

Planning Committee

Tuesday, 13th July 2021, 6.30 pm

The Lancastrian, Town Hall, Chorley and Microsoft Teams

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

Agenda No Item

3 Planning applications to be determined

The Director (Planning and Development) has submitted eleven 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 20/01149/FUL - Land 60M West Of No. 3 Castle Walks

(Pages 9 - 26)

b 20/01053/FULMAJ - Land South Of Mercer Court And East Of Westhoughton Road, Adlington

This item has been withdrawn from the agenda.

c 21/01255/FULMAJ - Parklands High School, Southport Road, Chorley, PR7 1LL

(Pages 27 - 48)

d 20/01379/FUL - Buckshaw Hall, Knight Avenue, Buckshaw Village, Chorley, PR7 7HW

(Pages 49 - 62)

e 20/00987/FUL - Mediterranean At Robin Hood, Blue Stone Lane, Mawdesley

This item has been withdrawn from the agenda.

i 20/01087/FUL - Roecroft Farmhouse, Ulnes Walton Lane, Ulnes Walton, Leyland, PR26 8LT

(Pages 63 - 74)

j 21/00622/LBC - Roecroft Farmhouse, Ulnes Walton Lane, Ulnes Walton, Leyland, PR26 8LT

(Pages 75 - 80)

- k **21/00601/CB3 - King Georges Field Play Area, Chorley Road, Adlington**

This item has been withdrawn from the agenda.

4 Appeals Report

(Pages 81 - 82)

Report of the Director of Planning and Development (enclosed).

Gary Hall
Chief Executive

Electronic agendas sent to Members of the Planning Committee.

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[To view the procedure for public questions/ speaking click here and scroll to page 119](#)

APPLICATION REPORT – 20/01149/FUL**Validation Date: 27 October 2020****Ward: Croston, Mawdesley And Euxton South****Type of Application: Full Planning****Proposal: Erection of 1no. detached dwellinghouse****Location: Land 60M West Of No. 3 Castle Walks Croston****Case Officer: Amy Aspinall****Applicant: Mr Philip Davidson****Agent: Mr Chris Weetman, CW Planning Solutions Ltd****Consultation expiry: 14 May 2021****Decision due by: 25 March 2020**

UPDATE

1. The recommendation remains to refuse the application.
2. Members will recall that consideration of the application was deferred at Planning Committee on 15 June 2021 to give members the opportunity to visit the site. The original committee report follows on below.
3. Members will also recall that the following was included on the addendum:

ITEM 3b - 20/00149/FUL – Land 60M West Of No. 3 Castle Walks, Croston**The recommendation remains as per the original report.****The report is updated as follows:****2no. further objections have been received as below:**

- Considerable work has already been carried out on this site, comprising:
 - Clearing of trees not included in notification 20/00992/TCON.
 - Considerable reprofiling by excavation and the laying of a large area of hardstanding.
 - Storage of heavy plant machinery on the site.
 - Considerable disruption to local residents moving heavy plant over the unadopted section of Yarrow Close.
 - Amendments to the plans dated 26/1/21 were not notified to residents
- The accompanying case officer report clearly sets out the reasons why the application is contrary to local and national policies and why it should be refused. I repeat my previous objection for the reasons ably set out in your officer report.
- Members are of course not bound to follow your recommendation; after all the reasons why more sensitive planning applications are determined by committee is so that they can be debated properly. Were the planning committee to go against your recommendation there must be good reason to do so and those reasons clearly identified and articulated (see for example

The Lawyers in Local Government Model Council Planning Code and Protocol). This must especially be the case here, as little weight can be given to the benefits deriving from the delivery of a single "high end" dwelling.

- Additionally, if members of the Planning Committee were minded to approve the application I would ask that their attention be especially drawn to the potential for significant archaeological remains and the lack of appropriate field evaluation (contrary to NPPF 189). Therefore if Members do not agree with your recommendation for refusal, then clearly the decision should, at the very least, be deferred (see again The Lawyers in Local Government Model Council Planning Code and Protocol) until such field evaluation works have been carried out.

Officer comment:

Site clearance /excavations / hardstanding – An objection states that a number of works have recently been carried out at the site. This has been reported to planning enforcement to investigate.

Amended plans and no re-notification to neighbours – as the revisions to the plans were relatively minor in the context of the scheme as a whole it was not necessary to re-notify to neighbours.

Impact on ecological interests

Policy BNE9 (Biodiversity and Nature Conservation) of the Chorley Local Plan 2012 – 2026 stipulates that Biodiversity and Ecological Network resources will be protected, conserved, restored and enhanced in a number of ways which includes protecting, safeguarding and enhancing habitats for European, nationally and locally important species.

In their original comments the Council's appointed ecologist at Greater Manchester Ecology Unit (GMEU) advised that the submitted ecological survey provided no assessment of the impacts of the proposal on the habitats present. GMEU have clarified that this is in relation to the site supporting swap and scrub, which are potentially valuable habitats and no mitigation is proposed for its loss. In addition, a landscaping scheme has not been submitted as part of the planning application and it would, therefore, appear that the scheme would result in a net loss in biodiversity. It is, however, considered that mitigation and biodiversity gains could be addressed by way of condition. The landscaping scheme would also need to incorporate native species and a number of suitable species for the site has been identified in the ecological report at Appendix III

The submitted ecological report identifies that the proposed development would not harm protected species interests. In particular the surveyed trees have been identified as having negligible bat roost potential and suggested bat enhancements have been provided at Appendix II of the ecological survey. Such details could be controlled by way of a suitably worded condition. In respect of Great Crested Newts the report identifies that given the isolation of pond within the contiguous landscape, coupled with poor connectivity to extending areas of suitable habitat, it is considered to be highly unlikely that this development will impact upon great crested newts. The Rapid Risk Assessment provides that an offence is highly unlikely.

Himalayan Balsam is an invasive species and this has been identified at the site and measures for its control /eradication could be controlled by way of a suitably worded condition. The report identifies no evidence of use of the site by barn owl or kingfisher, however, the habitat supports nesting birds. An appropriate condition could control clearance or vegetation removal to avoid the main nesting season. The ecological report suggests a number of enhancement measures for birds and such details could be controlled by way of a suitably worded condition.

Subject to various conditions, the proposed development would not be detrimental to nature conservation interest and would accord with Chorley Local Plan 2012 -2026 policy BNE9.

RECOMMENDATION

1. It is recommended that planning permission is refused for the following reasons:
 1. The proposed development would result in the loss of protected open space which is identified of high value and makes a significant contribution to the character of the area in terms of visual amenity. There is currently a deficit of amenity greenspace in the ward and the loss of this site would exacerbate this deficit. The proposal is, therefore, contrary to policy HW2 (Protection of Existing Open Space, Sport and Recreational Facilities) of the Chorley Local Plan 2012 -2026.
 2. The proposed development would fail to meet the statutory test to preserve and would cause harm to both the character and appearance of the conservation area and the visual amenities of the area. The proposed development is, therefore, contrary to policies BNE1 and BNE8 of the Chorley Local Plan 2-12 -2026, policy 16 of the Central Lancashire Core Strategy (2012) and the National Planning Policy Framework at Chapter 16.
 3. Insufficient information has been submitted to assess the archaeological value of the site which has significant potential as the site of castle, moat or other fortified structure. The proposed development is, therefore, contrary to policy BNE8 of the Chorley Local Plan 2012 -2026, policy 16 of the Central Lancashire Core Strategy (2012) and the National Planning Policy Framework at Chapter 16.
 4. The application site falls within flood zone 3 and the Exception Test of paragraph 160 (a) of the Framework is failed as it is not considered that the wider sustainability benefits to the community have been demonstrated.

SITE DESCRIPTION

2. The application site is comprised of a large parcel of land situated between the River Yarrow and the houses of Yarrow Close. The land is situated within the settlement boundary of Croston and falls within flood zone 3. It is designated as existing open space and falls within the defined Croston Conservation Area. The site is also identified as having archaeological potential in the form of a castle, moat or other fortified structure.
3. To the north of the site is a public footpath which runs along the boundary, and residential properties are situated to the north, north east and west. To the east is further land designated as open space and to the south is the River Yarrow, with the designated Green Belt beyond.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. The application proposes 1no. detached dwellinghouse which would be access via Yarrow Close.
5. On 26th January 2021 revised plans were submitted with changes to the siting and layout of the proposed dwellinghouse and also to remove the detached 'sunken garage' which was proposed to the west of the site.

REPRESENTATIONS

6. 19no. objections have been received citing the following summarised grounds of objection:
 - Harm to designated Croston Conservation Area / impact on views of conservation area
 - Impact on heritage trail
 - Not in-keeping / design out of character
 - Access would cut across public footpath / footpath is part of the heritage trail / pedestrian safety
 - Flood zone / flood risk would be increased / regularly floods

- Previous applications have been refused
- Loss of owl habitat / impact of any artificial light from the development
- Loss of rural space in the village
- Villagers value the green space
- Loss of rural views from Yarrow Close
- Site has significant archaeological potential as a medieval castle or defended site / manorial home
- Site is protected open space / has communal value
- Central Lancashire Local Plan does not identify the site for housing
- Proposal would be oppressive to Castle Walks and turns it back on the village
- The previous appeal decision and the planning Inspector's decision still apply to this current application

1no. representation of support has been received which is set out below:

There have been several proposals to develop this land in the past and all have been rejected for various reasons. This proposal seems to have taken account of the history of Croston as a farming community with its modern "Grand Designs" triple barn style of dwelling. Rather than trying to be an ill-considered imitation or pastiche of traditional Croston houses it is recognizably of our age yet draws inspiration from the profile of the adjacent Yarrow Close housing. I think that the use of modern materials with natural stone and larch cladding will enhance the aesthetics of the conservation area.

The site is on the edge of the historic conservation area and yet does nothing to enhance a feeling of pride in the village. This land has been derelict and unkempt for some time and has been used for fly tipping. This creates an eyesore and a potential to be a pollutant for the adjacent river and a hazard to wildlife.

The native hawthorn hedge along Castle Walks is frequently overgrown and it is difficult to pass other pedestrians or cyclists especially when I am out with the wheelchair. Having a home owner in residence here would most likely lead to a thicker and better maintained hedgerow for people and wildlife

By stipulating that the recommendations in the specialist ecological report are adhered to then there would be a net gain of biodiversity on the land and nuisance species such as the Himalayan Balsam would be better controlled. I particularly like the inclusion of various habitats and the earth disguised garage to encourage birds, bats and wildlife.

CONSULTATIONS

7. Croston Parish Council: Have commented that:

- The site lies within the Croston Conservation Area and is identified as open space under policy HW2 of the Chorley Local Plan.
- The proposed access to the site crosses a well-used public right of way (FP5).
- The site has been identified as being of potential archaeological importance (pages 14, 15 and 24 of the attached report refer).
- It is understood Japanese Knotweed may be present on the site.

8. CIL Officers – Have commented that the proposed development would be a chargeable development

9. Environment Agency (EA): In their comments of 13th May 2021, the EA advise that they withdraw their objection and recommend that the development should proceed in strict accordance with the Flood Risk Assessment and the mitigation measures identified. They also advise that it is for the Local Planning Authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk.

10. Waste & Contaminated Land: Have confirmed that they have no comments to make in this instance.

11. Lancashire County Council Highway Services (LCC): In their comments of 10th May 2021 LCC Highways advises that the grant of planning permission does not entitle a developer to obstruct a public right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.

12. United Utilities: Advise that the proposed drainage strategy is unacceptable to them and request drainage conditions.

13. Council's Tree Officer: Advises that the site has already largely been cleared and that the two mature trees identified for retention should be protected in accordance with BS 5837:2012.

14. Historic England: State that they do not wish to offer any comments.

15. Lancashire County Council Archaeology Service: Comment that further information is required.

16. Greater Manchester Ecology Unit – Comments to be reported on Addendum.

PLANNING CONSIDERATIONS

Principle of the development

17. The application site falls wholly within the settlement boundary of Croston, as defined by the Chorley Local Plan Policies Map.

18. Policy 1 of the Central Lancashire Core Strategy (2012) seeks to focus growth and investment in certain areas, allowing for small-scale development in 'other places' which includes smaller villages. The proposal is for 1no. dwellinghouse which is small-scale development and, therefore, considered to be compliant with policy 1.

19. Policy V2 (Settlement Areas) of the Chorley Local Plan states that 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.

20. The principle of the development is, therefore, acceptable subject to other considerations set out in this report.

Existing Open Space

21. The application site is designated as open space under policy HW2 (Protection of Existing Open Space, Sport and Recreational Facilities) of the Chorley Local Plan 2012 - 2026. The site is identified as amenity greenspace Ref 1487: Croston Walls, Castle Walk.

22. Policy HW2 states that 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

The site is identified as amenity greenspace (Ref 1487: Croston Walls, Castle Walk). There is currently a deficit of amenity greenspace in the ward. The loss of this site would, therefore, make the deficit worse.

c) The site is not identified as being of high quality and/or high value in the Open Space Study; and

The site has been assessed as scoring low quality but high value.

d) It can be demonstrated that retention of the site is not required to satisfy a recreational need in the local area; and

The site forms a significant area of amenity greenspace. However, the site is currently not accessible to the public so does not serve any recreational need.

e) The site does not make a significant contribution to the character of an area in terms of visual amenity.

The site contributes significantly to the character of the area due to its location adjacent to the River Yarrow and an area of housing. It is situated within Croston Conservation Area and has a positive role in its character and appearance. There is also a public footpath (Number 5) along the northern site boundary and the site provides visual amenity to people walking along this footpath, including other wider views of the site.

23. In a previous appeal at this site (APP/D2320/W/15/3135608) the Inspector notes:

"I think that the open character of the appeal site is a noticeable feature here. It is evident through the hedgerow (albeit mainly in winter) and at the gate beside Yarrow Close and, as such, it contributes to the character of the 'heritage footpath'. It is also evident from Turflands (another section of the 'heritage trail') across the intervening paddock. From that vantage point it is seen to complement the openness of the river banks, thereby contributing to a charming feature of the village and, with its hedges and foliage, obscure elements of the suburban housing beyond, thereby enhancing the rural quality apparent here"

24. The application is accompanied by a report titled 'Landscape Assessment' and also a Supplementary Statement with regard to policy HW2. The latter states the following:

- Policy HW2 is an either/ or policy.
- Either alternative facilities have to be provided, or, the proposal has to be in an area where there is no deficit and the site is of poor quality, is not required for a recreational need and does not make a significant contribution to the character of the area in terms of visual amenity.
- The applicant contends that d) and e) has already been addressed in other submissions.
- The 2019 Open Space Standards Paper identifies this site (assuming it is a typo on page 38) as low quality. There is no further explanation as to why it is low quality.
- The site is identified as being high value, but then again the report identifies all but 1 open space across the whole Borough as being high value which strongly suggests that the this element of the report is not objective. Again, there is no explanation of why it is considered to be high value.
- Page 45 goes onto say that its quality should be enhanced by "Enhancing quality should be explored where possible (i.e. improved maintenance, general appearance / additional ancillary)."
- The site is in private ownership and there is no realistic way of achieving this somewhat vague approach.
- In terms of local area provision, Chorley West has an over provision of 0.58 the largest of any area in the whole Borough.
- In conclusion therefore it is considered that Policy HW2 is satisfied.

25. It is not considered that the submission satisfactorily addresses policy HW2. The proposal is, therefore, contrary to policy HW2.

Flood Risk

26. Policy 29 (Water Management) of the Central Lancashire Core Strategy seeks to improve water quality, water management and reduce the risk of flooding in a number of ways, including appraising, managing and reducing flood risk in all new developments, avoiding inappropriate development in flood risk areas particularly in Croston, Penwortham, Walton-le -Dale and Southwest Preston.

27. At paragraph 155 the National Planning Policy Framework (The Framework) states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future) and that where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. The thrust of planning policy is, therefore, to guide to development to areas which are at lower risk of flooding.

28. At paragraph 163 the Framework advises that when determining any planning applications, Local Planning Authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment and development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

29. The application site falls within flood zone 3, as shown on the Flood Maps for Planning and as confirmed by the Environment Agency.

30. The proposed use, i.e. dwellinghouses is a 'more vulnerable' classification as set out in Table 2: Flood risk vulnerability classification. Table 3 shown below sets out the flood risk vulnerability and flood zone 'compatibility' and identifies dwellings as being 'appropriate' in flood zones 1 and 2. For flood zone 3, an exception test is required.

Flood Zones	Flood Risk Vulnerability Classification				
	Essential infrastructure	Highly vulnerable	More vulnerable	Less vulnerable	Water compatible
Zone 1	✓	✓	✓	✓	✓
Zone 2	✓	Exception Test required	✓	✓	✓
Zone 3a †	Exception Test required †	✗	Exception Test required	✓	✓
Zone 3b *	Exception Test required *	✗	✗	✗	✓*

Key:

- ✓ Development is appropriate
- ✗ Development should not be permitted.

31. It should be noted that table 3 does not show the application of the Sequential Test which is required. The Sequential Test should be applied first to guide development to areas with the lowest probability of flooding, this being Flood Zone 1. Where there are no reasonably available sites in Flood Zone 1, Local Planning Authorities, in their decision making, should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding), applying the Exception Test if required. Only where there are no reasonably available sites in Flood Zones 1 or 2 should the

suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required. Having regard to the table above, the exception test would be triggered.

32. During the course of the application, the Flood Risk Assessment (FRA) has been updated in line with the original comments from the Environment Agency (November 2020). Following the submission of an updated FRA to assess the risk of fluvial flooding, the Environment Agency no longer object to the application. They advise that they are satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures were implemented. The EA advise that the Sequential Test is a matter for the Local Planning Authority to address.

33. The submitted Sequential Test assesses sites within the Croston area which is appropriate for the scale of the development proposed and the relevant settlement. Data has been used from the Central Lancashire SHLAA and more recently evidence base from the SHELAA (2019). Whilst some of the assertions in the Sequential Test in relation to the designation of some sites is incorrect, this does not necessarily impact upon the assessment.

34. Planning Practice Guidance advises that when applying the Sequential Test, a pragmatic approach on the availability of alternatives should be taken. A development proposal will only fail to pass the sequential test if alternative sites are identified within the search area that are at lower risk of flooding, appropriate for the proposed development and are 'reasonably available' for development. A site is only considered to be reasonably available if it is both 'deliverable' and 'developable' as defined by the Framework and further clarified in the Council's Central Lancashire Strategic Housing Land Availability Assessment.

35. The definition of 'deliverable' is set out in the Framework at Annex 2: Glossary:
To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years.

In particular:

- a) *sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
- b) *where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five year.*

36. The definition of 'developable' is also set out in the Framework:

To be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.

37. The Council's Central Lancashire Strategic Housing Land Availability Assessment which provides that to be considered deliverable sites should:

Be Available – the site is available now.

Be Suitable – the site offers a suitable location for development now and would contribute to the creation of sustainable, mixed communities.

Be Achievable – there is a reasonable prospect that housing will be delivered on the site within five years.

38. The Sequential Test (ST) has assessed a number of sites, as contained in the body of the submitted report. It is considered that the ST has made a satisfactory assessment of other sites and has established that there are no other suitable sites having regard to the above. The Sequential Test is, therefore, passed.

39. Table 3 Flood Risk Vulnerability Classification identifies that an Exception Test is required. The submitted Sequential Test report seeks to address the Exception Test.

40. The Framework at paragraph 160 provides that the application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. For the exception test to be passed it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

41. In respect of the first test the development must provide wider sustainability benefits to the community that outweigh the flood risk.

42. The application provides that the benefits are:

- A residential use for which there is an identified need and that there is a shortage of alternative sites in Croston
- Betterment in terms of flood risk to the wider community
- Available access via Yarrow Close to the north side boundary of the field to alleviate traffic issues within Croston Village
- That the site is predominantly greenfield where previous planning permission has been submitted
- The site is developable due to a flood defence berm which will be partly maintained by the applicant, in particular access to the berm which is beneficial for good maintenance.

43. In terms of housing delivery the benefits of a single dwellinghouse is afforded limited weight. It is unclear what the flood risk betterment to the wider community entails. The site currently has access for maintenance and riparian responsibilities already exist. It is unclear how the addition of a dwellinghouse on this site would alleviate traffic issues within Croston Village.

44. It is not considered that the wider sustainability benefits to the community have been demonstrated.

45. In respect of the second test, the Environment Agency are satisfied that the proposed development the proposed development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures were implemented.

46. At paragraph 161 the Framework is clear that both elements of the exception test should be satisfied for development to be allocated or permitted. The proposal does not satisfactorily address the first test and, therefore, the application fails the Exception Test.

Design and heritage

47. The principle statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 is to preserve the special character of heritage assets, including their setting.

48. Section 72(1) provides that in undertaking its role as a planning authority the Council should, in respect to conservation areas, pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

49. The Framework at Chapter 16 deals with conserving and enhancing the historic environment. The following paragraphs contained therein are considered to be pertinent in this case:

50. The Framework at paragraph 184 recognises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

51. At paragraph 189 the Framework states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

52. At paragraph 190 The Framework states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal, taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

53. Paragraph 192 provides that in determining applications, Local Planning Authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

54. When considering the impact of proposal on the significance of a designated heritage asset, The Framework is clear at paragraph 193 that great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance.

55. Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

56. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, paragraph 194 advises that Local Planning Authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

57. Paragraph 196 identifies that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

58. At paragraph 200 the Framework states that Local Planning Authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals which preserve those elements of the setting that make a positive contribution to the asset should be treated favourably.

59. Central Lancashire Core Strategy (2021) policy 16 (Heritage Assets) seeks to protect and seek opportunities to enhance the historic environment, heritage assets and their settings in a number of ways including safeguarding heritage assets from inappropriate development that would cause harm to their significances. Development involving the demolition or removal of significant heritage assets or parts thereof will be granted only in exceptional circumstances which have been clearly and convincingly demonstrated to be in accordance with the requirements of the Framework

60. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials; that the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area; and that the proposals would not adversely affect the character or setting of a listed building and/or the character of a conservation area and/or any heritage asset including locally important areas.

61. Policy BNE8 (Protection and Enhancement of Heritage Assets) of the Chorley Local Plan 2012 -2026 stipulates the following

- a) Applications affecting a Heritage Asset or its setting will be granted where it:
 - i. Is in accordance with the Framework and relevant Historic England guidance;
 - ii. Where appropriate, takes full account of the findings and recommendations in the Council's Conservation Area Appraisals and Management Proposals;
 - iii. Is accompanied by a satisfactory Heritage Statement (as defined by Chorley Council's advice on Heritage Statements) and;
- b) Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for the following :
 - iii. The conservation of features and elements that contribute to the heritage asset's significance and character. This may include: chimneys, windows and doors, boundary treatments, original roof coverings, earthworks or buried remains, shop fronts or elements of shop fronts in conservation areas, as well as internal features such as fireplaces, plaster cornices, doors, architraves, panelling and any walls in listed buildings;
 - iv. The reinstatement of features and elements that contribute to the heritage asset's significance which have been lost or damaged;
 - v. The conservation and, where appropriate, the enhancement of the setting of heritage assets;
 - vi. The removal of additions or modifications that are considered harmful to the significance of any heritage asset. This may include the removal of pebbledash, paint from brickwork, non-original style windows, doors, satellite dishes or other equipment;
 - vii. The use of the Heritage Asset should be compatible with the conservation of its significance. Whilst the original use of a building is usually the most appropriate one it is recognised that continuance of this use is not always possible. Sensitive and creative adaptation to enable an alternative use can be achieved and innovative design solutions will be positively encouraged;
 - viii. Historical information discovered during the application process shall be submitted to the Lancashire Historic Environment Record.

62. The impact of the proposal on the character and appearance of the area is a key consideration in the determination of the application. The site falls within the Croston Conservation Area which is a designated heritage asset and it is necessary to consider whether or not the character or appearance of this conservation area would be harmed by the proposed development. Notwithstanding this, there is the possibility that the site is the location of a former castle and its moat, and later, a moated manor home which replaced the former castle. The site itself is a large part of a wider area of designated open space under policy HW2 of the Chorley Local Plan 2012 – 2026.

63. The site is an open area of land situated to the edge of the built-up area of Croston, with the River Yarrow running along the southern boundary and the Green belt beyond. The application

proposes a single dwellinghouse which would occupy a central position within the site and has been designed as three distinct two storey blocks with a connecting glazed atrium. The development would have a large footprint, combined with a large area of bonded gravel as shown on the entrance plan, and patio areas, which further adds to the developed form of the site. The dwellinghouse would have a modern aesthetic with a 'barn-like' appearance with timber strip cladding and slate, although more domestic elements would be highlighted in stone cladding.

64. The site exists as open land which contributes significantly to the character, appearance and visual amenity of the area and creates a sense of openness, providing a clear rural connection between the village and the countryside beyond. Views of the site are achieved from Yarrow Close through the rural access gate at Yarrow Close, glimpses through the hedgerow and more widely from the south, including from the heritage trail. A footpath runs along the northern boundary of the site which is enclosed on one side by built form and the rear gardens of properties along Yarrow Close and on the other side by a mature hedgerow and the open land of the site itself, contributing to the character of the heritage footpath and boundary of the conservation area. The site undoubtedly has a positive role in the character and appearance of Croston Conservation Area. This was recognised by the Inspector in a previous appeal at this site, which was dismissed.

65. Although the proposal is for a single dwellinghouse, it is a large scale dwelling which would be seen as a group of buildings which would occupy a large portion of the site, adding to its visual prominence from surrounding receptors. Whilst a paddock is identified on the submitted plan, it appears that this would essentially be the garden to serve the dwellinghouse, along with its associated domestication of the site. The proposal would extend the suburban form of Croston with a large dwellinghouse which would itself be at odds with those generally found in the conservation area which characterise the village, and would result in a loss of open character of the site which is a key feature in the conservation area.

66. It is not considered that the proposal would meet the statutory test to preserve and would cause harm to both the character and appearance of the conservation area. This harm is afforded great weight. The Framework advises that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

67. The site may also yield some evidential value relating to a medieval castle, plus the possibility of the site also being the location of a moated manorial home. This potential presence was recognised in a previous application on this site and was referred to in the appeal. The current application does not provide any assessment in relation to the archaeological significance of the site which has yet to be properly tested beyond a desk-based study. The presence of a previously unknown defended site in the form of a castle would be considered to be of the highest archaeological significance of national importance. Field work investigation would be required pre-determination to fully understand the impact of the proposed development on archaeological interests as the land has significant potential as being the possible site of a castle, moat or other fortified structure.

Impact on neighbouring amenity

68. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development the proposal would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact; and that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses.

69. In land use terms, the proposal would be a small scale domestic development which would be a compatible form of development with neighbouring residential uses.

70. The nearest neighbouring dwellings are those of Yarrow Close where the rear of these properties face towards the north of the application site. The proposed northern elevation of the dwellinghouse does not contain any principal windows and given the separation distances

achieved (approximately 17 metres at its nearest point) the proposal would not give rise to loss of privacy impacts or result in adverse impacts of loss of light or overbearing effects.

Impact on ecological interests

71. *Policy BNE9 (Biodiversity and Nature Conservation) of the Chorley Local Plan 2012 – 2026 stipulates that Biodiversity and Ecological Network resources will be protected, conserved, restored and enhanced; and that priority will be given to, among other things, protecting, safeguarding and enhancing habitats for European, nationally and locally important species.*

72. An update will be provided on the Addendum following receipt of final comments from the council's ecological advisors.

Highway safety

73. *Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction.*

74. The existing field access to the site from Yarrow Close would be upgraded to access the site with dropped kerbs and a warning sign. The site would be able to accommodate on-site parking provision for at least 3no. spaces which accords with the Council's parking standards as set out in the Chorley Local Plan at Appendix A, including appropriate turning area to enter and exit in a forward gear. Lancashire County Council Highways have assessed the application and raise no objection. In particular they do not raise any objections on safety grounds in relation to the access cutting across a public footpath.

75. The application is for a single dwellinghouse and based on the advice obtained from LCC Highways it is considered that the proposal accords with policy BNE1 of the Chorley Local Plan 2012 – 2026 in respect of highways safety matters.

Provision of public open space

76. 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.

77. 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.

78. Specifically, the guidance 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.

79. 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.

80. 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.

81. Notwithstanding this, the Council must also decide how much weight to give to the benefit of receiving a payment for 1 or 2 dwellings. It is, therefore, considered that the benefit of securing a public open space contribution on the basis of a single dwellinghouse in this case, would not outweigh the high cost of managing the end to end process of delivering those improvements, and would not be commensurate to the benefit.

82. Therefore, a public open space commuted sum is not requested for this scheme.

Sustainability

83. Policy 27 of the Core Strategy requires all new dwellings to be constructed to Level 4 of the Code for Sustainable Homes or Level 6 if they are commenced from 1st January 2016. It also requires sites of five or more dwellings to have either additional building fabric insulation measures or reduce the carbon dioxide emissions of predicted energy use by at least 15% through decentralised, renewable or low carbon energy sources. 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.”

84. Given this change, instead of meeting the code level, the dwellings should achieve a minimum dwelling emission rate of 19% above 2013 Building Regulations in accordance with the above provisions. This could be controlled by a condition.

Community Infrastructure Levy

85. 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

86. The proposal would be harmful to the character and appearance of the conservation area and fails the statutory duty to ‘preserve’. No public benefits are identified to outweigh the harm to this heritage asset. The application contains insufficient information in relation to the archaeological potential of the land as a possible site of a castle, moat or other fortified

structure. The site is situated within flood zone 3 and although the Sequential Test is passed, the application fails the Exception Test. The proposal would result in the loss of protected open space ad this is contrary to policy HW2. It is, therefore, recommended that the application is refused.

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.

RELEVANT HISTORY OF THE SITE

Ref: 81/01031/OUT **Decision:** REFOPP **Decision Date:** 28 September 1982
Description: Outline application for 7 houses and 1 bungalow

Ref: 84/00046/FUL **Decision:** REFFPP **Decision Date:** 17 April 1984
Description: Erection of one detached bungalow

Ref: 89/00221/OUT **Decision:** REFOPP **Decision Date:** 22 August 1989
Description: Outline application for residential development on 0.8 hectares of land

Ref: 92/00074/OUT **Decision:** WDN **Decision Date:** 9 May 1992
Description: Outline application for residential development

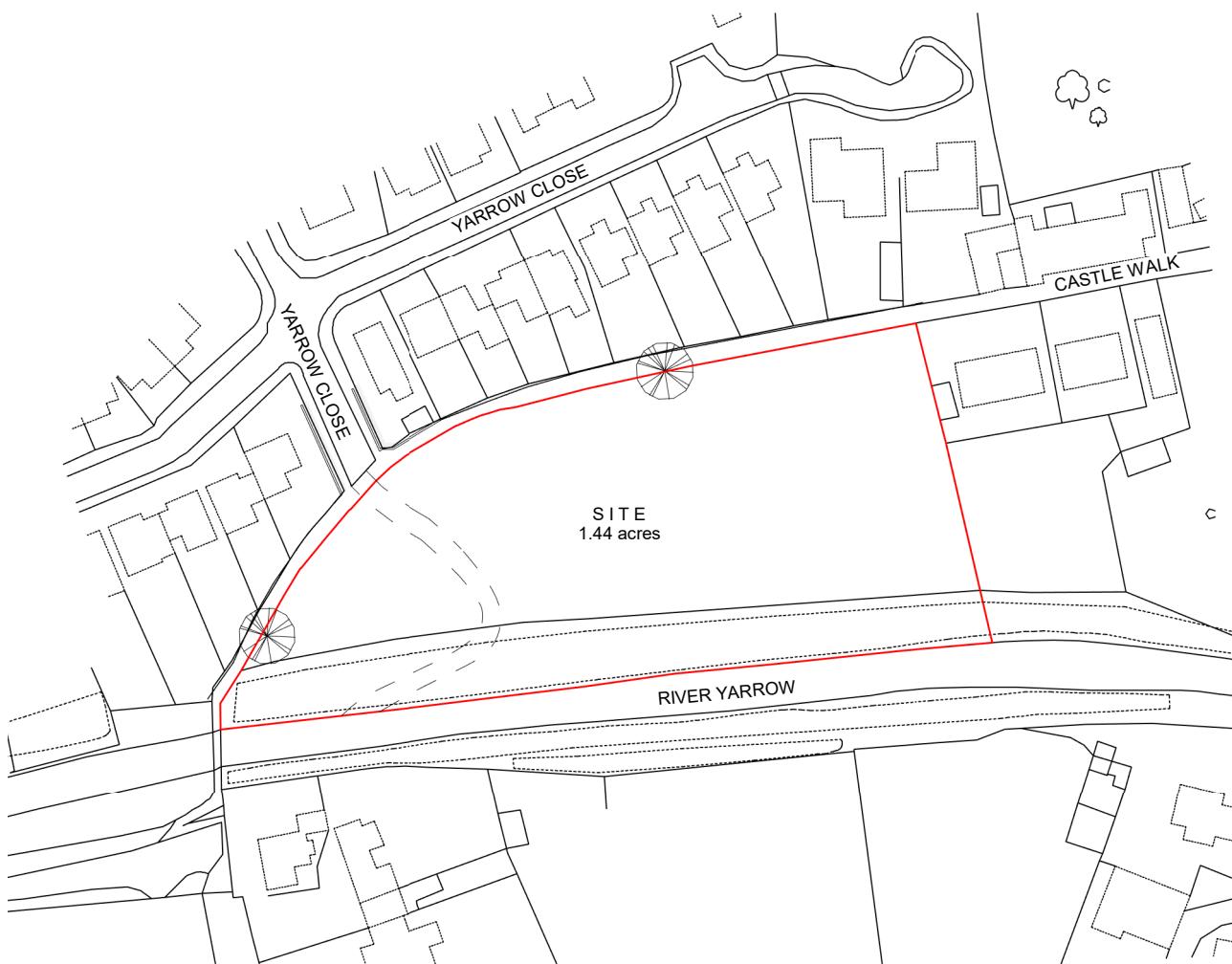
Ref: 14/00791/FUL **Decision:** REFFPP **Decision Date:** 1 April 2015
Description: Construction of six detached two bedroom bungalows and formation of access road

Ref: 20/00992/TCON **Decision:** PERTCN **Decision Date:** 2 November 2020
Description: Notification of proposed works to trees within a conservation area including the felling of 4no. birch trees and removal of self-seeded trees

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Location Plan

P2



Location Plan

scale 1:1250 @ A4

X (Easting) 348760
Y (Northing) 418565



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APPLICATION REPORT – 21/01255/FULMAJ**Validation Date: 3 December 2020****Ward: Chorley North West****Type of Application: Full Planning**

Proposal: Erection of an inflatable multi-sport airdome, including a concrete ring beam for anchoring, resurfacing of tennis courts and other associated infrastructure and ancillary facilities

Location: Parklands High School, Southport Road, Chorley. PR7 1LL

Case Officer: Mr Iain Crossland

Applicant: Mr Rhenden Pillay, Athletico Buckshaw Futsal Ltd

Agent: Mr Russell Adams, Adams Planning + Development Ltd

Consultation expiry: 3 February 2021

Decision due by: 16 July 2021 (Extension of time agreed)

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site is located within the grounds of Parklands Academy, which is a Secondary School that lies approximately 1km north west of Chorley town centre, and is within the core settlement area of Chorley. The school campus is to the north of the A581 (Southport Road), and is positioned between this and Great Wood to the north through which the River Chor runs. These woods are designated ancient woodlands and form part of the parkland of Astley Hall and Park that lie beyond to the north and are designated as an Historic Park and Garden. To the east and west of the school campus are residential housing estates.
3. The school campus comprises an open area of grass playing fields on the western and central areas of the campus, an all-weather playing pitch located on the northern side of the campus and a cluster of school buildings and hard standings located in the south eastern area of the school campus.
4. The proposed new sports dome would be located on an existing macadam tennis court sports area that is located to the north eastern corner of the school campus and currently accommodates four hard surfaced tennis courts. The application site is adjacent to Great Wood, which lies to the north and east. To the south are the school buildings and to the west are the playing fields and all weather playing pitch. It is noted that there are residential dwellings beyond the school boundary to the south east of the application site.

DESCRIPTION OF PROPOSED DEVELOPMENT

5. This application seeks full planning permission for the erection of an inflatable multi-sport airdome, including a concrete ring beam for anchoring the proposed dome, resurfacing of the tennis courts and other associated infrastructure and ancillary facilities including plant.

The proposed sports dome would cover the full extent of the macadam hardstanding tennis court area and would measure approximately 35 metres wide by 58 metres long and approximately 11 metres in height.

6. The proposed dome would consist of a translucent polyethylene canopy, which would be supported by a frame and anchored into the ground around the perimeter through a series of anchor points attached to a concrete ring beam. The ring beam is a concrete foundation that would be set within a trench around the perimeter of the playing surface. This would be dug within the existing area of tarmacadam. There would be two additional internal membranes on the inside of the dome and the dome would be internally lit. The dome would have a revolving door entrance and ventilation units to the west side and an emergency exit doorway in the south side elevation. The existing courts would be surfaced with an enclosed interlocking suspended flooring system to provide a suitable playing surface.

REPRESENTATIONS

7. Representations have been received from the occupiers of 35 addresses; Barton Wilmore on behalf of local residents; the Friends of Astley Park; Chorley and District Natural History Society; and Friends of Chorley Great Wood, citing the following grounds of objection:
 - The scale of the structure is such that it would result in an adverse loss of light and outlook to neighbouring properties.
 - The scale and design of the dome would be out of keeping with the character of the area and would be harmful to the landscape and its visual appearance.
 - Parking and access are already a massive issue for local residents and the proposed development would exacerbate this situation.
 - Lack of parking and impact on highway safety, capacity and amenity through users parking on surrounding streets.
 - Would cause harm to the setting of listed buildings and an historic park and gardens.
 - Lack of a heritage statement in what is a highly sensitive location.
 - Noise and disturbance associated with a commercial venture in a quiet residential area.
 - Wildlife and ecological impacts through light emissions and the blocking of daylight to the woodland.
 - Harmful impact on trees and the ancient woodland at Great Wood.
 - Light pollution affecting public and residential amenity.
 - No tree survey has been submitted and trees within the site would clearly be impacted upon by the development.
 - An ecological impact assessment should have been provided with the application.
 - A bat survey is required.
 - Carbon footprint analysis should have been provided.
 - The proposal would likely add pressure from requests to prune trees within the ancient woodland.
 - Increased flood risk from the development.
 - There are already enough sports facilities in Chorley.
 - Lack of notification.
 - The development is not financially viable.
 - The fee paid for the development has been incorrectly calculated.
 - No information about the maximum capacity of the dome has been provided and so a fair assessment of the proposal is not possible.
 - The Transport Assessment is unrealistic and has not properly considered the current parking / highway issues.
 - Not enough data to fully understand the traffic that would be generated.
 - Usage time would overlap and there would be more vehicles than predicted in the Transport Statement.
 - The development would not meet with fire or disabled access regulations.
 - Would attract antisocial behaviour.
8. Details of a petition against the development have been provided in the form of two PDF's which detail the following;

- 70 page list of 1,502 individual objectors, of which 659 (44%) are 'local' (Lancashire) and;
 - 10 page list of 120 individual comments, of which 65 (54%) are local (Lancashire).
9. Representations in support have been received from the occupiers of 189 addresses. These make the following comments:
- Provision of a facility that would be available all year round.
 - Would help improve people's health and fitness.
 - Would be an inclusive facility for all, not just the school.
 - The site is an existing playing facility.
 - The site is accessible to a large number of people and via public transport and walking.
 - There is plenty parking for users.
 - The site is such that there would be a limited impact on neighbouring occupiers.
 - Very little light would be emitted.

10. Supporting statements have also been received from pupil leaders at Parklands Academy.

CONSULTATIONS

11. Regulatory Services - Environmental Health: Have no objection and comment that should the Council receive complaints regarding statutory nuisance if the proposed development is approved, then these will be investigated in accordance with the relevant procedures.
12. Lancashire County Council Highway Services: Comment that the proposal is acceptable from highway perspective.
13. United Utilities: Have no objection subject to conditions.
14. Greater Manchester Ecology Unit: Have no objection.
15. Growth Lancashire (Heritage and conservation advice): Advise that the proposed scheme would meet the duty to 'preserve' as laid down by s.66 of the P(LBCA) Act 1990 and meet the objectives of Chapter 16 of the National Planning Policy Framework, policy 16 of the Lancashire Core Strategy and policy BNE8 of the Chorley Local Plan (2012 – 2026).
16. Waste & Contaminated Land: No comments have been received.
17. Wildlife Trust for Lancashire, Manchester & North Merseyside: Comment that the application site appears to be closer to the woodland edge than 15m. If that be so, they must raise an objection unless and until that is resolved.
18. Astley Village Parish Council: Comment that although the Parish Council is in favour of greater opportunities for sport and recreation for the people of Chorley and surrounding areas, Parish Councillors expressed a number of concerns as follows:
 - The Astley Village Parish Council has been happy to support the development of the West Way Sports Hub and agreed to give financial support for the establishment of a play area for younger children. The proposed erection of an inflatable multi-sport airdome at Parklands High School does however create a number of difficulties.
 - This enormous dome, more than twice the height of a two storey house, will be adjacent to Astley Park and will have a detrimental environmental impact on the Park. The Park is used by hundreds of people every day as an opportunity to walk among the trees to get away from the 'concrete jungle'. The proposed dome will dominate the area and no doubt the noise of the pumps used to inflate the dome will be very intrusive. These pumps will be running 24 hours a day, 365 days a year. Could the dome not be moved to the opposite side of the site, next to Southport Road, where it would have little impact on the peace of the woods?

- The Friends of Astley Park actively encourage wildlife in the area and have installed 90 bat-boxes, some of them very, very close to the proposed dome. The associated additional lighting will have a serious impact on the wildlife and particularly on the 9 species of bats known to inhabit the Park.
- Southport Road already has real problems regarding parking, especially at the end of the school day. The last thing we need is additional cars creating a real safety concern.

PLANNING CONSIDERATIONS

Principle of the development

19. The National Planning Policy Framework (the Framework) states that applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay.
20. Of particular relevance to the proposed development is paragraph 91 of Framework that states *Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.*
21. Paragraph 97 of the Framework goes on to state “*Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: [...] b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”*
22. The Central Lancashire Core Strategy policy 24 covers sport and recreation and seeks to ensure that everyone has the opportunity to access good sport, physical activity and recreation facilities (including children’s play) by d) identifying sites for major new facilities where providers have evidence of need.
23. The application site is located in the settlement area of Chorley. The Chorley Local Plan 2012 - 2026 states that 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.
24. Policy HW2 of the Chorley Local Plan 2012 – 2026 seeks to protect existing open space and states that land and buildings currently or last used as, or ancillary to, open space or sports and recreational facilities will be protected unless certain criteria can be met. This approach is reflected and supported in the Framework.
25. The application site is an existing sports facility, however, the proposed development seeks to upgrade the sports facilities through the addition of the proposed dome and new surfacing, which would extend the availability of sports facilities into the evening and in all weather conditions. It is, therefore, considered that the proposal is more akin to the provision of new facilities that seek to make more effective use of the available area and is most appropriately assessed under policy HW1 of the Chorley Local Plan 2012 – 2026, which covers the provision of new open space, sport and recreational facilities.
26. Policy HW1 states that proposals for the provision of new open space, sport and recreational facilities or extensions to existing facilities will be permitted if all criteria of the policy are met. These are set out and addressed as follows:
27. *The development will not have an adverse impact on the local environment or visual character of the landscape;*

The application site is well contained within a wider, well defined, secondary school site. The wider school campus is positioned between Southport Road to the south, mature woodland to the north at Great Wood and residential development to the east and west. The application site itself is positioned to the north of the school buildings, between these and the woodland, which lies to the north and east, whilst open playing fields to the west provide a more open aspect. It is also noted that the site lies at a lower level relative to the school buildings and that there are houses on Hampton Close to the south east.

The proposed dome would be some 11m in height at its apex and would resemble a large smoothly curving white dome. No buildings of this type are in evidence in the locality, and so it would contrast with the buildings of modern design style that comprise the school buildings and are of a more angular form. Although its form would contrast with the school buildings the scale of the proposed dome would be comparable, particularly when accounting for levels differences, with the application site being at a lower level relative to the ground level of the existing school buildings. In this sense although it would introduce a new design feature to the area, it would not be of wholly unexpected appearance in the context of a modern secondary school grounds where buildings of similar scale are in evidence.

In terms of its positioning and prominence the most clear views of the proposed dome would be from distance across the playing fields from Southport Road, where it would lie beyond a fenced artificial pitch. It would be seen with the school buildings to the south, and would form part of this collection of built form. Some limited public views would be possible from Glamis Drive and Hampton Close to the south east between buildings, where it would be seen in the background. The proposed dome would be set far enough away from these view points that it would not be a domineering feature and would form a coherent part of the collection of buildings on the school site.

Views from the woodland footpaths within Astley Park would also be possible, particularly in winter, although even in winter these views would be filtered to an extent by the trees within the woodland. From the paths within Great Wood the proposed dome would be situated at a relatively higher level. At present the school buildings are seen through filtered views from these paths, and the proposed development would result in a smooth dome being positioned closer to the woodland and paths. Although visible through filtered views beyond the woodland the proposed dome would not be so prominent or unsightly that it would have an adverse impact on the local environment or visual character of the landscape from paths within Great Wood.

In all cases the proposed dome would be viewed in the context of adjacent buildings within a school site. A number of the school buildings would appear greater in height, due to the levels difference across the site and the proposed dome would not be out of scale by comparison. Although visible, and somewhat unusual in form, the proposed dome would not be overly prominent in the locality given the restricted public views available and distances involved, and would ultimately form a coherent part of the collection of school buildings on the school campus.

The proposed dome would be internally lit through LED lights hanging from within the dome from the roof structure. Given the translucent nature of the covering materials it would be visible in the evenings. A light assessment submitted with the application details that the lighting would be positioned directly above the pitch similar to that of a sports hall. This means that luminaires are not positioned around the pitch at angles creating glare, upward lighting, or overspill. The proposed dome itself is designed to prevent any internal light from escaping. The edges are sealed, and the material specifically chosen to reduce the transmission of light through it. The manufacturers have provided a technical data sheet, which identifies the light transmission factor of the material to be 6.13%, which is very low, and is considerably less than the floodlighting to the existing multi-use sports pitch at the centre of the school playing fields.

Although there would be some visual impact when in use, the lit dome would be seen within the context of a floodlit artificial pitch and public views would be from distance or would be restricted by existing buildings or filtered by mature woodland. Furthermore, the hours of use would be controlled by condition preventing prolonged use throughout the night, and the hours of use would reflect those of the floodlit artificial pitch. It is, therefore, considered that there would be no adverse impact on the local environment or visual character of the landscape, when the dome is lit.

The site is situated in an urban context in an undesignated landscape and away from the main public road and/or any listed buildings and heritage assets (although there are heritage assets to the north that are considered in detail below). The site is generally well screened given the existing mature trees to the north and the school buildings to the south that are sited at a higher level relative to the location of the proposed dome. The height and massing of the proposed dome would be compatible in height and scale to the height and massing of the main school buildings, and the sky glow impact would be considerably less than the existing floodlit artificial pitch to the west. On this basis it is not considered that the proposed dome would result in any harmful adverse impact on the local environment or visual character of the landscape in the context of this largely urban environment.

28. *The development will not result in the loss of the best and most versatile agricultural land (Grades 1, 2 and 3);*

No agricultural land would be lost as a result of the proposed development.

29. *The development will not cause harm to a site of nature conservation value;*

The proposal has been assessed by Greater Manchester Ecology Unit (GMEU), who confirm that the site does not have any nature conservation designations, legal or otherwise, nor does it meet the description of proposed works for Natural England's Impact Risk Zone in relation to the West Pennine Moors (SSSI) or Charnock Richard Pasture (SSSI).

From examining the available ecological records and the aerial photographs of the site GMEU do not envisage that there would be a reasonable likelihood of protected species being present as the application site comprises hard standing.

It is acknowledged that the site is adjacent to ancient woodland, and while the development would not encroach into this woodland area, it would fall within the identified buffer zone. Development within the buffer zone is not necessarily unacceptable and its acceptability or otherwise depends upon the specific circumstances of each case and the impact on the woodland assets that the buffer zone is designed to protect. The Framework specifically sets out at paragraph 175.c) that *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.*

The proposed development would involve digging a 1m deep and 0.4m wide trench around the inner perimeter of the macadam tennis courts in order to create a ring beam that would be used to anchor the proposed dome. Outside of this there would be a shallow drainage channel to catch the surface water run-off, which would also be set within the existing hardstanding area. As such all excavations would be within the existing area of hard surfacing, which is approximately 7m from the boundary of the school grounds with Great Wood to the east.

Notwithstanding this an examination of the site by the Council's tree officer has identified that the development would most likely fall outside the root protection areas (RPA) of any trees that lie within the ancient woodland, due to the distance and the change in levels. However, given that the site does fall within the buffer zone of the ancient woodland and is in close proximity to it, it is recommended that a condition be attached to any grant of planning permission requiring that the development is carried out in line with a method statement setting out tree protection measures for the ring beam installation, to ensure that the ancient woodland trees are protected from any adverse impacts. A method statement has been advanced by the applicant and is considered suitable by the Council's tree officer.

This would provide the opportunity to dig trial pits under the supervision of an arboricultural supervisor and a meeting held with Chorley's tree officer to ensure that the tree protection measures set out in the method statement are appropriate and/or necessary. Amongst other things this would include the installation of an impermeable geotextile membrane around the concrete ring beam in the northern and eastern sections in order to safeguard against the leaking of any toxins that might give rise to the damage of trees.

Although no trees are identified for removal by the applicant it is noted that some younger trees within the school grounds may be affected. These are self seeded trees to the northern side of the site, which may be affected at root level, however, the level of visual amenity provided by these trees is limited in the context of the ancient woodland beyond, and their protection is not considered to be essential. Nevertheless the tree protection measures set out on the method statement would help to safeguard these trees in any event. In the north east corner of the site there are some slightly older trees, which demonstrate evidence of roots underneath the tarmac surface, though only a small percentage of the RPA to these trees is likely to be disturbed given the methods of development proposed, which again would have added protections through the proposed methods.

It is noted that the proposed dome would be lit and would be adjacent to woodland where bats are known to be active. The applicant has provided a light spill report so that the resultant impact on bats and other nocturnal wildlife can be considered. The report demonstrates that there would be minimal light spillage from the site and zero light spillage beyond 2.5m of the site. The light spill report has been assessed by GMEU, who confirm that they are satisfied that details demonstrate a low enough lux level that would not impact on any nocturnal animals, such as bats that may be using the woodland edge, and no further information is required in relation to bats.

On the basis of the above it is not considered that the development would cause harm to a site of nature conservation value, and would also be in line with policies BNE9 and BNE11 of the Chorley Local Plan 2012-2026, which seeks to protect and conserve biodiversity and ecological networks.

30. The development will not harm the amenities of local residents;

The proposal is for the redevelopment of an existing sports facility within an established secondary school grounds. As such there is already a degree of impact from noise and disturbance in relation to nearby residential occupiers. It is noted, however, that the proposed development would introduce a physical structure to the site and would extend the availability of this part of the site for use and activity beyond school hours. The impact of the development on the residential amenity of neighbouring occupiers is assessed below.

31. The site is accessible by a choice of means of transport other than the private car and the traffic generated would not have a severe impact on the highway network.

The application site is within walking/cycling distance of a wide catchment of residents of Chorley and Astley Village and pedestrian and cycle links are good. The site is also located within walking distance of Chorley town centre where there are excellent links to public transport. As such the development would be located in a highly sustainable location accessible by a choice of means of transport other than the private car. The impact of the development on the local highway network is covered below.

32. Overall, it is considered that this proposal would improve access to high quality open space and opportunities for sport and physical activity through the comprehensive upgrade of an existing facility in line with the Framework, policy 24 of the Central Lancashire Core Strategy and policy HW1 of the Chorley Local Plan 2012 – 2026 and is, therefore, acceptable in principle subject to matters of neighbour amenity and highway safety covered in detail below.

Impact on designated heritage assets

33. The application site comprises an existing tennis court/hard surfaced play area at the rear (northern part) of the Parklands School site, which has its access off Southport Road, Chorley. To the north of the site are the following heritage assets;
 - Astley Hall (Grade 1)
 - The stable block to Astley Hall (Grade 2)
 - Drinking fountain 50 m south of Stable Block (Grade 2)
 - Ackhurst Lodge – Gate Lodge (Grade 2)
 - Astley Hall - Historic Park and Garden (Grade 2)
34. The principal statutory duty under the P(LBCA) Act 1990 is to preserve the special character of heritage assets, which includes their setting. Local Planning Authorities (LPAs) should in coming to decisions consider the principle act which states the following;
35. Listed Buildings - Section 66(1) in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
36. The National Planning Policy Framework (The Framework) at Chapter 16 deals with conserving and enhancing the historic environment. It sets out that in determining planning applications LPAs should take account of;
 - a. The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b. The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c. The desirability of new development making a positive contribution to local character and distinctiveness.
36. Paragraph 193 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance.
37. Paragraph 194 states that any harm or loss of significance to a designated heritage asset (from alteration or destruction or from development within its setting) should require clear and convincing justification.
38. Paragraph 196 states that where a development will lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal.
39. The Central Lancashire Core Strategy policy 16 and policy BNE8 of the Chorley Local Plan 2012-2026 reflect this approach and support the protection of designated heritage assets.
40. The application relates to the erection of an inflatable air-dome, which would enclose the existing hard-standing tennis court area. The proposed dome would measure 57.75m long by 34.25m wide and would have a domed height of 11m. The structure would be encased in translucent polyethylene. The proposed dome would be anchored in place by the construction of a sunken concrete foundation (ring-beam), which would provide metal anchor fixing points. The proposed dome would be maintained/heated by a fan and would provide a new multi-use sports area/pitches. It is noted that a Planning Design and Heritage Statement dated November 2020 produced by Adams Planning and Development has been submitted in support of the proposed development.
41. The key heritage issue for the Local Planning Authority to consider, in relation to proposed development is the impact of the proposal on the significance of the setting to the nearby designated heritage assets.

42. Historic England's advice on setting issues is contained in its Planning Note 3 (second edition) entitled The Setting of Heritage Assets. This describes the setting as being the surroundings in which a heritage asset is experienced and explains that this may be more extensive than its immediate curtilage and need not be confined to areas which have public access. Whilst setting is often expressed by reference to visual considerations it is also influenced by the historic relationships between buildings and places and how views allow the significance of the asset to be appreciated.
43. It is important to stress that the setting to a heritage asset is not a designation in its own right. Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate the assets significance.
44. In relation to Astley Hall (and adjacent stables and fountain) the site is separated by a substantial woodland area, which runs along the Chor valley. This woodland forms the southern extent to Astley Park and forms the northern backdrop to the proposed site. Astley Hall lies approximately 265m north of the site. More than half that distance is woodland. The drinking fountain and stables lie further still.
45. The application site lies behind the main school 'teaching' blocks and currently is largely unseen. The proposed dome would be a sizeable new addition to the school complex and would be noticeable when approaching eastwards into Chorley along Southport Road. However Astley Hall and the other associated adjacent listed buildings are located some way north of the school and are screened by the mature woodland. Even during winter, with the absence of leaves on the trees, the extent of the woodland provides adequate cover making it difficult to identify individual parts of the school buildings/grounds, other than from much closer within the Chor valley itself. From Astley Hall the site and proposed development would be essentially unseen.
46. Astley Hall including the stables lies within an extensive parkland setting, which contributes positively to how the building can be viewed. Pathways run through the parkland and approaching from the east visitors are rewarded with excellent views of the south facade to the Hall. These important views of the listed buildings would not be altered by the proposal.
47. Historic mapping shows that the Parklands School site lies outside the planned parkland setting to the Hall and the school site, including the tennis court area, and has no historic relevance nor adds any significance to the qualities of the setting within the Park. In this respect it is not considered that the proposal would affect how the Hall, stables or drinking fountain would be experienced. The proposal is not, therefore, considered to harm the contribution made by the setting to the significance of those important heritage assets.
48. Ackhurst Lodge is located in the Chor Valley to the west of the school site close to Southport Road. The Lodge lies at an historic entrance into Astley Park and a former carriage drive route to Astley Hall. A modern housing development lies to the east (Ackhurst Lodge Drive) and the school site is not associated to the development of the Lodge. The proposed site/development is visually detached from the former Lodge and its historic setting is not affected by the proposal.
49. Astley Park Historic Park and Garden is a designation based upon the layout of the historic parkland and was passed onto Chorley Council in 1922, and remains a public park. Its significance is derived from its historic association with Astley Hall and in particular the Towneley-Parkers in the late C18 and C19. Parklands School and proposed site lie outside the parkland area. Whilst the proposed dome structure would be visible in the context of the area of woodland running along the southern boundary to the park, this boundary runs alongside and is largely enclosed by mixed style residential development and the school buildings. The extensive views of the woodland across the school playing fields remains unaltered.
50. Whilst the large structure would be glimpsed at through the trees when walking along the woodland paths along the River Chor, these views would be heavily filtered and would not

detract from the significance of the park. It is, therefore, concluded that the proposal would cause no discernible harm on the setting to the Historic Park and Garden.

51. Whilst it is noted that the Heritage Statement and Impact Assessment contained in the submission is concise Paragraph 189 of the Framework requires applicants to provide only a level of detail that is sufficient to understand the potential impact. Given the context and the clear visual separation the statement is considered to be acceptable in this instance.
52. On the evidence provided and advice provided by the Council's heritage advisor it is concluded that the proposed development, by reason of the fact that the site is clearly visibly divorced from those heritage assets and has no associated historic significance, would not cause any identifiable harm to the significance provided by the setting to Astley Hall or the adjacent stable block, drinking fountain or Ackhurst Lodge.
53. For the same reasons the scheme causes no harm to the setting of Astley Park as an Historic Park and Garden.
54. In this regard the proposed scheme would meet the duty to 'preserve' as laid down by s.66 of the P(LBCA) Act 1990 and meet the objectives of Chapter 16 of the Framework and Policy 16 of the Lancashire Core Strategy and Policy BNE8 of the Chorley Local Plan 2012 - 2026.

Impact on residential amenity

55. The proposed dome would be located to the north west of the nearest residential properties on Hampton Close. Although the proposed dome would not be directly to the rear of any properties it would be visible at an angle from the rear windows and gardens at 1 and 3 Hampton Close and 1 Glamis Drive, with glimpses between buildings possible from other properties. The nearest dwelling at no.3 Hampton Close would be located over 20m away at the nearest point, with the proposed dome being approximately 8m from the rear garden associated with this dwelling. The proposed dome would be approximately 11m in height at its apex height towards the centre of the dome, sloping away toward the ends. It would be sited at a lower level relative to no.3 Hampton Close and the other properties on this street. Given the relative positioning, degree of separation, site levels and form of development it is considered that although the proposed dome would be visible it would not be an overly obtrusive or oppressive feature when viewed from within the nearby dwellings and their associated gardens and would have no unacceptable detrimental impact on outlook given the relative siting and degree of separation. The position of the proposed dome to the north west of these properties and their gardens combined with the lower site levels are also such that there would be no unacceptable loss of light as a result of the proposed development.
56. It is noted that the proposed dome would be internally lit, although there would be no external lighting. However, as the proposed dome would be translucent it would emit some light. A light assessment submitted with the application details that the lighting would be positioned directly above the pitch similar to that of a sports hall. This means that luminaires are not positioned around the pitch at angles creating glare, upward lighting, or overspill. The dome itself is designed to prevent any internal light from escaping, with the edges sealed, and material specifically chosen to reduce the transmission of light through it. The manufacturers have provided a technical data sheet, which identifies the light transmission factor of the material to be 6.13%, which is very low with an internal reflection of 79.96%. This results in the majority of light hitting the dome internal walls being reflected back onto the pitch, while only a small amount of the remaining light would be transmitted through the structure.
57. The location of the luminaries within the proposed dome would prevent light spillage onto the dome structure, while the dome material would disperse any light from within and avoid transfer of light to the outside environment. The level of actual light transfer through the structure would therefore be minimal.
58. In assessing the light emissions from the proposed dome the lighting design has been reproduced to calculate the overspill lighting from the site. The assessment identifies

minimal light spillage from the proposed dome with levels of 2lux immediately beyond the dome surface with no overspill 2.5m beyond the dome. The nearest gardens are 8m away, with dwellings being a further distance.

59. In order to have an adverse impact the light emitted from the site must be brighter than the surrounding environment at a time that disrupts activities. In this case the existing floodlit pitch and existing lighting to the school during the proposed hours must be considered and the proposed dome would generate lesser light emissions, whilst it is likely to provide some additional shielding to properties on Hampton Close from the existing floodlights. On this basis it is anticipated that the levels of light emission would be very low, such that there would be no unacceptable impact on amenity through light nuisance.
60. The site itself is already in use as an area for outdoor sport and recreation and, therefore, already has some impact through noise and disturbance to nearby properties from its use. It is recognised, however, that the intensity of the use would most likely increase as a result of the introduction of the proposed dome and playing surface, which would allow it to be used more extensively into the evenings. The proposed dome would also require plant in the form of ventilation units, which also have the potential to emit some noise.
61. The applicant has submitted an acoustic report in support of the proposed development that provides a review of the potential noise issues surrounding the installation and operation of an inflatable multi-sport airdome. The report identifies that the ventilation units would be positioned approximately 87m away from the nearest dwellings on Hampton Close and on the opposite side of the proposed dome to these properties, whilst the dome itself would be over 20m from these properties. The report has assessed other similar examples of air domes in residential areas and concludes that neither the operation of the fans associated with the proposed dome or the playing of sports within the dome are likely to give rise to any disturbance to residents at Hampton Close and that there are unlikely to be grounds for a Statutory Nuisance to be identified.
62. The Council's environmental health officer has considered the proposal and reviewed the acoustic report, and considers that the report clearly indicates that the proposed development is unlikely to cause disturbance to local noise sensitive properties and have no further evidence that would suggest otherwise. Should the Council receive complaints regarding statutory nuisance if the proposed development is approved, then these would be investigated in accordance with the relevant procedures.
63. As has been noted there is a floodlit artificial pitch facility already within the school grounds that results in unmitigated noise from activity when in use. The proposed dome itself would provide a level of sound insulation from the activities carried out within, whilst it would also provide some sound insulation on this part of the site from the activities carried out on the artificial pitch, where currently there is none. As such it is not considered that the effects of noise and disturbance would unacceptable in the context of the existing circumstances. Given the background noise and disturbance associated with the floodlit artificial pitch it is considered appropriate that the hours of use should be aligned and it is recommended that an hours condition is attached to any grant of planning permission to ensure this.
64. On the basis of the above it is not considered that the proposed development would result in any harmful impacts to neighbour amenity and, therefore, complies with the relevant parts of policies HW1 and BNE1 of the Chorley Local Plan 2012-2026.

Highway safety

65. The proposed development would result in the erection of an air dome over an existing sports facility within a school grounds. It is intended that the facilities provided as a result of the proposed development would be accessible to the wider community beyond that of the school, outside of school hours only. External access would take place outside of school hours and would not, therefore, coincide to increase levels of parking demand during school times.

66. 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 and statutory consultee to the Local Planning Authority. The TS sets out that the site for the proposed dome is the existing tennis courts at the north east corner of the Parklands High School site, which is located north of the A581 Southport Road in Chorley and has a student population of about 1100. The proposed development would make use of the existing school accesses from Southport Road and Glamis Drive. There are existing waiting restrictions on sections of Southport Road and Glamis Drive as part of highway safety measures.
67. LCC in their response to the TS request that the applicant's review of traffic accidents, which concludes there were no personal injury accidents on Southport Road within 200m in each direction of the School access apart from its junctions with Belvedere Drive and Ackhurst Road must be revisited as it is inaccurate. LCC Highways analysis of the most recent 5-year history shows personal injury accidents on this section Southport Road, and therefore considers that the applicant should reassess the accident record of roads in the vicinity of the school, particularly for Southport Road from Windsor Road in the east to Ackhurst Road in the west to include both junctions. LCC consider that the accident analysis should identify any significant highway safety issues and determine if the proposed development would exacerbate such existing problems and propose highway mitigation measures towards alleviating them.
68. LCC confirm that the school is in a sustainable location with good quality footways, well-lit roads, infrastructure for safe crossing, within an acceptable walking distance of Chorley Town Centre and accessible by cycling in all directions (east and south to Chorley, north to Astley Village, and west to Euxton). The site is also well served by public transport with at least four bus stops located in front of the school on Southport Road where day and evening public services are provided by Services 109, 119, 337 and 347 to various destinations Mondays-Fridays, Saturdays, Sundays and Bank Holidays. Various school services are available at these stops with additional services at other stops within acceptable walking distance of the site to the east on St Thomas's Road Street and west on Southport Road.
69. None of the four bus stops closest to the school access are to the high quality standard required to ensure they are disability compliant, safe, attractive and convenient to encourage use of public transport as an alternative to the car as required by the Framework. As such, LCC considers that the applicant should carry out improvements to the two bus stops east and west of Southport Road/Glamis Drive. The bus stop improvements should be to quality disability compliant standards with raised kerbs and boarding areas; bus stop bay and worded markings, clearways etc. The existing shelter at the bus stop to the west of the junction should be replaced with new, while a new shelter is provided for that to the east. Such improvements would be undertaken through the section 278 agreement of the Highway Act 1980 with all costs borne by the applicant, and LCC recommends that conditions are attached to any grant of planning permission to secure this.
70. The applicant has indicated in paragraphs 1.5 and 5.5 of the TS, that the proposed dome would be used by the school up to 5pm and will only be available to the public from then till 10pm. It is estimated that the school currently generates in the region 314 two-way traffic movements in the AM peak hours of 08:00-09:00 and 194 two-way movements in the PM peak of 15:00-16:00. However, when the proposed dome is opened for public use after 5:00pm, only 45 two-way trips will be generated during the busiest hours of 18:00-19:00, which is outside the peak hours of traffic on the highway network. While this level of traffic generation will lead to higher flows on the highway network, it is not considered that the impact of the flows would adversely affect the safety and smooth functioning of the network.
71. The existing 60 space capacity car park and the 25 spaces referred to in paragraph 7.4 of the TS is considered adequate for the proposed scale of development and should not result in adverse impacts on residential amenity in the area. Overall LCC considers that the proposal is acceptable, however, subject to the applicant submitting the above requested traffic accident analysis.

72. In response to the request for further traffic accident analysis the applicant's highway consultant has revisited the analysis and confirmed that there have been no accidents within 200m of the site access, other than at Belvedere Drive, and therefore the proposed development does not require any highway mitigation measures. They consider that there is no clear link between the proposal and accidents at other more remote junctions to justify any wider analysis or associated highway mitigation measures. It is also noted that LCC in their response state that *'While this level of traffic generation will lead to higher flows on the highway network [45 vehicle movements in the period 6:00-7:00pm], it is not considered the impact of the flows will adversely affect the safety and smooth functioning of the network'*. On this basis it would not be reasonable to require highway safety mitigation measures as a result of the development, as the necessity could not be justified on the basis of the impact of the proposed development.
73. In relation to the request for bus stop upgrades / improvements it is not considered that this development proposal for an air dome on an existing sports area within a school grounds could justify bus stop improvements, with external use restricted to times outside of school hours. This particularly so in consideration that the existing bus stops are outside of an existing secondary school, which generate a far greater demand already in relation to the level of daily usage. It is not therefore considered necessary or reasonable to request contributions for bus stop upgrades / improvements on the basis of the proposed development.
74. Overall the number of vehicles accessing the site outside of school hours would be at a far lower level than takes place during school hours, whilst use by the school during school hours would have no impact on parking demand and vehicular access. LCC highways have considered the proposed development and anticipate that the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site over and above the existing situation. On this basis it is not considered that the traffic generated by the development would have a severe impact on the highway network and therefore complies with the relevant parts of policies HW1 and BNE1 of the Chorley Local Plan 2012-2026.

Drainage

75. 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.
76. The application site currently comprises impermeable hardstanding. The proposed development would not increase the area of impermeable surface, and as such the volume of surface water run-off would be no greater. It is proposed that water would be collected by a linear drainage channel that would run around the perimeter of the proposed dome. The new drainage would discharge into an existing 275mm surface water sewer via a 'catchpit', which is an arrangement that currently provides the drainage for the development area. The sewer runs in a northerly direction and discharges into the River Chor (main river).
77. United Utilities have reviewed the proposed drainage arrangements and have confirmed that they do not have any comments to make on the proposals as the drainage would not communicate with the public sewer.
78. A flood risk assessment (FRA) has been submitted in support of the proposed development, which undertook storm modelling using the rainfall run off from the M10-15 storm (15-minute rainfall event that can be expected to happen once within a 10 year period). This storm model is the preferred calculation for surface water runoff and is a nationally recognised standard for planning authorities. This modelling confirms that the site is not in an area of flood risk and confirms that the new drainage design for the proposed dome can cope with M10-15 rainfall events. This development therefore poses no increase in flood risk to the Parklands Academy or neighbouring property on this basis.

79. Under the Flood and Water Management Act 2010 the Lead Local Flood Authority (LLFA) is the responsible 'risk management authority' for managing 'local' flood risk which refers to flood risk from surface water, groundwater or from ordinary watercourses. The LLFA is a statutory consultee for major developments with surface water drainage, under the Town and Country Planning (Development Management Procedure) (England) Order 2015. It is in this capacity that the LLFA have reviewed the FRA and raise no objection to the proposed development subject to the development being carried out in accordance with the FRA. The LLFA also require final details of a sustainable drainage strategy, construction phase surface water management plan and a verification report and operation and maintenance plan to be submitted for approval. It is therefore recommended that conditions requiring these details are attached to any grant of planning permission.

Other matters

80. No tree survey has been submitted and trees within the site would clearly be impacted upon by the development: No trees are identified for removal as part of the development, and none of the trees within the application site are protected or warrant specific protection. The Council's tree officer has visited the site and identified that the digging of a trench within the concrete court area to construct a ring beam would have some impact on trees in the school grounds but that risks to the trees in the ancient woodland are low, and mitigated further by the provision of tree protection measures. As such adequate information is available to understand the impacts and risks from development on trees.
81. An ecological impact assessment / bat survey should have been provided with the application: The application has been assessed by the Council's ecology advisors GMEU, who have been able to assess the risks from development upon wildlife through the information available to them.
82. Carbon footprint analysis should have been provided: This is not a requirement of the development type proposed, and energy efficiency standards cannot be applied to a development of this type and it is not the Council's practice and procedure to do so.
83. The proposal would likely add pressure from requests to prune trees within the ancient woodland: The trees in Great Wood belong to Chorley Council and so the management of these trees is within the control of the Council.
84. There are already enough sports facilities in Chorley: The assessment requirements for new sports facilities contains no criteria or requirements relating to the need for such facilities.
85. Lack of notification: Notification has been carried out in line with normal procedures.
86. The development is not financially viable: This is a matter for the applicant / developer to consider.
87. The fee paid for the development has been incorrectly calculated: The fee paid for the application was £468 based on £234 per 0.1 hectare for the engineering operation of inserting the ring beam (i.e. £468) plus an additional £462 for the new plant totalling £930. No reductions or exemptions were applied. Local Planning Authorities have discretion over the way in which fees are applied for development, and on the basis of the information provided by the applicant at the outset this fee was accepted as being correct. Following receipt of representations during the assessment of the application the development type was reconsidered and it was determined that the application should be considered on the basis that it comprises a building. Clearly this would have impacted on the fee charged for the application at the outset, however, fees cannot be adjusted once paid and where the local planning authority has validated the application. Therefore, the application could not be made invalid on this basis, although the application type was changed to that of a building and categorised as 'major development'.
88. No information about the maximum capacity of the dome has been provided and so a fair assessment of the proposal is not possible: The capacity of the dome for activities is not a planning matter in itself. Although this could relate to the way in which parking requirements

and traffic generation are calculated the Local Highway Authority are satisfied with the information provided in the Transport Statement in assessing these impacts.

89. The Transport Assessment is unrealistic and has not properly considered the current parking / highway issues: The Local Highway Authority has considered the content of the Transport Statement and raises no objection to the proposed development on this basis.
90. Not enough data to fully understand the traffic that will be generated: The Local Highway Authority has considered the content of the Transport Statement and raises no objection to the proposed development on this basis.
91. Usage time will overlap and there would be more vehicles than predicted in the Transport Statement: The Local Highway Authority has considered the content of the Transport Statement and raises no objection to the proposed development on this basis.
92. The development would not meet with fire or disabled access regulations: This is a matter for building regulations compliance.
93. Will attract anti-social behaviour: There is no evidence to suggest that the development would result in anti-social behaviour and would be contained within the school grounds, which would be secured outside of the hours of usage.

CONCLUSION

94. The proposed development would enhance the recreational potential of the existing sports playing facility, and the social benefits in terms of increasing opportunities for sport and recreation in supporting healthy lifestyles are clear. The development would not impact unacceptably on the overall appearance and character of the area and there would be no harmful impact on neighbour amenity over and above the current situation. Nor would there be any harmful impact on highway safety, ecology and ancient woodland or surface water drainage that cannot be addressed through appropriate conditions. On this basis it is recommended that planning permission be granted subject to conditions.

RELEVANT HISTORY OF THE SITE

Ref: 5/1/02711 **Decision:** PERFPP **Decision Date:** 8 July 1970
Description: Reservation of land for Chorley grammar School

Ref: 95/00361/LCC **Decision:** PERMIT **Decision Date:** 5 July 1995
Description: Lancashire County Council Regulation 3 application for the provision of new sports hall linked to existing pavilion

Ref: 00/00525/FUL **Decision:** PERFPP **Decision Date:** 3 August 2000
Description: Extension to form new Entrance Lobby, Disabled WC, Admin Office and Secure Store

Ref: 00/00583/CTY **Decision:** PERMIT **Decision Date:** 27 September 2000
Description: Proposed colour-coated, profiled, metal-clad sports hall, store and link to school

Ref: 01/00121/CTY **Decision:** PERMIT **Decision Date:** 20 March 2001
Description: Variation of conditions 5A, 5B, 5C and 5D of planning permission 9/00/583 relating to access and highway matters

Ref: 01/00301/FUL **Decision:** PERFPP **Decision Date:** 18 May 2001
Description: Conversion of covered way into internal link corridor

Ref: 01/00783/LCC **Decision:** PERMIT **Decision Date:** 31 October 2001
Description: Construction of new sports hall. Erection of new two-storey block and single storey office block

Ref: 03/01054/FUL **Decision:** PERFPP **Decision Date:** 24 December 2003
Description: Retrospective application for the erection of fence

Ref: 04/00461/LCC **Decision:** PERMIT **Decision Date:** 9 September 2004
Description: Construction of new two storey classroom block extension

Ref: 04/00785/LCC **Decision:** PERMIT **Decision Date:** 26 July 2004
Description: Remodelling of entrance to provide a new reception office

Ref: 09/00144/CTY **Decision:** PERMIT **Decision Date:** 26 March 2009
Description: Erection of a two storey front extension. Erection of a 2.4m high and a 3m high weld mesh security fencing and gates to part of school boundary and a 3.6m high free standing canopy

Ref: 13/00683/FUL **Decision:** PERFPP **Decision Date:** 16 September 2013
Description: Erection of two single storey extensions for storage purposes, linking existing gymnasium/changing rooms to sports hall

Ref: 13/01039/FUL **Decision:** PERFPP **Decision Date:** 25 February 2014
Description: Erection a new music studio attached to the existing music room

Ref: 13/01054/FUL **Decision:** PERFPP **Decision Date:** 2 January 2014
Description: Proposed refurbishment and extension to the existing pavilion and the formation of additional car parking spaces

Ref: 14/00460/FUL **Decision:** PERFPP **Decision Date:** 20 June 2014
Description: Construction of a new synthetic multi use sports pitch with associated features including new perimeter fencing, lighting and access arrangements

Ref: 14/00775/FUL **Decision:** PERFPP **Decision Date:** 3 September 2014
Description: Proposed refurbishment and extension to the existing pavilion and the formation of 20 additional car parking spaces (Re- submission of 13/01054/FUL)

Ref: 14/00902/FUL **Decision:** PERFPP **Decision Date:** 13 October 2014
Description: Construction of a new synthetic multi use sports pitch with associated features including new perimeter fencing, lighting and pedestrian access path

Ref: 15/00616/FUL **Decision:** PERFPP **Decision Date:** 19 August 2015
Description: Erection of 2 no. single storey temporary buildings to provide classroom accommodation

Ref: 16/00299/FUL **Decision:** PERFPP **Decision Date:** 17 May 2016
Description: Extension to the existing public entrance

Ref: 16/00555/FUL **Decision:** PERFPP **Decision Date:** 10 August 2016
Description: Extension to Existing Hall

Ref: 17/00196/FUL **Decision:** PERFPP **Decision Date:** 28 April 2017
Description: Two single-storey extensions to the east and west elevations of science block

Ref: 17/00637/FUL **Decision:** PERFPP **Decision Date:** 30 August 2017
Description: Erection of new 2.4m fencing and gates to secure boundary of Parklands High School

Ref: 18/00580/FUL **Decision:** PERFPP **Decision Date:** 8 August 2018
Description: Erection of extension to sports hall to house multi-gym

Ref: 19/00549/FUL **Decision:** PERFPP **Decision Date:** 8 August 2019
Description: First floor extension to an existing single storey school building

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.

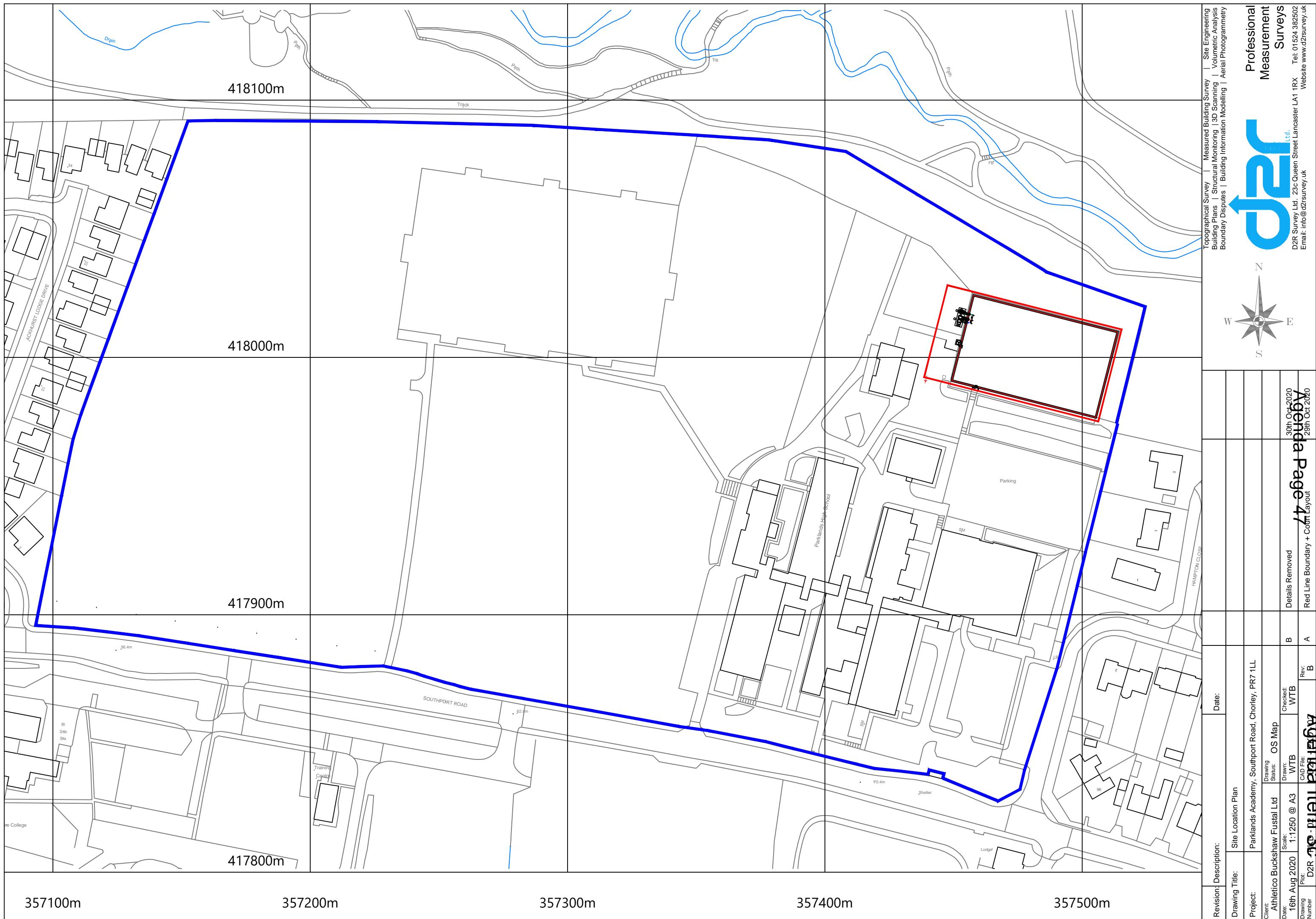
Suggested conditions

No.	Condition																								
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004</i></p>																								
2.	<p>The development hereby permitted for one dwelling shall be carried out in accordance with the following approved plans:</p> <table border="1"> <thead> <tr> <th>Title</th><th>Reference</th><th>Received date</th></tr> </thead> <tbody> <tr> <td>Site Location Plan</td><td>D2R - PKD – 02 Rev.B</td><td>02 December 2020</td></tr> <tr> <td>Proposed Site Plan</td><td>D2R - PKD – 03 Rev.B</td><td>24 November 2020</td></tr> <tr> <td>Proposed Dome Layout</td><td>D2R - PKD – 04 Rev.B</td><td>24 November 2020</td></tr> <tr> <td>Proposed Dome Elevations</td><td>D2R - PKD – 05 Rev.B</td><td>24 November 2020</td></tr> <tr> <td>Air supported structure</td><td>PRO-7131</td><td>05 July 2021</td></tr> <tr> <td>CROSS SECTION OF FOUNDATION WITH ANCHORING AND DRAINAGE</td><td>PRO-7131</td><td>24 November 2020</td></tr> <tr> <td>Floor Standing Air Heater Specification</td><td>PKE420SPECFULL</td><td>24 November 2020</td></tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>	Title	Reference	Received date	Site Location Plan	D2R - PKD – 02 Rev.B	02 December 2020	Proposed Site Plan	D2R - PKD – 03 Rev.B	24 November 2020	Proposed Dome Layout	D2R - PKD – 04 Rev.B	24 November 2020	Proposed Dome Elevations	D2R - PKD – 05 Rev.B	24 November 2020	Air supported structure	PRO-7131	05 July 2021	CROSS SECTION OF FOUNDATION WITH ANCHORING AND DRAINAGE	PRO-7131	24 November 2020	Floor Standing Air Heater Specification	PKE420SPECFULL	24 November 2020
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3.	<p>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.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>																								
4.	<p>The airdome facility hereby permitted shall only be used between 09:00 and 22:00 hours on Mondays to Fridays and between 09:00 and 18:00 hours on Saturdays, Sundays and Bank Holidays.</p> <p><i>Reason: To safeguard the amenities of local residents.</i></p>																								
5.	<p>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.</p> <p><i>Reason: To safeguard the trees to be retained.</i></p>																								
6.	<p>The development hereby approved shall be implemented in full accordance with the Tree Protection Measures for Ringbeam Installation submitted on 01 July 2021, and specifically an impermeable geotextile membrane shall be installed around the concrete ring beam in the northern and eastern sections.</p>																								

	<i>Reason: Due to the proximity of the development to Ancient Woodland.</i>
7.	No source of external illumination shall be installed on the development hereby permitted. Reason: Due to the presence of bats in the adjacent woodland.
8.	All internal lighting shall be switched off when the airdrome facility is not in use. <i>Reason: To safeguard the amenities of local residents.</i>
9.	The development hereby permitted shall be carried out in accordance with the principles set out within the Flood Risk Assessment and Drainage Report (Orchard Developments & consultancy). The measures shall be fully implemented prior to first occupation of any dwelling and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in consultation with the lead local flood authority. <i>Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 163 and 165 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.</i>
10.	No development shall commence until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the local planning authority. The detailed sustainable drainage strategy shall be based upon the site-specific flood risk assessment submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly. Those details shall include, as a minimum: a) Sustainable drainage calculations for peak flow control and volume control (1 in 1, 1 in 30 and 1 in 100 + 40% climate change), with allowance for urban creep. b) Final sustainable drainage plans appropriately labelled to include, as a minimum: i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary; ii. Sustainable drainage system layout showing all pipe and structure references, dimensions, design levels; iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate; iv. Flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems; v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each plot to confirm minimum 150mm+ difference for FFL. c) Measures taken to manage the quality of the surface water runoff to prevent pollution, protects groundwater and surface waters, and delivers suitably clean water to sustainable drainage components; The sustainable drainage strategy shall be implemented in accordance with the approved details. <i>Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 163 and 165 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.</i>

11.	<p>No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.</p> <p>Those details shall include for each phase, as a minimum:</p> <ul style="list-style-type: none"> a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged, they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA. b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance. <p>The development shall be constructed in accordance with the approved details.</p> <p><i>Reasons:</i></p> <ol style="list-style-type: none"> 1. <i>To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere;</i> 2. <i>To ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.</i>
12.	<p>Prior to the first use of the development hereby permitted a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an final 'operation and maintenance manual' for the sustainable drainage scheme as constructed.</p> <p>Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.</p> <p><i>Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of Paragraph 165 of the National Planning Policy Framework.</i></p>

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APPLICATION REPORT – 20/01379/FUL**Validation Date: 22 December 2020****Ward: Astley And Buckshaw****Type of Application: Full Planning****Proposal: Erection of four dwellings with garages and an additional triple garage adjacent Buckshaw Hall****Location: Buckshaw Hall Knight Avenue Buckshaw Village Chorley PR7 7HW****Case Officer: Caron Taylor****Applicant: Mr Chris Langson****Agent: LMP Ltd****Consultation expiry: 23 June 2021****Decision due by: 16 February 2021**

RECOMMENDATION

1. It is recommended that planning permission is granted subject to conditions and a S106 legal agreement to tie the profits from the sale of the proposed dwellings to the renovation of Buckshaw Hall.

SITE DESCRIPTION

2. The application site is located within the original curtilage of Buckshaw Hall, a Grade II* listed manor house. The land surrounding the building and the application site has been developed into Buckshaw Village. The site is surrounded by dwellings with those associated with Buckshaw Village located to the north, east and south and Buckshaw Hall itself located to the west, along with a converted barn. Site access is gained from Knight Avenue to the east. Planning permission and listed building consent were granted initially in 2003 to make the building weatherproof and then in 2006 for the conversion of the barn within the grounds of Buckshaw Hall for ancillary accommodation and changes to Buckshaw Hall itself so it can be brought back into use as a dwelling.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. Buckshaw Hall itself is believed to date in part, from as early as the mid-1600's with extensive renovation in the late 19th Century. The building retains much of its timber framed origins and H-plan form with later brick additions including decorative chimney stacks, a slated roof and a date stone.
4. In 1936 the Government established ROF Chorley, an ammunition factory complex which encompassed Buckshaw Hall. At that time, the poor quality of the restoration to the Hall was evident and the structure and fabric of the Hall were deteriorating. Initially the Hall was used as office accommodation, but after the war the building was abandoned and marked for demolition. In view of its forthcoming fate, the building was recorded in 1954 by the Ministry of Works. However, the expected demolition was never carried out, and the

building was listed in 1975. Its condition continued to deteriorate until some works were carried out following the 2003 permissions being granted to make it wind and watertight.

5. The application seeks planning permission for the erection of four detached dwellings in the grounds of the Buckshaw Hall, which the applicant would sell to fund the renovations to the Hall to make it suitable for modern living as a dwelling. The Council would not normally approve dwellings in such close proximity to a listed building but sometimes this is necessary to secure the future of historic assets. This is known as 'enabling development'.
6. An application in 2019 (ref: 19/00132/FUL) was withdrawn before a decision was issued. In terms of the current application, it has been amended in response to the comments of Historic England and the Council's Conservation Advisor during the application process.

REPRESENTATIONS

7. When the application was originally submitted four representations were received citing the grounds of objection detailed below but one of these objections was been withdrawn following the submission of amended plans:
 - The properties are not in keeping with the heritage of the site or the Redrow properties;
 - Unacceptable relationship with no.18 Knight Avenue;
 - It will block views of an historic landmark;
 - Four properties will add more traffic and disturbance on an already busy street and could result in more accidents;
 - The owner of the Hall has not attempted to interact with neighbours;
 - Noise during the build;
 - The owner should complete renovation work on the Hall before starting other projects;
 - The plot next to no.16 Knight Avenue is too close. Redrow added side windows to the living and bedrooms to bring in extra light and to offer a feature / view. Both side windows will now be looking at brick walls, not what they were intended for.
8. Two letters of support have been received which make the following comments:
 - The project will tidy up the area and add good value to it;
 - The area around the Hall at present is an eyesore, it looks undeveloped and unfinished which does not give a respectful feature to such heritage that the Hall holds;
 - Buckshaw Village has hundreds if not thousands of dwellings already built in this area so they see no reason when adding an extra four would be a problem.

CONSULTATIONS

9. Euxton Parish Council: Have stated that they have a conditional objection. They have noted the comment about the s106 agreement tying the development of the houses to the completion of Buckshaw Hall and request that this is made a condition of the planning application to ensure Buckshaw Hall is completed.
10. United Utilities: Have noted that there is a S104 sewer passing through the site and connecting or building over or near to these assets could affect whether they are adopted. The properties should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. They request conditions in relation to drainage if the scheme is approved.
11. Waste & Contaminated Land Officer: Have confirmed that they have no comments.
12. Lancashire County Council Highways: Do not have any objections regarding the proposed four dwellings and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. They recommend conditions.
13. Historic England: Have no objection to the application on heritage grounds. They welcome and commend the approach of the owner to reinvest the proceeds from the new development into the Hall and complete its refurbishment, bringing back a nationally

significant building into use and safeguarding it for the future. They note the owner's willingness to enter into a legal agreement to this effect. They do have some minor comments on the design which they feel would help to reduce the impact of the new development on the Hall and suggest the Local Authority negotiates these points [amended plans have been received in response to these points]:

- Suggest that the roundabout indicated on the plan is pulled back towards the entrance to the site in order to retain as much space around the Hall as possible to serve as a buffer between it and the new development.
- Access tracks should not be overly wide, ensuring the retention of as much soft landscaping as possible. Careful thought should also be given to the materials used for tracks, avoiding standard concrete kerb sets and expanses of tarmac in favour of more high quality and natural materials, in respect to the status and importance of the Hall.
- Thought should be given to the nature and materials used in boundary treatments across the site in order to retain as much sense of openness as possible and avoid the complete fragmentation and erosion of the remaining site and setting. For example the use of estate type railing instead of close boarded timber fences would allow boundaries to be set whilst still maintaining a sense of openness.

14. LCC Historic Environment Team: Comment that the application has a Heritage Statement that assesses the impact of the proposed development on the setting of the Hall and barn. It does not, however, consider the potential impact of the development on any buried features or archaeological deposits relating to the building's use as a dwelling and part of a farm steading, or on any such archaeological remains relating to any earlier but undocumented uses of the site. The area of the Royal Ordnance Factory was subjected to extensive remediation works to decontaminate it from any residual traces of chemicals from its use as an ordnance factory, but as far as they are aware the area immediately around the hall was not affected by these. On this basis they advise that the likelihood of buried archaeological remains should be considered a possibility although of fairly low probability for remains relating to activities before the hall was built, and moderate probability for activities after the hall and prior to the construction of the Royal Ordnance Factory. They advise therefore that the early stages of the development, when ground disturbance is likely to be fairly extensive, should have an archaeological watching brief maintained until such times that the presence or absence of any archaeological remains can be determined. This should be secured by the application of a condition.
16. Greater Manchester Ecology Unit: Have advised that there does not appear to be any habitats of value on the site. They would expect the scheme to include measures to enhance biodiversity at the site, in line with the requirements of the National Planning Policy Framework and Chorley's Local Plan.
18. CIL Officers: Comment that the development will be CIL labile if approved.

PLANNING CONSIDERATIONS

Principle of the development

19. The principal statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 is to preserve the special character of heritage assets, including their setting. Local Planning Authorities (LPAs) should, in coming to decisions, consider the principle Act. Which states the following;
Listed Buildings - Section 66(1)
In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
20. Therefore in principle development as proposed can be acceptable providing that the setting of Buckshaw Hall is preserved.

21. The building has been vacant for over 50 years. Some structural repairs to ensure the building is weatherproof were overseen by conservation architects Donald Insall Associates. Since these were completed the building has changed hands on a number of occasions. On each occasion, until purchased by the current owner, the building work has proved to be uneconomic to complete. The building is effectively no more than a shell with two surviving original staircases, which are in quite poor condition, and a limited amount of interior fabric – a large cast iron range – being the only major survival. The costs of fitting out this Grade II* listed building using appropriate materials and techniques, including the fabrication of all window frames not to mention all other interior fittings – floors, wall finishes, ceiling finishes, plumbing, heating and electrics appear to have been prohibitive. The result has been that the building has once again begun to deteriorate.
22. The key heritage issue for the Council to consider is whether the proposed development would cause harm to the contribution made by the setting to the significance of Buckshaw Hall.
23. The application includes a Heritage Statement produced by Eden Heritage (dated November 2020) which has been reviewed by the Council's conservation adviser.
24. Historic England's advice on setting is contained in its Planning Note 3 (second edition) entitled The Setting of Heritage Assets (2017), which describes the setting as being the surroundings in which a heritage asset is experienced and explains that this may be more extensive than its immediate curtilage and need not be confined to areas which have public access. Whilst setting is often expressed by reference to visual considerations it is also influenced by the historic relationships between buildings and places and how views allow the significance of the asset to be appreciated.
25. In considering this the Council's conservation adviser states it is clear that the Council have to accept that the wider historic setting of the Hall has been significantly altered with the introduction of the modern housing associated with the re-development of the former Royal Ordnance Factory into Buckshaw Village. The original setting was presumably agricultural land. The later development of the Ordnance factory effectively severed the connection the Hall had to its open farm setting. In this respect they do not regard the current setting to contribute a great deal to the significance of the building, which is largely characterised by C17 timber construction and its aesthetic and historic values.
26. Notwithstanding the above it is still necessary to be mindful of the need to give the building as much space as possible, within the backdrop of modern housing. In this respect it seems that the proposed layout has attempted to push the new housing away from the principal views of the building, so whilst further visual encroachment occurs, this occurs at the edges and the sense of openness, of the remaining land, is minimal. Plots 2, 3 and 4 largely follow the line of the existing modern 'estate' properties.
27. Plot 1 is somewhat isolated, however it is tucked hard against the southern boundary and within the wider sub-urban context it is not considered there would be a significant degree of additional harm.
28. Given the nature of the surrounding housing the conservation advisor raises no concerns over the proposed designs of the properties and does not think a more bespoke design approach would have any demonstrable benefit in lessening the slight visual harm to the Hall. However, they advise care will be needed in how the properties are finished and how the landscaping, driveways and garden enclosures are carried out.
29. In this respect, the original plans had a circular driveway feature in front of the Hall and a wide access road to the properties, so the front of the Hall was dominated by hardstanding. Amendments to the properties have been made, changing a detached garage on Plot 2 to an attached garage (therefore shortening the length of driveway), the access to Plots 2 and 3 has been narrowed and the circular driveway feature in front of the Hall altered to a more standard driveway accessing the proposed triple garage for the Hall (which also forms part

of the application) and the Barn, therefore addressing issues raised by the Council's own conservation advisor and Historic England.

30. Following these amendments the conservation advisor considers the proposed new dwellings would result in a low/ slight level of impact on the appearance of the wider site and that this would correspond to a low level of harm to the contribution made by the setting to the significance of the Hall.

Positive benefits

31. Considering the above it is necessary to also consider the positive benefits of the scheme in the planning balance. The proposal to erect four new dwellings are to provide funds to finish off the works to renovate the Hall. The works would be subject to a Legal Agreement requiring the profit from the new development to make up the 'conservation deficit' on the refurbishment.
32. The application provides some financial information but this probably falls short of a detailed 'Enabling' proposal and it is not exactly clear from the submission what works are proposed to be cross funded. The summary report identifies that there would still be a loss in realising the scheme but the client is willing to except this to provide a suitable outcome. In this context, it is considered that the Council must accept that the scheme provides considerable public benefit through the safeguarding of the significance of the Grade II* listed Hall. Under Paragraph 196 of the National Planning Policy Framework (the Framework) where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
33. In this instance it is considered that the considerable public benefit of the scheme can be weighed against the slight visual harm caused to its setting under paragraph 196 of the Framework and given the importance of the building it is considered the benefits in this case far outweigh the low level harm to the setting.
34. In doing so the proposed scheme would meet the duty to 'preserve' as laid down by s.66 of the P(LBCA) Act 1990 and meet the objectives of Chapter 16 of the Framework, policy 16 of the Lancashire Core Strategy and policy BNE8 of the Chorley Local Plan 2012 - 2026 and therefore the impact of the proposal on Buckshaw Hall is considered acceptable in the planning balance.

Impact on character and appearance of locality

35. The importance of high-quality design is reflected in the Central Lancashire Core Strategy (policy 17) and policy BNE1 of the Chorley Local Plan 2012 - 2026. It is considered that the design of the proposed dwellings is appropriate to the character of the area and they would assimilate well with other dwellings on Buckshaw Village.
36. Plot 1 has been amended so that its south facing gable is now perpendicular with no.18 Knight Avenue which is considered more appropriate in the street scene. Plots 2-4 are viewed as a continuation of the properties on the north side of Knight Avenue. The layout of the plots allows the main view of the Hall from Knight Avenue to the east to be maintained as much as possible.
37. The smaller details of the scheme – railings, hedges, material of driveway etc. are considered important given its location. Amended plans have been received introducing hedging to the rear garden of Plot 1 rather than a close boarded fence and using black steel railings to the front boundary. In addition, the driveways to the Hall and barn have been amended to resin bound gravel.
38. In light of the above, the development is considered to comply with the Framework, policy 17 of the Central Lancashire Core Strategy and policies BNE1 and BNE8 of the Chorley Local Plan 2012 – 2026.

Impact on neighbour amenity

39. 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.
40. In order to safeguard residential amenity, it is considered necessary to apply a planning condition to require that all windows in the south elevation of Plot 1 are obscurely glazed and no additional windows are inserted to prevent overlooking into the gardens of the existing properties to the south.
41. No.16 Knight Avenue includes side windows serving habitable rooms at ground and first floor level towards the front of the dwelling. These windows serve a lounge and bedroom respectively and the proposed development would introduce a two storey gable wall approximately 1.8m to the west of the window. The window is not the principal window serving these rooms however, there is another much larger bay window that fronts Knight Avenue that does. On balance, the resultant relationship would not be unacceptable and it is not considered it would render the application unacceptable in the planning balance. It should be noted it is not possible to move Plot 4 further to the west due to a sewer and its easement (as referred to by United Utilities). The proposal is therefore considered to be acceptable in terms of residential amenity and complies with policy BNE1 in this regard.

Highway safety

42. Adequate off-road parking spaces are proposed to serve the proposed dwellings (3no. spaces each) and so the proposal complies with the Council's parking standard set out at policy ST4 of the Chorley Local Plan 2012 - 2026. As noted above, LCC Highways has no objection to the scheme and so the proposal is considered acceptable in terms of access and highway safety. A condition is proposed that the garages should not be converted to living accommodation unless the property would still benefit from three parking spaces.

Sustainability

43. Policy 27 of the Core Strategy requires all new dwellings to be constructed to Level 4 of the Code for Sustainable Homes or Level 6 if they are commenced from 1st January 2016. It also requires sites of five or more dwellings to have either additional building fabric insulation measures or reduce the carbon dioxide emissions of predicted energy use by at least 15% through decentralised, renewable or low carbon energy sources. 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."

44. Given this change, instead of meeting the code level, the dwellings should achieve a minimum dwelling emission rate of 19% above 2013 Building Regulations in accordance with the above provisions. This can be controlled by conditions.

Public open space

45. 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.
46. 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.
47. Specifically, the guidance 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.
48. 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.
49. 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.
50. Chorley Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population of public open space for children/ young people. There is currently a surplus of provision in Astley Village and Buckshaw in relation to this standard, a contribution towards new provision in the ward is, therefore, not required from this development. The site is also not within the accessibility catchment (800m) of any areas of provision for children/young people that are identified as being low quality and/or low value in the Open Space Study.
51. Therefore, a public open space commuted sum is not requested for this scheme.

Impact on trees

52. There are a number of trees protected by a Tree Preservation Order in the grounds of the Hall, but these are to the west of the Hall along with boundary with Central Avenue and they would be unaffected by the proposed dwellings.

Community Infrastructure Levy

53. 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

54. In this instance it is considered that the considerable public benefit of the scheme, to be secured via a Legal Agreement can be weighed against the slight visual harm caused to its setting of Buckshaw Hall under paragraph 196 of the Framework. Given the importance of the building it is considered the benefits in this case far outweigh the low level harm to the setting.

55. It is recommended that the application is approved, subject to conditions and a S106 agreement that ensures the dwellings are not sold, leased or occupied prior to the renovation of Buckshaw Hall (as approved by the 2006 permission) being undertaken.

RELEVANT HISTORY OF THE SITE

- Ref:** 03/00871/LBC **Decision:** PERLBC **Decision Date:** 31 October 2003
Description: Application for Listed Building Consent to repair the shell of the building to make watertight, including removal of porch structure
- Ref:** 03/01200/FUL **Decision:** PERFPP **Decision Date:** 15 December 2003
Description: External alterations, including repairs to make weatherproof and removal of porch structure
- Ref:** 06/00449/FUL **Decision:** PERFPP **Decision Date:** 8 January 2007
Description: Change of use to domestic dwelling and alterations to form habitable layout, partial demolition of outbuilding and repair of Buckshaw Barn, formation of new access and associated landscaping
- Ref:** 06/00450/LBC **Decision:** PERLBC **Decision Date:** 5 January 2007
Description: Listed Building Consent for change of use to domestic dwelling and alterations (including demolition of one chimney) to form habitable layout, partial demolition of outbuilding and repair of Buckshaw Barn, formation of new access and associated landscaping
- Ref:** 09/00082/DIS **Decision:** PEDISZ **Decision Date:** 10 February 2009
Description: Discharge of condition 13 of Listed Building Consent ref. 06/00450/LBC
- Ref:** 09/00190/FUL **Decision:** REFFPP **Decision Date:** 14 May 2009
Description: Creation of a vehicular access onto Central Avenue to serve Buckshaw Hall
- Ref:** 11/00969/TPO **Decision:** PERTRE **Decision Date:** 5 March 2012
Description: Pruning of 6 trees covered by TPO 4 (Buckshaw) 2006
- Ref:** 15/00776/FUL **Decision:** PERFPP **Decision Date:** 29 September 2015
Description: Part retrospective application for alterations to barn to create ancillary residential accommodation and erection of a detached garage including landscaping works
- Ref:** 15/00777/LBC **Decision:** PERLBC **Decision Date:** 1 October 2015
Description: Listed Building Consent (part retrospective) for alterations to barn to create ancillary residential accommodation
- Ref:** 19/00132/FUL **Decision:** Withdrawn **Decision Date:** 16 June 2020
Description: Erection of 4no. detached dwellings and associated means of 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

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. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological recording works. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.

3. Prior to the commencement of development 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. Prior to the commencement of development full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.

5. No dwelling shall be occupied until all fences, walls and railings shown in the approved details to bound its plot, have been erected in conformity with the approved details. Other fences, walls and railings shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

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

6. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

Reason: To secure proper drainage.

7. Notwithstanding Schedule 2 Part 1 Class A, B and E and Part 2 Class A of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent re-enactment thereof no extensions or alterations to the dwellings, outbuildings (including sheds, garages, and greenhouses), walls and fences, or any other works permitted by the aforementioned classes shall be constructed or erected other than those expressly authorised by this permission.

Reason: The impact of the dwellings upon the listed building, Buckshaw Hall, has been carefully considered. These classes of permitted development have been removed so that any subsequent extensions under these classes can be controlled to ensure they are acceptable in terms of their impact upon the heritage asset.

8. No development shall take place, 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 deliveries) 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

Reason: In the interests of highway safety and to protect the amenities of the nearby residents.

9. 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.

10. 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.

11. The parking and / or garaging and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to the occupation of any of the buildings; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).

Reason: To ensure provision of adequate off-street parking facilities within the site.

12. The garage(s) hereby approved shall be kept freely available for the parking of cars and no works, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order, shall be undertaken to alter convert the space into living or other accommodation, unless the dwelling benefits from three off-road parking spaces.

Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking.

13. A scheme for Biodiversity Enhancement Measures shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.

Reason: For enhancement of biodiversity.

14. A scheme for the landscaping of the development and its surroundings shall be submitted prior to the commencement of the development. These details shall include the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded. Landscaping proposals should comprise only native plant communities appropriate to the natural area. All 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.

15. All windows in the side (south) elevation of Plot 1 shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.

Reason: In the interests of the privacy of occupiers of neighbouring property.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no windows/dormer windows/rooflights other than those expressly authorised by this permission shall be inserted or constructed at any time in the south elevation of the dwelling hereby permitted on Plot 1.

Reason: To protect the amenities and privacy of the adjoining properties.

17. No development shall commence until a surface water drainage scheme has been submitted to and approved inwriting 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.

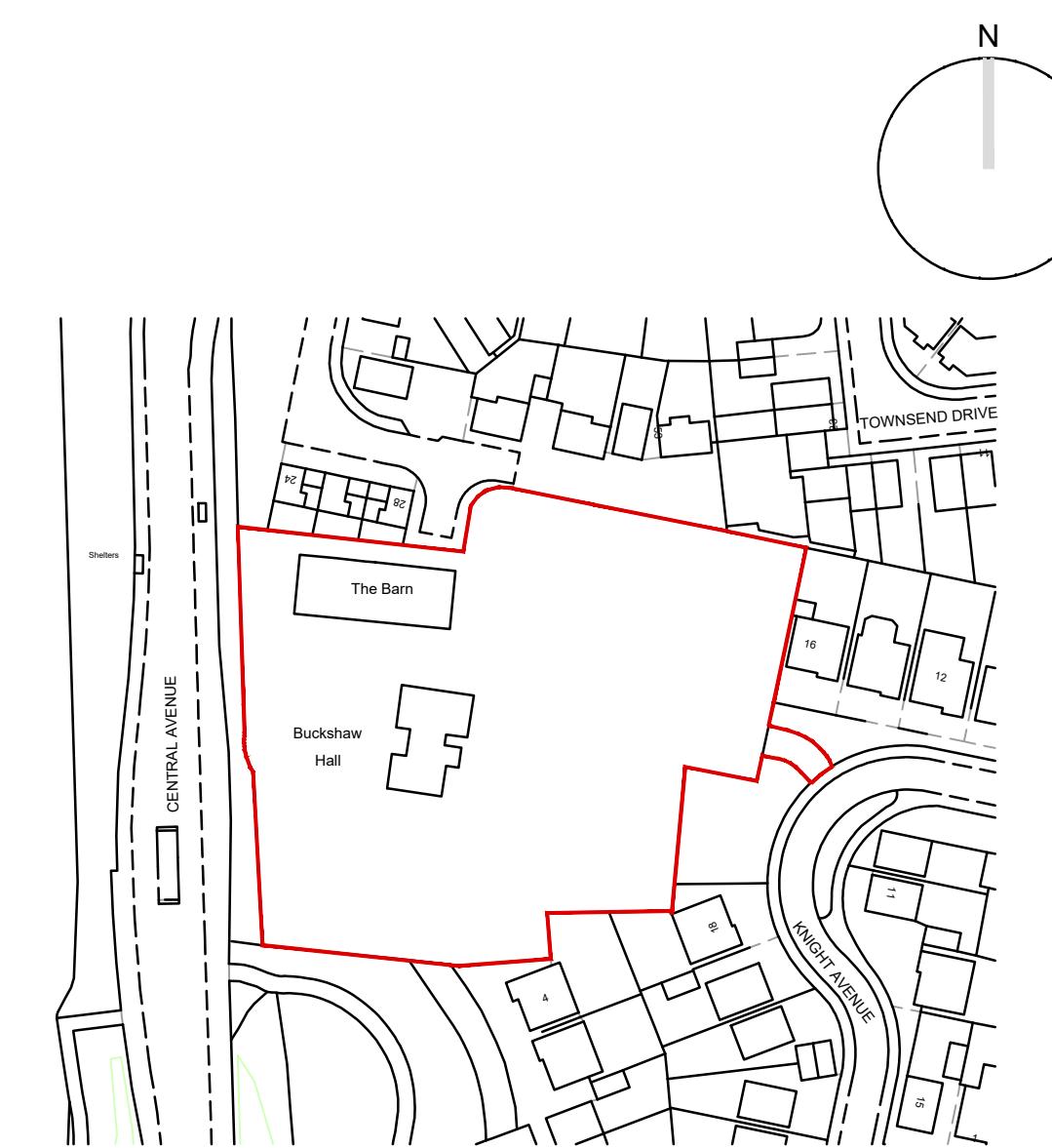
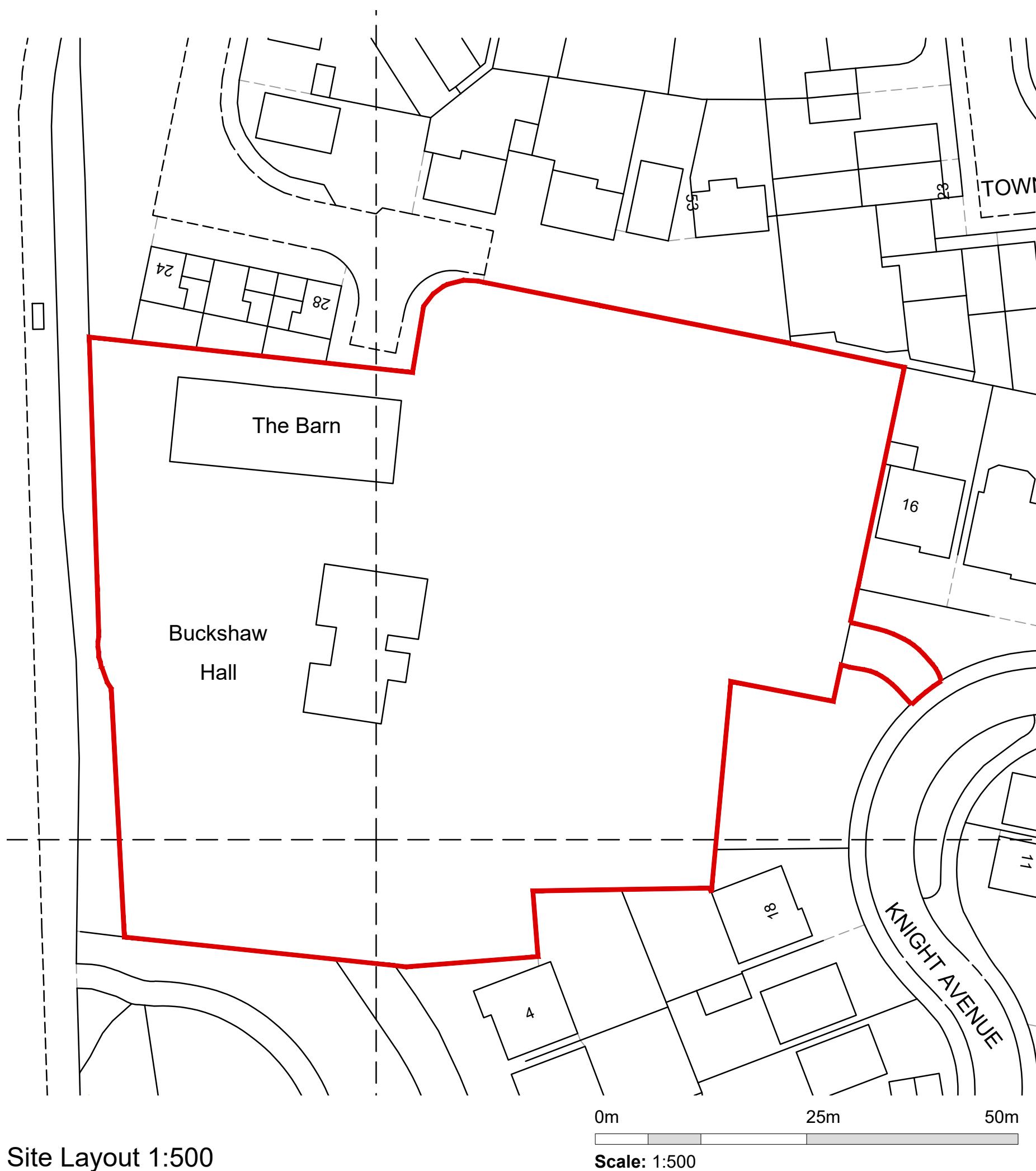
Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

18. The development hereby permitted shall be carried out in accordance with the approved plans below:

Title	Plan Ref	Received On
Proposed Triple Garage	20/076/G03	22 December 2021
Proposed Double Garage	20/076/G02	22 December 2021
Proposed Site Plan	20/076/P01 Rev C	25 June 2021
Plot 1 House Type (5H2097)	20/076/SK05	25 June 2021
Plot 2 House Type (5H2137)	20/076/SK03 Rev A	25 June 2021
Plot 3 House Type (5H2243)	20/076/SK04	22 December 2020
Plot 4 House Type C (5H2097)	20/076/SK02 Rev A	25 June 2021

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

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LMP ARCHITECTURAL CONSULTANTS	
CLIENT Chris Langson.	
PROJECT NAME Proposed Residential Development at	
Buckshaw Hall, Knight Avenue, Buckshaw Village, Chorley, PR7 7HW.	
DRAWING NAME Location & Site Plan.	
SCALE varies @ A3	DRAWN BY JRM
DATE 20:10:2020	DRAWING NUMBER 20/076/L01
REVISION -	

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APPLICATION REPORT – 20/01087/FUL**Validation Date: 13 October 2020****Ward: Lostock****Type of Application: Full Planning****Proposal: Redevelopment of the site, including the demolition and conversion of existing buildings to create 5no. residential dwellings****Location: Roecroft Farmhouse Ulnes Walton Lane Ulnes Walton Leyland PR26 8LT****Case Officer: Johndaniel Jaques****Applicant: Mr Colin & Robert Barlow****Agent: Mr David Marsden, Warwick Consultancy****Consultation expiry: 29 June 2021****Decision due by: 5 February 2021**

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site is located in the Green Belt and also lies within the buffer zone for a Gas Transmission Pipeline. It is occupied by a group of 8 former farm buildings associated with the adjacent Roecroft Farmhouse (which is not within the site defined by the red edge plan) lying to the south of the site. The site is accessed from and lies immediately adjacent to Ulnes Walton Lane. On the opposite side of this road is a residential property, Four Oaks. The land around the site is a mix of scrub and agricultural land.
3. Roecroft Farmhouse is a grade II listed building, and the 8 buildings on the site are considered to be curtilage buildings. The Farmhouse dates from the 18th Century. Some of the buildings on the site are modern, but the main barn building (referred to as building 7 in the submission) was probably built between the late 18th and mid 19th Century.
4. The site benefits from a Certificate of Lawfulness (20/00437/CLEUD) granted on 16th July 2020 for an existing use of land and buildings for general storage including caravans, boat, trailer, vehicles, fencing materials, builders plant, machinery, tools and scaffolding.

DESCRIPTION OF PROPOSED DEVELOPMENT

5. The application seeks planning permission for the redevelopment of the site to include some demolition and conversion of buildings to create a total of 5no. residential dwellings (units 2-6).
6. The following works are proposed to buildings 2-9:
Building 2 – retain and extend to provide unit 2, which would be single storey. A new single garage is proposed to serve this unit.
Buildings 3, 4, 5 & 6 – demolish.

Building 7 – Retain and convert into 2no. dwellings, units 3 & 4. Two new double garages are proposed to serve these units.
Building 8 – To be demolished and replaced with a single storey dwelling known as unit 5. A new single garage is proposed to serve this unit.
Building 9 – To be demolished and replaced with a single storey dwelling known as unit 6. A new single garage is proposed to serve this unit.

7. Access would be via the existing site access, which would be widened. To provide improved visibility splays the existing hedging along the boundary with the highway is to be removed with a new 900mm high timber post and panel fence to be erected at the rear of the splays with a new blackthorn hedge to be planted behind this.
8. Several trees would be removed as a result of the proposals.

REPRESENTATIONS

9. No representations have been received.

CONSULTATIONS

- 10.Ulnes Walton Parish Council – No comments have been received.
- 11.CIL Officers – Comment that the proposal is CIL liable.
- 12.Historic England – Have confirmed that they have no comments.
- 13.Growth Lancashire – Have no objections subject to conditions regarding materials, details of windows/doors, rainwater goods and roof-lights and methodology/specification for the repair of existing external brickwork/fabric.
- 14.Lancashire County Council Highway Services – Have no objections subject to conditions regarding provision of a turning area, provision of visibility splays and provision of bound material for the access for 5m into the site. Informative regarding S.184 of Highways Act to deal with works to the access.
- 15.Greater Manchester Ecology Unit – Have no objections subject to conditions regarding bat mitigation measures, sensitive lighting, barn owl mitigation method statement, breeding birds, Great Crested Newt Reasonable Avoidance Measures, hedgerow translocation, and biodiversity enhancement measures.
- 16.HSE – Have no objections.
- 17.Cadent Gas – Have no objections subject to a condition regarding vibration monitoring.
- 18.Council's Tree Officer – Have no objections subject to retained trees being protected in line with the submitted tree protection measures and the relevant British Standard.
- 19.United Utilities – Have no objections subject to conditions regarding surface water drainage, and foul and surface water to be drained on separate systems.
- 20.Waste & Contaminated Land – Have confirmed that they have no comments.
- 21.Lancashire County Council Archaeology Service – Have no objections subject to a condition regarding a programme of building recording.

PLANNING CONSIDERATIONS

Principle of development

22. 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.
23. 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.
24. 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. One exception listed at paragraph 145 of the Framework of development that need not be considered inappropriate development in the Green Belt is the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.
25. Whilst the test for sites such as this relates to the impact on openness, the Framework does not contain a specific definition of 'openness'. It is a subjective judgment which is considered further below, along with objective criteria in making that assessment. It is considered that in respect of the Framework, the existing site currently has an impact on the openness of the Green Belt. However, it is important to note that merely the presence of an existing building on the site currently does not justify any new buildings. The new buildings must also not "have a greater impact on the openness of the Green Belt".
26. To engage with the exceptions of paragraph 145 of the Framework, which is reflected in policy BNE5 of the Chorley Local Plan 2012 – 2026, the test relates to the existing development. The openness of an area is clearly affected by the erection or positioning of any object within it no matter whether the object is clearly visible or not. The openness test relates to the whole of the site.
27. This part of Ulnes Walton is not specified as an area for growth within Core Strategy Policy 1 and falls to be considered as an 'other place'. Criterion (f) of Core Strategy Policy 1 reads as follows:
"In other places – smaller villages, substantially built up frontages and Major Developed Sites – development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes."
28. Policy BNE5 relates to the redevelopment of previously developed sites in the Green Belt and states that redevelopment of previously developed sites in the Green Belt will be permitted providing that the appearance of the site as a whole is maintained or enhanced and that all proposals, including those for partial redevelopment, are put forward in the context of a comprehensive plan for the site as a whole.
29. Whether harm is caused to openness depends on a variety of factors, such as the scale of the development, its locational context and its spatial and/or visual implications. At present, the site is occupied by a number of outbuildings which are spread across the site, as well as an access / driveway and associated hardstanding areas. The presence of this existing development already causes harm to openness by its mere existence; and case law has established that for there to be a greater impact, there must be something more than merely a change.

30. The proposal involves the demolition of a number of buildings on the site, which helps to offset the harm caused to openness which would arise from the proposed development.
31. When assessing volumes of proposals national policy allows for the replacement of a building provided, among other things, that they are not materially larger. The Council considers that a volume increase of up to 30% is not 'materially larger'. In this case the volume of the proposed buildings is the same as the existing situation and, therefore, there would be no material increase, when considering the impact on the openness of the Green Belt.
32. Given that the building (building 6) with the highest eaves (5.3m) and ridge height (8.1m) is to be demolished, and the total volume of the proposed buildings would be re-distributed into low level, generally single storey buildings; it is considered that the impact upon the openness of the Green Belt caused by the proposed development is less than the existing situation. As such it is not considered that the proposal would have a greater impact on the openness of the Green Belt than the existing development.
33. The proposal is considered to accord with exception (g) of paragraph 145 and is not, therefore, inappropriate development in the Green Belt.
34. In relation to the scale of development in an 'other area' as identified by Policy 1(f) of the Central Lancashire Core Strategy the proposed development is not major development and, therefore, falls to be considered small scale. As such it is considered that the proposed development is compliant with Policy 1(f) of the Central Lancashire Core Strategy.
35. The site lies within the buffer zone of a Gas Transmission Pipeline which lies to the west of the site. Neither Cadent Gas nor the HSE raise any objections to the proposal, but the condition recommended by cadent gas regarding vibration monitoring in the vicinity of the pipeline is recommended.
36. Although the existing use of the site for storage has been established through the issue of a Certificate of Lawfulness, this use does not provide employment opportunities. In addition, the buildings in their current form are not of a quality to provide good quality employment uses. As such, in this particular case, it is not considered that the application needs to be supported by additional detailed information as required by Policy 1 of the Core Strategy, as it would not be contrary to it.

Impact on designated heritage assets

37. The principal statutory duty under the P(LBCA) Act 1990 is to preserve the special character of heritage assets, which includes their setting. Local Planning Authorities (LPAs) should in coming to decisions consider the principle act which states the following;
38. Listed Buildings - Section 66(1) in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
39. The National Planning Policy Framework (The Framework) at Chapter 16 deals with conserving and enhancing the historic environment. It sets out that in determining planning applications LPAs should take account of;
 - a. The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b. The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c. The desirability of new development making a positive contribution to local character and distinctiveness.
40. Paragraph 193 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of

whether any harm is identified as being substantial, total loss or less than substantial harm to its significance.

40. Paragraph 194 states that any harm or loss of significance to a designated heritage asset (from alteration or destruction or from development within its setting) should require clear and convincing justification.
41. Paragraph 196 states that where a development will lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal.
42. The Central Lancashire Core Strategy policy 16 and policy BNE8 of the Chorley Local Plan 2012-2026 reflect this approach and support the protection of designated heritage assets.
43. A heritage statement has been submitted in support of the proposed development to assess the potential impact of the proposal upon the grade II listed farmhouse which includes its setting which includes this site.
44. This statement been reviewed by the Council's heritage advisors (Growth Lancashire) who support the principle of the conversion of the barn (building 7) but would prefer to see building 2 (to be retained and extended to become unit 2) into ancillary use with the farmhouse. They raise no objections to the demolition of those buildings proposed to be removed and comment that the benefits of converting the barn into dwellings would be tempered slightly by internal changes and intensive use of space. Comment is also made that thought should be given to the enclosure of the private rear spaces and how garaging for the wider farm group setting is provided, although it is acknowledged that these are only secondary elements with only a minor impact on the scheme.
45. Overall it is considered that whilst there would be some very low level of harm caused by aspects of the proposal, the scheme, when taken as a whole, has the potential to generate wider benefits from the sustained use of the group of traditional buildings which would help retain the contribution made by the 'farm group' to the significance Roecroft Farmhouse.
46. The public benefits of the scheme need to be weighed against the identified very low level of harm. There are a number of public benefits of the scheme in terms of improving the character and appearance of the site, improved visibility at the access to the highway, provision of housing and the sustained use of the site referred to above. It is considered that these benefits would outweigh the identified harm, and as such the proposal conforms with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 the Framework, policy 16 of the Core Strategy and policy BNE8 of the Chorley Local Plan 2012 - 2026.

Impact on the character and appearance of the area

47. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials; and that the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area.
48. The application site has a generally tired and unkempt appearance. A number of the modern outbuildings are not in a good state of repair and detract from the overall appearance of the site. In particular, the highest building on the site is constructed mainly from corrugated metal sheeting and its removal would enhance the site.
49. Proposals for the converted barn which is the most prominent building when viewed from the road, would replace the corrugated metal roofing with slate, and doors and windows would be

replaced as appropriate with painted timber versions. New dwellings would be constructed from appropriate materials including brick and timber board cladding with slate roofs.

50. The proposed development is considered to accord with policy BNE1 of the Chorley Local Plan 2012 -2026 in respect of design considerations.

Impact on neighbouring amenity

51. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development the proposal would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact; and that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses.

52. Within the site, the interface between units 4 and 5 would be 10.5m which would be slightly below the usual requirement of 12m given the close knit character of the existing buildings on site, it is considered that this relationship between the proposed units, on balance would be acceptable.

53. The nearest existing neighbouring dwelling, Four Oaks, is located on the other side of Ulnes Walton Lane which is well separated from the application site so as to not be adversely impacted upon by overlooking, loss of privacy or overbearing effect.

54. Each proposed dwellinghouse would have sufficient private amenity space to carry out day-to-day domestic activities and would afford acceptable living conditions to future occupiers.

55. The proposed development is considered to be a compatible use with its surroundings and would not give rise to adverse impacts of noise and disturbance given the small-scale domestic nature of the proposal.

56. The proposed development is considered to accord with the provisions of policy BNE1 of the Chorley Local Plan 2012 – 20126 in respect of amenity.

Highway safety

57. Lancashire County Council Highway Services consider that the proposal would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. The access arrangement and turning head for refuse and delivery vehicles are also acceptable. It is considered that suitable parking provision is provided within the site. Conditions suggested by LCC Highways are recommended. Therefore, it is considered that the access and parking arrangements are acceptable and highway impacts would not be significantly adverse, and as such the proposal accords with Policy 3 of the Core Strategy and policies ST1 and ST4 of the Chorley Local Plan 2012 - 2026.

Ecology/Trees

58. The application is accompanied by a preliminary ecological appraisal of the site, and a further bat dusk survey report. The dusk surveys were undertaken in August and September 2020 and concluded that building 7 contains two bats roosts. The ecological reports have been reviewed by the Council's ecology advisors (Greater Manchester Ecology Unit (GMEU)) who have confirmed that the requirement for a bat licence from Natural England for works to building 7 because this supports two bat roosts can be dealt with by condition.

59. In considering the three tests of the Habitat Regulations 2017, the proposal would deliver social and economic benefits through the delivery of housing on a brownfield site, which would contribute to the Council's housing land supply. Secured by appropriate conditions, the proposal would deliver environmental enhancements through the landscaping of the site which would include biodiversity gains including features such as bat boxes. In terms of test 2, to do nothing would mean that the public benefits cannot be delivered and the

enhancements, in particular for bats, would not be delivered. The identified roost is not considered critical to the favourable conservation status of the population of the bat species and as such it would be maintained. It is considered that the tests are met. The identified day roost is of low conservation concern, and the proposed mitigation is proportionate and appropriate to that use but nonetheless, favourable conservation status of the population of the species would be maintained. Having regard to the above, and the recommended condition, it is not considered that the proposal would be detrimental to nature conservation interests or bats which are a European protected species.

60. GMEU advise that a number of issues can be dealt with by condition. It has raised concerns about the removal of the hedgerow along the site frontage, and consider that if it has to be removed it should be translocated. The hedge does need to be removed to provide the required visibility splays at the access. It is not considered that translocation of an overgrown hedge is likely to be feasible, and its replacement with a native blackthorn hedge is considered acceptable.
61. In relation to trees some trees would be felled as part of the works. However, the Council's Tree Officer is satisfied that the majority of trees on the site are to be retained, and those to be removed are not of high arboricultural or visual amenity value.
62. Therefore, it is considered that the proposal accords with the requirements of the Conservation of Habitats and Species Regulations 2018 as amended, chapter 15 of the Framework, policy 22 of the Core Strategy and policies BNE9, BNE10 and BNE11 of the Chorley Local Plan 2012 -2026.

Public open space

63. 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.
64. 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.
65. Specifically, the guidance 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.
66. 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.
67. 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.
68. There is currently a deficit of provision in Lostock in relation to this standard, a contribution towards new provision in the ward is therefore required from this development. However, a financial contribution for off-site provision can only be requested if there is an identified scheme for new provision and none are identified at present.

69. Therefore, a public open space commuted sum is not requested for this scheme.

Sustainability

70. Policy 27 of the Core Strategy requires all new dwellings to be constructed to Level 4 of the Code for Sustainable Homes or Level 6 if they are commenced from 1st January 2016. It also requires sites of five or more dwellings to have either additional building fabric insulation measures or reduce the carbon dioxide emissions of predicted energy use by at least 15% through decentralised, renewable or low carbon energy sources. 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."

69. Given this change, instead of meeting the code level, the dwellings should achieve a minimum dwelling emission rate of 19% above 2013 Building Regulations in accordance with the above provisions. This can be controlled by conditions.

Drainage

70. United Utilities have been consulted on this application and raise no objections. They do, however, recommend drainage conditions in relation to surface water drainage and that foul and surface water should be drained on separate systems.

Community Infrastructure Levy (CIL)

71. 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

72. The proposal accords with the exception of paragraph 145 (g) of the National Planning Policy Framework and is not, therefore, inappropriate development in the Green Belt. The identified very low level of harm caused to the setting of the listed building would be clearly outweighed by the public benefits of the scheme. The proposal would not be detrimental to the character and appearance of the area, would not prejudice highway safety and would not be detrimental to nature conservation interests or European protected species. The proposed development would make a small contribution to the Council's housing land supply. The application is considered to accord with the relevant policies of the Development Plan and is recommended for approval, subject to conditions.

RELEVANT HISTORY OF THE SITE

Ref: 20/00437/CLEUD **Decision:** PEREUD **Decision Date:** 16 July 2020

Description: Application for a certificate of lawfulness for an existing use of land and buildings for general storage including caravans, boat, trailer, vehicles, fencing materials, builders plant, machinery, tools and scaffolding

Ref: 21/00622/LBC **Decision:** PDE **Decision Date:** Pending

Description: Application for listed building consent for redevelopment of the site, including the demolition and conversion of existing buildings to create 5no. residential dwellings

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.

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WARWICK consultancy	TITLE: LOCATION PLAN Proposed Re-Development Roecrofts Farm, Ulnes Walton Lane, Ulnes Walton, Leyland, Lancashire, PR26 8LT.	DRAWING No. D410/P01
t: 01257 450938 m: 07831 676079 e: David@WarwickConstruction.co.uk <small>D:\DataCAD Drawings\Drawings\D410 Roecroft Farm\LocalQ9P01.x2020 17:52</small>	REVISION: A	SCALE: 1:1250

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APPLICATION REPORT – 21/00622/LBC**Validation Date:** 7 June 2021**Ward:** Croston, Mawdesley And Euxton South**Type of Application:** Listed Building**Proposal:** Application for listed building consent for redevelopment of the site, including the demolition and conversion of existing buildings to create 5no. residential dwellings**Location:** Roecroft Farmhouse Ulnes Walton Lane Ulnes Walton Leyland PR26 8LT**Case Officer:** Johndaniel Jaques**Applicant:** Colin & Robert Barlow**Agent:** Mr David Marsden, Warwick Consultancy**Consultation expiry:** 29 June 2021**Decision due by:** 2 August 2021

RECOMMENDATION

1. It is recommended that listed building consent is granted subject to conditions.

SITE DESCRIPTION

2. The application site is located in the Green Belt and also lies within the buffer zone for a Gas Transmission Pipeline. It is occupied by a group of 8 former farm buildings associated with the adjacent Roecroft Farmhouse (which is not within the site defined by the red edge plan) lying to the south of the site. The site is accessed from and lies immediately adjacent to Ulnes Walton Lane. On the opposite side of this road is a residential property, Four Oaks. The land around the site is a mix of scrub and agricultural land.
3. Roecroft Farmhouse is a grade II listed building, and the 8 buildings on the site are considered to be curtilage buildings. The Farmhouse dates from the 18th Century. Some of the buildings on the site are modern, but the main barn building (referred to as building 7 in the submission) was probably built between the late 18th and mid 19th Century.
4. The site benefits from a Certificate of Lawfulness (20/00437/CLEUD) granted on 16th July 2020 for an existing use of land and buildings for general storage including caravans, boat, trailer, vehicles, fencing materials, builders plant, machinery, tools and scaffolding.

DESCRIPTION OF PROPOSED DEVELOPMENT

5. The application seeks proposal is for listed building consent for redevelopment of the site to include some demolition and conversion of buildings to create a total of 5 residential dwellings (units 2-6).
6. The following works are proposed to buildings 2-9:
Building 2 – retain and extend to provide unit 2, which would be single storey. A new single garage is proposed to serve this unit.
Buildings 3, 4, 5 & 6 – demolish.

- Building 7 – Retain and convert into 2no.dwellings, units 3 & 4. Two new double garages are proposed to serve these units.
- Building 8 – To be demolished and replaced with a single storey dwelling known as unit 5. A new single garage is proposed to serve this unit.
- Building 9 – To be demolished and replaced with a single storey dwelling known as unit 6. A new single garage is proposed to serve this unit.

REPRESENTATIONS

7. No representations have been received.

CONSULTATIONS

8. Ulnes Walton Parish Council – No comments received.
9. CIL Officers – Comment that CIL liability is not calculated on listed building applications.
10. Historic England – Have confirmed that they have no comments.
11. Growth Lancashire – No objections subject to conditions regarding materials, details of windows/doors, rainwater goods and roof-lights and methodology/specification for the repair of existing external brickwork/fabric.

PLANNING CONSIDERATIONS

Impact on designated heritage assets

12. The principal statutory duty under the P(LBCA) Act 1990 is to preserve the special character of heritage assets, which includes their setting. Local Planning Authorities (LPAs) should in coming to decisions consider the principle act which states the following;
13. Listed Buildings - Section 66(1) in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
14. The National Planning Policy Framework (The Framework) at Chapter 16 deals with conserving and enhancing the historic environment. It sets out that in determining planning applications LPAs should take account of;
 - a. The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b. The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c. The desirability of new development making a positive contribution to local character and distinctiveness.
15. Paragraph 193 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance.
16. Paragraph 194 states that any harm or loss of significance to a designated heritage asset (from alteration or destruction or from development within its setting) should require clear and convincing justification.
17. Paragraph 196 states that where a development will lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal.

- 18.The Central Lancashire Core Strategy policy 16 and policy BNE8 of the Chorley Local Plan 2012-2026 reflect this approach and support the protection of designated heritage assets.
- 19.A heritage statement has been submitted in support of the proposed development to assess the potential impact of the proposal upon the grade II listed farmhouse which includes its setting which includes this site.
- 20.This statement been reviewed by the Council's heritage advisors (Growth Lancashire) who support the principle of the conversion of the barn (building 7) but would prefer to see building 2 (to be retained and extended to become unit 2) into ancillary use with the farmhouse. They raise no objections to the demolition of those buildings proposed to be removed and comment that the benefits of converting the barn into dwellings would be tempered slightly by internal changes and intensive use of space. Comment is also made that thought should be given to the enclosure of the private rear spaces and how garaging for the wider farm group setting is provided, although it is acknowledged that these are only secondary elements with only a minor impact on the scheme.
- 21.Overall it is considered that whilst there would be some very low level of harm caused by aspects of the proposal, the scheme, when taken as a whole, has the potential to generate wider benefits from the sustained use of the group of traditional buildings which would help retain the contribution made by the 'farm group' to the significance Roecroft Farmhouse.
- 22.The public benefits of the scheme need to be weighed against the identified very low level of harm. There are a number of public benefits of the scheme in terms of improving the character and appearance of the site, improved visibility at the access to the highway, provision of housing and the sustained use of the site referred to above. It is considered that these benefits would outweigh the identified harm, and as such the proposal conforms with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 the Framework, policy 16 of the Core Strategy and policy BNE8 of the Chorley Local Plan 2012 - 2026.

CONCLUSION

23.The identified very low level of harm caused to the setting of the listed building would be clearly outweighed by the public benefits of the scheme. The application is considered to accord with the relevant policies of the Development Plan and is recommended for approval, subject to conditions.

RELEVANT HISTORY OF THE SITE

Ref: 20/00437/CLEUD **Decision:** PEREUD **Decision Date:** 16 July 2020
Description: Application for a certificate of lawfulness for an existing use of land and buildings for general storage including caravans, boat, trailer, vehicles, fencing materials, builders plant, machinery, tools and scaffolding

Ref: 20/01087/FUL **Decision:** PDE **Decision Date:** Pending
Description: Application for listed building consent for redevelopment of the site, including the demolition and conversion of existing buildings to create 5no. residential dwellings

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.

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Report of	Meeting	Date
Director Planning and Development	Planning Committee	13 July 2021

PLANNING APPEALS AND DECISIONS RECEIVED BETWEEN 7 JUNE 2021 AND 5 JULY 2021

PLANNING APPEALS LODGED AND VALIDATED

Local Planning Authority Reference: 20/01399/OUTMAJ- Inspectorate Reference: APP/D2320/W/21/3275691

Appeal by Lea Hough and Co LLP against the Planning Committee decision to refuse outline planning application for the erection of up to 123 dwellings (including 30% affordable housing) with public open space provision, structural planting and landscaping, and vehicular access points from Grange Drive. All matters reserved save for access.

Land Adjacent Blainscough Hall, Blainscough Lane, Coppull, PR7 5FG.

Inspectorate letter confirming appeal valid received 15 June 2021.

Local Planning Authority Reference: 21/00292/CLPUD- Inspectorate Reference: APP/D2320/X/21/3277353

Appeal by Mr D Haliday against the delegated decision to refuse to grant a certificate of lawfulness for a proposed use as a dwellinghouse (C3) for the occupation of up to 2 young persons with 24 hour care provided on a shift basis (Use C2).

20 Briery Hey, Bamber Bridge, Chorley, PR5 8HU.

Inspectorate letter confirming appeal valid received 21 June 2021.

PLANNING APPEAL DECISIONS

Local Planning Authority Reference: 20/01095/FUL - Inspectorate Reference: APP/D2320/W/21/3269320

Appeal by Mr Gareth Jones against the delegated decision to refuse full planning permission for the change of use of building compound for the siting of six residential lodges, to be used in connection with Stocks Hall Nursing Home and Health Club.

Stocks Hall Mawdesley, Hall Lane, Mawdesley, Ormskirk, L40 2QZ.

Appeal dismissed 1 July 2021.

Local Planning Authority Reference: 19/01050/FUL - Inspectorate Reference: APP/D2320/W/21/3270789

Appeal by Mr Simon Malcolm against the Planning Committee decision to refuse full planning permission for the erection of 4no. detached dwellinghouses, following the demolition of the existing dwelling and associated outbuildings.

Wilbrook, Blue Stone Lane, Mawdesley, Ormskirk, L40 2RG.

Appeal dismissed 1 July 2021.

PLANNING APPEALS WITHDRAWN

None

ENFORCEMENT APPEALS LODGED

None

ENFORCEMENT APPEAL DECISIONS

None

ENFORCEMENT APPEALS WITHDRAWN

None

Report Author	Ext	Date	Doc ID
Adele Hayes	5228	5 July 2021	***