

Planning Committee

Tuesday, 6th February 2024, 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	
3a)	23/00780/REMAJ - Land Adjacent Blainscough Hall, Blainscough Lane	(Pages 3 - 20)
3b)	23/00284/REM - Land West of 1 The Owls, Blue Stone Lane, Mawdesley	(Pages 21 - 28)
3c)	23/00890/FUL - Land 100M North East Of Millers Barn, Ulnes Walton Lane, Ulnes Walton	(Pages 29 - 38)
3d)	23/00113/FUL - The Crown, Station Road, Croston	(Pages 39 - 50)
3e)	23/00869/PIP - Apple Electrics Ltd, Black Horse Street	(Pages 51 - 56)
3f)	23/01055/FUL - 153 Chorley Road, Adlington	(Pages 57 - 64)

Chris Sinnott
Chief Executive

Electronic agendas sent to Members of the Planning Committee

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APPLICATION REPORT – 23/00780/REMAJ

Validation Date: 15 September 2023

Ward: Coppull

Type of Application: Major Reserved Matters

Proposal: Reserved matters application (appearance, landscaping, layout and scale) comprising the erection of 118 no. dwellings including internal access roads, public open space, parking and associated infrastructure in pursuant to outline planning permission ref:20/01399/OUTMAJ

Location: Land Adjacent Blainscough Hall Blainscough Lane Coppull

Case Officer: Daniel Power

Applicant: Story Homes Ltd

Agent: Charlotte Fowler

Consultation expiry: 11 October 2023

Decision due by: 20 January 2024

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site forms part of a wider parcel of land designated as Safeguarded Land under Chorley Local Plan 2012-2026 policy BNE3 (BNE3.6 Blainscough Hall, Coppull). The site covers an area of approximately 5.51 hectares and is located adjacent to the defined settlement boundary of Coppull. There is a Public Right of Way that's runs through the site, north to south.
3. Outline planning consent was permitted at appeal under reference 20/01399/OUTMAJ. There is a S106 legal agreement attached to the outline planning permission requiring:
 - 35% of the total units to be affordable housing with 70% Social Rented Units and 30% Shared Ownership Housing Units.
 - £86,100.00 for the maintenance of the Amenity Greenspace provided on-site
 - Playing Pitch Contribution of £1,599 per dwelling
 - Children and Young People Contribution of £134 per dwelling.
 - Secondary Education Contribution

DESCRIPTION OF PROPOSED DEVELOPMENT

4. The application seeks approval of the reserved matters associated with the above referenced outline planning permission relating to details of appearance, layout, scale and

landscaping. Access details were approved as part of the outline consent with vehicular access from Manor Way.

5. Whilst the outline consent was for up to 123 dwellings at the site, the submitted plans identify 118 dwellings, 35 (30%) of which would be affordable, providing an inclusive mix of low-rise residential dwellings consisting of 1 bedroomed apartments and 2 and 3-bedroom 2 storey houses. Open market properties are provided in the form of 3,4 and 5 bed houses consisting of detached and semi-detached properties.

REPRESENTATIONS

6. 16 no. representations have been received in objection to the proposal. A summary of the issues raised is provided below:
 - The development would a harmful impact to wildlife and biodiversity.
 - The proposed dwelling would have a harmful impact to neighbouring amenity due to overlooking and overbearing.
 - Due to the increased in the level and therefore hight of proposed plots 103-106, the proposal would have a harmful impact due to overlooking and overbearing. These plots also include raised patio areas.
 - Insufficient boundary treatment are proposed due to the level changes.
 - The increased traffic would have a harmful impact to the local highway safety.
 - The construction traffic during construction would be harmful to the local highway safety.
 - The construction of the development would be harmful to neighbouring amenity.
 - The proposal will cause surface flooding elsewhere and further downstream.
 - The proposed development isolates Blainscough Nature Reserve, cutting off access for the many animals that live in the area.
 - School, doctors etc are already at capacity.
 - No timetable for implementation has been provided, relating to the planned implementation of the drainage systems will not be appropriate for the phasing of the construction programme.
 - Several of the existing properties on Manor Way and Grange Drive have been extended and are not shown on some of the drawings accurately.
 - The applicant may remove vegetation that falls outside the site boundary without agreement of the landowner.
 - The SCI states that the local community has been consulted with, unfortunately this is not the case, and is an untrue statement.
 - I have concerns regarding the assumed boundary position, and also the assumption that hedgerows will be removed from the current residents land.

CONSULTATIONS

7. Environment Agency: We have reviewed the details submitted and our previous response to the outline application, 20/01399/OUTMAJ, remains applicable. In our previous response (our reference NO/2021/113232/01-L01) we requested a condition for the submission of a remediation strategy.
8. Waste & Contaminated Land: No comment to make on the application.
9. Regulatory Services - Environmental Health: Having reviewed the completed acoustic report, provided with the application (project reference: RSA439/2023). The report seeks to undertake sound monitoring in the locality to establish the current noise climate and, were there is a potential for direct impact upon future occupiers of properties within the proposed development, provides mitigation measures. The report itself would appear to follow recognised protocols for the undertaking of a typical acoustic report and offers several mitigation measures that should be implemented such as e.g. the provision of acoustic barriers, at some locations and additional ventilation of rooms. Standards are also quoted for the construction materials in connection with the building envelope. Whilst,

the construction of the building envelope maybe sufficient to protect future occupants with windows of affected rooms being closed, a concern would be the overheating of these rooms, especially those with an aspect, such, that they are affected by direct sunlight, however this is addressed within the report with a recommendation to install acoustic ventilation to effected rooms.

10. My recommendation is that the suggestions and mitigation measures offered within the report are implemented. Where any either/or option is suggested within the report I would recommend that the option which provides the best standard and benefit for the future occupant is implemented.
11. Lancashire County Council Public Rights Of Way
12. The proposed development will impact two public rights of way footpaths FP-09-100-34 & FP-09-100-35. The application proposes to incorporate these footpaths into the internal layout of the development by upgrading the footpath into a 2m wide footway, this can be supported by LCC Highways.
13. The LCC Public Rights of Way team provide with the following comments.
 - Footpath FP0910035 and FP0910034 are a minimum width of 2m with a bound surface not stone.
 - The footbridge on FP0910034 to be replaced and widened to 2m either as part of the S278 Agreement or S106 agreement.
14. The following limitations/obstructions removed;
 - The kissing gate leading to Grange Drive
 - The stile where footpath 9-10-FP34 and 9-10-FP35 join.
 - Two metal bollards at end of footpath 9-10-FP25, on the southern boundary of the development
 - All trees and low hanging branches obstructing the height or width of the footpath, especially 9-10-FP34 at the eastern boundary of the development.
15. Greater Manchester Ecology Unit : An updated ecological survey has been provided as required by condition 5 of the outline permission. No new ecological issues were identified, with the site relatively unchanged. I have no reason to doubt the findings of the report. No further survey information is required.
16. Information has also been provided on the surface water drainage proposals in to the Tanyard Brook. Whilst not qualified to interpret the technical accuracy of the measures proposed to filter out sediment, pollutants and maintain greenfield run-off to the Brook, I am satisfied that of the developer's intentions and that relevant drainage engineers will look at the technical details. I therefore have no objection from an ecological perspective to the discharge of outline condition 5.
17. Great Crested Newts: The previous surveys have been reviewed. One of the two ponds has undergone succession since the previous surveys. No new survey have occurred. I am however satisfied that given the sites isolation from other ponds, that colonisation since the surveys in 2021 is very low, (maps indicate no other ponds within 500m of the existing ponds). Condition 9a) of the outline permission covers reasonable avoidance measures for amphibians. Discharge is not however required at this time. No further information or measures are required.
18. Bats: Previous survey information has been reviewed. An oak previously assessed as having bat roosting potential has been reassessed as having negligible bat roosting potential. A beech tree on the southern boundary was assessed as having moderate bat roosting potential. This tree is retained in the current layout. I have no reason to doubt the findings of the report.

19. Conditions 6 & 7 of the outline permission cover bats and trees and external lighting. No further information or measures are however required at this time.
20. Otter and Water Vole: The review found no change in the level of risk associated with Tanyard Brook. I have no reason to doubt the findings of the report. Condition 9f) of the outline permission covers precautionary measures for these species. Discharge is not however required at this time. No further information or measures are required.
21. Nesting Birds: Condition 8 of the outline permission covers precautionary measures for these species. Discharge is not however required at this time. No further information or measures are required.
22. Himalayan Balsam: Condition 9 of the outline permission covers precautionary measures for these species. Discharge is not however required at this time. No further information or measures are required.
23. Proximity to Tanyard Brook: Conditions 9c & g) of the outline permission covers precautionary measures for the protection of the Brook during construction. Discharge is not however required at this time. No further information or measures are required.
24. As noted above condition 5 covers protection of the Brook post development which subject to the views of the relevant drainage consultees, I have no objection to.
25. Contributing to and Enhancing the Natural Environment: Conditions 10 & 11 of the outline permission relate to mitigation and enhancement of the site. Condition 10 relating to proposed measures requires discharge at reserved matters, whilst condition the LEMP is required prior to phase 1 of the development.
26. A biodiversity enhancement plan has been provided. This answers all of the bullet points of condition 10. My only minor issue is the use of whitebeam and field maple in the native category. Whitebeam is not regarded as native to Lancashire and field maple regarded as potentially native in limestone areas associated with North Bowland. As the detailed planting schedule has not as yet however been provided and the use of these two species in the more built up areas is less of an issue, I have no objection to the discharge of condition 10.
27. Lead Local Flood Authority: No objection
28. Lancashire County Council (Education) : According to the s106 for outline permission 20/01399/OUTMAJ, the developer should inform the County Council within 20 days of grant of RM consent so that we can calculate the final Secondary Education Contribution.
29. Lancashire County Council Archaeology Service: The Heritage Impact Assessment supporting the application does not really address the concerns about the potential impact of the proposed development on the site of the former moated site of Blainscough Hall, or the potential for there being archaeological features or deposits below the remainder of the site, either related to the former hall or from other periods.
30. The landscaping proposals also appear to include new tree planting on the former "island" of the moated site (these were square, rectangular or polygonal platforms defined by a wet moat, the island holding the building of the manor and there are known to be cases where there were outbuildings and workshops outside the moat). New tree planting will cause further disturbance to any surviving for deposits relating to the occupation of the moated site.
31. We would advise therefore that a programme of archaeological survey and evaluation should be carried out across the site. This should take the form of a geophysical survey of the site, using appropriate techniques, with field evaluation to investigate any features or anomalies identified by the geophysical survey and further excavation and recording of any significant features. The area of the moat island should be investigated by evaluation

trenches to determine the survival, extent, nature, state of preservation and date of any surviving deposits in this area and the results of this should be used to inform any landscaping works in this area.

32. The work outlined should be carried out according to a written scheme of investigation (WSI) and can be secured by means of a planning condition.
33. United Utilities: Further to our review of the submitted Foul and Surface Water Drainage Strategy document produced by story homes, we can confirm the proposals are acceptable in principle we would like to point out that water butts are not effective source control. and that a more sustainable drainage system could be provided. United Utilities will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable before a surface water connection to the public sewer is acceptable.
34. Lancashire Highway Services: Comments on original submission:
35. Internal Private Road Layout: The proposed internal private road layout for the most part is acceptable in principle however LCC Highways require amendments to fully support the proposed layout. It is requested that the proposed traffic calming is revised to meet the recommendations set out in Local Transport Note (LTN) "Traffic Calming" [LTN 1/07]. LTN 1/07 recommends a minimum spacing of 60 metres and a maximum of 90 metres between physical traffic calming measures.
36. Excluding the proposed private shared drives, the proposed internal private road meets the minimum dimensions to be considered by LCC Highways for adoption. The minimum dimensional requirements are a carriageway width of 5.5 metres and flanked on either side by 2-metre-wide footways.
37. Vehicle Tracking: From an assessment of the submitted drawings LCC Highways could not find any plans proving the proposed turning heads and sharp bends within the proposed development. It is requested that vehicle tracking is provided using a LCC specification refuse vehicle (11.2m in length and twin rear axled).
38. Public Right Of Way Network: As part of the proposed development changes are proposed to the existing Public Rights Of Way (PROW) FP-09-10035 & FP-09-10034 which are both classified as footpaths. Both PROWS connect to another PROW footpath FP-09-10036 on the proposed developments southern boundary with Blainscough Hall. As proposed the link into FP-09-10036 is not acceptable due to the paths not actually connecting as shown in the submitted "General Arrangements Layout" [Dwg No: 40072.03.01, Rev I]. It is requested that the plans are amended to connect the three PROW footpaths together.
39. Private Car Parking : It is recommended that the proposed car parking is revised to consider the following dimensions. The single vehicle width private drives to have a minimum width of 3.2m where they are used for vehicular access and pedestrian access to the property. From Approved Document M (Access to and use of buildings), recommends an unobstructed widths of at least 900mm to access the property.
40. The double vehicle width private drives to have a minimum width of 5.6m where they are used for vehicular access and pedestrian access to the property. From Approved Document M (Access to and use of buildings), recommends an unobstructed widths of at least 900mm to access the property.
41. Some of the proposed garages do not meet the minimum internal dimensions to be considered as useable car parking spaces. it is recommended that the dimensions are amended to meet the following.
42. The recommended minimum internal single garage size to be 6x3m (6x6m for double garages) and this includes integral garages.

43. Clause 8.3.41 on page 109 from Manual for Streets also recognises that many authorities now recommend a minimum garage size of 6 x 3m, where garages are smaller than the recommended minimum internal dimension of 6 x 3m they should not be counted as a parking space and the applicant should provide an additional parking space for each garage affected.
44. The recommended length of 6m is based on the length of a large family car (Ford Mondeo Estate 4.58m long), clearance between the car and the garage door, with room to open and close the garage door (600mm), room at the front of the car (800mm) for possible access to the dwelling, work bench, storage, storage of cycles, bins gardening equipment etc.
45. The recommended width of 3m is based on the width of a large family car (Ford Mondeo Estate 2.09m wide), clearance at the passenger side to the wall (200mm), clearance at the drive side of the car and the garage (700mm), with room to open car door for less able bodied.
46. Having reviewed a select number of proposed dwellings not all proposed dwellings meet the car parking standards. The minimum standards as set out in Appendix A "Parking Standards" of Chorley's Local Plan 2012-2026 (adopted 2015). It is requested that the proposed parking spaces are amended to meet the standards set out in the Local Plan. This would reduce the likelihood of on street car parking and thus impacting residential amenity and potential of blocking refuse vehicles and/or emergency services.
47. Comments following the submission of amended plans:
48. Summary: LCC Highways does not have any objections regarding the proposed reserved Matters details of layout, scale, appearance and landscaping for residential development and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
49. Development Proposal: The proposed development is a reserved matters application following an outline application (20/01399/OUTMAJ) which was granted permission at appeal. The granted outline planning permission had all matters reserved except for access. As site access was granted permission LCC Highways have not assessed this as part of the reserved matters application. The reserved matters application is proposing 118 dwellings, along with a private road layout, landscaping, private car parking and other non-highway related matters.
50. Private Road Layout: The proposed private road layout for the majority meets the minimum dimensional requirements for LCC Highways to consider adoption. These minimum requirements are a 5.5 metre wide carriageway and 2 metre wide footways on either side. Where these minimum requirements are not met such as the proposed shared private driveways LCC Highways would not consider them for adoption. The parts of the private roads that would not be considered for would require a management and maintenance program to be submitted and approved by the Local Planning Authority (LPA).
51. It is LCC Highways opinion that the private road layout sufficiently promotes 20mph speed limits using horizontal alignment and vertical traffic calming measures.
52. Having assessed the submitted swept path analysis submitted in support of the application, LCC Highways are satisfied that the turning heads can be used by a LCC specification refuse vehicle (11.2m in length and twin rear axled).
53. Private Car Parking: The proposed integral garages do not meet the minimum internal dimensions to be considered useable car parking spaces by LCC Highways. The minimum dimensions are 3m (W) x 6m (L) for a single garage. Having assessed the proposed dwellings with integral garages LCC Highways are of the opinion that the

integral garages may result in on street parking within the internal layout. Were this on street parking to occur it is LCC Highways opinion that this would not cause an unacceptable risk to highway safety.

54. The remaining car parking spaces (private driveways and separate garages) meet the minimum dimensions to be considered by LCC Highways as useable car parking spaces.
55. Construction Traffic: Due to the nature of the development, the construction phase could have a negative impact on existing users of the highway network. Therefore prior to commencement of the development if permission is granted, it is LCC Highways opinion that a Construction Traffic Management Method Statement is submitted. This will need to be approved by the LPA in conjunction with the LHA.
56. LCC Highways recommends the following conditions relating to car parking area, Construction Traffic Management Method Statement (CTMMS) and details of future management and maintenance.
57. Parish Council: The Parish Council has concerns that various matters raised by the Parish Council, the Planning Authority and the local residents on Manor Way and Grange Drive have not been addressed by this application.
 - There is a question mark over fence levels being altered from the original outline application, which potentially give rise to significant impact on privacy of existing dwellings.
 - There are reports of breaches of right to light for some existing dwellings.
 - There are justified concerns over flooding as a consequence of the development, that are not addressed by the reserved matters application.
58. The Parish Council raise these concerns with you and therefore object to the application.
59. CIL Officers : This development will be CIL Liable if approved.

PLANNING CONSIDERATIONS

Principle of the development

60. The acceptability of the principle of the development has been established by the grant of outline planning permission. Issues for consideration relate to the appearance, layout, scale and landscaping of the proposal.

Impact on character and appearance of locality

61. 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.
62. The application site is located to the south of existing residential development that was permitted in 2002, which has a mixture of two storey, detached and semi-detached properties. The proposed development would largely be seen within this context of relatively new development. The proposed dwellings are consistent in their broad scale and form, of two/two and a half storey properties. While the palette of materials would be broadly similar to the existing development to the north and across the application site. The final choice of materials would be agreed though a suitably worded planning condition, as already attached to the outline planning permission. There would be a mixture of house types across the application site, with the layout and density similar to the development to the north.

63. It is considered that the proposed 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.

Impact on neighbour amenity

64. 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.
65. Objections have been received from properties along Manor Way and Grange Drive, both would be adjacent to the development. Proposed cross sections along the northern boundary of the site have been provided showing the level changes in comparison to the existing dwellings. With regard to the properties along Manor Way, the submitted cross sections show a difference in finished floor levels between 0.3 to 0.7, at some points the proposed dwellings being lower than the existing. The separation distances between existing and proposed dwellings along this section accord with the Council's minimum interface distances.
66. With regards to the proposed dwellings facing towards the properties along Grange Drive, the submitted cross sections show a change in levels in comparison to the existing ground levels, relating to plots 103 to 106. The difference between the finished floor level of plot 105 and the nearest dwelling of no. 95 would be 1.97 metres. From plot 106 to 103, each dwelling would be set further back from the boundary with no. 95, increasing the distance from no. 95. Each plot has a raised patio area to the rear of the proposed dwellings, with their gardens slopping down towards the shared boundary. The distance from the raised patio, having regard to the change in levels meets the council's requirements for minimum interface standards as to does the distance to the proposed dwelling.
67. 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.
68. In light of the above, it is considered that there would be no unacceptably detrimental impact on the amenity of existing neighbouring occupiers, whilst a suitable level of amenity would be provided to future occupiers of the proposed dwellings. The proposal is acceptable in terms of amenity impacts and accords with Policy BNE1 in this regard.

Highway safety

69. 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. The policy is considered to be consistent with the Framework and should be attributed full weight.
70. The outline planning consent, granted on appeal, includes conditions relating to securing highway matters including the following:
- A Construction Environmental Management Plan (CEMP)
 - Estate Street Phasing and Completion Plan

- The new estate roads/access onto Grange Drive shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads.
 - Construction Method Statement (CMS)
 - The construction of the site access and the off-site works of highway improvement has been submitted. (S278)
71. LCC Highway Services have responded with no objection to the proposal, subject to conditions. The main access to the site was considered and found acceptable under the outline consent and therefore remains acceptable. With regards to the internal road layout LCC Highways were of the opinion that the private road layout sufficiently promotes 20mph speed limits using horizontal alignment and vertical traffic calming measures. They also considered the submitted swept path analysis and were satisfied that the turning heads can be used by a LCC specification refuse vehicle.
72. With regards to private car parking, LCC Highways has considered the layout of parking provision for each of the dwellings. They have commented that the proposed integral garages, in accordance with LCC Highway standards, do not meet the minimum internal dimension to be considered useable car parking space. LCC has assessed the proposed dwellings with integral garages and are of the opinion that the integral garages may result in on street parking within the internal layout. Were this on street parking to occur it is LCC Highways opinion that this would not cause an unacceptable risk to highway safety. The remaining car parking spaces (private driveways and separate garages) meet the minimum dimensions to be considered by LCC Highways as useable car parking spaces.
73. Given the comments from LCC Highways, 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. The proposal is considered to be acceptable with regards to highway safety and parking.

Impact on trees

74. Policy BNE10 (Trees) of the Chorley Local Plan 2012 -2026 stipulates, among other things, that 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. Replacement planting will be required where it is considered that the benefit of the development outweighs the loss of some trees or hedgerows.
75. The application was submitted with a Tree Report and protection plan, which the Council's tree officer has considered. The Tree Officer raised concerns with the loss of 5 category A and B trees. In response the layout has been amended to retain two of the trees along the road to the west, however, three remaining trees will be lost. These are required to gain access to an area of the site for 6 dwellings, and any amended to gain access to this part of the site will result in the loss of trees elsewhere. The application proposes extensive tree planting across the site, which would provide an overall increase. Given the constraints of the site, the number of trees planted across the development and subject to adherence to the tree protection measures, on balance it is considered the proposal is acceptable in this regard and in line with policy BNE10 (Trees) of the Chorley Local Plan 2012 -2026.

Drainage

76. The submitted drainage details identify that surface water will be discharged into an existing watercourse, and foul water connected to the existing network, with a new pumping station to the east of the site. The Lead Flood Authority raise no objection to the principle of this strategy. The technical details of the drainage strategy will be subject to condition and consideration by Chorley Council, in consultation with the LLFA. The

submitted details are, therefore, considered to be acceptable in this regard, but may be subject to change through the discharge of condition process.

Ecology

77. As required by conditions imposed to the outline consent, updated ecology survey where submitted. These surveys have been considered by the councils Ecologist, who has no objection to the findings of the updated survey. Some of the conditions imposed on the original outline remain therefore further details will be provided through discharge of conditions application

Public open space (POS)

78. Policy HS4 of the Chorley Local Plan 2012 – 2026 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided. This provision has already been secured through a Section 106 during the consideration of the outline appeal.

Community Infrastructure Levy

79. 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

80. The submitted details of reserved matters are considered to be acceptable and the application is recommended for approval, subject to the recommended conditions.

RELEVANT HISTORY OF THE SITE

Ref: 20/01399/OUTMAJ **Decision:** REFOPP **Decision Date:** 13 April 2021

Description: Outline planning application for the erection of up to 123 dwellings (including 30% affordable housing) with public open space provision, structural planting and landscaping, and vehicular access points from Grange Drive. All matters reserved save for access.

Ref: 23/00957/DIS **Decision:** PEDISZ **Decision Date:** 27 December 2023

Description: Application to discharge condition no.35 (Phased programme of archaeological) attached to planning permission ref: 20/01399/OUTMAJ (Outline planning application for the erection of up to 123 dwellings (including 30% affordable housing) with public open space provision, structural planting and landscaping, and vehicular access points from Grange Drive. All matters reserved save for access.)

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
Standard Boundary Details	40072.03.SBT Rev A	13 December 2023
Street Scene A-A Rev A	40072.03.SSA Rev A	13 December 2023
Street Scene B-B Rev A	40072.03.SSB Rev A	13 December 2023
Tree Protection Plan	72201.03 Rev E	29 January 2024
Swept Path Analysis	40072-019 Rev B	13 December 2023
Site Sections 01	40072.03.SS1 Rev A	13 December 2023
General Arrangements Layout	40072.03.01 Rev R	26 January 2024
Boundary Treatment Layout	40072.03.02 Rev G	26 January 2024
Elevation Treatments Layout	40072.03.03 Rev F	26 January 2024
Hard Surfaces Layout	40072.03.04 Rev F	26 January 2024
Affordable Homes Layout	40072.03.11 Rev E	26 January 2024
Landscape Structure Plan	7221.02 Rev D	13 December 2023
Site Sections 02	40072.03.SS2 Rev A	13 December 2023
Site Sections 03	40072.03.SS3 Rev A	13 December 2023
Site Sections 04	40072.03.SS4 Rev A	13 December 2023
Site Sections 05	40072.03.SS5 Rev A	13 December 2023
Site Sections 06	40072.03.SS6 Rev B	13 December 2023
Site Sections 06 Front Elevations	40072.03.SS6-1	17 January 2024
Belford: Planning Layout 1	BEL-PLP1	15 September 2023
Belford: Planning Elevation 1/1	BEL-PLE1/1	15 September 2023
Belford: Planning elevation 1/2	BEL-PLE1/2	15 September 2023
Charlton: Planning Layout 1	CRN-PLP1	15 September 2023
Charlton: Planning Elevation 1/1	CRN-PLE1/1 REV A	15 September 2023
Charlton: Planning Elevation 1/2	CRN-PLE1/2 REV A	15 September 2023
Charlton: Planning Elevation 1/3	CRN-PLE1/3 REV A	15 September 2023
Dawson: Planning Layout 1	DWN-PLP1	15 September 2023
Dawson: Planning Layout 2	DWN-PLP2	15 September 2023
Dawson: Planning Elevation 1/1	DWN-PLE1/1	15 September 2023
Dawson: Planning Elevation 1/2	DWN-PLE1/2	15 September 2023

Dawson: Planning Elevation 2/1	DWN-PLE2/1	15 September 2023
Dawson: Planning Elevation 2/2	DWN-PLE2/2	15 September 2023
Ferguson: Planning Layout 1	FGN-PLP1	15 September 2023
Ferguson: Planning Elevation 1/1	FGN-PLE1/1 REV A	15 September 2023
Ferguson: Planning Elevation 1/2	FGN-PLE1/2 REV A	15 September 2023
Fraser: Planning Layout 1	FRR-PLP1	15 September 2023
Fraser: Planning elevation 1/1	FRR-PLE1/1	15 September 2023
Fraser: Planning Elevation 1/2	FRR-PLE1/2	15 September 2023
Single Garage 1 - Planning Drawing 1/1	GB-PLP1/1	15 September 2023
Single Garage 1- Planning Drawing 1/2	GB-PLP1/2	15 September 2023
Double Garage 1 - Planning Drawing 2/1	GB-PLP2/1	15 September 2023
Double Garage 1 - Planning Drawing 2/2	GB-PLP2/2	15 September 2023
Twin Garage 1 - Planning Drawing 3/1	GB-PLP3/1	15 September 2023
Twin Garage 1 - Planning Drawing 3/2	GB-PLP3/2	15 September 2023
Harrison: Planning Layout 1	HRN-PLP1	15 September 2023
Harrison: Planning Elevation 1/1	HRN-PLE1/1 REV A	15 September 2023
Harrison: Planning Elevation 1/2	HRN-PLE1/2 REV A	15 September 2023
Harrison: Planning Elevation 1/3	HRN-PLE1/3 REV A	15 September 2023
Hewson: Planning Layout 1	HWN-PLP1	15 September 2023
Hewson: Planning Elervation 1/1	HWN-PLE1/1 REV A	15 September 2023
Hewson: Planning Elevation 1/2	HWN-PLE1/2 REV A	15 September 2023
Hewson: Planning Elevation 1/3	HWN-PLE1/3 REV A	15 September 2023
Masterton: Planning Layout 1	MTN-PLP1	15 September 2023
Masterton: Planning Elevation 1/1	MTN-PLE1/1 REV A	15 September 2023
Masterton: Planning Elevation 1/2	MTN-PLE1/2 REV A	15 September 2023
Oxley: Planning Layout 1	OXY-PLP1	15 September 2023
Oxley: Planning Elevation 1/1	OXY-PLE1/1	15 September 2023
Oxley: Planning Elevation 1/2	OXY-PLE1/2	15 September 2023
Robinson: Planning Layout 1	RBN-PLP1	15 September 2023

Robinson: Planning Elvation 1/1	RBN-PLE1/1 REV A	15 September 2023
Robinson: Planning elevation 2/2	RBN-PLE1/2 REV A	15 September 2023
Sanderson: Planning Layout 1	SAN-PLP1	15 September 2023
Sanderson: Planning Elevation 1/1	SAN-PLE1/1 REV A	15 September 2023
Sanderson: Planning Elevation 1/2	SAN-PLE1/2 REV A	15 September 2023
Sanderson: Planning Elevation 1/3	SAN-PLE1/3 REV A	15 September 2023
Spencer: Planning Layout 1	SPR-PLP1	15 September 2023
Spencer: Planning Layout 2	SPR-PLP2	15 September 2023
Spencer: Planning Elevation 1/1	SPR-PLE1/1 REV A	15 September 2023
Spencer: Planning Elevation 1/2	SPR-PLE1/2 REV A	15 September 2023
Spencer: Planning Elevation 2/1	SPR-PLE2/1 REV A	15 September 2023
Spencer: Planning Elevation 2/2	SPR-PLE2/2 REV A	15 September 2023
Wilson: Planning Layout 1 (front)	WLN-PLP1	15 September 2023
Wilson: Planning Elevation 1/1 (front)	WLN-PLE1/1 REV A	15 September 2023
Wilson: Planning Elevation 1/2 (Front)	WLN-PLE1/2 REV A	15 September 2023
Wilson: Planning Elevation 1/3 (Front)	WLN-PLE1/3	15 September 2023

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

3. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.

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

4. During the construction period, all trees and hedges to be retained within and adjacent to the application site shall be protected in accordance with the Tree Protection Plan Drawing (ref. 7221.03 TPP. REV E.) received 29 January 2023, and not withstanding this in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.

Reason: To safeguard the trees to be retained.

5. No building or use hereby permitted shall be occupied or the use commenced until the car parking area has been surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan. The car parking area shall thereafter be kept free of obstruction and available for the parking cars at all times.

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

6. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority.

The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

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

7. No development including any demolition works shall take place until the applicant or their agent or successors in title has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The programme of works should comprise a preliminary geophysical survey of the site with subsequent phases of evaluation of any features located and excavation of any which are demonstrated by this to be significant. There should be evaluation of the areas of the former moated site where tree planting is proposed. The work must be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists. A copy of this record shall be submitted to the Local Planning Authority and the Lancashire Historic Environment Record.

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

Note: Relevant archaeological standards and lists of potential contractors can be found on the ClfA web pages: <http://www.archaeologists.net> and the BAJR Directory: <http://www.bajr.org/whoseWho/>. 'Understanding Historic Buildings' can be accessed online at <https://historicengland.org.uk/images-books/publications/understanding-historic-buildings/>.

8. No development including any demolition works shall take place until the applicant or their agent or successors in title has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The programme of works should comprise a preliminary geophysical survey of the site with subsequent phases of evaluation of any features located and excavation of any which are demonstrated by this to be significant. There should be evaluation of the areas of the former moated site where tree planting is proposed. The work must be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists. A copy of this record shall be submitted to the Local Planning Authority and the Lancashire Historic Environment Record.

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

9. Prior to the occupation of the first dwelling hereby approved, details shall be provided relating to the public rights of way across the site including:

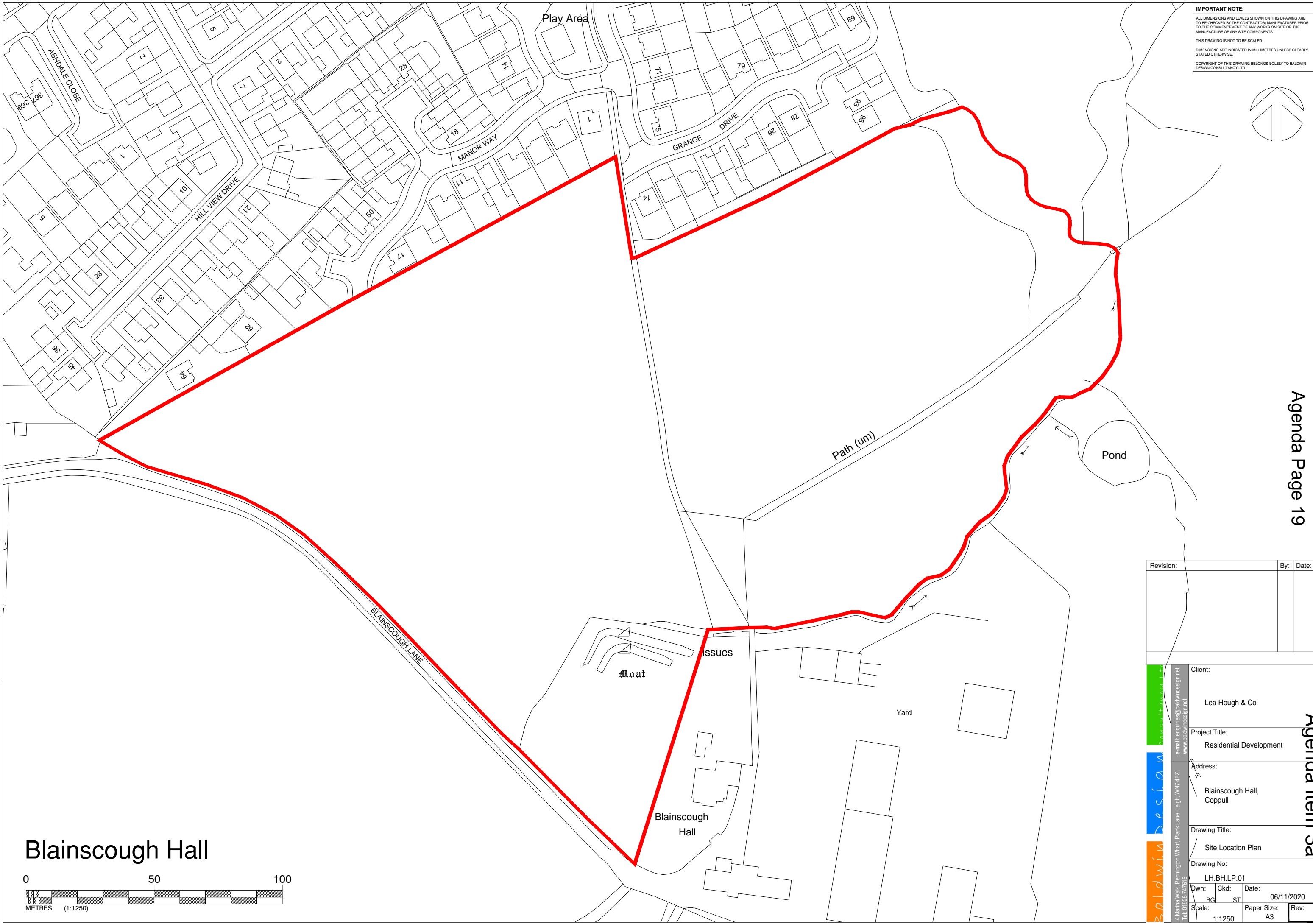
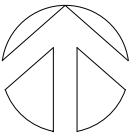
- width and surface of the public right of way
- Location and details of gate along the right of way
- Location of metal bollards along the right of way.
- details of replacement footbridges.

A phasing plan shall be provided given details of the timing for each installation and shall be installed as approved.

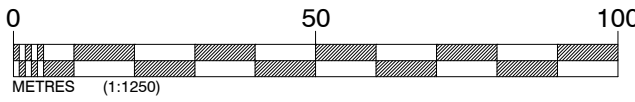
Reason: To ensure the Public Right of Way remains available for public use.

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IMPORTANT NOTE:
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Blainscough Hall



Revision:	By:	Date:

	Client:	Lea Hough & Co
	Project Title:	Residential Development
	Address:	Blainscough Hall, Coppull
	Drawing Title:	Site Location Plan
	Drawing No:	LH.BH.LP.01
Dwn:	BG	06/11/2020
Ckd:	ST	
Scale:	1:1250	Paper Size: A3
		Rev:

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 www.baldwindesign.net

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APPLICATION REPORT – 23/00284/REM

Validation Date: 6 April 2023

Ward: Croston, Mawdesley And Euxton South

Type of Application: Reserved Matters

Proposal: Reserved matters application pursuant to outline planning permission ref: 21/00232/OUT (Outline application for the erection of one detached dwelling including details of access and layout, with matters of appearance, landscaping and scale reserved) seeking approval of appearance, landscaping and scale in addition to details reserved by conditions 4 (dwelling emission rate details), 6 (surface water drainage scheme) and 8 (Construction Management Plan) attached to outline planning permission 21/00232/OUT

Location: Land West Of 1The Owls Blue Stone Lane Mawdesley

Case Officer: Mr Iain Crossland

Applicant: Mr Andrew Mawdsley

Agent: Mr Zoran Baros

Consultation expiry: 14 December 2023

Decision due by: 8 December 2023

RECOMMENDATION

1. It is recommended that reserved matters consent is granted for the details of appearance, landscaping and scale subject to conditions.

SITE DESCRIPTION

2. The application site is located in the Green Belt at Mawdesley and comprises an open area of grassland, to the south side of Blue Stone Lane between 1 The Owls to the east and three residential properties at Chase Cottage, Monsol and Brook House to the west. There is a stone wall bounding the site edge with Blue Stone Lane to the north, other than which the site is open.
3. The locality is rural in character beyond the more built-up area of ribbon development along Blue Stone Lane that extends to the south-west along Dark Lane, Ridley Lane and Bradshaw Lane. The appearance and scale of the buildings in the locality is mixed with traditional agricultural style buildings and more modern dwellings in evidence close to the site, whilst there are examples of single storey and two storey buildings in the locality.
4. It is noted that more recently the site has been scraped back and a temporary construction fence erected along the site frontage.

DESCRIPTION OF PROPOSED DEVELOPMENT

5. This application seeks reserved matters consent for the appearance, landscaping and scale of the development pursuant to outline planning permission 21/00232/OUT, which was for the erection of one detached dwelling and included details of access and layout.

6. Details have also been submitted to satisfy the requirements of some of the conditions attached to the outline planning permission as follows:

Condition 4 requires the design stage dwelling emission rate details.

Condition 6 requires details of a sustainable surface water drainage scheme.

Condition 8 requires a construction management plan to be submitted.

REPRESENTATIONS

7. Representations in objection have been received from 3no. addresses raising the following concerns:
 - Inadequate surface water drainage.
 - Design and scale not in keeping with the character of the area and street scene.
 - Adverse impact on amenity through loss of outlook and privacy.
 - Increase in traffic and impact on highway safety.
 - The area is overdeveloped and no further dwellings are necessary.

CONSULTATIONS

8. Lancashire Highway Services: are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site, and that the Construction Management Plan is acceptable.
9. United Utilities: has no objection to condition 6 (surface water drainage scheme) being discharged.
10. Greater Manchester Ecology Unit: Issues relating to great crested newts, bats, nesting birds and ecological mitigation can be dealt with via condition and or informative.
11. Mawdesley Parish Council: wish to object to the application reference 23/00284/REM. Firstly there is concern regarding the sheer scale and height of the property which is extremely imposing on other properties. Secondly further investigation by an appropriate expert is required in respect of drainage issues, the surface water system is not fit for purpose and will add to existing flooding problems.

PLANNING CONSIDERATIONS

Principle of the development

12. The acceptability of the principle of the development has been established by the grant of outline planning permission (ref. 21/00232/OUT).

Impact on character and appearance of the locality

13. The application site is located on a parcel of land between dwellings and with a frontage along Blue Stone Lane. As such the site is prominent from the public highway and represents a clear gap in the line of development in this location. There is no consistent rhythm of development along this part of Blue Stone Lane and the buildings around the site and beyond are of mixed design and scale. The east of the site is a single storey building of simple functional design faced in red brick, beyond which is a converted red brick barn of traditional design. Further along Blue Stone Lane is a pair of semi-detached dwellings of traditional design faced in render, whilst between these and the converted barn two detached dwellings are under construction. To the west of the site is a detached dormer bungalow dwelling with an outbuilding both faced in painted render, whilst to the west of the site along Dark Lane are detached two storey dwellings of traditional design style faced in red brick and render. On the corner of Blue Stone Lane on the opposite of the highway is Bluestone Farm, which is a simple traditional building faced in red brick with a roof laid in slates.

14. The proposed dwelling would be positioned to face the highway and would be set back within the site approximately 12m from the highway. The dwelling would be of a traditional design style with a front gable feature, porch canopy, chimney stack to the side, lintols and sills to windows and would be faced in weathered red brick with a roof laid in slates. This would provide a traditional appearance reflective of similar design details incorporated at other buildings in the locality. The scale of the building would be clearly taller than The Owls to the east, however, the eaves height would be similar to that of Bluestone Barn beyond, whilst the ridge would be slightly higher. The dwelling would be taller than the Chase Cottage to the west, which is exacerbated by a reduction in levels to the west.
15. The plot to dwelling ratio would be reflective of the surrounding area, which is predominantly low density. The plot would be landscaped with enclosed gardens to the rear, whilst there would be space for both parking and landscaping to the front and west side. The landscaping and retention of the stone boundary wall to the frontage would help to retain a degree of local character and a softened finish to the development, which would help the development to assimilate into the streetscape over time.
16. 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). Given that the dwelling would be set back within the site and presence of a variety of building types and scales along Blue Stone Lane it is considered that the proposed dwelling would not be harmful to the appearance of the street scene and would not be significantly detrimental to the character of the area.

Impact on the neighbour amenity

17. The proposed dwelling would be positioned approximately 1.5m from the boundary with 1 The Owls and 2.5m from the property itself. There are windows in the side elevation of 1 The Owls facing the application site, however, these would not directly face the side elevation of the proposed dwelling, which is set back within the site. As such there would be no adverse impact on outlook to these windows. There would be some impact on light, however, this would not be so harmful to the amenity of the occupiers that it would be significantly detrimental. There would be windows to habitable rooms in the side elevation of 1 The Owls, however, these would face the blank part of the side elevation at this dwelling, and therefore no impact on privacy would occur. There would be a raised terrace to the rear of the proposed dwelling, however, the land to the rear of 1 The Owls is a service yard and not a private garden area. Notwithstanding this a boundary fence would be provided to protect privacy.
18. The proposed dwelling would be located approximately 10m from the boundary with Monsol to the west and approximately 13m from the dwelling itself, whilst it would be further distant from the dwellings at The Chase and Brook House. It is noted that there would be windows in the first floor side elevation of the dwelling facing toward the western boundary with these dwellings and that the application site is at a higher level. It is proposed that these windows be obscure glazed and this can be secured by condition, whilst the degree of separation is such that there would be no unacceptable impacts on light, privacy or outlook.
19. Overall there would be no harm to any neighbouring property by virtue of overlooking, overshadowing, or overbearing and the proposal is in line with Chorley Local Plan policy BNE1 in this respect.

Highways and parking

20. The application site is located to the south of Blue Stone Lane, to the west of an approximate ninety degree bend in the road, and lies to the east of the junction with Dark Lane. It is noted that the access was approved at outline permission stage based on the information submitted with that application.

21. The proposed site plan shows turning within curtilage and three off street parking spaces, which is acceptable and meets the Chorley Local Plan Parking Standards specified in policy ST4 of the Chorley Local Plan 2012 – 2026. A Construction Management Plan was submitted with the application as required by condition 6 attached to the outline planning permission. Lancashire County Council have reviewed this and consider it to be acceptable, subject to the use of jet washing to prevent mud and debris being tracked onto the highway before the use of a road sweeper.
22. Lancashire County Council acting as the Highway Authority does not raise an objection regarding the proposed development and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
23. Outline planning permission was approved for the erection of a single dwelling with access on Hoghton Lane, in outline with all matters reserved. LCC highlighted at outline stage that the full visibility splays for a 40mph speed limit could not be achieved within the extents of the adopted or land controlled by the applicant. These splays are X2.4m by Y120m in both directions.
24. Subsequently an application has been considered under reference 21/01329/FUL for 4 dwellings on land at 263 Hoghton Lane. LCC Highways, refer to a traffic count commissioned by LCC was in October 2019 outside 298 Hoghton Lane where the 7-day 85th percentile speeds were established as 41.6mph (eastbound) and 38mph (westbound). Based on the 85th percentile speeds, absolute visibility splays of 2.4m x 86m (west) and 2.4m x 75m (east) can be considered for the proposed site access.

Flood risk

25. The application site is not at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the National Planning Policy Framework (NPPF) 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.
26. 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.
27. United Utilities considered the impact of the development at outline planning stage and recommended that a sustainable surface water drainage scheme, designed in accordance with the surface water drainage hierarchy outlined above be provided. A Flood Risk Assessment and Drainage Strategy were submitted have been submitted in support of the proposed development. This sets out that the area of the existing site is in the main impermeable as will be the proposed surfacing to the new development. As such, a sustainable drainage solution has been designed to accommodate a “betterment” of the existing situation as opposed to retaining the “status quo”. The design of the surface water discharge includes for 45% climate change and a separate 10% increase for urban creep.
28. A percolation test was completed, in the preferred location of a soakaway. Within the excavation there was a clayey soil with a relatively high sand content. The subsequent infiltration rate was calculated and is included within a soakaway design. The surface water management strategy proposes to use a series of rainwater pipes to collect roof drainage, which will then flow into a network of underground drainage pipes and discharge directly into a perforated ring soakaway. The surface water run-off from the external pedestrian areas and driveway will flow overland in the various soft landscaped areas that are located to all sides of the property. This is the preferred option in line with the hierarchy of drainage options.

29. During construction of the adjacent development a surface water 'tail' was provided into the application site. It is proposed that there would be a high level outlet from the soakaway to the end of the existing tail that would provide an alternative method of discharge (to the nearby ditch) should it be required on a temporary basis, whilst soakaway maintenance is completed or in the event of exceedance.
30. On this basis it is considered that a suitable surface water drainage solution has been proposed.

Ecology

31. In the assessment of the outline planning application, it was accepted that the risk of negative impacts to great crested newts was very low, due to the distance to the nearest pond, habitats on the site and scale of the development. Whilst no ecological update has been provided, the Council's ecology advisors (Greater Manchester Ecology Unit) are satisfied that the risk of an offence is very unlikely and no further information or measures are required.
32. In the assessment of the outline planning application, it was accepted that the only potential risk would be, if excessive external illumination of the existing hedge along the western boundary occurred. Given that the dwelling is located to the east of the plot and ornamental shrubs proposed between the dwelling and the hedge, the Council's ecology advisors are satisfied that no further information or measures are required.
33. Given that site clearance has already commenced and that the risks were accepted as very low previously it is recommended an informative be applied to remind the applicant that under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a bird's nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).
34. Removal of part of the hedge to the west of the site appears to have already occurred in order to construct a boundary fence, with the remaining hedge being partially within the boundary of Monsol and partially within the application site to the rear. Whilst hedgehogs could wander on to the construction site, it is considered that the risks are sufficiently low, given the boundary features present. An informative is recommended, reminding the applicant that under the Wild Mammal (Protection) Act 1996 it is an offence to inflict unnecessary suffering to wild mammals. Planning consent does not provide a defence against prosecution under this act.
35. Paragraph 180 of the Framework states that the planning policies and decisions should contribute to and enhance the natural and local environment. The development will result in the loss of some low ecological value grassland, a section of hedge and some young trees and shrubs along with the associated bird nesting opportunities. This will be replaced with a domestic garden, dwelling and hardstanding. In order to adequately mitigate the loss, it is recommended that native hedge is planted to the southern boundary, that bird and bat boxes are provided on the dwelling and that at least one native tree is provided on the site. The proposed landscaping plan details that a native beech hedge will be planted to the southern boundary, and two native trees planted to the front garden area. It is recommended that a condition be attached to any grant of planning permission requiring that bird and bat boxes are provided on the dwelling.
36. On the basis of the above it is considered that the proposed development would comply with policy BNE of the Chorley Local Plan 2012 – 2026.

CIL

37. The development is CIL liable, however, in line with the adopted CIL charges and associated regulations, it is likely that a self-build exemption will be applied for in respect of

the proposal, which may result in a £0 CIL liability on the proviso that the correct procedures are adhered to including the submission of an assumption of liability form.

CONCLUSION

38. The details submitted in relation to the reserved matters applied for under this application, namely appearance, landscaping and scale, are acceptable. The details submitted in relation to conditions attached to the outline planning permission namely conditions 4 (dwelling emission rate details), 6 (surface water drainage scheme) and 8 (Construction Management Plan) are also acceptable. Therefore it is recommended that the reserved matters application is approved subject to conditions.

RELEVANT HISTORY OF THE SITE

Ref: 13/00800/FUL **Decision:** PERFPP **Decision Date:** 20 June 2014

Description: Proposed conversion of existing storage outbuilding to 2 no. live-work units, including associated parking and servicing area to the rear.

Ref: 21/00232/OUT **Decision:** PEROPP **Decision Date:** 23 September 2022

Description: Outline application for the erection of one detached dwelling including details of access and layout, with matters of appearance, landscaping and scale 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

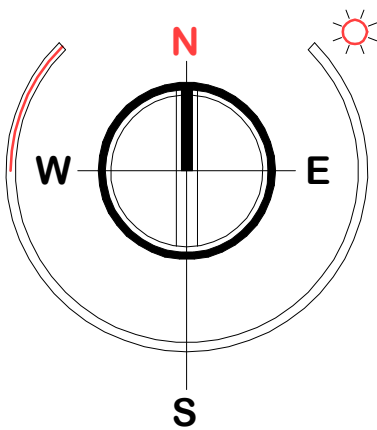
To follow

A4 Size

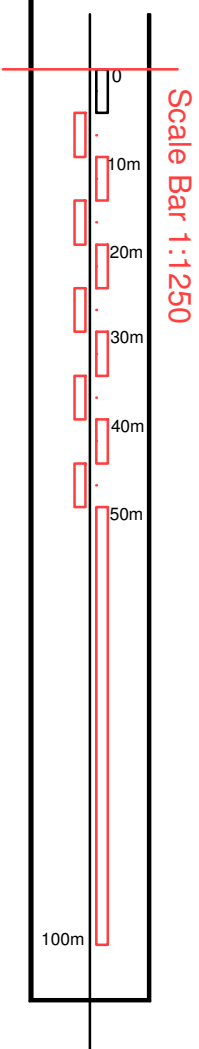
FOR PLANNING PURPOSED ONLY. USE FIGURED DIMENSIONS ONLY. SUBJECT TO SITE SURVEY AND ALL NECESSARY CONSENTS. ALL DIMENSIONS TO BE CHECKED BY USER AND ANY DISCREPANCIES, ERRORS OR OMISSIONS TO BE REPORTED TO THE ARCHITECT BEFORE THE WORK COMMENCES. THIS DRAWING IS TO BE READ WITH ALL OTHER RELEVANT MATERIALS

Scale 1:1250

Revision	Notes	Date	Drawn
A			



Location Plan



FuZED ARCHITECTURE



DESIGN

FuZED A+D, Jactin House, 24 Hood Street, Ancoats, Manchester M4 6WX
 T: 0161 724 8006 E: fuzedarchitects@gmail.com W: fuzedarchitects@gmail.co.uk

Project:	Proposed Residential Development: Land to South of Bluestone Lane, Mawdesley
Client:	Mr A Mawdsley
Content:	Planning Submission Location Plan

Contract No.	1305
Dwg No.	1.01
Revision	-
Date	March '23

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APPLICATION REPORT – 23/00890/FUL**Validation Date: 10 November 2023****Ward: Croston, Mawdesley And Euxton South****Type of Application: Full Planning****Proposal: Erection of three stables buildings for private equestrian use (Retrospective)****Location: Land 100M North East Of Millers Barn Ulnes Walton Lane Ulnes Walton****Case Officer: Mr Iain Crossland****Applicant: Mr Tony Broome****Agent: Sally-Ann Tinsley****Consultation expiry: 7 December 2023****Decision due by: 9 February 2024**

RECOMMENDATION

1. It is recommended that planning permission is refused for the following reason:
2. The proposed development would be inappropriate development in the Green Belt and, therefore, harmful by definition. There would also be other harm to the Green Belt through encroachment into the countryside. It is not considered that there are very special circumstances to overcome the definitional harm to the Green Belt and additional harm from encroachment of the countryside. The proposal is, therefore, contrary to the National Planning Policy Framework.

SITE DESCRIPTION

3. The application site is located approximately 100m to the east of Ulnes Walton Lane within an open area of grassed pasture land and is within the Lancashire Green Belt. The land was previously down to grass, however, it has since been developed through the erection of three timber stables buildings, which form the subject of this application. The site is accessed from Ulnes Walton Lane by a surfaced track. The character of the area is that of open agricultural land interspersed with dwellings and buildings used for equestrian and agricultural purposes. The topography is relatively flat and the open fields are demarcated by hedgerows in most instances.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. The application seeks retrospective consent for full planning permission for the erection of three timber stables buildings for private equestrian use and includes an area of hardstanding between the stables and the track. There is a building with a footprint measuring 16.2m by 3.8m that is positioned adjacent to the northern field boundary and two smaller stables buildings sited opposite, which both measure 6.8m by 3.8m. All buildings have dual pitched roofs measuring up to 2.7m in height.

5. It is noted that the application form and planning statement describe the development as the change of use of the land asserting that the stables are mobile structures and not permanent. Due to their scale and construction, it is clear that the stables are not field shelters that can be dragged with any degree of regularity. There is also no intention to move the stables and these would remain in situ indefinitely, therefore the degree of permanence is such that they are considered to be buildings and are assessed as such.

REPRESENTATIONS

6. One representation in objection has been received expressing surprise that planning permission was not sought before the buildings were erected and hard standing established.
7. One representation in support has been received stating that the sheds are not permanent, cause no harm and that the hard standing is a benefit preventing mud on the road when exiting the land.

CONSULTATIONS

8. Greater Manchester Ecology Unit: Have no comments to make as the buildings are already in situ.
9. Lancashire Highway Services: Does not have any objections regarding the proposed erection of three stables buildings for private equestrian use (Retrospective) and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
10. Ulnes Walton Parish Council: No comments received.

PLANNING CONSIDERATIONS

Principle of development

11. 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.
12. This part of the Borough is not specified as an area for growth within Core Strategy Policy 1 and falls to be considered as an 'other place'. Criterion (f) of Core Strategy Policy 1 reads as follows:
"In other places – smaller villages, substantially built up frontages and Major Developed Sites – development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes." The proposed development would be small scale.
13. With regard to the location of the site in the Green Belt, the Framework states that there is a general presumption against inappropriate development in the Green Belt except in a limited number of specific circumstances. National guidance on Green Belt is contained in Chapter 13 of the Framework, which states:

142. 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.

143. 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.*

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

153. 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.

154. 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.**

14. The proposed development would support a private equestrian development and falls to be considered as a facility for outdoor recreation, in accordance with the definition in the Framework outlined above, and is identified as an exception to inappropriate development in the Green Belt under paragraph 154.b). However, paragraph 154.b) includes the caveat 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.

15. A relevant High Court case *R. (on the application of Boot) v Elmbridge Borough Council* [2017] at the time of the previous National Planning Policy Framework 2012 concludes that paragraph 89 of the 2012 Framework, which is repeated at paragraph 154.b) of the current Framework, does not permit any harm at all to the openness of the Green Belt. A development that would have any adverse impact on openness would not comply with a policy that required openness to be maintained or preserved. The decision-maker therefore has no latitude to find otherwise. There would have to be very special circumstances to justify a grant of planning permission.

16. Any harm to the openness of the Green Belt therefore means that the test in paragraph 154.b) cannot be met. New buildings in this location would inevitably have an impact on openness as the site was previously free from any development or buildings prior to the stables subject to this application being erected. Whilst the proposed stable buildings are relatively low level structures, the footprint and the enclosure that they create is clear in the context of a previously open field, whilst the level of activity generated is more intense.

17. The location of the stables close to the northern field boundary approximately 100m from the public highway and presence of a hedgerow along the western field boundary restrict views of the stables from public vantage points. The stables and associated activities can, however, be seen from where the access track meets the public highway and can be glimpsed through the hedge in places during the winter months. As such there is some visual impact on openness that is perceived from public vantage points.
18. There is also a spatial impact on openness given that the field was previously free from any development and the proposed development results in a built form through the presence of the three stables buildings. As such the development fails to preserve openness does not comply with any of the exceptions to inappropriate development in the Green Belt and is therefore harmful by definition.
19. As it has been established, the development of the site with stable buildings is 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.
20. There are five purposes of the Green Belt as detailed above. The development of the application site includes the construction of hard standings and three buildings resulting in development encroaching into the countryside that was previously an area of open grassland pasture. This results in a clear incursion of built form within an undeveloped part of the Green Belt.
21. On the basis of the above it is considered that there is other harm to the Green Belt caused by the harm to the third purpose of including land in the Green Belt set out at paragraph 143.(c), as the proposed development results in a degree of encroachment into the countryside.
22. As the proposed development results in definitional harm to the Green Belt and other harm through encroachment the local planning authority must attach substantial weight to this harm. There would have to be very special circumstances to justify the grant of planning permission that would outweigh this harm, and these will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. The applicant's Planning Statement and further Additional Supporting Information identifies the following:

The applicant breeds the Miniature Shetlands as a hobby, and although they live mostly in fields, there are many occasions when ponies need to be stabled.

The applicant bred 15 foals this year and it was essential that the mares were brought inside to foal in the stable, where they could be properly supervised. In particular, during the final month before foaling it is essential that mares are closely observed for any signs of early foaling or complications, which could lead to the death of the mare or the foal.

If the ponies are in the fields in the final weeks they cannot be closely observed. There is the risk of them foaling in the field. Frequently, they foal at night and need to be watched so that a vet can be called in an emergency. In the event that they need urgent veterinary treatment, they need to be stabled.

Last year, without stabling, the applicant sadly lost three foals. This was the reason for putting the stabling on the land. As a result, this year all foals have survived.

Horses and ponies frequently sustain injuries and illness, in almost all cases this requires that they are stabled. Lameness of varying kinds is extremely common and always necessitates that they are stabled. This can be to rest a painful leg with infection and to ensure that the pony is kept warm, or to keep the weight off an injury and to keep dressings clean and in place.

Some ponies are elderly and need to be stabled from the end of autumn and throughout the winter, in order to maintain adequate body temperature.

The provision of appropriate shelter is essential to achieve acceptable levels of equine welfare and to comply with equine welfare legislation.

23. The planning statement goes on to set out the associated legislation, best practice and welfare guidelines pertaining to the keeping of animals and specifically horses, ponies and donkeys stating that the stables buildings have been designed to comply with current equine welfare guidelines. The buildings are also used to store feed and equipment for maintenance purposes necessary to support the keeping of the animals.
24. The statement sets out that the applicant is happy to accept conditions relating the appearance of the stabling, any planting considered necessary, and that the stabling will be removed when no longer required.
25. The additional supporting information adds to the case that the ponies kept at the site have a higher requirement for care and that they have a much higher potential for complications likely to result in veterinary care and treatment and emergency life threatening occurrences. Further details are provided as to why the ponies, and in particular those that are in-foal, cannot be left to stand outside in water and that they require shelter when foaling. The applicant has advanced that three foals have been lost without the stabling in situ. Evidence of water logged land and the applicant's pony breeding activity are provided in addition to examples of ponies winning prizes at show events.
26. Further details of veterinary treatment administered to the animals is provided in addition to a letter from the Clinical Director at the Rufford Veterinary Group confirming that they attend to the animals kept at the site and that Shetland ponies are bred to a high standard at the site. They have also confirmed that they consider shelter to be required for in-foal mares and youngsters during the breeding season and necessary when the ground is very wet, and that shelter for feed is also necessary.
27. There is no reason to doubt the success achieved in the breeding and showing of the ponies, whilst it is clear that animals must be cared for in line with the most up to date welfare standards. The proposed stables would certainly support the improved welfare of the animals, particularly in relation to critical points in the breeding cycle. There is, however, no requirement for the local planning authority to make provision for the keeping and breeding of ponies within the borough. Nor is there a necessity for ponies to be accommodated at this site. Although it is acknowledged that all animals should be cared for in line with the highest welfare standards, animals should not be taken on without due consideration and the means to support their welfare. The willingness to accept a condition requiring the removal of the stables should they no longer be required would not mitigate their impact on openness whilst they are in situ. The applicant's case could be readily replicated through similar proposals at other sites in the Borough, and is not considered to be special or unique to this particular site or set of circumstances.
28. It is not considered therefore that the justification set out for the scheme represents the very special circumstances required to outweigh the identified harm to the Green Belt, which must be afforded substantial weight. It is, therefore, considered that the proposal is unacceptable in principle.

Details of the proposed development

29. The Central Lancashire Rural Development SPD sets out more detailed guidance in relation to the type of equestrian development that would be suitable in rural areas. The SPD sets out matters relating to scale, siting, design, site treatment, highway safety and reinstatement. These are assessed below:
30. *Scale: For development proposals involving more than three horses, the applicant should submit a statement with the planning application detailing why accommodation of the size proposed is required.*

31. It is considered that the supporting information submitted with the planning application sufficiently justifies that the scale of development would meet its intended purpose, as described earlier in this report.
32. *Siting: new buildings should not harm the landscape character of the surrounding area. They should be well related to existing trees, hedges or landscape features, avoiding prominent positions, and generally at least 30 metres away from neighbouring residential properties. There should be proper screening for car and horse-box parking and appropriate arrangements for manure storage and/or management.*
33. The proposed stables buildings are positioned close to the northern boundary of the site relatively close to an access track. Although they are visible from the public highway views are not extensive and are either filtered by boundary vegetation or seen through a gap via the access track, whilst the topography is flat and extensive views not possible. As such the stables are not a prominent feature within the landscape. The proposed stables buildings would be located in excess of 30m from the nearest residential properties and would be partially screened from the dwellings by intervening vegetation.
34. *Design/materials: traditional designs will generally be the most appropriate, clad externally in timber and with an internal timber frame, with a maximum ridge height of 3.5 metres for stables. Tack rooms and hay stores should be part of the same building, and each should be of a similar size to an individual stable.*
35. The proposed stables buildings have a ridge height of less than 3.5m, which meets with the guideline set out in the Rural Development SPD. The accommodation that is included is generally accepted for stables, and the buildings would be timber clad and of a traditional outward appearance.
36. *Site treatment: hard-standing areas, access tracks and sand paddocks should be of the minimum size necessary and should not encroach on the open countryside. Careful consideration will be required for the design of storage or parking of horse boxes on site, and fencing should be appropriate to the local vernacular and not suburban in appearance. Sand paddocks should utilise existing ground levels unless absolutely necessary and should not appear built out of the ground and thus alien to the natural contours of the land. Where a sand paddock needs to be above ground level an assessment of its visual impact would be required and appropriate mitigation incorporated into the design. Floodlighting of sand paddocks and yards is generally inappropriate in the open countryside or near to neighbouring residents. Where floodlighting is proposed, it should be designed to minimise light spillage from the lit area.*
37. As previously discussed, the proposal would result in encroachment of the countryside and so the proposal fails to meet the requirements of the SPD in this regard.
38. *Highway safety/bridleway use: the movement of horses or vehicles resulting from the siting of stables should not create danger to horses and riders, or to other road users. Stables are best sited to have safe and convenient access to the bridleway network or minor roads, although existing bridleways should not become over-intensively used as a result of the development. Wherever possible there should be a designated turning area within the site so that lorries, horse-boxes or towed trailers do not have to be reversed either on or off the highway.*
39. LCC Highway Services has no objection to the proposal.
40. *Re-instatement: A condition would normally be recommended, which would require the removal of the stables building and restoration of the land to its former condition if the authorised use ceases for a period exceeding one year, in order to protect the appearance of the countryside.*

41. Such a condition could be attached to any grant of planning permission for the proposed development, though would not mitigate the harm to openness as the stables could remain indefinitely.
42. Paragraph 40 of the SPD states: *“The Councils will require the following criteria to be met in considering applications for developments involving horses:*
- in the case of indoor facilities or commercial stables, the development is within an existing building or forms part of a farm diversification scheme;*
in the case of small, private developments the site should be close to existing buildings and well screened by existing trees or local landscape features;
the development would not result in the over-intensive use of the local bridleway network;
the movement of either horses or vehicles as a result of the development would not prejudice road safety;
provision for removing any equipment and re-instating the site once its use for horses is no longer required”
43. The proposal is for a private equestrian stables and is relatively well screened. Overall, the proposal fails to comply with all of the criteria set out in the Rural Development SPD, though is in general conformity.

Impact on neighbour amenity

44. The proposed stables buildings are sited over 50m from the nearest residential property to the north-west at Croston Farm Barn and approximately 100m from Millers Barn to the south west. This complies with the 30m guideline set out in the Rural Development SPD. The proposed buildings are of modest height and therefore the degree of separation is such that it is not considered that there would be an unacceptable adverse impact on the amenity of any residential occupiers. The proposed development results in an increased intensity of use at the site, bringing activity to the site and vehicular journeys. Given the degree of separation it is not considered that there would be an unacceptable adverse impact on the amenity of any residential occupiers.

Highway safety

45. The proposed development provides three stable buildings accessed via a track from Ulnes Walton Lane. There is hard standing to the west of the buildings and the site is accessed by vehicles with trailers. LCC Highway Services have considered the proposal and do not have any objections and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

Flood risk and drainage

46. 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 National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system and in the most sustainable way possible.
47. 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:
- a. into the ground (infiltration);
 - b. to a surface water body;
 - c. to a surface water sewer, highway drain, or another drainage system;
 - d. to a combined sewer.
48. Any development of the site should incorporate a surface water drainage system that has been designed in line with the hierarchy set out above.

CONCLUSION

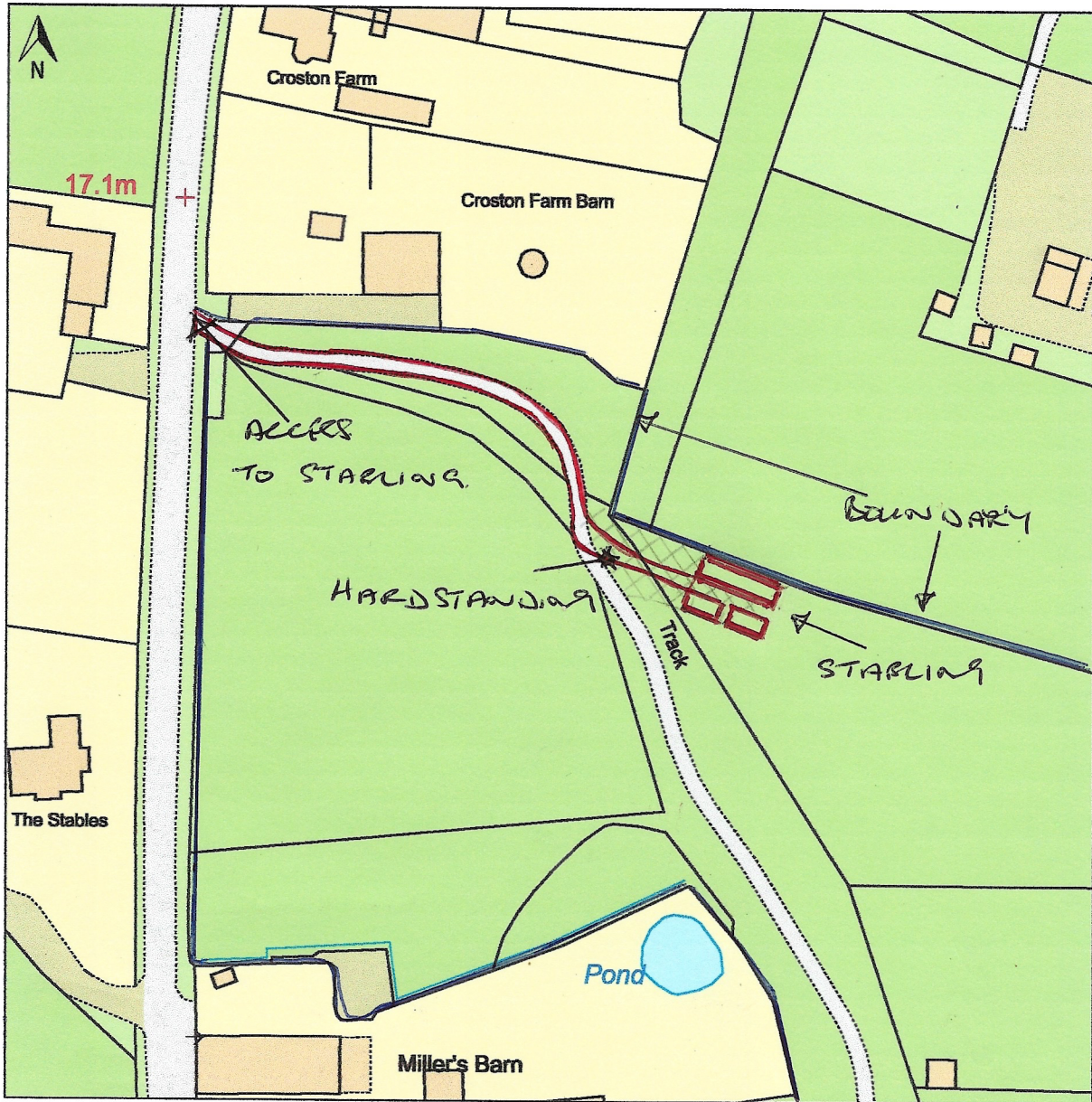
49. The proposed development of the site for stables buildings and associated infrastructure is inappropriate development in the Green Belt and results in other harm to the Green Belt through the degree of encroachment into the countryside. The design and scale of the proposed stables buildings is appropriate and is consistent with a private stables development, however, this does not overcome the harm to the Green Belt. It is not considered that there are very special circumstances to overcome the definitional harm to the Green Belt and additional harm caused through encroachment. It is, therefore, recommended that the application be refused.

RELEVANT HISTORY OF THE SITE

Ref: 22/00207/FUL **Decision:** REFFPP **Decision Date:** 24 June 2022
Description: Erection of an agricultural building for housing sheep, hay/feed, machinery and vehicles

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.

LAND ADJACENT TO MILLERS BARN, ULNES WALTON LANE PR26 8LU



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Scale: 1:1250

Paper Size: A4

Notes:

Retrospective planning application for change of use of land for the siting of stabling.

Prepared by Sally-Ann Tinsley BSc LLdip PgC Ag Law Equine Commercial-Legal



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APPLICATION REPORT – 23/00113/FUL

Validation Date: 10 February 2023

Ward: Croston, Mawdesley And Euxton South

Type of Application: Full Planning

Proposal: Demolition of the existing buildings and erection of a convenience store and cafe with parking, landscaping and associated infrastructure

Location: The Crown Station Road Croston Leyland PR26 9RN

Case Officer: Daniel Power

Applicant: Central England Co-operative Ltd

Agent: Mrs Katarzyna McMaster

Consultation expiry: 5 September 2023

Decision due by: 7 April 2023

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site is located within the Settlement Area of Croston, as defined by policy V2 of the Local Plan. The site is on the western side of Station Road and is currently occupied by The Crown public house. The existing building is a two storey brick built building with single storey extension and outbuildings to the rear. To the rear is a parking area and open grassed area. The pub is currently closed and has been for several years now.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. This application seeks planning permission for the demolition of the exiting pub and outbuilding and proposes the erection of a convenience retail store and café, with associated car parking, landscaping and associated infrastructure. The proposed building would be located further within the site, along the northern boundary and would be formed into three elements, with the larger, higher building in the centre and two small attached to the sides. The area to the south would be parking, with a fenced surface area to the west of the proposed building. The application also proposes landscaped areas to the western, southern and part of the eastern boundary.

REPRESENTATIONS

4. Five letters of objection have been received and can be summarised as follows:

- Light pollution would impact neighbouring amenity
- Noise pollution would impact neighbouring amenity
- Would prevent access for maintenance to neighbouring land/property.
- The proposal would result in an increased in traffic harmful to neighbouring amenity.
- There is no requirement for the proposed uses.
- The development would result in the loss of wildlife.
- Can the parking space be made available for neighbours.
- The proposed development does not meet retail policies for the area as it is situated outside the Local Centre

CONSULTATIONS

5. United Utilities
No objections subject to conditions
6. Lancashire Highway Services- Comments on the originally submitted application.
In principle LCC Highways support the application, however, there are some elements which require more detail and consideration.
7. There is a concern that as the northerly and southerly turning manoeuvres go onto the opposite carriageway as shown in the swept path analysis provided in the Transport Statement.
8. To ensure these turning movements can be undertaken with the prevalence for on street parking in Croston, waiting restrictions will have to be introduced. The extents of which can be decided with the swept path and position of driveways etc.
9. There is also a concern that for properties on Station Road which do not have off street parking and their usual off street parking areas now with waiting restrictions that on street parking will be a premium, if not none existent. It is requested that off street parking is provided within the site for the residents who lose their off street parking. Extra car parking provision will have to be made within the site to accommodate these cars.
10. It is noted from the Transport Statement that the maximum number of spaces for a development of this size is 48 and 30 are proposed. With the potential loss of spaces to residents it is requested that additional spaces are provided. With the site's central location to the village and the café additional spaces are requested to ensure that no on street parking occurs on Station Road. This enables the local traffic to use the facility in an efficient and safe manner for the proposed Co-op and café.
11. There is a bus stop outside the site and upgrades to this stop are requested. A quality bus stop is requested and a shelter if it can be accommodated. A bus stop marking is requested alongside the waiting restrictions. The access and off site highway works will be delivered through a s278 agreement.
12. A Traffic Management Plan will be requested to ensure the construction traffic and deliveries are outside of the peak and outside of the school times with the coaches from the high school. From site visits to Croston the school and college buses are high in number and on Station Road bring the flow of traffic to a halt in places at the peak times. Any additional vehicle movements in these times are to be avoided.
13. The delivery wagons and refuse wagons would also be requested to service the site outside of these times.
14. Lancashire Highway Services – Re consultation
Amended plans were provided by the agent to address the above comments April 2023. Following a re-consultation with LCC and a number of follow up emails, no comments have been received.
15. Regulatory Services - Environmental Health

I have considered the acoustic report (Doc Reference: 91110/NIA) submitted in support of the of the application. I accept the methodology, summary and recommendations within the report.

16. **Noise From Plant:**
In section 6.8- It is stated that the noise level predictions demonstrate that cumulative noise emissions from the proposed plant will comply with the proposed limits at the nearest noise sensitive properties inclusive of the mitigation measures specified. I would recommend that it is conditioned that these mitigation measures must be installed i.e. screening from a closed board fence around the plant as well as appropriate mitigation, in the form of an acoustic 'j-kit' enclosure to the VRF air conditioning unit.
17. **Noise From Deliveries:**
In section 7.18- It is recommended that the store implements a noise management plan to reduce the noise impact of deliveries on the neighbours as much as possible. A typical set of mitigation measures has been suggested. All of which seem reasonable and suitable and I would request that they make the measures site specific and commit to them as a working noise management plan for that site and that the plan is placed as a condition should the application be approved.
18. Waste & Contaminated Land
No comments
19. Growth Lancashire
(Summary) As I am required to do so, I have given the duties imposed by s.72(1) of the P(LBCA) Act 1990 considerable weight in my comments.
20. For the reasons above, I feel the proposal would meet the duty to preserve and would cause no substantive harm to the contribution made by the setting to the character or appearance of Croston Conservation Area. In this regard the proposal meets the requirements of Section 16 of the NPPF and is in accordance with Local Plan Policy BNE8 and Policy 16 of the Central Lancashire Core Strategy.
21. Lancashire County Council Archaeology Service
The Heritage Statement gives an accurate assessment of the building and site. As far as we are aware there is no known archaeological interest on the site and the building is not sufficiently unusual or interesting to merit any further recording work.
22. Lead Local Flood Authority
The Lead Local Flood Authority (LLFA) has no comment to make on the application. For further information please refer to the LLFA Standing Advice for Minor Planning Applications.
23. Environment Agency
No comments have been received.
24. Parish Council
No comments have been received
25. CIL Officers
This development is subject to the CIL Charge for Retail Warehouse, retail parks, and neighbourhood convenience stores as listed in Chorley Councils CIL Charging Schedule
26. Greater Manchester Ecology Unit
27. **Bats**
The survey found that the building is being used as a Common Pipistrelle day/transitional roost by singular/small numbers of these species. Details of the mitigation measures that are required have been provided and these are acceptable. We are therefore satisfied

that provided the mitigation measures are followed in full the favourable conservation status of bats would be maintained at this site.

28. As the works will require a licence from Natural England we would recommend that the following condition (BS4020:2013) be attached to any permission, if granted:
29. *The following works demolition of the existing buildings shall not in any circumstances commence unless the local planning authority has been a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations (Amendments) (EU Exit) 2019 authorizing the specified activity/development to go ahead.*
30. **Biodiversity Net Gain**
A Biodiversity Net Gain Assessment has been submitted, although a copy of the actual metric does not appear to have been included so the calculations cannot be verified. Nevertheless, the assessment demonstrates that the proposals will result in a net loss for biodiversity and are therefore contrary to National Planning Policy Framework. Further information is therefore required as how the proposals will compensate of the loss of biodiversity at the site.
31. **Other issues**
The proposals include the remove of trees and hedgerows. As these may be used by nesting birds, we would advise that the following condition be attached to any permission:
32. *No removal of or works to any hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation or structures for active birds' nests immediately before the vegetation is cleared or works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.*
33. The Preliminary Ecological Appraisal made recommendations for precautionary measures to protect other species during site clearance. We would therefore advise that these are incorporated in the Construction Environmental Management Plan for the site.

PLANNING CONSIDERATIONS

Principle of development

34. The application site is located within the Settlement Area Croston, as allocated within policy V2 of the Local Plan, where the principle of new development is supported, however, the application proposes a mixed use retail building. The site is located approximately 350 metres from Croston town centre as designated within the Chorley Policies Map. Policy EP9 (Development in Edge-of-Centre and Out-of-Centre Locations) 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.*
35. The application site is located within close proximity to a number of bus stops and a train station to the north. The application was submitted with a Retail Impact Assessment, which considered the impact of the proposal, being located outside of the town centre, on

the viability of the town centre. The impact assessment considered that there are no suitable or available sites in a sequentially preferable location. In addition, the assessment considered the proposed development would not significantly impact on any existing, committed or planned public investment within Croston Local Centre or the defined catchment area. Croston Local Centre is demonstrated to be in a very good state of health and is demonstrated to be vital and viable. It concluded that the nature and scale of the proposal would not give rise to significant adverse impacts on the vitality and viability of Croston Local Centre. It is therefore considered the proposal accords with policy EP9 as is therefore acceptable in principle.

Loss of Community Facilities

36. The application would result in the loss of a community facility, in this case a pub, therefore policy HW6 (Community Facilities) is relevant and 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.*
37. The Planning Statement submitted in support of the application states that Croston benefits from a provision of pubs, with 28 pubs located within 10min drive from the site and 5 pubs located within 10min walk. Furthermore, the statement advises that The Crown Pub, pre-covid trade was predominantly from the local area offering a limited, basic food offering and good selection of drinks – therefore the trade was a ‘wet-led’ operation which has been difficult to sustain in a limited footfall rural village location such as Croston. Trade suffered during the pandemic, specifically with lockdowns but also a hesitancy for people to return meaning the business closed and could not be re-opened. Marketing information has been provided and it appears that the public house was advertised for a length of time without any intreats. Given the number of other pubs within the local area, and the length of time the pub has been closed, the proposal is considered to accord with the above policy.

Heritage, design and appearance

38. The site is located on the west side of Station Road, approximately 50 metres from the northern boundary of the Croston conservation area. The Council’s conservation adviser, Growth Lancashire, was therefore consulted.
39. The principal statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 is to preserve the special character of heritage assets, including their setting. LPA’s should, in coming to decisions, consider the principle Act, which states the following: *Conservation areas – Section 72(1)*
40. In undertaking its role as a planning authority, the Council should in respect to conservation areas pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In relation to conservation areas decision makers should consider the impacts on the character and appearance of a conservation area (which includes its setting) separately and that development proposals need to satisfy both aspects (to preserve or enhance) to be acceptable.

41. The Design and Conservation officer considers the contribution of the site to the significance of the Croston Conservation Area (CA). Whilst they recognise that the existing building/site forms part of a wider mixed C19 and early C20 setting north of the historic core of the village they agree with paragraph 4.19 – 4.21 of the submitted Heritage statement and consider its contribution to the CA is very limited and of no consequence. In addition, in the consideration of the significance of the Non Designated Heritage Asset. The officer comments that the current building is of limited individual merit and they agree with the submitted heritage Statement that it would not warrant recognition or designation as being a building of local interest when assessed against Historic England's HEAN7 guidance. In this respect, they place very little weight on the need to preserve the building.
42. It is therefore considered that the proposal would meet the duty to preserve and would cause no substantive harm to the contribution made by the setting to the character or appearance of Croston Conservation Area. In this regard the proposal meets the requirements of Section 16 of the NPPF and is in accordance with Local Plan Policy BNE8 and Policy 16 of the Central Lancashire Core Strategy.

Impact on the neighbour amenity

- 43 *Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that new development should not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or overbearing; and that the proposal should not cause an unacceptable degree of noise disturbance to surrounding land uses;*
- 44 The existing property is located within an area where there are several residential properties. The permitted use of a pub, would have an impact to neighbouring properties, with daily coming and going and noise from visitors to the pub. The Council's environmental health officer has considered the proposal and the submitted Noise Impact Assessment, is of the opinion that subject to conditions the proposal would be acceptable. The proposed building is further away from neighbouring dwellings than the existing pub. Given the distance to neighbouring dwellings and the scale of the building, it is not considered that the proposal would have an undue impact through overbearing or overlooking. Given the existing use of the site and subject to the recommended conditions, it is not considered the proposal would have a significant to neighbouring amenity.

Highways

- 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 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. The policy is considered to be consistent with the Framework and should be attributed full weight.
- 44 LCC Highways were consulted on the application and state that in principle they support the application. They do, however, consider there to be some elements requiring further detail and consideration, and their comments can be found earlier within this report. Following the initial LCC response additional information was provided by the applicant, which included a new swept path analysis and addresses a number of points raised. A consultation was sent to LCC Highways on this basis, however, no further comment has been received.

- 45 Within their comments the local highway authority requested a Travel Plan, which has been recommended as a condition. Additional parking spaces were requested by LCC for residents to use, however, it is not for the proposed development to provide additional parking for the village and should only respond to demand arising from the proposed development. Given the locations close to a bus stop and train station, and the likelihood that local residents will walk to the site, the proposed level of parking is considered to be acceptable. It is considered that the issues raised can be addressed via condition and given the local highway authority does not have an objection in principle, it is considered the proposal would not have a significant impact to local highway safety, capacity or amenity.

Ecology and Bio-diversity

- 43 The Framework states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan) and minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 44 Policy BNE9 (Biodiversity and Nature Conservation) of the Chorley Local Plan 2012-2026 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.
- 45 Policy BNE11 (Species Protection) 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
- 46 The Council's ecology advisor considered the submitted bat survey and Biodiversity Net Gain Assessment and had no objections subject to condition and Section 106 to secure the offsite biodiversity net gain. In consideration of the above, subject to a S106 and the advice from GMEU, it is not considered that the proposed development would be detrimental to nature conservation or protected species interests.

Community Infrastructure Levy

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

RELEVANT HISTORY OF THE SITE

Ref: 02/00653/FUL **Decision:** PERFPP **Decision Date:** 16 September 2002
Description: Single storey rear extension

Ref: 96/00392/FUL **Decision:** PERFPP **Decision Date:** 11 October 1996
Description: Refurbishment of public house including side extension to form new stairway and extension to car park,

Ref: 07/00196/FUL **Decision:** REFFPP **Decision Date:** 13 April 2007
Description: External covered area.

Ref: 13/00642/FUL **Decision:** PERFPP **Decision Date:** 13 September 2013
Description: Provision of disabled access and accessible WC to the rear of the building

Ref: 84/00252/FUL **Decision:** PERFPP **Decision Date:** 22 May 1984
Description: Porch and bay extensions and change of use of hairdressing salon to lounge for public house

Ref: 80/00053/FUL **Decision:** PERFPP **Decision Date:** 9 April 1980
Description: Alterations, rear porch, and provision of customers car park

Ref: 76/00354/ADV **Decision:** PERADV **Decision Date:** 25 May 1976
Description: Illuminated sign

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

Suggested Conditions

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

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

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

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

Title	Plan Ref	Received On
Location & Block plan	15883 DB3 B01 00 DR A 90-003 REV P01	8 February 2023
External Plant Enclosure Details	15883 DB3 B01 00 DR A 90-006 REV B	8 February 2023
Proposed Site Plan	15883 DB3 B01 00 DR A 90-002 REV F	8 February 2023
Proposed Floor Plans and Elevations	15883 DB3 B01 00 DR A 20-001 REV B	8 February 2023
Proposed Roof Plan	15883 DB3 B01 00 DR A 27.001 REV A	8 February 2023
Landscaping Plan	STR18027-WSL- ZZ-ZZ-DR-S- (95)001 REV P02	8 February 2023

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

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

4. The development hereby permitted shall not commence until full details of the junction between the proposed service road and the existing highway have been submitted to and approved in writing by the Local Planning Authority. No part of the development hereby permitted shall be occupied or used until that junction has been constructed in accordance with the approved details.

Reason: In the interests of highway safety.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the 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..

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

6. 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.

7. The use hereby permitted shall be restricted to the hours between 07:00; and 22:00 on weekdays, Saturdays, Sundays and Bank Holidays.

Reason: To safeguard the amenities of local residents.

8. No development shall commence until a Traffic Management Plan (TMP) has been submitted to and approved by the Local Planning Authority in conjunction with the Highway Authority. The TMP shall include details relating to:-

- Any temporary or permanent highway alterations and improvements necessitated by the development, including details of temporary warning signing;
- Measures for reinstating the highway after the removal of any temporary works together with details of the timing of any remediation measures;
- Construction vehicle routing;
- The management of junctions and crossings of the public highway;
- The timing of delivery vehicle movements including turbine component delivery vehicles;
- Details of banksmen/escorts of abnormal loads;
- Traffic management of the existing highway network.

The development shall be carried out in accordance with the approved TMP at all times unless otherwise agreed in writing with the local planning authority.

Reason: To maintain the operation of through routes in the area during the sites period of construction and to ensure the safety of other highway users.

9. Prior to the first use of the development hereby approved, the acoustic screening shown on approved plan drawing no. 15883 DB3 B01 00 DR A 90-006 REV B shall be installed in accordance with the suggested within the submitted Noise Impact Assessment Acoustic Report (Ref: 91110 Rev 01; dated 16th December 2022). The development thereafter shall be completed in accordance with the approved details.

Reason: In the interests of the amenity of future occupants of the nearby dwellings.

10. Prior to the first use of the development hereby approved, the mitigation measures outlined within section 7 of the submitted Noise Impact Assessment Acoustic Report (Ref: 91110 Rev 01; dated 16th December 2022). The development thereafter shall be completed in accordance with the approved details.

Reason: In the interests of the amenity of future occupants of the nearby dwellings.

11. The private car parking and manoeuvring areas to be marked out in accordance with the approved plans, before the use of the premises hereby permitted becomes operative and permanently maintained thereafter.

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

12. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

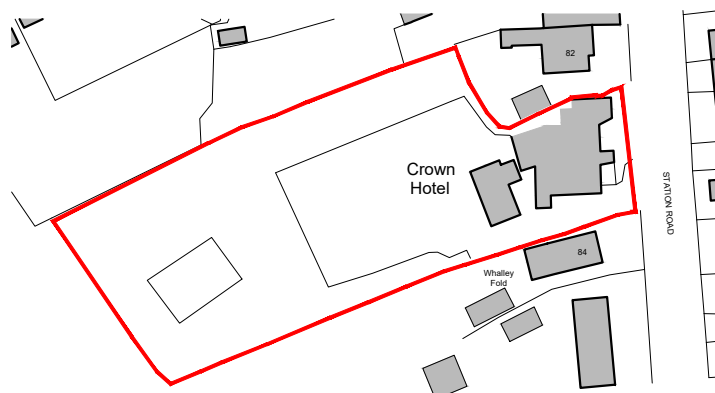
Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

13. No works to trees and shrubs or vegetation clearance or demolition of buildings shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present.

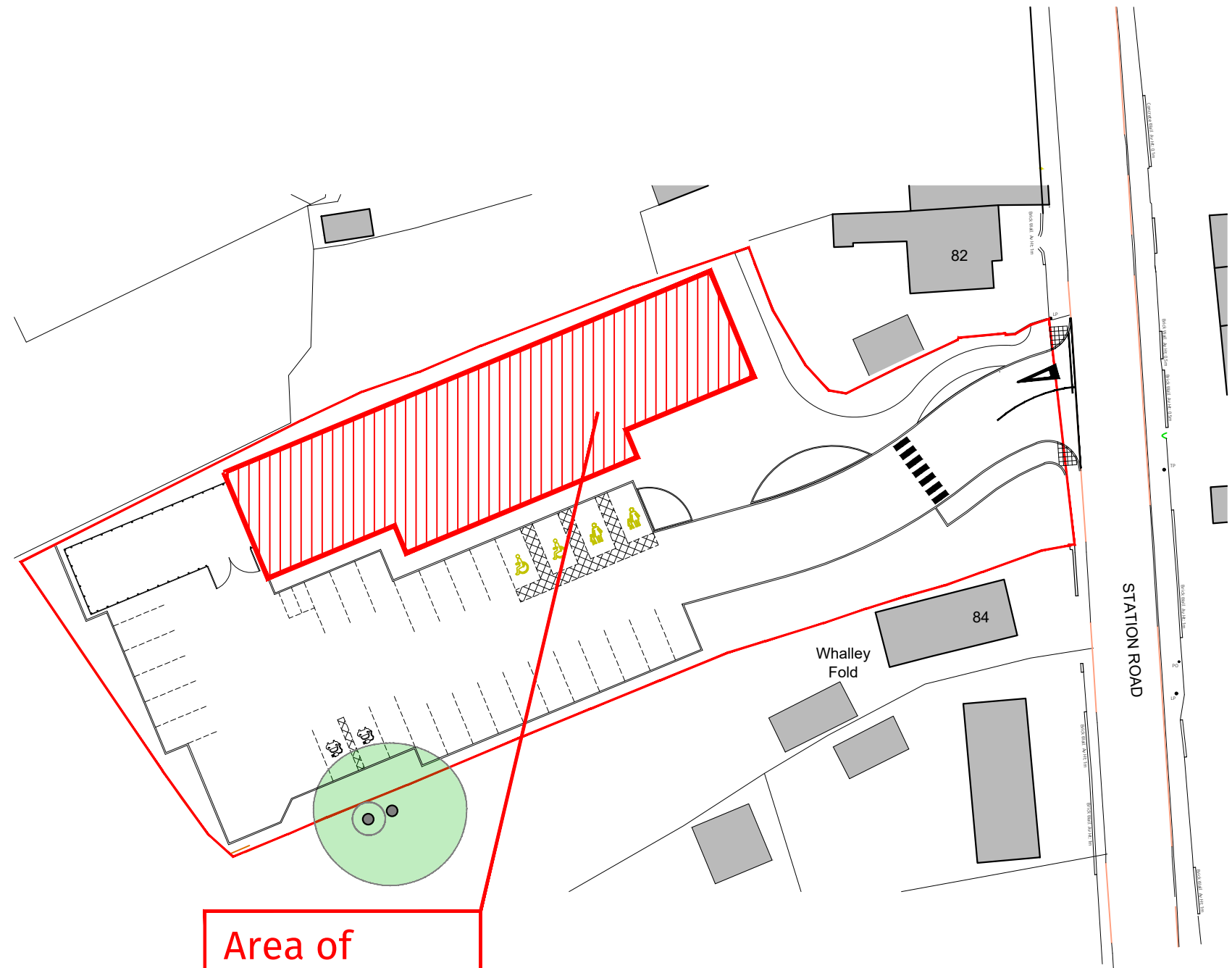
Reason: All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981 (as amended).

14. The following works demolition of the existing buildings shall not in any circumstances commence unless the local planning authority has been a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations (Amendments) (EU Exit) 2019 authorizing the specified activity/development to go ahead.

Reason: To safeguard a protected species.

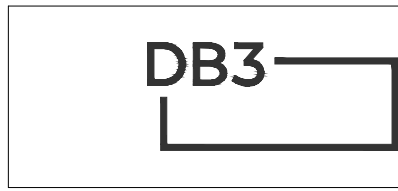
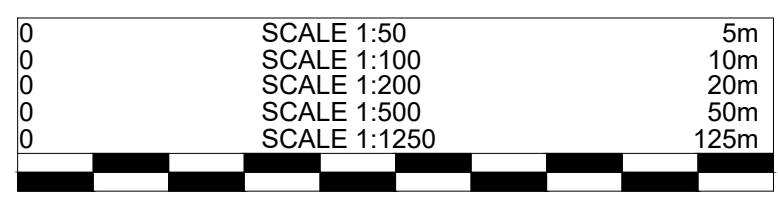


1 LOCATION PLAN
1:1250



Area of Development

2 BLOCK PLAN
1:500



PLANNING

LEEDS
4th Floor, 10 South Parade, Leeds, LS1 5QS.
T: 0113 244 6931 www.darntonb3.com

CLIENT
CENTRAL ENGLAND CO-OPERATIVE

PROJECT
Proposed Redevelopment @ Crown PH-Croston

TITLE
Location & Block plan

CREATION DATE	SCALE @ A3	DRN	CHK	STATUS
21/09/22	1/1250/500	MS	RS	
SHEET NO.	REVISION			
15883 - DB3 - B01 - 00 - DR - A - 90 - 003	P01			
<small>PROJECT NO ORIGINATOR ZONE LEVEL TYPE ROLE NUMBER</small>				

REV	DATE	DESCRIPTION	DR	CH
B	12.12.22	Site plan updated	sn	RS
A	02.11.22	Site plan updated	sn	RS

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APPLICATION REPORT – 23/00869/PIP**Validation Date: 10 November 2023****Ward: Chorley North West****Type of Application: Permission In Principle****Proposal: Permission in principle application for a minimum of 4no. dwellings and a maximum of 4no. dwellings****Location: Apple Electrics Ltd Black Horse Street Chorley PR7 2HY****Case Officer: Daniel Power****Applicant: Gradus Homes Ltd****Agent: Mr Tony Lawson****Consultation expiry: 30 November 2023****Decision due by: 20 February 2024**

RECOMMENDATION

1. It is recommended that permission in principle is granted subject to conditions.

SITE DESCRIPTION

2. The application site is located within settlement area of Chorley as defined by policy V2 within the Chorley Local Plan 2012 – 2026 and is located to the north eastern corner of Black Horse Street, to the rear of Pall Mall.
3. The site currently has several single storey buildings, consisting of timber sheds, brick buildings all served from an access off Black Horse Street. The character of the area is residential to the west, consisting of two storey residential properties. To the east there are two storey commercial/retail, with flats above.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. This application seeks permission in principle for a minimum and maximum of 4 no. dwellings. The National Planning Practice Guidance (NPPG) on Permission in Principle, states that *“the scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission.”*
5. The permission in principle process came into force on 15 April 2017 with the government intention of simplifying the planning process for developers, and to give developers more certainty over whether a site is suitable for development ahead of going to the expense of working up more detailed proposals necessary to obtain full planning permission. The

government expected this to encourage new development and increase the amount of land available to build on, thereby helping to boost housing supply. While the council has been clear that it prefers a locally-led planning process, as the local planning authority, the current NPPG has to be followed.

REPRESENTATIONS

6. Two letters of objections have been received and can be summarised as follows:
 - This right of way was tested in the county court. This land locked parcel of land to be used for residential purposes as this moment of vehicles from my land to allow access would be unworkable.
 - The proposal would restrict access to the rear of properties along Pall Mall.
 - The proposal would have a harmful impact to the privacy of neighbouring dwellings.

CONSULTATIONS

7. Parish Council – No comments have been received.
8. CIL Officers - This development will be CIL Liable on approval of the technical details.

PLANNING CONSIDERATIONS

9. The National Planning Practice Guidance (NPPG) on Permission in Principle, states that *“the scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission.”*
10. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that if regard is to be had to the development plan for any determination then that determination must be made in accordance with the plan unless material considerations indicate otherwise.
11. The Development Plan comprises the adopted Central Lancashire Core Strategy (2012) and the adopted Chorley Local Plan 2012- 2026.
12. The proposal is in Chorley Town, which Core Strategy Policy 1 defines as a Key Service Centre, where growth and investment, including housing growth, should be concentrated.
13. The application site is located within the Settlement Areas of Chorley as allocated within policy V2. Policy V2 states that within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development, subject to material planning considerations and the other Policies and Proposals within this Plan.
14. The application proposes 4 no. dwellings within an established residential area, which could reflect the density of the locality, therefore the principle of the development is considered acceptable.
15. The application would result in the loss of an employment site, as the buildings have been used for a joinery business in the past. Policy 10 of the Central Lancashire Core Strategy seeks to protect existing and last use employment sites. The is located largely within a residential area, albeit with some commercial retail to the east. The building is small scale and in poor condition, with access through the residential area. While smaller employment sites are important to the variety of employment sites within the district, given the above limitation and location of the building, it is considered the loss of the employment use is acceptable as the alternative residential use would be more suitable in this location.

Other matters

16. Objections have been received relating to retaining access to properties along Pall Mall and a recent County Court decision. This is a civil matter and is not a consideration in the determination of this application.
17. Objections have been received relating to the impact to privacy of neighbouring dwellings. This is not a matter that falls within the scope of consideration of the permission in principle consent stage. This would be addressed as part of the technical details consent, which is the second stage of the process.

CONCLUSION

18. The principle of erecting 4 no. dwellings at the application site is considered acceptable in terms of location, land use and the amount of development. It is, therefore, recommended that permission in principle is granted.
19. National Planning Practice Guidance (PPG) advises that it is not possible for conditions to be attached to a grant of permission in principle and its terms may only include the site location, the type and amount of development. Nonetheless, the PPG indicates that, unless some other period is justified, where permission in principle is granted by application, the default duration of that permission is three years. This will be added as an informative note to any grant of permission for this development.

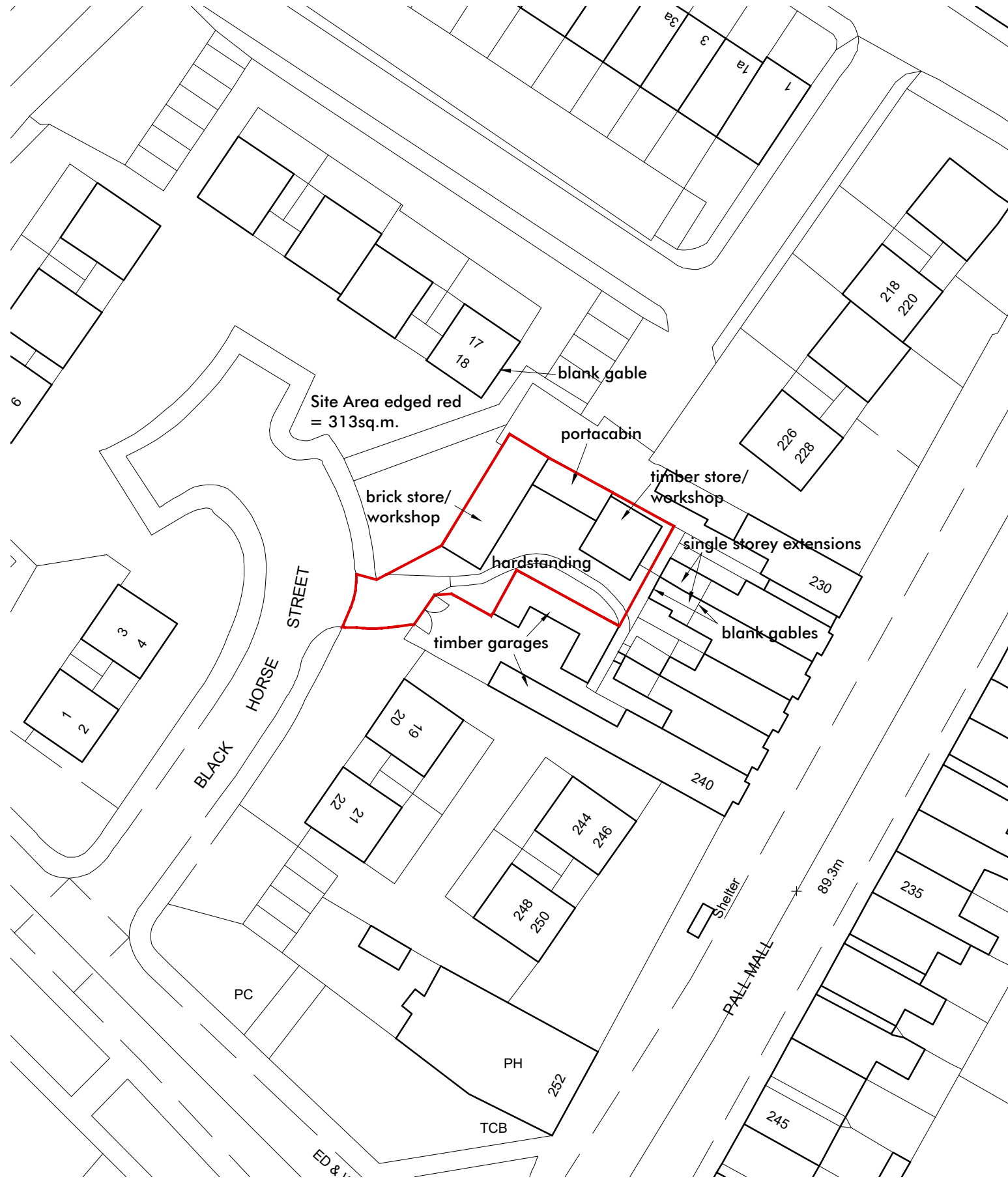
RELEVANT HISTORY OF THE SITE

Ref: 15/01055/CLEUD **Decision:** PEREUD **Decision Date:** 8 December 2015

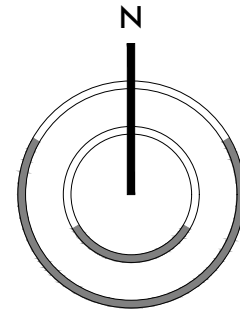
Description: Application for a Certificate of Lawfulness for an existing garage, warehouse stores and workshop

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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EXISTING SITE LAYOUT 1:500



LOCATION PLAN 1:1250

Revision Notes:

CLIENT	Gradus Homes Ltd.				
PROJECT	Proposed 4No. 1 bedroom apartment block at Black Horse Street, Chorley, PR7 2HY				
DRAWING	Existing Site Plan and Location Plan				
DRAWN	ASL	DATE	22/023/L01	NUMBER	16/10/23
SCALE	Varies	SHEET	A3	REVISION	-



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APPLICATION REPORT – 23/01055/FUL

Validation Date: 8 December 2023

Ward: Adlington And Anderton

Type of Application: Full Planning

Proposal: Change of Use from detached dwelling to 4 self contained units

Location: 153 Chorley Road Adlington Chorley PR6 9LP

Case Officer: Mrs Hannah Roper

Applicant: Mr Michael Ross

Agent: Mr Harry Jackson

Consultation expiry: 2 January 2024

Decision due by: 2 February 2024

RECOMMENDATION

Permit Full Planning Permission.

SITE DESCRIPTION

1. The application relates to a sizeable, detached dwelling on the corner of Chorley Road and Harding Street. The area is characterised by a variety of uses with a bar and pharmacy directly to the east and a public carpark to the rear.
2. The property is stone built with brick and render side elevations. The main entrance is located on Harding Street and vehicular access gates to the rear are located on both the Harding Street and Chorley Road. Internally there is hard standing from the Chorley Road access and a small, detached garage within the site.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. The application seeks permission to change the use of a dwelling to four individual units. All four units would be one-bed apartments and the positions of windows and doors will not be altered externally, albeit a number of the windows will be changed to escape windows.

REPRESENTATIONS

4. No representations have been received.

CONSULTATIONS

- Adlington Parish Council – no comments received.
- CIL Officers – proposal is not CIL liable.

- Lancashire Highway Services – no objection subject to the use of a suitably worded condition to secure bicycle parking.
- Regulatory Services - Environmental Health – no objection subject to an appropriately worded condition to secure reasonable working hours.

PLANNING CONSIDERATIONS

Principle of Development

5. The application site is located within the settlement area of Chorley, which is designated under policy V2 of the Chorley Local Plan 2012-2026 which states that there is a presumption of in favour of appropriate sustainable development, subject to material planning considerations and other policies and proposals within the plan.

Impact on the character and appearance of the locality

6. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, provided that, where relevant to the development 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.
7. The existing building is a traditional building that sits comfortable within its surroundings. Neighbouring properties are constructed of stone and no significant external amendments are proposed to convert the property into four separate units. There will be no impact on the host building or the surrounding locality as a result of the proposals and as such the development, therefore, complies with policy BNE1 of the Chorley Local Plan 2012 – 2026 with regards to the design.

Impact on the amenity of neighbouring occupiers

8. Policy BNE1 of the Chorley Local Plan 2012 – 2026 supports proposals for new development provided that there would be no harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating overbearing impacts.
9. The proposed development would utilise an existing residential dwelling with no amendments to the window positions proposed. As such, the relationship with the neighbouring properties will not be altered and would therefore not worsen in terms of any overlooking or loss of light as a result of the change of use. The existing property is a 5 bedroom dwelling, with the application proposing 4 one bedroom apartments. Given the existing number of bedrooms, it is not considered the proposal would result in a significant intensification of coming and goings that would be harmful to neighbouring amenity.
10. The proposal therefore complies with policy BNE1 of the Local Plan with regards to amenity.

Parking provision and highway safety

11. 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.
12. 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 which sets out the Council's minimum parking standards for 1-bedroom dwellinghouses (Use Class C3) in all other areas outside Chorley Town Centre as being 1 space per bedroom and, therefore, the proposed flats would each require the provision of 1no. car parking space.

13. The submitted site plan shows that a total of 3no. car parking spaces to be provided within the curtilage of the site. This represents a shortfall of one space in relation to adopted car parking standards.
14. Policy ST4 of the Chorley Local Plan 2012 - 2026 does, however, allow for a deviation from the parking standards where there are sustainable credentials. This depends upon local circumstances such as the location and size of the development, its proximity to public car parks, existing parking issues in the area and existing traffic management and safety issues, which should be taken into account. In addition, locations that are considered to be more sustainable and well served by public transport may be considered appropriate for lower levels of provision.
15. It is accepted that the site is located in close proximity, within walking distance, to bus stops and some local services, including a food store less than 200m away. On road parking is also available in the vicinity of the site on Bolton Road.
16. These local circumstances are considered sufficient to justify a reduction in the maximum level of off-street parking provision. The provision of 3no. in-curtilage parking spaces would adequately safeguard the amenity of the occupiers of properties in the vicinity of the site and there would not be detrimental impact on highway safety or capacity.
17. The proposed development is therefore considered to be acceptable. Furthermore, LCC Highways have stated 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. Cycle parking has been requested and this will be secured through an appropriately worded condition.
18. It is considered that the proposed development is acceptable from a highway safety perspective.

Public open space

19. Policy HS4A and HS4B of the Chorley Local Plan 2012 – 2026 - Open Space Requirements in New Housing Developments explains that all new housing developments will be required to make provision for open space and recreation facilities, where there are identified local deficiencies in the quantity, accessibility, or quality and/or value of open space and recreation facilities. The requirements for the proposed development are as follows:
20. The Council does not require contributions from developments of fewer than 11 dwellings in respect amenity greenspace, parks and gardens, natural and semi-natural greenspace, allotments and playing pitches. No contributions are, therefore, required in this case for these standards.
21. With regards to provision for children and young people, there is currently a deficit of provision in Adlington and Anderton in relation to this standard, a contribution towards new provision in the ward is therefore required from this development. The amount required is £134 per dwelling.
22. The total financial contribution required from this development is as follows:

Amenity greenspace	= £0
Equipped Play Area	= £536
Parks/Gardens	= £0
Natural/semi-natural	= £0
Allotments	= £0
Playing Pitches	= £0
Total	= £536

- 23. The equipped play area provision could be secured by way of a s106 legal agreement. Subject to securing the above, the proposed development would accord with Chorley Local Plan policies HS4 A and B.

Community Infrastructure Levy

- 24. 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 not be a chargeable development.

CONCLUSION

- 25. The proposed development would not have an unacceptable adverse impact on the character and appearance of the existing site and the surrounding area, the amenity of neighbouring residents or highway safety, capacity or amenity. The application therefore accords with BNE1 of the Chorley Local Plan 2012 – 2026. Consequently, it is recommended that the application is approved, subject to conditions.

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

Suggested Conditions

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

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

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

Title	Plan Ref	Received On
Location Plan		8 December 2023
Site Plan (Proposed)		8 December 2023
Proposed Elevations 2 of 2	12	8 December 2023
Proposed Elevations 1 of 2	11	8 December 2023
Proposed SF Plan	10	8 December 2023
Proposed FF Plan	9	8 December 2023
Proposed GF Plan	8	8 December 2023
Proposed Cellar Plan	7	8 December 2023

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

- 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.

4. No building or use hereby permitted shall be occupied or the use commenced until a scheme for the provision of cycle parking has been submitted to, approved in writing by the Local Planning Authority and installed in accordance with the approved details. The area shall thereafter be kept free of obstruction and available for the parking of cycles only at all times.

Reason: To ensure the provision and availability of adequate cycle parking and the promotion of sustainable forms of transport.

RELEVANT HISTORY OF THE SITE

Ref: 02/00174/COU **Decision:** PERFPP **Decision Date:** 18 April 2002
Description: Change of use from shop and dwelling to one dwelling and alterations to front elevation,

Ref: 00/00461/ADV **Decision:** REFADV **Decision Date:** 9 August 2000
Description: Siting of one wall mounted advertisement display unit,

Ref: 83/00175/ADV **Decision:** PERFPP **Decision Date:** 31 May 1983
Description: Illuminated double sided projecting sign

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LOCATION PLAN
153 Chorley Road
Adlington Chorley PR6 9LP



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