

## Planning Committee

Tuesday, 7th March 2023, 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 reports that were unavailable when the agenda was published.

Agenda No	Item	
<b>3</b>	<b>Planning applications to be determined</b>	
	The Head of Planning and Enforcement has submitted six planning applications to be determined (enclosed).	
	Plans to be considered will be displayed at the meeting or may be viewed in advance by following the links to the current planning applications on our website. <a href="https://planning.chorley.gov.uk/online-applications/search.do?action=simple&amp;searchType=Application">https://planning.chorley.gov.uk/online-applications/search.do?action=simple&amp;searchType=Application</a>	
<b>3a)</b>	<b>22/00719/FUL - St Peters Parish Club, Eaves Lane, Chorley, PR6 0DX</b>	(Pages 3 - 20)
<b>3b)</b>	<b>21/00253/OUTMAJ - Land 150M North East Of 31 Paradise Street, Chorley</b>	(Pages 21 - 52)
<b>3c)</b>	<b>23/00004/FUL - 10 Riley Green, Hoghton, Preston, PR5 0SL</b>	(Pages 53 - 60)
<b>3d)</b>	<b>22/00912/REM - Lucas Green, Lucas Lane, Whittle-Le-Woods, Chorley, PR6 7DA</b>	(Pages 61 - 70)
<b>3e)</b>	<b>22/01230/FULMAJ - Euxton Villa Football Club, Jim Fowler Memorial Playing Fields, Runshaw Hall Lane, Euxton, Chorley, PR7 6HQ</b>	(Pages 71 - 84)
<b>3f)</b>	<b>22/00864/FULMAJ - Highgrove House, Highfield Road North, Chorley, PR7 1PH</b>	(Pages 85 - 94)
<b>5</b>	<b>Appeals Report</b>	(Pages 95 - 96)

Chris Sinnott  
Chief Executive

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**APPLICATION REPORT – 22/00719/FUL**

**Validation Date: 27 June 2022**

**Ward: Chorley North And Astley**

**Type of Application: Full Planning**

**Proposal: Erection of single storey building to accommodate a retail unit/convenience store (Use Class E(a)), associated car parking and creation of new access on to Eaves Lane (following demolition of the existing social club building)**

**Location: St Peters Parish Club Eaves Lane Chorley PR6 0DX**

**Case Officer: Chris Smith**

**Applicant: Mr Paul Maher JP Development Ltd**

**Agent: Mr Matthew Walton PWA Planning**

**Consultation expiry: 3 August 2022**

**Decision due by: 10 February 2023 (Extension of time agreed)**

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**UPDATE REPORT**

**The recommendation remains that full planning permission be granted subject to conditions.**

**Members will recall that this application was deferred at the Planning Committee meeting held on 7 February 2023 to allow time for Members to visit the site of the proposal. The original committee report from 7 February 2023 follows on below.**

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**RECOMMENDATION**

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

**SITE DESCRIPTION**

2. The application site is located on the eastern side of the B6228 Eaves Lane, within the settlement area of Chorley, as defined by the Chorley Local Plan Policies Map. The site contains a vacant two-storey building which previously accommodated St Peter's Parish and Social Club. There is a bowling green to the rear of the building.
3. The immediate locality is a densely built up urban area comprising a range of uses including residential properties immediately to the south and east of the site, commercial units to the north west and a Primary School directly to the north.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

4. The application seeks full planning permission for the erection of a single storey building to accommodate a retail unit/convenience store (Use Class E(a)) along with associated car parking and the creation of a new access on to Eaves Lane, following the demolition of the existing social club building.

## REPRESENTATIONS

5. Councillor Adrian Lowe has stated that he objects to the proposed development for the following reasons -
  - Highways, the proposed access is too close to a roundabout and a primary school causing potential traffic issues
  - Inappropriate use of the site
  - Impact on the neighbouring area
6. Thirteen representations have been received citing the following grounds of objection to the proposed development -
  - The classrooms and playground at St Peter's Primary School are for the youngest members of the school and consideration should be given to the type of fencing erected along the boundary of the site so that people cannot see into the school grounds.
  - Dustbins should not be kept too close to where the children play.
  - Consideration should be given to noise that could disrupt school lessons.
  - Overlooking of the site through the use of CCTV.
  - Noise.
  - Bad language from builders.
  - Highway safety.
  - Potential for vermin due to bins/waste storage.
  - Concerns regarding delivery times.
  - The building would be close to neighbouring residential properties.
  - Position of bins.
  - Impact on existing retail businesses.
  - Loss of existing on-street car parking.

## CONSULTATIONS

7. Greater Manchester Ecology Unit (GMEU) – Have not raised any objections to the proposed development subject to conditions.
8. Lancashire County Council Highway Services (LCC Highway Services) – Have not raised any objections to the proposed development subject to conditions.
9. Chorley Council's Environmental Health Officer – Has not raised any objections to the proposed development, subject to conditions.
10. Chorley Council's Waste & Contaminated Land Officer – Has stated that in this instance he has no comments to make.
11. United Utilities – Have not raised any objections to the proposed development subject to conditions.

## PLANNING CONSIDERATIONS

### Principle of the development

### Development in an out-of-centre location

12. The application site is located approximately 130m to the north of the Eaves Lane Local Centre as defined by Policy EP7 of the Chorley Local Plan. The National Planning Policy Framework 2021 (The Framework) at Annex 2: Glossary provides that an edge of centre location is one that is well connected to, and up to 300 metres from, a primary shopping area which is an area where retail development is concentrated. The application site is, therefore, located within an edge-of-centre location and it proposes a main town centre use.
13. Paragraph 87 of The Framework states that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an

existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

14. Paragraph 88 of The Framework states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.
15. Core Strategy policy 11 (Retail and Town Centre Uses and Business Tourism) of the Central Lancashire Core Strategy provides, among other things, that retail and other town centre uses of a scale appropriate to the retail hierarchy and in sustainable locations will be supported ; and that retail and main town centre uses will be delivered in a number of ways including maintaining, improving and controlling the mix of uses in the existing District and local centres so as to appropriately serve local needs.

16. Policy EP9 of the Chorley Local Plan 2012 - 2026 specifically relates to development in Edge-of-Centre and Out-of-Centre Locations and reflects the thrust of the Framework. This states that:

*Outside the town, district and local centres, change of use and development for small scale local shopping and town centre uses (either as part of mixed use developments or in isolation) will be permitted where:*

- a) *The proposal meets a local need and can be accessed in its catchment by walking, cycling and public transport; and*
  - b) *Does not harm the amenity of an adjacent area; and*
  - c) *The Sequential Test and Impact Assessment are satisfied setting out how proposals do not detract from the function, vitality and viability of the borough's hierarchy of centres.*
17. In relation to criteria a), the application has been supported by the provision of a Planning Statement prepared by PWA planning. This states that the proposed development would make use of a previously developed site comprising a former social club and ancillary bowling green and the proposed development would regenerate the site by providing a shop for local residents. It also states that there is little chance that the site would otherwise perform a community function.
  18. It is accepted that the site suffers from a sense of abandonment with the social club building currently vacant and the bowling green too overgrown to serve its recreational purpose. The site, therefore, appears unsightly and detracts from the character of the area and there is a clear and obvious local need for it to be brought back into some form of active use. It is considered that the provision of a retail unit would serve the local needs of nearby residents who would benefit from the goods and amenities that can be provided by a small local store which is aimed at convenience and shorter shopping trips to be carried out between less frequent often weekly or fortnightly visits to a full-sized supermarket. The Planning Statement explains that there is a lack of provision for this type of retail unit in the immediate locality of the site with the closest small retail unit being approximately 0.7 miles (1.6 kilometres) away at Preston Road. It is accepted that many residents within the immediate locality of the site would be unlikely to travel this far for the purposes of a short shopping trip and consequently it is accepted that there is likely to be a demand and, therefore, a local need for the type of development that is proposed.
  19. The site is located adjacent to the B6228 Eaves Lane and is approximately 400m away from the Leeds and Liverpool Canal and it is, therefore, accessible to cyclists and pedestrians. There are several bus stops located along Eaves Lane and Harpers Lane to the west of the site offering services to Chorley Town Centre, Wheelton, Abbey Village and Blackburn Town Centre. In consideration of the above matters, it is accepted that the site is both highly accessible to a large number of people and is likely to meet a demand that already exists.

20. Turning to criteria c) paragraph 6.26 of the Chorley Local Plan states that - *To maintain the balance between the role and function of Chorley Town Centre, the District Centres and Local Centres, Chorley Council will apply the sequential test and impact assessment to new retail development and main town centre uses, as set out in the Framework and Planning Practice Guidance. The Sequential Test requires major retail, cultural and service development to be located on the most central sites in town centres before considering less central sites. A sequential test will apply to planning applications for main town centre uses that are not in an existing centre. The aim is to minimise the need to travel, provide a diverse range of services in the one central location and make facilities accessible to all. This approach is intended to sustain and focus growth and investment in the Town Centre.*
21. Paragraph 6.27 of the Chorley Local Plan goes on to state that - *The Impact assessment is required for planning applications for retail, leisure and office development outside of town centres where the development is 2,500sq m and over, to ensure they would not detrimentally impact the function, vitality and viability of the borough's hierarchy of centres. The Impact assessment will be particularly relevant to edge-of-centre and out-of-centre proposals. In assessing vitality and viability consideration will be given to pedestrian flows, vacancy rates, numbers and range of facilities, quality of the urban environment and the general performance of the centre.*
22. The proposal does not require an Impact Assessment as it falls well beneath the threshold. The Sequential test must, however, be satisfied. Retail development is defined in Annex 2 of the Framework as a main town centre use. A sequential test has been provided in line with EP9 c).
23. The applicant has considered potential alternative sites in Chorley Town Centre, as well as those on the edge of Chorley Town Centre and the defined District and Local Centres. The applicant explains that there are no suitable alternative sites within these areas i.e. of sufficient size for the development that is proposed which requires not only land to accommodate the retail building but also sufficient space for the logistics required to support the development.
24. It is considered that the applicant has addressed policy EP9 criteria a) and c) of the Chorley Local Plan 2012 - 2026. The proposal has been designed to respond to a particular type of need, that of the passing motorist, yet it can also be readily accessed from a dense catchment by walking, cycling or public transport. Given the relatively small scale of the proposed development, it would not detract from the function, vitality and viability of Chorley Town Centre or any nearby district centres. The impact of the proposal on the amenity of an adjacent area – criterion EP9 b) is addressed later in the report.

#### Protection of existing recreational facilities

25. The application site contains a bowling green which is a sport and recreational facility. Policy HW2 of the Local Plan seeks to protect land currently or last used as sports and recreational facilities unless alternative provision is made under criteria a) or all of criteria b) to e) are satisfied.
26. Policy HW2 of the Chorley Local Plan 2021 – 206 states that land and buildings currently or last used as, or ancillary to, open space or sports and recreational facilities will be protected unless:
- a) *Alternative facilities of an equivalent or enhanced standard are provided nearby before the existing facilities cease to be available; or*
  - b) *It can be demonstrated that the loss of the site would not lead to a deficit of provision in the local area in terms of quantity and accessibility; and*
  - c) *The site is not identified as being of high quality and/or high value in the Open Space Study; and*
  - d) *It can be demonstrated that retention of the site is not required to satisfy a recreational need in the local area; and*
  - e) *The site does not make a significant contribution to the character of an area in terms of visual amenity.*

27. In this case no alternative facilities of an of an equivalent or enhanced standard are to be provided near to the site before the existing bowling green ceases to be available for use. Consequently, the applicant needs to demonstrate the all of criteria b) to e) are satisfied.
28. In relation to criteria b) and d), the applicant has provided a list of existing nearby similar bowling green facilities all within 2 miles of the application site, including those at Erskine Road/Harpers Lane, St Joseph's Catholic Club, East Ward Conservative Club, Tatton Recreational Centre, Coronation Recreational Grounds, St Mary's Bowling Green, Chorley Subscription Bowling Green and St George's Club. A desk-based analysis of these sites indicates that they are still in operation and it is, therefore, considered that there is an adequate degree of provision of this type of similar facilities in the local area both in terms of quantity and accessibility. Furthermore, the applicant explains that the bowling green and club has been closed for over two years and this has not harmed the provision of such facilities in the area. It is, therefore, accepted that the current facility is not required to satisfy a recreational need in the local area and its loss can be adequately mitigated by the abundance of similar facilities which are located within relative close proximity to the site.
29. Criteria c) is satisfied because the site has not been identified as being of high quality or high value in the Open Space Study.
30. Turning to criteria e), it is noted that the existing building on site, which is a vacant former social club, is of relatively dated design appearing somewhat tired and dilapidated whilst its curtilage and the bowling green to the rear is overgrown with dense vegetation. The site in its current state, therefore, is unsightly and suffers a sense of abandonment as the existing building is not currently occupied or being used and this detracts from the character of the area. The proposed development would introduce an active use by way of the proposed retail unit, which would subsequently rejuvenate the site.
31. It is considered, therefore, that the proposed development would satisfy the requirements of criteria b) to e) as there is an adequate degree of alternative provision in the local area and the site does not make a significant contribution to the character of an area in terms of visual amenity. The proposal therefore complies with policy HW2 of the Chorley Local Plan 2012-2026.

#### Loss of community facilities

32. The application site contains a social club which is a community facility. Policy HW6 of the Local Plan states that development proposing the change of use or loss of any premises or land currently or last used as a community facility (including community centres, village and church halls, places of worship, public houses, children's centres, libraries, cultural facilities and health facilities) will be permitted where it can be demonstrated that:
- a) The facility no longer serves the local needs of the community in which it is located; and*
  - b) Adequate alternative provision has been made, or is already available, in the settlement or local area; and*
  - c) The use is no longer financially viable; and*
  - d) The facility is in an isolated location remote from public transport routes; or*
  - e) There is an amenity or environmental reason why the facility is no longer acceptable.*
33. In relation to criteria a) and b) the applicant has stated that the function room within the social club building ceased operations on the 6<sup>th</sup> of April 2020 due to low attendance numbers and, therefore, it no longer served a local need for this type of facility and a number of other comparable social clubs and pubs as well as community facilities are located within close proximity to the site. It is acknowledged that there are several similar facilities in the local area such as public houses including the Masons Arms to the west of the site at Harpers Lane and the Derby Arms to the south of the site on Eaves Lane.
34. With regards to criteria c), the applicant has explained that the current lawful use of the site is no longer financially viable and that the social club closed down on the 6<sup>th</sup> of April 2020 and ceased trading due to low attendance numbers and financial struggle with the continuation of the business becoming economically unviable. The bowling club disbanded

at the same time, with members joining other local clubs in the area. To demonstrate that it has not been possible to attract interest from buyers looking to continue the use of the site as a social club, the applicant has provided a letter from Eckersley Property (Appendix 1 of the Planning Statement) who were approached to market the site in March 2020. The letter confirms that the vast majority of enquires received regarding the property related to the redevelopment of the site including its demolition thus illustrating that the continued usage of the site was not viable.

35. Turning to criteria d) and e), it is not considered that d) is relevant given that the site is located within a densely built up urban area and can be accessed from a dense catchment by pedestrians and cyclist and also by public transport. Regarding criteria e) it is also considered that there are clear amenity reasons as to why the current facility is no longer acceptable. As already discussed the existing building is empty and in a poor state of repair and the bowling green is heavily overgrown and, therefore, the rejuvenation and reuse of the site would make a positive contribution to the character of the local area with regards to visual amenity.
36. In light of the above considerations, the proposal complies with policy HW6 of the Chorley Local Plan 2012-2026.

#### Design and impact on the character of the area

37. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012-2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials; and that the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area.
38. The application site is located to the east of Eaves Lane which is a busy main highway which carries significant volumes of traffic linking the northern and southern parts of Chorley. The site, therefore, occupies a visually prominent roadside location and it is easy to discern from public vantage points located along Eaves Lane that the site suffers from a sense of abandonment and makes little contribution in terms of visual amenity to the character of the immediate locality. The bowling green to the rear of the building can also be seen from public vantage points located along Smithills Close and due to its overgrown state and a general lack of maintenance, it detracts from the character of the area.
39. The proposal would result in the development of a building of simple modern design with a sloping mono pitched roof and it would be relatively modest with regards to size and scale. The building would be set well back within the site approximately 50m away from Eaves Lane and it would not, therefore, appear as an unduly prominent feature when viewed from any public vantage points located there. It is noted that Eaves Lane lacks any overall prevailing architectural context with a variety of building types evident including terraced properties of traditional brick design to the south of the site, a primary school with functionally designed buildings immediately to the north and several modern retail and industrial units to the north west on the corner of Harpers Lane and Eaves Lane. The proposed building would not, therefore, appear at odds with this prevailing context.
40. Whilst, the roof structure of the proposed building would be visible from the residential cul de sac to the east of the site at Smithills Close, the building would be set back from the eastern site boundary by approximately 6.5m and it is considered that this along with the relatively low single storey height of the building ensures that it would not appear as a visually discordant feature within the streetscene at Smithills Close.
41. A customer car park would be located to the side (west) and front (north) of the building, however, some peripheral landscaping to the front of the site and along the boundary with 332 Eaves Lane would help to frame the development and soften its visual impact. Overall, the proposed development would result in a visual improvement of the site and would



introduce an active use to the benefit of the site which currently suffers from a sense of abandonment and visual decay.

42. Given the range of building types in the locality and mixed scale, it is considered that the design and layout of the proposed development would be compatible with the appearance of the site and character of the area. The development is, therefore, considered to be in accordance with policy BNE1 of the Chorley Local Plan 2012 – 2026 in respect of design.

#### Impact on neighbour amenity

43. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012-2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development the proposal would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact; and that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses.
44. There would be a service yard to the north side of the development, which is where deliveries would be directed. Activity would increase within the application site as a result of the proposed development and, therefore, there would be some potential for noise disturbance in relation to the existing dwellings. In order to address this, it is recommended that appropriate boundary treatment is secured through the imposition of a condition requiring the submission of details regarding boundary fencing. This would ensure an adequate degree of privacy, security, and acoustic screening.
45. The application is accompanied by a Noise Assessment. Existing background noise levels (Background Sound Level) are provided in the noise assessment which advises that to assess the noise impact, the Background Sound Level is arithmetically subtracted from the potential noise impact. It advises that where an assessment of noise impact is undertaken, a difference of more than 10db is likely to be an indication of a significant adverse impact depending on the context and a difference of more than 5db is likely to be an indication of an adverse impact, again depending on context. The report advises that noise levels below existing background levels would be an indication of low impact.
46. Noise surveys were undertaken between 25<sup>th</sup> and 28<sup>th</sup> March 2022 at five locations – to the southern boundary, the eastern boundary at Smithills Close and to the north of the parish club building at no. 334 Eaves Lane. In relation to noise impacts as a result of HGV deliveries and the use of the car park, assessments using BS 4142: 2014 methodology were undertaken in order to predict the potential impact of the proposed development.
47. The initial daytime assessment indicated that noise impact would be low at four of the noise sensitive receptors (NSR), however, it identified that there would be a significant adverse effect at NSR5 (+14db) which is located at no. 334 Eaves Lane an auto-parts shop located to the north of the site. However, the report considers the contextual factors surrounding this NSR and states that the assessment is based on a worst case scenario of a delivery taking a full hour during the day to unload and with background daytime sound levels taken from a Saturday and Sunday at a location furthest from Eaves Lane and, therefore, the likely background sound level at NSR5 is likely to be higher and, consequently, it is likely that the development would only lead to a 4db increase over background levels which is adverse rather than significantly adverse. It is also noted that the site is located adjacent to primary school which emits noise during the daytime as a result of children playing in the school yard.
48. A further noise assessment relating to all noise sources between 06:00am and 07:00am was also undertaken. The initial assessment at NSRs 2 and 3 was low, however, the assessment for NSRs 1, 4 and 5 was adverse. Again, the report considers the context and states that the background sound level was measured at the furthest location from Eaves Lane and consequently the background sound level is likely to be higher than that measured which would have the effect of reducing the significance of the impact. Conditions controlling hours of operation are to be attached to any grant of planning permission and the timings of

deliveries would also be restricted by an appropriate condition to safeguard the amenity of affected residential properties.

49. Details of noise levels from proposed plant are not yet available, however, the report also makes recommendations in relation to noise levels of proposed plant and advises that it should not exceed the existing background noise levels, which based on the survey data are 45 dB LA90T during the daytime period (0700 – 2300 hrs) and 41 dB LA90,T during the night time period (2300 – 0700 hrs). This could be secured by an appropriate condition.
50. There are several neighbouring residential properties to the south of the site including Bennett House (no. 332 Eaves Lane) and no. 332A Eaves Lane. There are also neighbouring properties immediately to the east of the site at Smithills Close. However, the proposed building would be located approximately 35m to the north east of no. 332 Eaves Lane and the car park would be approximately 13m to the north of this neighbouring property. It is considered the due to this degree of separation and the orientation of the development relative to the property, that there would be no unacceptable adverse impacts on the levels of amenity currently enjoyed by the occupiers of no. 332 Eaves Lane. Furthermore, it is not considered that the proposed development would have a significantly greater or more adverse impact on the amenity of the occupiers of this neighbouring property given that the existing social club building would be removed which would result in an improvement to the levels of outlook enjoyed from the 3no. first floor windows located within the side (north) elevation of this property.
51. It is acknowledged that the proposed building would be located adjacent to the neighbouring property to the south at no. 332A Eaves Lane. However, it would be approximately 12m to the north of the side elevation of this neighbouring property and the roof of the proposed building would slope up and away from the boundary with the property. Whilst the side (northern) elevation of this property does contain a first floor level balcony, the land to the side of the property is a parking area and driveway and its main garden/amenity areas are located to the west which is away from the site of the proposed building. It is not considered, therefore, that there would be any unacceptable adverse impacts on the amenity occupiers of this property as a result of light loss, overbearing or a loss of outlook.
52. The proposed building would be approximately 18m to the north west of no. 19 Smithills Close and due to this orientation and the degree of separation there would be no unacceptable adverse impacts on the amenity of the occupiers of this property. Whilst the building would be located 8.3m to the south west of no. 14 Smithills Close, the side elevation of this property which faces the site contains 2no. ground level windows which already suffer from a degree of light loss due to their proximity to the hedging which forms the eastern boundary of the site. Windows within the front elevation of the property face towards Smithills Close rather than the site itself. Consequently, it is not considered that there would be any unacceptable adverse impacts on the amenity of the occupiers of this property as a result of light loss, overbearing or a loss of outlook.
53. There are 2no. neighbouring residential properties located to the north of the site at nos. 334 and 336 Eaves Lane, however, the planning history of no. 334 Eaves Lane indicates that the lawful use of the building is a retail use and the building does currently accommodate an auto-parts shop. Direct intervisibility between the rear elevation windows at the residential property no. 336 Eaves Lane and the site would be interrupted by a two storey outrigger and an elongated single storey projection located to the rear of the two properties. The property itself would be approximately 25m away from the customer car park and approximately 35m away from the proposed building itself.
54. Several representations of objection have been received raising concerns about the position of refuse bins to the rear of the proposed building adjacent to the site boundary with Smithills Close and the potential for disturbance as a result of odours and rodents. However, it is considered that the bin area would be sufficiently distanced from neighbouring properties so as not to have any unacceptable adverse impacts on amenity and it would be screened from properties by boundary treatments. Furthermore, the Council has powers of

enforcement, under the Environmental Protection Act 1990, to deal with smells that cause a statutory nuisance and pest infestations that may cause a statutory nuisance.

55. On the basis of the above assessment, and mitigation measures, it is considered that the proposed development would not result in any unacceptable harm to the amenity and living conditions of nearby residents, and the development complies with criterion b) of policy EP9 and policy BNE1 of the Chorley Local Plan 2012 – 2026 in respect of amenity.

#### Highway safety

56. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction.
57. During the course of the application, amended drawings have been received in order to address an objection raised by LCC Highways and to provide necessary improvements as requested by them. The application site has a wide section of adopted footway adjacent to Eaves Lane which has bollards and allows for off street parking. A new access to the site including dropped kerbs and the provision of tactile paving is proposed here.
58. LCC Highways have confirmed that they do not have any objections to the proposed development and are of the opinion that it would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. They have reviewed the site plan (plan ref: 1060/SPC/SCP Rev H) and have stated that the proposed tactile paving and pedestrian area marked on the plan would encourage pedestrian movements which are clearly defined and would reduce the potential for conflict with the moving vehicles parking on the frontage of the existing dwellings and neighbouring shop.
59. Policy ST4 of the Chorley Local Plan 2012-2026 requires that proposals for development need to make parking provision in accordance with the standards set out in Appendix A of the Local Plan. Appendix A identifies the Council's minimum parking standards for new development as the provision of 27no. spaces for a proposal of this size i.e. a retail establishment with approximately 375 square metres of floorspace (1 per 14sqm of public floorspace and 3no. disabled parking bays). The applicant has provided evidence to demonstrate that a total of 29no. car parking spaces would be provided and 3no. disabled car parking space. The proposal is considered to comply with Policy ST4 of the Local Plan.
60. LCC Highways have also advised that they are satisfied that the level of parking provision would be acceptable and that the swept path for a delivery vehicle turning within the site and entering and exiting onto Eaves Lane is acceptable. They do, however, require the off-site highways works to be carried out under a section 278 agreement of the Highways Act.
61. Having regard to the comments of Lancashire County Council Highways, the proposed development is considered to be acceptable in highway safety terms.

#### Ecology

62. Policy BNE9 of the Chorley Local Plan 2012-2026 of the Local Plan sets out how development should safeguard biodiversity. Any adverse impacts on biodiversity should be avoided, and if unavoidable should be reduced or appropriately mitigated and/or compensated.
63. Policy BNE11 of the Chorley Local Plan 2012-2026 states that planning permission will not be granted for development which would have an adverse effect on a priority species, unless the benefits of the development outweigh the need to maintain the population of the species in situ.

64. The application is accompanied by a preliminary ecological appraisal and a bat emergence survey. The Greater Manchester Ecology Unit (GMEU), the council's ecology advisor, stated that the bat activity surveys found no evidence of bats emerging from the building and concluded that the building is not currently being used as a roost. However, GMEU advised that bats are highly mobile creatures we would advise that an informative note be attached to any permission, reminding the applicant of their obligations under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, should a bat be found.
65. Furthermore, the original preliminary ecological appraisal found no evidence of nesting birds on the site, however, GMEU recommended that works should not be undertaken in the bird breeding season (March-September inclusive), 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.
66. Taking into consideration the advice of GMEU, it is considered that the applicant has demonstrated that the proposed development would safeguard biodiversity and that habitats close to the site would not be adversely affected by the proposal, subject to the imposition of conditions.

#### Flood risk and drainage

67. The application site is not located in an area that is at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the Framework and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
68. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. As such the developer should consider the following drainage options in the following order of priority:
1. into the ground (infiltration);
  2. to a surface water body;
  3. to a surface water sewer, highway drain, or another drainage system;
  4. to a combined sewer.
69. It is recommended that the applicant implements a scheme in accordance with the surface water drainage hierarchy outlined above and this can be controlled by planning condition.

#### Contaminated land

70. A Phase 1 ground contamination survey has been undertaken on the site by BEKEnviro to assess the ground for contamination. The report concludes that contaminants may be present on the site, and a phase 2 ground investigation is to be undertaken prior to demolition and construction work on the site. This work can be controlled by planning condition.

#### Community infrastructure levy

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

### **CONCLUSION**

72. The proposed development would have the benefit of improving the appearance of a vacant plot of land in a prominent location, whilst providing some employment opportunities and supporting economic growth in a sustainable location. There would be no harmful impact on the vitality and viability of Chorley Town Centre. The proposal would have no unacceptable detrimental impact on the amenity of residential occupiers and would result in an overall improvement in the appearance of the site and character of the area. In addition, there

would be no unacceptable impact on highway safety or ecology. On the basis of the above, it is recommended that planning permission be granted subject to conditions.

### ADDENDUM REPORT

One further neighbour letter has been received setting out the following issues:

- The building was erected for the young men of the Parish as they left Brigade (Chorley Lads Brigade as it was then).
- It should remain as a community resource of some kind.
- There is absolutely no need for a further food shop when there are two other independent shops within 100 meters and four further shops within a quarter mile.
- In terms of traffic entering and exiting the site, this is very close to a busy roundabout and at school times is incredibly busy. The safety of the children and their parents/carers needs to be considered.

### RELEVANT HISTORY OF THE SITE

**Ref:** 74/00036/FUL      **Decision:** PERFPP      **Decision Date:** 29 May 1974  
**Description:** Rear Extension And Minor Alterations

**Ref:** 85/00231/FUL      **Decision:** PERFPP      **Decision Date:** 9 July 1985  
**Description:** First floor extension and alterations to provide new lounge and toilet accommodation

**Ref:** 96/00736/FUL      **Decision:** PERFPP      **Decision Date:** 22 January 1997  
**Description:** Provision of floodlighting to bowling green by means of 4 columns

**Ref:** 97/00638/FUL      **Decision:** PERFPP      **Decision Date:** 5 November 1997  
**Description:** Variation to Condition No 5 of planning permission 9/96/00736 for one additional 1500 watt lamp to each of 4 lighting columns

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

#### Suggested conditions

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

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

2. Prior to the commencement of development, other than demolition and enabling works, samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

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

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

Title	Plan Ref	Received On
Location Plan	1060/SPC/LP	27 June 2022
General Arrangement and Elevations	1060/SPC/BD1 Rev A	27 June 2022
Proposed Site Plan	1060/SPC/SLP Rev H	12 December 2022

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

4. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes 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 in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

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

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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

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

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

6. Prior to the erection of the superstructure of the building 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 part of the building hereby approved shall be occupied before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

*Reason: To ensure a visually satisfactory form of development and to protect the amenities of occupiers of nearby properties.*

7. A scheme for the landscaping of the development and its surroundings shall be submitted prior to the commencement of the development, other than demolition and enabling works. 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. Landscaping proposals should comprise only native plant communities appropriate to the natural area.

All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the

completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

*Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high-quality design.*

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

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

9. Prior to the commencement of the development, other than enabling works, details of a scheme for the mitigation and biodiversity enhancement of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation measures shall be carried out prior to the occupation of either dwelling.

*Reason: To secure biodiversity enhancements.*

10. No temporary refrigeration units are to be used in the outdoor areas of the service yard other than in exceptional circumstances (such as the failure of internal refrigeration units). In such exceptional circumstances full written permission will be sought from the Local Planning Authority prior to, or within 24 hours of, the temporary refrigeration units being used in the outdoor areas of the service yard.

*Reason: To safeguard the amenities of the occupiers of nearby residential accommodation.*

11. Deliveries, servicing, and collections to and from the unit hereby permitted, including waste collections, shall not take place outside the following hours:

07:00 to 20:00 - Monday to Saturday

08:00 to 18:00 – Sundays and Bank Holidays

Where exceptional circumstances require deliveries/servicing/collections to take place outside these stated hours, full written permission will firstly be sought from the Local Planning Authority.

*Reason: Based upon the submitted information and to safeguard the amenities of the occupiers of nearby residential accommodation.*

12. The retail unit hereby permitted shall only operate between 07:00 and 22:00 on Mondays to Sundays.

*Reason: In the interests of the amenity of the area and adjoining and nearby residential properties.*

13. Prior to the occupation of any part of the commercial unit hereby permitted, full details of any condenser units and air conditioning units to be installed at the premises (notwithstanding any such details previously submitted) shall have been submitted to and approved in writing by the Local Planning Authority. The condenser units and air conditioning units shall be installed in accordance with the approved details prior to the commencement of the use of the neighbourhood convenience store hereby permitted and shall thereafter be retained and maintained in accordance with the approved details at all times.

*Reason: To protect the amenities of occupiers of nearby property.*

14. Before the development hereby permitted is first commenced, other than demolition and enabling works, full details of existing and proposed ground levels and proposed building

finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.

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

15. No development shall take place including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. hours of operation (including deliveries) during construction
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in constructing the development
- v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- vi. wheel washing facilities
- vii. measures to control the emission of dust and dirt during construction
- viii. a scheme for recycling/disposing of waste resulting from demolition and construction works

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

16. Facilities shall be provided for the cleaning of the wheels of vehicles leaving the site, before the development hereby permitted is first commenced and thereafter retained at all times during construction of the development.

*Reason: To prevent the tracking of mud and/or the deposit of loose material on to the highway, in the interests of highway safety.*

17. Prior to the erection of the superstructure of the commercial unit hereby approved details of facilities to be provided for the storage and removal of commercial refuse and waste from the premises shall be submitted to and approved by the Local Planning Authority, and then implemented strictly in accordance with those agreed details before the building is first occupied and thereafter retained.

*Reason: In the interests of amenity.*

18. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plan and the vehicular turning space shall be laid out and be available for use before any development commences and a suitable turning area is to be maintained thereafter.

*Reasons: Vehicles reversing to and from the highway are a hazard to other road users, for residents and construction vehicles.*

19. A private car park and manoeuvring scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan before the use of the premises hereby permitted becomes operative and permanently maintained thereafter.

*Reasons: To allow for the effective use of the parking areas.*

20. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.



*Reasons: 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.*

21. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme for the construction of the site access and off-site works of highway improvement has been constructed and completed in accordance with the approved scheme details, without prior agreement from the Local Planning Authority.

*Reason: In order that the traffic generated by the new development does not exacerbate unsatisfactory highway conditions in advance of the first occupancy or trading.*

22. Prior to the commencement of development, a Traffic Management Plan (TMP) shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The TMP shall include and specify the provisions to be made for the following: -

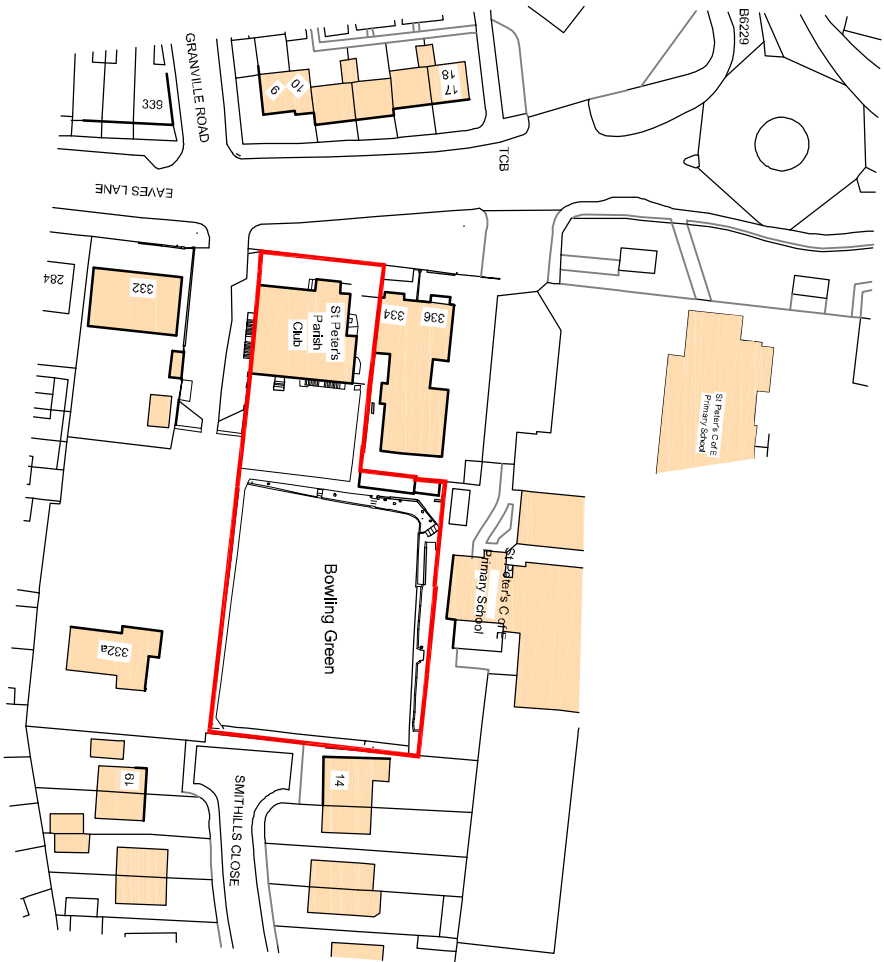
- o The parking of vehicles of site operatives and visitors;
- o Loading and unloading of plant and materials used in the construction of the development;
- o Storage of such plant and materials;
- o Wheel washing facilities;
- o Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- o Routes to be used by vehicles carrying plant and materials to and from the site;
- o Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

*Reasons: to protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.*

23. Prior to any development commencing on the site a phase 2 ground investigation is to be undertaken and the report shall be submitted to and approved by the Local Planning Authority to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. The report should include an initial desk study, site walkover and preliminary risk assessment. If the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

*Reason: To protect the environment and prevent harm to human health by ensuring the site is suitable for the proposed end-use.*

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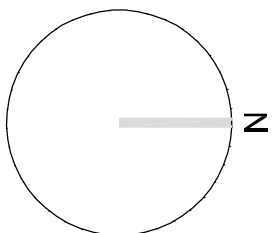


**A4 LOCATION PLAN**

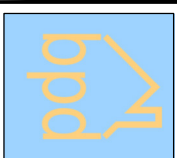
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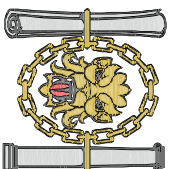
Scale: 1:1250



Initial Issue



**bpd Architecture**  
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Chartered Institute of  
 Architectural Technologists  
 Registered Practice

**Project**  
**Former St Peters Club, Eaves Lane**  
**Chorley PR6 0DX**

**Title**

**A4 LOCATION PLAN**

Scale @ A4	Date	Ref	Drawn
1:1250	March 2022	1060	MDB
Dwg No	<b>1060/SPC/LP</b>		Rev
			.

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**APPLICATION REPORT – 21/00253/OUT**

**Validation Date: 4 March 2021**

**Ward: Chorley North East**

**Type of Application: Outline Planning**

**Proposal: Outline application (with all matters reserved) for residential development of up to 130 dwellings (including 35% affordable housing)**

**Location: Land 150M North East Of 31 Paradise Street Chorley**

**Case Officer: Iain Crossland**

**Applicant: Metacre Ltd**

**Agent: Mr Louis Webb De Pol Associates Ltd**

**Consultation expiry: 6 May 2021**

**Decision due by: 18 March 2022**

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**RECOMMENDATION**

1. The applicant has appealed to the Planning Inspectorate against the Council's non-determination of the planning application. As such, it is recommended that the Planning Committee be minded to resolve to refuse outline planning permission for the following reason:

*The proposed development would have an unacceptable adverse effect on the visual amenity and appearance of the countryside and its landscape setting contrary to policy BNE2 of the Chorley Local Plan 2012-2026, policy 21 of the Central Lancashire Core Strategy and paragraph 174 of the National Planning Policy Framework. Applying the "tilted balance" of paragraph 11 of the National Planning Policy Framework, it is considered that the adverse impacts of the development would significantly and demonstrably outweigh the benefits of the proposed development.*

**SITE DESCRIPTION**

2. The application site is situated to the north east of Chorley beyond the M61 motorway and the Leeds and Liverpool Canal. It is approximately 6.4 ha in size and the site would be accessed from Heapey Road, which runs along its southern boundary.
3. The site is currently used as grazing land and is formed by two fields separated by a hedgerow that divides the site in two and runs along an approximate north south axis. The land is bound on the northern and eastern site boundaries by mature hedgerows and trees. A stream known as Black Brook runs along the eastern boundary of the site with an unnamed watercourse along the northern boundary. There are existing residential properties bounding part of the western and southern boundaries on Heapey Road and Paradise Street with dwellings backing on to the site. There is a grade II listed building (119 Heapey Road), currently in use as a children's nursery that also backs onto the site to the south.
4. The immediate area is rural in nature, and other than the immediate dwellings backing onto the site it is surrounded by agricultural land. On the south side of Heapey Road and further

to the east is the Heapey Chase housing estate, built on the site of the former Heapey Bleach Works.

5. A Public Right of Way runs north to south through the eastern section of the site and connects Heapey Road to a bridge crossing the stream along the northern boundary providing access to the countryside beyond and eventually to Blackburn Road and Chapel Lane.
6. The site is undulating but generally falls from west to east with approximately a 13m level difference between the highest and lowest points. The gradient becomes steeper on the eastern side of the site as it slopes down to Black Brook at the western boundary.

#### **DESCRIPTION OF PROPOSED DEVELOPMENT**

7. The application seeks outline planning permission (with all matters reserved) for a residential development of up to 130 dwellings (including 35% affordable housing).

#### **REPRESENTATIONS**

8. Heapey Parish Council objects to the application on the following grounds:

The land is designated as an Area of Other Open Countryside within the current Chorley Local Plan. This speculative application fails to meet the two criteria required under policy BNE2 for development within an Area of Other Open Countryside. The proposed development is contrary to the aim of 7.15 of the Local Plan as it will obviously harm the open and rural character of the area and will have an adverse impact on the visual amenity of the area.

Given the total lack of public transport services in the area, the sustainability of the proposed development is questionable.

Local residents report existing traffic issues in the immediate area with local traffic and connected with users of the nursery. The proposed development can only serve to exacerbate these issues.

There is a defined shortage of high school places in the locality.

Existing localised flooding onto Heapey Road from the fields has also been reported by residents which will, again, be exacerbated by the proposed development.

The submitted Planning Statement makes mention of “the recent Pear Tree Lane, Euxton appeal decision (ref: APP/D2320/W/20/3247136)” – the parish council would point out this was actually an application on land safeguarded for future housing needs in the current Local Plan.

9. Chorley Borough Cllr Adrian Lowe objects on the following grounds:

This application amounts to over development and is in conflict with Core Strategy Policy 1 and Local Plan Policy BNE3;

It is located outside a defined settlement and 130 dwellings is too many when referenced with other approvals given in the vicinity i.e. up to 233 dwellings at Botany with a further 100 on the adjacent site;

Chorley already has a 5 year housing land supply;

There is inadequate infrastructure in the area and if permission was granted would put undue pressure on local schools, doctors etc;

The transport assessment is poor as it would put a strain on the local road network and Heapey Road is not fit for such an increase in the volume of traffic.

10. County Councillor Hasina Khan objects on the following grounds:

Any additional builds would put enormous pressure on schools, GP surgeries and other establishments in the area which are already oversubscribed. The increase in volume of traffic is also not viable on an already congested area.

11. 150 representations in objection have been received raising the following grounds:

*Principle*

- Development of this site is contrary to Core Strategy Policy 1 and Chorley Local Plan policy BNE2 and BNE3;
- Inappropriate use of a Green Belt area;
- Why is there need for further building in the area after recent construction of other housing site?;
- If new houses are needed then this should be allocated according to the local plan and not via piecemeal applications;
- Brownfield sites should be built on.

*Highway safety*

- It will result in extra traffic;
- Drivers do not adhere to the 30mph speed limit and there are joy riders on Heapey Lane;
- The visibility splays are not sufficient;
- Cyclists and horse riders use the road to visit the countryside;
- Knowley Brow with the resident parking is effectively single width and more traffic up this route is impractical and dangerous;
- Current residents have more than one car per house so parking is an issue;
- It will result in more traffic on Knowley Brow and Blackburn Brow which sometimes backs up extending onto Blackburn Road causing a dangerous obstruction to other traffic;
- The proposed traffic light controlled junction as the access to the new development will cause further delays on Heapey Road;
- Various properties on Heapey Road have gardens on the east side of the road, resulting in residents frequently crossing the road. Increased traffic would naturally increase the chances of accidents;
- The proposed access point to the new development is close to a blind bend (where Black Brook crosses Heapey Road), that floods frequently in heavy rain.;
- Cars frequently park at the end of the track that leads to Templefields which involves south-bound traffic pulling onto the other side of the road to pass immediately before the proposed new access point;
- At busy periods it is difficult to get access onto Blackburn Road;
- As there is no bus service, school and college children have to walk along the busy road to get to the nearest bus stop which is over a mile away. In summer a recurring knotweed problem on the footpath forces them to walk into the traffic on the road at the busiest part;
- Several local equestrian businesses use the road and the proposal could cause them to shut as they would not be able to exercise their horses on the surrounding roads;
- Casualties are recorded as 1 serious and 4 slight over the last 10 year period, all of these occurring at the junction of Heapey Road to Blackburn Brow. All of these have restricted vision and excessive speed listed as causation. Again, speed enforcement / restriction in minimal and largely ignored;
- Disagree with the Transport Assessment as they say due to Covid it is not a full assessment;

- The route into Chorley town centre from Heapey is already incredibly congested at the Eaves Lane/St Peter's Primary School round about. Another 130 families trying to go down this route would be intolerable;
- There is a nursery and a children's playground in close proximity to Paradise Street, as well as the sea cadets hall, increasing the risk to young children and young people from vehicles;
- Extra vehicles would make pulling out of Paradise Street even harder than it is at present;
- There is a very busy little children's play area on Heapey Road. This is used by a lot of families but often there are a lot of cars parked on the road in front. Passing along Heapey Road is often made much worse;
- The field is on a steep hill between two blind bends which means the access to the estate would be dangerous.

#### *Infrastructure*

- It is further than 700m to the nearest bus stop;
- Local primary and secondary schools are over subscribed;
- Lack of amenities and infrastructure to support the dwellings;
- Lack of public transport would necessitate residents to rely on cars adding to environmental pollution and congestion;
- Extra demand for water and more importantly, waste water would need to be properly scoped out;
- Would there be adequate internet provision?;
- No medical facilities;
- Heapey has no facilities at all;
- The site is not in a sustainable location so would mean residents would use cars, even for short journeys;
- GP surgeries and provision of primary and secondary care and dentistry services are already extremely stretched.

#### *Ecology and landscape*

- It is a beautiful area, unspoilt with lots of wildlife such as deer, hares, owls, bats, hedgehogs and various species of birds. It would destroy wildlife habitat;
- It would be detrimental to a rural area;
- There are bats in the area and the increase activity and light pollution could have a serious impact on this protected species;
- It would damage the character of the area and destroy a valuable green space;
- The impact on the biodiversity of the area is also a great concern as this is a rural area and the building of a new estate would only have negative impacts on both fauna and flora in the area;
- The developer's ecology report calls for specialist lighting report to protect bats. None has been submitted from a qualified lighting engineer;
- No professional heterodyne survey has been carried out to inform upon effect upon bats feeding zones and transient areas;
- Loss of open grass lands due to this development removes food source habitats for migratory birds, leading to decline in numbers, Avian reports cite as a contributory factor on decline of swifts, swallows. NERC Act (2006) applies;
- Bird species including northern lapwing, common starlings, house sparrows (priority UK listed species) regularly use the site. The proposal will cause these species to decline in the local area, compromising policy BNE11 (species protection). The proposal will cause habitat fragmentation and reduce biodiversity in the local area, particularly as Natural England state the site is a wildlife buffer. Core Strategy Policy 22 (biodiversity) and Local Plan Policy BNE9 (biodiversity and nature conservation) will be compromised;
- The site forms part of an impact risk zone relating to the West Pennine Moors (which is an SSSI);
- Visual effects from the development will be major adverse (not minor/moderate adverse) for local residents, particularly those on Paradise Street who currently have views



across the proposed development site towards additional areas of countryside (fields, woodlands which the site form wildlife corridors with) and Great Hill (which forms part of the West Pennine Moors) - beautiful scenery and landscape;

- Japanese rose (*Rosa rugosa*), a non-native invasive plant, is situated along the development boundary which contradicts the ecology report. The ecological appraisal should assess site during more optimal periods of the year in terms;
- Chorley Hedgehog Rescue release hedgehogs in the Heapey area and already struggle to find enough suitable release sites in Lancashire;
- The site is a prominent hilltop location;
- Increased light pollution from the site;
- The fields are on rising ground and are easily visible from nearby high ground, this will detract from the semi-rural feel of the location;
- Finally given other proposals that may come forward for adjacent fields there is a real danger that this will open the way for large scale development in an area that provides an important buffer zone for the West Pennines SSSI.

#### *Drainage and flooding*

- The proposal will increase flow into Black Brook and have serious consequences for the Templefields properties;
- Reduced infiltration rates and increase surface water run-off will increase the likelihood of flooding events and without adequate mitigation the long-term effects would fall to residents;
- They have issues with flooding from the reservoirs and more homes will potentially be affected;
- Lower areas of the site are prone to water logging, developing the higher parts of the site will increase runoff and flood risk for adjacent properties.

#### *Amenity*

- Noise and disturbance to existing residents through increased traffic movements along Heapey Road.
- Loss of amenity to walkers using the footpath through the site due to loss of openness.
- Detrimental impacts on amenity of those living nearest the site through loss of outlook, privacy and light.

#### *Other*

- It would remove the public amenity provided by the current Public Right of Way across the land;
- More traffic will result in more pollution;
- Due to lockdown we should be aware of how important green space is;
- The whole of civilisation is facing a climate emergency and unsustainable house building is exacerbating this crisis;
- The houses should have good sized gardens;
- The council should ensure houses are truly 'green' such as alternatives to heating homes;
- The site is immediately adjacent to a route used regularly to transport explosives to the Redcliffe Explosives Storage Facility at Heapey. Adding extra traffic to this route must make it more dangerous and putting new residential development on such routes seems like an unnecessary danger;
- Chorley is losing its identity and soul;
- It will not benefit the community in any way;
- The rural nature of this part of Chorley will be lost;
- The access to the site is to be from Heapey Road the pollutants from the vehicles accessing and leaving the site will have a detrimental effect on the young children in the Nursery whose play area will be close to the site entrance;
- Street lighting in the area is minimal creating very dark areas;
- It would lead to urbanisation of the area;

- UN Rights of the Child: Article (3 ) Government have to act in "best interest of the child" and Article (24) "and a clean environment", adding localised or increasing air pollution by development associated car use affects human health (more so children). Chorley Council is by definition (a) Local Government.
- (3a) Chorley Council Member’s Code of Conduct is applicable for challenge: as Local Governments (Local Planning Authority) have a "Duty of Care" to residents under HASWA;
- This planning application and any subsequent Local Planning Authority, individual or group decision could be subject to legal Legitimate Expectation challenge;
- The site is Grade 3 agricultural land, so good quality agricultural land will be lost contrary to Policy 31 of the Core Strategy;
- Landscape and visual impacts of the proposal will compromise policy BNE2, as the site will cause harm to its open and rural character and isn't being protected from unacceptable development;
- The proposal will not protect the identity, local distinctiveness and green infrastructure of the local area, as the site will merge with adjacent land/sites which have been allocated for housing in the Local Plan. Core Strategy Policy 19 (Areas of Separation and Major Open Space) will be compromised.
- Visual impacts from the proposal will be major adverse for local residents/other users (after 15 yrs) and will have a major adverse effect on the overall landscape character in the local area (particularly as site forms part of impact risk zone for local SSSI). Core Strategy Policy 22 (Landscape Character Areas) will be compromised;
- HGV traffic during construction causing vibration to properties;
- The amount of CO2 emissions is horrendous and will worsen;
- With all the planned building all the boundaries between all the local villages and Bolton Chorley and Preston will have been destroyed and it will just be one mass of housing;
- The site is crossed by the Thirlmere aqueduct, this is nationally important infrastructure and great care must be taken to ensure it is not impacted;
- It is a Mineral Safeguarding Area;
- Devaluation of properties in the area.

**CONSULTATIONS**

Consultee	Summary of Comments received
Conservation Advisor	It is considered the proposal would meet the statutory test 'to preserve' and would cause no discernible harm to the setting and significance of the grade II listed building [The Rough (now Hollies Nursery)]. Therefore, no balancing exercise is required as per NPPF P.196. As such, the proposal meets the objectives of Chapter 16 of the NPPF and accord with Policy 16 of the Core Strategy and Policy BNE 8 of the Local Plan.
Police	Make a number of recommendations in relation to the design of the properties and security. As this is an outline application with all matters reserved, plans of the dwellings are not provided. The Police comments will be passed onto the applicant for information.
Environment Agency	State that the EA's Flood Risk Standing Advice applies.
Lancashire County Council Highway Services	Identified a number of measures that would need to be secured and provided in order to make the development acceptable.
Greater Manchester Ecology Unit	Raise a number of issues regarding further information being needed on ecology grounds. See body of report.

Regulatory Services - Environmental Health	Environmental Health have no objection to the principle of housing on this site. The applicant has at this stage made no mention of sustainable travel or energy generation. This is now a more prominent issue and therefore we would encourage that consideration is given to include the installation of electric vehicle charging points and renewable energy by the developers when detailed plans are submitted to future proof the development. It is also recommended that the applicant is required to comply with the conditions contained within the Chorley Council document "Code of Practice for Construction and Demolition" which covers issues such as appropriate working hours, noise, vibration, dust and air pollution during the groundworks and construction phases.														
Open Space Comments	<p>A financial contribution is required from this development is as follows (see body of report for full details):</p> <table data-bbox="619 745 1198 1021"> <tr> <td>Amenity greenspace</td> <td>= £91,000 (if private maintenance not proposed)</td> </tr> <tr> <td>Equipped play area</td> <td>= £16,900 (if private maintenance not proposed)</td> </tr> <tr> <td>Parks/Gardens</td> <td>= £0</td> </tr> <tr> <td>Natural/semi-natural</td> <td>= £0</td> </tr> <tr> <td>Allotments</td> <td>= £0</td> </tr> <tr> <td>Playing Pitches</td> <td>= £207,870</td> </tr> <tr> <td><b>Total</b></td> <td><b>= £315,770</b></td> </tr> </table>	Amenity greenspace	= £91,000 (if private maintenance not proposed)	Equipped play area	= £16,900 (if private maintenance not proposed)	Parks/Gardens	= £0	Natural/semi-natural	= £0	Allotments	= £0	Playing Pitches	= £207,870	<b>Total</b>	<b>= £315,770</b>
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Playing Pitches	= £207,870														
<b>Total</b>	<b>= £315,770</b>														
Waste & Contaminated Land	<p>Have reviewed the Phase 1 desk study report JOB NUMBER: GM11554, DATE ISSUED: FEBRUARY 2021</p> <p>They agree with the recommendations made in Section 8 that a Phase 2 Ground Investigation is carried out to determine the geological conditions on site, geotechnical parameters and the potential contamination issues/risks.</p> <p>They therefore recommend the standard investigation condition is applied to any approval.</p>														
Lead Local Flood Authority	No objection subject to conditions.														
Tree Officer	Has visited the site – see tree section of report for full response.														
United Utilities	Recommend two conditions if the application is approved. See drainage section of report.														
Lancashire Fire and Rescue Service	No response received.														
Lancashire County Council (Education)	Based upon the latest assessment, taking into account all approved applications, LCC will be seeking a contribution for 20 secondary school places. Based on current approvals a primary education contribution is not required. However, if pending applications are approved prior to a decision being made on this development the claim for primary school provision could increase up to maximum of 49 places.														
Strategic Housing	In accordance with Core Strategy Policy 7, 35% of the dwellings are required to be affordable. This equates to														

	<p>46 dwellings. 70% (32) of these should be social rented and 30% (14) should be shared ownership.</p> <p>The applicant is proposing 35% affordable housing which is in accordance with Core Strategy Policy 7.</p> <p>The house types to be provided will be determined at the reserved matters stage.</p>
<p>Lancashire County Council Public Rights of Way</p>	<p>Public Right of Way 9-2-FP21 has been identified extending from north to south, through the eastern area of the site.</p>

**PLANNING CONSIDERATIONS**

Principle of development

12. The starting point for determination of a planning application is the Development Plan, in this case the Central Lancashire Core Strategy and the Chorley Local Plan 2012-2026. The application site consists of open countryside, falling outside and not adjacent to any villages either within the Green Belt as identified on the Policies Map of the adopted Local Plan. Policy 1 of the Core Strategy relates to all types of development, seeking to focus growth and investment on well located brownfield sites, identified strategic locations and other main urban areas whilst protecting suburban and rural areas. It sets out a hierarchical sequence for locating development putting other places, including smaller villages, at the bottom of the hierarchy where development is expected to be small scale and limited to appropriate infilling unless there are exceptional needs for a larger scale redevelopment scheme. The site does not fall within any of the criteria for locating new development and therefore would not accord with Core Strategy Policy 1.
13. Policy BNE2 of the adopted Local Plan seeks to protect areas of open countryside from unacceptable development, which would harm its open and rural character and limits development to that which it is needed for the purposes of agriculture or forestry; other uses appropriate to a rural area; and the re-use or re-habitation of existing rural buildings.
14. The supporting text to Policy BNE2 states that The West Pennine Moors and the associated land to the east of the M61 are excluded from the Green Belt as it is unlikely that Chorley Town will expand and merge with other settlements in an easterly direction. It is important, however, that this area [within which the application site falls] is protected from unacceptable development which would harm its open and rural character.
15. The proposal does not meet the criteria for development set out in BNE2 and it would not therefore comply with this policy. Further, this would inevitably lead to a landscape impact within an area that this policy specifically seeks to protect.
16. The National Planning Policy Framework (the Framework) states that the intrinsic character and beauty of the countryside should be recognised, with the planning system contributing to and enhancing the natural and local environment. It does not seek to protect all countryside from development; rather it concentrates on the protection of “valued” and “distinctive” landscapes and seeks to encourage development on previously developed land, a principle that policy BNE2 seeks to reflect.
17. Therefore, the principle of the proposed development at this site would be contrary to Policy 1 of the Core Strategy and Policy BNE2 of the adopted Local Plan.
18. To the extent that development plan policies are material to an application for planning permission, planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise as set out in section 70(2) of

the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004.

19. Therefore other material consideration must be considered in the decision making process and these are considered below.

#### Housing land supply

20. The Framework is a material consideration that must be taken into account. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development and states that for decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date [subject to footnote 7], granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

21. Footnote 7 sets out that this includes for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

22. It is therefore necessary to establish whether Chorley has a five year housing land supply (5YHLS) or not to determine whether Paragraph 11(d) of the NPPF is engaged or not (commonly referred to as the 'tilted balance'). When engaged, the tilted balance changes the 'balancing exercise' which the Council must undertake in deciding whether or not to grant planning permission; from a neutral balance where if the harms outweigh the benefits planning permission is usually withheld, to a tilted balance where the harm should significantly and demonstrably outweigh the benefits for permission to be withheld. The tilted balance therefore increases the prospect of planning permission being granted because it 'tilts' the balance in favour of approving an application.

23. At 1st April 2022 there was a total supply of 1,890 (net) deliverable dwellings which is a 3.3 year deliverable housing supply over the period 2022 – 2027 based on the annual housing requirement of 569 dwellings which includes a 5% buffer.

24. Recent appeal decisions concluded that it is appropriate to calculate the housing requirement against local housing need using the standard method, as such the Council can no longer demonstrate a 5-year supply of housing land meaning that the tilted balance, and presumption in favour of sustainable development is, therefore, engaged under paragraph 11(d) of the Framework.

25. The Statement of Common Ground (SoCG) sets out the housing requirement to be consulted on in the Central Lancashire Local Plan and is informed by the Central Lancashire Housing Need Assessment. It has been signed by the portfolio holders responsible for the Local Plan across the three Councils for Chorley, Preston and South Ribble following endorsement by the Joint Advisory Committee on 25th July 2022.

26. Chorley Council adopted the SoCG as a material consideration for use in decision making at the General Purposed Committee on 7th September 2022. The weight to be attached to the SOCG in making decisions on planning proposals is for the decision maker to consider.

27. The SoCG sets out a housing requirement of 334 for Chorley for the first five year period of the Local Plan (2023-2028). The housing supply against this requirement is 5.4 years.

28. Chorley Council is working with Preston and South Ribble Councils to produce a Central Lancashire Local Plan (CLLP). Once adopted, this will replace the existing joint Core Strategy and Chorley Local Plan. The CLLP is at an early stage of preparation and consultation on Issues and Options closed in February 2020.
29. The application site, including additional land to the east, was submitted for consideration as part of the Local Plan process and is identified in Annex 5 of the Issues and Options Consultation (ref. 19C092). However, it was not included in Annex 1 of this same consultation, which showed all the site suggestions being taken forward by Chorley Council as a result of an initial review of all sites submitted during the Call for Sites consultation following detailed assessment in the SHELAA.
30. The emerging CLLP will look at the distribution of new homes and the CLLP will be informed by an evidence base including a Housing Need and Demand Study, the results of which will also help to inform the future distribution of housing across the Plan area.
31. In considering the provision of 130 dwellings in the context of an under supply of housing this is a clear benefit to which significant weight must be attached.

#### Affordable housing

32. Affordable housing Policy 7 of the Adopted Core Strategy seeks to ensure on-site affordable housing provision of 30% within urban areas and of 35% in rural areas.
33. The Planning Statement accompanying the application states that the applicant is committed to providing 35% affordable housing which is in line with the Core Strategy requirement and could be secured through a Section 106 legal agreement.
34. The provision of affordable housing on the site would help towards meeting a significant shortfall in the supply of such homes across the Borough and represents a clear benefit to which significant weight must be attached.

#### Impact on the landscape and character and appearance of the area

35. Paragraph 174 of the Framework states that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.
36. The preamble to policy 21 of the Central Lancashire Core Strategy sets out that landscape is important in the way that it contributes to an area's distinctiveness and key activities. The Landscape Strategy for Lancashire (2000) produced by Lancashire County Council in partnership with the former Countryside Agency and the Lancashire Historic Landscape Characterisation identified a broad range of landscape character areas within Central Lancashire worthy of conserving, protecting and enhancing. This includes the West Pennine Moors in the south east of Lancashire, together with their industrial foothills to which the application site relates.
37. The preamble to policy BNE2 of the Chorley Local Plan 2012 – 2026 sets out that although most of the countryside within Chorley Borough is designated as Green Belt, some rural areas are not included in the Green Belt. The West Pennine Moors and the associated land to the east of the M61 (within which the application site is located) are excluded from the Green Belt as it is unlikely that Chorley Town will expand and merge with other settlements in an easterly direction. The supporting text goes on to state that it is important that this area is protected from unacceptable development that would harm its open and rural character. The policy has been designed to protect this open and rural character and therefore supports only a very limited scope of development for this very reason. The only development supported in this area is development where it is needed for the purpose of agriculture or forestry or other uses appropriate to a rural area, or involves the rehabilitation and re-use of existing rural buildings. The proposed development would not fall within these development types and is therefore contrary to policy BNE2. This would inevitably lead to a degree of harm to the open and rural character of the landscape that policy BNE2 seeks to protect.

38. In response to this issue a Landscape and Visual Appraisal (LVA) report has been prepared in accordance with the latest guidance on landscape and visual impact assessment (GLVIA 3 2013) and has been assessed by the Council's Open Space Strategy Officer. It is generally considered that the LVA study area, viewpoints selected and methodology are appropriate and representative to the location and the scale of the proposal.

*Effects on Landscape Character*

39. The report concludes that the overall residual effect on the existing local landscape character at the 'site' level would be moderate adverse at completion dropping to moderate/minor adverse by year 15 following completion due to the further development of a landscaping scheme. It is inevitable that the character of the landscape, which is currently pastoral, would be adversely affected by the proposed development but it is agreed that this adverse effect on landscape character would be limited to the site and its immediate surroundings.

*Effects on Visual Receptors*

40. The report concludes that the majority of residual visual effects experienced by local receptors in the wider landscape would be minor adverse or negligible in the long term (15 years after completion allowing landscape mitigation measures to mature). However, residual moderate adverse visual effects at completion, dropping to moderate / minor adverse effects at year 15 following completion, have been identified for residential receptors close to the site comprising the dwellings along Paradise Street and Heapey Road (where it adjoins the site boundaries). In terms of users of public rights of way, residual minor/moderate adverse visual effects have also been also identified at completion dropping to moderate / minor adverse effects at year 15 following completion for the users of public right of way FP21, which crosses the application site.
41. The Council's Open Space Strategy Officer, having visited site and considered the effects on these two visual receptor groups themselves, does not agree with these particular findings of the appraisal. Footpath FP21 that crosses the application site and others in the vicinity appear to be well used by residents of the area and by visitors from nearby urban areas. This footpath would pass very close to the proposed residential development and the visual experience for users of this footpath would change from passing through an open pastoral field with strong field boundaries, limited influence of built form and attractive views to being in close proximity to a stark new residential development.
42. Significant mitigation measures could be introduced and additional planting could effectively screen the development but would itself be visually intrusive by undermining open views across the site. Furthermore, vegetation, even if standard plants were used, would take some years to become effective. In the interim there would be clear views from the footpath to the residential development. The appearance of a new residential development would be incongruous in the context of the currently open and rural nature of the views in this location. The fact that the path through the site only takes a few minutes to walk does not alter the conclusion that those using the footpath, would incur serious harm to the visual amenities of users whilst crossing the site, and their enjoyment of the countryside would be undermined. In consideration of this, with regard to users of footpath no. 21, it is considered that the magnitude of effect at completion would be high and the resultant effect would be major/moderate adverse at completion rather than the moderate adverse effect set out in the report. A major/moderate effect at completion could reasonably be expected to drop to moderate adverse by year 15 as site landscaping matures.
43. A number of properties along Paradise Street and Heapey Road have views from rear gardens and rear facing windows across the application site. The masterplan indicates that screening landscaping would be planted along the site boundaries, however, this would take several years to become effective and again, in itself would be visually intrusive by undermining views across the site from these properties. In consideration of this, with regard to the visual receptors of Paradise Street and Heapey Road, it is the opinion of the Council's Open Space Strategy Officer that the high / medium sensitivity and high magnitude of effect

at completion (as identified in the applicants visual effects tables) would result in a major / moderate adverse effect at completion. Whilst some improvement could be anticipated as landscaping measures mature they would still anticipate a moderate adverse effect after 15 years rather than the moderate/minor effect described in the report.

44. On this basis it is considered that both the residents of Paradise Street / Heapey Road and users of Footpath FP21 would be subject to residual moderate adverse visual effects, which would perpetuate beyond 15 years after completion. It is considered that the proposed development would have an unacceptable adverse effect on the visual amenity and appearance of the countryside, particularly for those using the footpath through the site and residential receptors overlooking the site. The effect of the development on the visual amenity of the area is of greater concern than its effect on the character of the landscape as the proposed development would have a long term adverse effect on the visual amenities of residents of Paradise Street and Heapey Road and users of footpath FP21. The development can only be considered acceptable if it does not cause unacceptable harm that is not outweighed by other considerations. With regard to visual harm, it is considered the visual harm would be unacceptable because the development, particularly as experienced by walkers on footpath FP21, regarded to be in the highest category of sensitivity to the visual effect of development, would be subject to a change in the landscape that would be incongruous to its existing countryside location.
45. The site is open and undeveloped with a pleasant rural character. It contributes positively to what is a prevailing open rural feel beyond settlements, notwithstanding the presence of the housing estate at Great Knowley to the north west and Kittiwake estate to the south east. These positive qualities can be easily appreciated by users of the public footpath network, when passing along Heapey Road and by some local residents living adjacent to the site. The housing development at Great Knowley is not visible from the application site by virtue of the topography and presence of landscape features such as the former railway line to the north of the site. The Kittiwake estate is well contained by landscaping and very much divorced from the setting of the application site. This was a former industrial site with the estate housing set some distance from Heapey Road. As such it is a somewhat anomalous form of development within this landscape, though it is well concealed from Heapey Road and the application site.
46. The proposed development would have a strongly urbanising effect on the existing open, rural character of the appeal site, changing it from open countryside to a housing estate. It would be highly prominent from Heapey Road due to the increase in levels through the site interrupting views across the fields towards the woodland belt, and causing an overall weakening of the distinction between the urban fringe and rural area. Overall, the effects on the intrinsic open, rural character and local value of the site's landscape would be harmful and permanent
47. Harm would be caused to the visual amenities of residents and users of public rights of way, which cannot be clearly mitigated by a landscape scheme and the proposed development would therefore have an unacceptable impact on the visual appearance of the local area that would inevitably diminish the open and rural character of the area contrary to paragraph 174 of the Framework and the rationale that underpins policy BNE2 of the Chorley Local Plan 2012 – 2026. The harm that this would cause to the character and appearance of the area would be significant and irreversible.

#### Highway safety

48. Although access is not applied for, a Transport Assessment has been submitted with the application and the Council need to be satisfied that an acceptable access point into the development can be achieved. It is envisaged that a priority controlled access junction via Heapey Road would be created.
49. The proposal is an outline application for residential development of up to 130 dwellings on land north of Heapey Road. The submission includes Transport Assessment (TA) setting out the transport issues relating to the site and details of the proposed development and an Interim Travel Plan (ITP).



*Existing Site Information*

50. The site is a grass field to the north of Heapey Road in Little Knowley. It is bordered to the east by the Black Brook and to the north by farms. The west boundary is partially of farms and residential houses accessed from Paradise Street which is an unadopted private access road with junction to Heapey Road. The south boundary is mainly of residential houses with frontages to Heapey Road and includes a Nursery located at the south west corner of the site. The site is currently accessed from a field gate just to the east of its boundary with the Nursery. The submitted location plan is shown on drawing no. LP01 (19/01/2021).

*Baseline Transport Information*

51. There are footways on both sides of the section of Heapey Road fronting the site, however the widths are below the required 2.0m minimum standard. There are Public Rights of Way (PROW) in the area. PROW-FP30 which is further east of the site, provides access from Higher House Lane in the south to Chapel Lane in the north and is linked to PROW-FP36 which extends west to connect PROW-FP21. PROW-FP21 is within the proposed site and extends from Heapey Road to the north where it continues along the southern edge of Great Knowley to the B6228 Blackburn Brow.
52. PROW-FP36 is further west and provides a walking route from Blackburn Brow to Heapey Road. The nearest cycle route to the site is along the Leeds and Liverpool Canal and connects other routes on the A674 Millennium Way to the west. There is a proposed cycle route from the Leeds and Liverpool Canal along the dismantled railway to east.
53. Heapey Road is a bus route, however there are currently no public services provided other than school services at the bus stops near Heapey Road/Kittiwake Road. The nearest bus stops where public services are provided are outside 11 Botany Bay (for north-bound) and on the M61 Motorway overbridge (for south-bound) approximately 815m and 920m respectively from the centre of the site. At these stops, Service 2 (Blackburn–Chorley) is operated during the day at hourly frequencies from Monday to Saturday, while Service 2A (Chorley–Blackburn) provides evening services from Monday to Saturday at an hour-and-a-half intervals with hourly day services on Sundays. Five school services are available at each of these stops. The bus stops do not have facilities of the high-quality standard required to ensure they are disability compliant, safe, attractive and comfortable to use.

*The Local Highway Network*

54. The site is fronted by Heapey Road, which lies between Knowley Brow to the west and Tithe Barn Lane to the east. Heapey Road and Knowley Brow have 30mph speed limits with footways and street lighting. From the proposed site access towards west to Knowley Brow, there are predominantly terraced houses on the north side of Heapey Road. Similarly, there are terraced houses on the south side of Knowley Brow within 120m of its junction with the B6228. The terraced houses rely on on-street parking, which often leads to issues with visibility and the two lanes being reduced to one.
55. The Knowley Brow Play Area is located approximately 400m west of the proposed site access, but due to on-street parked vehicles, the presence of houses on the road bend and the brow of the hill, there is limited visibility in the westerly direction for pedestrians crossing the road to and from the Play Area and the adjacent Sea Cadet Hall. The junction of the B6228 and Knowley Brow is complex. It is approximately 60m from the foot of the Leeds and Liverpool Canal bridge. The junction is topographically at a lower level to all of its approaches and has many features within close proximity, including a junction (Knowley Brow/Bagganley Lane), cycle lane, traffic island, mini-roundabout, pedestrian refuge, a bus stop and an on-street parking bay, which partially obscures visibility to the north on egress from Knowley Brow. On-street parking associated with the existing beauty shop (Lock and Lash) takes place near the junction on the north side of Knowley Brow.
56. Tithe Barn Lane starts where Heapey Road ends at its junction with Higher House Lane in the east. It is a single lane rural access road subject to the national speed limit. It provides access to settlements and farms in the east and can be used via Chapel Lane to connect the A674 in the north.

*Traffic Accidents*

57. The TA provides an analysis of 5-year record of personal injury accidents in the area from 2014-2018, which shows a total of 3 slight and 1 serious personal injury accidents on the section of B6228 between Knowley Brow and the Leeds and Liverpool Canal bridge. The serious accident occurred at the mini roundabout, while one of the slight accidents at B6228/Knowley Brow involved a pedal cyclist.
58. Within the period under review, there were 7 other personal injury accidents at various locations on Botany Brow including its junctions with Northgate Drive, Daisy Fold, Talbot Close and the Botany Brow/Eaves Lane/Harper's Lane roundabout. The accident at Botany Brow/Northgate Drive was recorded as serious. A single slight accident was also recorded at B6228/Merton Grove in the north, but there were no recorded traffic accidents on Heapey Road and Knowley Brow during the review period.
59. In all, a total of 11 (2 serious and 9 slight) personal injury accidents occurred at B6228/Knowley Brow and its vicinity during the 5-year period. There were 2 other slight personal injury accidents at B6228/Knowley Brow in 2019, but which did not reflect in the applicant's analysis. Overall, the rate of accidents at B6228/Knowley Brow raises highway safety concern, therefore the applicant will be required to implement measures to improve safety.

*The proposed development*

60. The proposal is for residential development of up to 130 dwellings of various house types on land north of Heapey Road. The indicative layout is shown on drawing no. 20-088-SK01 Rev D (Dec 2020).

*Access*

61. The development is to be accessed from Heapey Road via a new 5.5m wide access with 10m corner radii at the approximate location of the existing field access, where as shown on submitted indicative access drawing no. 76982 CUR 00 XX DR TP 75002 P02 (26/08/20), the visibility splays of 2.4m x 43m based on the 30mph speed limit of the road appears achievable. It is also demonstrated on the drawing by swept path analysis that the proposed site access can be safely negotiated by an 11.2m long refuse vehicle.
62. However, the section of Heapey Road fronting the site is relatively 'straight' in alignment with few frontages and leads to a point of change to the national speed limit, which are factors that can contribute to high traffic speeds. Indeed, this is confirmed by an automatic traffic count conducted by LCC Highways in 2016 at a point approximately 65m west of Heapey Road/Kittiwake Road which revealed 85<sup>th</sup> percentile speeds of 36mph (eastbound) and 35mph(westbound). Therefore, instead of the prevailing speed limit, it is considered visibility splays based on the 85<sup>th</sup> percentile speeds of traffic would be more appropriate. The indicative access drawing will therefore need to be amended to demonstrate that visibility splays of 2.4m x 53m (west) and 2.4m x 55m (east) can be achieved at the proposed site access.
63. While the proposed 10m radii will allow the junction to be negotiated, it is considered that the radii should be reduced to 6.0m to help slow the speeds of traffic turning in and out of the site and to make crossing of the junction easier and safer for pedestrians and cyclists. This should be accompanied by swept path analysis to demonstrate that the 6.0m radii can safely be negotiated by long refuse and service vehicles. As proposed, extending the footway on the north side of Heapey Road round the access radii into the site will ensure safety of pedestrians, however, it should be noted that the section of footway in front of the site is currently less than the required minimum width of 2.0m and of poor surface condition. Therefore, for improved access and safety of pedestrians, the footway will need to be reconstructed to an increased minimum width of 2.0m extending from the existing footway frontage of 119 Heapey Road (the Nursery) in the west to Heapey Road/Kittiwake Road in the east.

*Internal Layout*

64. The submitted indicative Masterplan quoted above shows a primary access road running internally round the central aspect of the site and linked with secondary access roads and private drives. The indicative masterplan is acceptable in principle; however, the design of the detailed layout must accord with the principle of the Manual for Streets (MfS) and the Lancashire County Council's Creating Civilized Streets with all access roads designed as self-enforcing 20mph roads with in-built horizontal speed reduction measures.
65. The internal roads should be provided to widths of 5.5m with 2.0m wide footways and/or service strips as appropriate with all turning heads proven with swept path analysis to demonstrate safe turning of refuse and service vehicles. The detailed layout should be designed and constructed to the Lancashire County Council Specification for Construction of Estate Roads to ensure satisfactory access and in order to be accepted for adoption under the s38 agreement of the Highways Act 1980.
66. It is noted in section 3.4 of the TA that parking would be provided to the Chorley Council Parking Standard. Integral and detached garages must be provided to internal dimensions of 3m x 6m (single) and 6.0m x 6.0m (double) in order to be counted as parking spaces.

*Walking*

67. Proposed developments should preferably be within 1200m maximum walking distance of local services, facilities and amenities. The developments should also preferably be within maximum walking distance of 800m of Town Centres and 2000m commuting distance of schools. Measured from the centre of the site, the proposed development is outside the preferred maximum walking distance of local services, facilities and amenities, including the shops referred to in paragraph 4.2.5 of the TA and the Chorley Town Centre. However, it is within commuting distance of the nearest school, the St Peter's CE Primary School on Eaves Lane.
68. PROW-FP21 provides external connectivity of the site to the existing built environment of Great Knowley, north of the site; however, it is unpaved and passes through third party boundaries. Nonetheless, it is considered that its section within the proposed site (from Heapey Road to the north boundary of the site) should be improved to a width of 3.0m including surfacing for use as pedestrian/cyclist access. If improved, it is considered that the route would facilitate access for cyclists from the site to Healey Nab, which is a popular bike trail across Heapey Road to the south of the proposed site.

*Cycling*

69. The acceptable maximum cycling distance is 5km and not 5 miles (8km) as stated in section 4.3 of the TA. I can however confirm local services and amenities are within cycling distance of the site including Chorley Town Centre and the railway station. As stated above, there is a cycle route along the Leeds and Liverpool Canal towpath that can be used to connect other routes in the west to Chorley Town Centre and beyond, but as explained above improving the section of PROW-FP21 within the site will assist cyclists to travel to the bike trail south of the proposed site.

*Public Transport**Bus*

70. Heapey Road is a bus route, but only school services are currently provided at the stop to the west of Heapey Road/Kittiwake Road. The nearest bus stops to the site where public services are provided are on the B6228 outside 11 Botany Bay (for eastbound) and the M61 Motorway overbridge (for southbound). The walking distance to these bus stops are over 800m and 900m respectively, which are far in excess of the preferred maximum walking distance of 400m from the centre of the development. The services provided at these bus stops are limited and the existing bus stop facilities are not of high-quality disability compliant standards. There is no facility to assist pedestrians to safely cross the B6228 in the vicinity of the bus stop outside 11 Botany Bay and as highlighted above, there are safety issues on the section of the B6228 from 10 Blackburn Brow to the foot of the Leeds and Liverpool Canal bridge, including its junction with Knowley Brow.

71. When considering development proposals, the NPPF requires priority to first be given to pedestrian/cycle movements and so far as possible to facilitate access to 'high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use' The site location is not well served by public transport and given the potential public transport demand of the proposed development it is not considered the applicant has demonstrated that the proposed development would be accessible by public transport and the TA contains no proposed measures towards improving the scope for access by public transport.
72. It is therefore considered that improvements to the existing public transport provision would be required to support the development, enhancing the link to Chorley Town Centre and the wider area. It would not be practical for a bus service to directly serve the development. While Knowley Brow and Heapey Road are suitable to accommodate a bus service, there is no suitable turning facility available for such a diversion and would not be a sustainable option for the key bus service route between Chorley and Blackburn. As a sustainable provision, it is considered that the applicant provides funding to enhance the existing service provision as follows:
- Monday to Saturday daytime – improve the current hourly Service 2 (or alternative) frequency to operate every half hour.
  - Monday to Saturday evening – improve the current 90-minute Service 2A (or alternative) frequency to operate every hour.
  - Sunday daytime – maintain the current hourly Service 2A (or alternative).
73. A s106 contribution of £120,000 per annum for a period of 5 years would be required to fund these enhancements with any revenue received from additional patronage being utilised to sustainably maintain the service levels beyond the contribution period.
74. The existing north-bound bus stop on the B6228 outside 11 Botany Bay will be required to be improved to quality disability compliant standard to include raised kerbs and boarding area, shelter, bus stop bay and worded markings, clearway etc., while the south-bound bus stop on the M61 Motorway overbridge is to be relocated to a suitable location north of Knowley Brow and provided to quality disability compliant standard to include the same facilities. As relocation of this bus stop will result in increased walking distance for those living south of the M61 Motorway overbridge to access bus services, it is considered that two new bus stops are provided on the B6228 Botany Brow at a suitable location south of the Motorway bridge to include shelters and all necessary facilities as described above to ensure they are of high quality and disability compliant standards.

*Train:*

75. The Chorley Train Station, which is the nearest is within recommended commuting distance of the site with frequent services to various destinations and has facilities, such as bike storage.

**TRAFFIC FLOW ANALYSIS**

76. The applicant's methodology used to provide an indication of the likely levels of traffic to be generated by the proposed development has been analysed by LCC Highway Services.

*Traffic Survey*

77. The applicant undertook no surveys of traffic flows due to Covid-19 but to assess the impact of the proposed development on the local highway network, traffic flows were extracted from TAs submitted in relation to the existing Great Knowley residential development and that of the feasibility study conducted in relation to proposed development of land at Cowling Farm. Traffic Flows associated with the committed developments listed in Table 5.1, paragraph 5.3.3 of the TA were also considered. From the survey data, the weekday AM and PM peak hour flows were established, but the peak hours have not been stated in the TA.

*Traffic Growth*

78. The development impact was assessed for a future year of 2025 i.e. five years after 2020, the date of registration of the planning application. The 2025 future year flows were forecast by applying growth factors derived from TEMPRO to the 2020 baseline flows. The TEMPRO

growth factors are shown on Table 5.2, paragraph 5.4.2, and the 2025 baseline flows are shown in Traffic Figures 3 and 4 of the TA. Having checked, the figures are considered accurate.

*Trip Generation*

79. The trip demand of the proposed development was assessed based on LCC trip rates. When applied to the proposed 130 dwellings, it results in the proposed development generating 76 and 86 two-way trips respectively during the AM and PM peaks. These figures have however been incorrectly represented in the TA as 82 and 93 two-way trips. Notwithstanding the error, the use of the higher trip generation figures provides a degree of robustness to the assessment.

*Trip distribution / assignment*

80. The routes traffic associated with the development might take are predicted based on Journey to work 2011 census data to allow the impact on key junctions to be assessed. The prediction during traffic peak hours are shown in Traffic Figure 5 of the TA and are accurate.
81. The result of the combined development trip generation values and the distribution turning proportions based on the growth factors in Table 5.2, paragraph 5.4.2 is shown in Traffic Figures 6 and 7 of the TA.
82. It is estimated that trips to be generated by the proposed development will result in the two-way vehicle movements at the junctions shown in Table 5.4, paragraph 5.6.6 of the TA. The result means that the four junctions listed in paragraph 5.6.7 of the TA will require a more detailed impact assessment. In addition to the four junctions, there were no existing traffic surveys for A674/B6229 and as no new surveys could be carried out due to Covid-19, the applicant made assumptions based on the Journey to work Census data.

*With development flows*

83. To derive the 2020 with-development assessment flows, the proposed development flows were added to the 2020 factored flows, resulting in the assessment flows shown in Traffic Figures 8-9. Also, to derive the 2025 with development assessment flows, the proposed development flows were added to the 2025 future year flows, the results of which are shown in Traffic Figures 10-11 and are considered acceptable.

**TRAFFIC IMPACT ASSESSMENT**

84. The potential impacts of the proposed development and future performance of the four key junctions listed in paragraph 5.6.7 of the TA and the A674/B6229 have been assessed. Junction Capacity Assessment The four junctions listed in paragraph 5.6.7 of the TA and the A674/B6229 were noted in the impact assessment to have exceeded the 30 two-way trip threshold and will require capacity assessment. The capacity assessment exercise was undertaken using PICADY (Junction 9) for the priority junctions, Arcady for the roundabout and Linsig for the signalised junction.
85. The result of the assessment of the priority junctions show Ratio of Flow to Capacities (RFCs) well below 0.85 with minimal vehicle queues, indicating that the priority junctions of Heapey Road/Site access, B6228/Knowley Brow and A674 Millennium Way/B6229 Moss Lane will operate within capacity following development.
86. The Arcady assessment of the roundabout of Botany Brow/Eaves Lane/Harpers Lane also shows traffic operating well within capacity in all arms with RFC's below 0.85 with minimal queues except on the north approach of Botany Brow where capacity is exceeded with high level of queue lengths in the PM peak.
87. The Linsig assessment of the A674 Blackburn Road/B6228 Blackburn Road shows the junction currently operates well within capacity. With development, the signalised junction will still operate within capacity with Degree of Saturation (DOS) below 85% and acceptable mean maximum queues (MMQs). However, in the future year of 2025, with development, the degree of saturation of the B6228 (Right) approach and the A674 (S) Right Ahead approach will exceed 90% DOS with corresponding queue lengths. As this would be

approaching the maximum DOS of 100%, it is considered that the applicant implements a Microprocessor Optimised Vehicle Actuation (MOVA) strategy at the signalised junction for improved control of the traffic signals.

88. In addition, mitigation measures are required at the Botany Brow/Eaves Lane/Harpers Lane roundabout to improve flows on the Botany Brow (N) approach.

#### INTERIM TRAVEL PLAN

89. The application submission includes an Interim Travel Plan (ITP) seeking to promote use of sustainable transport modes such as walking, cycling and public transport; and manage the impact of the proposed development on the highway network. However, the ITP submitted does not meet LCC's submission criteria as it does not contain the following basic commitments and requirements.
- Commitment and timescale for the appointment of a Travel Plan Coordinator by the developer – one month prior to first occupation and maintain the position for 5 years.
  - A commitment and timescale to undertake travel surveys - within 3 months of attaining 75% occupation.
  - A commitment and timescale for the development of a Full Travel Plan - within 3 months of 1st travel survey.
  - Details of cycling, pedestrian and public transport links to and within the site – information provided.
  - Details of the provision of secure and covered cycle storage and motorcycle parking – information not provided.
  - List of any proposed measures to be introduced particularly any to be implemented prior to the development of the Full Travel Plan – information provided.
  - Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years.
90. The ITP should therefore be updated to include the above information.
- For a development of the scale proposed a contribution of £18,000 will be required to enable LCC to provide the following range of services.
  - Appraise the Full Travel Plan submitted to the Council pursuant to the planning permission and provide constructive feedback.
  - Oversee the progression from Interim to Full Travel Plan in line with agreed timescales.
  - Monitor the development, implementation and review of the Full Travel Plan for a period of up to 5 years.
91. The Travel Plan contribution would be secured through the s106 agreement of the Town and Country Planning Act 1980 and the trigger point would be prior to commencement of development to enable suitable support to be provided early in the process.

#### MITIGATION

92. The applicant currently proposes no measures towards mitigating the adverse effects of the proposed development, contrary to the NPPF which requires significant impacts of proposed developments on the highway network in terms of capacity and congestion, or on highway safety to be cost effectively mitigated. The County Council's view is that further information relating to the following is required to enable support for this development.
- Scheme proposal for widening the footway frontage the proposed site to incorporate dropped kerbs and tactile pavings to facilitate crossing of Heapey Road at a suitable location within the proximity of the proposed site access.
  - Scheme of improvement of the section of PROW-FP21 within the proposed site.
  - Gateway treatment incorporating signage, speed roundels on coloured surfacing etc., at a suitable location on entry to Heapey Road from Tithe Barn Lane in the east.
  - Scheme of improvements to ensure safe pedestrian crossing of Heapey Road to and from the Knowley Brow Play Area and the adjacent Sea Cadet Hall. As traffic from west

emerges round a bend from below a brow of a hill, it is considered that a zebra crossing is required at this location with illuminated beacons to make the crossing conspicuous and emphatic.

- Scheme of improvements of B6228/Knowley Brow to address capacity, safety and pedestrian access concerns. Given the complexity of the junction and the spate of traffic accidents, the safety scheme should involve a comprehensive look at the junction and all of its three approaches (the approaches from north and south of the B6228 and from Knowley Brow) particularly the section of the B6228 from 10 Blackburn Brow to the foot of the Leeds and Liverpool Canal bridge. As stated above, there are existing features within this section, which may need to be improved as part of any safety improvements, including review and where necessary updating existing TROs and renewal of existing road markings. The scheme should ensure safe egress of Knowley Brow and provide a facility to assist pedestrians to safely cross the B6228 in the vicinity of the bus stop.
  - Scheme of improvement of the bus stop outside 11 Botany Bay and provision of 3no new bus stops, including that to be relocated from the M61 Motorway overbridge. The bus stops are to be provided to quality disability compliant standards to include raised kerbs and boarding areas, shelters, bus stop bay and worded markings, clearways etc.
  - Confirmation of s106 contribution of £120,000 per annum for a period of 5 years to fund enhancement of existing bus service provision in the area.
  - Confirmation of measures to improve traffic flows from Botany Brow (N) approach at the Botany Brow/Eaves Lane/Harpers Lane roundabout.
  - Confirmation of implementation of Microprocessor Optimised Vehicle Actuation (MOVA) strategy at the signalised junction of A674 Blackburn Road/B6228 Blackburn Road to improve control of the traffic signals.
  - Confirmation of s106 contribution of £18,000 for LCC services relating to Travel Plan.
93. The above schemes will be implemented through the s278 agreement of the Highways Act 1980 with the exception of contributions for bus service enhancements and LCC services in respect of Travel Plan, which would be through the s106 agreement of the Town and Country Planning Act 1980. The trigger points for both the s278 agreement and the s106 contributions are prior to commencement of development unless otherwise agreed with the LPA and LCC Highways.

#### HIGHWAYS CONCLUSION

94. The NPPF states that significant developments should be in locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes such as walking, cycling and use of public transport to help reduce congestion and emissions. The proposed site is not in a location that could be considered sustainable in transport terms. The site is not allocated for residential development in the current Chorley Local Plan.
95. LCC Highways considers implementation of these measures to address the issues identified above as essential for the development and would recommend that the application is not approved until the details of these are confirmed to the Local Planning Authority in conjunction with the County Council. The County Council will of course be happy to liaise with the developer on the identified issues.

#### Ecology

96. Core Strategy Policy 22 covers biodiversity and geodiversity and reflects the Framework in seeking to conserve, protect and seek opportunities to enhance and manage the biological and geological assets of the area, through the following measures:
- (a) Promoting the conservation and enhancement of biological diversity, having particular regard to the favourable condition, restoration and re-establishment of priority habitats and species populations;
  - (b) Seeking opportunities to conserve, enhance and expand ecological networks;
  - (c) Safeguarding geological assets that are of strategic and local importance.
97. Policy BNE9 of the Local Plan covers Biodiversity and Nature Conservation and states:

*In Chorley, Biodiversity and Ecological Network resources will be protected, conserved, restored and enhanced:*

*Priority will be given to:*

- i. Protecting and safeguarding all designated sites of international, national, regional, county and local level importance including all Ramsar sites, Special Protection Areas, Special Areas of Conservation, national nature reserves, sites of special scientific interest and biological heritage sites, geological heritage sites, local nature reserves and wildlife corridors together with any ecological network approved by the Council;*
- ii. Protecting, safeguarding and enhancing habitats for European, nationally and locally important species;*
- iii. The ecology of the site and the surrounding area (safeguarding existing habitats/features such as but not exclusive to trees, hedgerows, ponds and streams), unless justified otherwise;*
- iv. When considering applications for planning permission, protecting, conserving, restoring and enhancing Chorley's ecological network and providing links to the network from and/or through the proposed development site.*

*In addition development must adhere to the provisions set out below:*

- a) The production of a net gain in biodiversity where possible by designing in wildlife and by ensuring that any adverse impacts are avoided or if unavoidable are reduced or appropriately mitigated and/or compensated;*
- b) The provision of opportunities for habitats and species to adapt to climate change;*
- c) The support and encouragement of enhancements which contribute to habitat restoration;*
- d) Where there is reason to suspect that there may be protected habitats/species on or close to a proposed development site, the developer will be expected to carry out all necessary surveys in the first instance; planning applications must then be accompanied by a survey assessing the presence of such habitats/species and, where appropriate, make provision for their needs;*
- e) In exceptional cases where the need for development in that location is considered to significantly outweigh the impact on the natural environment, appropriate and proportionate mitigation measures or as a last resort compensatory habitat creation and/or restoration will be required through planning conditions and/or planning obligations.*

*The following definition of what constitutes damage to natural environmental assets will be used in assessing applications potentially impacting upon assets:*

- 1. Loss of the undeveloped open character of a part, parts or all of the ecological network;*
- 2. Reducing the width or causing direct or indirect severance of the ecological network or any part of it;*
- 3. Restricting the potential for lateral movement of wildlife;*
- 4. Causing the degradation of the ecological functions of the ecological network or any part of it;*
- 5. Directly or indirectly damaging or severing links between green spaces, wildlife corridors and the open countryside; and*
- 6. Impeding links to ecological networks recognised by neighbouring planning authorities.*
- 7. Significant adverse effect on the interest features of a designated nature conservation site.*

98. The application is supported by two ecology reports (Extended Phase 1 Habitat Survey, Rachel Hacking Ecology, 2022 and Ecological Addendum, Rachel Hacking Ecology, 2021), along with a DEFRA Metric and Biodiversity Impact Assessment (Rachel Hacking Ecology, Rev C). These have been reviewed by the Council's ecology advisor (GMEU) who considers that this satisfies the requirements for information and analysis to be provided prior to determination of the application.



*Great crested newts*

99. Great crested newts and their habitats (which includes terrestrial habitats as well as ponds) are legally protected, and as such are a material consideration when determining a planning application.
100. A pond is present approximately 145m from the development site. This pond scored as 'average' on the Habitat Sustainability Index (HSI) score in the ecology report, which has concluded that great crested newts are unlikely to be present (para 3.18). However, GMEU advise that this is not the correct interpretation of the HSI criteria, and the results of a HSI should not be used in place of survey work for great crested newts, as per best practice guidelines. The ecology report also suggests that the hedgerows that provide suitable habitats for great crested newts are being retained, however this is not the case as the hedgerow which runs through the site would be lost as a result of the proposal. In addition to this there are also historic records of great crested newt being present within Tan House Valley, which is not referenced within the report. The closest record is within 250m of the pond nearest to the development site, and within 500m of the development site.
101. Further ecological data submitted by the applicant has satisfied the Council's ecology advisors that the site can be development without causing adverse harm to great crested newts subject to the provision of adequate mitigation, provision and implementation of a construction environmental management plan and further survey work if development does not progress within a specified time limit.

*Bats*

102. The ecology report found several of the mature trees on the site supported potential roost features for bats. These however were not mapped in the target notes, and no further survey work was undertaken in relation to bats in trees, which is recommended in the ecology report. GMEU noted at their site visit that a mature ash tree in the northern edge of the hedgerow that cuts across the site contained potential roost features, and would be lost as a result of the proposals.
103. Further ecological data submitted by the applicant has satisfied the Council's ecology advisors that the site can be development without causing adverse harm to bats subject to the provision of adequate mitigation, provision and implementation of a construction environmental management plan and further survey work if development does not progress within a specified time limit.

*Birds*

104. The ecology report states that the area habitat is sub-optimal for ground nesting birds and no evidence was found. However, this survey work was undertaken in November so GMEU state it is not surprising that no evidence of ground nesting birds was found. On their site visit the sward was not as closely cropped as suggested within the report and they noted a lapwing displaying in the field to the south of the site, suggesting that this area does have the potential to support ground nesting birds. While the sward is probably too long for lapwing to breed currently, there is potential for other ground nesting birds such as skylark to be present, and the fields appear suitable for feeding habitat for species such as lapwing and curlew, and potentially suitable for species such as snipe in the wetter areas or in the winter if the fields get boggy. Similarly the hedgerows on the site, including the hedgerow proposed for removal are likely to support nesting birds, including priority species. Having consulted with GMEU's ornithologist, they would recommend that further consideration of the potential of the site to support birds is given.
105. It is recommended that a condition would be required to protect nest birds during the nesting season, and that the lost of nesting habitat should be offset and accounted for in any proposals for biodiversity net gain and enhancement.

*Biological Heritage Site/Priority Habitat*

106. Tan House Valley Biological Heritage Site (BHS) lies approximately 230m to the north of the proposed development site. GMEU agree with the conclusions of the ecology report that the risk of direct impact to the BHS is minimal and can be mitigated via a Construction

Environment Management Plan (which would be required anyway). However, there is potential for indirect impacts on the site through an increase in disturbance and visitors to the woodland. The public footpath through the development site links directly into the woodland, and an increase of 130 homes (which would equate to hundreds of additional residents, plus pets such as cats and dogs which can cause disturbance/predation of woodland birds) would result in increase pressure on this habitat. They therefore recommend that an assessment of these impacts on the BHS are evaluated and adequate mitigation measures provided including the provision of a Homeowners Pack prior to occupation detailing guidance produced for local residents on the protected site within the locality and the requirement to keep dogs on leads in specific areas, provision of a 'responsible user code', and details of Habitat Management days on the protected site to be advertised to the local residents.

#### *Hedgerows*

107. The hedgerow crossing the site is mapped as defunct on the phase 1 habitat map. This may be an adequate description from a phase 1 perspective as there are gaps present in the hedgerow, but as the gaps are less than 20m and the hedge is comprised of at least 80% native woody species it meets the criteria of a Priority habitat. Adequate value should therefore be given to its conservation status when designing suitable mitigation (including in the biodiversity metric, see below net gain comments).

#### *Biodiversity Net Gain*

108. In addition to the above GMEU also recommend further information in relation to the impact of the scheme on the overall biodiversity value of the site. Currently there is some provision of open space/SUDS scheme within the indicative layout, however, this is unlikely to demonstrate no net loss within the proposed layout. Under the Framework (section 170d and 175d) development should be aiming to deliver net gain for biodiversity, which is also supported by policy BNE9 of the Chorley Council Local Plan. Given the scale of the proposals, it would be expected a development such as this would demonstrate it is achieving this objective, and in line with the upcoming Environment Bill (which is due to come into force later in the year), this should provide a 10% net gain for biodiversity delivered through the scheme. It would be appropriate for the DEFRA Biodiversity Metric 3.0 (which has recently superseded the 2.0 model) to be used to evaluate the biodiversity value of the site and to demonstrate if this goal has been achieved. It may be necessary to secure off site provision if this cannot be achieved on site. It is therefore recommended that a condition be attached to any grant of planning permission requiring a scheme for offsetting biodiversity impacts to achieve a 10% net gain as a result of the development. A landscape and ecological management plan (LEMP) should also be provided to support the ongoing management of this scheme.
109. Aside from this a scheme demonstrating ecological enchantments for species should be submitted to the LPA prior to commencement of the proposed development. This should include measures such as provision of bat and bird boxes integrated into the new buildings on the site, use of pollinator species within the landscape scheme and provision for species movement through the site (e.g. hedgerow highways between properties and allowing access into the wider landscape).

#### *Ecology Conclusion*

110. Considering the advice of GMEU it is considered that the application demonstrates that the development would protect, safeguard and enhance habitats for protected species or retain features such as hedgerows and trees that enhance the ecology of the site subject to conditions. It is also considered that it has been demonstrated that the proposal could result in biodiversity net gain or protect and safeguard the Tan House Valley BHS subject to conditions requiring specific schemes. The application is therefore considered to comply with policy BNE9 of the Local Plan, policy 22 of the Core Strategy and paragraph 175 of the NPPF.

Trees

111. Policy BNE10 of the Local Plan relates to trees and states:
- i. *Development proposals which would result in the loss of trees and/or involve inappropriate works to trees which contribute positively to the character and appearance of a Conservation Area will not be permitted. The removal of such trees will only be permitted in exceptional circumstances and where consent is granted, replacement trees will be required to be planted.*
  - ii. *Proposals that would result in the loss of trees, woodland areas or hedgerows which make a valuable contribution to the character of the landscape, a building, a settlement or the setting thereof will not be permitted.*
  - iii. *Replacement planting will be required where it is considered that the benefit of the development outweighs the loss of some trees or hedgerows. Tree planting will be required as part of new development proposals and an associated maintenance scheme. Tree Preservation Orders will be used to protect trees of landscape or townscape significance.*
112. The Council's Tree Officer has visited the site and reviewed the submitted tree survey.
113. They state that the tree survey details five Ash trees (T1, T5, T9, T10, and T13) proposed to be removed in addition to one linear group of Elder and Hawthorn (G5). All of the Ash trees have features that indicate they are in decline and they confirm it is hard to disagree with the category U status (trees in such a condition that any existing value would be lost within 10 years and which should, in the current context, be removed for reasons of sound arboricultural management). However, the tree officer states that despite this, they do have value as landscape features and for ecological reasons [as confirmed by the Council's ecology advisor]. T5 in particular is an interesting tree, it has an unusual buttress flare and other features and is potentially a veteran tree. The crown does not appear to show signs of Ash dieback disease and the possibility of retention should be explored if development proceeds.
114. The group of Elder and Hawthorn (G5 in the report) are fairly typical for the species, however, the Tree Officer does not agree with their description as 'misshapen' and 'of no merit' as set out in the report.
115. They also note that there are hedgerows, lapsed hedgerows and trees within hedgerows that have not been included on the tree survey. It appears some of these would need to be removed to implement the development as suggested on proposed site masterplan.
116. In relation to trees it is considered that despite their condition the five Ash trees marked T1, T5, T9, T10 and T13 in the tree survey do make a valuable contribution to the character of the landscape and should be retained as part of any scheme. They also have ecological value in relation to bats as noted by the Council's ecology advisor. In addition, the application has failed to properly consider some hedgerows, lapsed hedgerows and trees within hedgerows. The impact upon these features would need to be carefully considered through any detailed design submitted as part of a reserved matters application and accounted for within a scheme for offsetting biodiversity impacts. Given that the application is on outline only the proposal is not considered contrary to Local Plan policy BNE10, Core Strategy policy 22 and paragraph 170 of the Framework at this stage, albeit there is potential for harm to trees and hedgerows, which contributes to the overall landscape harm.

Amenity

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

118. The application proposes up to 130 dwellings on land adjacent to existing residential properties to the south west on Paradise Street and Heapey Road. The properties on Paradise Street would face towards the development, separated by Paradise Street itself with gardens to the front, while those on Heapey Road would back on to it. The terraced properties on Heapey Road have rear garden separated by a rear alleyway.
119. As the application is made in outline, an indicative layout plan has been provided. Any reserved matters application would need to ensure that the amenity afforded to all neighbouring residential properties is safeguarded from any adverse impacts such as overlooking, overbearing impacts and loss of light by complying with the Council's interface distances and other design criteria. In addition, any proposal would need to ensure acceptable living conditions for future occupiers of the development. It is considered that the indicative layout plan provided demonstrates that an acceptable scheme can be achieved on the site.
120. Any impacts during the construction phase would be temporary and suitable mitigation measures could be imposed by a planning condition, through a Construction Environmental Management Plan.

#### Drainage and flood risk

121. A Flood Risk Assessment and Drainage Management Strategy has been submitted with the application and reviewed by United Utilities and Lancashire County Council as Lead Local Flood Authority (LLFA). The LLFA are responsible for managing flood risk from surface water, groundwater or from ordinary watercourses.
122. The Planning Practice Guidance establishes a hierarchy for surface water disposal, which encourages a Sustainable Urban Drainage System (SuDS) approach. The aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:
1. into the ground (infiltration);
  2. to a surface water body;
  3. to a surface water sewer, highway drain, or another drainage system;
  4. to a combined sewer.
123. The LLFA have no objection to the application subject to conditions.
124. The Flood Risk Assessment accompanying the application states there has been no site investigation undertaken on the site so the suitability for infiltration techniques is not known, although a Phase 1 Desk Study has been undertaken of the geology which indicates the most likely outcome for drainage is to the existing watercourse on the eastern boundary (the second option in the drainage hierarchy above). It does however state that infiltration techniques cannot be fully discounted until a full site investigation has been undertaken. The LLFA therefore request a condition be imposed on any permission requiring submission of a detailed surface water sustainable drainage strategy before development commences including evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates and groundwater levels. This will ensure the surface water is drained as high up the drainage hierarchy as possible.
125. The Flood Risk Assessment states that attenuation has been included in the proposed drainage system in the form of an on-line SuDS basin with flow controls introduced to limit the flows in all events up to and including the 100 year + 40% climate change allowance. The LLFA as part of the drainage strategy condition require submission of sustainable drainage calculations for peak flow control or water and volume control (1 in 1, 1 in 30 and 1 in 100 + 40% allowance for climate change). A condition is also requested requiring a Verification Report that must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme. Subject to these conditions the proposal is considered to comply with the NPPG in relation to surface water.

126. In accordance with the Framework and the National Planning Practice Guidance (NPPG), United Utilities state the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. Following a review of the submitted Drainage Strategy, they confirm the proposals are acceptable in principle to United Utilities and therefore should planning permission be granted they request a condition is attached to any subsequent decision notice to ensure further details of a sustainable surface water drainage scheme and a foul water drainage scheme are submitted in any future submission, including an investigation of the hierarchy of drainage option in the National Planning Practice Guidance including an investigation of ground conditions and the potential for infiltration of surface water and of the investigation discount infiltration, details of a restricted rate of discharge of surface water to be agreed (as per the conditions requested by the LLFA).
127. The Environment Agency are responsible for managing flood risk from (in the circumstances of this site) main rivers and reservoirs. The nature of the site and the proposed development requires the Council to use the Environment Agency's Standing Advice. Most of the site is within Flood Zone 1, although a small part of the site adjacent to Black Brook, which runs along the east boundary of the application site (a main river), is within Flood Zone 2 (the indicative plans show no dwellings will be built in this area) and the proposed dwellings fall within the 'more vulnerable' vulnerability classification.
128. The Thirlmere Aqueduct crosses the site. Although United Utilities do not object to the application in relation to it, they state that they will not permit building over it or within its easement, this includes any road crossings and proposed landscaping and they would need to be afforded suitable access for maintenance and repair. The indicative layout plan shows the approximate location of the Thirlmere Aqueduct crossing the site and if the application were permitted then this would need to be taken into account at any reserved matters stage and may influence the layout of the development. If the application is approved the applicant is requested by United Utilities to submit full evidence of tracing the water main identified before any reserved matters submission and they request a condition to secure this.

#### Heritage assets

129. The Framework states in determining planning applications local planning authorities should take account of;
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - The desirability of new development making a positive contribution to local character and distinctiveness.
130. The issue from a heritage viewpoint is whether the proposal would harm the setting of the grade II listed 'The Rough' (now The Hollies Nursery). The properties significance is in its aesthetic and historic context, primarily evidenced in the fabric and architectural form/appearance of the building.
131. The Council's Conservation advisor states that the property was constructed in the early 19th century of rendered stone, with decorative stone dressings, and designed in a late Georgian style. It is currently used as a children's nursery. Originally, the building was a dwelling known as 'The Rough' set in fairly extensive grounds. Over time, these grounds have been sold off and have had other dwellings erected upon them, including the two modern dwelling houses at 115 and 117 Heapey Road. The application site lies directly to the rear of the listed building, spreading out to the north, east and west. The site is set back from Heapey Road and is largely screened by a combination of hedgerows and trees, which is likely to restrict the view to any development. However, the development will be glimpsed directly through the existing gap between 'The Hollies' and the neighbouring property 117 Heapey Road.
132. According to historic mapping, when 'The Rough' was first built, the site was a relatively isolated setting, this gradually changed through the 19th and 20th century, with the arrival of

new housing within close proximity (adjacent on Heapey Road and Paradise Street). The neighbouring modern developments likely to have been erected during the 1990s in the former gardens/land resulted in further physical changes to the immediate setting of the listed building. These cumulative changes have overtime contributed to the gradual erosion of the historic setting and has impacted on how the listed building is experienced. Therefore, reducing the contribution made by the setting to the significance of the listed building. In the above regard they do not regard the application site contributes any significant level of significance to the listed building and can be considered, for the basis of this assessment, to be of a neutral value. They consider that the significance of the building is confined to the fabric of the building itself, in terms of its period features, primarily in the building façade and its immediate enclosed garden curtilage. Wider views are more limited and the building can only really be fully experienced at close quarter. The views along Heapey Road are fettered by the more modern housing on the approach from the west and from the east by existing frontage hedges which largely screen the property. Whilst they have no doubt that the new residential development will be noticeable in the same context as the listed building this in itself does not necessarily translate to a loss of significance. Given the already eroded nature of the setting to the listed building and its neutral importance, in their view, the impact of the new development on the value of the setting will be limited. Largely this will be confined to visual changes to the wider landscape setting which is different to loss of significance. Subsequently, they feel the proposal will have no impact on the contribution made by the setting on the significance of the heritage asset.

133. In light of this it is considered the proposal would meet the statutory test 'to preserve' and would cause no discernible harm to the setting and significance of the grade II listed building. As such, the proposal meets the objectives of Chapter 16 of the Framework and accords with Policy 16 of the Core Strategy and Policy BNE 8 of the Local Plan.

#### Public open space

134. A financial contribution is required from this development is as follows:

##### *Amenity Greenspace*

135. Local Plan Policy HS4A sets a standard of 0.73 hectares per 1,000 population.
136. There is currently a deficit of provision in Chorley North East in relation to this standard, a contribution towards new provision in the ward is therefore required from this development. As the development is 10 or more dwellings the required amenity greenspace should be provided on-site. The amount required is 0.22776 hectares. A maintenance cost of £91,000 is also required for a 10 year period if private maintenance is not proposed.

##### *Provision for children/young people*

137. Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population.
138. There is currently a deficit of provision in Chorley North East in relation to this standard, a contribution towards new provision in the ward is therefore required from this development. As the development is 100 or more dwellings the required provision for children/young people should be provided on-site. The amount required is 0.02496 hectares. A maintenance cost of £16,900 is also required for a 10 year period if private maintenance is not proposed.

##### *Parks and Gardens*

139. There is no requirement to provide a new park or garden on-site within this development.
140. There are no parks/gardens within the accessibility catchment (1,000m) of this site identified as being low quality and/or low value in the Open Space Study therefore a contribution towards improving existing provision is not required.

##### *Natural and Semi-Natural Greenspace*

141. There is no requirement to provide new natural/semi natural greenspace on-site within this development.

142. There are no areas of natural/semi-natural greenspace within the accessibility catchment (800m) of this site identified as being low quality and/or low value in the Open Space Study therefore a contribution towards improving existing provision is not required.

*Allotments*

143. There is no requirement to provide allotment provision on site within this development.
144. The site is not within the accessibility catchment (10 minutes' drive time) of a proposed new allotment site, a contribution towards new allotment provision is therefore not required from this development.

*Playing Pitches*

145. A Playing Pitch Strategy was published in June 2012 which identifies a Borough wide deficit of playing pitches but states that the majority of this deficit can be met by improving existing pitches. A financial contribution towards the improvement of existing playing pitches is therefore required from this development. The Playing Pitch Strategy includes an Action Plan which identifies sites that need improvements. The amount required is £1,599 per dwelling.

146. The total financial contribution required from this development is as follows:

Amenity greenspace	= £91,000 (if private maintenance not proposed)
Equipped play area	= £16,900 (if private maintenance not proposed)
Parks/Gardens	= £0
Natural/semi-natural	= £0
Allotments	= £0
Playing Pitches	= £207,870
<b>Total</b>	<b>= £315,770</b>

147. This could be secured through a Section 106 legal agreement.

Education

148. Policy 14 of the Core Strategy states that educational requirements will be provided for by seeking contributions towards the provision of school places where a development would result in or worsen a lack of capacity at existing schools. Lancashire County Council School Planning Team advise that based on current approvals a primary education contribution is not required. However, if other pending planning applications above are approved prior to a decision being made on this development the claim for primary school provision could increase up to maximum of 49 places.

149. Latest projections for the local secondary schools show there to be a shortfall of 277 places in 5 years' time. These projections take into account the current numbers of pupils in the schools, the expected take up of pupils in future years based on the local births, the expected levels of inward and outward migration based upon what is already occurring in the schools and the housing development within the local 5 year Housing Land Supply document, which already have planning permission. With an expected yield of 20 places from this development the shortfall would increase to 297. Therefore, they are seeking a contribution from the developer in respect of the full pupil yield of this development, i.e. 20 places.

150. A financial contribution from the developer to secure these places could be acquired through a Section 106 legal agreement if the application is approved. Subject to this, the application is considered acceptable in relation to education provision.

Employment skills provision

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

Central Lancashire that benefits the people and businesses in the three boroughs. The SPD seeks to;

152. Increase employment opportunities by helping local businesses to improve, grow and take on more staff help businesses to find suitable staff and suppliers, especially local ones improve the skills of local people to enable them to take advantage of the resulting employment opportunities help businesses already located in Central Lancashire to grow and attract new businesses into the area.
153. The SPD requires development over certain thresholds to be accompanied by an Employment and Skills Statement to ensure the right skills and employment opportunities are provided at the right time. This is to the benefit of both the developer and local population and covers the following areas:
- Creation of apprenticeships/new entrants/graduates/traineeships
  - Recruitment through Job Hub and Jobcentre plus and other local employment vehicles.
  - Work trials and interview guarantees
  - Vocational training (NVQ)
  - Work experience (14-16 years, 16-19 years and 19+ years) (5 working days minimum)
  - Links with schools, colleges and university
  - Use of local suppliers
  - Supervisor Training
  - Management and Leadership Training
  - In house training schemes
  - Construction Skills Certification Scheme (CSCS) Cards
  - Support with transport, childcare and work equipment
  - Community based projects
154. A condition is recommended requiring an employment and skills plan.

#### Public right of way (PROW)/ Cycling

155. Lancashire County Council have confirmed that Public Right of Way 9-2-FP21 has been identified as extending from north to south, through the eastern area of the site. They state if the proposed development has any intention of building/moving or permanently obstructing it a diversion will need to be in place and certified prior to commencement of works. The application submission states that the PROW is to be retained. If the application is approved and works relating to the development are likely to cause a health and safety risk to Public Rights of way users a temporary closure will need to be in place prior to commencement of the works. If a temporary closure is requested the applicant will need to provide a suitable alternative route for the public to use during construction. An informative note could be attached to any permission informing the developer of the requirements in relation to the PROW.

#### Sites of Special Scientific Interest Impact Risk Zones

156. A number of representations have referred to the site being in a SSSI Impact Risk Zone (IRZ), which it is.
157. The Impact Risk Zones (IRZs) are a mapping tool developed by Natural England to make an initial assessment of the potential risks to SSSIs posed by development proposals. They define zones around each SSSI which reflect the particular sensitivities of the features for which it is notified and indicate the types of development proposal which could potentially have adverse impacts. The IRZ for the application site has been checked and the type of development proposed is unlikely to pose a risk to SSSIs. Therefore, the Council is not required to consult Natural England on the application.

#### Coal mining

158. The application site is within a Low Risk Coal Mining Area as defined by The Coal Authority. This requires an informative note to be imposed on any planning permission.



Community Infrastructure Levy (CIL)

159. The proposal would be liable for CIL, however CIL liability is not calculated at outline application stage. It would be calculated at any Reserved Matters stage.

Planning balance

160. Paragraph 11. d) ii. of the Framework indicates that, where the most important development plan policies for determining the application are out-of-date, planning permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; the tilted balance.

161. The adverse impacts of the development relate primarily to the landscape and visual impacts of the development leading to an unacceptable adverse effect on the visual amenity and appearance of the countryside. Harm would be caused to the visual amenities of residents and users of public rights of way, which cannot be clearly mitigated by a landscape scheme and the proposed development would therefore have an unacceptable impact on the visual appearance of the local area that would inevitably diminish the open and rural character of the area contrary to paragraph 174 of the Framework and the rationale that underpins policy BNE2 of the Chorley Local Plan 2012 – 2026. The harm that this would cause to the character and appearance of the area would be significant and irreversible. This harm weighs very significantly against the proposal.

162. In relation to the benefits of the proposed development the provision of 130 dwellings in the context of an under supply of housing this is a clear benefit to which significant weight must be attached.

163. The provision of affordable housing on the site would help towards meeting a significant shortfall in the supply of such homes across the Borough and represents a clear benefit to which significant weight must also be attached.

164. The provision of new housing would support construction and supply chain jobs, places for the economically active to live, and increased local spend. These benefits have not been quantified and would apply to any housing development of this scale but are still considerable and should be afforded moderate weight. Some limited weight can be attached to the potential benefits from biodiversity net gain, and very limited weight to potential benefits of open space provision and public footpath improvements within the site.

165. The proposal is considered to be finely balanced in light of the weight afforded to the competing benefits and harms. In this instance it is considered that the disbenefits are of greater weight, even allowing for the tilted balance

166. The adverse impacts of the proposed development upon the landscape would in this case significantly and demonstrably outweigh the considerable economic and significant social benefits associated with the proposed development when assessed against the Framework taken as a whole. The scheme therefore does not benefit from the presumption in favour of sustainable development, and as such it is recommended that member be minded to refuse the application.

**CONCLUSION**

167. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts the determination must be in accordance with the plan unless material considerations indicate otherwise.

168. In this instance it is considered the proposal will have an unacceptable adverse effect on the visual amenity and appearance of the countryside, particularly for people using the footpath through the site and residential receptors overlooking the site that cannot be overcome through planning conditions. This impact is considered severe to the effect that even when applying the tilted balance, it is considered that the harm of the proposed

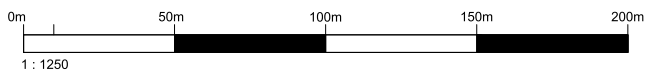
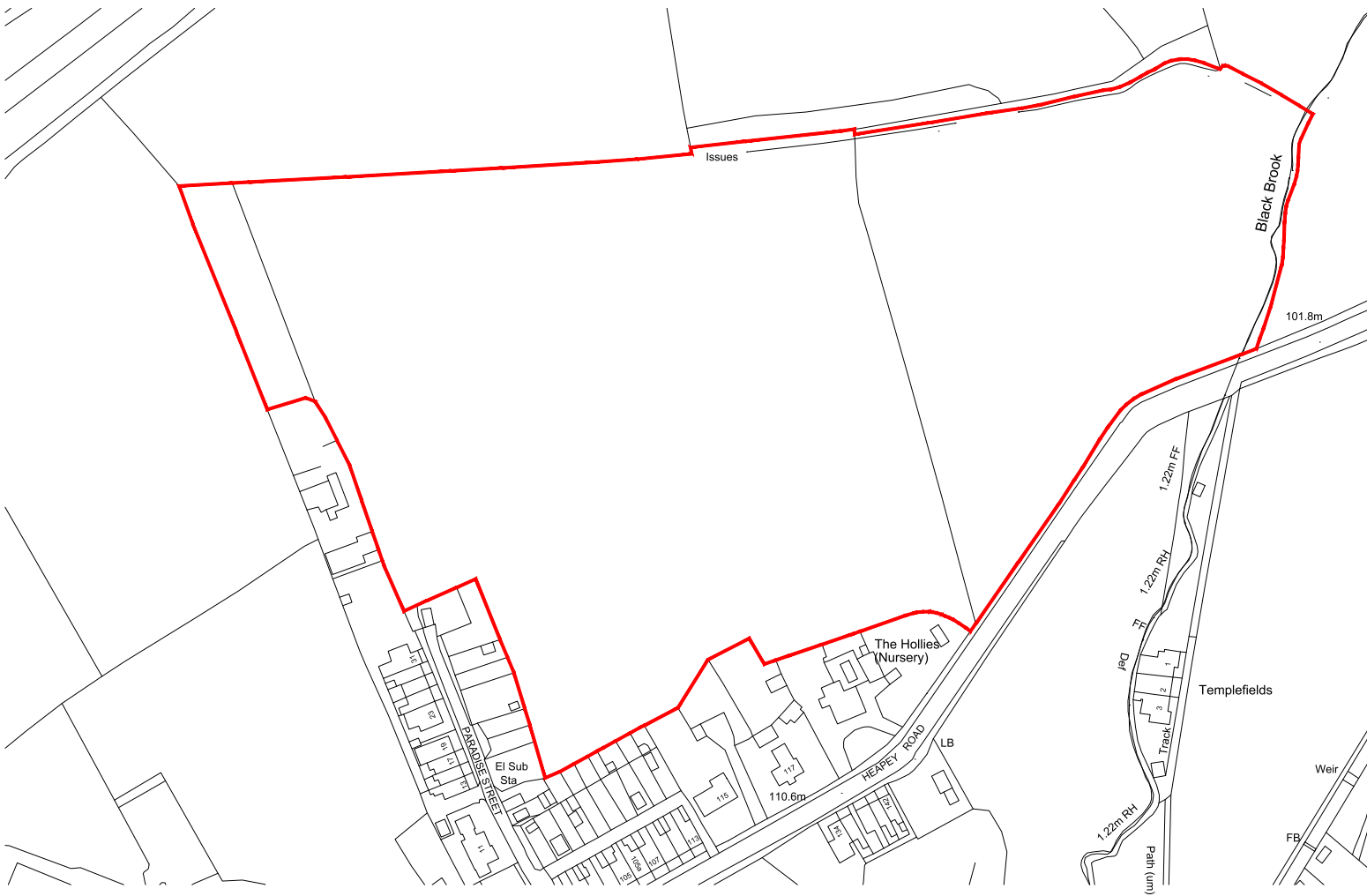
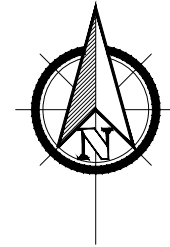
development would significantly and demonstrably outweigh the benefits that have been considered in this report and given significant weight, even when these benefits are considered collectively. Given such circumstances and in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the Framework, it is recommended that members be minded to refuse planning outline permission.

#### **RELEVANT HISTORY OF THE SITE**

There is no planning history at the site.

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

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**mck associates limited**  
 architecture | building surveying | urban design  
 burnaby villa ■ 48 waiting street road ■ fulwood ■ preston ■ pr2 8bp  
 tel: 01772 774510 fax: 01772 774511 email mck@mckassociates.co.uk

Project: **HEAPEY ROAD CHORLEY**

Drawing Title: **LOCATION PLAN**

Drawn: ELC	Checked: PGM	Scale: 1:1250	Date: 19/01/2021
Job No: 20-088	Drawing No: LP01	Rev:	

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**APPLICATION REPORT – 23/00004/FUL**

**Validation Date: 4 January 2023**

**Ward: Clayton East, Brindle And Hoghton**

**Type of Application: Full Planning**

**Proposal: Change of use from dwellinghouse (Use Class C3) to children's home (Use Class C2 Residential Institutions)**

**Location: 10 Riley Green Hoghton Preston PR5 0SL**

**Case Officer: Mrs Hannah Roper**

**Applicant: Mark Twiname Brinscall Care Limited**

**Agent: Kate Grimshaw KG Planning Ltd**

**Consultation expiry: 2 February 2023**

**Decision due by: 1 March 2023**

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**This application is being reported to Planning Committee at the request of Councillor Allen Cullens.**

**RECOMMENDATION**

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

**SITE DESCRIPTION**

2. The application site is located in the Green Belt on Riley Green Switch Road, Hoghton. The existing property is a sizeable detached dwellinghouse that is one of five dwellings located directly to the west of the junction with Bolton Road and which form part of a small hamlet around road junction.
3. There is hardstanding to the frontage of the dwellinghouse and a private garden to the rear, with fields beyond.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

4. This application seeks planning permission to change the use of the property from a dwellinghouse (Use Class C3) to a children's home (Use Class C2). The garage would be converted to habitable accommodation to facilitate the change of use.
5. The property would be registered for a maximum of four children between the ages of 8 and 17 years old. There would be a maximum of 10 staff, with a maximum of 4 at the property at any one time, working a shift rota of 2 staff on 9am to 9pm and 2 staff on 9pm to 9am when the home is fully occupied.

**REPRESENTATIONS**

6. 34no. representations have been received (including several from the same respondent and one written on behalf of a number of the respondents who have already individually commented) raising the following issues:

- There are no facilities in Riley Green such as shops or schools. Young people would have to travel for any recreational activity.
- Impact on parking. Whilst the application makes reference to parking for six cars there would be other staff such as social workers visiting the site.
- Overspill parking on the pavement would cause a hazard and issue for neighbours accessing their drives. There have been numerous accidents here over the years.
- Privacy for residents would be lost and there would be issues with noise. Especially for direct neighbours.
- There would be concerns regarding privacy for the children placed here.
- There would be 10 staff there and where would they park.
- The proposal is too isolated.
- The proposal would lead to trespass and anti-social behaviour in the surrounding fields and estate.
- Fencing would be required to keep the children from absconding into the fields to the rear.
- The number of visitors set out in the supporting information is definitely incorrect.
- The upstairs windows of the property look directly into neighbouring gardens and the downstairs windows into the neighbouring conservatory.
- There is already a drugs problem and anti-social behaviour in the area.
- There are a lot of accidents on the road here.
- Children should not be placed near a crime hotspot.
- Fails to comply with policy BNE1.
- There would be a loss of residential amenity for neighbouring dwellings.
- The proposal does not comply with Ofsted requirements.
- What about the trees on the site, would they be impacted?
- The cars would overspill and block the pavement.
- Where would refuse be stored for this business?
- The character of the village would be impacted.
- There are too many environmental hazards for vulnerable children

## CONSULTATIONS

7. Lancashire County Highway Services – Have no objections.
8. LCC Children's Homes – Have objected to the proposal as it does not meet their criteria.
9. Hoghton Parish Council – Have objected to the proposal.
10. CIL Officers – Have commented that proposal is not chargeable.

## PLANNING CONSIDERATIONS

### Principle of the development

11. Paragraph 17 of the National Planning Policy Framework (the Framework) sets out 12 'Core Planning Principles' that should underpin plan-making and decision-taking. One of these principles establishes that planning should:

*“take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.”*

12. The application site is located in the Green Belt. Section 13 of the Framework (2021) confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
13. Development will only be permitted within the Green Belt, in accordance with the Framework, if it is considered appropriate development or where very special circumstances

can be demonstrated. The Framework confirms that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

14. Paragraph 150 of The Framework states *that 'the reuse of buildings provided that they are of permanent and substantial construction'* is acceptable within the Green Belt.

15. Policy BNE5 of the Chorley Local Plan 2012-2026 'Redevelopment of Previously Developed Sites in the Green Belt' states that:

*'The reuse, infilling or redevelopment of previously developed sites in the Green Belt, will be permitted providing the following criteria are met: In the case of re-use:*

- a) The proposal does not have a materially greater impact than the existing use on the openness of the Green Belt and the purposes of including land in it;*
- b) The development respects the character of the landscape and has regard to the need to integrate the development with its surroundings and will not be of significant detriment to features of historical or ecological importance.'*

16. The proposed change of use falls to be considered under the exception stated at paragraph 150.d) of the Framework and as reflected within part a) of policy BNE5 of the Local Plan, as the building is of a permanent and substantial construction having been recently in use as a dwellinghouse. Further, the proposal involves no increase in the size of the existing building, hardstanding areas or its curtilage. As such, the proposal would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it, listed below.

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

17. The proposal includes no increase in built development at the site and so also complies with part b) of policy BNE5 of the Chorley Local Plan.

18. The proposal is, therefore, not considered to be inappropriate development in the Green Belt and complies with the Framework and policy BNE5 of the Chorley Local Plan in this regard.

#### Highway safety

19. Policy BNE1 of the Chorley Local Plan 2012-2026 states that developments must not cause severe residual cumulative highways impact or prejudice highway safety, pedestrian safety, the free flow of traffic, or reduce the number of on-site parking spaces.

20. The property has a large area of hardstanding to its frontage to accommodate parked cars. The applicant states that 6no. spaces would be provided. An over-supply of parking is, therefore, provided for the use compared to adopted standards set out in Appendix A of the Chorley Local Plan 2012 – 2026.

21. Lancashire County Council Highway Services have raised no objection. The proposal is therefore considered to accord with policy BNE1 of the Chorley Local plan in respect of highway safety considerations.

#### Impact on character and appearance of the locality

22. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the proposal does not have a significantly detrimental impact on the

surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.

23. The proposed development includes the conversion of the internal garage to habitable accommodation with the garage door being replaced by a window. This alteration could be undertaken under permitted development as a residential dwellinghouse. Matching materials could be secured by condition. It is therefore considered that the proposal would be in accordance with policy BNE1 of the Chorley Local Plan with regard to the impact on character and appearance of the locality.

#### Impact on neighbour amenity

24. Policy BNE1 of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development the proposal would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact; and that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses.
25. The application property is located within a small ribbon of development to the south of Riley Green Switch Road. It is a detached dwelling with hardstanding to the front and a private garden to the rear.
26. The supporting information submitted with the proposal states that the home would operate with a maximum of four children between the ages of 8 and 17, with two staff on site. The exception would be at shift changeover where four staff would be on site for a short period of time. Vehicles associated with these four staff could be accommodated on site.
27. The occupation of the property by four young people and two adults would replicate that of a larger family living together in a residential dwellinghouse. Comings and goings would not be dissimilar to those of a family in terms of school runs and visitors and these would take place at fairly common times such as rush hours and early evenings. Similarly, the use of the garden by four young people would reflect that of a family. It is, therefore, not considered that the proposed change of use would result in a detrimental impact on amenity through an unacceptable degree of noise disturbance.
28. The proposed change from the garage door to a window would not adversely impact on any of the occupiers of neighbouring dwellings due to its location within the site.
29. The proposed change of use would not result in additional noise, disturbance or increased levels of general activity over and above the lawful use of the property as a dwellinghouse.

#### Other issues

30. Whilst it is noted that Lancashire County Council Children's Homes have objected to the proposal on the grounds that it does not meet their criteria, it should be considered that this is a licensing issue and is not a material planning consideration. This is a matter that should be pursued outside of the planning application process.

#### **CONCLUSION**

31. The proposed development accords with Green Belt policy and there would be no adverse impact on the streetscene, highway safety or residential amenity. The proposal does, therefore, accord with the Framework and policies BNE1 and BNE5 of the Chorley Local Plan 2012-2026.

**RELEVANT POLICIES:** In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise.



Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

#### Suggested conditions

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

Title	Plan Ref	Received On
Proposed Site Plan	N/A	4 January 2023
Location Plan	N/A	4 January 2023
Change of Use - Existing	3202-02	4 January 2023

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

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

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

3. All external facing materials of the development hereby permitted shall match in colour, form and texture to those on the existing building 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: In the interests of the visual amenity of the area in general and the existing building in particular.*

#### **RELEVANT HISTORY OF THE SITE**

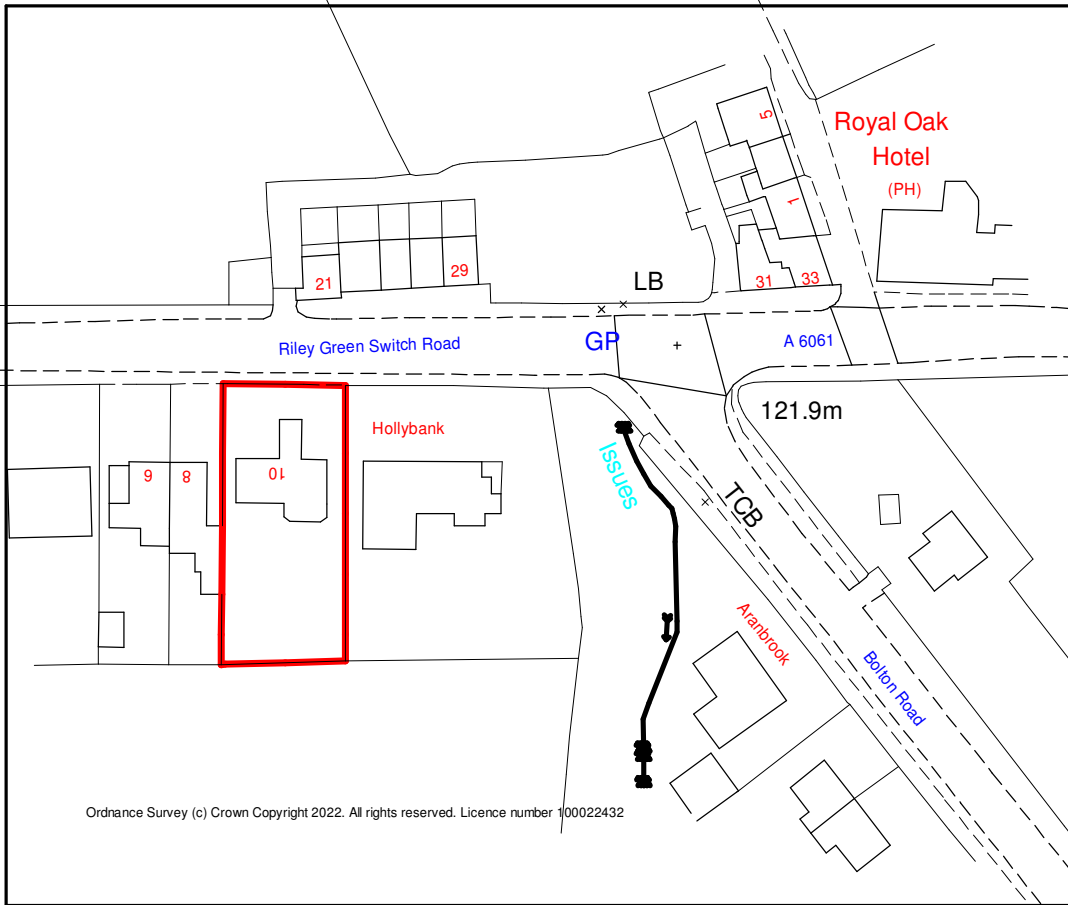
**Ref:** 87/00169/FUL      **Decision:** PERFPP      **Decision Date:** 12 May 1987  
**Description:** Conversion into one detached dwelling extension to form entrance hall and erection of detached double garage

**Ref:** 89/00443/FUL      **Decision:** PERFPP      **Decision Date:** 5 September 1989  
**Description:** Redevelopment to form shop with offices above

**Ref:** 93/00395/FUL      **Decision:** PERFPP      **Decision Date:** 22 July 1993  
**Description:** Traditional construction rebuild of Parkinson Frame house with alterations and extension

**Ref:** 02/00731/FUL      **Decision:** PERFPP      **Decision Date:** 5 September 2002  
**Description:** Erection of conservatory to rear

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## Location Plan

1:1250 scale at A4

10 Riley Green Switch Road,  
Riley Green, Hoghton, Preston,  
PR5 0SL

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**APPLICATION REPORT – 22/00912/REM**

**Validation Date: 24 August 2022**

**Ward: Chorley North East**

**Type of Application: Reserved Matters**

**Proposal: Reserved matters application for 6no. dwellings, detailing appearance, landscaping, layout and scale, pursuant to outline planning permission ref: 18/00367/OUTMAJ (Outline planning application for the means of access for up to 10no. residential dwellings, following the demolition of the existing dwelling and garage. All other matters reserved).**

**Location: Lucas Green Lucas Lane Whittle-Le-Woods Chorley PR6 7DA**

**Case Officer: Mike Halsall**

**Applicant: Mr Dave Fellows**

**Agent: Mr Louis Webb De Pol Associates Ltd**

**Consultation expiry: 25 December 2022**

**Decision due by: 10 March 2023 (Extension of time agreed)**

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**RECOMMENDATION**

1. It is recommended that reserved matters consent is granted subject to conditions.

**SITE DESCRIPTION**

2. The application site previously contained a single domestic dwellinghouse and garden, accessed off Lucas Lane, but has since been demolished. The site is situated within the settlement of Whittle-le-Woods, with the surrounding area being predominantly residential and identified for housing growth under policy 1 of the Central Lancashire Core Strategy.
3. Outline planning permission was granted in 2018 to demolish the existing dwelling and garage and to erect up to 10no. dwellings, with all matters except for access reserved. Access was approved from Lucas Lane at the southern end of the application site.
4. There is a separate application for planning permission, yet to be determined by the Local Planning Authority, relating to this site and additional land to the north east and south west for the demolition of the existing dwellinghouse and the erection of 9no. detached houses with double garages, including provision of passing places and additional lighting columns to Lucas Lane East, ref. 21/00900/FUL.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

5. The application seeks reserved matters consent for the details associated with the above referenced outline planning permission, namely appearance, layout, scale, and landscaping. Whilst the outline planning permission is for up to 10no. dwellings, the reserved matters proposal is for the erection of 6no. detached dwellings, two of which would have integrated garages and four with detached garages.

**REPRESENTATIONS**

6. No representations have been received.

**CONSULTATIONS**

7. Greater Manchester Ecology Unit: Initially responded to request that the biodiversity enhancement measures identified in the ecological surveys at outline stage (bat boxes) be incorporated in the submitted landscaping plans. Following receipt of revised plans, GMEU responded with no objection to the proposal and requested the boxes be required to be installed as part of the proposal.
8. Lancashire County Council Highway Services (LCC Highway Services): Initially responded with no objection to the proposal but requested that the applicant consider making some changes to the proposal should the applicant wish the roads to be adopted by LCC. LCC Highway Services also recommended conditions be attached with regards to future management and maintenance of streets and for garages to be retained as such and not converted to living accommodation. The plans were subsequently amended to the satisfaction of LCC Highway Services.
9. Whittle-le-Woods Parish Council: Have responded with a conditional objection to the proposal to raise concerns regarding surface water drainage, stating there are already issues with the amount of surface water being drained into Lucas Lane from the developments around this area. They also note that there may be a need to provide passing points on Lucas Lane, which will in effect widen the Lane, the Lane is a green Lane and is very popular with walkers. It is also noted that the nearby Sycamore Manor development will include a footpath opening onto Lucas Lane further adding to the footfall on this Lane.
10. Council's Tree Officer: Have stated that it is proposed to remove nine trees and two groups of trees, some of which are good quality and provide a moderate level of visual amenity. They have requested adherence to tree protection measures outlined in BS5837:2012 is ensured during construction work and note that landscaping of gardens may impact on tree health.
11. Lead Local Flood Authority: Have responded with no comments as the proposal is not a major development.
12. United Utilities: No comments have been received.

**PLANNING CONSIDERATIONS**Principle of the development

13. The acceptability of the principle of the development has been established by the grant of outline planning permission for development on the site.

Impact on character and appearance of locality

14. The National Planning Policy Framework (the Framework) attaches considerable importance on achieving good design and a high-quality built environment. It states that planning policies and decisions should respond to local character and history and seek to reinforce local distinctiveness. The importance of high-quality design is reflected in the Central Lancashire Core Strategy (policy 17) and the Chorley Local Plan (policy BNE1). It is considered that detached dwellings of the design proposed on this plot would be appropriate to the character of the area.
15. A wide range of dwelling types and design styles exist in the area. The proposed detached dwellings are of a modern design and appearance with some interesting features. The materials palette consists of mainly brick elevations, slate/tile roofs with stone windowsills

and heads. The final choice of materials would be agreed though a suitably worded planning condition.

16. With regard to the density of the development, the application proposes a low-density development of 6no. relatively large detached dwellings. It is considered that the proposed density is not significantly different to other development in the area, particularly the Redrow housing development to the north and the one currently under construction to the east of the site, and is not considered to render the scheme unacceptable.
17. It is considered that the 6no. detached properties in this location would assimilate with the built form of the area. The proposal is considered to be acceptable in terms of character and appearance and complies with policy BNE1 of the Chorley Local Plan 2012 – 2026 in this regard.

#### Neighbour amenity

18. Policy BNE1 of the Chorley Local Plan 2012 - 2026 states that new development must not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact.
19. It is noted there has been no neighbour objections to the proposal and all separation distances between existing and proposed dwellings meets the Council's minimum interface distances. There would, therefore, be no unacceptable impact on light, outlook or privacy for the occupiers of surrounding dwellings as a result of the proposal.
20. The proposed dwellings have been designed in such a way to be compatible with each other without creating an amenity impact of adjacent plots. There would be an adequate degree of screening around the plots.
21. In light of the above, it is considered that the proposal would be acceptable in terms of amenity impacts and accords with policy BNE1 of the Chorley Local Plan 2012 – 2026 in this regard.

#### Highway safety

22. The proposed site access from Lucas Lane has already been determined to be acceptable by the approval of the outline planning application which sought detailed consent for access. This included:
  - the access onto Lucas Lane being widened to provide a visibility splay to the east;
  - the provision of a 2-metre footpath to the west, connecting to the Public Right of Way (FP44);
  - 3no. passing places within the adopted highway of Lucas Lane which would increase the width of the single carriageway to 5.5 metres at various points; and
  - in order to prevent parking within the passing places and to inform motorists of their existence, a scheme of signage will be secured along with street lighting to improve safety.
23. Full off-site highway works as detailed above have been conditioned as part of the outline consent and would be subject to a s278 agreement with Lancashire County Council as the Highway Authority.
24. Adequate parking spaces are proposed to serve the development by way of garages and driveway space. This would ensure that the proposal complies with the Council's parking standard set out at policy ST4 of the Chorley Local Plan 2012 - 2026.
25. It is considered that the surrounding highway network could accommodate the uplift in traffic associated with the delivery of the dwellings and that the residual cumulative impacts on the road network would not be severe. It is also noted that LCC Highway Services have no objection to the proposed development subject to the imposition of conditions. The

internal street arrangement has been revised by the applicant to meet the requirements of LCC Highway Services, including widening the carriageway, and is considered to be acceptable.

#### Ecology and trees

26. Policy BNE9 (Biodiversity and Nature Conservation) of the Chorley Local Plan 2012 – 2026 stipulates that Biodiversity and Ecological Network resources will be protected, conserved, restored and enhanced; and that priority will be given to, among other things, protecting, safeguarding and enhancing habitats for European, nationally and locally important species.
27. The Greater Manchester Ecological Unit are satisfied with the proposed landscaping details, the implementation of which will be secured by planning condition. Whilst some existing trees would be lost as part of the proposal, the landscaping scheme identifies that adequate compensatory tree planting would be provided. The proposal is considered to comply with policy BNE9 of the Chorley Local Plan and is acceptable in terms of impacts upon ecology and trees.

#### Flood risk and drainage

28. Whittle-le-Woods Parish Council's conditional objection to the application partially in relation to flood risk is noted. Conditions nos.8 and 9 of the outline planning permission for this site read as follows:

*8. Prior to the commencement of the development hereby approved, a surface water drainage scheme shall be submitted to, and approved in writing, by the Local Planning Authority. The scheme shall include the following details:*

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change - see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;*
- b) The drainage scheme shall demonstrate that the surface water run-off must not exceed the existing greenfield rate.*
- c) Flood water exceedance routes, both on and off site;*
- d) Site investigation and test results to confirm infiltrations rates;*
- e) Details of water quality controls*

*The approved scheme shall be implemented in accordance with the approved details before the development is completed and subsequently maintained thereafter.*

*Reason: To ensure satisfactory surface water drainage and to manage the risk of flooding and pollution.*

*9. No development (including site works) shall commence until details of how surface water and pollution prevention will be managed during the construction phase, have been submitted to and approved in writing by the Local Planning Authority. Any construction and site works shall be carried out in accordance with the approved details.*

*Reason: To manage the risk of flooding and pollution during the construction phase.*

29. In light of the above, there is no need to consider the merits of the drainage aspects of the proposed development in any further detail as part of this application as they are adequately controlled by the above conditions. There is an application currently under consideration with the Local Planning Authority for the discharge of the above conditions upon which the Lead Local Flood Authority and United Utilities have been consulted.



Community Infrastructure Levy

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

**CONCLUSION**

31. The submitted details of reserved matters are considered to be acceptable and the application is recommended for approval.

**RELEVANT HISTORY OF THE SITE**

**Ref:** 18/00367/OUTMAJ      **Decision:** PEROPP      **Decision Date:** 26 September 2019  
**Description:** Outline planning application for the means of access for up to 10no. residential dwellings, following the demolition of the existing dwelling and garage. All other matters reserved.

**Ref:** 21/00900/FUL      **Decision:** PCO      **Decision Date:** Pending  
**Description:** Demolition of the existing dwellinghouse and the erection of 9no. detached houses with double garages, including provision of passing places and additional lighting columns to Lucas Lane East

**Ref:** 21/01152/TPO      **Decision:** PERTRE      **Decision Date:** 15 November 2021  
**Description:** Application for works to a protected tree - Chorley BC TPO 7 (Whittle-le-Woods) 1995: T32 Oak - 50% reduction of 1no. limb encroaching onto the garden of 6 Harvest Drive

**Ref:** 22/00913/DIS      **Decision:** PCO      **Decision Date:** Pending  
**Description:** Application to discharge conditions no.5 (dwelling emission rate), no.8 (surface water drainage scheme) and no.9 (surface water and pollution prevention) of outline planning permission 18/00367/OUTMAJ (Outline planning application for the means of access for up to 10no. residential dwellings, following the demolition of the existing dwelling and garage. All other matters reserved).

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

Suggested conditions

1. The proposed development must be begun not later than two 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
Location Plan	19/106/L03	23 August 2022
Proposed Site Plan	19/106/P10 Rev C	3 November 2022
Landscape Proposals	6349.02 Rev C	3 November 2022

Tree Protection Plan	6345.05	23 August 2022
External Works Details -1.8m High Concrete Post & Panel Timber Party Fence	19/106/EW02	23 August 2022
External Works Details -1.8m High Featheredged Boarded Timber Fence	19/106/EW01	3 November 2022
House Type 4H2432 - Proposed Plans & Elevations	19/106/P04	23 August 2022
House Type 5H2381 - Proposed Plans & Elevations	19/106/P03	23 August 2022
House Type 5H2443 - Proposed Plans & Elevations	19/106/P02	23 August 2022
House Type 6H2380 - Proposed Plans & Elevations	19/106/P05	23 August 2022
House Type 6H3114 - Proposed Plans & Elevations	19/106/P06	23 August 2022
Proposed Street Scenes	19/106/P08 Rev A	23 August 2022
Proposed Double Garage	19-106-GD01	23 August 2022

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

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

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

4. The development shall be carried out in accordance with the approved Dwelling Emission Rates, as submitted on 23 August 2022.

*Reason: In accordance with planning condition no.5 of the outline consent.*

5. The development shall be carried out in strict accordance with the approved Tree Protection Plan ref. 6349.05 and BS 5837 (2012).

*Reason: To ensure retained trees are protected during site work.*

6. All planting, seeding or turfing and bat boxes comprised in the approved details of landscaping ('Landscape Proposals' plan ref. 6349.02 Rev C and the Landscape Management Plan ref. JW/6349/LMP rev A) shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the earlier, 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. The proposal shall be carried out in full accordance with the approved details.

*Reason: In the interest of the appearance of the locality.*

7. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.

*Reason: To ensure the ongoing management and maintenance of streets.*

8. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) Order 1995 and the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008, or any subsequent Orders or statutory provision re-

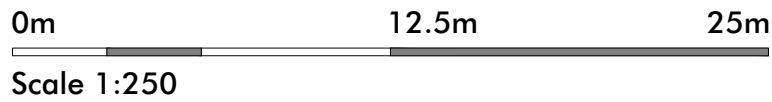
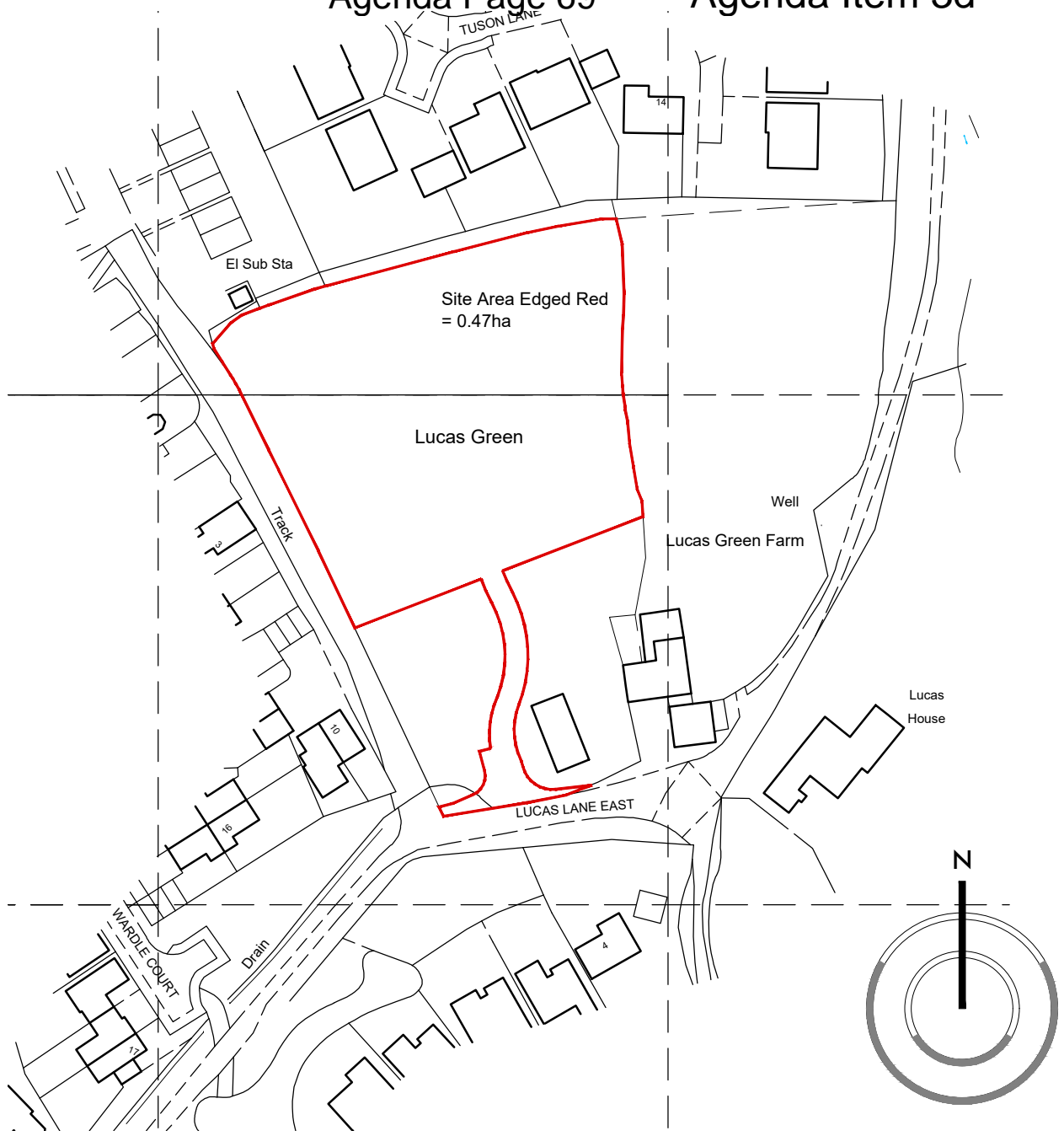
enacting the provisions of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority.

*Reason: To allow for the effective use of the parking areas.*

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

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

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Revision Notes:

CLIENT	Fellows Homes Ltd.				
PROJECT	Proposed Residential Development at Lucas Green, Lucas Lane East, Whittle-le-Woods, Chorley, PR6 7DA.				
DRAWING	Location Plan.				
DRAWN	JRM	DATE	14:06:2022	NUMBER	19/106/L03
SCALE	1:1250	SHEET	A4	REVISION	-

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**APPLICATION REPORT – 22/01230/FULMAJ**

**Validation Date: 29 November 2022**

**Ward: Euxton**

**Type of Application: Major Full Planning**

**Proposal: Construction of 3G synthetic grass pitch in place of existing grass pitch with fencing, erection of extension to pavilion and highway junction improvements**

**Location: Euxton Villa Football Club Jim Fowler Memorial Playing Fields Runshaw Hall Lane Euxton Chorley PR7 6HQ**

**Case Officer: Mr Iain Crossland**

**Applicant: Mr Graham Keyte Euxton Villa Football Club**

**Agent: Mr Steve Wells Steve Wells Associates Ltd**

**Consultation expiry: 23 December 2022**

**Decision due by: 28 February 2023**

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**RECOMMENDATION**

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

**SITE DESCRIPTION**

2. The application site is located in the Green Belt a rural part of Euxton. The site is a football club complex comprising a railed first team adult pitch with club house and changing facilities, training pitches and a loose surfaced car parking area. The first team pitch is located to the west side of the site and benefits from floodlighting, spectator stands, fencing and other paraphernalia. The training pitches are to the east of the site and are more open.
3. The site is enclosed by fencing to the perimeter and is surrounded by agricultural land to the north, east and south, whilst there is a residential development at Runshaw Hall, which lies to the west on the opposite side of Runshaw Hall Lane. There is also a fishing pond and equestrian centre to the south west.
4. The character of the area is of rural agricultural nature, interspersed with other uses. A feature of the immediate area is the mature trees that enclose the site to the south and west and run alongside Runshaw Hall Lane.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

5. This application seeks planning permission for the construction of a 3G synthetic grass pitch in place of existing first team grass pitch with new fencing to the periphery. The existing dug outs would be replaced and an existing spectator stand moved slightly, whilst a steel storage container would also be installed at the northern end of the football pitch. It is also proposed to erect an extension to the pavilion and to carry out highway junction improvements to the existing site access, whilst 9no. 7m high lighting columns would be added to the car park.

**REPRESENTATIONS**

6. No representations have been received.

**CONSULTATIONS**

7. Euxton Parish Council: No comments have been received.
8. Greater Manchester Ecology Unit: Have no objections subject to conditions.
9. Lancashire County Council Highway Services: Have no objections subject to conditions.
10. Sport England: Have raised no objection to this application which is considered to meet Exceptions 2 and 5 of their adopted Playing Fields Policy and Guidance, subject to a condition relating to the submission of further details of the design of the 3G Football Turf Pitch (FTP).
11. United Utilities: Have no objection subject to condition.
12. Lead Local Flood Authority: Have no objection subject to conditions.

**PLANNING CONSIDERATIONS**Principle of the development

13. The National Planning Policy Framework (the Framework) states that applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay.
14. Of particular relevance to the proposed development Paragraph 98 of Framework states “Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities[...].”
15. The site is located in the Green Belt at Euxton, and is previously developed land, being an existing football club facility. National guidance on Green Belt is contained in Chapter 13 of the Framework, which states:

*137. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*

*138. Green Belt serves five purposes:*

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

*147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*

*148. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.*

*149. A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:*



- a) *buildings for agriculture and forestry;*
- b) *the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) *limited infilling in villages;*
- f) *limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*

*– not have a greater impact on the openness of the Green Belt than the existing development; or*

*– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

*150. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*

- a) *mineral extraction;*
- b) *engineering operations;*
- c) *local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
- d) *the re-use of buildings provided that the buildings are of permanent and substantial construction;*
- e) *material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
- f) *development brought forward under a Community Right to Build Order or Neighbourhood Development Order.”*

16. In considering first the proposed structures, the proposed extension to the pavilion facility has the potential to engage with paragraph 149.c), which allows for the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The proposed extension is modest in scale and would be significantly less than a 50% increase in the volume of the original building. As such it is not considered to be a disproportionate addition.
17. The proposed fences, lighting and storage container have the potential to engage with paragraph 149.b) of the Framework, as they would support the operation of a well established football club that has used the site since the late 1980s and therefore fall to be considered as facilities for outdoor sport and recreation. However, paragraph 149.b) states that such facilities are not inappropriate only where they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
18. The existing dug outs would be replaced and an existing spectator stand moved. The impact on openness would be neutral as no additional volume would result, whilst the positioning would remain similar and within the developed area. It is noted that the proposed timber fence to the west side of the ground would replace a steel fence of similar positioning and scale, therefore the visual impact on openness would be similar to the existing situation. The internal fences would be well screened from views by the boundary fencing and would be viewed in the context of the buildings and structures on the site at present. The ball stop fence to the southern end of the pitch would be approximately 4.5m high and would therefore be more visible, however the use of a green weld mesh fence would provide a high degree of intervisibility resulting in an unobtrusive feature. The storage container would be

situated to the north end of the pitch and would be screened from view by the boundary fence and surrounding structures. As such there would be a limited visual impact on openness. There would be some spatial impact, however, from the volume provided by the container and therefore a degree of harm to openness. As such this element of the development would not comply with any of the exceptions to inappropriate development.

19. The proposed lighting columns would be installed around the car park. There would be 9no. lighting columns in total, which are essentially tubular steel monopoles at a height of 7m. Views towards the site from public areas are from the highway at Runshaw Hall Lane and are well filtered to by the existing boundary hedges and trees. The slender profile of the monopoles is such that their visual prominence in the landscape would be limited, particularly in the context of the backdrop of surrounding trees. The floodlight columns would not have any impact on openness as a result, and therefore meet with the exception set out at paragraph 149.b) of the Framework
20. As it has been established, that there would be inappropriate development in the Green Belt, which results in definitional harm to the Green Belt, any other harm caused by the development must also be considered and added to the definitional harm.
21. The proposed construction of a 3G synthetic grass pitch and improvements to the access and car parking area could both be considered as engineering operations in line with paragraph 150, whilst the 3G synthetic grass pitch could be considered against the provisions of paragraph 149.b) as it is a facility for outdoor sport. In either case an assessment must be carried out in consideration of the impact on the openness of the Green Belt and the purposes of including land within it.
22. It is important to note that the Framework contains no specific definition of 'openness'. It is noted that the 3G pitch, access and car park are low lying surface structures, and in this respect would not have a physical impact on openness due to their two dimensional nature. Vehicles passing between the site and highway would be similar to the present situation with car passing back and forth and parking within the car park. As such there would be no appreciable impact on openness over and above the present situation through these elements of the proposal.
23. Considering the impact of the overall development against each of the five purposes in turn:
 

*Purpose 1 (to check the unrestricted sprawl of large built-up areas)*

  24. The application site is located in a rural area isolated from the nearby developed areas. It is not considered the application proposal represents unrestricted urban sprawl of a large built-up area.

*Purpose 2 (to prevent neighbouring towns merging into one another)*

  25. The development of the site would not result in neighbouring towns merging into one another.

*Purpose 3 (to assist in safeguarding the countryside from encroachment)*

  26. The development would be contained within the football club complex and would not extend or encroach onto other land outside of the established site boundary.

*Purpose 4 (preserve the setting and special character of historic towns)*

  27. The site is not located within or near to a historic town, and the proposed building would not be located within the setting of any listed buildings.

*Purpose 5 (to assist in urban regeneration by encouraging the recycling of derelict and other urban land)*

  28. This purpose does not apply as the site is already in use as a football club complex.
29. On the basis of the above it is considered that there is no other harm to the Green Belt.

30. As the proposed development would result in definitional harm to the Green Belt there would have to be very special circumstances to justify the grant of planning permission that would outweigh this harm. It is, however, noted that only a small element of the overall proposal falls to be considered inappropriate development, this being the storage container and 4.5m high fencing.
31. The Central Lancashire Core Strategy contains policy 24, which covers sport and recreation and seeks to ensure that everyone has the opportunity to access good sport, physical activity and recreation facilities (including children's play) by (b) Protecting existing sport and recreation facilities.
32. Policy HW1 of the Chorley Local Plan 2012 – 2026 relates to open space, sport and recreational facilities. This sets out that ancillary development for an existing open space, sport or recreational facility will be permitted if all of the following criteria are met, which are addressed in turn:
- i. It is in connection with and will enhance the recreational and/or amenity value of the open space.*
33. The proposed development would extend the use of the main first team pitch to provide a facility on all but the most inclement of weathers, meaning other age groups can make use of the pitch other than the adult teams. New fencing would better secure the facility and prevent ball loss, whilst alterations to access and the pavilion would improve access to the site and facilities.
- ii. It is of a size and scale which does not detract from the character of the open space.*
34. The proposed development would be contained within the existing site and when viewed from public vantage points would have little impact over and above the present situation. The 4.5m high ball stop fence would be the most visible feature, however, the use of a green powered coated weld mesh material would help this feature to blend into the tree line, whilst the lighting columns would be slender profile that would have limited visibility. Furthermore it would not be an unexpected feature in the context of the football grounds.
- iii. It will not have a detrimental effect on any site of nature conservation value.*
35. There would be no adverse impact on nature conservation value subject to the provision of a construction environmental management plan and a scheme for Biodiversity Enhancement Measures, further details of which would be secured by condition.
- iv. It does not result in the loss of any other sporting facility on the site*
36. No sporting facilities would be lost as a result of the proposal, although it is noted that the grass playing field would be replaced by an artificial grass pitch. Sport England have considered the impact of the proposal and consider that it constitutes the development of an outdoor sports facility where the benefits to sport outweigh the loss of playing field. As a result they raise no objection.
37. The proposed development is considered to comply with policy 24 of the Core Strategy and HW1 of the Chorley Local Plan 2012 – 2026.

#### Impact on designated heritage assets

38. The application site comprises an existing football club complex located to the east of Runshaw Hall Lane and south of Leyland. To the west of the site on the opposite side of the highway is Runshaw Hall, which is a grade II listed building.
39. The principle statutory duty under the P(LBCA) Act 1990 is to preserve the special character of heritage assets, which includes their setting. Local Planning Authorities (LPAs) should in coming to decisions consider the principle act which states the following;
40. Listed Buildings - Section 66(1) in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

41. In determining planning applications LPAs should take account of;
  - a. The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b. The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - c. The desirability of new development making a positive contribution to local character and distinctiveness.
42. P.193 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance.
43. P.194 states that any harm or loss of significance to a designated heritage asset (from alteration or destruction or from development within its setting) should require clear and convincing justification.
44. P.196 states that where a development will lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal.
45. The Central Lancashire Core Strategy policy 16 and Chorley Local Plan 2012-2026 policy BNE8 reflect this approach and support the protection of designated heritage assets.
46. The application relates to the construction of a 3G synthetic grass pitch in place of an existing grass pitch with fencing, erection of extension to pavilion and highway junction improvements.
47. The key heritage issue for the LPA to consider, in relation to proposed development is the impact of the proposal on the significance of the setting to the nearby designated heritage assets.
48. Historic England's advice on setting issues is contained in its Planning Note 3 (second edition) entitled The Setting of Heritage Assets. This describes the setting as being the surroundings in which a heritage asset is experienced and explains that this may be more extensive than its immediate curtilage and need not be confined to areas which have public access. Whilst setting is often expressed by reference to visual considerations it is also influenced by the historic relationships between buildings and places and how views allow the significance of the asset to be appreciated.
49. It is important to stress that the setting to a heritage asset is not a designation in its own right. Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate the assets significance.
50. In relation to Runshaw Hall the site is separated by a substantial woodland belt, which runs either side of the highway along Runshaw Hall Lane, which divides the application site from the grounds associated with Runshaw Hall.
51. The application site lies to the east of Runshaw Hall Lane and is most visible on approaching the site from the north heading southwards along Runshaw Hall Lane. The pitch, fences, extension and storage containers would be low level structures of modest scale, whilst the 4.5m high ball stop fence and car park lighting columns would be largely obscured and heavily filtered by the surrounding trees and vegetation. Even during winter, with the absence of leaves on the trees, the extent of the woodland provides dense cover between the site and Runshaw Hall effectively dividing the two and preventing intervisibility.
52. Runshaw Hall lies within fairly extensive grounds that are distinctly separate from the land to the east of the highway that incorporates the application site. The application site does not

therefore appear to have any historic relevance nor adds any significance to the qualities of the setting of Runshaw Hall. In this respect it is not considered that the proposal would affect how the Hall, would be experienced. The proposal is not therefore considered to harm the contribution made by the setting to the significance of this heritage asset.

53. Whilst the proposed structures would be glimpsed at through the trees when walking along Runshaw Hall Lane, and to a lesser extent from the driveway to the Hall, these views would be heavily filtered and would not detract from the significance of the Hall. It is also noted that the setting of the Hall has been altered significantly over time through the addition of new build housing units and the alteration of the access drive from the main highway. It is therefore concluded that the proposal would cause no discernible harm on the setting to the Historic Park and Garden.
54. The Framework at paragraph 193 states that great weight should be given to the conservation of heritage assets. The more important the asset the greater weight should be applied.
55. It is concluded that the proposed development by reason of the fact that the application site is clearly visibly divorced from Runshaw Hall and has no associated historic significance would not cause any identifiable harm to the significance provided by the setting to Runshaw Hall.
56. In this regard the proposed scheme would meet the duty to 'preserve' as laid down by s.66 of the P(LBCA) Act 1990 and meet the objectives of Chapter 16 of the Framework and Policy 16 of the Lancashire Core Strategy and Policy BNE8 of the Local Plan.

#### Impact on character and appearance of the locality

57. The application site is a well established football club facility located in a rural area to the south of Leyland. The site is enclosed by mesh fencing and hedges, whilst there is also a steel fence to the west side of the main football pitch. The site is located to the east of Runshaw Lane, which is characterised by mature trees and woodland. Beyond the site is open agricultural land, and a small woodland and fishing lodge. The nearest public vantage points are the highway to the west and public a right of way to the north. The site is largely enclosed by mature trees and hedges, which obscures views from the highway, although views of the eastern part of the site are somewhat clearer from the public right of way.
58. The proposed replacement artificial grass pitch, fencing, pavilion extension, lighting and other structures would be located to the western part of the site, where tree cover is most dense and mature. The pitch, fences, extension and storage containers would be low level and of modest scale, whilst the lighting columns would be slender monopoles. Views of these would be heavily filtered due to the presence of trees. The steel boundary fence to the west side would be replaced with a timber panel fence. This would improve the appearance of the site and provide a more natural finish than the present fence, which has a rather industrial character. Notwithstanding this the proposed structures would be of an appearance to be expected at a sports facility of this type and are appropriate in this context.
59. The 4.5m high ball stop fence would be positioned at the southern end of the main football pitch and would be the most visible feature, however, the use of a green powder coated weld mesh material would help this feature to blend into the tree line. The lighting columns would be within the existing car park area and would have a slender profile that would have limited visibility, and viewed in the context of other lighting columns on the site. Furthermore, it would not be an unexpected feature in the context of the football grounds.
60. The development would have the greatest visual impact when the lighting is in operation. When in use sky glow would be visible from the public vantage points. This would, however, be seen in the context of existing floodlighting at the ground and would be contained to some extent due to the presence of surrounding mature trees. In addition to this the impact of any sky glow would be limited to the hours of operation, which would reflect the football season and match times therefore such an impact would be sporadic.

61. On this basis, it is considered that the proposed development would not have an unacceptably detrimental impact on the character of the locality.

#### Impact on neighbour amenity

62. The application site is located over 80m to the east of the nearest dwellings at Runshaw Hall and The Stables, whilst other properties are a good deal further away. It is noted that there are intervening mature trees and vegetation between the application site and the nearby dwellings. These would filter views of the site and the light that is generated by the floodlights themselves.
63. The proposed artificial pitch, which would benefit from existing floodlighting, would be used more extensively than at present. The site itself is already in use for playing fields with floodlighting and therefore already has some impact through noise and disturbance on nearby properties. It is recognised that the intensity of the use would increase as a result of the introduction of an artificial pitch that can be used more extensively. It is noted, however, that the artificial pitch facility itself would be located some distance from the nearest dwellings and is not therefore considered to present a harmful impact through noise and disturbance.
64. The proposed pavilion extension, fences, structures and storage container would be positioned a significant distance from the nearest dwelling and are of such modest scale that there would be no impact on any residential occupiers from these features.
65. On the basis of the above it is not considered that there would be any adverse impact on the amenity of residential occupiers.

#### Ecology

66. The application includes a Preliminary Ecological Appraisal (PEA). This has been reviewed by the Council's ecology advisors, the Greater Manchester Ecology Unit. The PEA found that the site had some ecological value, mostly associated with habitats along the boundaries and adjacent to the site.
67. There are a number of ponds adjacent to the site, with the access road running very close to the ponds to the north of the site. The PEA states that the scheme will enter the District Level Licensing (DLL) scheme. The applicant has submitted a signed certificate indicating that they will enter the development scheme into DLL. As this is a form of licensing it is recommended that a condition be attached to any grant of planning permission requiring details of the licence that is issued or a statement in writing from the relevant licensing body or LPA to the effect that it does not consider that the specified development will require a licence.
68. Notwithstanding the above, should the application go ahead measures would need to be put into place to prevent amphibians being harmed during the constructions works. The PEA recommends that reasonable avoidance measures are used and it is therefore recommended that these measures be included within a Construction Environmental Management Plan (CEMP) for Biodiversity that is secured by a condition attached to any grant of planning permission.
69. The proposals involve the loss of trees and scrub that may be used by nesting birds. As all wild birds, their nest and eggs are protected under the Wildlife and Countryside Act 1981 (as amended) any removal/clearance should avoid the main bird breeding season. This requirement should be incorporated into the CEMP.
70. A landscaping and biodiversity enhancement scheme for the site would be expected to include measures to enhance biodiversity at the site and to provide a net gain for biodiversity, in line with the requirements of the Framework. While the PEA makes reference to the erection of bat and bird boxes, these do not appear to be shown any submitted plan. It is therefore recommended that a condition be attached to any grant of planning permission requiring a scheme for the Biodiversity Enhancement Measures.

Highway safety

71. The proposed development seeks to utilise an existing site access (with proposed improvements) for the existing grass football pitches located on Runshaw Hall Lane. Runshaw Hall Lane has a speed limit of 40 mph and is part of the adopted highway, with a fenced highway verge south of the existing site access.
72. There is an existing pedestrian footway on the western side of Runshaw Hall Lane, which appears to be less than the recommended 2 metre width for pedestrian footways, however, it may be that the existing vegetation has overgrown the adopted highway. No pedestrian access is currently available at the existing site access.
73. There are existing bus stops within the vicinity of the existing site access, one on the western side of Runshaw Hall Lane (with a flag post bus sign) and another marked on LCC's internal mapping system "Mapzone" as being in the verge south of the existing access (without a bus sign). These bus stops are currently serving a school bus service (No. 409) and as such would not be available to use by users of the proposal.
74. The existing junction visibility splays are below the minimum required for a speed limit of 40 mph. The collision history within the vicinity of the site access was analysed using Crashmap and LCC's internal mapping system "Mapzone". Two collisions were recorded south of the existing south access, both resulting in slight injuries. It is LCC Highway Services' opinion that due to the current access having substandard visibility splays any intensification without improvements would be objected to.
75. The existing football pitches have car parking provision, however, they are not formalised nor is there a clear path for pedestrians to safely navigate the car park. The site is not in a sustainable location in LCC Highway Services' opinion and as such is deemed to be mostly car based. There is an existing footway on the western side of Runshaw Hall Lane, which whilst not an attractive pedestrian route does allow for potential sustainable transport to the site.
76. Revised plans were received as part of the email correspondence on 13 January 2023, which addressed LCC Highway Services' concerns in their response dated 29 December 2022. From assessment of the proposed development, it is LCC Highway Services' opinion that the proposals would not fall within any specific class use as set out in Chorley's Local Plan. LCC Highway Services accepts the parking accumulation and trip figures submitted as part of the submitted Transport Statement.
77. The amended proposed site plan [DWG No: 205-088-1005 Rev: A] proposes a total of 107 marked parking bays (104 regular spaces, 3 disabled spaces). This is less than the total stated within the Transport Statement site capability of 150+ car parking spaces. The parking accumulation contained within the Transport Statement demonstrated that in typical conditions the 107 marked spaces would be more than sufficient. Therefore, LCC Highway Services can accept the proposed car parking.
78. The amended proposed site plan does not show how the proposed overflow car parking area would be accessed. It is requested that this is shown to satisfy LCC Highway Services that the area can be used. The proposed pedestrian access from the junction through the site is in LCC Highway Services' opinion acceptable.
79. It is recommended that the overflow parking area is made of appropriate materials so that vehicles can enter and exit the area regardless of the weather conditions. Were this area to directly connected to the adopted highway this would be conditioned, however, as it does not LCC Highway Services only recommends that this is done rather than requiring it.
80. The proposed improvements to the existing junction as shown on the amended plan "junction access feasibility" [DWG No: 22055-LE-ZZ-ZZ-DR-D-0001 Rev: P02] are in LCC Highway Services' opinion acceptable. As part of the improvements a new footway would be introduced south of the site access with a bus stop flag post sign. It is noted that the proposed visibility splays in the amended plan above are below the required visibility splays.

The visibility splays shown on the amended plan are an improvement on the existing site access and as such LCC Highway Services find the proposed visibility splays to be acceptable.

81. LCC Highway Services does not have any objections regarding the proposed construction of the 3G synthetic grass pitch in place of existing grass pitch with fencing, erection of extension to pavilion and highway junction improvements and are of the opinion that the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

#### Drainage

82. A site-specific flood risk assessment and surface water sustainable drainage strategy has been submitted in support of the proposed development. The document correctly identifies that the site is located wholly within zone 1 of the Environment Agency Flood map which is defined as land assessed as having a less than 1 in 1000 years annual probability of river or sea flooding in any one year. The site is at very low risk from surface water flooding and the risks would not alter as a result of the proposed development.
83. The sustainable drainage strategy philosophy for the site is the promotion of source control and site control techniques to reduce the risk of both site and downstream flooding. Excess surface water flow would be contained within the artificial grass pitch, which would provide sub surface water storage capacity. The surface water would then discharge into the existing drainage ditch to the west of the site at a restricted flow rate of 6.2 litres per second.
84. The Lead Local Flood Authority have reviewed the flood risk assessment and surface water sustainable drainage strategy and are satisfied with this approach subject to conditions requiring a drainage strategy, construction surface water management plan, sustainable drainage system operation and maintenance manual and a verification report to be provided.

#### Green Belt balancing exercise

85. It has been established that there is definitional harm to the Green Belt as a small element of the proposal, comprising the fencing and storage container would result in inappropriate development in the Green Belt.
86. Euxton Villa Football Club has been established at the site for over 30 years and has developed a successful local football club with extensive community links making provision for local children and adults across Chorley. The 2018 Central Lancashire Playing Pitch Strategy (PPS) confirms the need for need for five full size 3G Football Turf Pitches within Chorley, against a supply at the time of one pitch, therefore there is a shortfall of four full size 3G pitches. In responding to the application Sport England sought the views of the Football Foundation (FF), who act as Sport England's technical advisors for football. The Football Foundation confirmed that a pitch has since been FF funded and built at Westway Sports Hub, which opened in 2021, though a shortfall of at least three full size pitches remains. The FF have also confirmed that the application site is identified in the 2019 Chorley LFFP as being a priority project for potential FF investment to develop a new 3G FTP. Therefore, the strategic need for a 3G FTP facility in Chorley appears to be established.
87. The Design and Access Statement (DAS) includes evidence of the identified need and community use of the proposed FTP detailing how 'the purpose of this development is to provide first class, floodlit, secure, all weather opportunities for weekday training and weekend match-play for Euxton Villa FC, its women's, girls' and junior sections and other local amateur football clubs.' The proposed 3G FTP would replace an existing defined adult 11V11 football pitch area which has no other sports taking place or the capacity to accommodate other sports on the pitch area. Additional upgrades to the site including storage and ball stop fencing is a necessity of meeting the standards required by the Football Foundation.
88. In order to progress the standard of football and coaching and extend the capacity of the club to work with young people there is a need to upgrade the facilities of the football ground



in order to meet a higher FA standard, and this cannot be done anywhere else other than at the existing facility. There is clear involvement across a wide catchment of the community, who would benefit from improved facilities at the site and a subsequent increase in the capacity of the club to work with young players and to a higher standard. This would have significant benefits to the local community and is therefore considered to carry significant weight.

89. The visual harm of the proposed development upon the openness of the Green Belt is of limited magnitude given the scale of the proposed storage and fencing, and degree of enclosure presented by the surrounding woodland and structures. There is also some spatial harm to openness from the addition of the new container and, therefore, the development cannot be considered to preserve the openness of the Green Belt without any harm and must be considered inappropriate development in the Green Belt to which substantial weight must be attached. It is, however, considered that the matters set out above when taken together amount to the very special circumstances required to overcome the definitional harm to the Green Belt, which must be accorded substantial weight in line with the Framework.

## CONCLUSION

90. The principle of providing the artificial grass pitch, pavilion extension, access upgrade, lighting, replacement of dug outs, and repositioning of an existing spectator stand to support outdoor sport and recreation is an acceptable one as there would be no harm the openness of the Green Belt. The development is not considered to have any harmful impact on the significance of Runshaw Hall or landscape character and there is a suitable distance between the site and residential properties to ensure that living conditions would not suffer detrimental harm. Furthermore, no unacceptable ecological harm would arise.
91. The proposed storage container and fencing are inappropriate development in the Green Belt. The design and scale of these structures is appropriate, and would not be harmful to the character of the area. It is, however, considered that in this instance there are very special circumstances to overcome the definitional harm to the Green Belt. It is, therefore, recommended that the application be approved subject to conditions.

## RELEVANT HISTORY OF THE SITE

**Ref:** 85/00284/FUL      **Decision:** PERFPP      **Decision Date:** 5 November 1985

**Description:** Change of use of agricultural land to playing fields and with changing facilities (cabin or similar) land opposite

**Ref:** 02/00973/FUL      **Decision:** PERFPP      **Decision Date:** 19 November 2002

**Description:** Extension to changing rooms and formation of pitched roofs,

**Ref:** 03/00952/FUL      **Decision:** PERFPP      **Decision Date:** 21 November 2003

**Description:** Erection of new changing rooms/pavilion and demolition of existing

**Ref:** 06/00876/FUL      **Decision:** PERFPP      **Decision Date:** 21 November 2006

**Description:** Removal of condition no. 5 of planning approval 03/00952/FUL,

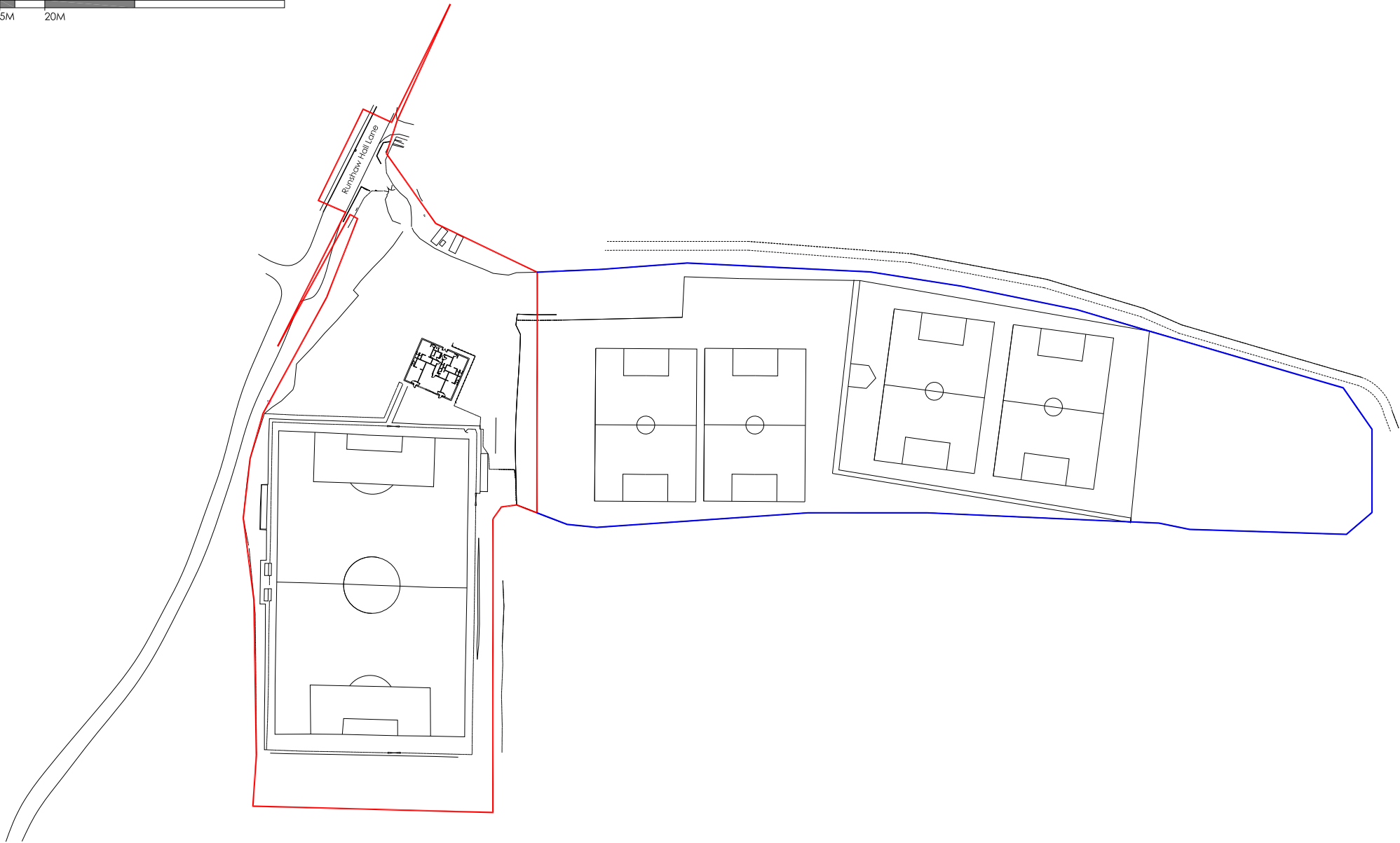
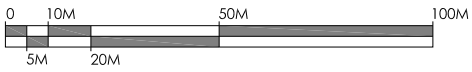
**Ref:** 20/01038/FUL      **Decision:** PERFPP      **Decision Date:** 9 April 2021

**Description:** Erection of 1no. covered terrace, 1no. covered terrace with disabled viewing area, 1no. covered seating area and installation of 14no. flood light columns

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

Suggested conditions

To follow.



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<b>Dwg. Purpose</b> Planning		

No.	Revision / Issue	Date

<small>Project</small> <b>Proposed AGP and Pavilion Extension</b> Euxton Villa Football Club Runshaw Hall Lane, Euxton Chorley, PR7 6HH
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<small>Client</small> Euxton Villa Football Club
<small>Dwg. Title</small> Site Location Plan


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<small>Dwg. No.</small> <b>205-088-1001</b>	<small>Rev.</small> 1
<small>Scale</small> <b>1:1250 @ A3</b>	<small>Date</small> <b>August 2021</b>
<small>Drawn by</small> GSB	<small>Checked</small> DKW

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**APPLICATION REPORT – 22/00864/FULMAJ**

**Validation Date: 7 September 2022**

**Ward: Chorley North West**

**Type of Application: Major Full Planning**

**Proposal: Extensions and refurbishment of existing residential care facility, including three storey extension to eastern elevation, two storey extension to southern elevation, single storey extension to northern elevation and canopy and access ramp to front entrance, landscaping, parking and associated infrastructure**

**Location: Highgrove House Highfield Road North Chorley PR7 1PH**

**Case Officer: Mrs Hannah Roper**

**Applicant: Unity Homes Limited**

**Agent: Mr Matthew Dixon Enabl**

**Consultation expiry: 6 October 2022**

**Decision due by: 7 December 2022**

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**RECOMMENDATION**

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

**SITE DESCRIPTION**

2. The application relates to Highgrove House, which is an existing care facility located on Highfield Road North in the core settlement area of Chorley. The property is a red brick building with white windows and grey roof tiles that is laid out with a footprint resembling a cross. It is predominantly two storey, with the exception being the front 'wing' that projects towards the access point on Highfield Road North, which is single storey. All elements have dual pitched roofs.
3. Directly to the north of the site is a car park serving Chorley Hospital and to the east is the boundary with Preston Road. To the south and to the west are the side boundaries of residential properties. The site is positioned at a lower level relative to Preston Road.
4. Car parking is currently located in the south west corner of the site to the front of the building with a service road parallel with the side elevation of no.14 Highfield Road North, separated by a small grassed landscaping strip that slopes towards the common boundary. With the exception of the car park area and service road, the area surrounding the building is predominantly grassed with a tree belt running along the northern boundary and a brick wall adjacent to Preston Road. A tree in the north east corner of the site is protected by a TPO.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

5. The application seeks planning permission for the extension of the building, including a three storey extension to the eastern elevation adjacent to Preston Road, a two storey extension to the southern elevation, a single storey extension to the northern elevation, a canopy and ramp to the front entrance and associated landscaping and car parking across the site.

## REPRESENTATIONS

6. Four letters have been received citing the following grounds of objection:
  - The proposal would be overbearing and detrimental on the property at no.55 Preston Road
  - The proposal extends well beyond the residential building line
  - Would obscure the view and be oppressive
  - The traffic report is inaccurate as there would be extra staff and ambulances
  - There has already been significant noise associated with the hospital development and this would make it worse
  - There is a lack of detail on the topography of the site and the raising of the land level to the boundary with no.14 Fairway where parking is proposed
  - There would be head lights, pollution and privacy if parking is allowed along this boundary
  - The proposal would devalue properties
  - There would be additional light pollution
  - They care home already has noise events and this would make it worse.

## CONSULTATIONS

7. CIL Officers – Comment that the proposal is CIL liable.
8. Lancashire County Council Highway Services – Have no objection subject to a condition relating to secure cycle storage.
9. United Utilities – Have no objection subject to the use of conditions and informative.
10. Greater Manchester Ecology Unit – Have no objection.
11. Council's Tree Officer – Have no objection subject to the production of a Tree Protection Plan and Arboricultural Method Statement.

## PLANNING CONSIDERATIONS

### The principle of the development

12. The application site is located within the core settlement area of Chorley and so policy V2 of the Chorley Local Plan 2012 - 2026 is applicable and provides a presumption in favour of appropriate sustainable development, subject to material planning considerations and the other policies and proposals within the Plan. Relevant such policies are addressed below.

### Design and impact on the streetscene

13. Policy BNE1 of the Chorley Local Plan 2012 -2026 states that planning permission will be granted for new development, provided that the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.
14. With regard to the proposed development, the main bulk of the scheme would be the three storey, flat roofed extension along the Preston Road elevation. The site is at a lower level than the pavement on this elevation and as such the proposal would appear reduced in height. This element of the proposal would be a red brick and glazed structure that fills almost all this elevation of the site. Whilst it would not necessarily be in direct keeping with the existing materials or design of the property, from this elevation it would screen the existing building. From Highfield Road North, this element of the extension would be located towards the rear of the site and would clearly be read as a modern addition. The surrounding streetscape is dominated by a busy road with no specific design characteristics and no set building line with buildings ranging from traditional residential properties to more modern flats and all of the built form associated with the neighbouring hospital.

15. From Highfield Road North, the proposed extensions would appear more in keeping with the scale of the existing building, albeit they are also more modern in nature. They would be set well within the site and only visible when directly adjacent to the road entrance due to the corner location of the site. The proposed entrance way improvements and landscaping would significantly improve the overall visual appearance of the site when viewed from Highfield Road North.
16. On this basis it is considered that the proposed extensions at the site are considered to be acceptable and would not be detrimental to the streetscene or the surrounding area and as such accord with policy BNE1 of the Chorley Local Plan in this regard.

#### Impact on residential amenity

17. Policy BNE1 of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development the proposal would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact; and that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses
18. To the north and east the site is not bounded by residential properties with the nearest dwellings being located on the opposite side of Preston Road and beyond the neighbouring car park.
19. To the west, the boundary of the site forms the side elevation of the property at no. 14 Fairway. This property is located at a lower level than the application site. It has a carport to the side elevation and c.2m high fencing along the side elevation of the property. Beyond the rear elevation of the property an outbuilding is located along the common boundary with lower fencing along the boundary.
20. In terms of the built form, this would not protrude closer to this boundary than the existing building and as such there would be no resultant impact with regard to overbearing impacts or loss of privacy. Concerns have, however, been raised regarding the levelling of the bank along the boundary and its use for additional parking, deliveries and the waste storage. The bank is already located adjacent to the parking area, with cars and their associated headlights and comings and goings. The proposed parking spaces would be located to the side elevation of the property where there is a carport and 2m high fencing along the boundary. The proposed delivery area is in an area already predominantly used for deliveries and both this and the waste storage area are adjacent to the side elevation of the neighbouring outbuilding. Therefore, whilst the car park is being brought closer to the boundary, given the orientation and outbuildings at the neighbouring property and the location of the existing car park it is not considered that there would be any detrimental impact as a result of the proposal on this property.
21. With regard to the relationship with the properties on the southern boundary, the proposed extension here would maintain the 5m distance to the boundary, running flush with the existing southern elevation. Windows proposed in the first floor would serve the corridor and a lounge and to maintain the privacy of the neighbouring properties a condition is recommended that these are obscurely glazed. The car park would also be extended adjacent to this boundary, however a distance of 2m would still be maintained. Given the separation distance, the boundary treatment and the slightly elevated nature of the neighbouring property it is not considered that this would result in any impact over and above the existing situation.
22. The three storey extension along the Preston Road elevation would bring the built form closer to the property at no.55 Preston Road. This dwelling has a habitable room window at first floor in the elevation closest to the boundary. During the course of the application the design of the development has been amended such that the three storey element has been reduced to only two storeys adjacent to this boundary to ensure that there is no detrimental or overbearing impact on this property. Due to the difference in levels this element of the

proposal would now not exceed the height of the garage at the neighbouring dwelling and would not extend more than 3m where it bisects a 45 degree line drawn from the neighbouring window. On this basis, the relationship is considered to be acceptable and it is considered that the proposal accords with the provisions of Policy BNE1 of the Chorley Local Plan with regard to amenity considerations.

#### Highway safety

23. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that new buildings and extensions to the buildings will be granted were the cumulative highways impact of the development is not severe and would not prejudice the highway safety, pedestrian safety and the free flow of traffic or reduce the number of on-site spaces to below highway standards.
24. The existing property has a large area of hardstanding to the frontage, which is currently used for car parking. It is proposed that this would remain with the existing grassed areas being removed to create additional parking and ambulance bays and additional servicing space.
25. Lancashire County Council Highway Services have been consulted on the proposal and have assessed the submitted transport statement. They have raised no objection and consider that the proposal meets the parking standards as set out in Policy ST4 of the Chorley Local Plan and Appendix A. Comment has also been made that they are satisfied that the development could also be accessed sustainably given the location of nearby bus stops. An informative requesting that construction and contractor parking is undertaken considerately, and a condition for a scheme for cycle parking is submitted have been requested and these are recommended. It is, therefore, considered that the proposal is in accordance with policy BNE1 of the Chorley Local Plan with regard to highway safety considerations.

#### Trees

26. Policy BNE10 of the Chorley Local Plan 2012 – 2026 states that proposals which would result in the loss of trees and/or involve inappropriate works to trees which contribute positively to the character of the landscape, a building, a settlement or the setting thereof will not be permitted. Replacement planting will be required where it is considered that the benefit of development outweighs the loss of some of the trees or hedgerows.
27. The proposal would result in the removal of a small group of mature/early mature trees in the north east corner of the site, including a protected sycamore tree. Due to their visual amenity along Preston Road the Council's arboricultural officer have requested that an appropriate tree protection plan and arboricultural method statement should be produced and approved should the development be approved. It is recommended that these be secured by condition.

#### Community Infrastructure Levy (CIL)

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

#### **CONCLUSION**

29. The proposed extensions to the existing care facility would not have unacceptable impact on the existing building or streetscape and amendments to the scheme have ensured that there would not be an unacceptable impact on neighbouring residential properties. Parking would be provided in accordance with adopted standards and tree protection and cycle parking can be secured via suitably worded conditions. On this basis it is considered that the proposed



development accords with the provisions of the Chorley Local Plan 2012-2026 and as such the proposal I recommended for conditional approval.

**RELEVANT HISTORY OF THE SITE**

**Ref:** 82/00569/OUT      **Decision:** PEROPP      **Decision Date:** 22 May 1984  
**Description:** Outline application for 6 detached houses

**Ref:** 84/00768/FUL      **Decision:** PERFPP      **Decision Date:** 2 April 1985  
**Description:** Erection of rest home for 36 persons on 0.68 acres of vacant

**Ref:** 85/00554/FUL      **Decision:** PERFPP      **Decision Date:** 19 September 1985  
**Description:** 6 detached houses

**Ref:** 89/00096/FUL      **Decision:** PERFPP      **Decision Date:** 11 April 1989  
**Description:** Extension to form wardens accommodation

**Ref:** 14/00938/FUL      **Decision:** PERFPP      **Decision Date:** 12 December 2014  
**Description:** Proposed two-storey extensions to the north, east and south elevations of the building and internal alterations to create a total of 55 larger bedrooms with en-suite facilities (the home currently has 43 bedrooms) and extended day facility, larger communal lounges and dining areas

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

Suggested conditions

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

Title	Plan Ref	Received On
Proposed Roof Plan	042_PLN_203 Rev B	2 January 2023
Proposed Site Plan	042_PLN_210 Rev B	2 January 2023
Proposed First Floor Plan	042_PLN_201 Rev B	2 January 2023
Proposed Second Floor Plan	042_PLN_202 Rev B	2 January 2023
Proposed Ground Floor Plan	042_PLN_200 Rev B	2 January 2023
Proposed Preston Road & East Centre Elevations	042_PLN_302 Rev B	2 January 2023
Proposed West and East Elevations	042_PLN_302 Rev B	2 January 2023
Proposed North & South Elevations	042_PLN_301 Rev B	2 January 2023

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

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

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

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

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

4. Due to their proximity to the common boundary, all first and second floor windows in the south facing elevation of the proposed extensions shall be obscurely glazed and top hung with the obscure glazing retained at all times thereafter. The obscure glazing shall be to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.

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

5. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes 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 in accordance with BRE365;
  - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations). In the event of surface water discharging to the public surface water sewer, the rate of discharge shall be restricted to 5 l/s;
  - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
  - (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable;
- and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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

6. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

*Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.*

7. Prior to the commencement of development, a Tree Protection Plan and Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The proposal shall thereafter be carried out in full accordance with the approved details.

*Reason: In the interests of securing appropriate tree protection and mitigation*

8. Prior to first occupation of the development, hereby approved, a plan detailing the proposed cycling facilities to serve the development shall be submitted and approved in writing by the Local Planning Authority. The scheme shall be installed in accordance with the approved details and should be retained in perpetuity for the life time of the development.

*Reason: To allow for the effective use of the parking areas the promotion of sustainable forms of transport and aid social inclusion*

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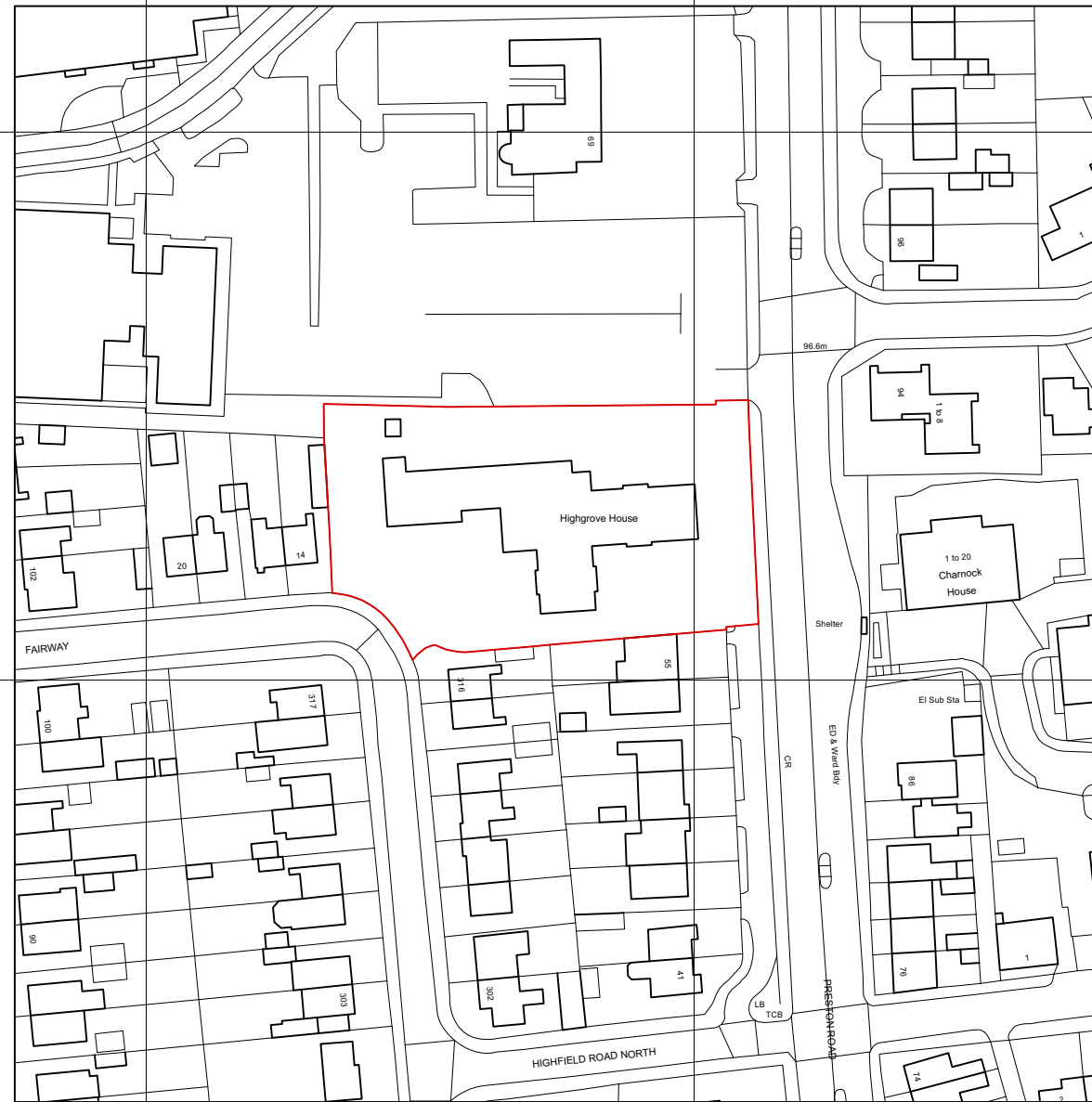
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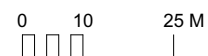
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NOTES:

All dimensions to be checked on site.  
 Drawing to be read with all relevant Architectural, Interiors, Structural, M&E, Drainage/Public Health, Landscape, Civils and Interiors drawings and specifications. Any discrepancies between consultant's drawings to be reported to the Architect before any work commences.  
 The Contractor's attention is drawn to the Health & Safety matters identified in the Health & Safety plan as being potentially hazardous.  
 These items should not be considered as a full and final list.  
 The Work Package Contractor's normal Health & Safety obligations still apply when undertaking constructional operations both on and off site.  
 Define Architects take no responsibility for the location of legal boundaries indicated on this drawing and advise a separate drawing be completed by a specialist surveyor in order to establish exact boundaries.  
 DWG files provided for information only. Refer to PDF record.  
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— Site Boundary

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REV  
A

DATE  
01/08/2022

NOTES  
ISSUED FOR PLANNING

DRAWN BY  
EP

PROJECT  
Highgrove House

CHECKED BY  
ATW

DRAWING TITLE  
Site Location Plan

JOB NO.  
042

STATUS  
PLANNING

DRAWING NO.  
042\_PLN\_090

REV  
A

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Report of	Meeting	Date
Head of Planning & Enforcement	Planning Committee	7 March 2023

## **PLANNING APPEALS AND DECISIONS RECEIVED BETWEEN 6 JANUARY 2023 AND 28 FEBRUARY 2023**

### **PLANNING APPEALS LODGED AND VALIDATED**

Local Planning Authority Reference: 21/00847/OUTMAJ - Inspectorate Reference: APP/D2320/W/22/3312908

Appeal by Smith & Love Planning Consultants against non-determination within 13 weeks of an outline planning application for residential development specifying access from Blackburn Road (all other matters reserved).

Land next to 190, Blackburn Road, Heapey.

Inspectorate letter confirming appeal valid received 4 February 2023.

### **PLANNING APPEAL DECISIONS**

Local Planning Authority Reference: 22/00369/FUL - Inspectorate Reference: APP/D2320/W/22/3301270

Appeal by Mr & Mrs Green against the delegated decision to refuse planning permission for the erection of 2no. sheds (following demolition of 2no. existing sheds) (resubmission of planning application ref: 21/00706/FUL).

Land 17M West Of 4, Halls Square, Whittle-Le-Woods.

Appeal allowed 12 January 2023. An application for an award of costs was refused.

Local Planning Authority Reference: 22/00565/FULHH - Inspectorate Reference: APP/D2320/D/22/3311173

Appeal by Mr & Ms Earlan & Jemma Kirwan & Matthews against the delegated decision to refuse planning permission for a hip-to-gable roof alteration including extension to existing rear dormer and dormer to front elevation, single storey rear extension, and porch to front elevation (following demolition of existing conservatory).

61 Lydiate Lane, Eccleston, Chorley, PR7 6LX.

Appeal dismissed 1 February 2023.

Local Planning Authority Reference: 22/00741/PIP - Inspectorate Reference: APP/D2320/W/22/3305925

Appeal by Mr John Ashcroft against the non-determination within 8 weeks of an application for permission in principle for the demolition of the existing glasshouses and the erection of up to five dwellings.

The Nurseries, Southport Road, Eccleston, Chorley, PR7 6ET.

Appeal dismissed 24 February 2023.

**PLANNING APPEALS WITHDRAWN**

None

**ENFORCEMENT APPEALS LODGED**

Local Planning Authority Reference: EN709 - Inspectorate Reference: APP/D2320/C/22/3313751

Appeal by Mr David Wrennall against an Enforcement Notice served in respect of the unauthorised material change of use of the land and associated unauthorised operational development consisting of raised land levels and installation of hardstanding to facilitate that material change of use to a use for parking and storage purposes.

Land at Culshaws Farm Holker Lane, Ulmes Walton, Leyland PR26 8LL

Inspectorate letter confirming appeal valid received 26 January 2023.

Local Planning Authority Reference: EN708 - Inspectorate Reference: APP/D2320/C/23/3314963

Appeals by Ms Susan Welsby against an Enforcement Notice served in respect of the unauthorised material change of use of land to a mixed use of land for agricultural, residential, building maintenance, groundworks and repairs business and commercial storage purposes including commercial parking and storage of plant equipment together with unauthorised operational development consisting of the erection of an outbuilding

The Hillocks, Blue Stone Lane, Mawdesley, Ormskirk, L40 2RJ

Inspectorate letter confirming appeal valid received 7 February 2023.

**ENFORCEMENT APPEAL DECISIONS**

None

**ENFORCEMENT APPEALS WITHDRAWN**

None

<b>Report Author</b>	<b>Ext</b>	<b>Date</b>	<b>Doc ID</b>
Adele Hayes	5228	28 February 2023	***