

Planning Committee

Tuesday, 24th May 2022, 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
------------------	-------------

6	Addendum
---	-----------------

| (Pages 3 - 16)

Gary Hall
Chief Executive

Electronic copies sent to Members of the Planning Committee

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

This page is intentionally left blank

C O M M I T T E E R E P O R T		
REPORT OF	MEETING	DATE
Director of Planning and Development	Planning Committee	24 May 2022

ADDENDUM

ITEM 3a - 21/00327/FULMAJ - Erection of 76no. affordable dwellings with access, parking, landscaping and all other associated works (including pumping station) - Land 120M East Of 27 Charter Lane, Charnock Richard

The recommendation remains as per the original report

The applicant has submitted a formal response to the report issued by Charnock Richard Residents Association (RA) to Members of the Planning Committee on 29th March, as follows:

“The representation was not made available to the applicant to view until after the Planning Committee meeting. From review of the representation, there are a number of points of clarification or update that Officers and Members should be aware of.

Policy- The previous application on the site was refused for conflict with policy 1(f), on the basis of the scale of development, at a time when the Borough had a 5 year housing land supply. The current 5 year housing land supply position now engages the tilted balance as outlined in NPPF, and for policies of the development plan that relate to housing numbers to be deemed out of date, or of more limited weight as outlined in the Officers Report to the planning application.

The planning balance and consideration of the current application is therefore of significant difference to previously.

Highways – The RA claim that the speed survey was undertaken in school holidays. The surveys were carried out from 16th to 23rd July. It is noted on Charnock Richard Primary School Term Dates on their website that the school closed for summer holidays on the 22nd July; the survey was undertaken in term time, other than the 23rd July which was a Saturday (all of which is set out in the Highways Statement).

The date of the parking survey was also questioned. This was undertaken on Wed 14th July from 8am-9.10 am (as noted on the survey results sheet in the Highway Report), aligning with school opening time.

The survey determined that the maximum parking occurred for 5 minutes and the main phase of parking (around 15 cars) occurred for only 20 minutes. This is a normal short term parking experience that occurs around schools, as is referenced by the Inspector in the appeal decision at Carrington Road, Adlington (APP/D2320/W/21/3284692) (that decision being allowed and permission granted).

It is also relevant that the Highway Statement to the application also demonstrates that the proposal will generate very limited traffic in the morning peak period, the traffic assessment determining that there would be likely only c8 trips from the development site1, therefore potentially 3 trips in the 20 minute period, concluded to be of negligible impact to the operation of the highway. It is also noted that as most drivers from the local area are aware of the school location, amendments to travel habits can be made in such periods.

Improvements proposed to the junctions of Charter Lane are in line with discussions with Lancashire County Council (LCC) Highways Authority, and improvements to the existing footway on Charter Lane, including widening in areas and improvements to lighting has been agreed to negate provision of a further footpath along the road.

Ecology - It is referenced by RA that a recent on-site ecological assessment has not been undertaken, only desktop. This is incorrect as a full Phase 1 Habitat survey (site walkover) and pond review was undertaken in July 2020, with a further pond survey review in June 2021 for further clarity.

Current guidelines for protected species are listed in table 3.2 of the Ecology Assessment Report and does not include Roe Deer. It is relevant that GMEU has no objection to the proposals, has confirmed the assessment acceptable and that relevant planning conditions can be utilised.

Education/ Children Numbers – It is referenced in the RA submission that the school place assessment is based on September 2021 information, prior to other decisions in the Borough. We would draw attention to the Officers Report to the March Committee that an updated Education Assessment from LCC was received by Chorley Council in March 2022 and the recommendation on the relevant education contribution is based upon this up to date review. We also see from the website details for the application that a further Assessment from April 2022 has also been received.

The consideration of the Common Allocation Policy and the number of children the site could theoretically house is considered excessive. It is noted as maximum, with 4 bed units assigned 6 children and 3 bed units 4 children, which is very unlikely to occur to all units. The Chorley Council Allocations document for housing available on the website references 3 bed units at 2 or 3 children and 4 bed units at 3 children, thus more likely towards half the number of children that was referenced in the RA submission. LCC Education pupil yield assessment is also significantly lower than the level suggested by the RA.

The concern to over subscription of the school resulting in significant traffic movements out of the village for children to access wider schools is also considered unlikely. Over time, school applications and allocations account for local families (i.e. numbers accepted from out of the village requiring travel to access the school would reduce) such that it would be more likely local children would walk to the school with resulting alleviation of traffic and parking issues.”

Charnock Richard Residents Association (RA) submitted further comments on 24th May 2022 to Members of the Planning Committee and the Local Planning Authority, which is summarised as follows:

- Photographs are provided which the RA states shows the treacherous nature of the roads
- Reference is made to the application of paragraph 11d(ii) and the ‘tilted balance’ of the National Planning Policy Framework, stating that it should only be applied in favour of sustainable development

- Reference is made to the conflict of the scheme with policy 1 of the Core Strategy
- Criticisms of the age and timeframes of the traffic assessments and surveys
- Questions are raised in relation to the financial contribution towards enhanced bus services
- Claim that basic services cannot be accessed via public transport without a substantial walk
- Claim that the proposal will result in a greater requirement of school places than calculated by LCC Education
- States that the shop noted in the Committee Report is not open every day and not open in the evenings and is not considered to be a convenience store
- Reference is made to potential future government planning reforms

The RA's assertion that paragraph 11d(ii) of the Framework should only be applied to sustainable development is a misinterpretation of the relevant section of the Framework. Paragraph 11 clearly states that "*Plans and decisions should apply a presumption in favour of sustainable development...for decision-taking this means:...b(ii)*". Paragraph 11 therefore sets out the criteria which a proposed development must meet to be considered a sustainable development, rather than criteria to be applied to development that has already been determined to be sustainable.

With regards to the financial contribution to enhance bus services, the RA has asked three questions which the case officer has answered below in italicised text:

a) how an hourly bus service and one which ceases in the evenings is considered a reasonable alternative to the private car;

It is acknowledged that the private car will be the main form of transport for the proposed development. Bus services will provide an alternative form of transport for some journeys. Existing residents of Charnock Richard will already be managing to live in the village under similar circumstances, albeit the proposal offers an opportunity to improve this situation.

b) why the contribution has more than halved compared to the 13th October 2021 letter? and

This relates to the financial contribution towards additional bus services. It is usual for negotiations to take place between the Council and other relevant bodies with regards to mitigation measures and scheme enhancements.

c) what will happen after 5 years.

This relates to the fixed 5 year timeframe during which the developer will pay a contribution towards enhanced bus services. It is understood that the 5 years will enable the additional service to become established and then a decision will need to be made by the service provider as to whether it would be feasible to continue the service without the subsidy.

The applicant submitted a response to the above comments from the RA on 24th May 2022, which is summarised as follows:

- Reference is made to sustainable development forming three elements – social, economic and environmental
- Reiterates that the speed survey was not undertaken in school holidays
- Using traffic data from previous applications is a normal provision within Transport Assessments and is accepted and agreed with LCC Highways
- The 2016 survey information has been re-based using nationally accepted growth rates

- The accepted allocation of likely trips from the development demonstrates low movements and the level of traffic generation is therefore within acceptable levels
- Bus service improvements would result in a doubling of the services through the village and is a viable alternative to the private car
- The contribution level has been accepted by LCC Highways and the bus team
- As the bus service becomes established it will likely become more self-funding
- Mixed-mode journeys may be required to access some services, but this must already occur for existing residents living in Charnock Richard
- Reference is made to the RA's assertions in relation to pupil numbers and the applicant is concerned about the submission not acknowledging the forward planning for school allocation will be undertaken by LCC Education and in time there will be a transition to more local pupils. Also expresses concern there is an implication to potential pupil numbers based on the housing being social housing
- There will be a lag whilst units are built and occupied which will enable the Education authority to plan for future levels and consider places going forward
- The scheme will provide customers for the local shop which may then extend opening hours
- Residents from the application site will not add to parking in the village – they will walk to school, football club and shop.

Lancashire County Council Education

An updated consultation response has been received from Lancashire County Council Education which provides an updated assessment of projected school places as of 20th April 2022. The assessment concludes the same requirements as outlined in the original committee report and addendum, of no contribution being required for primary school places and £92,247 for four additional secondary school places.

ITEM 3b – 20/01141/FULMAJ – Erection of 80no. dwellings, including houses and apartments (including 30% affordable) with associated infrastructure and school pick-up/drop-off car park - Former BAE Site Group 1 Parcel C1 And C2 Central Avenue Buckshaw Village

The recommendation remains as per the original report

Euxton Parish Council has requested that the Council adopts all trees referred to in the Arboricultural Impact Assessment. This comment has been clarified with the Parish Council clerk as to mean that the trees proposed for retention are protected by a Tree Preservation Order.

As identified at paragraph 96 of the committee report, there is a very small pocket of broadleaved woodland in the south east corner of the site consisting of three mature oak trees and a few young willows and ash samplings. The woodland is proposed to be retained as part of the proposal. Further, proposed planning condition 19 requires the trees to be protected during construction work. The future safeguarding of the trees with a Tree Protection Order is being progressed by the Council's Tree Officer but this cannot be secured via this planning application as it follows a separate legislative process. Other trees adjacent to the site are already protected by Chorley BC TPO 8 (Euxton) 2010.

**ITEM 3c – 21/00779/FULMAJ – 1) Extension of car park 2) Erection of storage building, following the demolition of the existing glasshouse
- Birkacre Nurseries Ltd, Birkacre Road, Chorley**

The recommendation remains as per the original report

Impact on ecological interests:

The Council's appointed ecologists at Greater Manchester Ecology Unit have assessed the submitted Construction Environmental Management Plan and Biodiversity Enhancement Measures and advise that these are satisfactory. The measures would ensure that the adjacent Biological Heritage Site would not be harmed as a result of the development and would secure biodiversity enhancements of the site. A planning condition would ensure that the development and construction activities are carried out in accordance with these details.

The following conditions are recommended:

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

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

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

Title	Plan Ref	Received On
Proposed Site Plan	20 144 P01 REV B	16 February 2022
Location Plan	20 144 L01	16 July 2021
Proposed Floor Plans and Elevations	20 144 P02	18 June 2021

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

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

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

4. The development hereby permitted, and construction works shall be carried out in full accordance with the Construction Environment Management Plan For Biodiversity and the Biodiversity Enhancement Measures Plan ERAP Ltd 2021-359b (dated March 2022). The bird nest boxes shall be installed on the building hereby permitted prior to its first use and permanently retained thereafter.

Reason: To ensure that construction activities do not adversely affect the Biological Heritage Site and to secure biodiversity enhancement of the site.

5. The construction of the building hereby permitted shall not be commenced until:
- a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity and;
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.
- The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: The site is situated within a Development High Risk Area for coal mining features and hazards and the condition is necessary to ensure that adequate information pertaining to ground

conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site, in the interests of the safety and stability of the development.

6. Prior to first use of the building hereby permitted, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: In the interests of the safety and stability of the development as the site is situated within a Development High Risk Area for coal mining features and hazards.

ITEM 3d 21/00793/FUL – 1) Erection of 5no. detached dwellinghouses, including associated new accesses to Sandy Lane 2) Demolition of existing buildings - Springfields Sandy Lane Mawdesley

The recommendation remains as per the original report

The following conditions are recommended:

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

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

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

Title	Plan Ref	Received On
Proposed Layout	MW27/21EL1 REV D	12 May 2022
House Type 4	P4/21 REV B	17 March 2022
House Type 3	P2/21 REV A	16 July 2021
House Type 1	P2/21 REV A	25 June 2021
House Type 2	P2/21 REV A	25 June 2021
House Type 5	P5/21 REV A	25 June 2021

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

3. Prior to the commencement of the construction of each dwellinghouse hereby permitted, full details of all external facing and roofing materials of the respective dwellinghouse (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: In the interests of the appearance of the development and to ensure that the materials used are visually appropriate to the locality.

4. No dwelling hereby permitted shall be commenced until all existing buildings on the site are demolished in full and all resultant materials removed from the site.

Reason: The demolition of the existing buildings is necessary to make the development acceptable in the Green Belt as an exception to inappropriate development in the Green Belt as listed in paragraph 149 (g) of the National Planning Policy Framework (2021) and also in accordance with Chorley Local Plan 2012 – 2026 policy BNE5.

5. No removal of or works to any hedgerows, trees, shrubs, or other vegetation or works to or demolition of buildings or structures that may be used by breeding birds shall take place during the

main bird breeding season 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation and structures for active birds' nests immediately before the vegetation is cleared or works commenced and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority.

Reason: All wild birds, their nest and eggs are protected under the Wildlife and Countryside Act 1981 (as amended).

6. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water (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.

7. Prior to their erection or installation, full details of the alignment, height and appearance of all fences, walls, gates or other boundary treatments to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. Any boundary treatments shall only be installed or erected in accordance with the approved details.

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

8. Prior to the commencement of the development, full details of the existing and proposed ground levels and proposed dwelling finished floor levels (all relative to ground levels adjoining the site) to be submitted to and approved in writing by the Local Planning Authority, notwithstanding any such details shown on previously submitted plans(s). The development shall be carried out only in conformity with the approved details.

Reason: In the interests of the appearance of the development in the locality and the amenity of neighbouring properties.

9. Prior to the laying of any hard landscaping (ground surfacing materials) full details of their colour, form and texture for that phase shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details and shall be completed in all respects before occupation of the respective dwellinghouse.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

10. No development shall commence until the Local Planning Authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations (Amendments) (EU Exit) 2019. Authorizing the specified activity/development to go ahead; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: Bats are a protected species and are present on site.

11. The development shall be carried out in accordance with the details contained in the Biodiversity Strategy & Mitigations for Bats V1.0 (as received by the Local Planning Authority on 19 November 2021), unless where modified by any condition of this permission.

The bat receptor boxes shall be installed on site prior to any demolition taking place.

The bat barn shall be installed on site prior to final occupation of the development and shall be located in either location identified on approved drawing number MW27/21EL1 REV D, unless otherwise approved in writing by the Local Planning Authority.

Reason: To provide satisfactory mitigation for bats and in the interests of nature conservation and biodiversity of the site.

12. Prior to the commencement of the development, a detailed landscaping scheme shall be submitted to and approved in writing by the local planning authority.

This shall include:

Details of those existing trees and hedgerows to be retained or removed, and the provision of any compensatory planting should any trees or hedgerows be identified for removal.

ii) Retained landscape and habitat features and proposals for restoration (hedges and trees)

iii) Planting plans.

iv) Written specifications (including cultivation and other operations associated with plant and grass establishment).

v) Schedules of plants, noting species, planting sizes and proposed numbers /densities where appropriate.

vi) Implementation timetables.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any dwellings or in accordance with an agreed timetable. 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 a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the landscaping of the site is high quality in the interests of the appearance of the development in the locality.

13. A landscape and ecological management plan (LEMP) of the site and the area to north (edged in blue) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the occupation of the development. The content of the LEMP shall also include the following.

a) Description and evaluation of features to be managed.

b) Ecological trends and constraints on site that might influence management.

c) Aims and objectives of management.

d) Appropriate management options for achieving aims and objectives.

e) Prescriptions for management actions.

f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).

g) Details of the body or organization responsible for implementation of the plan.

h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management body(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.

Reason: To ensure that the landscaping of the site is high quality in the interests of the appearance of the development in the locality and in the interests of nature conservation to secure biodiversity enhancements.

14. 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 Assent 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.

15. Prior to the commencement of the development, excluding the erection of the detached garage, 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 Assent 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.

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

Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent 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.

ITEM 3f – 22/00081/FUL – Higher Morris Farm, 595 Preston Road, Clayton-Le-Woods, Chorley, PR6 7EB.

The recommendation remains as per the original report

The following conditions are recommended:

No.	Condition
1.	The proposed development must be begun not later than three years from the date of this permission. <i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i>
2.	The development shall be carried out in accordance with the following plans:

	Title	Drawing Reference	Received date
	Location Plan	L2919_GA_101_A	24 January 2022
	Proposed Site Plan	L2919_GA_104_C	14 March 2022
	Proposed Street Elevation	L2919_GA_105_B	24 January 2022
	Apartment Elevations	L2919_GA_108_B	24 January 2022
	Contextual Apartment Plans	L2919_GA_107_B	24 January 2022
	Contextual Bungalow Layout	L2919_GA_109_A	24 January 2022
	<i>Reason: For the avoidance of doubt and in the interests of proper planning.</i>		
3.	<p>Prior to the erection of the superstructure of the buildings hereby approved samples of all external facing and roofing materials, and boundary treatment 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.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>		
4.	<p>Prior to the erection of the superstructure of the buildings hereby approved full details of the alignment, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to protect the amenities of occupiers of nearby property.</i></p>		
5.	<p>Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.</p> <p><i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i></p>		
6.	<p>Prior to the first occupation of the buildings hereby approved full details of any cycling and bin store facilities to be provided shall be submitted to and approved in writing by the Local Planning Authority. The cycle store and bin stores shall thereafter be provided in accordance with the approved plans and details prior to occupation, and permanently maintained thereafter.</p> <p><i>Reason: To allow for the effective use of the parking areas, the promotion of sustainable forms of transport and to aid social inclusion in consideration of the appearance of the development.</i></p>		
7.	<p>A scheme for the landscaping of the development and its surroundings shall be submitted prior to the erection of the superstructure of the buildings hereby approved. These details shall include all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform, proposed finished levels, means of enclosure, minor artefacts and structures. The scheme shall include a biodiversity enhancement plan comprising the provision of bats and bird boxes and the use of</p>		

	<p>nectar rich and wildlife friendly species. Landscaping proposals should comprise only native plant communities appropriate to the natural area.</p> <p>All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p><i>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.</i></p>
8.	<p>No building demolition nor works to trees and shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.</p> <p><i>Reason: Nesting birds are a protected species.</i></p>
9.	<p>No demolition of buildings that support roosting common pipistrelle shall commence unless the Local Planning Authority has been provided with either:</p> <ul style="list-style-type: none"> a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations (Amendments) (EU Exit) 2019 authorizing the specified activity/development to go ahead; or b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence, in which can a Reasonable Avoidance Method Statement for bats will be required. <p>Demolition of such buildings shall not commence until this is agreed in writing by the LPA.</p> <p><i>Reason: Due to the presence of protected species.</i></p>
10.	<p>The development hereby approved shall be carried out in strict accordance with the Tree Protection Plan (ref. 20/AIA/Chorley/10-03) and Tree Protective Measures/Method Statement received 24 January 2022 unless otherwise agreed in writing.</p> <p><i>Reason: To protected against damage to trees to be retained.</i></p>
11.	<p>The communal car parking and manoeuvring areas shall be marked out in accordance with the approved plan before the first occupation of the development hereby approved and shall be permanently maintained thereafter for communal use only and no spaces shall be reserved for individual dwellings.</p> <p><i>Reason: To allow for the effective use of the parking and turning areas.</i></p>
12.	<p>The development hereby approved, shall be carried out in accordance with the principles set out in the submitted Foul & Surface Water Drainage Design Drawing 100.21058-ACE-XX-00-DR-C-1000, Rev P1 – Dated 20.12.21, which was prepared by ADEPT. For the avoidance of doubt surface water must drain at the restricted rate of 3.5 l/s. Prior to the first occupation of the proposed development, the drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.</p> <p><i>Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.</i></p>

13.	<p>All windows in the first floor of the north facing side elevation of the apartment building hereby permitted shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.</p> <p><i>Reason: In the interests of the privacy of occupiers of neighbouring property.</i></p>
14.	<p>The bungalow hereby approved is required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.</p> <p><i>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 Assent 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.</i></p>
15.	<p>Prior to the erection of the superstructures of the bungalow hereby approved details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.</p> <p><i>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 Assent 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 it can be assured that the design meets the required dwelling emission rate.</i></p>

ITEM 3h – 22/00213/CB3 – Erection of an archery pavilion with associated car park and new vehicle access point from Wigan Lane, following the removal of the existing building –

Land Adjacent To Londonderry Cottage, Wigan Lane, Heath Charnock

The recommendation remains as per the original report

Lancashire County Council Highway Services have responded with no objection to the proposal, subject to conditions relating to the implementation of works to the highway and parking and manoeuvring areas within the site.

The following conditions are recommended:

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>

<p>2.</p>	<p>The development hereby permitted shall be carried out in accordance with the approved plans below:</p> <table border="1" data-bbox="336 286 1289 602"> <thead> <tr> <th>Title</th> <th>Plan Ref</th> <th>Received On</th> </tr> </thead> <tbody> <tr> <td>Proposed Building</td> <td>205-076-1008</td> <td>24 February 2022</td> </tr> <tr> <td>Proposed Tree Protection and Boundary Details</td> <td>205-076-1012</td> <td>5 May 2022</td> </tr> <tr> <td>Proposed Building Drainage Plan</td> <td>205-076-11-5 Rev A</td> <td>23 March 2022</td> </tr> <tr> <td>Site Location Plan</td> <td>205-076-1001</td> <td>24 February 2022</td> </tr> <tr> <td>Proposed Site Plan</td> <td>205-076-1003 Rev A</td> <td>11 May 2022</td> </tr> <tr> <td>Proposed Junction Access Design</td> <td>205-076-1010</td> <td>24 February 2022</td> </tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>	Title	Plan Ref	Received On	Proposed Building	205-076-1008	24 February 2022	Proposed Tree Protection and Boundary Details	205-076-1012	5 May 2022	Proposed Building Drainage Plan	205-076-11-5 Rev A	23 March 2022	Site Location Plan	205-076-1001	24 February 2022	Proposed Site Plan	205-076-1003 Rev A	11 May 2022	Proposed Junction Access Design	205-076-1010	24 February 2022
Title	Plan Ref	Received On																				
Proposed Building	205-076-1008	24 February 2022																				
Proposed Tree Protection and Boundary Details	205-076-1012	5 May 2022																				
Proposed Building Drainage Plan	205-076-11-5 Rev A	23 March 2022																				
Site Location Plan	205-076-1001	24 February 2022																				
Proposed Site Plan	205-076-1003 Rev A	11 May 2022																				
Proposed Junction Access Design	205-076-1010	24 February 2022																				
<p>3.</p>	<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>																					
<p>4.</p>	<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 and all works will be undertaken in accordance with the details of tree protection measures received on 5th May 2022.</p> <p><i>Reason: To safeguard the trees to be retained.</i></p>																					
<p>5.</p>	<p>Prior to the first use of the approved building, four bird boxes shall be installed in the trees to the south and of the approved building and retained as such thereafter.</p> <p><i>Reason: To create biodiversity enhancements, in accordance with the National Planning Policy Framework.</i></p>																					
<p>6.</p>	<p>No works to trees and shrubs or vegetation clearance or demolition of buildings shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present.</p> <p><i>Reason: All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981 (as amended).</i></p>																					
<p>7.</p>	<p>Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.</p> <p><i>Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.</i></p>																					
<p>8.</p>	<p>Prior to the first use of the approved facility, the vehicular access to the site from Shade Lane shall be closed to vehicles and only available for pedestrians and cyclists.</p>																					

	<p><i>Reason: To ensure the safe and proper access of the facility and to protect the amenity of neighbouring residents.</i></p>
9.	<p>No part of the development shall be commenced, other than site preparatory works and removal of the existing buildings, until all the highway works within the adopted highway have been constructed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.</p> <p><i>Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.</i></p>
10.	<p>The private car parking and manoeuvring areas to be marked out in accordance with the approved plans, before the use of the premises hereby permitted becomes operative dwelling and permanently maintained thereafter.</p> <p><i>Reason: To allow for the effective use of the parking areas.</i></p>
