

Planning Committee

Tuesday, 21st December 2021, 6.30 pm
Council Chamber, Town Hall, Chorley and YouTube

I am now able to enclose, for consideration at the above meeting of the Planning Committee, the following report that provides an update of events that have taken place since the agenda was printed.

Agenda No	Item	
5	Addendum	(Pages 3 - 18)

Gary Hall
Chief Executive

Electronic copies sent to Members of the Planning Committee

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C O M M I T T E E R E P O R T		
REPORT OF	MEETING	DATE
Director of Planning and Development	Planning Committee	21 December 2021

ADDENDUM

ITEM 3a - 21/01028/OUTMAJ – HM Prison Wymott, Moss Lane, Ulles Walton

The recommendation remains as per the original report

(10) No. further representations have been received setting out the following:

- Next to the pumping station there is an electricity substation.
- Para 38 in the table under Economic dimension, and in the table contained in Paragraph 130, it is stated that “122 gross/69 net FTE jobs during the construction period”. These could be misinterpreted as all being ‘local’ jobs. In the Socio economic statement Section 6.4, Table 6.1, it states “Total temporary job creation 122 gross/68.59 net, FTE, of which 12 gross/6.84 net are ‘local’ FTE.
- Para 130 under the table heading Social Dimension, the key performance metric for the appointed contractor is a 25 percent local spend. Can you clarify what figure this is 25 percent of please?
- The site would be located 300m from the nearest dwellings.
- The 2 hectares of woodland that will be lost is identified by Defra as Priority 1 lowland mixed deciduous woodland, and as such is a priority habitat which are a focus for conservation in England. Rather than refer to this as “early mature woodland” it should be referred to appropriately by its Defra designation, indicating it as a Priority habitat.
- Bird surveys have not been extensive enough based on evidence of local groups.
- The proposed car parking would not be extensive enough to accommodate all users and visitors would choose to park on local highways regardless of whether there was enough parking.
- Loss of access to rear of properties on Wray Crescent from Pump House Lane
- Impact on radio mast to east of the site.
- A representation in general disagreement with the assessment on the impact upon the amenity of the occupiers at Windy Harbour was received. This sets out that the existing house is multigenerational and is effectively occupied in separate parts. It also emphasises that the windows in the side elevation facing Moss Lane are patio doors and therefore the impact is greater. Reference is also made in relation to the land between the dwelling at Windy Harbour and highway at Moss Lane, which the occupiers consider to be their garden.
- Traffic surveys are out of date.
- The increase in the bus service will have no impact.
- The monies to improve cycle access are insufficient.

- The proposed highway safety measures will not mitigate the harm.
- The Construction Phase Access should utilise the current road access to the existing prisons, or make use of the sterile zone of the outer open space, and the space to the west of the proposed new boiler compound. This would substantially minimise the effects of Construction Phase traffic on residential and recreation receptors located on Moss Lane and the residential area.
- The introduction of temporary screening in the form of a physical barrier at the site boundary would help to reduce the visual intrusion of the site works on residential and recreation receptors situated at Moss Lane and the residential area.
- The proposed access should be relocated to run from the existing prison road, within the sterile, 15m outer space, in a northerly direction, to access the proposed car park without intruding on Moss Lane. Redesign the car park to introduce more tree cover and introduce a permeable surface.
- Replace the existing 30 year old planting belt located west of Moss Lane and south of Willow Road, north of the ex. pond, in favour of a drained mound with new and managed mixed woodland planting, hedgerows to boundaries.

Officer comments:

- *It is confirmed that of the 122 gross/68.59 net FTE construction jobs anticipated 12 gross/6.84 net are anticipated to be 'local' FTE.*
- *25 percent local spend refers to the commitment for the contractor to spend 25% locally. MoJ are currently in a tender process for the contractor and so cannot confirm the figure at this time. However, it is estimated that there is a £1bn spend for the four new prisons programme (of which this is one). This gives an indication therefore of the possible amounts involved. The contractor has to commit to various KPIs, which include minimum spend percentages with the supply chains within 25, 50 and 100 miles.*
- *The reference to the site being 300m from the nearest properties refers to the bowling club site only.*
- *It is noted that an area of woodland that is acknowledged as a priority habitat in the Arboricultural Impact Assessment would be removed. This is unavoidable given the scale of development required and has been identified as an element of the development that would require mitigation. In this respect it has been demonstrated that bio-diversity net gain would be achieved through a range of proposed landscape measures.*
- *The Council's ecology advisors GMEU consider that the extent of survey work that has been carried out is adequate to properly assess the impacts of the proposed development.*
- *It is considered that the proposed parking provision is appropriate given the results of the car parking accumulation study that was carried out. Visitors and staff cannot be restricted from parking on public highways, which are available to all road users.*
- *Pump House Lane would be diverted. Any private access rights are civil matter to be resolved with the developer and associated landowners.*

- A radio mast is shown on the Site Block Plan, which shows an indicative layout. As the application is in outline any proposed radio mast would be considered and assessed as part of any reserved matters application in due course.
- The windows in the side elevation of Windy Harbour being patio doors are noted. In relation to the land to the west of Windy Harbour and Moss Lane this land does not form the lawful garden area to the dwelling at Windy Harbour and therefore it does not form an area of land in which any assessment of impacts on residential amenity can be carried out.
- In relation to the construction phase traffic such details would be confirmed within the Construction Environment Management Plan (CEMP), which would be required by condition. It is understood that the appointed contractor and project team are exploring a range of options for taking access during the construction phase. Options include a temporary access point between HMP Wymott and HMP Garth (subject to consideration of any impact to bats in B15), and a temporary construction access from the north via Ridley Lane.
- In relation to the temporary visual screening of construction activities it is noted that the proposed wording of the condition requiring the CEMP states a requirement for "security hoarding including decorative displays... where appropriate". Further details would therefore be provided within the CEMP when discharging the condition.
- In relation to the position of the proposed car park access numerous options were explored for the car park access both prior to submission of the application and during the determination. The suggestion for the access to be taken from the existing prison road and run parallel to Moss Lane was one option considered, however, it was ultimately dismissed. It would necessitate the removal of mature trees (which offer visual screening) and result in the loss of a pond, therefore having a greater impact on biodiversity. It also requires a significant amount of earthworks to remove a bund and provide sufficient space for the road. Furthermore, there was no suitable access solution using the existing prison access road that met relevant highway safety standards as junctions would be located too close together.
- In relation to the replacement of the planting belt west of Moss Lane and south of Willow Road the existing planting along the boundaries of the site to Moss Lane and Willow Road comprise moderate value Category B trees and groups and as such, their removal has been avoided and supplemented where possible across the wider site. Removal of mature trees and replacement with less mature new planting would have a significant impact to the biodiversity net gain calculation – achieving the biodiversity net gain proposals submitted is a key priority for the MoJ and as such, the removal and replacement of this planting belt was not considered preferable.

The following consultee responses have been received:

Heskin Parish Council: strongly oppose the above application and entirely support the comments made by Charnock Richard Parish Council and have instructed me to write accordingly.

The impact on traffic through surrounding villages will be catastrophic and air quality and the environment generally will suffer

The area involved is Green Belt and should be protected

Chranock Richard Parish Council: strongly objects to these proposals as they would constitute inappropriate development of this Green Belt site. The scale and size of the proposals would have a significant detrimental impact on the openness of the Green Belt and would dwarf the adjacent prisons of Garth and Wymott. The proposals would have an adverse impact on the character and appearance of the area and an adverse effect on the residential amenity of those living close to the proposed development site. The additional traffic generated by the proposals, not only at the construction stage but once complete, with increased staff and visitor traffic, will affect all major road links to the site and result in increased volumes of traffic on local road and in many neighbouring villages. The road infrastructure leading to, and around the site, is totally inadequate to cope with the increased vehicular movements associated with this development, in addition to the already increasing vehicular movements associated with current housing development in the area. There are no proposals for traffic calming measures or improvements to the road networks to support the proposals. The Council feel strongly that there are risk assessment and safeguarding issues around the proposed re-location of the bus stop onto the proposed prison car park. Serious consideration must be given to using some of the many empty and disused prisons in the Country rather than building new ones on land protected by Green Belt Status. There are no special circumstances or benefits shown which will outweigh the significant detriments of building this very large prison in an already overdeveloped area with inadequate infrastructure to support the proposals. An additional large scale prison at this location would result in a completely inappropriate overdevelopment of Green Belt Land which must be protected

United Utilities have made the following comments:

We believe that providing the information that we have previously requested at discharge of conditions would be acceptable. As a result, we do not believe an objection is necessary in this instance. Therefore our comments and requested pre-commencement conditions would be an acceptable approach to this application for United Utilities.

LCC Highway Services have confirmed that the contribution sought in relation to the wider corridor scheme along the A581 would include safety engineering measures on the A581 between the junction with the A59 near Rufford, to its junction with the A49 at Euxton.

The scheme comprises the provision of:

- Average Speed Cameras provided over 11.4km
- Solar powered road studs, enhanced visibility centrelines and edge of carriageway rumble strips provided over 6.5km of unlit carriageway
- Mini roundabouts at four existing priority junctions
- School warning zone
- Centre hatching for west of Croston and improved delineation on 3 bends
- Extension of the Ulnes Walton 30mph zone

Whilst the applicant considered / proposed a signalised junction between Ulnes Walton Lane and the A581 Southport Road LCC Highways do not consider it to be the appropriate solution, however, it has been agreed that the equivalent cost of delivering a signalised junction would be an appropriate and acceptable contribution

towards the A581 corridor safety scheme. The applicant is in agreement with this approach.

The following conditions have been amended (*include reason*):

No.	Condition																		
OUTLINE ELEMENT																			
1.	<p>An application for approval of the reserved matters, namely the appearance, layout, and scale of phases 1 and 4 and the appearance, layout, scale and access of phase 3 of the development hereby permitted, as set out on the Site Phasing Plan, must be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.</p> <p>Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>																		
2.	<p>The development hereby permitted 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>608623-0000-PEV-GHX0011-ZZ-DR-A-9000 Rev.P05</td><td>13 September 2021</td></tr> <tr> <td>Site Phasing Plan</td><td>608623-0000-PEV-GHX0011-ZZ-DR-A-9400 Rev.P04</td><td>13 September 2021</td></tr> <tr> <td>Comprehensive Landscape Masterplan</td><td>608623-0000-PEV-GHX0011-XX-DR-L-0301 Rev.P06</td><td>13 September 2021</td></tr> <tr> <td>Site Demolition Plan</td><td>608623-0000-PEV-GHX0011-ZZ-DR-A-9002 Rev.P05</td><td>13 September 2021</td></tr> <tr> <td>Proposed New Access</td><td>GARTH-ATK-HGN-MOSS-DR-D-0001 P2</td><td>13 September 2021</td></tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>	Title	Reference	Received date	Site Location Plan	608623-0000-PEV-GHX0011-ZZ-DR-A-9000 Rev.P05	13 September 2021	Site Phasing Plan	608623-0000-PEV-GHX0011-ZZ-DR-A-9400 Rev.P04	13 September 2021	Comprehensive Landscape Masterplan	608623-0000-PEV-GHX0011-XX-DR-L-0301 Rev.P06	13 September 2021	Site Demolition Plan	608623-0000-PEV-GHX0011-ZZ-DR-A-9002 Rev.P05	13 September 2021	Proposed New Access	GARTH-ATK-HGN-MOSS-DR-D-0001 P2	13 September 2021
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3.	<p>No part of the development under phase 4 hereby approved shall commence until a scheme for the off-site works of highway improvement has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.</p> <p>Reason: To satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.</p>																		
4.	<p>No part of the development under phase4 hereby approved shall be occupied until the approved scheme for the construction of the site access and the off-site works of highway improvement has been constructed and completed in accordance with the scheme details.</p> <p>Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.</p>																		
5.	Prior to the commencement of the development under phase 4 hereby																		

	<p>approved, full details of the pedestrian/cycle connection to the site from Nixon Lane shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. Thereafter the approved connection shall be provided in accordance with the approved plan.</p> <p>Reason: To ensure safe and suitable access to the development for pedestrians and cyclists.</p>																		
6.	<p>The development hereby permitted shall be carried out in accordance with the principles set out within the Flood Risk Assessment (August 2021, Ref: 608623-0000-HYD-GHX0000-XX-RP-D-0001, Hydrock) and Surface Water Drainage Strategy (August 2021, Ref: 608623-0000-PEV-GHX0011-ZZ-RP-C-0503, Pick Everard).</p> <p>The measures shall be fully implemented prior to the first use or occupation of any building developed under phase 4 as set out on the Site Phasing Plan 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.</p> <p>Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 166 and 168 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.</p>																		
7.	<p>Prior to the commencement of the use of development within phases 3 or 4 of the development hereby permitted or with any reserved matters relating to these phases an operational lighting scheme shall be submitted to and approved in writing by the local planning authority. The approved scheme shall thereafter be implemented in line with the approved details.</p> <p>Reason: Due the presence of nearby habitat for bats.</p>																		
DETAILED ELEMENT																			
8.	<p>Phase 2 of the proposed development hereby permitted in full, as set out on the Site Phasing Plan (ref. 608623-0000-PEV-GHX0011-ZZ-DR-A-9400 Rev.P04), must be begun not later than three years from the date of this permission.</p> <p>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>																		
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	Proposed Surface Water Drainage	GHX0031-ZZ-DR-C-0502 Rev.P02	2021
	Proposed Highways-Long Sections	608623-0000-PEV-GHX0031-ZZ-DR-C-0701 Rev.P02	13 September 2021
	Proposed Highways-General Arrangement Plan	608623-0000-PEV-GHX0031-ZZ-DR-C-0700 Rev.P02	13 September 2021
	Proposed Highways-Cross Sections	608623-0000-PEV-GHX0031-ZZ-DR-C-0702 Rev.P02	13 September 2021
	Ground Floor Plan - Proposed	608623-0000-PEV-GHX0031-00-DR-A-9300 Rev.P03	13 September 2021
	Elevations - Proposed	608623-0000-PEV-GHX0031-ZZ-DR-A-9400 Rev.P03	13 September 2021
	Drainage Details - Sheet 01	608623-0000-PEV-GHX0031-ZZ-DR-C-6 Rev.P01	13 September 2021
	Bowling Green Landscape Proposals	608623-0000-PEV-GHX0031-XX-DR-L-0405 Rev.P03	13 September 2021
	Bowling Green External Lighting Layout – Sheet 01	608623-0000-PEV-GHX0031-ZZ-DR-E-0610 Rev.P02	13 September 2021
	Bowling Green External Lighting Layout – Sheet 02	608623-0000-PEV-GHX0031-ZZ-DR-E-0611 Rev.P02	13 September 2021

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

10.	<p>Prior to the commencement of the use of phase 2 of the development hereby permitted a schedule of maintenance of the bowling green, including a programme for implementation for a minimum period of [five] years starting from the commencement of use of the development, shall have been submitted to and approved in writing by the Local Planning Authority. Following the commencement of use of the development the approved schedule shall be complied with in full.</p> <p>Reason: To ensure that the playing field is first established as a functional playing field to an adequate standard and is fit for purpose.</p>
11.	<p>Prior to the commencement of phase 2 of the development hereby permitted the following documents shall have been submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> i. A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and ii. Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation. <p>Prior to the commencement of the use of phase 2 of the development hereby permitted the following documents shall have been submitted to and approved</p>

	<p>in writing by the Local Planning Authority:</p> <p>iii. Full details of the proposed flood lighting scheme for the bowling green.</p> <p>The approved scheme shall thereafter be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.</p> <p>Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose.</p>
12.	<p>All planting, seeding or turfing comprised in the approved details of landscaping set out on the Bowling Green Landscape Proposals (ref. 608623-0000-PEV-GHX0031-XX-DR-L-0405 Rev.P03) shall be carried out in the first planting and seeding seasons following the first use of the Bowling Green or club house facilities, or the completion of phase 2 of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.</p> <p>Reason: In the interest of the appearance of the locality.</p>
13.	<p>The approved car parking provision as set out on Site-Block Plan (ref. 608623-0000-PEV-GHX0031-ZZ-DR-A-9100 Rev.P04) shall have been constructed and laid out in accordance with the approved details prior to the first use of the Bowling Green or club house facilities and retained at all times thereafter specifically for this purpose.</p> <p>Reason: To ensure that that the site is adequately served by parking and disabled parking and that motorcycle and bicycle parking is sufficiently provided.</p>
14.	<p>The external facing materials of the bowling club buildings and structures, 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>Reason: To ensure that the materials used are visually appropriate to the locality.</p>
15.	<p>The floodlighting to the bowling green hereby permitted shall only operate between 10:00 hours and 22:00 hours and not at any other time.</p> <p>Reason: In the interests of the rural character of the area, the amenity of the area, ecological impacts and the amenity of nearby residential properties.</p>
16.	<p>Notwithstanding the approved details, a fully detailed lighting scheme to include all necessary highways illumination, pedestrian footways and any other external lighting to the building shall be submitted to and approved in writing by the local planning authority prior to the occupation of phase 2 of the development hereby permitted. The approved scheme shall thereafter be implemented in line with the approved details.</p> <p>Reason: Due the presence of nearby habitat for bats.</p>
17.	No surface water run-off from the bowling club (phase 2) element of the scheme

	<p>shall at any time be directed into any nearby ponds.</p> <p>Reason: The existing pond is a Priority Pond (NERC) and supports protected species and it is likely that the newly created ponds will colonise with great crested newts.</p>
GENERAL	
18.	<p>Notwithstanding the landscaping details set out on the Comprehensive Landscape Masterplan (ref. 608623-0000-PEV-GHX0011-XX-DR-L-0301 Rev.P06), no development shall commence in phase 4 until a detailed scheme of soft landscaping has been submitted to and approved in writing by the Local Planning Authority. This shall include the location of all existing trees and hedgerows affected by the proposed development, details of those to be retained and details of species to be planted and planting density.</p> <p>All planting, seeding or turfing shall thereafter be carried out in the first planting and seeding seasons following the first use of the occupation of any buildings permitted under phase 4 or the completion of phase 4 of the development hereby permitted, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.</p> <p>Reason: In the interest of the appearance of the locality.</p>
19.	<p>Prior to commencement of each phase of development, a Construction Environment Management Plan (CEMP) for that phase shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:</p> <ul style="list-style-type: none"> - the parking of vehicles of site operatives and visitors. - hours of operation (including deliveries) during construction. - loading and unloading of plant and materials. - storage of plant and materials used in constructing the development. - siting of cabins. - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate. - wheel washing facilities. - a dust management plan including measures to control the emission of dust and dirt during construction. - a scheme for recycling/disposing of waste resulting from demolition and construction works. - the routing of construction vehicles and deliveries to site. <p>Reason: In the interest of highway safety and to protect the amenities of the nearby residents.</p>
20.	<p>The Outline Travel Plan as agreed must be implemented in full in accordance with the timetable within it unless otherwise agreed in writing with the Local Planning Authority in consultation with the Highway Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used/for a minimum of at least 5 years.</p> <p>Reason: To ensure that the development provides sustainable transport options.</p>
21.	No above ground development shall commence in phases 2, 3 or 4 until a detailed, final surface water sustainable drainage strategy for the relevant phase

	<p>of the site has been submitted to, and approved in writing by, the local planning authority.</p> <p>The detailed sustainable drainage strategy shall be based upon the site-specific flood risk assessment and indicative sustainable drainage strategy 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.</p> <p>Those details shall include, as a minimum:</p> <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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; vi. Details of proposals to collect and mitigate surface water runoff from the development boundary; vii. 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; c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with industry guidance. <p>The sustainable drainage strategy shall be implemented in accordance with the approved details.</p> <p>Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 166 and 168 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.</p>
22.	<p>No above ground development shall commence in phases 2, 3 or 4 until a Construction Surface Water Management Plan for that phase detailing how surface water and pollution prevention will be managed during each construction phase has 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,

	<p>with reference to published guidance.</p> <p>The development shall be constructed in accordance with the approved details.</p> <p>Reasons:</p> <ol style="list-style-type: none"> 1. 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; 2. 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.
23.	<p>No building on phases 2, 3 or 4 (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report and Operation and Maintenance Plan for the lifetime of that phase of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved 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>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 168 of the National Planning Policy Framework.</p>
24.	<p>Prior to the commencement of the development, an updated method statement setting out Reasonable Avoidance Measures (RAMS) in relation to amphibians throughout the course of the development hereby approved shall be submitted and approved in writing by the Local Planning Authority. The RAMS shall include pre-commencement surveys of the pond and two ditches (P34 and Ditches 1, 2 and 3) prior to their clearance and shall include timing and pumping out strategies. The development shall thereafter be carried out in full accordance with the approved RAMS.</p> <p>Reason: Due to the potential for disturbance of great crested newts and water voles.</p>
25.	No phase of development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan

	<p>(CEMP: biodiversity) for that phase has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:</p> <ul style="list-style-type: none"> a) Risk assessment of potentially damaging construction activities. b) Identification of "biodiversity protection zones". c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). d) The location and timing of sensitive works to avoid harm to biodiversity features. e) The times during construction when specialist ecologists need to be present on site to oversee works. f) Responsible persons and lines of communication. g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. h) Use of protective fences, exclusion barriers and warning signs. i) Details of how each RAMS integrates with the relevant phases of the implementation. j) A construction lighting strategy. <p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To protect against harm to bats, great crested newts, barns owls and water voles.</p>
26.	<p>Prior to the commencement of any works within 30m distance of the barn owl breeding (B11) and roosting site (B10) a full mitigation strategy for barn owls, which shall include timings for the implementation of measures, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in full accordance with the approved mitigation strategy.</p> <p>Reason: Due to the presence of barn owls.</p>
27.	<p>Prior to the commencement of any works within 30m of the identified maternity bat roost (building B15) a full mitigation strategy for bats, which shall include timings for the implementation of measures, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in full accordance with the approved Mitigation Strategy.</p> <p>Reason: Due to the presence of bats.</p>
28.	<p>A landscape and ecological management plan (LEMP) shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of phases 2, 3 or 4 of the development hereby approved. The content of the LEMP shall include the following:</p> <ul style="list-style-type: none"> a) Description and evaluation of features to be managed. b) Ecological trends and constraints on site that might influence management. c) Aims and objectives of management. d) Appropriate management options for achieving aims and objectives. e) Prescriptions for management actions. f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period). g) Details of the body or organization responsible for implementation of the

	<p>plan.</p> <p>h) Schedule of ongoing monitoring and remedial measures.</p> <p>i) eDNA monitoring of P39 and the newly created ponds to demonstrate successful enhancement.</p> <p>j) Schedule of biodiversity enhancement measures and timetable for delivery.</p> <p>k) A mechanism of reporting to the LPA/their identified agent and remediation agreement process.</p> <p>The LEMP shall also include details of the legal and funding mechanism{s} by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.</p> <p>Reason: To mitigate against the reduction in scale of the biological heritage site as a result of the development proposals and to deliver a net gain for biodiversity.</p>
29.	<p>Prior to the commencement of phases 2, 3 or 4 development a phasing plan for the delivery of the Biodiversity Net Gain off-set habitats shall be submitted and approved in writing by the local planning authority. The landscaping shall thereafter be implemented in line with the approved phasing plan.</p> <p>Reason: To deliver biodiversity net gain benefits at the earliest opportunity and as the development progresses.</p>
30.	<p>No works to trees or hedgerows shall occur or building works commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.</p> <p>Reason: Nesting birds are a protected species.</p>
31.	<p>The development hereby approved shall be carried out in accordance with the details contained in the approved Tree Protection Plan (Ref. 13498/P03) and Arboricultural Method Statement (Ref. 13498/P04) received 24 August 2021. All remaining trees must be fully safeguarded in accordance with BS5837.2012 for the duration of the site works unless agreed in writing with the Local Planning Authority.</p> <p>Reason: To safeguard the trees to be retained.</p>
32.	<p>No development, site clearance/preparation, or demolitions shall take place in any phase on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis relevant to that phase of development. 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. The programme of works shall comprise the creation of a record of the building(s) to Level 2-3 as set out in 'Understanding Historic Buildings' (Historic England 2016). It shall include a full description of the building(s), inside and out, a drawn plan, elevations and at least one section (which may be derived from checked and corrected architect's drawings), and a full photographic coverage,</p>

	<p>inside and out. The record shall also include further documentary research, putting the building(s) and its features into context. This work shall be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists (www.archaeologists.net). A digital copy of the report and the photographs shall be placed in the Lancashire Historic Environment Record.</p> <p>Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site.</p>
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The original report has been amended as follows:

Para. 190. The application for the prison is in outline and therefore the position of buildings shown on the proposed site plan is indicative only. As such the relative distances between the development and existing dwellings are given as potential distances and could not be properly assessed in detail unless and until such time as a reserved matters application for appearance, layout and scale is submitted.

ITEM 3b - 21/00072/FUL – 2 Heath Paddock, Hut Lane, Heath Charnock

The recommendation remains as per the original report

(1) No further letter of support has been received raising the following issues:

- The legitimacy of granting a further temporary consent.
- The site should be granted on a permanent basis.
- Permissions have been recently granted for other development in the Green Belt.
- Hope the planning committee actually read the report and question the condition rejecting it for a permanent unencumbered permission in accordance with the application as described

A further letter has been received from the applicant's agent, which reflects recent comments provided by the applicant and contains the following content:

The Linfoots have had three temporary permissions on Hut Lane, four if you count 18/00024/FUL and 18/00905/FUL as separate permissions. A further temporary permission would be a fourth (or fifth). Government policy is that it will rarely be justifiable to grant a second temporary permission. The rationale for the sequence of temporaries, is that with the development of the new site at Cowling Farm, the Linfoots could relocate from Hut Lane.

The report recommends yet another temporary permission at Hut Lane for 3 years 3 months until 31 March 2025. The thinking behind this is at paragraph 84 of the report. A planning application for Cowling Farm would be submitted in the New Year. Negotiations with Homes England would be concluded early in 2022. Work on site would start in mid-2023, with completion in the middle of 2024 and the site operational early in 2025.

This is highly optimistic. What is the evidence it is realistic? Or is it just something someone has jotted down? We would like to see a much more detailed breakdown which gives confidence it might be realistic.

There is no allowance for slippage, even though progress up to this point has been glacially slow. There are many risks. They include:

- obtaining planning permission for Cowling Farm against strong local opposition;
- negotiations with Homes England over funding;
- the high implementation costs (which mean the site is likely to prove poor value for money);
- shortages of building materials;
- agreement with the Linfoots over the tenure of the site; and
- all the delay which may occur because of the pandemic.

Every time we applied for previous permissions, we made the case that the time period proposed by the Council was too short, and each time we were proved right. The uncertainties mean three years and three months will not be enough, and that we will all be back in three years' time arguing about yet another permission.

In the background is the likelihood that the Cowling Farm site will never be developed. We have never seen any evidence that its development will be viable. To avoid unnecessary expense and stress for all concerned, we would propose that planning permission is granted on a permanent basis, or, at the very least, a more realistic temporary permission is granted, of at least five years.

Officer comment:

The Local Planning Authority relies on the evidence of Chorley Council's Director of Commercial Services, responsible for Development and Business, who has confirmed the Council's commitment to delivering the Cowling Farm site and has submitted a timeline for the delivery of the site and intention that an alternative Gypsy and Traveller site at Cowling Farm will be available for occupation in three years time.

The following conditions have been amended (*include reason*):

No.	Condition												
1.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Title</th><th>Drawing Reference</th><th>Received date</th></tr> </thead> <tbody> <tr> <td>Location plan</td><td>N/A</td><td>15 March 2021</td></tr> <tr> <td>Proposed site plan</td><td>N/A</td><td>15 March 2021</td></tr> <tr> <td>Utility block plan</td><td>N/A</td><td>15 March 2021</td></tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>	Title	Drawing Reference	Received date	Location plan	N/A	15 March 2021	Proposed site plan	N/A	15 March 2021	Utility block plan	N/A	15 March 2021
Title	Drawing Reference	Received date											
Location plan	N/A	15 March 2021											
Proposed site plan	N/A	15 March 2021											
Utility block plan	N/A	15 March 2021											
2.	<p>The permission shall expire on the 31 March 2025, following which the use shall cease and the land restored in accordance with the requirements specified in condition 4 of this permission.</p> <p><i>Reason: To reserve to the Local Planning Authority control over the long-term use of the land, as the use is inappropriate development in the Green Belt and not acceptable on a permanent basis.</i></p>												
3.	<p>Within 3 months of the expiry of this permission or the land becoming vacant prior to the expiry of planning permission the following works shall be carried out:-</p>												

	<p>a) Excavate the hardstanding laid on the site and remove all the hardcore material laid to form the hardstanding from the land.</p> <p>b) Demolish the utility block and its concrete base and remove the materials resulting from the demolition from the land.</p> <p>c) Excavate the septic tank and remove the tank from the land.</p> <p>d) Demolish the electricity supply housing box and remove the materials resulting from the demolition from the land.</p> <p>e) Demolish the entrance pillars and gates from the vehicular access in the north west corner of the application site and remove the materials resulting from the demolition from the land.</p> <p><i>Reason: To give the Local Authority control over the long term use of the land as the operations are inappropriate development in the Green Belt and not acceptable on a permanent basis.</i></p>
4.	<p>The occupation of the site hereby permitted shall be carried on only by the following and their resident dependants:</p> <p>Mr Michael Linfoot and wife Mrs Patty Linfoot and dependent children.</p> <p>Mr Walter Bird and Mrs Sylvia Bird and grandson Clonus John Boswell. (Born 1994).</p> <p>Mr John Bird and Mrs Jacqueline Bird and dependent children.</p> <p><i>Reason: Weight has been given to the personal circumstances of the applicant as a very special circumstance in granting permission for inappropriate development in the Green Belt.</i></p>
5.	<p>No more than 7 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 2 shall be a mobile home) shall be stationed on the site at any time.</p> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>
6.	<p>No commercial activities shall take place on the land including the storage of materials, plant or equipment.</p> <p><i>Reason: In order to protect the amenities of the area and the residential occupiers of dwellings in the vicinity.</i></p>
7.	<p>No commercial vehicles in excess of 3.5 tonnes shall be stationed, parked or stored on the site.</p> <p><i>Reason: In order to protect the amenities of the area and the residential occupiers of dwellings in the vicinity.</i></p>
