by employees of the caravan park

Ref: 04/00333/FUL **Decision:** PERFPP **Decision Date:** 4 June 2004
Description: Erection of 2 agricultural buildings

Ref: 04/01056/FUL **Decision:** WDN **Decision Date:** 15 November 2004
Description: Retention of 2 caravans for occupation by caravan park employees for a temporary period of 3 years

Ref: 06/00857/FUL **Decision:** REFFPP **Decision Date:** 29 September 2006
Description: Erection of dwelling for staff (to replace wardens flat and staff caravans)

Ref: 08/00829/FUL **Decision:** PERFPP **Decision Date:** 18 September 2008
Description: Demolition and replacement of reception and toilet block. Re-location of internal site access road. Erection of detached bungalow

Ref: 16/00451/FULMAJ **Decision:** REFFPP **Decision Date:** 11 November 2016
Description: Change of use of field to caravan park for the siting of 94 static holiday caravans and associated hard standings and access roads (accessed through existing caravan site).

Ref: 19/01042/FULMAJ **Decision:** REFFPP **Decision Date:** 6 March 2020
Description: Reconfiguration of existing caravan holiday park site from touring caravan pitches to static caravan pitches, provision of static caravan pitches in adjacent tented camping area, hard and soft landscaping, roadways and associated works

RELEVANT 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.

Suggested 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 be carried out in accordance with the approved plans below:

Title	Plan Ref	Received On
Site Location Plan as 'Existing' and 'Proposed'	(SI)2-04-PP	13 August 2020
Proposed Site Plan	(SI)2-02-PP Rev A	13 August 2020
Typical Caravan Plot, Elevations & Exploded Plan as 'Proposed'	(GA)0-01-PP	13 August 2020

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Drainage Impact Assessment Ref: 2019 - 076 A, Dated: 16.07.2020 which was prepared by Flood Risk and Drainage Solutions. For the avoidance of

doubt no surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

4. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

5. Any oak trees to be removed will be assessed for bat roosting potential by a licenced ecologist and the findings supplied to and agreed in writing by the Local Planning Authority.

Reason: To ensure compliance with relevant biodiversity legislation.

6. No existing tree on the site shall be uprooted, felled, pruned, trimmed, topped or lopped until a survey to plot all trees (including species, number, stature and location) has been carried out and submitted to the Local Planning Authority. The survey shall identify which trees are to be retained during the course of development and which are to be replaced and when. The replacement tree planting shall be carried out in accordance with details which will have been approved in writing by the Local Planning Authority.

Reason: In order that the Council may be satisfied with the details of the proposal having regard to the quality of the trees on the site.

7. Tree felling, or vegetation clearance works will be avoided between March and August inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections that have been submitted to and approved in writing by the Council.

Reason: To ensure breeding birds are protected during construction.

8. During the construction period, all trees and hedges to be retained shall be protected in accordance with BS 5837:2012 'Trees in relation to design, demolition & construction'. 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.

9. Prior to the commencement of development, a scheme for the landscaping of the development and its surroundings shall be submitted and approved in writing by the Local Planning Authority. These details shall include 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, proposed finished levels, means of enclosure, minor artefacts and structures. The scheme should include a landscaping/habitat creation and management plan which should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area.

In respect of biodiversity enhancement, curtilages of the property shall be hedged with locally native species.

All hard and soft landscape works shall be carried out in accordance with the approved details within 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.

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.

10. Prior to the its installation, full details of the lighting for the site should be submitted to and approved in writing by the Local Planning Authority. The lighting scheme must be designed to minimise the impact on nocturnal wildlife such as bats. The lighting shall be designed in line with best practice guidance. The development thereafter shall be completed in accordance with the approved details.

Reason: In the interests of the amenity of residents and the safeguarding of nocturnal wildlife from harm.

11. No part of the development hereby approved shall commence until the scheme of off-site works of highway improvement has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

12. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in the preceeding Condition 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.

13. Within 10 days of commencement of construction works hereby approved on site, full details of the improvements to the diverted PROW-FP11 shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any of the static caravans on site, the PROW shall be improved and available for use by the public in accordance with the approved details.

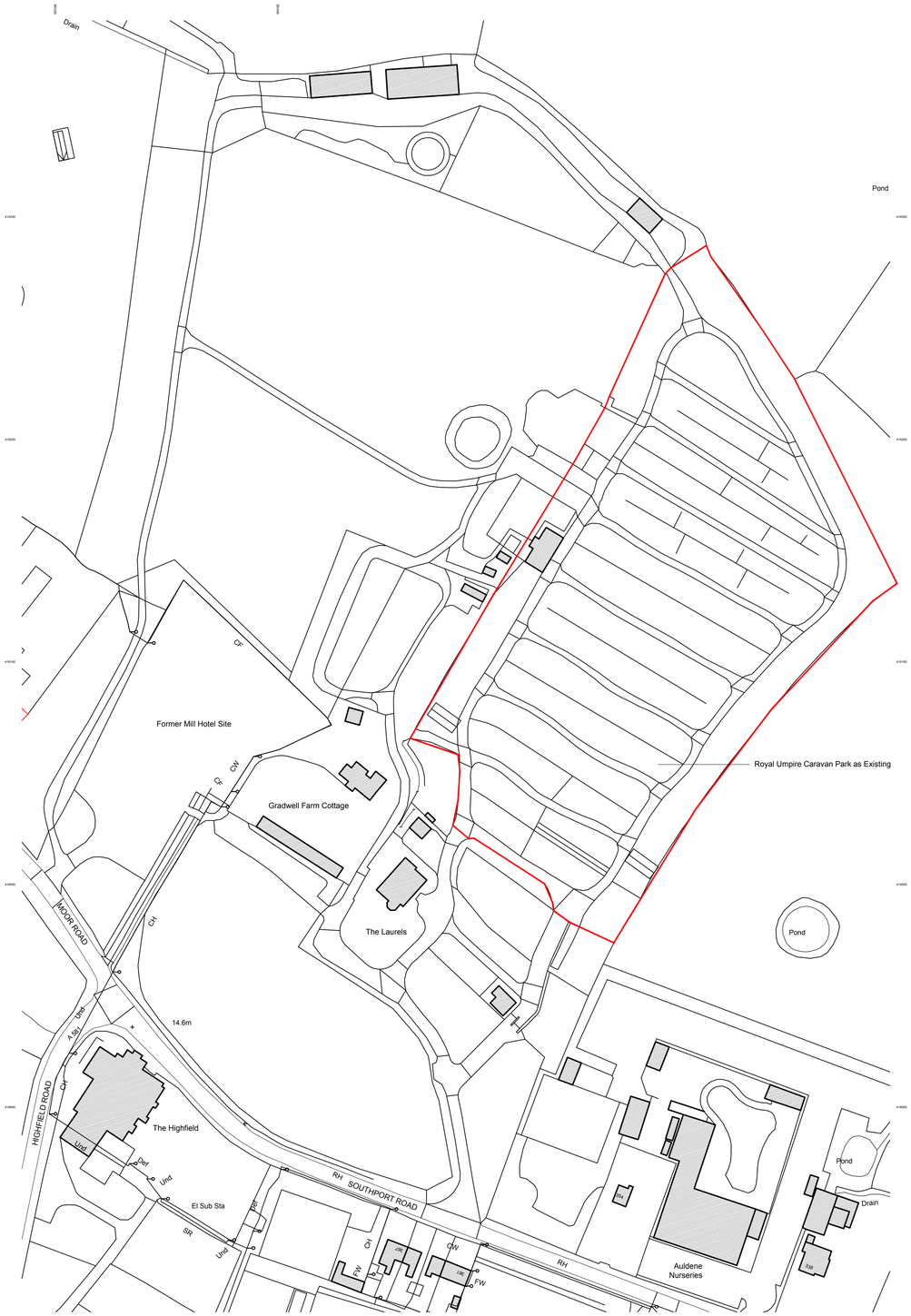
Reason: the approved development will place additional pressure on the PROW which is in need of improvement and to ensure that a usable, suitable route is available for the public and occupiers of the site.

14. The caravans shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators of the caravan park shall maintain an up-to-date register of the names of all owners of caravans on the site and of their main home addresses and shall make this information available at all reasonable times to the local planning authority.

Reason: In accordance with the terms of the permission.

15. No more than 114 caravans shall be stationed at the site.

Reason: In accordance with the terms of the permission, and as the site is located within the Green Belt where uncontrolled development would be harmful



NORTH

Site Location Plan, as 'Existing'

Scale 1:1250

NORTH

Site Location Plan, as 'Proposed'

Scale 1:1250

0 25 50 100 200

SCALE BAR 1:1250

Deviating from these drawings without consultation and/or agreement with the employer is unacceptable. This drawing is indicative and exact dimensions should be checked and confirmed on site by the nominated contractor or competent person/s prior to commencement of building works. All drawings and dimensions shall be verified by the relevant contractor/s on site prior to commencement of any works, ordering of materials or setting out. Any discrepancies should be reported in writing to SDA Architecture Ltd.

Do not scale from this drawing unless trained to use a scale ruler - only work from written and checked dimensions. This drawing is the property of SDA Architecture Ltd and copyright reserved by them. This drawing is not to be used, copied or disclosed by or to any unauthorised persons without prior written authorisation consent from SDA Architecture Ltd.

DO NOT PROCEED WORKS IN THE EVENT OF A DRAWING DISCREPANCY

For all structural aspects please refer to Structural Engineers project information and cross reference all drawings, details and calculations with the architectural drawing prior to commencement of building works.

SDA Architecture Ltd is a trading name of Style Design and Architecture Ltd and holds no responsibility or liability for any works carried out on site.

DO NOT SCALE ONLY USE DIMENSIONS SHOWN

Project Information:

Client: Mr Harrison

Project Title: Replacement of Existing Touring Caravan Facility to Static Caravan Facility

Project Address: Royal Umpire Caravan Park, Southport Road, Leyland, PR26 9JB

Project Stage: Planning Application

Date of Drawing: 08.06.2020

Drawn By: CH

Checked By: SLP

Drawing Sheet Size: A1 (841 x 594)

Drawing Scale: As Indicated on drawing

Site Area Hectare:

Extension Area CIL (m²):

Drawing Title:

Site Location Plan as 'Existing' and 'Proposed'

Project Number:	Drawing Number:	Revision:
0350	(SI)2-04-PP	

Drawing Registry

Rev.	Date	Description	Author

SDA
www.studiosda.co.uk
RIBA Chartered Practice
arb Architects Registration Board
CIAT
Head Office: Ashley House - 29 Queens Road - Chorley - Lancashire - PR7 1JU
Tel: 01257 441 510 - Web: www.studiosda.co.uk - Email: contact@studiosda.co.uk
Company Registration: 6318481 - VAT Registration: 192 9681 03
Copyright © 2019 Style Design & Architecture Ltd | All Rights Reserved

This page is intentionally left blank

Chorley Council

Planning Committee Meeting

3 November 2020

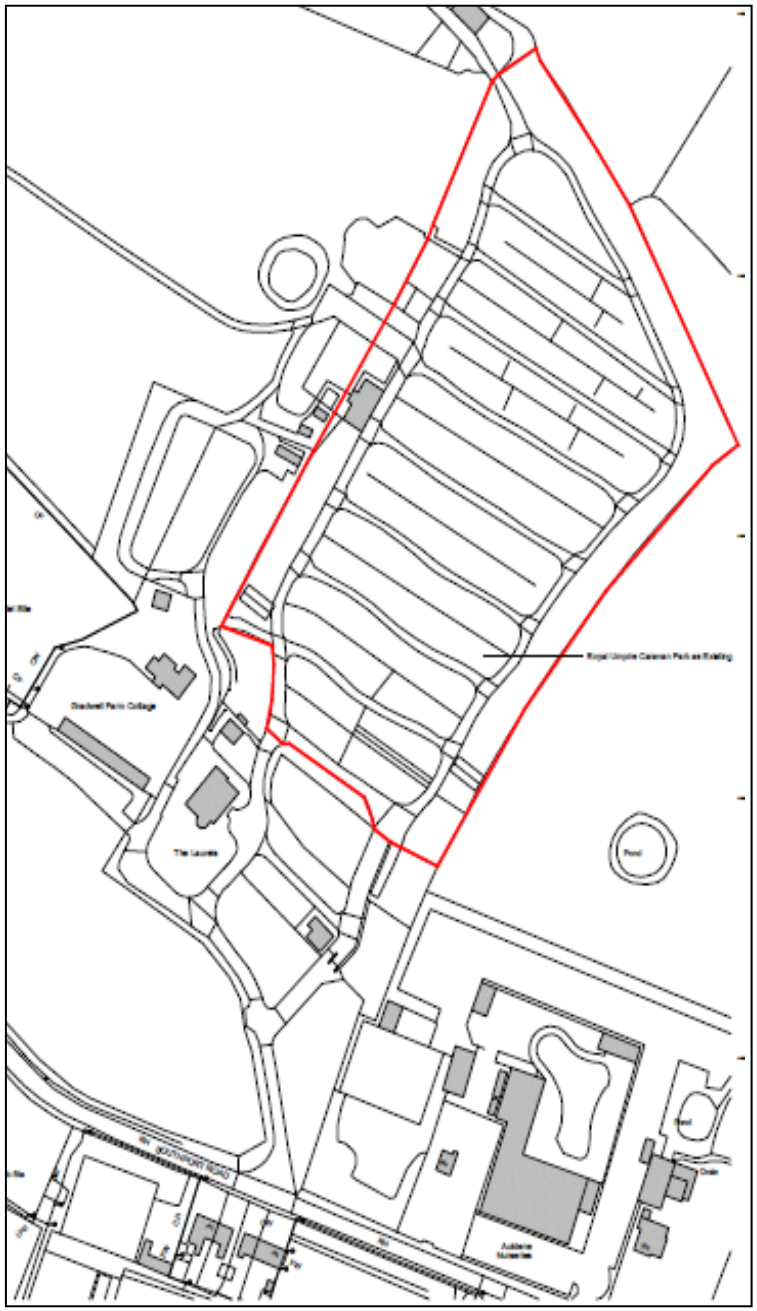
Item 3c

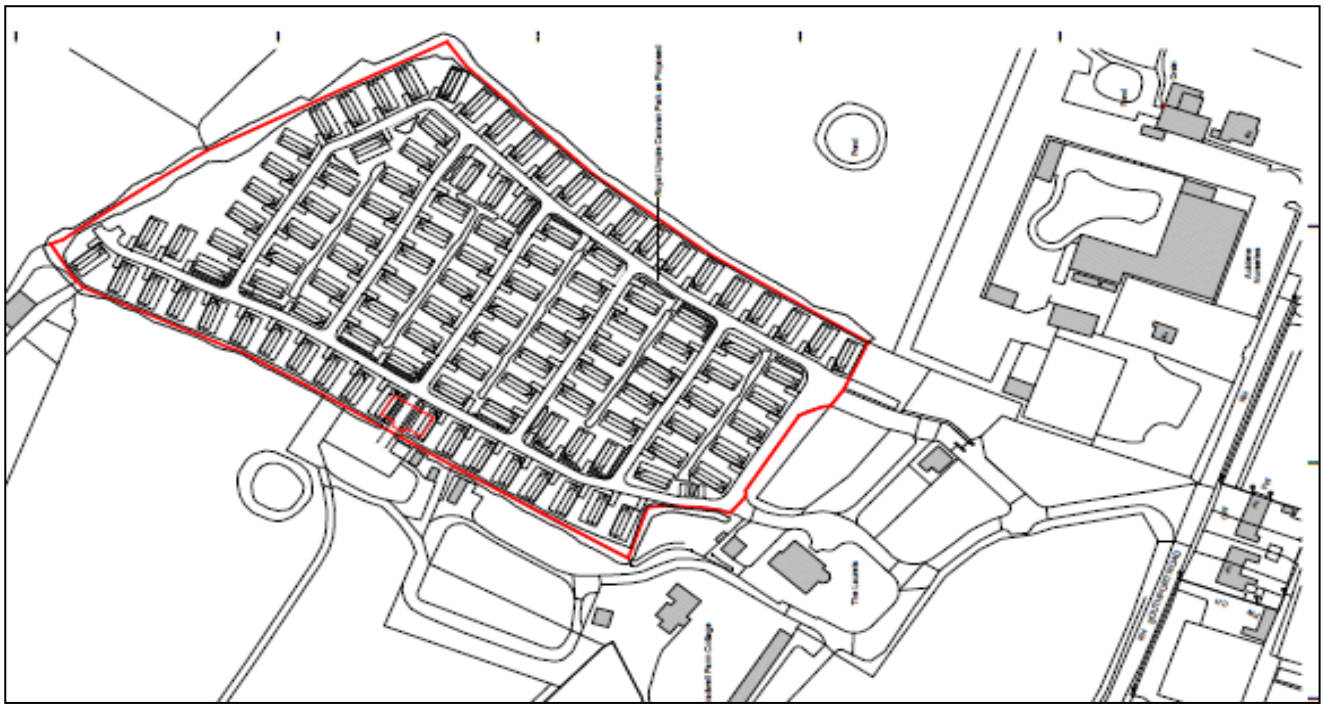
20/00868/FULMAJ

Royal Umpire Caravan Park, Southport Road, Ulnes Walton

Reconfiguration of existing caravan park from touring pitches to provide static caravans and associated works

Location Plan

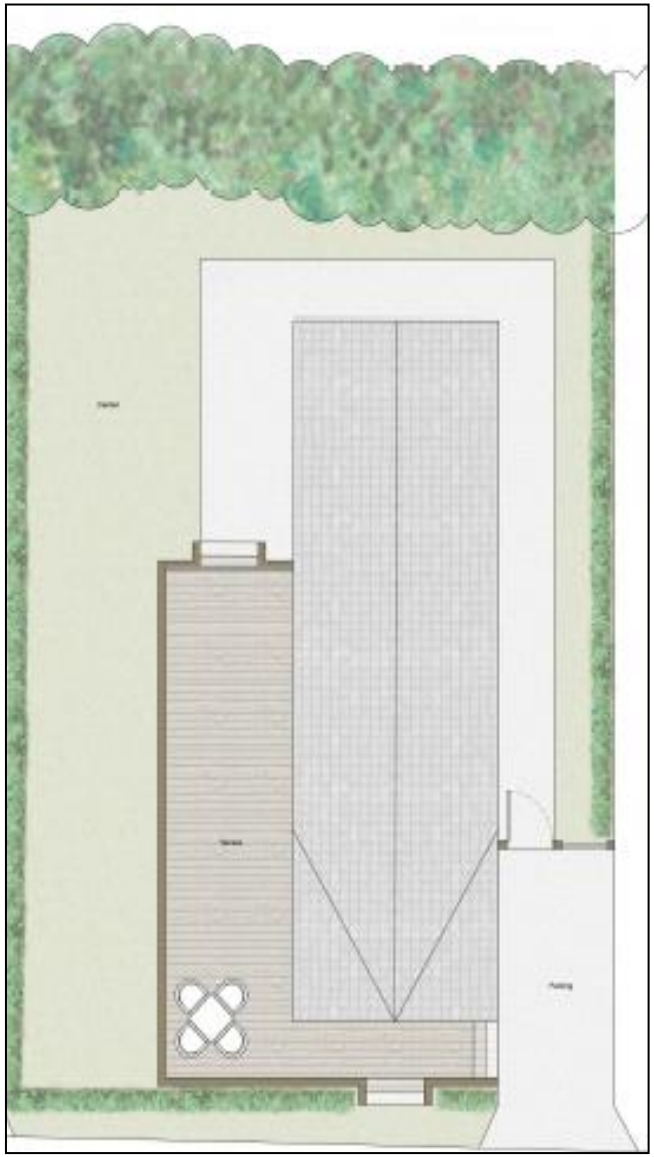


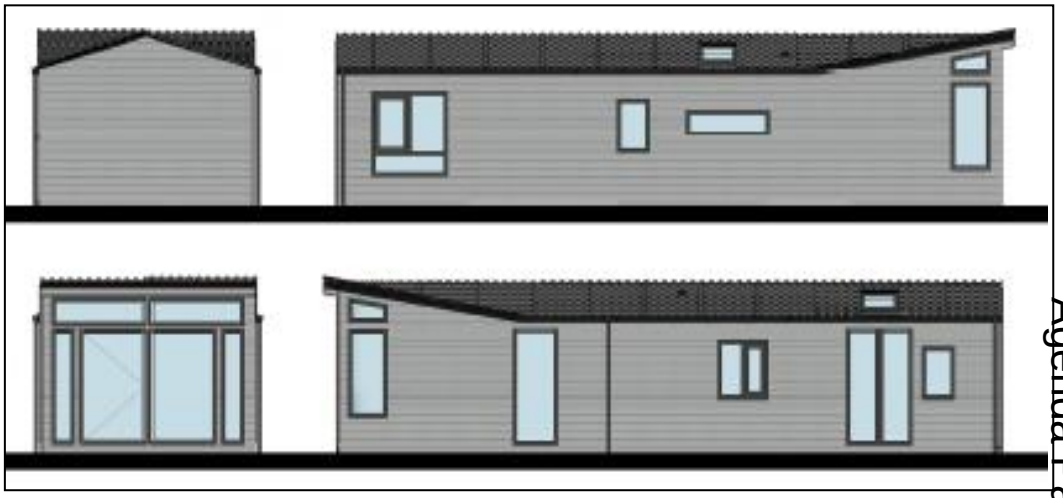


Site layout plan

Landscaping plan

Typical static caravan





Site photo – within the site

Site photo – within the site

Site photo – within the site

Site photo – from western boundary, facing north-west

Site photo – from western boundary, facing west

This page is intentionally left blank

C O M M I T T E E R E P O R T		
REPORT OF	**MEETING**	**DATE**
Director (Customer and Digital)	Planning Committee	3 November 2020

ADDENDUM

ITEM 3d - ***20/00987/FUL – Mediterranean At Robin Hood, Blue Stone Lane, Mawdesley, Ormskirk***

This item has been withdrawn from the agenda.

This page is intentionally left blank

APPLICATION REPORT – 20/00835/CB3MAJ

Validation Date: 11 August 2020

Ward: Chorley East

Type of Application: Major Chorley Regulation 3

Proposal: Erection of building comprising 62 assisted living apartments (Use Class C3) with community facilities including Community Centre (Use Class D1), Nursery (Use Class D1), café (Use Class A3) and hair salon (Use Class A1) and 2no. units designed as a GP surgery (Use Class D1) and a Pharmacy (Use Class A1), regeneration of existing recreation ground and construction of bowling club facility following demolition of nursery, community centre and bowling club hut.

Location: Stagecoach North West Ribble Motor Services Bus Depot Eaves Lane Chorley PR6 0PU

Case Officer: Mike Halsall

Applicant: Chorley Council

Agent: Triangle Architects

Consultation expiry: 5 October 2020

Decision due by: 10 November 2020

RECOMMENDATION

1. It is recommended that the application is approved subject to conditions and a S106 agreement to secure a £6,000 contribution be paid to Lancashire County Council for monitoring the Travel Plan for the site.

SITE DESCRIPTION

2. The application site is located on the western side of Eaves Lane in east Chorley and covers 2.6 hectares of land consisting of the former Stagecoach bus depot building, the associated external yard area, part of Silverdale Road, and Tatton recreation ground, including the bowling and community centre buildings.

3. The area immediately around the site is predominantly residential in character, being made up of a mix of pre-war terraced properties and later inter-war semi-detached dwellings of mixed tenure.

4. The application site is located within a short walking distance to local amenities. The amenities currently located along Eaves Lane form part of the local centre for the surrounding residential catchment, and include a series of retail units, food takeaway outlets, public house, pharmacy and GP Surgery.

DESCRIPTION OF PROPOSED DEVELOPMENT

5. The demolition of the bus depot falls within the remit of Permitted Development under Schedule 2, Part 11, Class B of the General Permitted Development (England) Order 2015 and the Council approved the method of its demolition in September 2020 by virtue of prior approval application ref. 20/00824/DEMCON.

6. This application seeks planning permission for the demolition of the community centre (incorporating a nursery) and the bowling club hut on Tatton recreation ground and the erection of a new building on Eaves Lane incorporating a community centre, nursery, café, hair salon, GP surgery and pharmacy, and 62 assisted living apartments. A new bowling hut would be constructed on the Tatton recreation ground and the ground itself would be improved.

7. The proposed new building on Eaves Lane would be as follows:
   - Three storeys tall in an 'L' shape, with the main entrance on Windermere Road with the building extending across Silverdale Road, which would be 'stopped-up' as part of the proposal, and extending partially into the recreation ground
   - 62 assisted living apartments with communal areas, 60 of which would be 1-bed apartments and 2no. 2-bed apartments within the north eastern section of the building at ground floor and across the entire first and second floors
   - A community centre, nursery, café, hair and beauty salon, GP surgery and pharmacy and communal lounge area on the remainder of the ground floor with entrances to the community centre, nursery, and café facing the recreation ground
   - Provision of vehicle parking spaces, the majority of which would be on the existing hardstanding/car parking area of Tatton recreation ground, accessed from Windermere Road
   - A garage for two cars with access to Silverdale Road for use as a car club
   - A central landscaped courtyard area

8. The proposed bowling hut would be located on the northern side of the existing bowling green, approximately 20m west of its current location. The hut would be single storey and would include an open fronted seating area, storage rooms, toilet facilities and a kitchen/seating area.

9. The recreation ground would be improved by the implementation of a new Park Masterplan, summarised below:
   - Creation of a new circular 5m wide path loop to provide circulation space for all users, utilising existing hard standing with new edging and asphalt concrete wearing course;
   - Wider parts of the loop would incorporate trail/play equipment, suitable for a wide range of ages.
   - To the north of the boulevard axis, the existing hardstanding would be replaced with a circular grassed area with low mounds to the edges for informal 'kick-about' and events.
   - To the south of the boulevard axis, the existing hardstanding would be utilised and resurfaced to create a fenced multi-use games area (MUGA) with a concrete terraced seating area to the north west for spectators
   - Also, to the south of the boulevard axis, adjacent to the MUGA, would be the formal children's play space with various pieces of exercise equipment for all ages, separated into an early years play area and a junior play area.
   - A new entrance would be created to the eastern end of the park. Windermere Road would be extended further west before turning north-west.
   - An entrance plaza would be located at the park entrance with general car parking bays
   - Other improvements would include a sensory well-being garden, new paths throughout the park, tree and shrub planting, seating/benches, two ponds/drainage swales kitchen garden, woodland garden, new lighting and a community orchard

REPRESENTATIONS

10. Representations have been received from 11 individuals citing the following grounds of objection:
    - Too many apartments for the size of the site / overdevelopment
    - Building is too tall / out of keeping with the area
    - It is queried whether any compensation be received by residents
    - Loss of light / overshadowing
    - Insufficient number of parking spaces

- When the bus depot was operational, parking on surrounding roads meant residents had nowhere to park
- Traffic congestion
- Noise and disruption during construction work
- Provision for parking for surrounding existing dwellings should be provided and restrictions from others parking on the street
- Empty nursing homes should be converted instead
- Too many hair salons in the area
- No provision for dog walking
- The nursery garden is upkept by the nursery, the plans show this to be a community garden and no discussion has taken place with the nursery about this
- The apartments and the recreational ground should have been submitted as two applications
- With more houses being built and with the current pandemic, more green spaces are required like Devonshire Road rec. – they wouldn't want a car park and flats on theirs
- Consultation has been affected by the current pandemic, some people don't have computers so can't comment on the plans and a meeting was cancelled
- Façade will act as sounding board to traffic on Eaves Lane
- The community centre works better in its current location
- Don't like the fence around the bowling green or the changes to perimeter fences, gates and paths
- Children who use the site should be consulted
- Loss of trees
- Wrong sort of play equipment proposed
- Planning conditions should be imposed to prevent piling
- Loss of privacy from balconies / overlooking
- Loss of trees / wildlife habitat / rosebed
- Recreation ground and community centre should be kept separate from doctors' surgery and pharmacy for health and safety reasons
- The existing community centre should be kept – new one will be worse in terms of noise, e.g. samba band using the facility
- Recreation ground was donated by Sir Reginald Arthur Tatton in 1915 and should be kept as it is
- Ponds will be used as rubbish bins and are dangerous
- Younger children's play area should be separated from that for older children
- Entrances should be separated away from residential dwellings
- No need for a fence around the bowling green, will be imposing from nearby dwellings – like a prison camp
- Surrounding roads already dangerous with type and speed of traffic

11. One neighbour representation has been received in support of the scheme to state that they like the idea of redeveloping the old bus depot.

12. Councillor Terence Brown has also commented in support of the scheme, as follows:

    "I support the planning application for the Tatton development as will bring a huge benefit to the whole community. I further support the crossing on Eaves Lane outside the development. Over the last 5 years there has been a large increase in traffic flow on Eaves Lane due to people using it as a rat run to and from Adlington. I would also request that the facilities for the Bowling community be completed as soon as possible due to the length of time the bowling green has been closed down."

CONSULTATIONS

13. Environment Agency: Have responded to state that the previous use of the application site as a servicing depot for buses and commercial vehicles presents a high risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the site is located on a secondary B aquifer.

The EA state that the application demonstrates that it would be possible to manage the risks posed to controlled waters by this development. However, further detailed information will be required before built development is undertaken. The application as it stands is incomplete as further investigation is necessary following demolition of the existing bus depot. The EA have, therefore, recommended a planning condition be attached to any grant of planning permission to require the submission of a remediation strategy to the Local Planning Authority for agreement.

14. Greater Manchester Ecology Unit: Have advised planning conditions/informatives be attached to any grant of planning permission:

    A precautionary method statement for bats (as per paragraph 5.2 of the bat survey) for the removal of the pavilion roof should be followed. If work to this building has not commenced by May 2021 then it is advised that an updated bat activity survey is undertaken, given the mobile nature of bats and the roosting features present in the building.

    Building demolition, tree felling and vegetation clearance works should be undertaken outside the main bird nesting season (March – August inclusive) unless it can otherwise be demonstrated that not active bird nests are present.

    Details of lighting for the site should be submitted, and must be designed to minimise the impact on nocturnal wildlife such as bats. The lighting should be designed in line with best practice guidance and following the recommendations in paragraph 5.2.3-5.2.5 of the ecology report.

    A precautionary informative is used to make the applicant aware of the laws which are in place to protect biodiversity, such as bats. Should they find or suspect any such species on the site during the development, work should cease and the Local Planning Authority should be contacted for further advice.

    Where work is required to clear rhododendron from the site, it must be done in accordance with paragraph 5.4.2 of the ecology report.

    Trees and scrub should be retained where possible, and where this is not possible compensatory planting will be required. All retained trees should be adequately protected from any adverse impacts of the proposed development, following BS5937:2012

    Taking into account the above, a detailed landscape and management plan of the scheme for biodiversity should be secured.

15. Regulatory Services - Environmental Health: Initially raised some questions in relation to noise, electrical car charge points and sustainable energy. The applicant has responded to these questions and the EHO has raised no objection to the proposal.

16. Waste & Contaminated Land Officer: Have responded to state that they note the investigations undertaken to date which have demonstrated the need for further investigation and delineation of ground contamination. They agree with the recommendation made in Section 6 of the Phase II Geo-Environmental Investigation report which proposed further investigation post-demolition to fully delineate hotspots and to investigate areas that were inaccessible during the initial stage of investigation. It will be possible to manage the risks but further detailed information will be required before built development is undertaken. A condition is recommended, similar to that suggested by the EA requiring the submission of a remediation strategy to the Local Planning Authority for agreement.

17. Lancashire County Council Highway Services (LCC Highways): Have responded to raise no objection to the proposal and have requested changes to the proposed scheme, including the layout of parking spaces, off-site highway improvements and a financial contribution towards monitoring of the proposed travel plan. Further details of these issues are provided within the Planning Considerations section of this report.

18. Lead Local Flood Authority: Have not responded on this occasion. Given that the areas of built development would largely take place on existing areas of hardstanding, it is considered that risk of flooding would be minimal. Further, United Utilities have suggested planning conditions to be attached to any grant of planning permission with regards to ensuring sustainable drainage measures are incorporated in the scheme, where possible.

19. Council's Tree Officer: Have advised that the trees it is proposed to remove are of low and moderate value, arboriculturally although they do offer a high level of visual amenity, as a group. The loss of these trees can be mitigated by appropriate replanting, which can replace the visual amenity lost and improve the diversity in tree species. A condition is recommended to require adherence to BS 5837:2012 to ensure protection for all retained trees.

20. United Utilities: Have objected to the planning application as the proposal would be built over UU apparatus. Negotiations have however since progressed between UU and the applicant and the applicant has provided a potential solution which UU is currently reviewing. It is not considered that this is a reason to refuse the planning application or to delay its determination as a solution can be found to this issue. The requirement to resolve the issue can be outlined within an informative attached to any grant of planning permission.

    UU have also recommended conditions be attached to any grant of planning permission in relation to sustainable surface water drainage and the management of foul water should the Council decide to approve the planning application.

PLANNING CONSIDERATIONS

Principle of development

21. The application site is located within a settlement area as shown on the Chorley Local Plan 2012-2026 policies map and is covered by Policy V2 which states that there is a presumption in favour of appropriate sustainable development, subject to material planning considerations and the other policies and proposals within the plan.

22. Tatton recreation ground is covered by policy HW2 of the Chorley Council Local Plan 2012-2026: Protection of Existing Open Space, Sport and Recreational Facilities, which states:

    "Land and buildings currently or last used as, or ancillary to, open space or sports and recreational facilities will be protected unless:
    - *a) Alternative facilities of an equivalent or enhanced standard are provided nearby before the existing facilities cease to be available; or*
    - *b) It can be demonstrated that the loss of the site would not lead to a deficit of provision in the local area in terms of quantity and accessibility; and*
    - *c) The site is not identified as being of high quality and/or high value in the Open Space Study; and*
    - *d) It can be demonstrated that retention of the site is not required to satisfy a recreational need in the local area; and*
    - *e) The site does not make a significant contribution to the character of an area in terms of visual amenity."*

23. A small section of the area of land covered by this policy would be lost to accommodate the western part of the proposed new building and its associated car parking area. The proposal includes substantial enhancements to the rest of the recreation ground, listed earlier within this report. Further, a large section of the land covered by this policy that falls within the proposed development site is currently hardstanding for car parking, footpaths and the community centre which is to be replaced as part of the scheme. It is, therefore, considered that the proposal complies with criterion 'a' of the policy and there is no conflict with the policy as a result.

Design, appearance, and impact upon character of the locality

24. Policy BNE1 of the Chorley Local Plan 2012-2026 states that planning permission will be granted for new development(s) provided that the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ration, height, scale and massing, design, orientation and use of materials.

25. The submitted Design, Access and Planning Statement contains a table at Appendix B which sets-out how the scheme has been designed to accord with the principles of Building for Life 12: Third edition – Jan 2015 (BfL12). This was requested by the case officer during pre-application discussions. BfL12 is endorsed by the government, is cited in the National Planning Policy Framework (Framework) and is managed by three partners - Design Council Cabe, Design for Homes and the Home Builders Federation. Topics covered within BfL12 are connections, facilities and services, public transport, meeting local housing requirements, character, working with the site and its context, creating well defined streets and spaces, easy to find your way around, streets for all, car parking, public and private spaces, external storage and amenity spaces. The applicant has demonstrated that the evolution of the proposal has taken account of the considerations identified within BfL12.

26. With regards to density, that of surrounding dwellings is relatively high, generally with small rear gardens and limited space between the dwellings and the street frontage. There is no maximum density set for apartments within local or national planning policy. Paragraph 122 of the Framework states that planning policies and decisions should support development that makes efficient use of land. Flats and apartments are by their very nature high density and so in its broadest sense are considered acceptable in policy terms.

27. The proposed building is three storeys tall which contrasts with the predominantly two-storey terraced and semi-detached dwellings which characterise the locality. It should be noted however that the majority of the proposed main building would be no taller than the ridge height of the existing bus depot which has a height of 11.4m to ridge. That said, the proposed building would have a much greater mass than the existing building. The proposed building would incorporate a shallow sloping roof with low parapet to reduce the overall scale and to provide interest in the roofline by contrasting with the flat roof bays which articulate the facades. The range of cladding materials used across the scheme breaks down the mass, reducing its overall visual impact. The final selection of materials to be used can be agreed by a suitably worded planning condition attached to any grant of planning permission.

28. With regards to layout, the applicant has stated the following:

- The café and covered external seating area relate to Tatton Recreation Ground to take best advantage of passing trade and attract visitors to the park. The café has a dual aspect onto the pavement and the recreation ground to the front making it a more attractive proposition to potential operators.
- The GP surgery has a public presence onto Eaves Lane whilst being adjacent to the retail pharmacy, hairdressers and winter garden space for the extra care facility. This symbiosis increases the footfall for all concerns.
- The Eaves Lane elevation is seen as a key frontage. It is designed to enliven the streetscape by re-introducing residential development.
- Residential areas relate to those surrounding the site. This ensures that most commercial activities and processes are separated from adjacent neighbouring houses where possible.
- Main site access is from Windermere Road, consistent with the current arrangement that the surrounding infrastructure supports.

29. It is considered that the proposal would integrate well with the surrounding dwellings and represents a vast improvement to the existing dilapidated buildings that are due to be demolished. The improvements to the recreation ground, including the new bowling hut, would also contribute to the visual enhancement of the area. It is considered that the proposal complies with policy BNE1 of the Chorley Local Plan 2012-2026 in respect of design and the proposal represents an efficient use of land.

Impact on neighbour amenity

30. Policy BNE1 of the Chorley Local Plan 2012-2026 states that new development must not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact.

31. There are existing residential dwellings on the opposite side of Eaves Lane (to the east), Silverdale Road (to the west) and Windermere Road (to the south) that face the application site and have habitable room windows within their front elevations. The applicant has taken on-board feedback from pre-application advice discussions and ensured that the proposal complies with the Council's interface distances for such situations by ensuring that areas with windows facing the dwellings on Silverdale Road and Windermere Road serve corridors and communal areas, rather than habitable rooms of apartments or balconies. This maintains the privacy of occupiers of surrounding dwellings.

32. The proposal includes balconies / habitable room windows that would face the side gable elevations of no. 65 Eaves Lane and no. 29 St Annes Road to the north and the rear garden/yard area of these terraced dwellings. The Council's interface distances are maintained in this instance and it is considered that any overlooking of garden /yard areas would be no worse than is already experienced to the rear of the terraces by the opposing properties to the rear.

33. The proposed new main building would inevitably result in some overshadowing and impact on outlook for the occupiers of the dwellings on Windermere Road and Silverdale Road, facing the application site. However, the existing building already causes such impacts to be experienced by occupiers of these dwellings. The proposal would effectively add another storey to the eaves height of the existing building, albeit with a flat roof, rather than the pitched roof of the existing building. Therefore, whilst there would be some harm arising from overshadowing and impact on outlook, this would only be marginally worse than the current situation. Given the orientation of the buildings and the path of the sun, the proposal would not result in any loss of direct sunlight to the occupiers of the dwellings on Windermere Road and only for a short period for those on Silverdale Road by virtue of an increase in roof height of circa. 1m (ridge of existing building compared to eaves of the new building.

34. In summary, whilst the scheme would not result in overlooking or a loss of privacy, there would be some additional overshadowing and impact on outlook. However, it is considered that on balance, the benefits of the proposal in freeing up existing housing stock, promoting investment in the district, redeveloping this run-down site, delivering social and economic benefits (identified later in this report) and securing improvements to the recreation ground outweigh the slight impact caused to residential amenity in the locality.

Contaminated land

35. The applicant's submitted assessment identifies that further site investigations are required once the existing buildings have been demolished. The EA and the Council's waste and contaminated land officer have requested a planning condition be attached to any grant of planning permission requiring a remediation strategy to be submitted to the Local Planning Authority for approval, prior to commencing construction work. This would ensure the site is suitable for the proposed use and it is, therefore, considered that the proposal is acceptable in this regard.

Flood risk and drainage

36. The application site is not located in an area that is at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the Framework and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

37. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. As such the developer should consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

38. It is recommended that a condition be attached to any grant of planning permission requiring a surface water drainage scheme for the site that has been designed in consideration and in accordance with the surface water drainage hierarchy outlined above.

Highway safety

39. Policy ST4 of the Local Plan 2012-2016 sets out the Council's parking standards. There is no specific standard for an extra-care/assisted living facility. Standard apartments require one space for one-bed and two spaces for two-bed apartments (which would require 64 spaces), whereas sheltered accommodation requires one space per three beds (which would require 21 spaces). However, it is not considered that either of these uses accurately reflects the type of development proposed. It is considered that car ownership amongst residents is likely to be low, especially given the location so close to the town centre.

40. The site is well served by local buses, located along Eaves Lane, adjacent to the site. There is an hourly bus service which runs in each direction on a weekday with services also available in the evenings and at the weekends.

41. The proposal includes for 19 dedicated resident, assisted living staff and nursey staff parking spaces (including 3 no. wheelchair user spaces) on site, with electric fob sliding gated access, and allocated to staff and disabled residents, with the remainder offered for private rental to residents of the apartments under a separate negotiation. 28 visitor car parking spaces (including nursery drop-off) are provided adjacent to the Tatton recreation ground and within the entrance plaza and a further 8 visitor and staff spaces (including 1 wheelchair user spaces) for the GP surgery. Also on the ground floor is a garage for two cars with access to Silverdale Road for use as a car club.

42. LCC Highways have requested changes to the site layout with regards to the number and layout of car parking spaces, which have been made by the applicant to the satisfaction of LCC Highways. The application site is in a sustainable location with regards to public transport links and the distance to the town centre and other local amenities. It is considered that the proposal complies with policy ST4 of the Local Plan with regards to the level of parking proposed and there should be no increase in on-street parking as a result of the proposed development.

43. Traffic generation by the proposed development is anticipated to be low. As such, it was agreed with LCC Highways that junction capacity assessment should not be undertaken. However, the proposed development trips to be generated by the combination of travel modes including walking, cycling, public transport users and vehicles were predicted using TRICS based on the proposed uses. The predictions were that during weekday AM peak, the proposed development would generate 31, 2-way vehicle trips and 28, 2-way vehicle trips in the PM peak. One cycle movement would be generated during the AM peak with none generated in the PM peak. In terms of pedestrians, 15, 2-way and 17, 2-way movements respectively were predicted for the AM and PM peaks. 3 and 7, 2-way public transport users were also predicted during the AM and PM peaks respectively.

44. There was a community centre and a bus depot previously on site that generated vehicular traffic, nonetheless, in predicting the proposed development trips within the applicant's assessment, it was assumed that vehicular trips associated with the proposed development would be new and as such no adjustments were made to take account of the previous trips. Yet, as the above figures show, the predicted proposed development trips were low.

45. The forecast however predicted increases in pedestrian movements and movements of public transport users, but as a signalised controlled crossing is proposed outside the site on Eaves Lane, it was considered that the any adverse effects of the increase would be mitigated.

46. The following off-site improvements / contributions have also been requested by LCC Highways and agreed with the applicant, following negotiations. These would be secured via a S278 agreement between the applicant and LCC Highways, apart from the Travel Plan monitoring fee which would form a S106 agreement between Chorley Council and the applicant.
    - Provide a new Puffin Crossing outside the site on Eaves Lane to include associated tactile pavings at a suitable location to be agreed as part of the s278 works.
    - A long section of the existing footway in front of the site is currently dropped to provide vehicle accesses associated with the previous use as a bus depot. The footway should be reinstated to its original level to include new kerb realignments.
    - If removal of the existing pedestrian refuge in front of the site is considered necessary as a result of the proposed Puffin Crossing, then this would be removed together with its associated beacon, illuminated bollards, signs, disconnection of the power supply and the reinstatement of the affected section of carriageway.
    - Carry out improvements to the bus stop outside the site on Eaves Lane and two on Brook Street opposite Worthy Street and to the east of Worthy Street. The bus stop improvements should be carried out to quality disability compliant standard to include, raised kerbs and boarding areas; bus stop bays and worded markings; clearways etc. The improvement to the bus stop outside the site should include provision of shelter.
    - Make any necessary alterations to carriageway markings in front of the site and its immediate vicinity.
    - Improve the corner radii of the junction of Eaves Lane and Windermere Road to 6.0m and install dropped kerbs and tactile pavings at the following locations.
        - Eaves Lane/Lytham Street
        - Eaves Lane/Windermere Road
        - Eaves Lane/The Brookes
        - Eaves Lane/Crosse Hall Lane
        - Eaves Lane/Owens Street
        - Eaves Lane/ Frederick Street
    - A section of the existing footway to the side of the site is dropped to provide vehicle access associated with the previous use as a bus depot. The footway should be reinstated to its original level to include new kerb realignments.
    - Provide dropped kerbs and tactile pavings at the following locations.
        - Lytham Street/St Annes Road Rear 1-20
        - Lytham Street/St Annes Road
        - Lytham Street/St Silverdale Road
        - All crossing points at Lytham Street/Southport Terrace including the gated entrance to the Recreation Ground. The existing entrance gate should be widened to no less than 1.5m to accommodate wheelchair users.
    - Provide dropped crossing and tactile pavings at the access adjacent nos. 1 and 5 Windermere Road.
    - A £6000 contribution to be paid to LCC Highways. Whilst the applicant is responsible for producing and implementing the Travel Plan, as part of the paid support, LCC Highways would provide the following services:
        - Appraise initial Travel Plan(s) submitted to the Planning Authority and provide constructive feedback.
        - Work closely with the Developer's appointed Travel Plan Coordinator, the end user where appropriate, local community groups etc.
        - Oversee the progression from the Framework Travel Plan to Full Travel Plan in line with agreed timescales.
        - Monitor and support the development, implementation and review of the Full Travel Plan, which would include reviewing, annual surveys, progression of initiatives / actions plan and targets.

47. In light of the above, the proposal is considered to be acceptable in terms of traffic and transportation impacts.

Affordable housing

48. Policy 7 of the Core Strategy sets out a 30% requirement for affordable or special needs housing for developments in urban parts of Chorley. The development is for 100% extra-

care accommodation which is a form of special needs housing. The proposal is, therefore, in accordance with this policy.

49. Policy 7 also requires special needs housing, including extra care accommodation, to be well located in communities in terms of reducing the need to travel to care and other service provision and a proportion should be affordable. The proposed development is located just east of Chorley town centre close to shops and other local services.

50. The mix of dwellings is provided to cater to independent over 55s, either in retirement, or looking to retire, looking to downsize from current housing stock into more modern and flexible housing that requires minimal effort to adapt to increasing care requirements over time. This would free up existing housing stock, potentially encouraging new residents to the area, increasing the overall diversity of the local area, as well as promoting investment in the district.

Sustainability

51. Policy 27 of the Core Strategy requires new buildings to be rated as 'Very Good' according to the Building Research Establishment's Environmental Assessment Method (BREEAM). The proposal includes sustainable building practices and energy efficiency measures such as solar PV to the roof. The applicant has committed to meeting the required Very Good standard and this could be secured by planning condition.

Public open space (POS)

52. Policy HS4 of the Chorley Local Plan 2012 – 2026 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided.

53. Normally financial contributions towards the cost of green space and playing pitches are required for a development of this size in this location. However, the proposal is not considered to be open market housing, but rather specialist accommodation, primarily for people over 55 requiring some element of care. Additionally, a ground floor courtyard and first and second floor residents' terraces are to be provided as part of the scheme. It is not, therefore, considered to be a type of development that is required to make such a contribution.

Economic and social impacts

54. The Central Lancashire Employment Skills Supplementary Planning Document (SPD) (September 2017) requires an applicant to submit an Employment Skills Statement in association with certain types of development. The SPD has been driven by the authorities' aspiration to see additional benefits (known as social value) incorporated into their housing and other development opportunities. The SPD provides planning guidance in relation to the preparation of the Employment Skills Statements which supports the implementation of Core Strategy Policy 15: Skills and Economic Inclusion. If a development exceeds the thresholds the Council will adopt a flexible and a pragmatic approach, if, for example, the company developing already has an appropriate training regime in place. In such circumstances, supporting information to demonstrate the company's existing regime will need to be submitted.

55. The applicant has submitted a social value report that formed part of the bid process for the delivery of the proposed scheme and a separate supporting response to the Council's request for an Employment Skills Statement. Together, these documents demonstrate the social and economic benefits of the proposal and the key points are summarised below (relating to the construction of the project):

- employment, training and supervision of apprentices and work experience placements would be part of every main sub-contractors' scope of services
- all job opportunities would go through local agencies in the first instance, to target local residents

- Eight employability focussed placements would be offered which are essentially work trials for those who need the opportunity to showcase or build skills for future employment opportunity
- All new jobs and apprenticeships would be underpinned by training, focussing on training locally wherever possible, using local college or training providers (e.g. Runshaw College) for provision of NVQs
- Ten work experience placements offered to local people under the age of 24, focused on building young peoples' knowledge on careers and how to succeed in the workplace
- Would engage with local schools throughout the project which would include visits to schools, poster competitions, site visits for the children and any other initiatives to promote the built environment and stimulate young peoples' minds about construction and the environment
- 75% local labour, through utilisation of the existing local businesses on list and the growth of local supplier lists through meet the buyer events
- 50 hours of community support, 20 career workshops, 10 hours of social prescribing support, approx. £250k spend with LifeScape and 6 upskilling sessions
- Social value generated for Chorley calculated using National Social Value Themes, Outcomes and Measures (TOMs) will be £4,797,219.12.

Community Infrastructure Levy

56. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development would be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

CONCLUSION

57. The proposal involves an appropriate form of development within a sustainable location and would provide much needed housing which would benefit the Borough as a whole. No unacceptable impacts have been identified that would outweigh the benefits of the proposal. As such the application is recommended for approval, subject to conditions and a S106 agreement to secure a £6,000 contribution be paid to Lancashire County Council for monitoring the Travel Plan for the site.

RELEVANT HISTORY OF THE SITE

Ref: 20/00824/DEMCON **Decision:** PERDEM **Decision Date:** 11 September 2020
Description: Application for prior determination for the proposed demolition of buildings associated with the former Stagecoach depot

Ref: 89/00010/FUL **Decision:** PERFPP **Decision Date:** 24 February 1989
Description: Widening of access gate

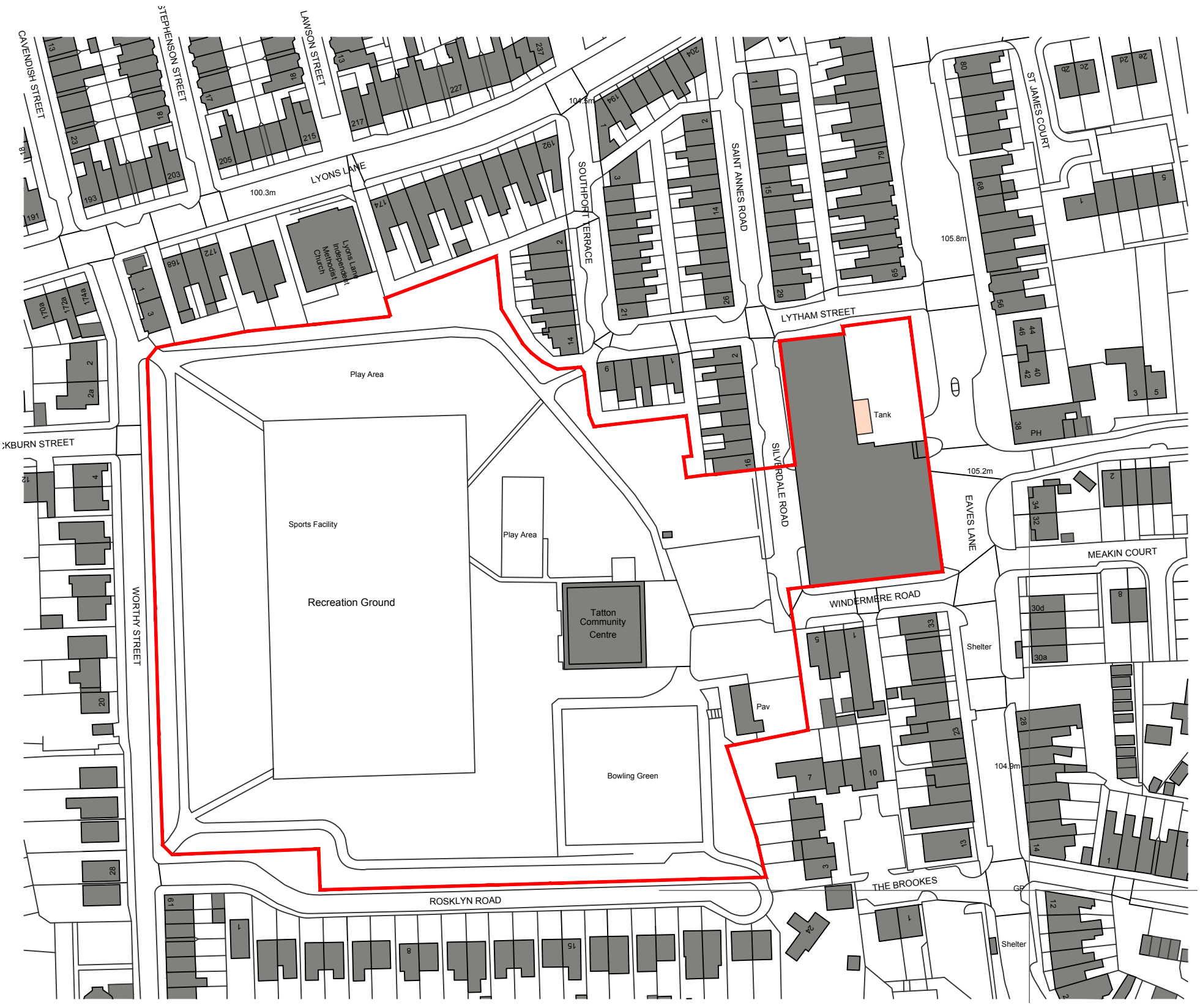
Ref: 79/00416/FUL **Decision:** PERFPP **Decision Date:** 21 May 1979
Description: Upgrading existing omnibus depot

Ref: 75/00494/FUL **Decision:** PERFPP **Decision Date:** 24 September 1975
Description: Demolishing cottages Nos. 51, 53, 55 and 57 Eaves Lane and use of land as temporary bus park

RELEVANT 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.

Suggested conditions

To follow.



Revision	Date	By	Remarks

TRIANGLE ARCHITECTS
Tel: 0161 272 3500
E-mail: studio@trianglearchitects.co.uk
Web: www.trianglearchitects.co.uk
Twitter: @TriangleArch
Raven House,
113 Fairfield Street,
Manchester,
M12 6EL
©TRIANGLE ARCHITECTS LIMITED

Client:	Chorley Council								
Project:	Tatton Development								
Drawing Name:	Location Plan								
Date:	Scale @A3:	Project Number:	Drawing Number:				Drawing Purpose:		Revision:
07/2020	1:1250	20-023	101				Planning		
Drawn: / Checked:	Status:	Project / Originator	Vol/Sys	Level	Type		Role	Number	
HR		XX - XX - XX - XX - XX - XX - XX							

This page is intentionally left blank

Chorley Council

Planning Committee Meeting

3 November 2020

Item 3e

20/00835/CB3MAJ

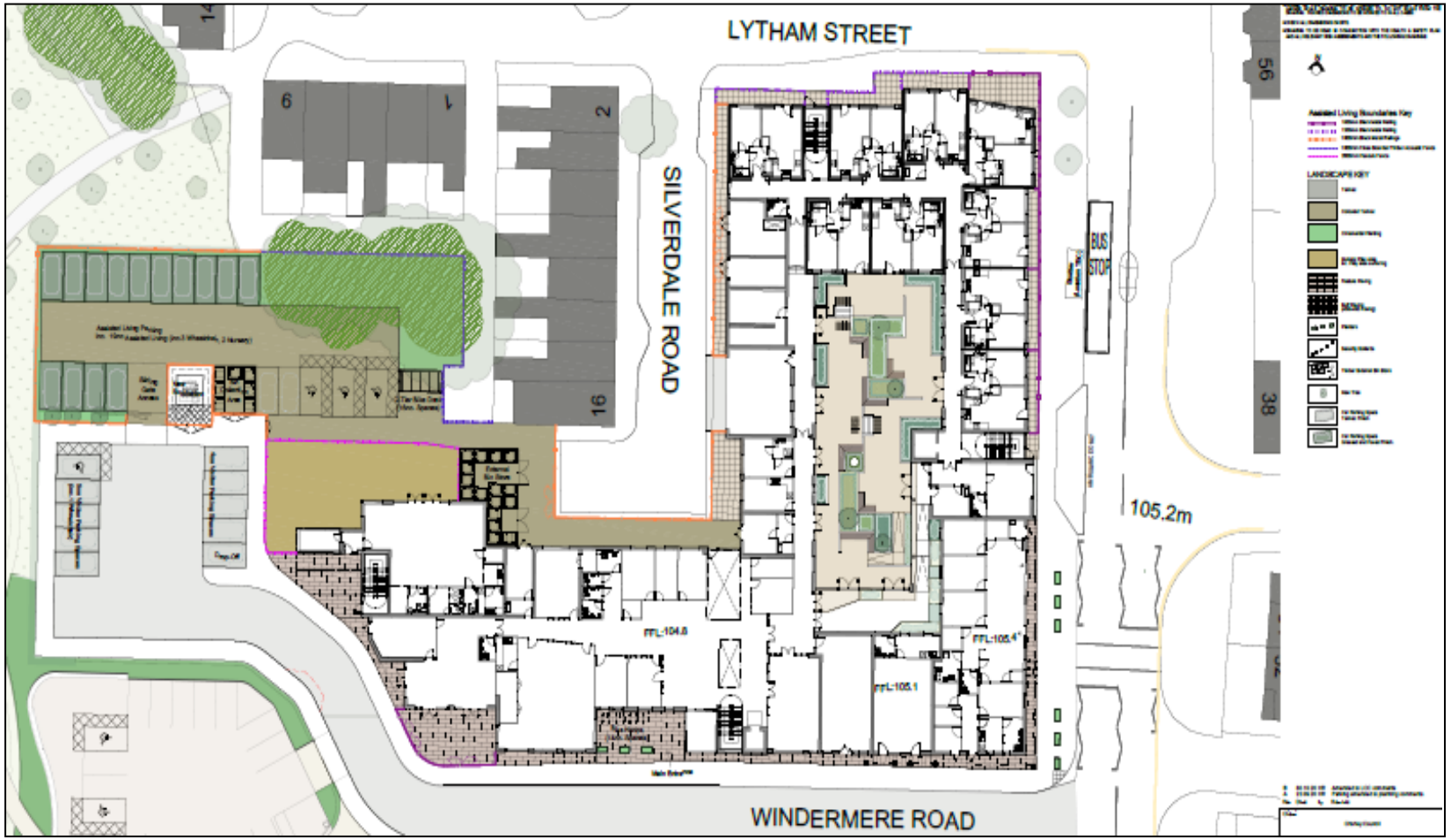
Stagecoach North West, Ribble Motor Services Bus Depot, Eaves Lane

Erection of building comprising 62 assisted living apartments (Use Class C3) with community facilities including Community Centre (Use Class D1), Nursery (Use Class D1), café (Use Class A3) and hair salon (Use Class A1) and 2no. units designed as a GP surgery (Use Class D1) and a Pharmacy (Use Class A1), regeneration of existing recreation ground and construction of bowling club facility following demolition of nursery, community centre and bowling club hut

Location Plan

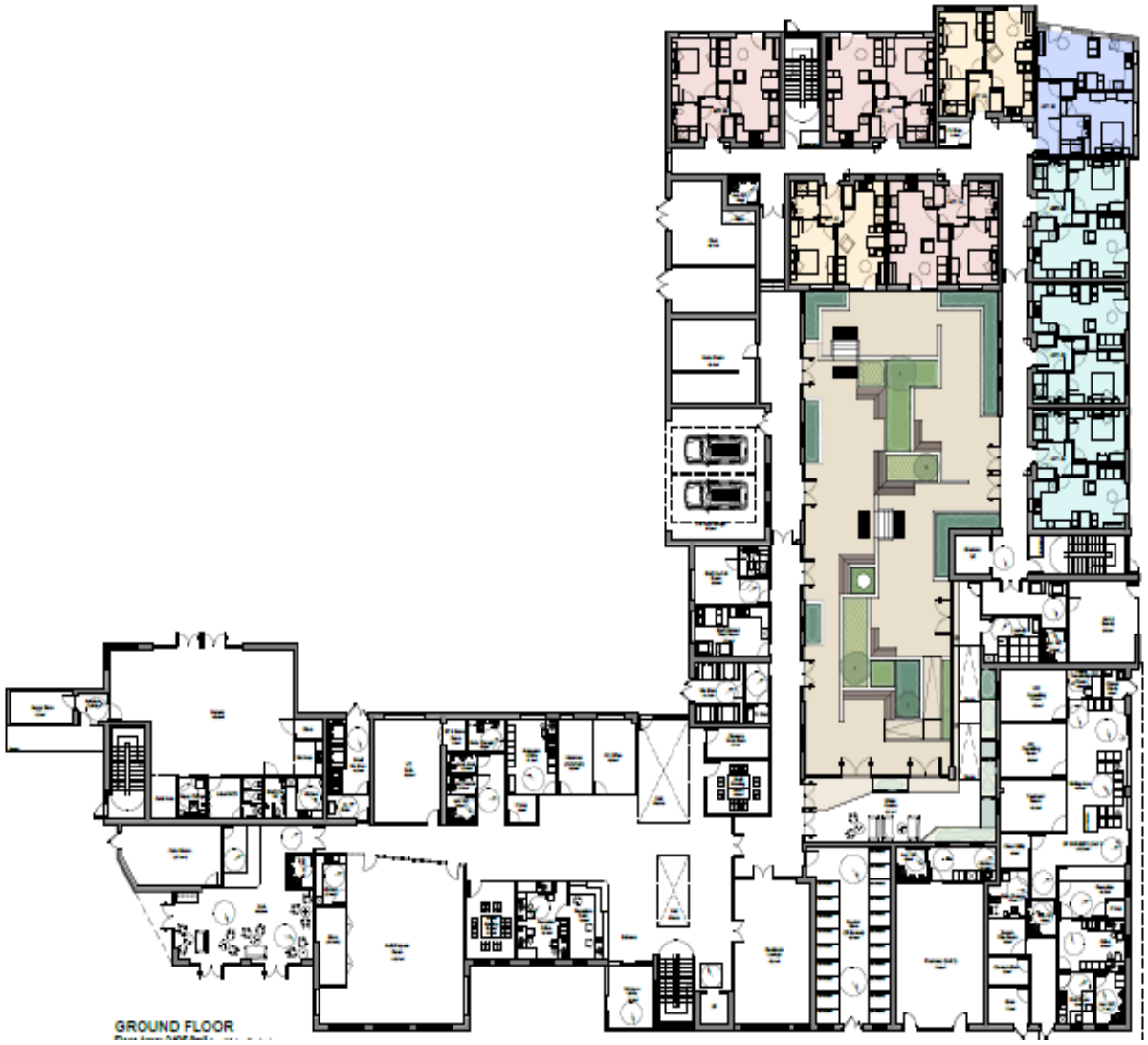
Site Masterplan

Assisted living plan



Landscape Masterplan

Assisted living ground floor plan

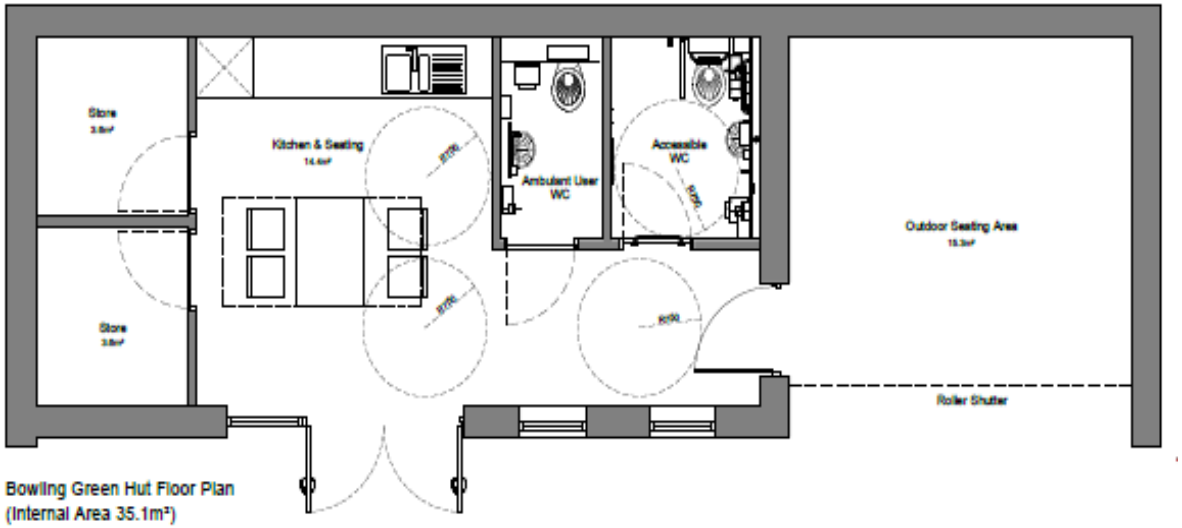


Assisted living first floor plan

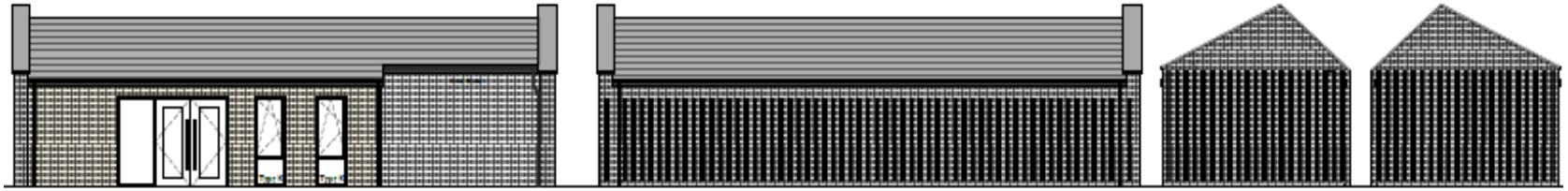
Assisted living second floor plan

Street elevations

Bowling hut



Bowling Green Hut Floor Plan
(Internal Area 35.1m²)



Elevation 1 | Elevation 2 | Elevation 3 | Elevation 4

Visualisations

JUNCTION OF EAVES LAND AND WINDERMERE ROAD

JUNCTION OF EAVES LAND AND LYTHAM STREET

Visualisations

MAIN ENTRANCE WINDERMERE ROAD

JUNCTION OF LYTHAM STREET AND SILVERDALE ROAD

COURTYARD VIEW FROM SECOND FLOOR

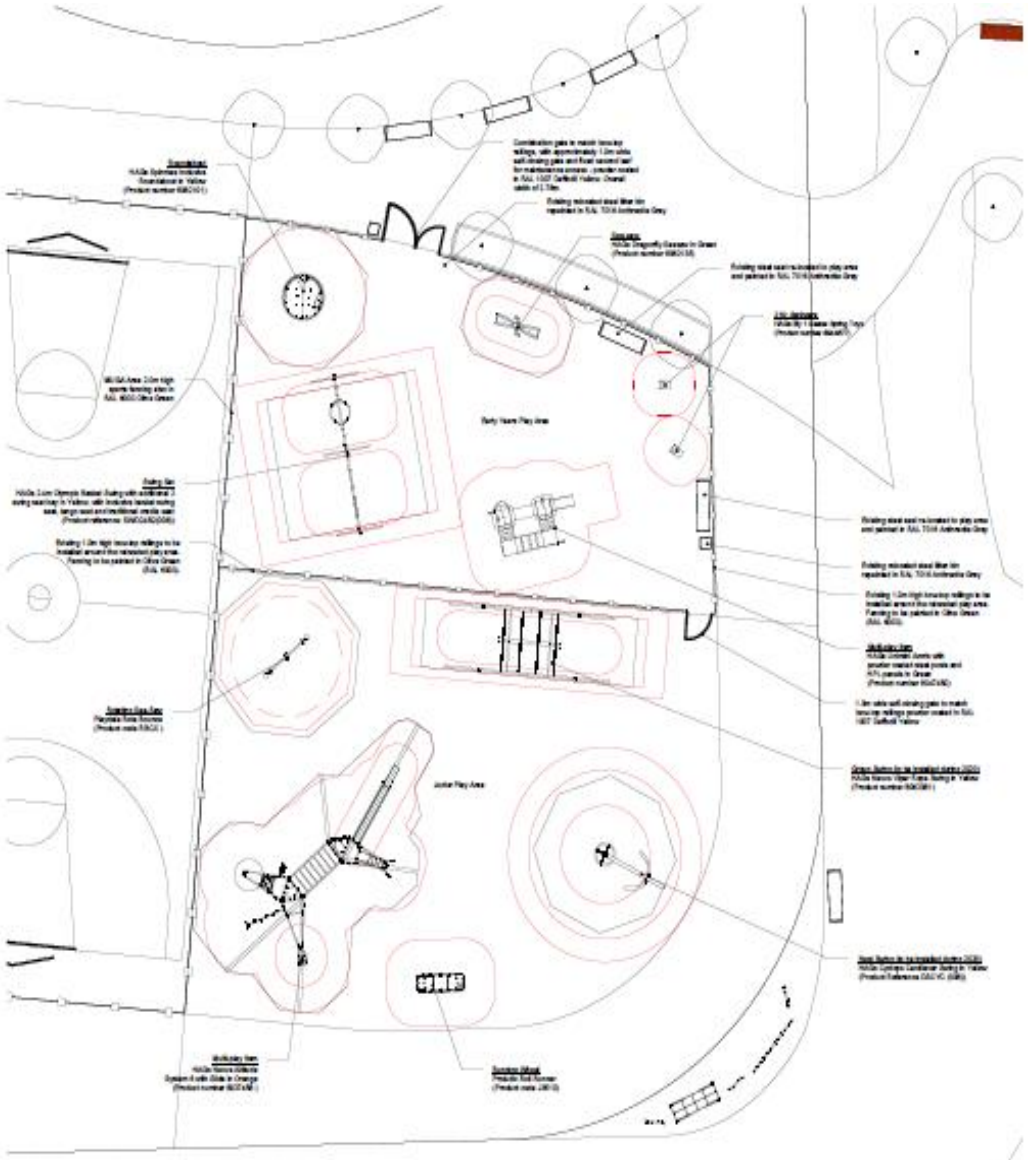
VIEW FROM RECREATION GROUND

SITE AXO

Visualisations

COURTYARD VIEWS

Play area layout



Tatton Assisted Living

Play Area Layout

08223.007

1:100 @ A1

24/07/2020

CAH | GDA | GDA

Site photo from Eaves Lane

Site photo from Eaves Lane

Site photo from Lytham Street

Site photo – from site boundary facing west down Lytham Street

Site photo – facing south down Silverdale Road

Site photo – properties on Silverdale Road

Site photo – from near park entrance on corner of Silverdale/Windermere Road

Site photo – properties on Windermere Road

Site photo – existing bowling hut to be demolished

Site photo – existing community centre to be demolished

Site photo – existing park

Site photo – existing park

Site photo

Site photo

Site photo

COMMITTEE REPORT		
REPORT OF	**MEETING**	**DATE**
Director (Customer and Digital)	Planning Committee	3 November 2020

ADDENDUM

ITEM 3e - *20/00835/CB3MAJ – Stagecoach North West*

The recommendation remains as per the original report.

Additional representations have been received from two of the individuals who had already objected to the proposal. Their further objections are on the basis that the proposal is being rushed through with insufficient consultation having taken place, referring to meetings having been cancelled due to the Covid pandemic.

In response to the above, the Council has fulfilled its statutory duty by erecting a site notice, advertising the proposal in the local newspaper and having sent letters to over 200 local residents.

United Utilities have provided a further response to withdraw their previous objection and have suggested conditions to be attached to any grant of planning permission.

The following conditions are recommended*:*

<table>
<tr><th>No.</th><th>Condition</th></tr>
<tr><td>1.</td><td>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.</td></tr>
<tr><td>2.</td><td>The development hereby permitted shall be carried out in accordance with the approved plans below:

<table>
<tr><th>Reference</th><th>Title</th><th>Received</th></tr>
<tr><td>Proposed Site Plan: Roof Plan</td><td>105 Rev A</td><td>30 October 2020</td></tr>
<tr><td>Proposed Site Plan: Assisted Living Development</td><td>104 Rev B</td><td>30 October 2020</td></tr>
<tr><td>Proposed Site Plan: Masterplan</td><td>103 Rev A</td><td>30 October 2020</td></tr>
<tr><td>Park Masterplan</td><td>D8223.005</td><td>6 August 2020</td></tr>
<tr><td>Play Area Layout</td><td>D8223.007</td><td>6 August 2020</td></tr>
<tr><td>Fencing Details</td><td>D8223.008</td><td>6 August 2020</td></tr>
<tr><td>Lighting & Street Furniture</td><td>D8223.009</td><td>6 August 2020</td></tr>
<tr><td>Courtyard General Arrangement</td><td>D8223.006</td><td>6 August 2020</td></tr>
<tr><td>Location Plan</td><td>101</td><td>6 August 2020</td></tr>
</table>
</td></tr>
</table>

	Street Elevations - Sheet 1	133	6 August 2020
	Assisted Living Proposed Elevations: Sheet 1	130	6 August 2020
	Assisted Living Proposed Elevations: Sheet 2	131	6 August 2020
	Bowling Green Hut: Plans & Elevations	127	6 August 2020
	Assisted Living Proposed Floor Plans GA - Level GF	110	6 August 2020
	Assisted Living Proposed Floor Plans GA - Level 1	111	6 August 2020
	Assisted Living Proposed Floor Plans GA - Level 2	112	6 August 2020
	Assisted Living Proposed Plans GA - Roof Plan	113	6 August 2020
	Apartment Type A - 1B2P	120	6 August 2020
	Apartment Type B - 1B2P	121	6 August 2020
	Apartment Type C - 1B2P	122	6 August 2020
	Apartment Type D - 1B2P	123	6 August 2020
	Apartment Type G - 1B2P	124	6 August 2020
	Apartment Type H - 2B3P	125	6 August 2020
	Guest Room Plan	126	6 August 2020

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the construction of the superstructure of any part of the building samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure that the materials used are visually appropriate to the locality.

4. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building finished floor 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 be carried out strictly in conformity with the approved details.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.

5. During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.

Reason: To safeguard the trees to be retained.

6. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
- o all previous uses
- o potential contaminants associated with those uses
- o a conceptual model of the site indicating sources, pathways and receptors

	o potentially unacceptable risks arising from contamination at the site 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site. 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved. *Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework. To prevent deterioration of a water quality element to a lower status class in the secondary aquifer.*
7.	Any buildings hereby permitted over 500m² shall be constructed to achieve a minimum Building Research Establishment (BREEAM) standard of 'very good'. Within 6 months of occupation of each building a 'Post Construction Stage' assessment and a Final Certificate shall be submitted to the Local Planning Authority certifying that a BREEAM standard of 'very good' has been achieved for that building or phase. *Reason: In the interests of minimising the environmental impact of the development.*
8.	No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include: (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water; (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and (iii) A timetable for its implementation. The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The development hereby permitted shall be carried out only in accordance with the approved drainage scheme. *Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.*
9.	Foul and surface water shall be drained on separate systems. *Reason: To secure proper drainage and to manage the risk of flooding and pollution.*

10.	No building demolition or works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority. *Reason: Wild birds and their eggs are protected under Part 1 of the Wildlife and Countryside Act 1981, which makes it illegal to kill or injure a bird and destroy its eggs or its nest whilst it is in use of being built.*
11.	A precautionary method statement for bats (as per paragraph 5.2 of the submitted bat survey) for the removal of the pavilion/bowling hut roof should be followed. If work to this building has not commenced by May 2021 then an updated bat activity survey shall be undertaken and submitted to the LPA approval prior to works commencing, given the mobile nature of bats and the roosting features present in the building. *Reason: In the interest of safeguarding a protected species from harm.*
12.	Prior to the commencement of development, a scheme for the landscaping of the development and its surroundings shall be submitted and approved in writing by the Local Planning Authority. These details shall include 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, proposed finished levels, means of enclosure, minor artefacts and structures. The scheme should include a landscaping/habitat creation and management plan which should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area. Provision for roosting bats (as identified at paragraphs 5.5.4-5.5.7 of the submitted ecology report) and nesting birds (as identified at paragraphs 5.6.3-5.6.5 of the submitted ecology report) should be incorporated into the proposals. All hard and soft landscape works shall be carried out in accordance with the approved details within 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. *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.*
13.	Prior to its installation, full details of the lighting for the site should be submitted to and approved in writing by the Local Planning Authority. The lighting scheme must be designed to minimise the impact on nocturnal wildlife such as bats. The lighting shall be designed in line with best practice guidance and following the recommendations in paragraph 5.2.3-5.2.5 of the submitted ecology report. The development thereafter shall be completed in accordance with the approved details. *Reason: In the interests of the amenity of residents and the safeguarding of nocturnal wildlife from harm.*

14.	A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following. a) Description and evaluation of features to be managed. b) Ecological trends and constraints on site that might influence management. c) Aims and objectives of management. d) Appropriate management options for achieving aims and objectives. e) Prescriptions for management actions. f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period). g) Details of the body or organization responsible for implementation of the plan. h) Ongoing monitoring and remedial measures. The LEMP shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management body responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details. *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.*
15.	Any works undertaken to clear rhododendron from the site shall be done in accordance with paragraph 5.4.2 of the submitted ecology report. *Reason: To avoid the spread of invasive species.*
16.	No part of the development hereby approved shall commence, other than demolition works, until a scheme for the construction of the site access and the off-site works of highway improvements referred to below have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Prior to the first occupation of any part of the development, construction of the site access and all the highway works shall have been completed in accordance with the approved scheme details to include: - Installation of Puffin Crossing and associated tactile pavings outside the site on Eaves Lane. - Improvement to the north-bound bus stop outside the site on Eaves Lane to include provision of bus shelter, raised kerbs, boarding platforms, bus stop bay and worded carriageway markings, signs and clearways. - Improvement to the two bus stops on Brooke Street closest to its junction with Worthy Street (one east bound and one west bound), to include provision of raised kerbs, boarding platforms, bus stop bay and worded carriageway markings, signs and clearways. - Reinstatement of the footways in front of the site on Eaves Lane from Windermere Road to Lytham Street and to the side of the site on Lytham Street from Eaves Lane to Silverdale Road. The footway reinstatements to include new kerb realignments. - Removal of the existing pedestrians' refuge and its associated lighting, illuminated bollards and signage and reinstatement of the carriageway (The removal of the pedestrian refuge and its associated works shall only be carried out if deemed by the s278 Officer as necessary to make way for the installation of the proposed Puffin Crossing). - Alteration to existing road markings on Eaves Lane as may be necessary due to the proposed installation of the Puffin Crossing.

	- Installation of dropped kerbs and tactile pavings at the following crossing points on Eaves Lane. - Eaves Lane/The Brookes - Eaves Lane /Frederick Street - Eaves Lane/Owens Street - Eaves Lane/Windermere Road - Eaves Lane/Crosse Hall Lane - Eaves Lane/Lytham Street. - Installation of dropped kerbs and tactile pavings at the following crossing points on Lytham Street. - Lytham Street/Silverdale Road - Lytham Street/St Annes Road - Lytham Street/Southport Terrace - Lytham Street/Silverdale Road - End of footways outside 9 Lytham Street and 14 Southport Terrace. *Reason: 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 and in order to improve the accessibility of the site and ensure that residents of the development have satisfactory access to services and facilities.*
17.	No part of the development hereby approved shall commence until a scheme for the stopping-up of the section(s) 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. Prior to the first occupation of any part of the development the stopping-up of the highway shall have been completed in accordance with the approved scheme details. *Reason: In order to ensure the proper development of the application site and as the grant of planning approval does not override other legislation.*
18.	No development shall be commenced until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed. *Reason: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.*
19.	No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established. *Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.*
20.	The new access road between the site and Eaves Lane (Windermere Road extension) shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

	Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.
21.	Before the use of the site hereby permitted is brought into operation and for the full period of construction, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site. The roads adjacent to the site shall be mechanically swept as required during the full construction period. *Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.*
22.	The car parking spaces on the site shall be surfaced or paved, drained and marked out all in accordance with the approved plan before they are first occupied. The car parks 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.*
23.	Prior to the commencement of development, a Construction Environment Management Plan (CEMP) shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for: - the parking of vehicles of site operatives and visitors. - hours of operation (including delivers) during construction. - loading and unloading of plant and materials. - storage of plant and materials used in constructing the development. - siting of cabins. - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate. - wheel washing facilities. - measures to control the emission of dust and dirt during construction. - a scheme for recycling/disposing of waste resulting from demolition and construction works. *Reason: In the interest of highway safety and to protect the amenities of the nearby residents.*
24.	Residential baseline surveys shall be undertaken within 3 months of first occupancy of any dwelling, and employee baseline surveys shall be completed once any of the non-residential units first become occupied. A residents' travel shall have been carried out within 3 months of 75% occupation of the dwellings hereby permitted and employees travel survey shall have been carried out within 3 months of 75% occupation of the buildings hereby permitted and a Full Travel Plan shall have been submitted for written approval of the Local Planning Authority within 3 months of the residential or commercial travel surveys, whichever is the earlier. As a minimum, the Full Travel Plan shall include: i. The contact details of the Travel Plan Co-ordinator (s) for both the residential and commercial elements of the site including whether they will be part or full-time and how long they will be in post. ii. The results of the residents travel survey. iii. Details of cycling, pedestrian and public transport links to and through the site. iv. Details of the provision for cycle parking for any properties where suitable space is not available within the curtilage. v. The Objectives of the plan. vi. SMART (Site specific, Measurable, Achievable, Realistic and Time-related)

	Targets for non-car modes of travel using baseline data from the residents' survey. vii. A detailed action plan for the introduction of the proposed measures, including marketing and promotion. viii. Details of the arrangements for monitoring and review of the Travel Plan for a period of at least five years. ix. A review of both national and local policies relating to travel plans and sustainable travel. The Travel Plan shall be implemented as approved. *Reason: To promote and provide access to sustainable transport options.*

APPLICATION REPORT – 20/00861/CB3MAJ

Validation Date: 13 August 2020

Ward: Astley And Buckshaw

Type of Application: Major Chorley Regulation 3

Proposal: Erection of 6no. buildings comprising use classes B1 (A - offices, B - research and development, C - light industrial), B2 (general industrial) and B8 (storage and distribution) with associated works

Location: Land To The Rear Of Brookfield Alker Lane Euxton

Case Officer: Mr Iain Crossland

Applicant: Chorley Council

Agent: Fletcher RAE UK LTD

Consultation expiry: 3 November 2020

Decision due by: 12 November 2020

RECOMMENDATION

1. It is recommended that the application is approved subject to conditions and a s106 agreement in relation to the monitoring of the travel plan.

SITE DESCRIPTION

2. The application site is located to the immediate east of Alker Lane and north of Euxton Lane in Chorley and forms part of an employment allocation as defined by the Chorley Local Plan 2012-2026. The site comprises approximately 2.97 hectares of greenfield and previously developed land and consists of an area of grassed land, along with some hardstanding at the north of the site, which was being used by Network Rail as a temporary compound.

3. The site is bound to the north by the Manchester to Preston railway line, with the western site boundary formed by Alker Lane. There is a large area of employment development beyond the railway line to the north of the site at Revolution Park, which is characterised by large-scale warehouses. Further to the north / west is the major strategic development site that is Buckshaw Village.

4. The nearest residential properties (Brookfield and Ingholme) are located outside of but directly adjacent to the south west boundary of the application site, to the north of Euxton Lane.

5. The site to the immediate east of the site was granted planning permission for a mixed-use development including residential dwellings, industrial and employment units, a specialist care home facility, local convenience store, public house and medical centre in December 2015 (Ref. 15/00224/OUTMAJ). Reserved matters consent was granted in May 2020 (Ref. 19/01099/REMMAJ) and this site is currently being developed.

6. Access into the site is currently via an existing field gate on Euxton Road to the south, and via Alker Lane to the west, which is a road under private ownership that currently serves the Network Rail depot at the northern end of the site. As part of the neighbouring Strawberry

Fields development a spine road has been constructed through the site to connect into the subject application site.

7. There are several trees within the site boundary, primarily around the perimeter and in the north east corner of the site and the topography across the site is characterised by a gentle fall to the south east corner.

8. The site is located on the outskirts of the main urban area of Chorley in the Astley and Buckshaw ward, approximately 700 metres from Buckshaw village (to the north west of the site) and approximately 1.6 kilometres from Chorley town centre. The immediate area has evolved over the last two decades such that the site is now surrounded by a mix of residential and commercial employment uses.

DESCRIPTION OF PROPOSED DEVELOPMENT

9. This application seeks full planning permission for the erection of 6no. buildings comprising use classes B1 (A - offices, B - research and development, C - light industrial), B2 (general industrial) and B8 (storage and distribution) with associated works. The application proposes 33 individual units across 6 blocks. In total, the accommodation would provide 8,455m.sq. of gross internal floor area, as follows:
BLOCK A - 2,735m2 - Units 1 to 7 (B2/B8 with flexible B class use mezzanine).
BLOCK B - 1,220m2 - Units 8 to 11 (B2/B8 with flexible B class use mezzanine).
BLOCK C - 2,595m2 - Units 12 to 16 (B2/B8 with flexible B class use mezzanine).
BLOCK D - 1,100m2 - Units 17 to 19 (Hybrid units, with B2 at ground and B1 offices at first floor).
BLOCK E - 315m2 - Units 20 to 27 (B1/B2/B8 multi use business units).
BLOCK F - 490m2 - Units 28 to 33 (B1/B2/B8 multi use business units).

REPRESENTATIONS

10. Representations have been received from the occupiers of 3no. addresses citing the following grounds of objection:
    - Urbanising impact of the development on the character of the area
    - Wildlife impacts
    - Impact on residential amenity through noise and disturbance from the site and potential use of Alker Lane
    - Blocks E and F would be built over a septic tank serving Brookfield & Ingholme
    - The bund and fence would be oppressive to neighbour amenity
    - It is queried who would maintain the fence and how would residents access their own fencing
    - The development will no longer be commercially viable as a result of the Covid pandemic
    - Highway safety and capacity impacts

CONSULTATIONS

11. Euxton Parish Council: Comment that the plans do not explain the changed emphasis of the exit on to Alker Lane from the new site. The Council has concerns of the consequences of changing the access arrangements and the effect to the junction of Alker Lane with Euxton Lane.

    Flooding is prevalent in this area and this site increases the likelihood, impact and frequency of flooding on Euxton Lane and Euxton Brook. Euxton Brook is often subject to flooding and measures have been put in place to protect the houses close by but this site will add to the risk. It is not clear from the flood report that the additional flood risks, brought by the site, have been dealt with in this area and the houses will be protected.

12. Regulatory Services - Environmental Health: Any comments will be reported on the addendum.

13. Cadent Gas: No comments have been received.

14. Greater Manchester Ecology Unit: Have no objection.

15. Waste & Contaminated Land: Have confirmed that they have no comments to make.

16. Lancashire County Council Highway Services: Comment that the proposed development is acceptable in principle.

17. Lead Local Flood Authority: Have no objection subject to conditions.

18. United Utilities: Have objected on the basis that assets may need to be diverted to enable the development.

PLANNING CONSIDERATIONS

Principle of development

19. The National Planning Policy Framework (the Framework) set out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

20. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

21. a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

22. b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

23. c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

24. At the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).

25. For decision-taking this means:
approving development proposals that accord with an up-to-date development plan without delay; or
where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

26. Paragraph 80 of the Framework covers Building a Strong Competitive Economy and states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support

economic growth and productivity, taking into account both local business needs and wider opportunities for development.

27. It is noted that policy 1(b) of the Central Lancashire Core Strategy, seeks to encourage Growth and investment in the Key service centre of Chorley Town focussing on the regeneration of the Town Centre (as defined by Policy 11) but with some greenfield development.

28. The Chorley Local Plan 2012-2026 allocates specific sites for development or protection in accordance with the policies and general locations for development as set out in the Central Lancashire Core Strategy 2012. The Local Plan meets Chorley's development needs to 2026 and includes policies to either protect sites or guide the way they are developed.

29. The application site is located within the settlement boundary of Chorley, as defined by Policy V2 of the Local Plan. Within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development, subject to material planning considerations and the other Policies and Proposals within this Plan.

30. Policy EP1 of the Chorley Local Plan 2012 - 2026 sets out the approach to employment allocations. The application site is covered by allocation EP1.5 – North of Euxton Lane along with the Strawberry Fields site that is currently under construction to the east (13.1ha in total). This means that the site is allocated and protected for uses falling under Use Classes B1, B2 and B8. The development proposes employment uses comprising offices, research and development and light industrial (Use Class B1), general industrial (Use Class B2) and storage and distribution (Use Class B8), which fits within the specifications of the allocation.

31. Further to this it is noted that outline planning permission for employment development comprising of Office (Use Class B1), Light industrial (Use Class B1) and General Industrial (Use Class B2) uses with all matters reserved apart from access was approved in June 2019 and remains extant.

32. Given that the proposed development meets with the uses identified by policy EP1 of the Chorley Local Plan 2012-2026 and the presence of an extant planning permission of this nature having already been approved the proposal is considered to comply with the above policies and is considered acceptable in principle.

33. Policy EP3 of the Chorley Local Plan 2012-2026 provides guidance for the development of new business development. This policy sets out a number of criteria to be satisfied by such proposals. The most relevant criteria to this proposal are set out and assessed as follows:

34. *a) they are of a scale and character that is commensurate with the size of the settlement;*
The proposed development is of a scale that is commensurate with the area of the application site and existing buildings on the industrial estate to the north and that which is being developed out to the east. The scale of development varies, reducing in scale towards Euxton Lane with the larger buildings to the north of the site closer to the railway line and existing large buildings beyond. The design and character would be of a modern functional style reflective of the recent developments to the north and ongoing development to the east. This is an appropriate design response to the site and its surroundings.

35. *b) the site is planned and laid out on a comprehensive basis;*
This parcel of the employment allocation would be developed on a comprehensive basis accounting for access, parking and servicing requirements, landscaping and site constraints, whilst balancing this with an effective and efficient use of the allocation.

36. *c) the site will not prejudice future, or current economic activities within nearby areas;*
There is no evidence to suggest that the proposed development would prejudice future, or current economic activities within nearby areas and the site is allocated for the use proposed, therefore, the proposal seeks to fulfil the planned development for the area;

37. *d) the proposal will not cause unacceptable harm e.g. noise, smells to surrounding uses;*
It is noted that there is currently a range of noise generating sources around the site, most notably traffic passing along Euxton Lane to the south and the railway line to the north. A noise report has been submitted in support of the proposed development, which considers that an acoustic barrier of 3.3m in height would be required in order to mitigate the likely noise impacts associated with the proposed development relative to background noise levels. It is proposed to construct a landscaped bund with acoustic fence on top around the two most affected residential properties at Brookfield and Ingholme. This is considered to be an adequate form of mitigation and on the basis that this is included within the development it is considered that there would be no unacceptable harm from noise in relation to surrounding uses. It is recommended that a condition by attached to any grant of planning permission in relation to the provision and retention of the bund and fence.

38. *e) the site has an adequate access that would not create a traffic hazard or have an undue environmental impact;*
Access would be taken from the existing development site to the east. The acceptability of the highway impacts is assessed in detail below.

39. *f) the proposal will be served by public transport and provide pedestrian and cycle links to adjacent areas;*
Public transport is readily accessible from the site. The nearest bus stops ('Euxton Lane/ Badgers Walk') are located directly adjacent to the southern site boundary and provide regular daily services to a number of surrounding towns including Chorley, Lostock Hall, Leyland and Preston. Buckshaw Parkway train station is the closest station to the site and can be accessed in a 25-minute walk from the site via Euxton Lane or Buckshaw Avenue, or a 9-minute journey by bus. Chorley train station is located in Chorley town centre and can be accessed in approximately 7 minutes' drive or via the 109A or 109B bus service. The location is easily accessible on foot or bicycle to residential areas. As such the site provides excellent accessibility to a large catchment.

40. *g) open storage areas should be designed to minimise visual intrusion;*
No open storage areas are proposed and is it recommended that outdoor storage be restricted by condition.

41. *h) adequate screening is provided where necessary to any unsightly feature of the development and security fencing is located to the internal edge of any perimeter landscaping;*
There is currently some landscaping provided along the southern boundary of the site with Euxton Lane, from which the site is most prominent. It is not the intention to screen the development from views, given that outdoor storage would be restricted and the design of the units themselves is considered to be appropriate in the context of the site and its surroundings. Peripheral landscaping would be retained where possible and enhanced along the southern and eastern boundaries, which would help to soften the impact of the development filtering views to some extent. This would ensure a suitable form of development in consideration of the character of the area.

42. *i) on the edges of industrial areas, where sites adjoin residential areas or open countryside, developers will be required to provide substantial peripheral landscaping;*
The proposed landscape framework and indicative planting layout seeks to increase the enclosure and visual screening of the site. Planting would be used to soften the built forms, providing a buffer between the proposed development and the existing residential properties and wider landscape. Ornamental planting would be incorporated as an integral part of the landscape scheme, providing seasonal interest, vertical structure and biodiversity.

    The height of the planting along the western boundary to Alker Lane, and northern boundary would be limited due to the location of a diverted water main. Elsewhere, the landscaped bund and enhanced ecological zone, would provide more varied planting options. The landscaped bund and acoustic fence would provide a soft visual and physical buffer between the application site and adjacent residential properties. Native planting

throughout the site, and specifically within the enhanced ecological zone would add benefit to the amenity value of the site and attract wildlife. Trees along the eastern boundary would also create additional vertical form. It is recommended that the details of a comprehensive landscaping scheme for the site are required by condition.

43. *j) the development makes safe and convenient access provision for people with disabilities;*
It is proposed that access around the site would be level with minimal gradients, whilst DDA access would be provided at all units. There would also be 20 disabled parking bays.

44. *k) the buildings are designed, laid out and landscaped to maximise the energy conservation potential of any development, and to minimise the risk of crime;*
The applicant has submitted a Sustainability Report that seeks to identify the possible technologies that could be used for sustainability within the development. This states that the buildings would be required to have a minimum 15% sustainability features included as part of planning permission. In order to comply with Building Regulations Part L2'A' requirements certain elements may also be required to be implemented to reduce carbon emissions.

45. *l) the proposal will not result in surface water, drainage or sewerage related pollution problems; and*
The applicant has submitted a Flood Risk Assessment and Outline Drainage Strategy in support of the proposed development. This has been assessed by the Lead Local Flood Authority (Lancashire County Council) and is covered in more detail below.

46. *m) the proposal incorporates measures which help to prevent crime and promote community safety*.
The site would be secured to all sides, proposing new security measures, whilst also maintaining existing means of security. Security fencing would be installed to the more vulnerable boundaries, whilst planting would be maintained at appropriate heights and spread to minimise opportunities for anti-social behaviour.

<u>Impact on neighbour amenity</u>

47. The application site wraps around residential properties at Brookfield and Ingholme to the south west corner of the site. The occupiers of these dwellings would quite clearly be the most affected by the proposed development. It is proposed that a 1.3m high bund with 2m acoustic fence atop would be constructed around the northern and eastern boundaries to these properties with the aim of providing some protection against noise that may occur on the site as a result of the proposed development. The fence would be located approximately 4m beyond the rear boundary to the north east of Brookfield and Ingholme and south east side boundary to Ingholme as it wraps around. It would be positioned approximately 30m to the north east of the rear elevation of these dwellings at their nearest point and would run beyond the side of Ingholme being approximately 11m away at its nearest point. This is considered to be a reasonable degree of separation given the total height of 3.3m and would not result in an adverse impact on outlook from these dwellings or their gardens. There would be some possible impact on direct light to the garden at Ingholme in the mornings but this would only affect a relatively small part of the overall garden area and is not considered to be a harmful impact.

48. The proposed building at block C would have a gable end facing towards the rear elevation and gardens at Brookfield and Ingholme. This building would have a mono-pitched roof and would have a maximum height of approximately 10m. It would be located approximately 14m beyond the rear boundary to the north east of Brookfield and Ingholme at its nearest point and approximately 40m to the north east of the rear elevation of these dwellings at their nearest point. This is considered to be an acceptable degree of separation given the scale of the building such that it would not result in an adverse impact on outlook from these dwellings or their gardens and would have no impact on light. The proposed bund and fence would screen the building to some extent although it would still be visible. It is noted however, that the purpose of the bund and fence is not to screen views of the development but to provide acoustic protection to the occupiers of these dwellings.

49. The proposed building at block E would be a lower level structure with a mono-pitched roof of up to 6m in height with the lowest elevation being nearest, and running parallel, to the south east side boundary and elevation to Ingholme. The building would be located approximately 14m from the boundary to this property and 21m from the dwelling itself. Given the low level height of the building and degree of separation it is not considered that any unacceptable impact on light or outlook would occur as a result of the development in this respect.

50. Other nearby dwellings at Badgers Walk would be located approximately 35m away from the nearest proposed buildings and would not be adversely impacted upon by the physical presence of the buildings and structures themselves.

51. The application site is currently open pasture land and as such has little impact on the amenity of the occupiers of Brookfield and Ingholme and the other properties at Badgers Walk. The proposed development would clearly alter this situation resulting in an intensity of activity that would create some noise and disturbance. The applicant has submitted a noise impact assessment in support of the application.

52. The noise assessment followed a process of identifying existing background noise levels. An indicative noise impact assessment was then carried out based on several assumptions to inform potential site-wide mitigation methods to be incorporated within the proposed development. Noise impacts from several potential sources in the proposed development were considered:
    - commercial and industrial activity at the site;
    - vehicle movements at the site; and
    - fixed items of external building services plant.

53. Limiting noise levels could then be identified for commercial and industrial activity at the site resulting from the development proposed. By meeting the proposed noise emission limits adverse impacts should be avoided at nearby sensitive receptors.

54. An indicative assessment of potential impacts at sensitive receptors due to noise from traffic on internal access roads and items of external building services plant has been carried out. The assessment recommended that adverse impacts can be avoided with the implementation of a noise barrier and bund combination at the south west corner of the site. This has been proposed as part of the development as set out above.

55. It must also be considered that the site has be allocated for the proposed use for some time as it was identified as being suitable and necessary for employment land development as part of the local plan process, leading to its allocation in the Chorley Local Plan 2012-2026. A development of this nature has, therefore, been anticipated for some time as the local plan has gradually been realised. A degree of change in amenity levels must be expected as a result of the land being identified for the proposed use, and it is considered that the proposal has been designed in consideration of the amenity of the occupiers of Brookfield and Ingholme through the positioning of buildings, their type and use of an acoustic bund and screen. It is, therefore, considered that the overall impact of the proposed development would not be unacceptably detrimental to the amenity of any nearby residential occupiers.

<u>Impact on character and appearance of the locality</u>

56. The proposed development would be prominent when viewed from Euxton Lane to the south, which would be the main public vantage point. As set out above the proposed development seeks detailed planning permission for the construction 33 units across a total of 6 blocks. In total, the accommodation would provide 8,455m2 of gross internal floor area.

57. The proposal seeks to retain existing trees and landscaping as far a possible along the southern and eastern boundaries, from which the site is most visible, and would help to soften the impact of the development. The six development blocks would be of varying scale. The lowest height blocks (E and F) would be positioned at the southern most end of the site, along Euxton Lane, whilst the blocks of greatest height would be positioned to the north and west of the site, which are less prominent positions. This would result in a

continuum of scale through the site towards the large units at Buckshaw Village to the north and is an appropriate design response to the site, which is allocated for this use in the Chorley Local Plan.

58. Access to the site would be via an extension to the spine road through the adjacent site, which has already been consented as part of a previous application. With regards to the heights of the proposed units these would be as follows:
Block A maximum height to the eaves of 10.031m
Block B maximum height to the eaves of 10.031m
Block C maximum height to the eaves of 10.031m
Block D maximum height to the ridge of 10.619m
Block E maximum height to the eaves of 5.280m
Block F maximum height to the eaves of 5.771m

59. The largely mono-pitched blocks would ensure the impact of the development from the surrounding context is minimised. The functional requirements of the units generate simple well-proportioned footprints that provide flexibility thereby future proofing the development, which is essential to changing circumstances of business and the economy. It is considered that the layout and scale of the proposal responds positively to the site context and surroundings and provides a modern functional development that would contribute some environmental improvements, whilst reflecting other nearby commercial development.

60. The new buildings are based on a limited palette of material within a controlled composition to provide a level of visual interest and layering. A combination of high quality materials is proposed with a distinctive pattern and texture to all the key elevations to produce a consistent grouping. A combination of metallic silver 'micro-rib' and merlin grey 'profiled' cladding is to be used extensively on the elevations giving a strong horizontal emphasis to the development with a modulated texture. Main entrances would be expressed in a curtain walling system surrounded by the 'micro-rib' cladding.

61. Individual units and their service entrances and would be clearly identified by virtue of coloured numbers and roller shutters, adding some colour to the simple reserved palette. With respect to the roller shutter doors and unit numbers, each of the 6 blocks have been allocated a colour, providing a way-finding mechanism through the site for users and visitors. Main pedestrian entrances would have canopies over to afford a level of protection from the elements.

62. It is inevitable that the development would have an urbanising impact on this greenfield site, however, it must be considered that the site is allocated for development of this type within the Chorley Local Plan. It is also noted that the site is surrounded by development on three sides with industrial development to the north and east, and with residential development to the south. The application site forms a logical extension of the neighbouring development to the east and reflects the nature of the commercial development sites that have been or are being developed.

63. In summary the development would be of a commensurate scale in the context of the site area and nearby commercial developments. The layout of the development would respond well to the surroundings and public vantage points with a progression of scale through the site. The buildings would be of a functional modern design with some elements of interest but remaining suitably modest. The retention of peripheral landscaping would soften the appearance of the development. Boundary treatments would be of an appropriate type and would be largely unobtrusive and only installed where necessary. The bund and fence would be more prominent than might otherwise be desirable, however, these are necessary in order to protect residential amenity and would assimilate over time through weathering and the establishment of landscaping. Overall, the development would result in an acceptable appearance that would be reflective of the evolving character of the area and would be of a standard of design expected of a modern employment site.

Highway safety

64. A Transport Statement (TS) has been submitted in support of the proposed development, which has been reviewed by Lancashire County Council (LCC) as Local Highway Authority for the area. The application site is an open field fronted by Euxton Lane to the south and lies between Alker Lane to the west and the site granted planning permission, under application reference 15/00224/OUTMAJ for mixed used development to the east. The north boundary of the site runs parallel to a railway line. The existing site has a field access to Euxton Lane located opposite Badgers Walk.

65. The local highway network comprising the B5252 Euxton Lane, A6 Preston Road, West Way, A674 Millennium Way were described in the TA submitted for the approved outline application. The description of the network is generally the same as previous, but the current submission includes the description of Alker Lane.

Accident analysis

66. The accident analysis is similar to that carried out for the approved outline application, but which was considered unsatisfactory and had to be corrected later. In that assessment, a 3-year accident history from 2014-2017 of the same studied network as the current application was analysed and showed a total of 5 (1 serious and 4 slight) personal injury accidents. The 3-year history was not considered sufficiently representative of the traffic accidents within the studied area and as the analysis was not based on current data, on the request of LCC Highways, an updated analysis was later submitted for the most recent 5-year data from 2014-2018, but which still failed to account for most accidents within the studied network.

67. In the current submission, the applicant has again analysed the most recent 3-year traffic accident data from 2017-2019 from Crashmap which shows a total of 7 personal injury accidents (1 serious and 6 slight) in the same studied area of Euxton Lane/West Way roundabout, Preston Road/Euxton Lane roundabout and the B5252 Euxton Lane. LCC Highways available accident data is slightly outdated and only up to 2018, but an analysis of the 5-year accident history for the studied area from 2014-2018 reveals 18 traffic accidents (3 serious and 15 slight).

68. As noted, the area studied is not expansive, but appears to be in a high accident area as the accident locations are concentrated and the level of accidents do not compare well with local average rates. While it is accepted that the timescale for accident analysis for a single site can either be 3 or 5 years, where the 3-year analysis seems uncertain, a 5-year history can be used to see if the local average threshold is exceeded. The B5252 Euxton Lane has prevailing speed limit of 40mph and the site is in close proximity to a hospital with high pedestrian to vehicle ratio, where there is potential for the proposed development to exacerbate the rate of traffic accidents. Therefore while the 3-year accident analysis will be accepted, it is considered that the applicant carries out a review of the speed limit of the B5252 Euxton Lane and propose interventions to mitigate the impact of the accidents. This was one of the conditions (condition 6) of the approved outline planning application.

69. The proposal is to erect 6 buildings of total gross floor area (gfa) of 8,455m2 for use as offices (B1 (a) and (b), light industries (B1(c), general industries (B2; and storage and distribution (B8). This is slightly less than the total gfa of 8,699m2 proposed in the approved outline application.

Access

70. The proposed development would be accessed from the signal controlled access junction granted planning approval under application, 15/00224/OUTMAJ via the approved internal spine road, which would be extended together with the footways on both sides into the current proposed development. The footways would enable pedestrians to walk to and from the direction of the signal controlled access junction.

71. The spine road will be adopted due to the residential element of the approved application, 15/00224/OUTMAJ, but its extension into the current development will not be accepted for highway adoption as it is of minimal public benefit, therefore, should the spine road be

adopted prior to the proposed extension, the connection of the spine road and the current site access would be carried out through the s278 agreement.

72. There is no dedicated cycle route from the proposed development towards east, however, there is a condition (condition 20) attached to the approved application, 15/00224/OUTMAJ for the existing pedestrian/cyclist link on the north side of Euxton Lane, which currently ends opposite Badgers Walk to be extended east across the signal controlled access junction to Strawberry Fields. Therefore, as there is also a condition attached to planning permission, 19/00016/CO3MAJ (condition 19) for a pedestrian/cycle link to be provided from the current development across the south boundary to Euxton Lane, this should connect the approved link and facilitate walking and cycling to and from the development.

Internal layout

73. The proposed site plan originally showed a pedestrian/cyclist link from the development to Alker Lane, which is currently not an adopted highway, but privately maintained. Provision of this link is highly encouraged as it would enhance accessibility and shorten journey times for pedestrians and cyclists to the west of Euxton Lane and to Buckshaw Village. However, while it is understood the applicant, Chorley Council, is currently in discussions with the owners regarding the use of Alker Lane, the statement in paragraph 3.2.6 of the TS does not provide any certainty as to whether it would be possible for this link to be delivered.

74. As a privately maintained road, Alker Lane is currently gated and pedestrian/cyclist access can be restricted at the whim of the owners without notice. The north section of Alker Lane up to Buckshaw Avenue requires improvements to make it safe for use as a pedestrian/cyclist link. The applicant has no control over Alker Lane and the rest of the access to Buckshaw Avenue and there are no conclusive arrangements in the application submission as to how the pedestrian/cyclist link is to be delivered and whether as part of any such arrangements, through access to the north and south of Alker Lane can be guaranteed to always remain open for public use. The proposed link from the development was skewed towards the south of Alker Lane on plan, which suggests that the applicant wishes for pedestrians and cyclists to head south, however, as there is a through access in the north direction over the railway bridge to Buckshaw Village, it is possible pedestrians and cyclists would head north where their safety would be endangered if improvements were not delivered to the existing footpath to make it a pedestrian/cyclist route.

75. In view of the safety implications and the obstruction that any closure of Alker Lane by the owners would cause to the public, the proposed link to Alker Lane has been removed from the proposal.

76. The proposed internal layout is generally acceptable in principle, however, amendments are required to make it acceptable. The layout lacks turning areas as the swept path analysis submitted show that vehicles would rely on the availability of spaces in front of the proposed buildings to be able to turn. Once the building units are sold, the availability of the frontage spaces cannot be guaranteed, as it is possible the owners may either park vehicles or place objects that would restrict use by other vehicles. Should this happen, large vehicles at the end of the streets e.g. opposite Units 7 and 8 would have to reverse more than 65m to the junction to be able to turn, contrary to the Manual for Streets, which recommends maximum reversing distances of 12m for refuse collection vehicles and 20m for fire service vehicles.

77. LCC Highways does not expect turning areas to be provided at the ends of all streets within the layout, as traffic flows on some of the streets would be low and some large vehicles would only use the streets infrequently, as such, dedicated turning areas will not be required at the ends of the rest of the proposed side streets. However, it is considered there is scope for the applicant to provide a turning area at the end of the street fronting Units 7 and 8, therefore, a turning area should be provided.

78. It is not considered appropriate for the disabled parking space hatchings to be provided to straddle the carriageways as shown at the sides of Units 17 and 19, as this can lead to parked disabled vehicles overhanging the carriageway. This aspect has, therefore, been amended to make the layout acceptable.

Parking

79. The proposed development would comprise class B1, B2 and B8 uses, however, the applicant provides no breakdown of the individual uses in neither the planning application form nor the submitted 'Proposed area schedule' to allow for the actual number of parking spaces required as per the Chorley Council Parking Standard to be calculated. Instead, the applicant based the assessment of the overall parking requirement on B2 use, which works out as 188 spaces, but which is not the worst case scenario. The worst case scenario is B1 use which would require a total of 282 parking spaces to be provided.

80. Notwithstanding the above, the applicant proposes a total of 147 parking spaces including 20 disabled spaces supported by a parking accumulation exercise using trip rates and generation from TRICS to demonstrate that at both AM and PM peak periods of 08:00-09:00 hours and 17:00-18:00 hours, there would only be a maximum of 77 cars on site which would occur between 10:00-11:00 hours. Similarly, the applicant based the provision of cycle storage and motorcycle parking on class B2 use which resulted in secure storage for 19 cycles to be provided south of Unit 16 and parking spaces for 9 motorcycles to be located north of Unit 20.

81. While the applicant's parking provision was based only on class B2 use, it is noted that there is an element of class B8 use in the proposal which requires lower parking provision than both B1 and B2 uses. LCC Highways would, therefore, on this occasion accept the parking assessment based on the class B2 use as a reasonable middle ground of the three uses and although even for the class B2 use, parking has not been provided to the Chorley Council parking standard, LCC Highways has taken into account the parking accumulation excise undertaken, the pedestrian/cyclist facilities to be provided and the site's close proximity to existing bus stops.

Accessibility by non-car modes

82. This aspect of the assessment was dealt with in the highway responses to the approved outline application. As noted in those responses, the site is not within the CIHT recommended walking, cycling and commuting distance of services, amenities and facilities on the isochrone maps submitted. Therefore, it was considered that if the link to Alker Lane were to be delivered, it would provide a direct link to the west of Euxton Lane and to Buckshaw Village. A condition (condition 19) was also attached to the approved outline application for a pedestrian/cyclist link to be provided from the development through the south boundary to Euxton Lane.

83. In terms of public transport, the delivery of the above links would enable the two bus stops on Euxton Lane near its junction with Alker Lane to be accessed within the CIHT recommended preferred maximum walking distance of 400m from the centre of the site. In this regard, there is a condition attached to the outline planning permission for the two bus stops to be improved to make them safe, disability compliant and attractive for use. This is in condition 6 of the approved outline application, 19/00016/CO3MAJ.

Traffic forecasting

84. The level of anticipated traffic generation from the proposed development and its impact on the highway network was assessed in the approved outline application based on a total proposed scale of 8,699m2 gross floor area (gfa), however, as indicated above, the current proposal is slightly less in scale, i.e. 8,455m2 gfa. Therefore, to assess the impact of the current proposal on the highway network, the applicant worked out traffic to be generated by the current proposed development and compared the result with traffic to be generated by the approved outline application.

85. The traffic generation as predicted for the approved outline application was that at AM and PM peaks of 08:00-09:00 hours and 17:00-18:00 hours, 90 and 74 two-way trips respectively would be generated. Based on trip rates from TRICS the applicant assessed the trip generation of the current proposed development to be 60 and 54 two-way respectively during AM and PM peaks of 08:00-09:00 hours and 16:00-17:00 hours.

86. When the traffic generation associated with the approved outline and the current applications were compared, it was noted that the current proposal would generate 30 and 20 less two-way trips during the AM and PM peaks and as such would have less impact on the highway network than the approved outline application. The applicant's method used in predicting the associated traffic generation is acceptable.

Highway mitigation and off site works

87. The following impact mitigation and off-site works of highway improvements were agreed at the outline application stage and conditioned as part of planning permission 19/00016/CO3MAJ. It is considered the same measures should be implemented in respect of the current proposed development through s278 agreement of the highways act 1980.
    - Review of the speed limit of the B5252 Euxton Lane with measures to mitigate traffic accidents on Euxton Lane between West Way and Preston Road (condition 6).
    - Improvements to two bus stops on Euxton Lane near its junction with Alker Lane (condition 6).
    - Provision of pedestrian/cycle link from the proposed development through the site's south boundary to Euxton Lane (condition 19).

88. The Trigger point for the s278 works would be before commencement of development.

Interim travel plan

89. The applicant states in the TS that the Interim Travel Plan (ITP) submitted in respect of the approved outline application referenced, 68731-CUR-00-XX-RP-ITP-003 V03 is still relevant and should be accepted in respect of the current application. The ITP quoted was initially submitted, but rejected by LCC Highways as not meeting the submission criteria. This led to the necessary corrections being made in a submitted supplementary document titled, 'Post Submission Technical Response 1', referenced, TPMA1216 (29 April 2015). The applicant should, therefore, ensure the more current ITP containing the following key features is used.
    - Commitment and timescale for the appointment of a Travel Plan Coordinator at least 1 month prior to first occupation and the position retained for at least 5 years.
    - Commitment and timescale to undertake travel surveys within 3 months of business commencing.
    - Commitment and timescale for developing a Full Travel Plan within 3 months of 1st travel survey.
    - Details of cycling, pedestrian and public transport links to and within the site.
    - Details of provision of secure cycle storage.
    - Outline objectives and targets.
    - List of any proposed measures to be introduced particularly any to be implemented prior to the development of the Full Travel Plan.
    - Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years.

90. The development of the Full Travel Plan would need to comply with condition 3 of the approved outline application, 19/00016/CO3MAJ and as previously requested, a s106 contribution of £6,000 would be required by LCC Highways to provide the following range of services.
    - Appraise initial Travel Plan submitted to the Local Planning Authority and provide constructive feedback.
    - Work closely with the applicant's appointed Travel Plan Coordinator, the end user where appropriate and local community groups.
    - Oversee the progression from the Interim Travel Plan to the Full Travel Plan in line with agreed timescales.
    - Monitor and support the development, implementation and review of the Full Travel Plan, including reviewing annual surveys, progression of initiatives/actions plan and targets.

91. As a minimum of 5 years is needed for implementation and monitoring of the Travel Plan, should the contribution not be spent within 10 years from the date of receipt, it would be repaid to the applicant. However, where the development is expected to be over a longer

period, the 10 year repayment clause may be adjusted to reflect this, so as to avoid repayment being requested whilst monitoring is taking place, or the development is not fully occupied. The Trigger point for the s106 contribution would be prior to commencement of development to enable suitable support to be provided early in the process.

Highway conclusion

92. The proposed development is acceptable in highway terms following the provision of an amended layout.

Drainage

93. Policy 29 of the Central Lancashire Core Strategy requires appraising, managing and reducing flood risk in all new developments, avoiding inappropriate development in flood risk areas. A Flood Risk Assessment and Drainage Strategy has been prepared by Curtins (Ref: 068731-CUR-00-XX-RP-D-001/V04) and submitted in support of the proposal. The report has been written in accordance with the standing advice and requirements of the Environment Agency (EA) for Flood Risk Assessments as outlined in the Communities and Local Governments Planning Policy Guidance to the Framework.

94. The application site is located within an area classified as Flood Zone 1, therefore, the site is considered to be at very low risk from fluvial flooding. Having considered the various sources of flood risk that may affect the development proposal, it has been concluded that the main types of flooding that may apply are groundwater flooding (potential), surface water flooding to the site and surface water flooding from the site. Further consideration was then given to any likely mitigation measures that may be required to be incorporated into the proposed development and any associated drainage scheme.

95. The extent of flooding to the site from surface water is classified as being at 'Very Low'. However, a strip along the eastern boundary adjacent to the drain shows areas that vary from low to high risk. Developers are responsible for ensuring that new development does not increase the flood risk elsewhere. The drainage strategy states that the proposed surface water drainage network shall be designed to not flood for the critical 1 in 30-year storm event and flood water generated up to the critical 1 in 100-year plus climate change storm event shall be constrained within areas on site so as not to cause damage to buildings, essential services or adjoining developments and services.

96. It is acknowledged that the development has the potential to increase flood risk where any increase in impermeable areas results in additional run-off from proposed roads, car parks and building roofs being discharged freely into the downstream drainage network. The developer is, therefore, encouraged to include permeable areas, landscaping areas and incorporate sustainable drainage features utilising infiltration or attenuation where possible.

97. It is proposed that surface water from the site would ultimately discharge into the drain running along the eastern boundary at a controlled rate, and that the surface water run-off from the development be restricted to Qbar Greenfield run-off flows.

98. It is considered that the proposed drainage strategy provides a robust basis from which detailed surface water drainage proposals for the future development of the site can emerge. Sustainable drainage solutions have been considered for the site in line with the Sustainable Drainage Hierarchy. Infiltration is confirmed as being unviable for the site. The next outlay option is discharge to a watercourse, which in this case is deemed to be the viable solution for the site. The site benefits from having an ordinary watercourse (drain) within the eastern boundary. Surface water would, therefore, discharge into this drain at a controlled rate.

99. The flood risk implications arising from both the site itself and the intended development have been given careful consideration and the identified mitigation measures and outline drainage strategy would ensure that the proposal does not give rise to any adverse impacts in respect of flood risk, thereby complying with Core Strategy Policy 29. Furthermore Lancashire County Council as Lead Local Flood Authority raise no objection.

Ecology

100. The applicant has submitted an ecological survey in support of the proposed development. This has been reviewed by the Council's ecology advisor who confirms that the ecological surveys undertaken for the site have been carried out by suitably qualified ecologists and were generally to appropriate standards, although no new population size class assessments were undertaken for great crested newts. However, previous recent surveys for great crested newts undertaken in the area associated with other nearby developments have indicated that the population of newts is low.

101. The specially protected species great crested newt has been detected in a pond close to the application site, albeit on the other side of Alker Lane. While this pond would not be lost to the scheme, the development would involve the loss of potential foraging habitat for newts. While a mitigation strategy for harm to great crested newts has been provided (section 5.5 of the Ecology survey and assessment report) there are insufficient details available concerning the future landscaping on the application site to provide reassurance that losses to habitats would be properly compensated. It is noted that some of the habitat of most value to newts (along the Brook corridor on the eastern boundary of the site) would be retained, and that habitat connectivity would, therefore, be maintained.

102. It is, therefore, recommend a condition is attached to any grant of planning permission that before any work commences on site, a detailed landscaping scheme shall be prepared and submitted for approval. The landscaping plan must take into account the needs of great crested newts and the advice provided in the ERAP ecological survey and assessment report, in particular the creation of a new pond and amphibian hibernacula on the site.

103. It is also recommended that a condition be attached to any grant of planning permission requiring that the Great Crested Newt Mitigation Strategy described in Section 5.5 of the ERAP Ecology Survey and Assessment Report of July 2020 is required to be implemented in full.

104. Because of the risk of direct harm to great crested newts and the loss of some habitat of use to newts the development would require a Licence to be obtained from Natural England before commencing any work which could cause harm to newts. A Licence would only be granted once planning permission is in place.

105. Seven trees have been identified as supporting features of some value for roosting bats. It is currently unclear whether these trees would need to be felled to facilitate the development. If any of these trees do need to be felled they should first be further inspected for the presence of bats, and if bats are found a method statement would need to be prepared providing details of the measures to be taken during any tree works to avoid harm to bats.

106. Irrespective of whether any of these trees need to be felled it would be beneficial for new bat boxes to be installed on retained trees along the Brook corridor at the eastern boundary of the site (6x no. boxes).

107. The current plans for the development show some of the most important habitats on the site (the woodland along the Brook corridor and hedgerows) as being retained, although other important habitats (wet grassland and ponds) would be lost. There are no detailed landscaping plans for the site and,, therefore a more detailed landscape plan, and a landscape management plan, should be prepared for the site and required by condition.

108. Retained habitats (particularly trees and the water course) should be suitably protected during the course of any groundworks or construction works. It is recommended that a condition be attached to any grant of planning permission requiring a tree retention and protection plan.

109. No vegetation clearance required to facilitate the development should take place during the optimum time of year for bird nesting (March to August inclusive).

110. Stands of Rhododendron shrubs and dense areas of Indian Balsam are present within the broadleaved woodland at the north eastern area of the site. Indian Balsam is also present along the margins of Alker Lane. These species are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended); it is an offence to spread or cause their spread in the wild. It is recommended that a strategy for the control and eradication of these plants is required by condition attached to any grant of planning permission.

Sustainability

111. Policy 27 of the Core Strategy requires new buildings to meet minimum energy efficiency standards of 'Very Good' under BREEAM (Building Research Establishment's Environmental Assessment Method). The development has been designed with the aim of achieving a BREEAM rating of good in balancing the viability of delivering a new industrial site in line with the policy aspirations set out by the allocation of the site for employment use. The applicant confirms that the buildings would be designed to have a minimum 15% sustainability features included as part of the approved scheme. In order to comply with Building Regulations Part L2'A' requirements certain elements may also be required to be implemented to reduce Carbon Emissions. Although this would be of a sustainability rating beneath that of the policy requirement set out in policy 27 of the Core Strategy, this must be balanced against the viability of delivering such a scheme on the site and in consideration of its allocation for employment use. On balance, it is considered that the development would be delivered to the highest possible sustainability standards that can be supported within viability tolerances, and given the significant economic benefits that the development would provide the proposal is acceptable when taking the development plan as a whole.

Employment and skills provision

112. The Central Lancashire Employment Skills Supplementary Planning Document (SPD) was adopted in September 2017. The SPD introduces Employment Skills Statements and provides clarity as to how this requirement relates to the relevant policies set out in the Core Strategy and Local Plan as well as the guidance set out in the Framework. The SPD goes on to state that one of Central Lancashire's priorities is to encourage economic growth within Central Lancashire that benefits the people and businesses in the three boroughs. The SPD seeks to;

- increase employment opportunities by helping local businesses to improve, grow and take on more staff
- help businesses to find suitable staff and suppliers, especially local ones
- improve the skills of local people to enable them to take advantage of the resulting employment opportunities
- help businesses already located in Central Lancashire to grow and attract new businesses into the area

113. The SPD requires development over certain thresholds to be accompanied by an Employment and Skills Statement to ensure the right skills and employment opportunities are provided at the right time. This is to the benefit of both the developer and local population and covers the following areas:

- Creation of apprenticeships/new entrants/graduates/traineeships
- Recruitment through Job Hub and Jobcentre plus and other local employment vehicles.
- Work trials and interview guarantees
- Vocational training (NVQ)
- Work experience (14-16 years, 16-19 years and 19+ years) (5 working days minimum)
- Links with schools, colleges and university
- Use of local suppliers
- Supervisor Training
- Management and Leadership Training
- In house training schemes
- Construction Skills Certification Scheme (CSCS) Cards
- Support with transport, childcare and work equipment
- Community based projects

114. A condition is recommended requiring an employment and skills plan.

Community Infrastructure Levy (CIL)

115. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development would be a CIL liable development and any charge would be subject to indexation in accordance with the Council's Charging Schedule.

Other matters

116. Blocks E and F would be built over a septic tank serving Brookfield & Ingholme: The matter of the septic tank has been noted by the applicant who is in discussion with the owners of the properties that are connected to it. This is a matter to be resolved between the applicant, owners and those that may be affected.

117. Who would maintain the fence and how would residents access their own fencing?: All onsite fencing would be maintained by the site owner with whom any access requirements should be arranged.

118. The development will no longer be commercially viable as a result of the Covid pandemic: This is commercial matter for the developer to consider.

CONCLUSION

119. The proposed development would contribute to economic growth within Chorley and is considered to be acceptable in principle. There would be no unacceptable detrimental impact on the amenity of neighbouring occupiers or on the appearance of the site and character of the area. In addition, there would be no unacceptable impact on the highway network, ecology or drainage. On the basis of the above, it is recommended that planning permission be granted subject to conditions and a s106 agreement to secure the monitoring of a travel plan.

RELEVANT HISTORY OF THE SITE

Ref: 19/00016/CO3MAJ **Decision:** PERFPP **Decision Date:** 20 June 2019
Description: Outline application for employment development comprising of Office (Use Class B1), Light industrial (Use Class B1) and General Industrial (Use Class B2) uses with all matters reserved apart from access.

RELEVANT 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.

Suggested conditions

To follow

General Notes

Do not scale from this drawing. Only work to written dimensions.

All site dimensions shall be verified by the Contractor on site prior to commencing any works.

This drawing is the property of Fletcher-Rae (UK) Limited (t/a Fletcher-Rae) and copyright is reserved by them. The drawing is not to be copied or disclosed by or to any unauthorised persons without the prior written consent of Fletcher-Rae (UK) Limited.

Rev.	Description	Date	ISS	APP

Scale	1 : 1250 @ A1
Status	S2 Information
Drawn By	BT
Checked By	BB
Date	11.08.2020

Client:

Chorley Borough Council

Project:

Alker Lane, Chorley

Sheet Name:

Location Plan

Project No.	Orig.	Zone	Level	Type	Role	Cls	Dwg No.	Rev.
20025	FRA	XX	00	DR	A	90	0001	

fletcher|rae
Architects | Master Planners | Designers
Hill Quays, 5 Jordan Street, Manchester, M15 4PY

t +44 (0) 161 242 1140
f +44 (0) 161 242 1141
w www.fletcher-rae.com
e info@fletcher-rae.com

0 10m 25m 50m
1:1250

This page is intentionally left blank

Chorley Council

Planning Committee Meeting

Date 03 November 2020

Item 3f

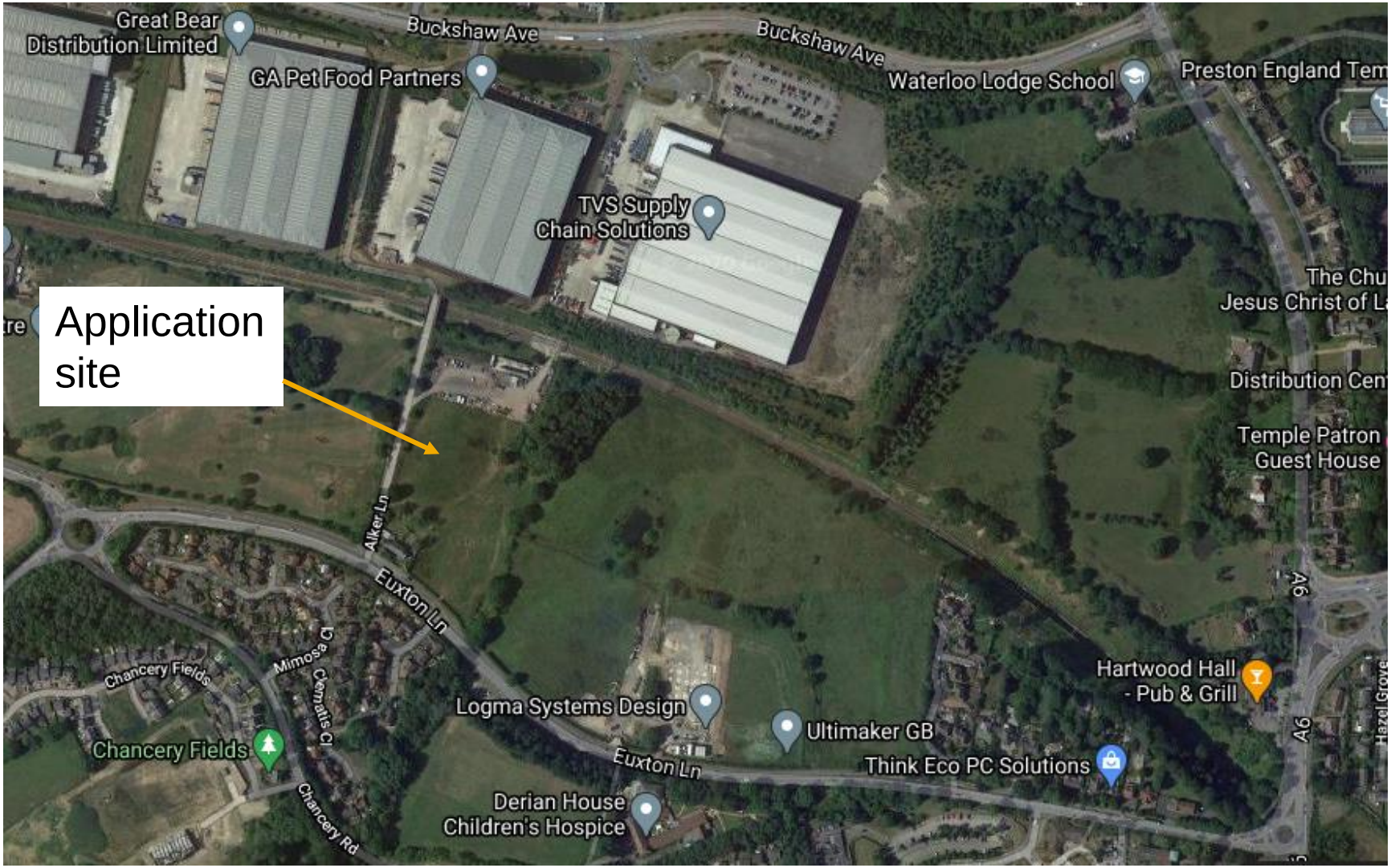
20/00861/CB3MAJ

Land To The Rear Of Brookfield, Alker Lane, Euxton

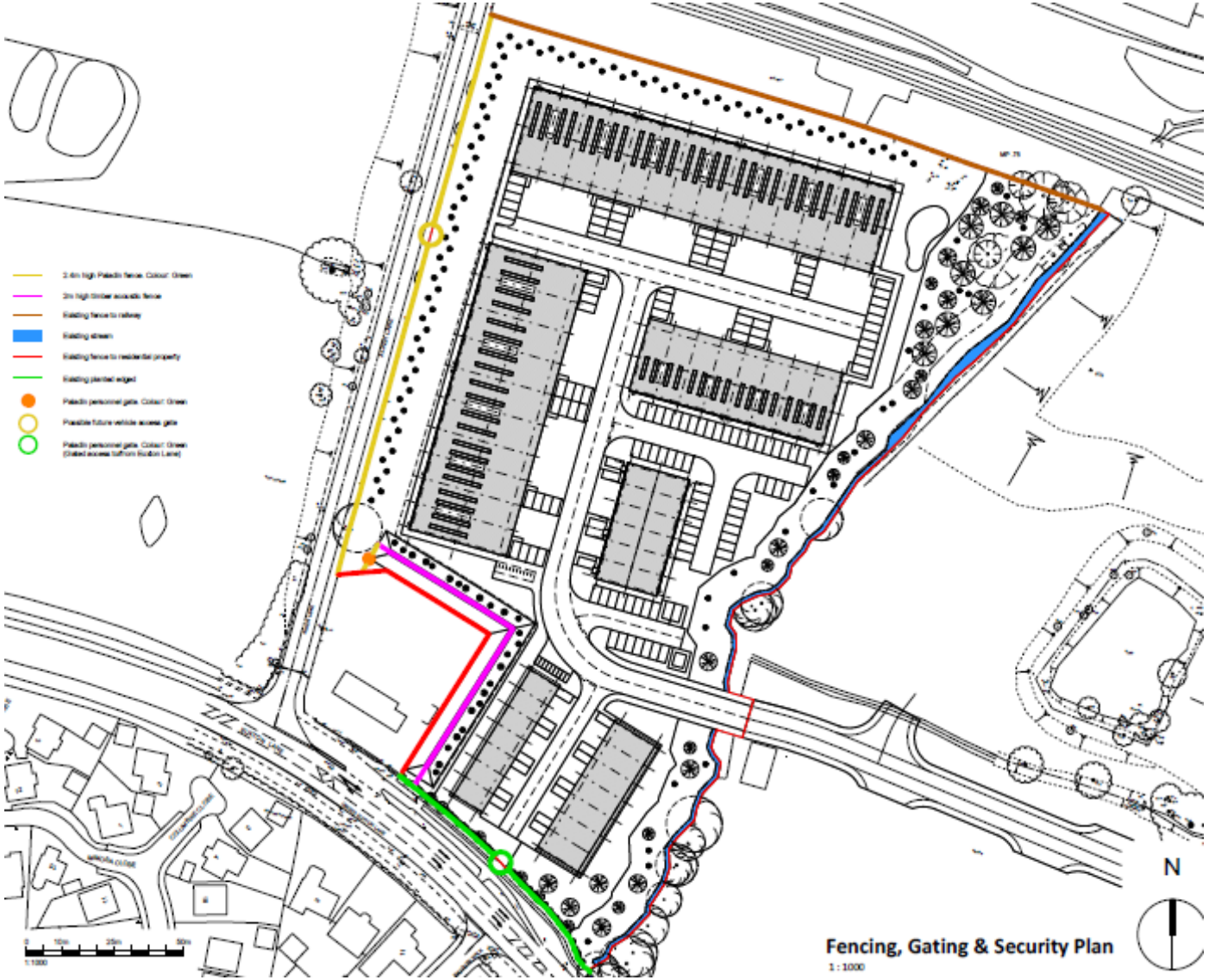
Erection of 6no. buildings comprising use classes B1 (A - offices, B - research and development, C - light industrial), B2 (general industrial) and B8 (storage and distribution) with associated works

Location plan

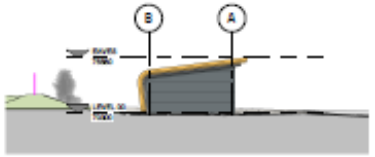
Aerial photo



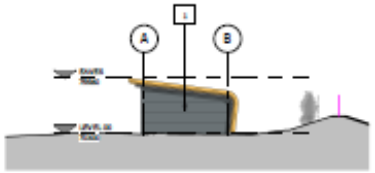
Proposed site plan



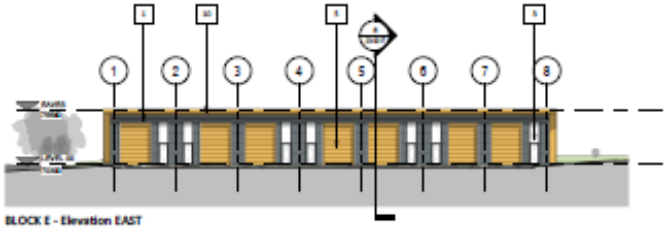
Proposed Elevations



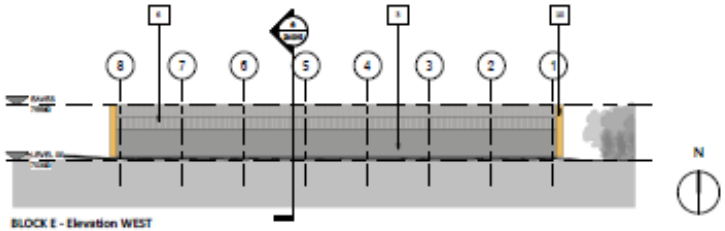
BLOCK E - Elevation SOUTH



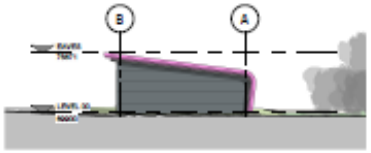
BLOCK E - Elevation NORTH



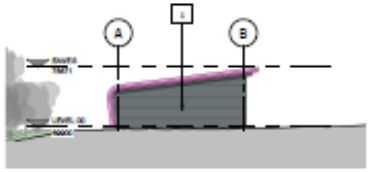
BLOCK E - Elevation EAST



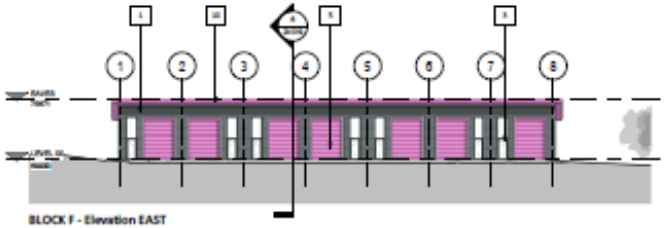
BLOCK E - Elevation WEST



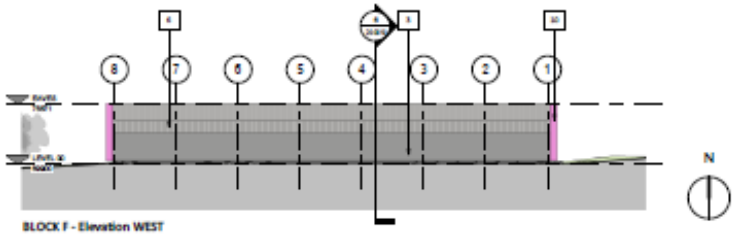
BLOCK F - Elevation SOUTH



BLOCK F - Elevation NORTH

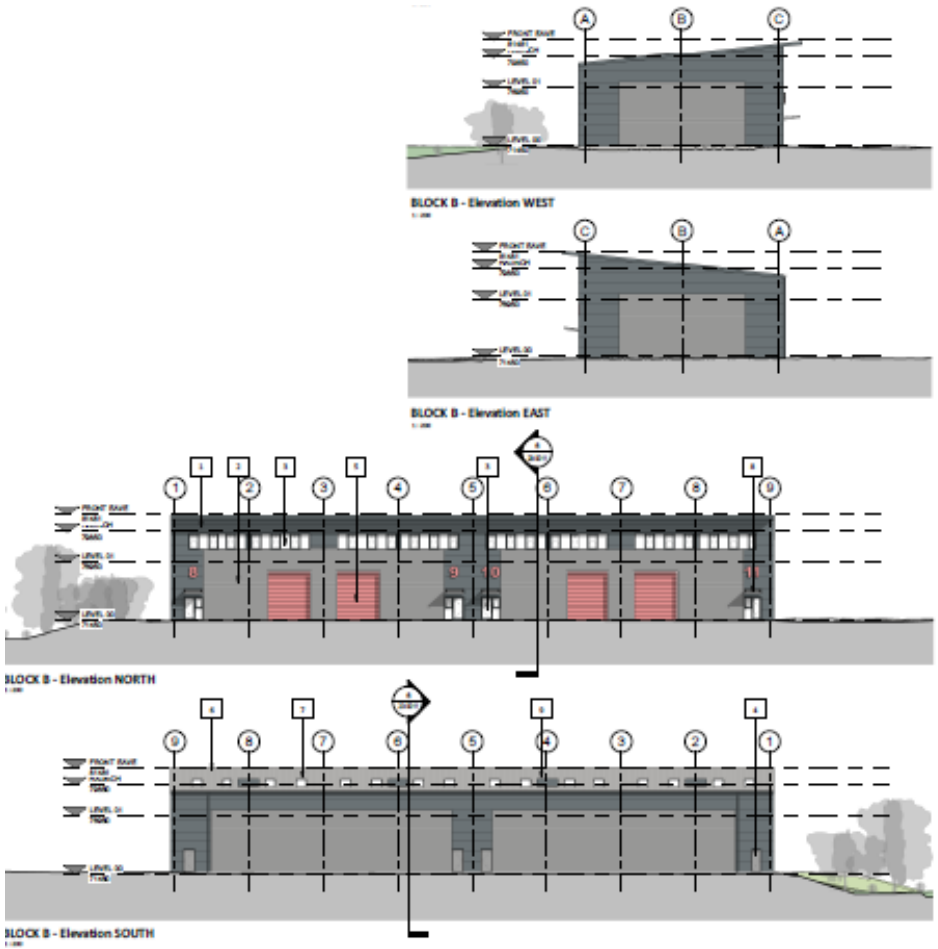


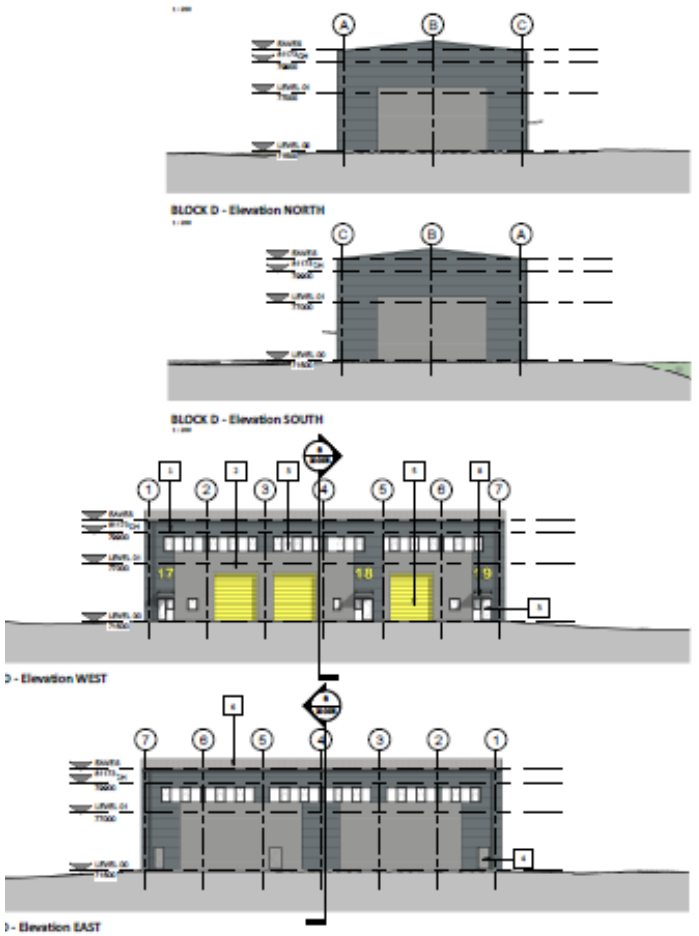
BLOCK F - Elevation EAST



BLOCK F - Elevation WEST

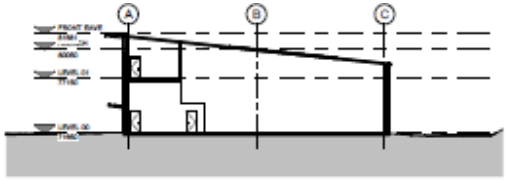
Proposed elevations



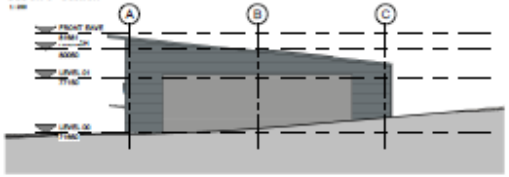


Proposed elevations

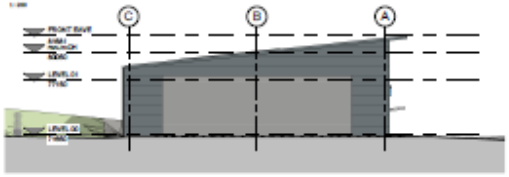
BLOCK C Elevation Key Diagram



BLOCK C - Section

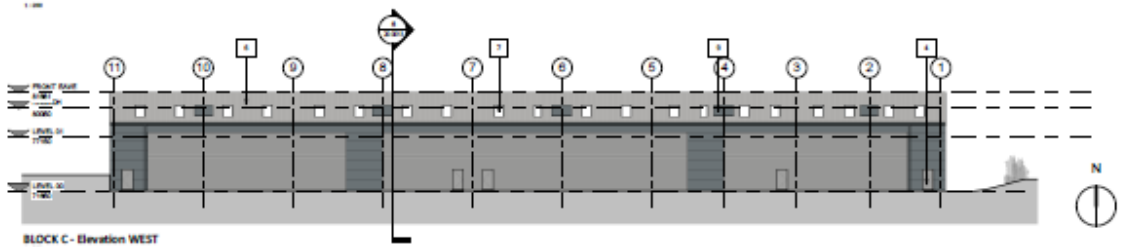


BLOCK C - Elevation NORTH



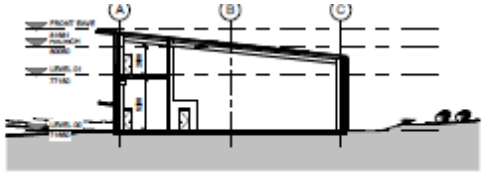
BLOCK C - Elevation SOUTH

BLOCK C - Elevation EAST

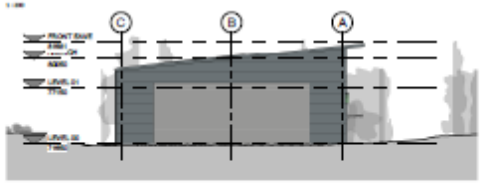


BLOCK C - Elevation WEST

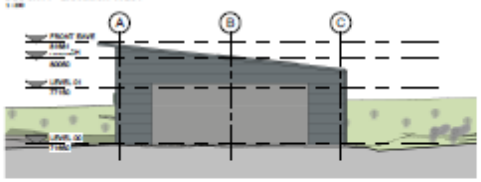
Proposed elevations



BLOCK A - Section

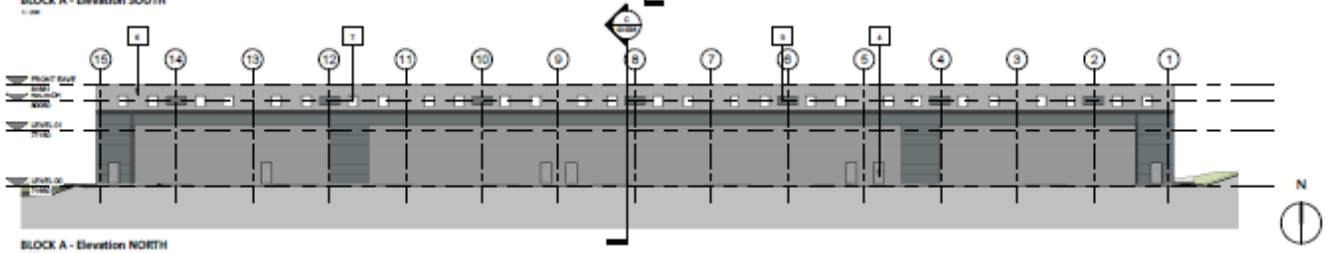


BLOCK A - Elevation WEST



BLOCK A - Elevation EAST

BLOCK A - Elevation SOUTH



BLOCK A - Elevation NORTH

Site photo – looking north

Site photo – looking east

Site photo – looking south

Site photo westwards towards Ingholme and Brookfield

Euxton Lane

Euxton Lane

This page is intentionally left blank

C O M M I T T E E R E P O R T		
REPORT OF	**MEETING**	**DATE**
Director (Customer and Digital)	Planning Committee	3 November 2020

ADDENDUM

ITEM 3f - ***20/00861/CB3MAJ – Land To The Rear Of Brookfield, Alker Lane, Euxton***

The recommendation remains as per the original report

(1)No. further letter of objection has been received setting out the following issues:

- The proposed development would be highly detrimental to the two properties in closest proximity in terms of market value, light, outlook and disturbance.
- The proposed bund and fence would be oppressive and a landscaped and fenced approach with mature trees, shrubs between the property boundaries and a neutral painted 3 metre metal closed fence bordering the development would be preferred.
- Concerns regarding access for maintenance.
- The impact on and damage to drains that cross the site belonging to United Utilities and others.
- There are United Utilities easements and assets on the site.
- Concerns over use of Alker Lane for access.
- Concerns about drainage run off and flooding.
- A pedestrian access to Euxton Lane would encourage parking outside Brookfield and Ingholme.
- Could the possibility of the developer purchasing Brookfield and Ingholme be explored?

The following consultee responses have been received:

The Council's Environmental Health Officer has raised concerns over the potential impacts of noise from the development over and above existing background noise levels on the occupiers of nearby residential properties. Given that the site is allocated in the Chorley Local Plan 2012-2026 for the type of development proposed, and that an outline planning permission for industrial development has already been granted, it is considered that in this instance the impacts of noise can be adequately assessed in response to the imposition of an appropriate condition requiring a noise impact assessment. This should detail any possible mitigation measure that might be necessary to overcome undue noise impacts.

The following conditions are recommended*:*

<table>
<tr><th>No.</th><th>Condition</th></tr>
<tr><td>1.</td><td>The development hereby permitted shall be carried out in accordance with the approved plans below:
<table>
<tr><th>Title</th><th>Plan Ref</th><th>Received On</th></tr>
<tr><td>Location plan</td><td>20025-FRA-XX-00-DR-</td><td>12 August 2020</td></tr>
</table>
</td></tr>
</table>

		A-90-0001	
	Proposed roof site plan	20025-FRA-XX-RL-DR-A-90-0005 Rev.P1	23 October 2020
	Proposed ground floor site plan	20025-FRA-XX-00-DR-A-90-0004 Rev.P1	23 October 2020
	Proposed Fencing, Gating and Security Plan	20025-FRA-XX-XX-DR-A-90-0007	23 October 2020
	Proposed site sections	20025-FRA-XX-XX-DR-A-90-0006	12 August 2020
	Proposed BLOCK A - GA Elevations & Sections	20025-FRA-A-XX-DR-A-20-0009	12 August 2020
	Proposed BLOCK A - GA Plans	20025-FRA-A-ZZ-DR-A-20-0008	12 August 2020
	Proposed BLOCK B - GA Elevations & Sections	20025-FRA-B-XX-DR-A-20-0011	12 August 2020
	Proposed BLOCK B - GA Plans	20025-FRA-B-ZZ-DR-A-20-0010	12 August 2020
	Proposed BLOCK C - GA Elevations & Sections	20025-FRA-C-XX-DR-A-20-0013	12 August 2020
	Proposed BLOCK C - GA Plans	20025-FRA-C-ZZ-DR-A-20-0012	12 August 2020
	Proposed BLOCK D - GA Elevations & Sections	20025-FRA-D-XX-DR-A-20-0015	12 August 2020
	Proposed BLOCK D - GA Plans	20025-FRA-D-ZZ-DR-A-20-0014	12 August 2020
	Proposed BLOCK E - GA Elevations & Sections	20025-FRA-E-XX-DR-A-20-0017	12 August 2020
	Proposed BLOCK E - GA Plans	20025-FRA-E-ZZ-DR-A-20-0016	12 August 2020
	Proposed BLOCK F - GA Elevations & Sections	20025-FRA-F-XX-DR-A-20-0019	12 August 2020
	Proposed BLOCK F - GA Plans	20025-FRA-F-ZZ-DR-A-20-0018	12 August 2020

Reason: For the avoidance of doubt and in the interests of proper planning.

2. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The external facing materials, detailed on the approved plans, shall be used and no others substituted unless alternatives are first submitted to and agreed in writing by the Local Planning Authority, when the development shall then be carried out in accordance with the alternatives approved.

Reason: To ensure that the materials used are visually appropriate to the locality.

4. No building hereby permitted shall be occupied until all fences and boundary treatment shown in the approved details has been erected in conformity with the approved details.

Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.

5. No building hereby permitted shall be occupied until the acoustic bund and fence shown in the approved details has been erected in conformity with the approved details and shall be maintained at all times thereafter, unless otherwise agreed in

	writing by the Local Planning Authority. *Reason: To protect the amenity of local residents from undue noise.*
6.	The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab 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.*
7.	No goods, plant or material shall be deposited or stored in the open or displayed for sale in the open on the site. *Reason: In order to protect the amenities of the area, and to maintain adequate parking areas.*
8.	Prior to any commencement of development a noise impact assessment to BS4142 and details of any necessary mitigation measures shall first be submitted to and approved in writing by the Local Planning Authority. *Reason: To protect the amenity of local residents from undue noise.*
9.	A scheme for the landscaping of the development and its surroundings shall be submitted prior to the erection of any of the superstructures of the buildings hereby approved. These details shall include 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, proposed finished levels, means of enclosure, minor artefacts and structures. The scheme should include a landscaping/habitat creation and management plan which should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. The landscaping scheme must take into account the needs of great crested newts and the advice provided in the ERAP ecological survey and assessment report, in particular the creation of a new pond and amphibian hibernacula on the site. Landscaping proposals should comprise only native plant communities appropriate to the natural area. All hard and soft landscape works shall be carried out in accordance with the approved details within 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. *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.*
10.	No works to trees and shrubs or vegetation clearance shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA. *Reason: Nesting birds are a protected species.*

11.	Prior to any earthworks being carried out a method statement detailing eradication and/or control and/or avoidance measures for Rhododendron shrubs and Indian Balsam shall be supplied to and agreed in writing by the Local Planning Authority. The agreed method statement shall be adhered to thereafter and implemented in full unless otherwise agreed in writing by the Local Planning Authority. *Reason: Due to the presence of invasive plant species.*
12.	The development hereby approved shall be implemented in full accordance with the Great Crested Newt Mitigation Strategy described in Section 5.5 of the ERAP Ecology Survey and Assessment Report of July 2020 *Reason: Due to the risk of direct harm to great crested newts and the loss of some habitat of use to newts.*
13.	No development shall commence until an Employment and Skills Plan that is tailored to the development and will set out the employment skills opportunities for the construction phase of the development has been submitted to and approved by the council as Local Planning Authority (unless otherwise agreed in writing by the council). The development shall be carried out in accordance with the Employment and Skills Plan (in the interests of delivering local employment and skills training opportunities in accordance with Core Strategy Policy 15: Skills and Economic Inclusion). *Reason: In the interests of delivering local employment and skills training opportunities as per the Central Lancashire Core Strategy Policy 15: Skills and Economic Inclusion and the Central Lancashire Employment Skills Supplementary Planning Document September 2017. No Employment and Skills Plan was submitted with the application.*
14.	No development hereby permitted shall be occupied until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority and LLFA. Those details shall include: a) Final sustainable drainage layout plan appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels in AOD with adjacent ground levels. b) The drainage scheme should demonstrate that the surface water run-off and volume shall not exceed the pre-development runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. c) Sustainable drainage flow calculations (1 in 1, 1 in 30 and 1 in 100 + climate change), with allowance for urban creep. d) A plan identifying areas contributing to the drainage network. e) A plan to show overland flow routes and flood water exceedance routes and flood extents. f) Measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses. g) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates; h) Details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development. This shall include arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

	Reasons *1. To ensure that the final drainage designs are appropriate following detailed design investigation.* *2. To ensure that the proposed development can be adequately drained.* *3. To ensure that there is no flood risk on or off the site resulting from the proposed development* *4. To reduce the flood risk to the development as a result of inadequate maintenance* *5. To identify the responsible organisation/body/company/undertaker for the sustainable drainage system*
15.	The car parking and manoeuvring areas shown in the approved details shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative. *Reason: To allow for the effective use of the parking areas.*
16.	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 for: i. the parking of vehicles of site operatives and visitors ii. hours of operation (including delivers) during construction iii. loading and unloading of plant and materials iv. storage of plant and materials used in constructing the development v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate vi. wheel washing facilities vii. measures to control the emission of dust and dirt during construction viii. a scheme for recycling/disposing of waste resulting from demolition and construction works ix. arrangements for staff and visitor parking throughout the duration of the development works. *Reason: In the interests of highway safety and to protect the amenities of the nearby residents.*
17.	There shall be no direct pedestrian or vehicular access between the site and Alker Lane. *Reason: To limit the number of access points to the highway network as an aid to road safety.*
18.	Employee baseline surveys shall be completed once any of the buildings first become occupied. An employee travel survey shall have been carried out within 3 months of 75% occupation of the buildings hereby permitted and a Full Travel Plan shall have been submitted for written approval of the Local Planning Authority within 3 months of the commercial travel surveys, whichever is the earlier. As a minimum, the Full Travel Plan shall include: i) The contact details of the Travel Plan Co-ordinator (s) for both the residential and commercial elements of the site including whether they will be part or full-time and how long they will be in post; ii) The results of the residents' travel survey; iii) Details of cycling, pedestrian and public transport links to and through the site; iv) Details of the provision for cycle parking for any properties where suitable space is not available within the curtilage; v) The Objectives of the plan; vi) SMART (Site specific, Measurable, Achievable, Realistic and Time-related)

	Targets for non-car modes of travel using baseline data from the residents' survey; vii) A detailed action plan for the introduction of the proposed measures, including marketing and promotion; viii) Details of the arrangements for monitoring and review of the Travel Plan for a period of at least five years; ix) A review of both national and local policies relating to travel plans and sustainable travel. The Travel Plan shall be implemented as approved. *Reason: To maximise the sustainability of the development.*
19.	No part of the development hereby approved shall commence until a scheme for the construction of all the off-site highway works referred to below have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of any part of the development these works, as approved, shall have been completed. • Details of measures to mitigate traffic accidents on Euxton Lane between West Way and Preston Road; • Details of improvements to the two bus stops on Euxton Lane closest to its junction with Alker Lane (one east bound and one west bound), to include provision of bus shelters, raised kerbs and boarding platforms, bus stop bay and worded carriageway markings, signs and clearways. *Reason: To ameliorate traffic accidents on this section of Euxton Lane and to ensure the nearby bus stops are brought up to the standard that meets the needs of the disabled and those with mobility impairments to improve the sustainability of the site. This is required to be a pre-commencement condition in order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable and achievable before work commences on site.*
20.	No part of the development hereby approved shall commence until full details of a pedestrian/cycle access point from the site directly onto Euxton Lane. have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of any part of the development these works, as approved, shall have been completed. *Reason: To ensure pedestrian and cycle permeability to reduce journey times from the site and maximise its sustainability.*
21.	Prior to the commencement of construction of any of the buildings on the site, the section of access road as shown on plan ref: 20025-FRA-XX-RL-DR-A-90-0005 Rev.P1 shall have been constructed up to the application site's eastern boundary to at least base course level and shall be completed within 12 months of first occupation of any building. *Reason: To ensure satisfactory access to the site is secured.*

Report of	Meeting	Date
Director (Customer & Digital)	Planning Committee	3 November 2020

PLANNING APPEALS AND DECISIONS RECEIVED BETWEEN 28 SEPTEMBER 2020 AND 26 OCTOBER 2020

PLANNING APPEALS LODGED

Planning Application: 20/00578/FULHH - Inspectorate Reference: APP/D2320/D/20/3261078

Appeal by Mr J Ingham and Ms J Warren against the delegated decision to refuse full planning permission for part two storey / part single storey side /rear extension.

27 Preston Road, Whittle-Le-Woods, Chorley, PR6 7PE.

Inspectorate letter confirming appeal valid received 14 October 2020.

Planning Application: 20/00103/FULHH - Inspectorate Reference: APP/D2320/D/20/3261143

Appeal by Mr & Mrs Hawksworth against the delegated decision to refuse full planning permission for first floor side/rear extension including balcony and associated external alteration.

Brandwood House, Chorley Road, Withnell, Chorley, PR6 8JB.

Inspectorate letter confirming appeal turned away because it was submitted late received 15 October 2020.

PLANNING APPEAL DECISIONS

Planning Application: 20/00301/FULHH - Inspectorate Reference: APP/D2320/D/20/3255905

Appeal by Mr & Mrs T Edge against the delegated decision to refuse full planning permission for a single storey rear extension.

Pack Saddle Barn, Wigan Road, Euxton, Chorley, PR7 6JZ.

Inspectorate letter confirming appeal valid received 23 July 2020.

Appeal dismissed – 7 October 2020.

PLANNING APPEALS WITHDRAWN

None

ENFORCEMENT APPEALS LODGED

Local Planning Authority Reference: EN698 - Inspectorate Reference: APP/D2320/C/20/3260730

Appeal by Mr Samuel Leach against an enforcement notice relating to the unauthorised

change of use of the land from public open space to a residential garden in connection with the adjacent property without the benefit of planning permission.

Land adjacent to 45 New Street, Eccleston, Chorley, PR7 5TW

Inspectorate letter confirming appeal valid received 7 October 2020.

ENFORCEMENT APPEAL DECISIONS

None

ENFORCEMENT APPEALS WITHDRAWN

None

Report Author	Ext	Date	Doc ID
Adele Hayes	5228	26 October 2020	***

Report of	Meeting	Date
Chief Executive	Planning Committee	3 November 2020

TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 257 CHORLEY BOROUGH COUNCIL (PUBLIC FOOTPATH NO.5, WHITTLE-LE-WOODS) PUBLIC PATH DIVERSION ORDER 2020

PURPOSE OF REPORT

1. To consider the making of a public path diversion Order, in order to facilitate the development of 6 detached houses with associated infrastructure following demolition of existing buildings at Cheeky Monkeys, Factory Lane, Whittle-Le-Woods Chorley PR6 7YA.

RECOMMENDATIONS

2. That the Director of Governance be authorised to make the Chorley Borough Council (Public Footpath No 5 Whittle-Le-Woods) Public Footpath Diversion Order 2020 pursuant to Section 257 of the Town and Country Planning Act 1990, in order to permit the development to be carried out in accordance with the grant of planning permission namely the development of 6 detached houses with associated infrastructure following demolition of existing buildings at Cheeky Monkeys, Factory Lane, Whittle-Le-Woods Chorley PR6 7YA.

3. That in the event that no objections are received to the making of the order or where an objection is received by the statutory deadline and it is subsequently withdrawn then the Director of Governance be authorised to confirm the making of the Chorley Borough Council (Public Footpath No 5 Whittle-Le-Woods) Public Footpath Diversion Order 2020.

4. The Director of Governance is authorised to arrange advertisements in the local press, to serve notice on site and on prescribed persons and to certify the order as being complied with having regard to any representations from the Public Rights of Way Team (PROW) at Lancashire County Council (LCC) or to confirm the order in the absence of representations from PROW and certify its terms as being complied with.

EXECUTIVE SUMMARY OF REPORT

5. A planning application under reference 20/00483/FUL for the erection of 6 detached houses with associated infrastructure following demolition of existing buildings at Cheeky Monkeys, Factory Lane, Whittle-Le-Woods Chorley PR6 7YA was approved on the 6 October 2020. Inorder to facilitate the development Primrose Holdings PLC (the developer) has submitted an application to divert the existing public right of way.

Confidential report Please bold as appropriate	Yes	**No**

CORPORATE PRIORITIES

6. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy communities	√	An ambitious council that does more to meet the needs of residents and the local area	

BACKGROUND

7. Planning approval for the development of 6 detached houses with associated infrastructure following demolition of existing buildings at Cheeky Monkeys, Factory Lane, Whittle-Le-Woods Chorley PR6 7YA.was granted on 6 October 2020.

8. The development will provide 6 detached houses with associated infrastructure.

9. There is an existing right of way (Footpath No 5 Whittle-Le-Woods) that runs through part of the site therefore the developer has now submitted an application for the diversion of the current footpath.

10. The current footpath runs from point A along the track in a north north easterly direction to point B for the distance of 38.7metres as shown in a bold black line on the appended map.

11. It is proposed that the footpath is diverted so as to run from point A in a north easterly direction on to an estate road, then following the estate road round for 43.2 metres where it will join the existing footpath No 7 Whittle-Le-Woods at point B as shown by the bold broken black line on the map.

12. The diversion of the footpath is necessary to facilitate the development so as to avoid the right of way being included within the boundary of properties to be built pursuant to planning approval granted under planning permission reference 20/00483/FUL.

13. Upon the making of the Order a public notice describing the order must be advertised in the local press and the Order placed on deposit for public inspection. This public notice and order map must also be placed at each end of the length of public footpath to be diverted. Owners of land affected by the order and various statutory consultees must be contacted and served with the notice and a copy of the order and they must be allowed the opportunity to make objections within 28 days from the date of notice.

14. In the event that no objections are received or any objections so received are subsequently withdrawn the Council may confirm the Order as an unopposed order.

15. On confirmation of the order similar steps to those outlined above must be repeated enclosing a copy of the confirmed order. Objectors may challenge the validity of the Order in the High Court within six weeks after notice of the confirmation is published on the grounds that the confirmation is outside the Council's powers or that there has been a procedural defect. The diversion order does not come into effect until Chorley Borough Council certifies that the provisions of the order have been complied with. It is reasonable to take into account the views of LCC because the County will be responsible for maintaining the newly diverted route and ensuring that it remains unobstructed. However the decision to certify is ultimately one for Chorley Council as the order making authority.

IMPLICATIONS OF REPORT

16. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area	x	Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

17. Chorley Council will incur costs in advertising the proposed order in the local press and officer time must be spent in drafting and sending out notices. The developer has agreed to meet the costs of the application.

18. Maintenance responsibility of public footpaths rests with Lancashire County Council as part of the wider public footpath network.

COMMENTS OF THE MONITORING OFFICER

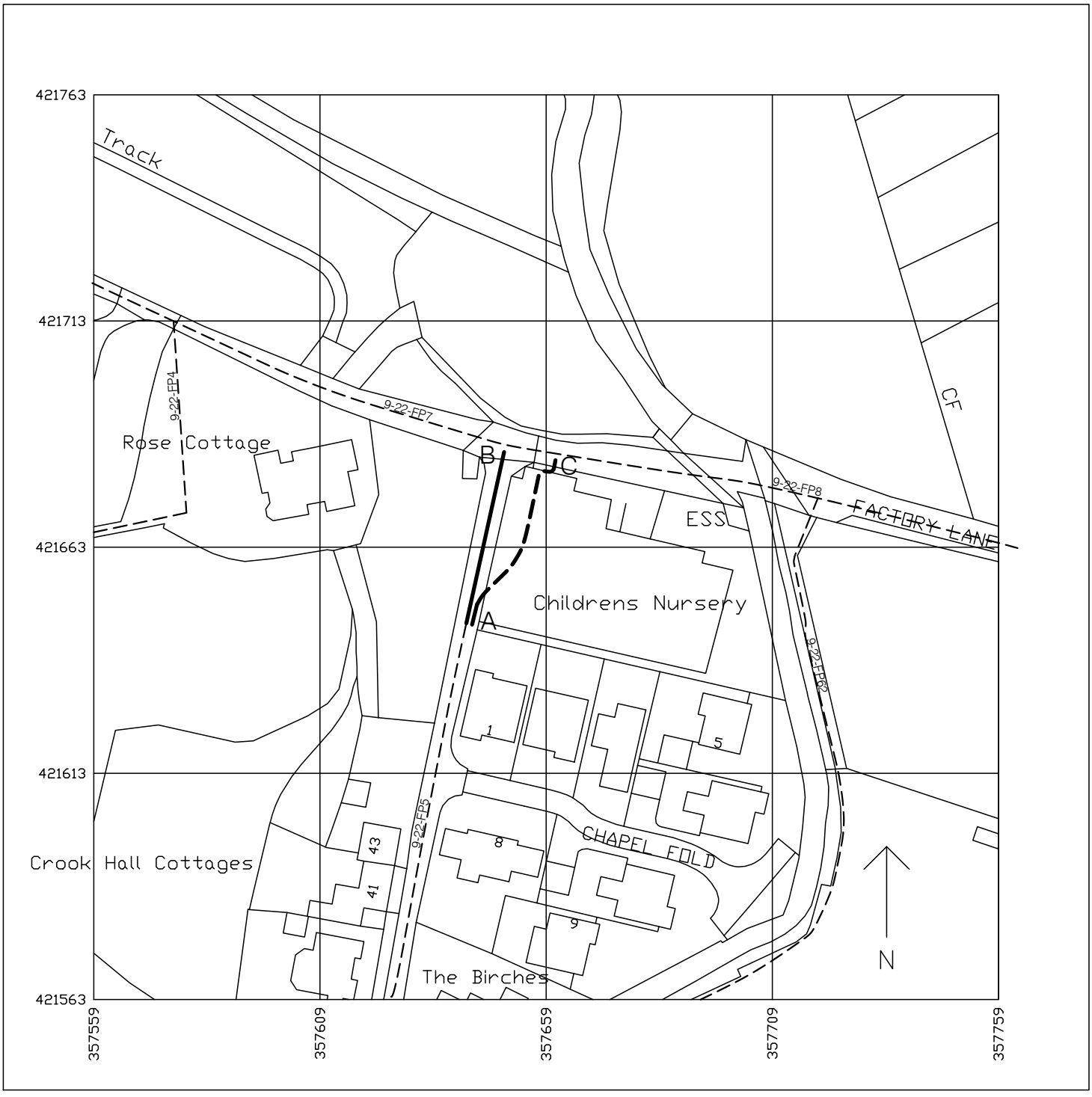
19. The legal basis for the making and confirmation of the order and the procedural requirements are addressed within the body of the report.

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Jodi Ingram	5169	21 October 2020	

This page is intentionally left blank

PUBLIC PATH DIVERSION ORDER
TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
CHORLEY BOROUGH COUNCIL (PART OF PUBLIC FOOTPATH WHITTLE-LE-WOODS (PRW-9-22-5)
AT KEM MILL LANE PUBLIC PATH DIVERSION ORDER 2020



Length to be diverted A-B
Proposed Alternative Length A-C
Unaffected Public Right of Way

10 0 10 20 30 40 50
Metres

SCALE 1:1250

Produced on 12 August 2020 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date.
This map shows the area bounded by 357559,421563 357559,421763 357759,421763 357759,421563
Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey.
Crown copyright 2020. Supplied by copla ltd trading as UKPlanningMaps.com a licensed Ordnance Survey partner (100054135).
Data licenced for 1 year, expiring 12 August 2021. Unique plan reference: v4c/492924/668487

This page is intentionally left blank