

Development Control Committee

Agenda and Reports

For consideration on

Tuesday, 12th January 2010

In the Lancastrian Room, Town Hall, Town Hall,
Chorley

At 6.30 pm



PROCEDURE FOR PUBLIC SPEAKING AT MEETINGS OF THE DEVELOPMENT CONTROL COMMITTEE

- Persons must give notice of their wish to address the Committee, to the Democratic Services Section by no later than midday, two working days before the day of the meeting. (12 Noon on the Friday prior to the meeting)
- One person to be allowed to address the Committee in favour of the officers recommendations on respective planning applications and one person to be allowed to speak against the officer's recommendations.
- In the event of several people wishing to speak either in favour or against the recommendation, the respective group/s will be requested by the Chair of the Committee to select one spokesperson to address the Committee.
- If a person wishes to speak either in favour or against an application without anyone wishing to present an opposing argument that person will be allowed to address the Committee.
- Each person/group addressing the Committee will be allowed a maximum of three minutes to speak.
- The Committees debate and consideration of the planning applications awaiting decision will only commence after all of the public addresses.

ORDER OF SPEAKING AT THE MEETINGS

1. The Corporate Director (Business) or her representative will describe the proposed development and recommend a decision to the Committee. A presentation on the proposal may also be made.
2. An objector/supporter will be asked to speak, normally for a maximum of three minutes. There will be no second chance to address Committee.
3. A local Councillor who is not a member of the Committee may speak on the proposed development. For a maximum of five minutes
4. The applicant or her/his representative will be invited to respond, again for a maximum of three minutes. As with the objector/supporter, there will be no second chance to address Committee.
5. The Development Control Committee, sometimes with further advice from Officers, will then discuss and come to a decision on the application.

There will be no questioning of speakers by Councillors or Officers, and no questioning of Councillors or Offices by speakers.

05 January 2010

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 12TH JANUARY 2010

You are invited to attend a meeting of the Development Control Committee is to be held in the Lancastrian Room, Town Hall, Chorley on Tuesday, 12th January 2010 at 6.30 pm.

A G E N D A

1. **Apologies for absence**

2. **Declarations of Any Interests**

Members are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda. If the interest arises **only** as result of your membership of another public body or one to which you have been appointed by the Council then you only need to declare it if you intend to speak.

If the personal interest is a prejudicial interest, you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

3. **Minutes (Pages 1 - 16)**

To confirm the minutes of the Development Control Committee meeting held on 8 December 2009 (enclosed).

4. **Protocol for Public Speaking at Development Control Committee (Pages 17 - 20)**

Report of Corporate Director (Governance) (enclosed)

5. **Planning applications awaiting decision (Pages 21 - 22)**

A table of planning applications to be determined is enclosed.

Please note that copies of the location and layout plans are included (where applicable) on the agenda. Plans to be considered will be displayed at the meeting or may be viewed in advance by following the links to the current planning application on our website http://planning.chorley.gov.uk/PublicAccess/TDC/tdc_home.aspx

- (a) 09/00873/FUL - Orcheton House Farm, Wood Lane, Heskin, Lancashire (Pages 23 - 36)

Report of Corporate Director (Business) (enclosed)

- (b) 09/00714/FULMAJ - Land Adj Fairview Farm, (incl Land Bounded By Chorley Rd Eller Brook And Railway) Chorley Road, Adlington (Pages 37 - 58)

Report of Corporate Director (Business) (enclosed)

- (c) 09/00802/OUTMAJ - Pontins Ltd, Sagar House, Langton Brow, Eccleston, Chorley (Pages 59 - 86)

Report of Corporate Director (Business) (enclosed)

- (d) 09/00825/OUTMAJ - Finnington Industrial Estate, Finnington Lane, Feniscowles, Withnell (Pages 87 - 96)

Report of Corporate Director (Business) (enclosed)

- (e) 09/00836/FULMAJ and 09/00837/FULMAJ - Bolton West Motorway Service Area Southbound, Greenlands Lane, Anderton, Bolton, Lancashire (Pages 97 - 110)

Report of Corporate Director (Business) (enclosed)

- (f) 09/00866/OUTMAJ - The Grove, Railway Road, Adlington, Chorley (Pages 111 - 126)

Report of Corporate Director (Business) (enclosed)

- (g) 09/00797/REMMAJ - Parcel I, Euxton Lane, Euxton, Lancashire (Pages 127 - 140)

Report of Corporate Director (Business) (enclosed)

- (h) 09/00799/REMMAJ - Parcel F1, Barratt Homes, Central Avenue, Buckshaw Village, Lancashire (Pages 141 - 154)

Report of Corporate Director (Business) (enclosed)

- (i) 09/00804/REMMAJ - Land North Of Main Street And Immediately East Of Coopers Place, Buckshaw Village, Lancashire (Pages 155 - 164)

Report of Corporate Director (Business) (enclosed)

6. **Planning Appeals Notification Report (Pages 165 - 168)**

Report of Corporate Director (Business) (enclosed)

7. **Enforcement Report - 77 Preston Road, Chorley (Pages 169 - 174)**

Report of Corporate Director (Business) (enclosed)

8. **Delegated decisions determined by the Corporate Director (Business) in consultation with the Chair and Vice Chair of Committee (Pages 175 - 180)**

Planning applications delegated on:

8 December 2009 (enclosed)

18 December 2009 (enclosed)

22 December 2009 (enclosed)

9. **Delegated Decisions determined by the Corporate Director (Business) (Pages 181 - 194)**

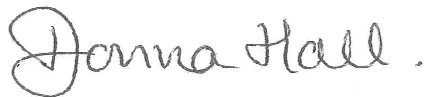
Schedule of applications determined between 26 November to 22 December 2009 (enclosed).

10. **Any other item(s) that the Chair decides is/are urgent**

11. **Town and Country Planning Act 1990 - Section 257 Public Path Diversion Order - Part of Public Footpath No. 6 Adlington (Pages 195 - 196)**

Report of Director of Transformation (enclosed)

Yours sincerely



Donna Hall
Chief Executive

Dianne Scambler
Democratic and Member Services Officer
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Distribution

1. Agenda and reports to all members of the Development Control Committee, (Councillor Harold Heaton (Chair), Councillor Geoffrey Russell (Vice-Chair) and Councillors Ken Ball, Julia Berry, Judith Boothman, Alistair Bradley, Henry Counce, Mike Devaney, David Dickinson, Dennis Edgerley, Christopher France, Keith Iddon, Roy Lees, June Molyneaux, Simon Moulton, Mick Muncaster and Ralph Snape) for attendance.
2. Agenda and reports to Jane Meek (Corporate Director (Business)), Jennifer Moore (Head of Planning), Chris Moister (Legal Services Manager), Paul Whittingham (Development Control Manager) and Dianne Scambler (Democratic and Member Services Officer) for attendance.

This information can be made available to you in larger print or on audio tape, or translated into your own language. Please telephone 01257 515118 to access this service.

આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپکی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون
کیجئے: 01257 515823

Development Control Committee**Tuesday, 8 December 2009**

Present: Councillor Harold Heaton (Chair), Councillor Geoffrey Russell (Vice-Chair), Councillors Ken Ball, Julia Berry, Judith Boothman, Alistair Bradley, Henry Caunce, Mike Devaney, David Dickinson, Dennis Edgerley, Christopher France, Keith Iddon, Roy Lees, June Molyneaux, Simon Moulton, Mick Muncaster and Ralph Snape

Officers: Jane Meek (Corporate Director (Business)), Chris Moister (Legal Services Manager), Paul Whittingham (Development Control Manager), Dianne Scambler (Democratic and Member Services Officer) and Nicola Hopkins (Principal Planning Officer)

09.DC.98 APOLOGIES FOR ABSENCE

No apologies for absence were received.

09.DC.99 DECLARATIONS OF ANY INTERESTS

In accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members of Code of Conduct, the following Member declared a prejudicial interest in relation to the planning application listed below:

Councillor Mike Devaney – 09/00749/FULMAJ

09.DC.100 MINUTES

RESOLVED – That the minutes of the Development Control Committee meeting held on 10 November 2009 be held as a correct record for signing by the Chair.

09.DC.101 PLANNING APPLICATIONS AWAITING DECISION

The Corporate Director (Business) submitted reports on eight applications for planning permission to be determined by the Committee.

RESOLVED – That the planning applications, as now submitted, be determined in accordance with the Committee's decisions recorded below:

(a) 09/00873/FUL - Orcheton House Farm, Wood Lane, Heskin, Lancashire, PR7 5PA

Application no: 09/00873/FUL
Proposal: Replacement of agricultural workers dwelling, re-use and relocation of former dwelling as fishing training centre (re-submission of planning application 09/00678/FUL)
Location: Orcheton House Farm, Wood Lane, Heskin
Decision:
Application withdrawn from this agenda.

(b) 09/00714/FULMAJ - Land adjacent to Fairview Farm (including land bounded by Chorley Road, Eller Brook and railway), Chorley Road, Adlington

Application no: 09/00714/FULMAJ
 Proposal: Erection of 37 affordable dwellings with external amenity space and off street parking at Fairview Farm, Adlington
 Location: Land adjacent Fairview Farm (including Land Bounded by Chorley Road, Eller Brook and Railway) Chorley Road, Adlington
 Decision: Application withdrawn from this agenda

(c) 09/00640/FUL - 4, Ewell Close, Chorley

The Committee received representations from the applicant's agent)

Application no: 09/00640/FUL
 Proposal: Demolition of existing bungalow and erection of 7 two storey detached dwellings with associated garages and infrastructure (re-submission of application 09/0054/FUL)
 Location: 4 Ewell Close, Chorley
 Decision:

It was proposed by Councillor David Dickinson, seconded by Councillor Keith Iddon, and was subsequently **RESOLVED to grant planning permission subject to a Legal Agreement and the following conditions:**

1. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

2. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area, to ensure that there is not an undue increase in surface water run-off and in accordance with Policy Nos. GN5, HS4 and EP18 of the Adopted Chorley Borough Local Plan Review.

3. 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.

4. In accordance with the recommendations set out in the Conclusions and Recommendations of the Bat survey Results dated 31st August 2009, any loose roofing tiles and wooden hanging tiles should be dismantled by hand.

Reasons: In the interests of species protection and in accordance with Policy EP4 of the adopted Chorley Borough Local Plan Review and PPG9

5. No development shall take place until a scheme for the installation of bat and bird boxes on the site (as required in the recommendations contained in paragraph 4.6 of the Ecological Survey and Assessment) has been submitted to an approved in writing by the Local Planning Authority.

Reasons: In the interests of species protection and in accordance with PPG9 and policy EP4 of the Adopted Chorley Borough Local Plan Review.

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

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 and EM2 of the Adopted Chorley Borough Local Plan Review.

7. No development shall take place until a scheme detailing the on-site measures to be installed and implemented so as to reduce carbon emissions, by the figure set out in policy SR1 of the Sustainable Resources DPD at the time of commencement of each individual plot, by means of low carbon sources has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall also include full details of the predicted energy use of the development expressed in terms of carbon emissions (If no data specific to the application is available benchmark data will be acceptable) and how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policies EM16 and EM17 of the North West Regional Spatial Strategy and Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

8. No development shall take place until a scheme to demonstrate and provide full details of how the design and layout of the buildings will withstand climate change has been submitted to an approved on writing by the Local Planning Authority. The details shall include details of the proposed Code for Sustainable Homes Level, how the proposals minimise energy use and maximise energy efficiency. All dwellings commenced after 1st January 2010 will be required to meet Code Level 3, all dwellings commenced after 1st January 2013 will be required to meet Code Level 4 and all dwellings commenced after 1st January 2016 will be required to meet Code Level 6 of the Codes for Sustainable Homes. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policies EM16 and EM17 of the North West Regional Spatial Strategy and Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

(d) 09/00708/FUL - Land 15m West of 176A Wood Lane, Heskin, Lancashire

(The Committee received representations from an objector to the proposals and the Applicant's Agent)

Application no: 09/00708/FUL
 Proposal: Erection of a detached bungalow (resubmission of application 09/00708/FUL)

Location: Land 15m West of 176A Wood Lane, Heskin

Decision:

It was proposed by Councillor Keith Iddon, seconded by Councillor David Dickinson, and was subsequently **RESOLVED** to refuse planning permission for the following reason:

The proposed development by reason of its size, siting and the restricted plot dimensions, would result in an unsatisfactory, cramped form of development, out of character with the surrounding area. As such the proposal is considered to be contrary to Government advice contained in PPS1, PPS3 and Policy HS4 of the Adopted Chorley Borough Local Plan Review.

(e) 09/00780/FUL - Land 50m South of 54 to 64 Lancaster Lane, Clayton-le-Woods, Lancashire

Application no: 09/00780/FUL

Proposal: Erection of 3 detached dwellings and associated infrastructure on land to rear of 54 to 64 Lancaster Lane (extension previously permitted scheme, utilising access road approved by 09/00354/FULMAJ)

Location: Land 50m South of 54 to 64, Lancaster Lane, Clayton-Le-Woods

Decision:

It was proposed by Councillor Keith Iddon, seconded by Councillor Dennis Edgerley, and was subsequently **RESOLVED (10:6)** to grant planning permission, with Councillors Henry Counce, Mike Devaney, Dennis Edgerley, Harold Heaton, Keith Iddon, Roy Lees, June Molyneaux, Simon Moulton, Mick Muncaster and Geoff Russell voting for the proposal and Councillors Julia Berry, Judith Boothman, Alistair Bradley, David Dickinson, Chris France and Ralph Snape voting against the proposal, (Councillor Ken Ball abstained from the vote) subject to a Legal Agreement and the following 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. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.

3. The garages hereby permitted shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review

4. The development shall be carried out in accordance with the ground investigation report Ref 06203 and its associated addendum report.

Reason: In the interests of safety and in accordance with PPS23.

5. No dwelling hereby permitted shall be occupied until that part of the road which provides access to it from the public highway has been constructed in accordance with the approved plans and the approved planning application reference 07/00685/FUL.

Reason: In the interests of highway safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.

6. Prior to the commencement of the development full details of the predicted energy use of the development expressed in terms of carbon emissions shall be submitted to an approved in writing by the Local Planning Authority. If no data specific to the application is available benchmark data will be acceptable. A schedule should include how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. It will be flexible enough to show the on-site measures to be installed and implemented so as to reduce carbon emissions in accordance with policy SR1 of the Sustainable Resources DPD. No development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD and Supplementary Planning Document.

7. No dwelling hereby permitted shall be occupied until the cycle/storage (garden sheds) as shown on drawing no AL007 Rev D stamp dated 23rd November 2009 have been provided for each of the properties.

Reason: The garages are smaller than would normally be provided and therefore to ensure sufficient storage/cycle storage is provided at the properties in accordance with Manual for Streets.

8. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.

9. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

10. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

11. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab 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 plans. The development shall only be carried out in conformity with the approved details.

Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

(f) 09/00850/FUL - Formerly Multipart Distribution Limited, Pilling Lane, Chorley

Application no: 09/00850/FUL
 Proposal: Re-plan of part of the site including the construction of 8 dwellings, parking court and associated garages (amendment to reserved matters approval 07/01226/REMMAJ), including the erection of 1 additional dwelling.

Location: Formerly Multipart Distribution Limited, Pilling Lane, Chorley

Decision: It was proposed by Councillor Alistair Bradley, seconded by Councillor Dennis Edgerley, and was subsequently RESOLVED to grant planning permission subject to a Legal Agreement and the following 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 only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review

3. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

Reason: In the interests of the amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

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

with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

5. The external facing materials detailed on plan reference 400/PM01 Rev A, received 23rd November 2009, shall be used and no others substituted without the prior written approval of the Local Planning Authority.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review

6. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

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

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.

8. Prior to the commencement of the development full details of the Management Company to deal with the future management and maintenance of the site shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company.

Reason: To ensure the satisfactory management of the unadopted highways and public open space and in accordance with Policies TR4 and HS21 of the Adopted Chorley Borough Local Plan Review.

9. The site shall be remediated in accordance with BAE Environmental Remediation Strategy Report (Reference: A0356-02-R1-1). Upon completion of the remediation works a verification/ completion report containing any validation sample results shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control

10. No dwelling hereby permitted shall be occupied until that part of the service road which provides access to it from the public highway has been constructed in accordance with the approved plans.

Reason: In the interests of highway safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.

11. The garages hereby permitted shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

Reason: In order to safeguard the residential amenity and character of the area and in accordance with Policy HS4 of the Adopted Chorley Borough Local Plan Review

12. Prior to the commencement of the development full details of the proposed residents consultation procedure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information on how the residents will be kept informed on the progress of the development prior to commencement and during the development period. Additionally details of the main contact / site manager during the development shall be provided to the Local Planning Authority and the residents prior to the commencement of the development. The residents consultation plan shall be implemented and completed in accordance with the approved procedure.

Reason: To ensure that the existing residents are fully aware of the progress of the development.

13. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

14. The development hereby permitted shall be carried out in accordance with the measures set out within the action plan of the Residential Travel Plan dated April 2009 (submitted under application 09/00374/DIS).

Reason: To reduce the number of car borne trips and to encourage the use of public transport and to accord with Policies TR1 and TR4 of the Adopted Chorley Borough Local Plan Review.

15. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the areas so fenced. All excavations within the area so fenced shall be carried out by hand.

Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.

16. The existing soil levels around the base of the trees to be retained shall not be altered.

Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.

17. Prior to the commencement of the development a schedule for the phased repair/ replacement of the boundary walls shall be submitted to and approved in writing by the Local Planning Authority. The information shall include a structural report of the walls/boundary treatment and details of any retaining structures. The development shall be carried out in accordance with the approved schedule of works.

Reason: In the interests of the structural integrity of the site and the visual amenities of the area. In accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.

18. Prior to the commencement of the development full details of the gate treatment, to secure the alleyway between plots B84-B123 and plots B82-B83, shall be submitted to an approved in writing by the Local Planning Authority. The gates shall thereafter be retained in perpetuity with access limited to the occupants of plots B84, B123, B82 and B83.

Reason: In the interests of the visual amenities of the area and to reduce any potential security issues. In accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.

19. Before the development hereby permitted is first commenced full details of lighting proposals for the proposed parking court shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plans. The development shall only be carried out in conformity with the approved details.

Reason: To protect the appearance of the locality, to prevent light pollution, in the interests of public safety and crime prevention and in accordance with Policy Nos. GN5 and EP21A of the Adopted Chorley Borough Local Plan Review.

(g) 09/00745/FULMAJ - Quarry Road Industrial Estate, Quarry Road, Chorley

Application no: 09/00745/FULMAJ
 Proposal: Proposed residential development. Erection of 66 dwellings and associated infrastructure
 Location: Quarry Road Industrial Estate, Quarry Road, Chorley
 Decision:

It was proposed by Councillor Mike Devaney, seconded by Councillor Dennis Edgerley and was subsequently **RESOLVED to grant planning permission subject to a Legal Agreement and the following 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 not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings (notwithstanding any details shown on the previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

3. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

Reason: In the interests of the amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

4. 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 sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

5. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab 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 plans. The development shall only be carried out in conformity with the approved details.

Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

6. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

7. Japanese Knotweed is present within the application area. Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to cause Japanese Knotweed to grow in the wild. Therefore a programme of control/eradication of this species shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The programme shall accord with Environment Agency Guidelines.

Reason: To ensure the eradication of Japanese Knotweed in accordance with the Wildlife and Countryside Act 1981 (as amended).

8. No development shall take place until full details have been submitted of the predicted energy use of the development expressed in terms of carbon emissions and a schedule setting out how energy efficiency is being addressed, including benchmark data. It will show on-site measures to be installed and implemented so as to produce a minimum of 10% or locally set targets whichever is the higher) of the predicted energy use of the development by means of low carbon energy sources. Appropriate on-site measures include rainwater/brown water recycling. No development shall commence until the scheme has been approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area, in line with the objective of National Planning Policy contained in Planning Policy Statement : Planning, the Climate Change Supplement to PPS1 and Chorley Borough Council's Adopted Sustainable Resources DPD.

9. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil,

rubbish, vehicles or equipment shall be stored or tipped within the areas so fenced. All excavations within the area so fenced shall be carried out by hand.
Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.

10. No development shall take place until:

a methodology for investigation and assessment of ground contamination has been submitted to and approved in writing by the Local Planning Authority. The investigation and assessment shall be carried out in accordance with current best practice including British Standard 10175:2001 "Investigation of potentially contaminated sites – Code of Practice". The objectives of the investigation shall be, but not limited to, identifying the types, nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;

all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;

the Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works, a validation report containing any validation sampling results have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with the guidance in PPS23 – Planning and Pollution

(h) 09/00749/FULMAJ - Land between From Street and Crosse Hall Lane, Chorley

(Councillor Mike Devaney declared a personal interest but stayed in the meeting)

Application no: 09/00749/FULMAJ
 Proposal: Erection of 37 dwellings (amendment to layout, design, landscaping and external appearance approval as part of planning approval 02/00680/REMMAJ)
 Location: Land between From Street and Crosse Hall Lane, Chorley

Decision:

It was proposed by Councillor Devaney, seconded by Councillor David Dickinson and was subsequently **RESOLVED to grant planning permission subject to a Legal Agreement and the following 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. All vehicles entering and leaving the site in connection with the construction of the development hereby permitted shall only do so via the new access road and canal bridge permitted under planning permission 9/98/00208/FUL, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the amenities of local residents and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

3. Before any development hereby permitted is first commenced the temporary protective metal fencing along the full length and both sides of Black Brook shall have been erected in accordance with the approved details. The fencing, thereafter, shall remain in place at all times during the course of the permitted development being carried out, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the watercourse and prevent debris and construction material from encroaching into this area and in accordance with Policy EP17 of the Adopted Chorley Borough Local Plan Review.

4. Before the development hereby permitted is first commenced there shall have been submitted to and approved in writing by the Local Planning Authority a method statement for providing protection to protected species during the course of the development and a ten year plan (including provision for protecting all protected species and their habitats) for the maintenance and management of all areas other than garden curtilages and highways. Thereafter, the approved method statement and ten year maintenance and management plan shall be fully complied with and implemented in full.

Reason: In the interests of the visual amenities of the development, the amenities of future residents and nature conservation and in accordance with Policies GN5 and EP4 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS9.

5. The development hereby permitted shall be carried out in accordance with the approved scheme for the provision and implementation of a surface water regulation system to limit surface water run off from the completed development to existing rates.

Reason: To reduce the increased risk of flooding and in accordance with Government advice contained in PPS25: Development and Flood Risk.

6. The development hereby permitted shall be carried out in accordance with the approved details of the measures to be taken, during the period of construction, to prevent mud and other debris being carried onto the public highway by vehicles leaving the site. The agreed measures shall be implemented in full before commencement of the development and retained in operation until such time as the development is complete.

Reasons: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

7. The site shall be remediated fully in accordance with recommendations made in the Ground Investigation and Remediation Statement Ref: 588/02 Chorley, Crosse Hall Mill Farm (May 2004) by Woodford Consulting Engineers Ltd.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control

8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwelling(s) hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

10. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

11. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed building(s) (notwithstanding any details shown on the previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

12. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

13. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

14. Prior to the commencement of the development full details of the predicted energy use of the development expressed in terms of carbon emissions shall be submitted to and approved in writing by the Local Planning Authority. If no data specific to the application is available benchmark data will be acceptable. A schedule should include how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. It will be flexible enough to show the on-site measures to be installed and implemented so as to reduce carbon emissions in accordance with policy SR1 of the Sustainable Resources DPD. No development shall commence until the scheme has been

submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD and Supplementary Planning Document

15. Prior to the commencement of the development details of appropriate mitigation measures to prevent pollution of the waterway during and after the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in accordance with the approved details.

Reason: In order to avoid contamination of the waterway and ground water from wind blow, seepage or spillage at the site. In accordance with Policy EP5 of the Adopted Chorley Borough Local Plan Review.

16. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.

17. 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 sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

18. No development shall take place until details of the proposed surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented.

Reason: To secure proper drainage, to prevent flooding and to prevent pollution to the waterway. In accordance with Policy Nos. EP18 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS25: Development and Flood Risk

09.DC.102 PLANNING APPEALS NOTIFICATION REPORT

The Corporate Director (Business) submitted a report giving notification of one planning appeal against the refusal of planning permission that had been dismissed by the Planning Inspectorate and one appeal that had been withdrawn.

RESOLVED – That the report be noted.

09.DC.103 DELEGATED DECISIONS DETERMINED BY THE CORPORATE DIRECTOR (BUSINESS) IN CONSULTATION WITH THE CHAIR AND VICE CHAIR OF COMMITTEE

The Committee received for information, tables listing seven applications for Category 'B' development proposals which had been determined by the Corporate Director (Business) in consultation with the Chair and Vice Chair of the Committee at meetings held on 10, 20, 24 and 25 November 2009.

RESOLVED – That the tables be noted.

09.DC.104 DELEGATED DECISIONS DETERMINED BY THE CORPORATE DIRECTOR (BUSINESS)

The Committee received for information, a schedule listing the remainder of the planning applications determined by the Corporate Director (Business) under delegated powers between 29 October and 25 November 2009.

RESOLVED – That the schedule be noted.

09.DC.105 TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 257 PUBLIC PATH DIVERSION ORDER - PART OF PUBLIC FOOTPATH NO. 6, ADLINGTON

RESOLVED – That this item be deferred.

09.DC.106 PROPOSED CONFIRMATION OF TREE PRESERVATION ORDERS

The Corporate Director (Business) submitted a report for Members to consider a formal confirmation of two Tree Preservation Orders. No objections had been received in response to the making of the orders and it was subsequently **RESOLVED to confirm the following Tree Preservation Orders without modification:**

- (1) **The Chorley Borough Council Tree Preservation Order No.1 (Eccleston) 2009;**
- (2) **The Chorley Borough Council Tree Preservation Order No.2 (Euxton) 2009**

09.DC.107 MERRY CHRISTMAS

The Chair wished the Members of the Committee a Merry Christmas and a Happy New Year.

Chair

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Report of	Meeting	Date
Corporate Director (Governance)	Development Control Committee	12 January 2010

PUBLIC SPEAKING PROTOCOL FOR DEVELOPMENT CONTROL COMMITTEE

PURPOSE OF REPORT

1. To make Members of the Committee aware of the recently approved constitutional changes to the Public Speaking procedures and protocol for public and ward participation at Development Control Committee.

RECOMMENDATION(S)

2. To note the protocol for public speaking at Development Control Committee.

CORPORATE PRIORITIES

3. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	√

BACKGROUND

4. The current procedure for is to allow one objector, one supporter and the applicant to each speak for 3 minutes on a planning application. Ward Councillors may also speak for or against planning applications and as they currently have no time limit, it is at the discretion of the Chair to decide how long they should be permitted to speak.

Some applicants for planning permission had expressed concern that the current arrangements lead to a lack of equality amongst supporters and objectors. In addition the Local Government Association has recently published guidance entitled “Probity in Planning” which suggests that in the interests of equity, the time allowed for presentations for and against the development should be identical.



PROTOCOL FOR PUBLIC SPEAKING AT DEVELOPMENT CONTROL COMMITTEE

5. It was agreed at the Council meeting on 15 December 2009 that the speaking procedure be revised to allow speaking in accordance with a published protocol rather than in accordance with strictly defined constitutional arrangements. The protocol is appended to this report and the Development Control Committee has authority to review this protocol in the light of their experience.

Members attention is drawn to the fact that

- the approved protocol limits Ward Councillors (who are not speaking as Members of the Committee) to speaking for no longer than 5 minutes
- continues to allow the Chair to use his/her discretion to ensure that applicants feel there is equity in the process. In addition.
- Ward Councillors wishing to speak on planning applications should seek approval to do so from the Chair prior to the meeting of the Development Control Committee.
- The order of speakers be revised to the supporter/objector; the ward councillor; the applicant.

IMPLICATIONS OF REPORT

6. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	√	No significant implications in this area	

ANDREW DOCHERTY
CORPORATE DIRECTOR (GOVERNANCE)

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Dianne Scambler	5034	16 December 2009	***

PROTOCOL FOR PUBLIC SPEAKING AT DEVELOPMENT CONTROL COMMITTEE

The right to speak

As part of its commitment to openness and improving the level of public participation in local government, Chorley Borough Council offers those affected by development proposals the opportunity to put their case personally and directly to the Development Control Committee when it is considering making decisions on planning and other similar applications.

The opportunity to speak is available to objectors to development proposals which are to be considered by the Development Control Committee. The opportunity to speak is also available to the applicant for development proposals or to their supporters, but not to both. There is no obligation to speak and written representations will always be reported to Committee and given due consideration.

The right to speak does not replace other arrangements for commenting on planning applications. Objectors and supporters should still write to the Council in the usual way. The right to speak only applies to applications which are being determined by Committee. There is no right to speak when Officers make planning decisions under delegated powers.

Procedures prior to the meeting

About one week before the Development Control Committee is to meet, all those with the right to make a request to speak will be informed of their opportunity to do so by the Council.

Anyone who wants to speak at the meeting will need to inform the Council's Democratic Services Section by midday, one working day before the Committee meeting.

This deadline will usually be 5pm on a Monday prior to the Committee meeting to be held on the following Tuesday evening at 6.30pm at the Town Hall, Chorley.

Only one objector or supporter will be allowed to speak on each application. If other people wish to speak on the same application, the objectors/supporters should try to agree before the meeting who will put the case. The Council's Officers will try to help facilitate those agreements. If agreement cannot be reached the first person to register an intention to speak will normally be invited to do so. In the case of any uncertainty, the Chair of the Development Control Committee will adjudicate.

Planning Officers and Democratic Services Officers will be on hand half an hour before the meeting to help the arrangements to run smoothly.

Order of speaking at the meeting

1. The Chair of the Committee or the relevant Planning Officer will describe the proposed development and recommend a decision to the Committee. A presentation on the proposal may also be made.
2. An objector/supporter will be asked to speak, normally for a maximum of three minutes. There will be no second chance to address Committee.
3. A local Councillor who is not a member of the Committee but represents a ward directly affected by the proposal may speak on the proposed development, normally for a maximum of five minutes.
4. The applicant or her/his representative will be invited to respond, again for a maximum of three minutes. As with the objector/supporter, there will be no second chance to address Committee.

5. The Development Control Committee, sometimes with further advice from Officers, will then discuss and come to a decision on the application.

There will be no questioning of speakers by Councillors or Officers, and no questioning of Councillors or Offices by speakers.

These arrangements are necessary to ensure that each application is deal with properly and fairly and that the Committee meeting runs smoothly and in a businesslike way.

Ward Councillor participation

Ward Councillors have a critical role in representing the Communities they serve. For that reason ward Councillors who are not members of the Development Control Committee may speak in respect of planning applications where the development is in their ward or would have a substantial impact on their ward.

Ward Councillors who wish to exercise this right must:

- Advise the Chair in advance of the meeting that they wish to speak.
- Should declare any personal interest they have in the matter.
- Must not exercise this right if their interest is both personal and prejudicial. If the Councillor is present at a meeting of Development Control Committee when an item is under discussion in which they have a personal and prejudicial interest then the Councillor must declare that interest and leave the room while the matter is under discussion. A Councillor in this position may participate as a member of the public either as the applicant or as the one objector allowed to speak but must still formally declare their interest and must withdraw from the meeting having made their representations.
- Restrict their speech to five minutes in length.

Chairs Discretion

The Chair has the discretion to vary the procedures in this protocol but may only do so in very exceptional circumstances where he considers that the interests of fairness or proper local government require it. Any change to the procedures should be the minimum change that the Chair considers is required in the circumstances.

Report

Report of	Meeting	Date
Corporate Director (Business)	Development Control Committee	12.01.2010

PLANNING APPLICATIONS AWAITING DECISION

Item	Application No.	Recommendation	Location	Proposal
1	09/00873/FUL	Permit Full Planning Permission	Orcheton House Farm Wood Lane Heskin Lancashire PR7 5PA	Replacement agricultural workers dwelling, re-use and relocation of former dwelling as fishing training centre (re-submission of planning application 09/00678/FUL)
2	09/00714/FULMAJ	Permit Full Planning Permission	Land Adj Fairview Farm (incl Land Bounded By Chorley Rd Eller Brook And Railway) Chorley Road Adlington	Erection of 37 affordable dwellings with external amenity space and off street parking at Fairview Farm, Adlington
3	09/00802/OUTMAJ	Permit (Subject to Legal Agreement)	Pontins Ltd Sagar House Langton Brow Eccleston Chorley	Outline application for the erection of 70 dwelling houses with associated roads and open spaces
4	09/00825/OUTMAJ	Outline App Permitted with Legal Agmnt	Finnington Industrial Estate Finnington Lane Feniscowles Withnell	Demolition of existing buildings, erection of 15 units for mixed use of office and living accommodation, formation of new access to Finnington Lane, landscaping and laying out of new road and parking areas together with provision of washroom/W.C. building for canal-boat users.
5	09/00836/FULMAJ and 09/00837/FULMAJ	Permit Full Planning Permission	Bolton West Southbound and Northbound Motorway Service Areas, Greenlands Lane, Anderton Bolton	Redevelopment of existing motorway service area to include demolition of existing service area buildings (including former police station, amenity building, petrol filling station, forecourt and canopy) and construction of a new amenity building, petrol filling station, forecourt and canopy. Refurbishment of existing lodge, associated landscaping and recreational facilities, vehicular and pedestrian circulation and ancillary works (09/00836/FULMAJ) Redevelopment of existing motorway service area to include demolition of existing service area buildings (including former police station,

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amenity building, petrol filling station, forecourt and canopy) and construction of a new amenity building, petrol filling station, forecourt and canopy and annex building, associated landscaping and recreational facilities, vehicular and pedestrian circulation and ancillary works (09/00837/FULMAJ)

6	09/00866/OUTMAJ	Refusal of Outline Planning Permission	The Grove Railway Road Adlington Chorley PR6 9RG	Outline application (specifying access and layout) for the erection of 12 dwellings and associated infrastructure (resubmission of application 09/00513/OUTMAJ)
7	09/00797/REMMAJ	Approve Reserved Matters	Parcel I Euxton Lane Euxton Lancashire	Reserved matters application for the erection of 17 dwellings on Parcel I, Buckshaw Village. Including a part amendment to the road layout previously approved as part of reserved matters approval 05/00523/REMMAJ and 05/00525/REMMAJ and a part amendment to reserved matters approval 09/00449/REMMAJ.
8	09/00799/REMMAJ	Approve Reserved Matters	Parcel F1 Barratt Homes Central Avenue Buckshaw Village Lancashire	Proposed re-plan of Parcel F (amendment to previous approval 07/00244/FULMAJ) replacing 52 apartments and houses with 61 houses (retaining 11 dwellings of the previous approval)
9	09/00804/REMMAJ	Approve Reserved Matters	Land North Of Main Street And Immediately East Of Coopers Place Buckshaw Village Lancashire	Proposed re-plan of Parcel K (amendment to previous approval 05/00106/REMMAJ) replacing apartments, town houses and coach-houses with 27 dwelling houses.

Item 1	09/00873/FUL	Permit Full Planning Permission
Case Officer	Caron Taylor	
Ward	Eccleston And Mawdesley	
Proposal	Replacement agricultural workers dwelling, re-use and relocation of former dwelling as fishing training centre (re-submission of planning application 09/00678/FUL)	
Location	Orcheton House Farm Wood Lane Heskin Lancashire PR7 5PA	
Applicant	Mr Richard Prideaux GPS (Northwest) Ltd	
	This application was deferred at the last Development Control Committee. Additional representations have been received since this time and have been added to this report.	
Proposal	The application is for a replacement agricultural workers dwelling and re-use and relocation of the former dwelling as fishing training centre (re-submission of planning application 09/00678/FUL).	
Summary	The replacement dwelling is considered acceptable in terms of Green Belt policy and PPS7 and is therefore considered appropriate development. The relocation of the existing dwelling for use as a classroom related to fishing training is considered appropriate development in terms of PPG2. It is well located to the existing buildings and two bays of an existing building on the site will be demolished to allow it to be relocated.	
Policies	Planning Policy Guidance 2: Green Belts Planning Policy Statement 7: Sustainable Development in Rural Areas DC1: Development in the Green Belt	
Planning History	<p>Ref: 00/00188/FUL Decision: PERFPP Decision Date: 24 May 2000 Description: Extension to fish farm, to incorporate 4 new stock pools and addition of 2 new stock pools within existing site,</p> <p>Ref: 02/00914/FUL Decision: REFFPP, APPEAL ALLOWED Decision Date: 28 May 2003 Description: Erection of permanent dwelling.</p> <p>Ref: 94/00780/AGR Decision: WDN Decision Date: 8 January 1996 Description: Application for Agricultural Determination in respect of Broiler House</p> <p>Ref: 94/00907/FUL Decision: PERFPP Decision Date: 15 March 1995</p>	

Description: Erection of 2 Broiler Houses with associated feed
hoppers

Ref: 96/00383/CTY

Decision: REFLCC

Decision Date: 10 July 1996

Description: Retrospective application for planning permission to
retain unauthorised landfill on site

Ref: 97/00726/CTY

Decision: PERLCC

Decision Date: 26 November 1997

Description: Regrading of existing landfill, the planting of a new
hedgerow and trees, and the removal of surplus material from the
site

Ref: 98/00167/COU

Decision: PERFPP

Decision Date: 5 August 1998

Description: Change of use of land to coarse fishery and shed to
fisherman's facilities

Ref: 98/00169/FUL

Decision: REFFPP

Decision Date: 5 August 1998

Description: Conversion of part of agricultural building to a
dwelling for a temporary period of 5 years

Ref: 99/00224/FUL

Decision: PRRRTF

Decision Date: 3 November 1999

Description: Siting of mobile home, in association with approved
fish farm, for a temporary period of 3 years

Ref: 05/00746/AGR

Decision: PAAGR

Decision Date: 12 August 2005

Description: Application for agricultural determination in respect
of the erection of a replacement barn,

Ref: 06/01339/AGR

Decision: WDN

Decision Date: 8 January 2007

Description: Erection of replacement barn,

Ref: 07/00021/AGR

Decision: REAGR

Decision Date: 5 February 2007

Description: Erection of replacement barn,

Ref: 07/00969/AGR

Decision: REAGR

Decision Date: 12 September 2007

Description: Application for agricultural determination in respect
of the erection of a replacement barn,

Ref: 07/00969/PAR

Decision: PERPAR

Decision Date: 19 November 2007

Description: Application for agricultural prior approval in respect of the erection of a replacement barn,

Ref: 09/00678/FUL

Decision: WDN

Decision Date: 19 October 2009

Description: Replacement agricultural workers dwelling, re-use and relocation of former dwelling as fishing training centre

Consultations

Lancashire County Council Highways

Have no objection to the proposal

Coal Authority

Standing Advice

County Land Agent

See main body of report

Eccleston Parish Council

Have no formal objection to the application but would like the following to be considered:

- The suitability of the access, including the actual access road;
- The environmental impact of a business of this nature on neighbours and the village in general;
- The appropriateness of the development within the Green Belt.

Representations

A letter of no objection has been received from a resident of Wood Lane. Another letter has been received from a resident on Wahlley Road who feels the building will sit well on the site and is in keeping with the surrounding area. The re-siting of the existing cabin will be an asset not only to the fish farm/fishery as an added amenity, but also to fishing clubs and as an educational facility.

Royal Scot Angling Club in Coppull state they have been established for over 20 years and their members are fully behind the plans for a learning facility for youngsters. They believe that such a centre that could be used by clubs such as theirs would be a valuable asset in the area. It would provide somewhere youngsters can safely learn the skills of angling and also gain knowledge about fish management and environmental issues.

Coppull Anglers have also written in support. There is nowhere at present for anyone who wants to learn to go to be taught properly.

Three letters of objection have been received from residents on Wood Lane and Whalley Road and Langton Brow. They object on the following grounds:

- Impact on the Green Belt and that it is not necessary to have a presence on site 24hours a day, it will set a precedent;
- The site plan is incorrect and includes land owned by others, therefore the correct notice has not been served;
- The applicant does not show an access to the site;
- The condition applied to the original permission states the dwelling shall be limited to a person solely or mainly

working in the fish rearing enterprise, which the applicant is not. There is no fish harm there and therefore the existing dwelling is being unlawfully occupied. Fish farms need to be registered with CEFAS (Centre for Environment, Fisheries and Aquaculture Science) and the applicant is not registered.

A letter has been received from Lindsay Hoyle MP who has written on behalf of a constituent who feels the application should not be approved, this is on the grounds that when the existing dwelling on the site was allowed at appeal, the inspector justified it on the requirements of the fish farm. However, the residents believe there is no significant fish farm in operation on the scale the Inspector believed necessary to justify supporting the appeal.

Applicants Case

The owner of Orcheton House Farm has been looking to diversify the operation. The fish farm/fishery has received a number of enquiries about the training of young people in fishing skills and has directly assisted in the on-site training programme of Wigan Council. Operationally, fishing training is already taking place on site, however a classroom facility is now needed for indoor tuition. Classes would consist of approximately 10 pupils and 5 supervisors and take place generally on weekdays between the hours of 9am and 5pm. Letters of support have been enclosed from Wigan Council Children & Young People's Services/Wigan Warriors. As the letter from Wigan Council explains, Government Policy in the form of 'Every Child Matters' and 'Playing for Success' initiatives requires new study support centres and skills initiatives to be created to help under-achievers in schools. A fishing Academy has already been established at the CHAMPS centre in Wigan and training has already been undertaken at Orcheton House Farm Fish Farm/Fishery. Wigan Council is now keen to permanently establish this initiative at the fishery which will be the only 'Fishing Playing for Success Satellite Centre' in the country.

Assessment

Principle of the development

There are two aspects to the proposal; the replacement of the existing agricultural workers dwellings; and the re-use and relocation of the former dwelling as a fishing training centre. Each will be covered in turn.

In relation to the replacement agricultural workers dwelling, the existing dwelling is a single storey timber chalet style building. It was permitted to be on the site on a permanent basis on appeal following refusal by the Council and is subject to an occupancy condition. A mobile home had been sited on site prior to the timber building. Agricultural workers dwellings are appropriate development in the Green Belt and therefore are not contrary to PPG2 or policy DC1.

Annex A to PPS7 provides guidance on planning application for agricultural workers dwellings. Whilst the County Land Agent acknowledges that the enterprise is not strictly agricultural the principle of a dwelling on the site has been established by the planning appeal decision. What is now for consideration is its replacement with a larger dwelling of permanent materials.

The County Land agent states that the present dwelling is reaching the end of its useful life and it is clear that a replacement

dwelling is required. In line with Paragraph 9 of Annex A to PPS7 agricultural workers dwellings should be commensurate with the established functional requirement and it is the requirements of the enterprise and not those of the owner that are relevant in determining the size of a dwelling appropriate to the holding. The previously withdrawn application (09/00678/FUL) proposed a dwelling with a floor area of 165m² which the County Land Agent considered too large and inappropriate for the holding. The current application now proposes a dwelling with a more modest floor area of 120m², on the same site as the existing dwelling, which following a meeting with the County Land Agent is considered acceptable. The proposed dwelling will be over two-storeys as opposed to the existing single storey timber dwelling on the site. However, there is a significant land level difference on the site which the design will exploit and the ridge height of the proposed dwelling is therefore approximately only 1m higher than the existing and will not have an unacceptable impact on the openness of the Green Belt.

In terms of materials the dwelling will be constructed of brick with a slate roof and will have a timber porch and a balcony overlooking the lake. The materials are considered acceptable subject to a condition requiring samples to be submitted. The replacement dwelling is therefore considered acceptable in terms of PPS7 subject to an occupancy condition also being imposed on it.

The other aspect of the proposals is to relocate the existing timber dwelling for use as a fishing training centre for the training of fishing skills. The applicant has looked at ways of providing the necessary facilities (including an indoor classroom).

In terms of planning policy conversion of one or part of the existing buildings to provide a classroom would be preferable if possible. The applicant advises that he has investigated converting one of his existing farm buildings and the most obvious place to locate this facility would be in the end section of the existing timber barn close to the main fishing lake. However, the cost of upgrading and converting such an old building to meet modern standards has proved prohibitive. However, with the proposed replacement of the existing single storey timber dwelling the opportunity arises to relocate this building to a suitable location nearby location and use it for training purposes with little need for modification, the only costs being the relocation of the building, minor roof repairs and connections to the mains services. However, two rear bays of the barn will be demolished when the former dwelling is relocated.

In terms of policy PPG2 and policy DC1 of the Local Plan state that essential facilities for outdoor sport and recreation are appropriate development in the Green Belt. The relocated building will be used as a classroom (6 x 6.5m) with an integral kitchen, bathroom/toilet and the two former small bedrooms will be used for the storage of equipment. The size of the former dwelling is not considered excessive for the requirements. In terms of openness of the Green Belt the floor area of the relocated dwelling would be 30m² less than the two rear bays of the barn that are proposed to be demolished. In addition the siting of the former dwelling is considered to relate well to the other buildings on the site, positioned between the buildings and the lake behind the proposed new dwelling. The proposal is therefore considered

acceptable in line with PPG2, policy DC1 and PPS7. Conditions will be applied controlling its use and that it shall not be used as a dwelling.

Neighbour Amenity

The nearest property to the proposals is High Heyes Farm to the north which is over 80m away from the proposed replacement dwelling and relocated building. The proposals will not therefore have an unacceptable impact on the amenities of this property.

Highways and Parking

There has been no objection from Lancashire County Council Highways and there is considered to be sufficient existing parking at the site for the proposals. It is not considered that the increase in traffic will have a detrimental impact on highway safety or the amenity of neighbouring properties.

Other

A commuted sum contribution towards public open space is not required as the proposed dwelling replaces an existing one on the site.

An issue has been raised by interest parties that the blue edge shown on the location plan accompanying the application may not be correct. The blue edge of the application has been queried with the agent and an amended plan received. The serving of certificates relates to land that is included within the red edge of the application, and the agent confirms his client does own the all the land included in the red edge of the application.

The case officer has confirmed directly with CEFAS (Centre for Environment, Fisheries and Aquaculture Science) that the site is registered with them and they have confirmed it is. The Environment Agency have also been contacted who keep details of fish movements and they have given details of movements they have consented to.

In terms of the access to the site, there is no legal requirement to include this within the application site, although it is reasonable for the Council to be aware of how the site will be accessed. In this case it is proposed to access the site from Langton Brow. The issue of ownership or rights of access across this land are a private rather than a planning matter.

Recommendation: Permit Full Planning Permission 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 occupation of the dwelling hereby approved shall be limited to a person solely or mainly working, or last working, at Orcheton House Farm and engaged in the fish rearing enterprise, or a widow or widower of such a person, and to any resident dependents.

Reason: To ensure that the dwelling is kept available to meet the needs of Orcheton House Farm, as the site is within an area where residential development are not normally permitted and in accordance with PPS7 and PPG2.

3. Once the existing dwelling is removed from its existing position the residential use of it shall cease and it shall be repositioned as shown on Drawing No. 09W058/001 Rev D stamp dated 2nd November 2009, following demolition of 2 bays of the agricultural type building. Thereafter the building shall only be used for the purposes of a fishing training centre as detailed in the Design and Access Statement accompanying the application. Otherwise it shall be removed from the site.

Reason: To prevent a proliferation of building in the Green Belt for which there is not an on-going need and in accordance with PPG2 and policy DC1 of the Adopted Chorley Borough Local Plan Review.

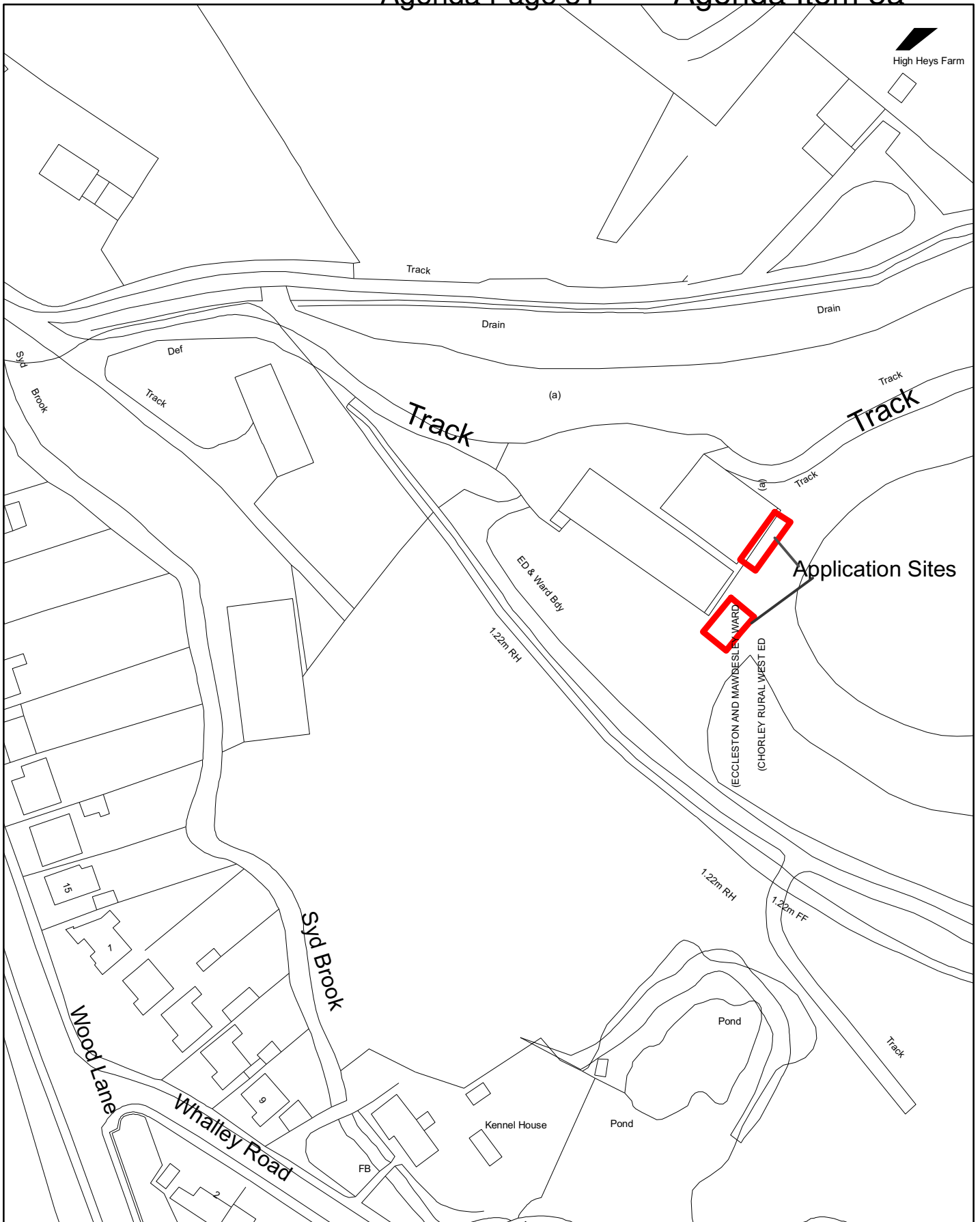
4. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and DC8A of the Adopted Chorley Borough Local Plan Review.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (Schedule 2, Part 1, Classes A to E), or any Order revoking or re-enacting that Order, with or without modification, no alterations or extensions shall be undertaken to the dwelling(s) hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

Reason: The dwelling is associated with Orcheton House Farm and the Local Planning Authority wish to control the size of the dwelling in the future, in line with Planning Policy Statement 7 to protect the appearance of the locality and openness of the Green Belt and in accordance with PPG2 and policy DC1 of the Adopted Chorley Borough Local Plan Review.

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Jane E Meek BSc(Hons) DipTP MRTPI
 Director of Development and Regeneration
 Chorley Borough Council

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Application No.
 09/00873/FUL

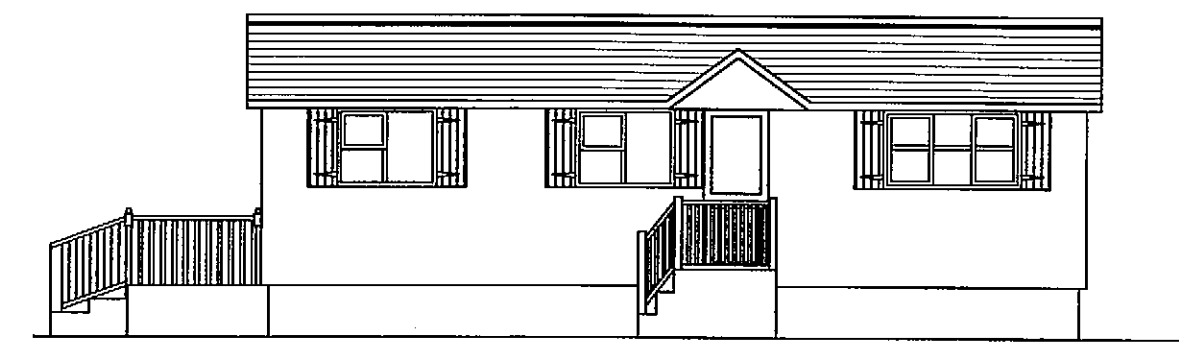
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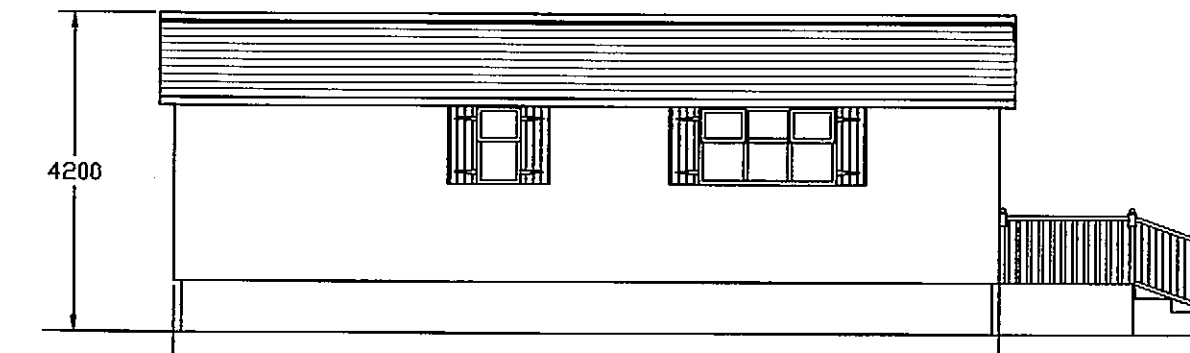
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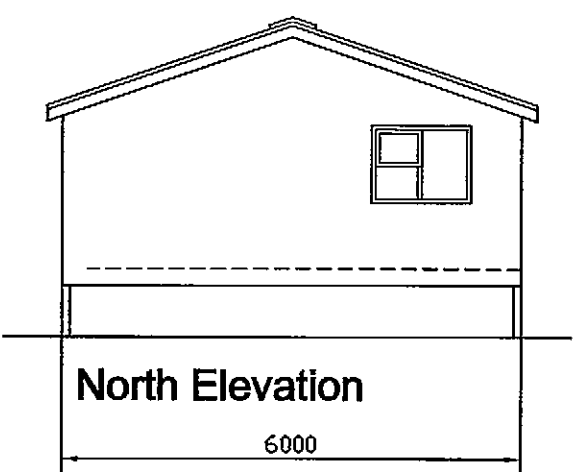
Training Centre 1:100



East Elevation



West Elevation



North Elevation

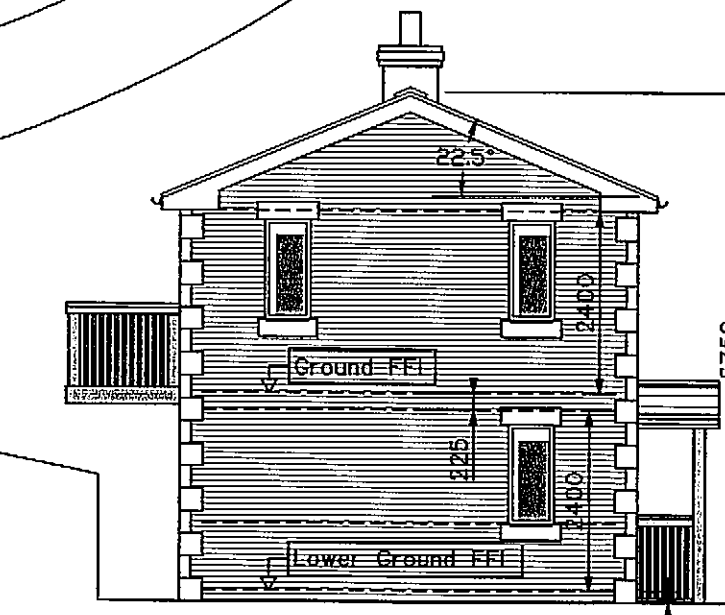


South Elevation

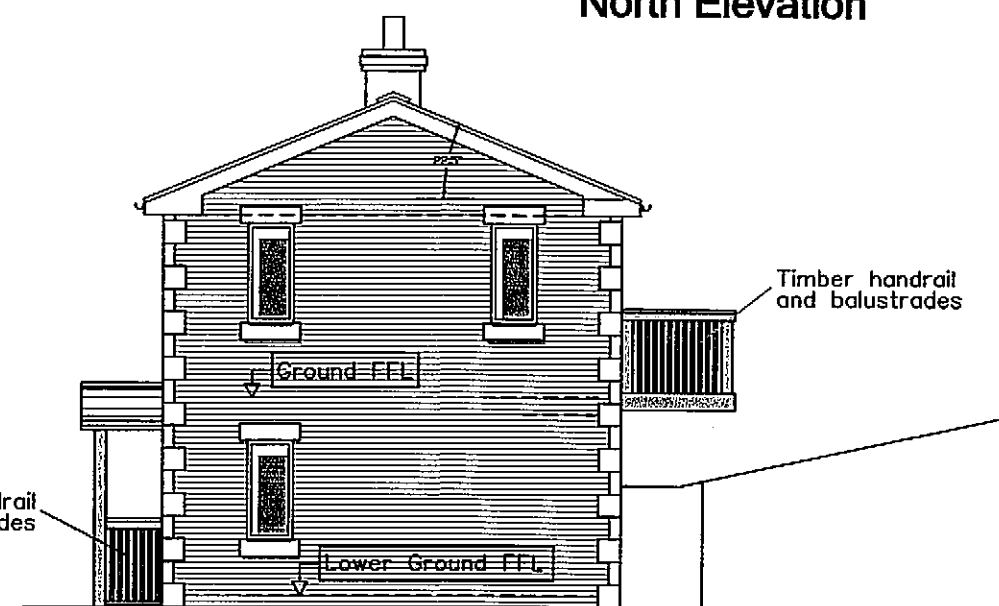
New Dwelling 1:100



West Elevation



North Elevation



South Elevation



East Elevation

CHORLEY BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
2 NOV 2009
THIS IS THE PLAN REFERRED TO IN
APPLICATION No. 09/1873

Client
RICHARD PRIDEAUX

Title
REPLACEMENT DWELLING & CREATION OF TRAINING FACILITY,
ORCHETON HOUSE FARM, WOODLANE, HESKIN

Drawing No.
09W068-001

Revision/Issue no.
1

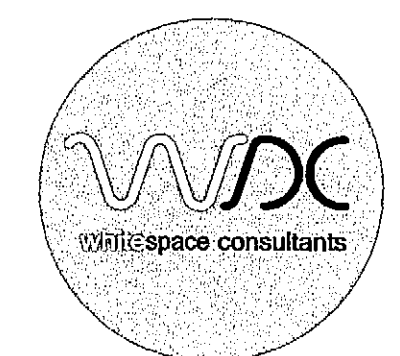
Date
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Scale & Sheet Size
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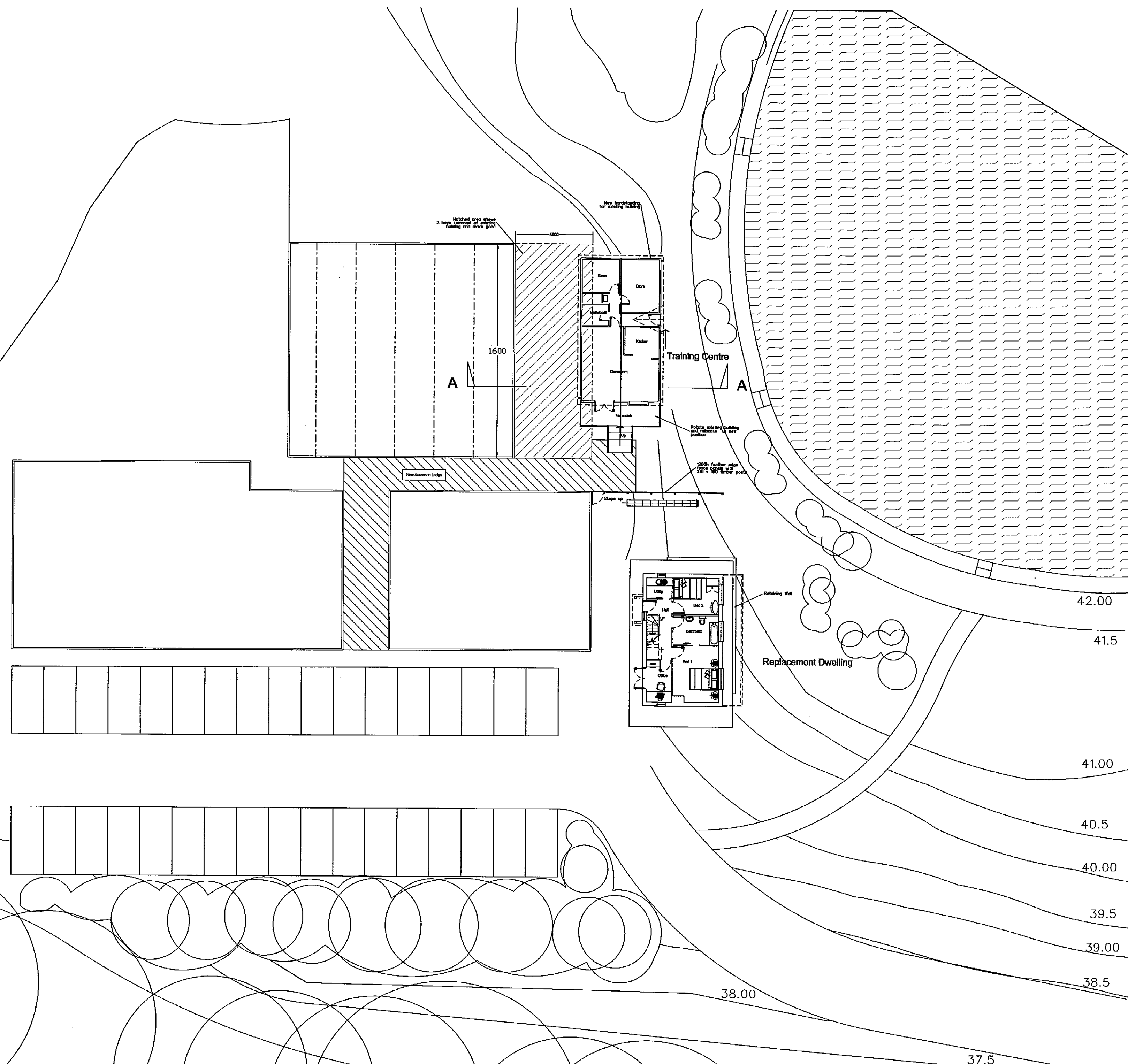
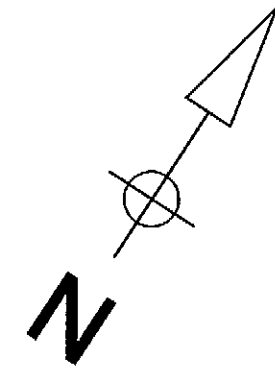
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AWJ

Approved by
NY

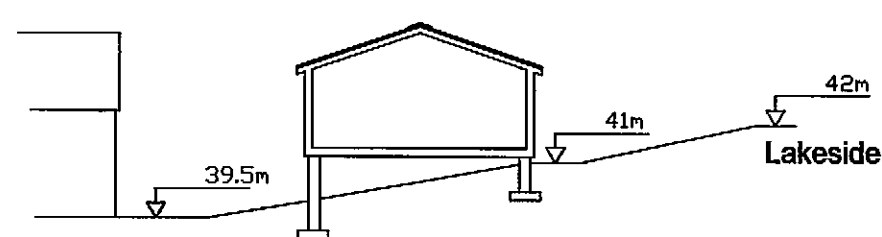
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Nortex Business Centre,
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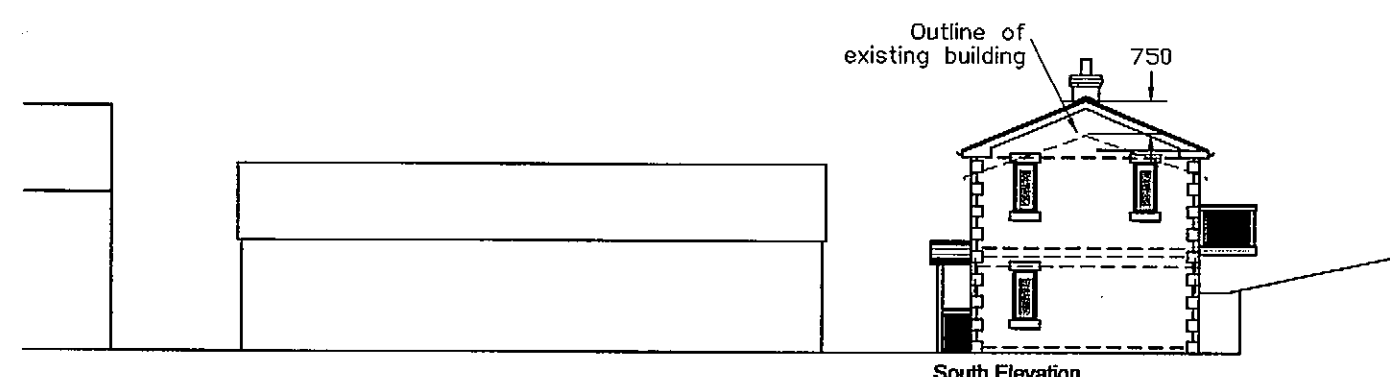
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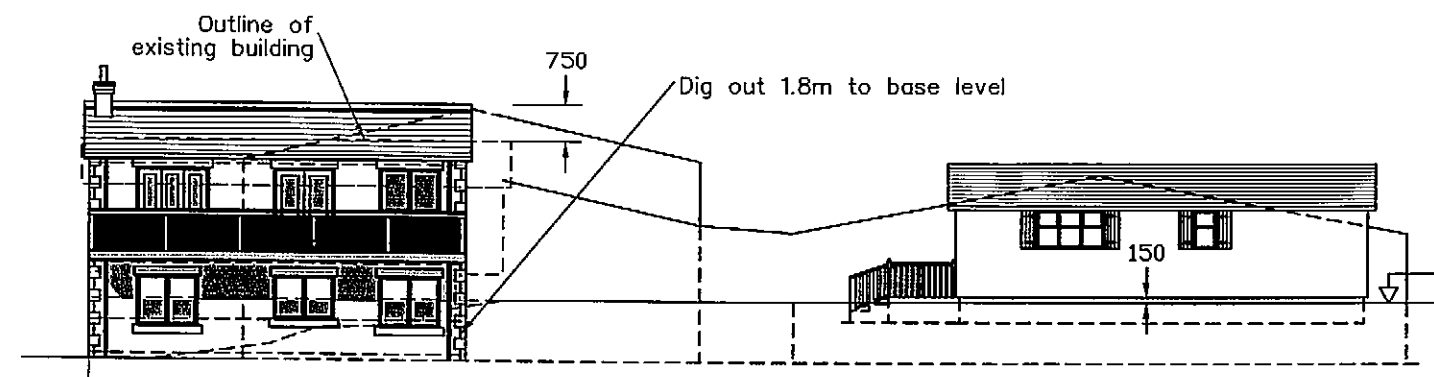
Proposed Plan



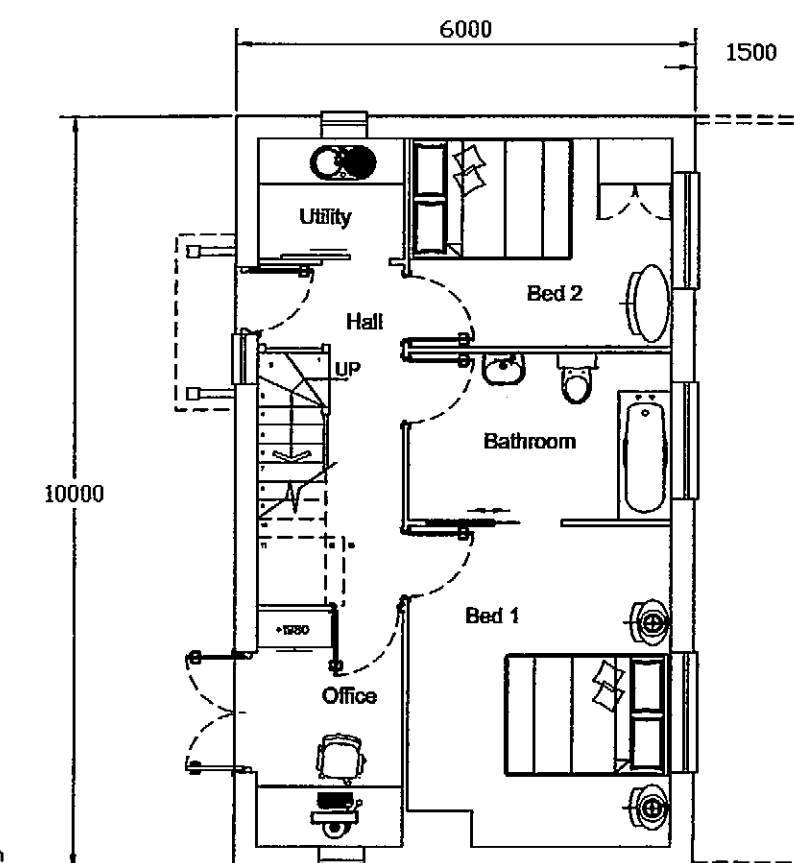
Section A-A



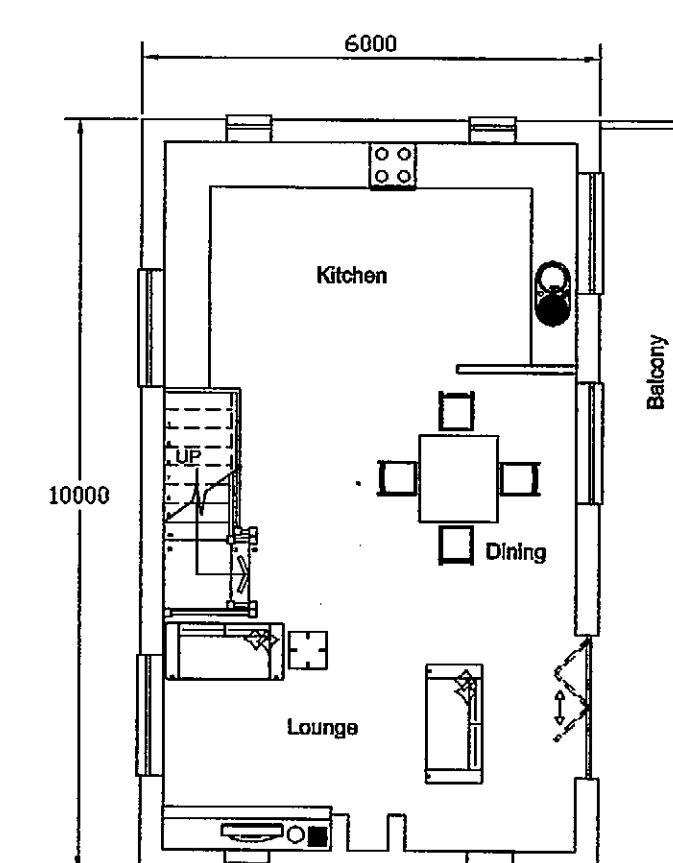
South Elevation



East Elevation

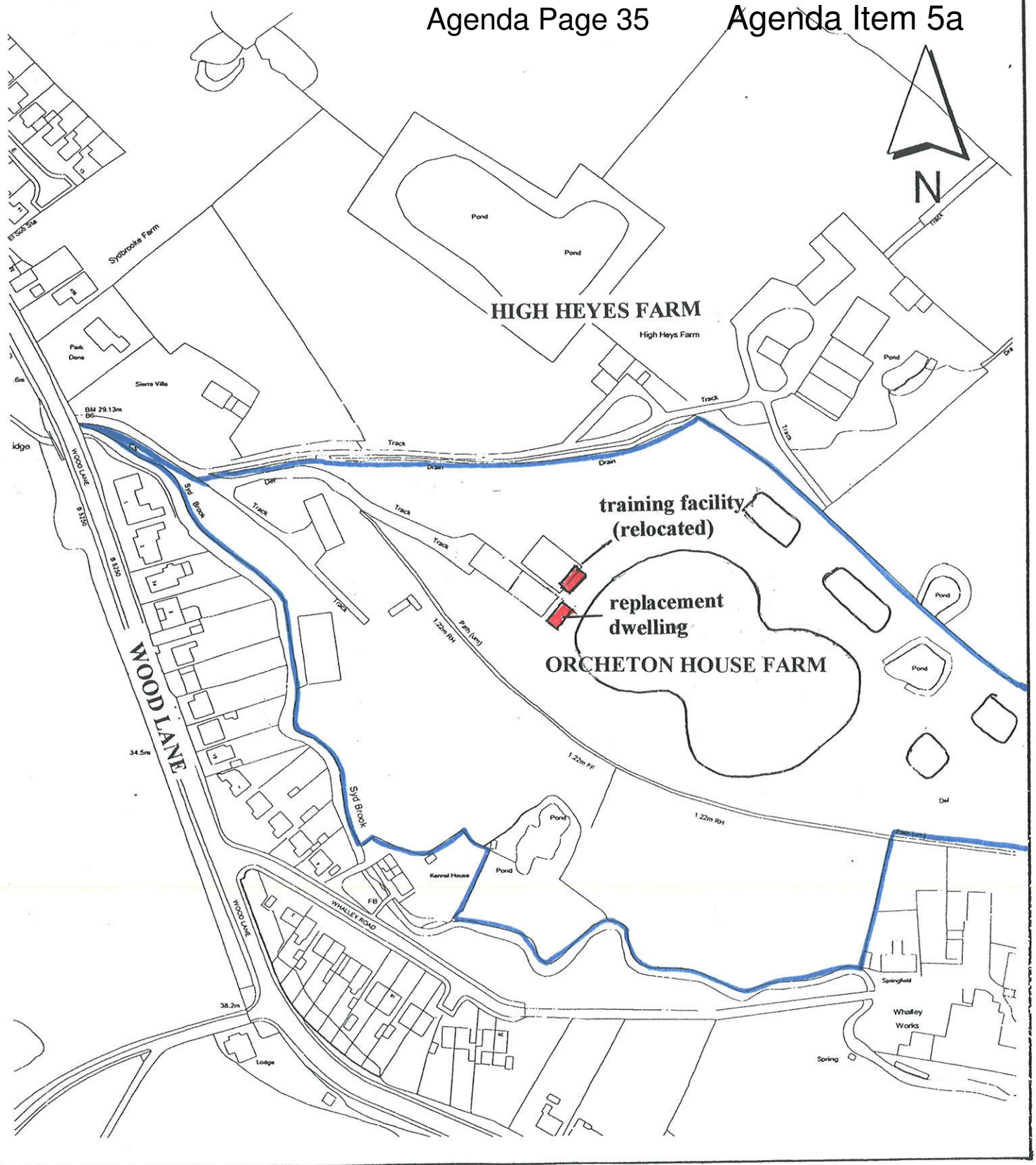


Lower Ground Floor Plan
Scale 1:100



Ground Floor Plan
Scale 1:100

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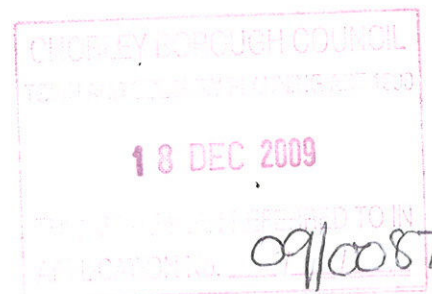
LOCATION PLAN

SCALE 1: 2500

PROPOSED REPLACEMENT DWELLING & RELOCATION OF FORMER DWELLING AS TRAINING FACILITY

ORCHETON HOUSE FARM

HESKIN, CHORLEY



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Item 2 **09/00714/FULMAJ** **Permit Full Planning Permission**

Case Officer **Mrs Nicola Hopkins**

Ward **Adlington & Anderton**

Proposal **Erection of 37 affordable dwellings with external amenity space and off street parking at Fairview Farm, Adlington**

Location **Land Adj Fairview Farm (incl Land Bounded By Chorley Rd Eller Brook And Railway) Chorley Road Adlington**

Applicant **Mr John Wright**

This application was deferred from the last DC Committee to enable sufficient time for the neighbours to comment on the proposals. The main issues for consideration are:

- **The number of dwellings proposed**
- **Drainage**
- **Ecology**
- **Trees**
- **The impact on the neighbours**

32 letters of objection have been received

Consultation expiry: 13th October 2009

Application expiry: 15th December 2009

Proposal The application relates to the erection of 37 affordable dwellings at the Fairview Farm development in Adlington. Planning permission was granted in November 1999 for the redevelopment of the Fairview Farm site. This dwellinghouses and community centre approved by this permission have now been completed. This affordable housing parcel formed part of the original approval however it has been retained for the provision of affordable housing

The Council owned the whole site which was sold to Westbury Homes (now Persimmon Homes) who developed the main part of the site. The part of the site subject to this application, however, was retained in Council ownership and allocated for affordable housing provision. For the past few years the Council has been working with Places for People who are the Registered Social Landlord who will provide the affordable housing on this site.

Summary The principle of redeveloping this parcel of land for affordable housing was established with the grant of outline planning permission in 1999. The proposal will contribute to the Council's supply of affordable housing and is considered to be the most appropriate use of the land.

Planning Policy **National Polices:**
PPS1, PPS3, PPS9, PPS22, PPS23, PPS25, PPG17

Circular 05/2005 Planning Obligations

North West Regional Spatial Strategy:

Policy DP1: Spatial Principles
Policy DP4: Make the best use of Existing Resources and Infrastructure
Policy DP7: Promote Environmental Quality
Policy RDF1: Spatial Priorities
Policy L4: Regional Housing Provision
Policy L5: Affordable Housing
Policy RT9: Walking and Cycling
Policy EM1: Integrated Enhancement and Protection of the Region's Environmental Assets
Policy EM5: Integrated Water Management
Policy EM15: A Framework for Sustainable Energy in the North West
Policy EM16: Energy Conservation and Efficiency
Policy EM17: Renewable Energy

Adopted Chorley Borough Local Plan Review:

GN1: Settlement Policy- Main Settlements
GN5: Building Design and Retaining Existing Landscape Features and Natural Habitats
GN9: Transport Accessibility
EP4: Species Protection
EP9: Trees and Woodland
EP17: Water Resources and Quality
EP18: Surface Water Run Off
HS4: Design and Layout of Residential Developments
HS5: Affordable Housing
HS6: Housing Windfall Sites
HS21: Playing Space Requirements
TR4: Highway Development Control Criteria
TR18: Provision for pedestrians and cyclists in new developments

Sustain
Statem

Planning History

95/00322/OUT- Outline application for the erection of factory with ancillary warehouse, offices, service yard, car park together with site access road and roundabout junction works on Chorley Road. Refused August 1995

98/00660/CO4- Regulation 4 outline application for residential development, associated open space and multi-functional community building. Approved November 1999

01/00120/REM- Reserved matters application for 176 houses, multi-functional community building and five-a-side pitch and all associated works. Approved August 2001

01/00145/FUL- Construction of roundabout and new access off Chorley Road & modification of conditions 21 & 12 of outline permission 9/98/660 to allow the alternative access and to prevent access from The Avenue. Permitted August 2001

02/00082/FUL- Construction of new roundabout and new access off Chorley Road and modification of condition 21 of outline permission 9/98/660 (alternative to permission 9/01/145). Withdrawn

02/00291/ADV- Display of non-illuminated signs. Advertisement consent granted May 2002

02/00523/TPO- Felling of tree T2 (adjacent to Chorley Road) covered by TPO 17 (Adlington) 1991. Refused August 2002

02/01165/FUL- Substitution of house type on plot 358. Refused January 2003

03/00010/TPO- Pruning of T2 (Beech) Tree covered by Tree Preservation Order No. 17 (Adlington) 1991, to reduce by 20% the two main branches over Chorley Road and remove all major deadwood from the tree crown. Approved April 2003

03/00062/FULMAJ- Substitution of houses on plots 88-122, with 26 dwellings instead of 34 dwellings. Approved September 2003

03/00186/FUL- Re-siting of 2 dwellings at plots 147 and 148. Approved August 2003.

03/00643/FUL- Erection of community centre, equipped play area, playing pitch, access road and car parking. Approved August 2003

04/00217/FUL- Amendment of house type to include rear conservatory. Approved April 2004

04/00629/FUL- Revision to Planning Permission 9/98/660/CO4 by modification of condition 4 to change public open space (Area 6) from equipped play space to a landscaped park. Pending decision

Applicant's Case

The following points have been submitted in support of the application:

- The combined objectives of the development of this site are:
 - To provide new, quality housing to satisfy identified need within the area of Adlington
 - To provide development that has high standards of environmental sustainability and urban design and that integrates well with the existing residential area

Representations

Adlington Town Council welcomes this development of affordable housing but have some concerns in respect of :

- Drainage
- Ground levels
- Bats
- Trees
- Access

32 letters of objection have been received raising the following points:

- Impact on highway safety- access roads are very narrow
- Additional traffic
- Damage to properties- crime and safety issues
- No benefit to the community
- Impact on bats and loss of trees
- Extra noise and disruption
- Affordable housing- de-value existing properties
- Loss of light and loss of privacy
- Design out of keeping with the neighbouring development
- Loss of open space which is used for play
- Lead to anti-social behaviour

- Flooding
- Too many properties
- Parking problems
- Will not be truly affordable
- No need for affordable housing
- Impact on community facilities
- Problems with drainage- no evidence that the existing system has the capacity to take increased volumes
- The 'as-built' levels of Fairview Farm have not been taken into account as part of this application.
- Were not consulted on the original application although the property borders the site
- Concerns that the levels as shown are incorrect and the proposed slab levels will result in loss of privacy
- The properties on plots 2, 3 and 7 are too close to the existing dwellings.
- Suggest additional planting to act as a screen
- Concerns with run-off surface water/ ground water, in particular as it affects the north west corner of the affordable housing site.
- Proposed properties higher than existing properties- loss of privacy
- Stream and proposed pond will cause insurance difficulties
- Plans amended late into the process
- Inconsistency and inaccuracy in the descriptions of geographical points of reference
- Diverted watercourse sited very close to existing properties- pond dangerous for children
- The falls in water flow that the new levels will create are likely to result in water being directed to the north-west corner

Consultations

Corporate Director (Neighbourhoods) has no objection subject to various conditions/ informatives

Lancashire County Council (Archaeology) have suggested a condition in respect of archaeological investigation

Lancashire County Council (Ecology) initially made comments in particular in respect of incorporating the recommendations of the ecology survey and bat survey reports into the scheme and providing compensation for the loss of the stream habitat and bat foraging habitat.

Following the receipt of amended landscape plans and additional ecological information the Ecologist has confirmed that the new proposals are an improvement on what was originally submitted. However there would still be a loss of biodiversity value.

The Council's Architectural Liaison Officer has commented in respect of Secure by Design and has confirmed that the applicant has to have 'Secured by Design' status for the development in order to secure the available grants.

The Environment Agency initially objected to the scheme as the proposal would lead to the destruction of the watercourse and have a detrimental impact on biodiversity. There is no evidence of

any safeguards or compensatory measures for the loss of the watercourse

Following the receipt of the amended landscaping details and additional ecological information the Environment Agency removed their objection. This is subject to various conditions.

Lancashire County Council (Education) requested a contribution to education facilities to accommodate a deficit in primary school places however they have confirmed that there is not a current shortfall

Lancashire County Council (Planning Contributions) have made a request in respect of S106 contributions

The Council's Arboricultural Officer has commented in respect of the trees on site

Central Lancashire PCT have commented in respect of health care facilities in the area.

Strategic Housing have commented on the affordable housing mix

United Utilities have no objection to the scheme subject to various conditions/ informatives

Chorley's Waste & Contaminated Land Officer has commented on the application

Chorley Ramblers have commented that this will affect footpath no 6 in Adlington and as such a diversion will be required.

Assessment

Principle of the Development

The site is currently a vacant piece of land which was previously used as agricultural land associated with Fairview Farm. The site is allocated within the Local Plan under Policy HS1.1, which is a saved Planning Policy, for housing development. When outline planning permission was granted for the redevelopment of the whole site in November 1999 the approval incorporated the affordable housing parcel. The subsequent reserved matters application did not incorporate the affordable housing parcel as ownership of this site was retained by the Council to ensure that a Registered Social Landlord (RSL) could provide affordable dwellings on the site. The site has now been sold to Places for People

Additionally the Section 106 Agreement associated with the development requires the developers of the main site to provide the affordable housing parcel with appropriate services and connections.

The principle of developing the site for housing was established with the grant of outline planning permission in 1999. Although the time period for submitting reserved matters has expired, hence why this is a full application, the principle still exists and this site has always been envisaged to be the affordable housing element of the Fairview Farm site.

Proposed Development

The proposed development incorporates the erection of 37 affordable dwellings adjacent to Fairview Farm, Adlington. The site covers 1.19 hectares which equates to approximately 31 dwellings per hectare. This density accords with Government advice contained in PPG3: Housing and will be in keeping with the character of the area.

All the dwellings proposed will be 2 stories high. 30 houses will be made available for rent which are split between 11 two bedroom dwellings and 19 three bedroom dwellings. The remaining seven will be available as intermediate accommodation which are split between 4 two bedroom dwellings and 3 three bedroom dwellings. The scheme incorporates a mixture of detached, semi-detached and terraced dwellings.

Strategic Housing have confirmed that the above mix has been previously agreed with Places for People and the mix is appropriate in respect of need within the area.

The development is being funded mainly through Government funding sources. J1.085 million grant funding has been secured from the Homes and Community Agency (HCA). J577,000 recycled grant funding from Places for People will be utilised and an additional J500,000 is being secured as this is required for changes to the proposed tenures of the dwellings.

Impact on Services

Lancashire County Council have requested Section 106 contributions in respect of waste management and education facilities. The letter submitted by LCC requests J143,407 to provide 13 primary school places. As Chorley Council have not signed up to the County's contribution paper further justification was requested from the Education Authority in respect of this request particularly as this is an affordable housing scheme which would be seriously hindered from a financial viability perspective if an obligation this high was attached to the land.

The Education Authority (LEA) have confirmed that there is not a existing deficit in primary school places within a 2 mile radius of the application site although in the future, 2013/2014, there will be. Circular 05/2005 sets out the five tests which are required to be met when requesting planning obligations. Two of the tests 'necessary to make the proposed development acceptable in planning terms' and 'directly related to the proposed development' are particularly pertinent to this request.

Firstly, as the LEA have confirmed there is not a current deficit of primary school places within the area and the deficit in places will not occur until 2013/14. As such the primary school places deficit is not directly related to this development. Secondly, no evidence has been provided as to where the contribution will be utilised and as such the request is not directly related to the proposed development. As such the request does not meet the tests of the Circular and cannot be requested as a planning contribution.

Additionally this is a relatively small scheme. Taking into account the number of children this scheme could realistically generate and the fact that there is currently a surplus in primary school

places it is not could justified to refuse the application on lack of education provision.

This scheme will provide a much needed proportion of affordable housing within the Borough which is both a National and Corporate priority. The majority of funding for this scheme will be secured through Government funding (HCA Grant) and any further requests for financial contributions would detrimentally impact on the deliverability of this scheme and would reduce the amount of Government funding available for affordable housing.

In respect of health care provision in the area Central Lancashire PCT have confirmed that both GP surgeries in Adlington currently have spare capacity to take on the proposed increase in patient numbers and therefore the addition of 37 dwellings would not have an adverse impact on health facilities in this area.

The request from LCC for a S106 contribution for waste management has not been fully justified and as such it is not considered that such a request would meet the tests of the Circular.

Design and Layout

The proposal incorporates the erection of 37 two storey family dwellings. This proposal comprises of detached, semi-detached and terraced properties. The design of the properties incorporate modern dwellings with projecting window details, non-standard window treatments and projecting front elements. This design solution is considered appropriate for this site as it will provide an alternative housing style within the area and the fact that the site is accessed via a relatively new modern housing estate ensures that the properties will not be out of character although these are more modern interpretations than those found on the main Fairview site.

There are two vehicular access points to this site, the main one is via Fairview Drive (through the main site) with a vehicular access serving 4 of the proposed dwellings off Farm Avenue. When the scheme was originally submitted the dwellings served off Farm Avenue fronted Farm Avenue and backed onto the adjacent Environmental Area. Through discussions with the Council the scheme has been amended so that these dwellings front onto the Environmental Area. Additionally the houses on plots 27 and 28 have been amended to accommodate windows/ features within the side elevations. Plot 21 has been resited to front onto this area. This provides natural surveillance/ overlooking to the Environmental Area along with providing visual interest on these prominent elevations.

Levels

There are various levels across the site with a level drop of approximately 10 metres from the north-east boundary of the site to the south-west boundary of the site. The submitted layout plan incorporates the proposed finished floor levels of the proposed and existing dwellings.

The properties on Fairview Drive along the northern boundary of the site are slightly higher than the proposed dwellings however this difference does not exceed 0.5 metres and the dwellings

accord with and exceed the Council's approved spacing distances.

The properties on The Avenue to the east of the site are sited at a higher land level than the proposed dwellings. 32 The Avenue is located to the rear of plot 33 however in excess of 14 metres is retained between the rear of the proposed dwelling and the main side elevation of this property. The properties on Carlisle Place to the north east of the site are approximately 1.5 metres higher than the proposed dwellings. 21 metres is retained between the side elevation of the proposed dwellings and the rear of the properties on Carlisle Place. This significantly exceeds the required 12 metres and as such takes into account the level difference.

The main level difference occurs along the southern boundary of the site. In this location the proposed dwellings are approximately 2 metres higher than the existing dwellings on Field Rose Court. The properties which are directly behind the existing dwellings are the properties on Plots 1-3 and these are directly to the rear of 11-16 Field Rose Court. Where properties are back to back in excess of 21 metres (approximately 24.5 metres) is retained. Plot 1 is at a 90 degree angle to 16 Field Rose Court and retains 14 metres from the rear elevation to the side elevation.

There is a 3.16 metre land level difference between 6 Meadow View and Plot 7 of the proposed development, 14 metres is retained between these properties. The neighbours are concerned that 22 metres should be retained between the properties, this is due to the fact that this relationship involves a rear elevation facing a side gable which requires a standard 12 metre separation distance increased by 10 metres to take into account the level difference in accordance with the Council's Design Guidance.

Where there are significant level differences greater spacing distances are required. The proposed spacing distances do not strictly accord with the increased guidelines however to accord with the guidelines the properties would be a lot further away from the boundary and would have very large garden areas. Various options are being considered in this regard to ensure that the amenities of the existing and future residents are protected whilst creating appropriate development of the site. This will be reported on the addendum.

These spacing distances also apply internally within the site taking into consideration the amenities of the future residents. The only part of the site where this is an issue is the relationship between the rear elevation of plots 10 & 11 and the side elevation of plot 13. There is 12 metres retained between these dwellings which accords with the Council's spacing standards. Due to the level differences greater spacing would usually be required however as this difference is internally within the site the future occupiers will be aware of the difference and the impact on the residents will be minimal.

Concerns have been raised over where the suggested levels are correct. The agent for the application has confirmed that *'following the Council's request for detailed level information to establish the floor levels of adjacent properties Places for People commissioned Survey Systems Ltd to carry out a survey. Their survey drawing showing the threshold level of all adjacent*

properties was submitted as part of the planning application. The levels of all the properties around the site have been checked recently by Survey Systems Ltd, a reputable survey company, and we have no reason to doubt the accuracy of that survey and have included that information on our submitted drawings. There is a 3.16m difference in level between 6 Meadow View and our plots 6 and 7. 6 Meadow View presents a blank gable / secondary windows towards the rear windows of plots 6 and 7 so overlooking windows are not an issue. The level of plots 6 and 7 is the lowest level possible to make a foul drainage connection into the existing sewer at the entrance to the site'

Highways and Parking

When outline planning permission was originally granted for the redevelopment of the whole site access to the affordable housing parcel was proposed to be via The Avenue and there would be no vehicular access between the main site and the affordable housing parcel. This was secured via condition 12 of the original outline approval.

In 2001 Westbury Homes, the original Developers of the site, applied to modify condition 12 of original permission to allow an alternative access and to prevent access from The Avenue. This application was approved and conditioned restricting no vehicular access to The Avenue. It was determined that it was more appropriate to access the affordable housing through the main housing site.

The submitted scheme incorporates the main vehicular access to the site via Fairview Drive although a secondary vehicular access will be achieved within the eastern corner of the site via Farm Avenue. This vehicular access will however only serve 4 of the proposed dwellings.

The main vehicular access to the site continues the carriageway which currently serves the main site. The carriageway is 5 metres wide with 1.75 metre wide footways on either side. Turning facilities are provided and it appears that it is intended for the main carriageway to be adopted. Comments are awaited from the Highway Authority in respect of this site however the Highway Engineer has been involved in this scheme at pre-application stage and the scheme was amended in line with the Highway Engineer's comments.

Parts of the site, mainly those serving parking courts and the vehicular access off Farm Avenue, will not be adopted and will be privately managed by Places for People.

The scheme incorporates two and three bedroom properties and as such there is a requirement of 2 parking spaces per dwelling. All of the properties incorporate off road driveways (no garages are proposed). To ensure that adequate space is provided a minimum of 5 metre long and 2.4 metre wide spaces have been provided

Within the eastern section of the site the four dwellings served off Farm Avenue incorporate both in curtilage and adjacent to curtilage parking. This parking arrangement has resulted from the negotiated changes to this part of the site which are set out above. The in curtilage parking results in a reduction in the amount of

private garden space associated with the dwellinghouses. In curtilage parking is required to ensure that the scheme meets Secure by Design principles. Parking needs to be overlooked, for crime and safety reasons, and if the parking was outside the curtilage of the property overlooking would be hindered by the boundary treatment. Alternative solutions were suggested which included gating the vehicular access to these properties with only residents having access which would create a secure parking area. This however was discounted as it would create management issues for Places for People. It is considered that in curtilage parking provides a safe provision and although the gardens will be reduced in size the occupiers will have an element of private garden space. As such the proposed layout is considered to be acceptable.

Waste Collection and Storage

The Council's Waste & Contaminated Land Officer has no general objections in respect of waste storage and collection. Concerns have been raised over the distance the occupants of plots 26, 27 and 22-25 will have to carry their bins. These properties will be served off private access ways which will be managed by the Private Management Company. Full details of bin collection will be required as part of the management company details subject to condition.

Concerns have been raised over bin collection for the properties served off Farm Avenue. The Waste & Contaminated Land Officer considered that as the existing properties on this street are serviced by Road Collection Vehicles there will not be any access issues for the new dwellings.

Ecology

The site has been left undeveloped for a number of years and consists of mature trees, scrub/ vegetation and a stream which runs through the site. There is a derelict barn on the site which will be demolished. Due to the varying habitats across the site the applicants have commissioned an Ecological Survey which forms part of this submission.

Both the Ecologist at Lancashire County Council and the Environment Agency have reviewed this document and have raised concerns in respect of loss of foraging opportunities for bats, breeding birds, Japanese knotweed, loss of hedgerows and compensation for the loss of aquatic habitats on the site. Both statutory consultees are concerned that the proposals will have a detrimental impact on biodiversity and need to be satisfied that the proposed compensation/ mitigation ensures that there will not be a net loss to the biodiversity value of this site.

Through discussions with the applicants, their agents, the Ecologist, the Environment Agency and the Ecologists appointed by the applicants solutions have been considered to overcome the concerns raised. The proposed landscaping of the site has been amended, which includes diverting the stream and creating a pond in the north west corner of the site, to try and alleviate the concerns raised. The amended plan and update on the Ecology report have been forwarded to both the Ecologist at LCC and the Environment Agency.

The Ecologist at LCC has confirmed that the proposals are an improvement on what was originally submitted and as much as possible has been incorporated in respect of the site layout. The Ecologist still has concerns, however, that there would be a loss of biodiversity value as a result of the proposals. This is largely due to the site becoming increasingly valuable for biodiversity with increasing time since abandonment from agriculture.

This site has been left undeveloped for a number of years hence why the site has regenerated and now has a biodiversity value. If the site had been redeveloped at the same time as the rest of Fairview Farm the site would have had a low biodiversity value. The scheme incorporates environmental areas, a pond, bat boxes attached to the dwellings and new tree planting throughout the site. It is considered that the scheme incorporates features which compensate for the loss of aquatic habit and provide foraging habitats for bats.

Following a recent high court decision the Local Planning Authority have a legal duty to determine whether the three 'derogation tests' of the Habitats Directive implemented by the Conservation (Natural Habitats &c.) Regulations 1994 have been met when determining whether to grant planning permission for a development which could harm a European Protected Species. The three tests include:

- 1) the activity must be for imperative reasons of overriding public interest or for public health and safety;
- 2) there must be no satisfactory alternative and
- 3) favourable conservation status of the species must be maintained.

This requirement does not negate the need for a Licence from Natural England in respect of Protected Species and the Local Planning Authority are required to engage with the Directive.

The only protected species identified at this site which the scheme has the potential to impact on is bats. According to the submitted ecology report at least one of the bat boxes on the site may be in use by bats. The bat survey report also confirmed that habitats on site (e.g. mature trees and tree line, grassland, stream and scrub) provide foraging opportunities for bats roosting outwith the application area.

The proposed scheme is considered to be the most efficient and effective use of the site and will provide affordable housing. The submitted Ecology report incorporates mitigation proposals which will be secured via condition and the amended landscape proposals ensure that foraging opportunities for bats are provided to compensate for the loss of the existing habitats. It is considered that implementation of the recommended proposals ensure that there are not significant impacts on the conservation status of the bat population locally.

Trees

There are several mature trees across the site which are protected by Tree Preservation Order 2 (Adlington) 2000. The majority of trees are to be retained as part of the scheme and will be located either within the garden areas of the properties or within public open space areas.

Two of the trees however are proposed for removal including Tree T4, which is a Sycamore Tree, and Tree T5, which is a Beech tree. The Council's Arboricultural Officer has reviewed the proposals and the submitted Tree Assessment. He has confirmed that tree T4 has a rotten base and is unsafe, as such its removal is justified. The Arboricultural Officer has raised concerns with the removal of Tree T5 which is fully mature, in good health and there is no arboricultural reason for the loss of this imposing, healthy tree. The scheme has been assessed to consider whether this tree could be retained however the retention of the tree would not be possible in respect of the proposed layout and if it was retained is unlikely to be maintained during the construction phase.

To mitigate for the loss of this tree it is proposed to incorporate new tree planting across the whole site as part of the landscaping scheme. Additionally heavy standard Alders will be planted within Environmental Area I to compensate for the loss. Alders are native species which the Arboricultural Officer is satisfied will adequately compensate for the loss of the Beech Tree.

Community Consultation

In accordance with the Council's Statement of Community Involvement the applicants along with their agents undertook consultations with the community prior to submitting the formal application. This included a 'Drop In' session at Fairview Youth and Community Centre. Both residents and Council's were invited to the event and offered the opportunity to comment on the scheme.

The event was attended by over 44 people and at the event the proposals were explained to the attendees and their questions answered. A comments sheet was provided to each attendee and Places for People are currently in the process of responding to each of the queries. A copy of these responses will be made available to the Council. The applicants have stated that the queries can be resolved and will not result in amendments to the scheme.

Contamination

The applicants have commissioned a Phase 1 Desk Study in respect of land contamination at the site which forms part of the submission. The Council's Waste & Contaminated Land Officer has reviewed this document and has suggested conditions in respect of additional requirements for the site. These will be attached to the recommendation.

Following the initial comments the Waste & Contaminated Land Officer has confirmed that the Phase 1 desk study report (ref.09/003, dated August 2009) submitted for this site is satisfactory and he is currently awaiting the Phase 2 report from John Crook / Gas Ventures (UK) Ltd.

Drainage

A number of concerns have been raised in respect of drainage at the site. The amended landscaping plan proposes to re-route the ditch to intercept surface water from site discharges into a proposed pond and overflows will be diverted via a silt trap into the main surface water drain.

The water course through the site will be partly culverted. United Utilities and the Environment Agency have not raised any concerns in respect of drainage. A meeting is being arranged to discuss drainage and the capacities of the site. The results of this meeting will be reported on the addendum.

The Council's Enforcement Officer and Principal Building Control Officer has looked into the issue of services to the site and have confirmed that suitable connections including electricity, gas and water are provided to the site.

Response to the Neighbours Concerns

The Council mapping system was incorrect, which is due to the Developers providing incorrect numbering to the Council, which resulting in the neighbour on Meadow View, which borders the application site, not being consulted directly. This issue has now been rectified and the correct neighbours notified directly. Additionally the Development Control Team Leader has visited the two neighbours immediately adjacent to the site to discuss the proposals and their concerns.

As set out above there have been several letters of objection raising various concerns. A lot of these issues are set out within the body of the report. In respect of highway safety the scheme utilises existing residential roads which are suitable for residential traffic. The scheme incorporates adequate parking for the size of dwellings proposed and although comments are awaited from the Highway Engineer he has been involved with this scheme at pre-application stage.

In respect of the impact on wildlife and ecology as set out above concerns were raised initially however the landscaping has been amended and it is considered that the bat population in the area will be maintained and not adversely impacted on by the proposed development.

This site was always retained as the affordable housing parcel associated with the Fairview Farm development and was never envisaged as being retained as open space. The site will be owned by Places for People which is a Registered Social Landlord and the properties will be managed and maintained as affordable houses available for rent/ intermediate ownership for people identified on the Council's Housing Need register. There is a significant need for affordable housing within the Borough which this scheme will contribute to resolving.

As set out above it is not considered that the proposals will adversely impact on the amenities of the existing or future residents. De-valuation of properties is not a material planning consideration. As set out previously there is not a current deficit in school places within Adlington. The Community Centre and outdoor play facilities constructed as part of the Fairview development will also benefit the residents of this scheme as when the redevelopment of this site was considered this consideration included this parcel of land.

Footpath Diversion

Footpath number 6 crosses the application site and will require diverting to accommodate the proposed development. The

applicants are aware of the need to apply to divert this footpath and the diversion is considered elsewhere in this agenda.

Conclusion The principle of developing this site for affordable housing was established over 10 years ago. The proposals represent the most efficient and effective use of this site taking into account the constraints.

Recommendation: Permit Full Planning Permission 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. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

3. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings (notwithstanding any details shown on the previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

4. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

5. Prior to the commencement of the development full details of the Management Company and arrangements for the future management and maintenance of the site, including the Environmental Areas and private parking areas, shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company in accordance with the approved arrangements.

Reason: To ensure the satisfactory management of the private driveways and Environmental Areas at the site and in accordance with Policies GN5 and TR4 of the Adopted Chorley Borough Local Plan Review.

6. No development shall take place until a programme of archaeological work has been implemented in accordance with a scheme of investigation which has previously been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is situated within an area of known archaeological interest and, as such, the site should be appropriately excavated and the remains recorded and in accordance with Policy Nos. HT11 and HT12 of the Adopted Chorley Borough Local Plan Review.

7. Prior to the commencement of the development a site investigation and risk assessment for landfill gas shall be undertaken at the site. The results of the investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority in the form of a Site Investigation Report. Thereafter the development shall be carried out in accordance with the recommended precautionary measures set out within the report unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safety and in accordance with Government advice contained in PPS23: Planning and Pollution Control

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

Reason: In the interests of safety and in accordance with Government advice contained in PPS23: Planning and Pollution Control

9. 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 sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

10. The existing soil levels around the base of the trees to be retained shall not be altered.

Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.

11. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the areas so fenced. All excavations within the area so fenced shall be carried out by hand.

Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.

12. Prior to the felling of any trees the bat boxes shall be surveyed to identify the potential for current usage. If bat usage is identified then the tree shall not be felled until full mitigation measures to ensure the continued protection of this bat roost have been submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure the continued protection of a protected species. In accordance with Policy EP4 and Government advice contained in PPS9.

13. Japanese Knotweed is present within the application area. Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to cause Japanese Knotweed to grow in the wild. Therefore a programme of control/eradication of this species shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The programme shall accord with Environment Agency Guidelines.

Reason: To ensure the eradication of Japanese Knotweed in accordance with the Wildlife and Countryside Act 1981 (as amended).

14. Prior to the commencement of the development a habitat creation/enhancement and management plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of replacement bird breeding habitat, bat foraging habitat, stream habitat and native tree planting. Thereafter the approved management plan shall be implemented in full.

Reason: To ensure that the retained and established habitats that contribute to the Biodiversity Action Plan targets are suitably established and managed. In accordance with Policy EM1 of the North West Regional Spatial Strategy.

15. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

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

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwellings hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

18. The in curtilage parking spaces at plots 22-25 shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

Reason: To ensure adequate off street parking provision is maintained and thereby avoid hazards caused by on-street parking and in accordance with Policy RT2 of the North West Regional Spatial Strategy 2008.

19. Prior to the commencement of the development, details of the proposed new drainage ditch shall be submitted to and approved in writing by the Local Planning Authority. The details shall show how the new watercourse will be designed so as to replicate a natural feature as far as is possible. The ditch thereafter shall be constructed in accordance with the approved details.

Reason: To ensure that a varied range of habitats are provided on the site to compensate for the loss of habitats as a result of the development. In accordance with Government advice contained in Planning Policy Statement 9: Biodiversity and Geological Conservation

20. Prior to the commencement of the development details of the proposed pond, including a maintenance scheme, shall be submitted to and approved in writing by the Local Planning Authority. The pond thereafter shall be constructed in accordance with

the approved details.

Reason: To enhance the conservation and biodiversity value of the site and to provide wildlife habitats to compensate for the loss of biodiversity as a result of the development. In accordance with Government advice contained in Planning Policy Statement 9: Biodiversity and Geological Conservation

21. No development approved by this permission shall be commenced until a surface water drainage strategy (including attenuation of surface discharges from the development to existing 'greenfield rates') has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be completed in accordance with the approved strategy.

Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 of the Adopted Chorley Borough Local Plan Review and in accordance with Government advice contained in PPS25 Development and Flood Risk

22. Prior to the commencement of the development full details of the predicted energy use of the development expressed in terms of carbon emissions shall be submitted to an approved in writing by the Local Planning Authority. If no data specific to the application is available benchmark data will be acceptable. A schedule should include how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. It will be flexible enough to show the on-site measures to be installed and implemented so as to reduce carbon emissions in accordance with policy SR1 of the Sustainable Resources DPD. No development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD and Supplementary Planning Document

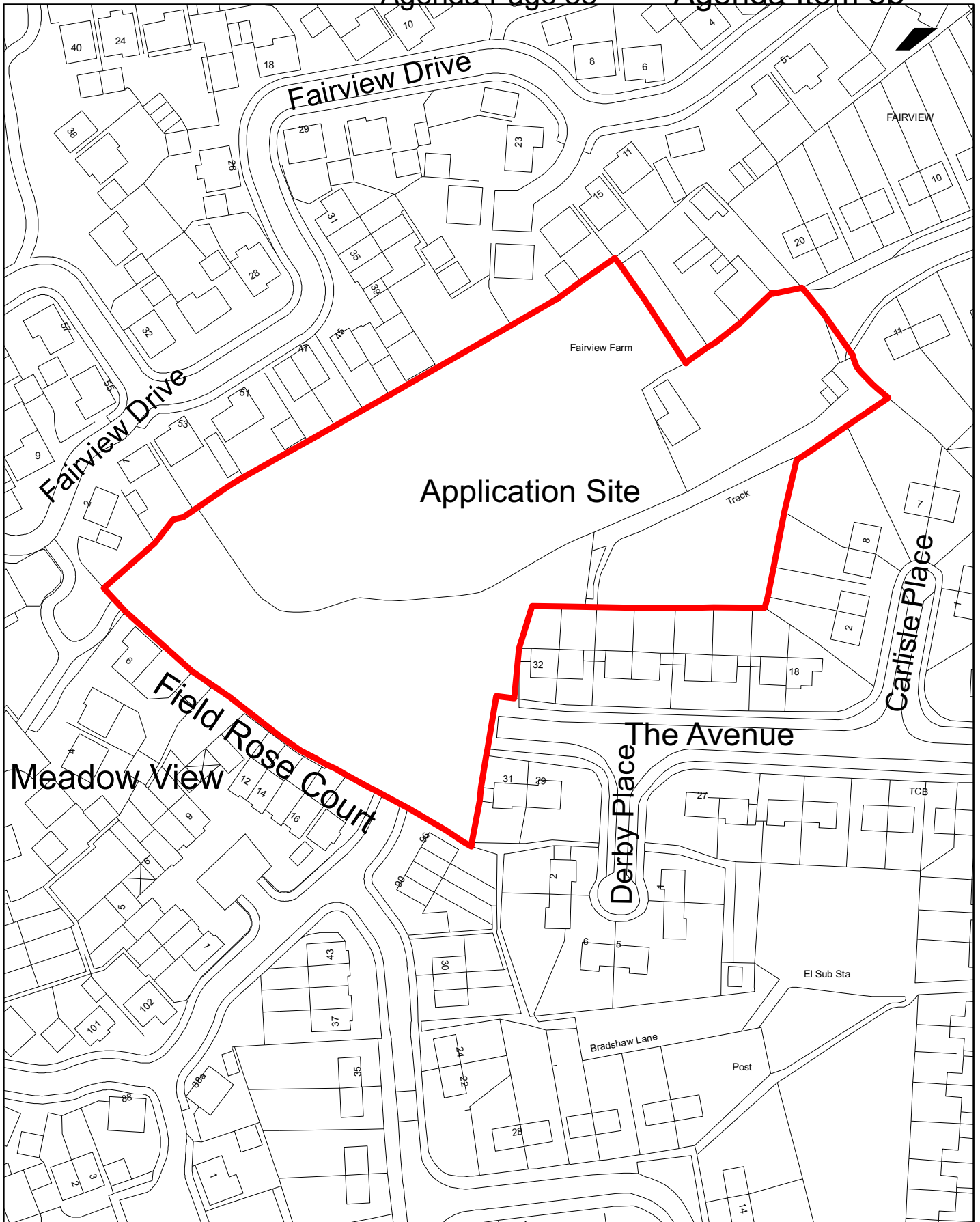
23. Prior to the commencement of the development a scheme which demonstrates and provides full details of how the design and layout of the buildings will withstand climate change shall be submitted to and approved in writing by the Local Planning Authority. The details shall include details of the proposed Code for Sustainable Homes Level, how the proposals minimise energy use and maximise energy efficiency. All dwellings commenced after 1st January 2010 will be required to meet Code Level 3 of the Codes for Sustainable Homes. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policies EM16 and EM17 of the North West Regional Spatial Strategy and Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

24. Prior to the commencement of the development full details of the bridge structure, required to allow access between plots 27 and 28, shall be submitted to and approved in writing by the Local Planning Authority. The bridge thereafter shall be constructed in accordance with the approved details.

Reason: In the interests of the visual amenities and proper development of the site and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.

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Jane E Meek BSc(Hons) DipTP MRTPI
 Director of Development and Regeneration
 Chorley Borough Council

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Application No.

09/00714/FULMAJ

Grid Ref:

E: 360009
 N: 413873

Scale:

1:1,250

8

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NOTES
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 Any discrepancies are to be reported to the architect for clarification.
 All materials and workmanship to be in accordance with the current British Standards and codes of practice.



CHORLEY BOROUGH COUNCIL
 TOWN AND COUNTRY PLANNING ACT 1990
 4 NOV 2009 AM.
 THIS IS A FORMAL APPROVAL
 APPLICATION NO. 07/100714

rev	date	drawn by	comments
C	13/10/09	GL	Rear gardens and parking amended to Plots 24 & 27
B	12/10/09	GL	Rear garden boundary to Plot 33 amended back to as originally proposed.
A	28/09/09	GL	Amended in accordance with Planner's comments: Plots 21 - 28 amended. Rear garden boundary reduced to Plot 33.

AMENDED PLAN

- Tenure: plots 17, 18, 19, 20, 28, 29 and 30 are for sale all other properties for rent
- 2m high fence
- 1.5m high fence with gates

- Trees**
- 1 - Trunk outside site, root protection area to be protected.
 - 2 - Tree retained, root protection area to be protected.
 - 3 - Tree retained, root protection area to be protected.
 - 4 - Trees to be removed.
 - 5 - Trees to be removed.
 - 6 - Tree stumps to be removed.
 - 7 - Tree retained, root protection area to be protected.
 - 8 - Trunk outside site.
 - 9 - Trunk outside site.
 - 10 - Tree retained, root protection area to be protected.
 - 11 - Tree retained, root protection area to be protected.
 - 12 - Tree retained, root protection area to be protected.
 - 13 - Tree retained, root protection area to be protected.
 - 14 - Trunk outside site.
 - 15 - Tree to be removed.

client
 PFP Developments Ltd
 project
 Fairview Farm, Adlington
 drawing
 Proposed Site Layout
 drawing number
 2640GM2/001
 revision
 C
 date
 17/04/09
 scale
 1:250
 drawn by
 GM
 cad reference
 2640GM2 Site Layout

blue sky
 architects

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 offices also in Accrington

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Item 3 **09/00802/OUTMAJ** **Permit (Subject to Legal agreement)**

Case Officer **Mrs Nicola Hopkins**

Ward **Eccleston And Mawdesley**

Proposal **Outline application for the erection of 70 dwelling houses with associated roads and open spaces**

Location **Pontins Ltd Sagar House Langton Brow EcclestonChorley**

Applicant **Northern Trust Company Ltd**

208 letters of objection have been received
Consultation expiry: 6th January 2010
Application expiry: 26th January 2010

Proposal The application relates to an outline application for the proposed residential redevelopment of Sagar House, Eccleston. This outline application relates to the principle of redeveloping the site for upto 70 new dwellinghouses and the proposed vehicular access arrangements. Matters relating to layout, design and landscaping will be dealt with at reserved matters stage in the event that outline planning permission is granted.

The site is occupied by Sagar House which is a 2 storey, 1,724 sqm office building. Planning permission was granted for the office building in 1965 (5/5/5189) however the building has been vacant since February 2008.

The site is 2.73 hectares in size. The erection of 70 dwellings on the site equates to a density of approximately 26 dwellings per hectare which is below the recommended 30 dwellings per hectare within PPS3 however is considered to an appropriate density within this area. Part of the site falls to be considered brownfield land, the land which houses the office building, gate house, access road and car parking areas.

The area of land located to the south east of the built development is open land which was separated from the brownfield land by a row of trees and a hedgerow. These trees and hedgerow were removed in 2008 following the building being vacated and this land did not form part of the curtilage of the built development. As such this land falls to be considered 'greenfield' land. The priority for new housing developments set out within PPS3 is previously developed land however achieving housing is suitable, sustainable locations is also a priority.

Summary The proposals accord with National, Regional and Local Planning Policy and as such the scheme is considered to be acceptable. The previous reasons for refusal have been addressed and as such the scheme is now considered to be acceptable.

Amendments The previous application was refused as it was not considered that it had been adequately demonstrated that 82 dwellings could be accommodated on site taking into account the Council's spacing standards and concerns from the Highway Engineer. The current scheme has reduced the number of dwellings on the site

and it is now considered that the illustrative layout adequately demonstrates that 70 dwellings can be accommodated on the site whilst protecting the amenities of the future and existing residents and ensuring that a suitable adopted highway can be achieved to serve the properties.

The other reason for refusal relates to Ecological impacts. Following the previous decision the applicants have undertaken future work in this regard and discussed the proposals with the relevant consultees. Although initial concerns were raised by the Ecologist in respect of this application these have now been addressed and it is considered that the Ecological implications can adequately be addressed by condition.

Planning Policy

National Policies:

PPS1, PPS3, PPS9, PPS22, PPS23, PPS25

North West Regional Spatial Strategy:

Policy DP1: Spatial Principles

Policy DP4: Make the best use of Existing Resources and Infrastructure

Policy DP7: Promote Environmental Quality

Policy RDF1: Spatial Priorities

Policy RDF2: Rural Areas

Policy W3: Supply of Employment Land

Policy L4: Regional Housing Provision

Policy L5: Affordable Housing

Policy RT9: Walking and Cycling

Policy EM5: Integrated Water Management

Policy EM15: A Framework for Sustainable Energy in the North West

Policy EM16: Energy Conservation and Efficiency

Policy EM17: Renewable Energy

Adopted Chorley Borough Local Plan Review:

GN3: Settlement Policy- Eccleston

GN5: Building Design and Retaining Existing Landscape Features and Natural Habitats

GN9: Transport Accessibility

EP4: Species Protection

EP9: Trees and Woodland

HT10: Locally Important Buildings

EP17: Water Resources and Quality

EP18: Surface Water Run Off

HS4: Design and Layout of Residential Developments

HS5: Affordable Housing

HS6: Housing Windfall Sites

HS8: Local Needs Housing within Rural Settlements excluded from Green Belt

EM4: Protection of Employment Sites in Rural Settlements

TR1: Major Development- Tests for Accessibility and Sustainability

TR4: Highway Development Control Criteria

TR18: Provision for pedestrians and cyclists in new developments

LT14: Public, Private, Educational and Institutional Playing Fields, Parks and Other Recreational Open Space

Statement of Community Involvement

Local Development Framework:

Policy SR1: Incorporating Sustainable Resources into New

Development
Sustainable Resources Development Plan Document
Sustainable Resources SPD

Planning History

5/5/5189- Administrative and Executive Building. Approved 1965

5/5/5722- Gateway and entrance driveway to office block.
Approved 1966

80/00730- Extension for document storage. Approved August
1980

87/00450- Alterations to form (internal) extension to ground floor
only for offices/ plant rooms. Approved

89/00014/OUT- Outline application for the erection of a two storey
office block. Approved 1991

94/00364/OUT- Renewal of outline planning permission 9/89/14
dated 2.07.1991 for 2-storey office block. Approved April 1995

08/01244/OUTMAJ- Outline application for the erection of 82
dwellings and associated roads and open space. Withdrawn

09/00146/OUTMAJ- Outline application for the erection of 82
dwellings and associated roads and open space. Refused for the
following reasons:

1. The application cannot be fully assessed due to the provision of insufficient information. Natural England and Ecological advice from Lancashire County Council recommends that a decision cannot be made without the provision of an updated Great Crested Newt Survey. This document has not been submitted and the applicant was aware of the requirement prior to the submission of this application. These details have not been submitted and the application cannot be fully assessed within the prescribed time limits. As such the proposal is contrary to Government advice contained in PPS9: Biodiversity and Geological Conservation and Policy EP4 of the Adopted Chorley Borough Local Plan Review.

2. The submitted illustrative layout plan does not adequately demonstrate that 82 dwellings can be accommodated on the site whilst protecting the amenities of the existing and future residents. The scheme does not accord with the Council's Spacing standards set out within the Adopted Householder Design Guidance Supplementary Planning Document. Additionally the highway layout is not considered acceptable in terms of highway safety which necessitates the need for amendments to the layout which may impact on the number of dwellings which can be accommodated on the site. As such the proposal is contrary to Policies HS4 and TR4 of the Adopted Chorley Borough Local Plan Review.

Adjacent site (Lord Street/ New Street):

02/00381/OUTMAJ- Outline application for residential
development consisting of 19 dwellings. Refused August 2002.
Allowed on Appeal

04/00297/FULMAJ- Erection of 19 dwellings with associated highway and drainage works. Approved September 2004

05/00073/FULMAJ- Erection of 16 No affordable housing units, (2 and 3 bedrooms) with associated parking and landscaping. Approved January 2006

Applicant's Case

The following points have been submitted in support of the application:

- The site is sustainably located within the built up residential area of Ecclestone
- The proposals would create an opportunity to undertake an appropriate and efficient re-use of the site thereby avoiding any continued physical and visual deterioration of the longstanding vacant premises.
- The proposals would provide a well design housing layout which would respect the general amenities of the surrounding residential area whilst providing a wide range and mix of varied house types including a significant proportion of affordable housing
- Matters relating to Great Crested Newts and other protected species have been fully addressed
- The amended layout and additional information address all of the previous reasons for refusal

Representations

208 letters of objection have been received raising the following points:

- Impact on local services
- Building on Green Belt land
- 2.5 storey houses out of character with the Village
- Impact on highway infrastructure
- No housing need
- Highway safety concerns
- Concerns over the capacity of the drainage infrastructure
- Impact on trees, wildlife and hedgerows
- Flooding
- Will houses be strictly 'affordable'?
- Issues with levels between the site and the surrounding properties
- Overlooking, loss of light, loss of privacy
- Parking issues
- Loss of employment site
- Increase car journeys- unsustainable location
- Too many new housing developments in Ecclestone
- Safety of children
- Too many houses
- Loss of privacy and security to the church house

Consultations

Lancashire County Council (Ecology) have commented on the application and requested clarification in respect of the width of the habitat areas to be retained at the boundaries of the proposed development.

Following further correspondence between the Ecologist and the agent for the application the Ecologist has provided further comments which are set out within the body of the report.

Lancashire County Council (Strategic Planning) considers the proposal conforms with the North West RSS. They have also commented on housing, transport, minerals & waste, ecology and renewable energy.

The Environment Agency have requested clarification in respect of surface water discharge and have suggested several conditions/ informatives.

The Architectural Design and Crime Reduction Advisor has suggested various conditions

Chorley's Conservation Officer considers that the proposals are contrary to Policy HT10 of the Local Plan

Corporate Director (Neighbourhoods) has no objection subject to various conditions/ informatives.

United Utilities have no objection subject to various conditions/ informatives

Lancashire County Council (Highways) have commented on the scheme. Following the receipt of the amended illustrative layout further comments have been received.

Chorley's Waste & Contaminated Land Officer has commented on waste collection at the site

Lancashire County Council (Education) has commented on the application

Assessment

Principle of the Development

In accordance with PPS3 previously developed land is land that is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. Part of the site where the office building, gate house, access road and parking is located falls within this definition. However part of the site, to the south east of the office building, is an open field which has not previously developed and was, until 2008, separated from the main site by a tree and hedge row. Additionally when planning permission was granted in 1965 for the office building this area of the site did not form part of the planning application and as such did not form part of the planning unit/ curtilage. As such this part of the site falls to be considered 'greenfield' land. The priority for new housing developments set out within PPS3 is previously developed land. In principle redeveloping brownfield land is considered to be acceptable however the principle of redeveloping greenfield land is not established.

As the site is located within the Village of Eccleston Policy GN3 of the Adopted Local Plan is a material planning consideration. The Policy restricts development within Eccleston to the following criterion:

- (a) The development and redevelopment of land wholly within the existing built-up extent of the settlement;
- (b) The use of infill sites;
- (c) The re-use of previously developed land, bearing in mind the scale of any proposed development in relation to its surroundings

- and the sustainability of the location;
- (d) The rehabilitation and reuse of buildings;
- (e) That which provides affordable housing to meet a recognised local housing need in accordance with Policy HS8; or
- (f) That which meets a particular local community or employment

need

The redevelopment of the brownfield area of land accords with criterion c of this Policy. In respect of the greenfield area of land although the site falls within the defined settlement boundary of Ecclestone it is not considered that that the site is wholly within the existing built-up extent of the settlement. As such in order for the redevelopment of the 'greenfield' site to accord with this Policy the scheme will have to meet the requirements of criterion e and Policy HS8.

Policy HS8 requires residential development of open land within a rural settlement excluded from the Green Belt will be restricted to schemes which would significantly contribute to the solution of a recognised local housing problem. It is considered that in order to comply with this Policy to 'greenfield' element of the proposal will be required to provide 50% affordable housing.

Employment Land

Due to the previous use of the 'brownfield' part of the site the site falls to be considered under Policy EM4 of the Local Plan as Employment Land within a rural settlement. In accordance with Policy EM4 an assessment is made into whether the site is suitable of being re-used for employment purposes. Sites which are identified as suitable are required to be marketed for employment purposes if the proposal is for a non-employment use.

The site has been marketed since February 2008 as an office building. Details of the marketing undertaken have been submitted as part of the planning application. The marketing included advertisements in the local press, adverts on various web-site, boards on site and the details were sent to various agents active in the Chorley and Ecclestone area.

All enquiries received are summarised within the submitted documentation and include residential redevelopment and redevelopment for a care home. No enquiries were received for an employment development of the site.

The site has been classified as Good Urban in the Employment Land Review. In accordance with this classification, Policy EM4 of the Local Plan Review and associated Supplementary Planning Guidance (SPG) it would be preferable to retain employment use on the site, or mixed uses on the site, incorporating employment re-use.

These premises have been vacant since February 2008 and have been marketed since the 14th of February 2008. It appears that the marketing undertaken broadly complies with the requirements in the SPG. However, the advertising board on site states 'all enquiries', which does not restrict potential purchasers to a particular use of the site. Advertising has taken place in the press, the property is listed on the agent's website and on the 'Make it

Lancashire' website and mails shots have been sent out. The offices have been offered leasehold and offers also invited for the freehold. The information submitted with the application indicates that the only interest in the site has been for its redevelopment for residential, or care home, purposes. It would appear that the applicant can demonstrate that this proposal accords with the requirements of criteria a) and criteria b) of Policy EM4. As such it is considered that the provisions of the Policy have been met and an employment re-use cannot be achieved on the site.

Housing Development

As set out earlier within the report redevelopment of the brownfield part of the site for residential purposes is considered to be appropriate and if a minimum of 50% affordable housing is incorporated on the greenfield part of the site then the proposal will comply with the provisions of Policy HS8 of the Adopted Chorley Borough Local Plan Review.

This application is an outline proposal with only access and the principle of redeveloping the site for housing being considered. In the event that outline planning permission is granted a reserved matters planning application will be required dealing with siting, design and landscaping. This notwithstanding however a indicative layout plan has been submitted with the application, this has been submitted to demonstrate that 70 dwellings, as proposed, can be accommodated on the site.

The indicative plan demonstrates a range of properties including 2, 3 and 4 bedroom dwellings on 1 and 2 storeys in a variety of built forms. This is wholly indicative at this stage and a detailed layout plan will be submitted at reserved matters stage

When assessing the indicative layout the impact of proposed development on the existing and future residents is a consideration. The Council has approved spacing standards which are set out to ensure the neighbours and residents amenities are protected. These are 21 metres window to window distance, 12 metres window to gable distance and 10 metres from first floor windows to the boundaries they face. Additionally, as set out within the Council's Adopted Design Guide these spacing distances increase where there is significant level differences.

The previous application was refused partly because it was not considered that the submitted illustrative layout plan adequately demonstrated that 82 dwellings could be accommodated on the site whilst protecting the amenities of the existing and future residents. This was due to the fact that the scheme did not accord with the approved spacing standards and the highway layout was not considered acceptable which would have necessitated the need for amendments to the layout potentially impacting on the number of dwelling achievable on the site.

The layout has been amended and the number of dwellings reduced to 70. The property on plot 41 is only 7 metres from the boundary with 382 Langton Brow. The property on plot 41 however is a bungalow which ensures that first floor windows will not result in overlooking, additionally this property can be designed so that no habitable room windows face the boundary with 383 Langton Brow.

Another consideration is the internal spacing distances within the site to protect the amenities of the future residents. A few of the properties on the originally submitted scheme did not meet the required spacing standards. The illustrative layout has been amended to demonstrate that the properties can achieve the required spacing distances.

The amended illustrative layout incorporates the finished floor levels of the proposed properties which are located along the boundary of the site and the surrounding properties. The direct relationships are between plots 40-47 and the properties on Shelley Drive and Langton Brow. Between plot 47 and 364 Langton Brow there is approximately a 1.3 metre level increase between the existing dwelling and the proposed plot. In excess of 26 metres is retained between the rear of 364 and the side of plot 47, additionally plot 47 is a bungalow, which is considered to be acceptable. The rear elevation of plot 46 is approximately 26 metres from the rear elevation of 372 Langton Brow and is approximately 1.9 metres higher than the existing property. In accordance with the Council's increase spacing distances between 5-6 metres additional spacing distance is required. As 26 metres is retained (5 metres in excess of the standard 21 metres) and plot 46 is a bungalow this spacing distance is sufficient.

The side elevation of plot 45 is approximately 26 metres from the rear elevation of 380 Langton Brow and is approximately 2.1 metres higher than the existing property. In accordance with the Council's increase spacing distances 6 metres additional spacing distance is required. As 26 metres is retained (14 metres in excess of the standard 12 metres) and plot 45 is a bungalow this spacing distance is sufficient.

The rear elevation of plot 43 is approximately 21.5 metres from the rear elevation of 382 Langton Brow and is approximately 0.5 metres higher than the existing property. This spacing distance accords with the Council's guidelines

The rear elevation of plot 41 is approximately 22 metres from the rear elevation of 9 Shelley Drive and is approximately 1 metres higher than the existing property. The Council's standard 21 metres window to window distance applies to first floor windows. As the proposed dwelling is a bungalow no first floor windows will be created which ensures that there will be no loss of privacy to the detriment of the neighbours amenities.

The rear elevation of plot 40 is approximately 22 metres from the rear elevation of 11 Shelley Drive and is approximately 1.5 metres higher than the existing property. The Council's standard 21 metres window to window distance applies to first floor windows. As the proposed dwelling is a bungalow no first floor windows will be created which ensures that there will be no loss of privacy to the detriment of the neighbours amenities.

The originally submitted illustrative layout detailed bungalows in the south western corner of the site to take into account the neighbours amenities along Shelley Drive and the level differences between the site and Shelley Drive (which is at a lower land level). The amended illustrative layout proposed bungalows for all the properties adjacent to the site boundary to protect the

amenities of the existing residents taking into account the level difference.

It is considered that the illustrative layout adequately demonstrates that 70 dwellings can be accommodated on the site whilst protecting the amenities of the future and existing residents. The layout is illustrative at this stage, and likely to change at reserved matters stage, however for future reserved matters it has been demonstrated that a scheme of 70 dwellings can be accommodated on the site.

Highway Safety

This outline application relates wholly to vehicular access and the principle of redeveloping the site. It is proposed to access the site from Langton Brow utilising the access which already serves the site. Clearly the erection of 70 dwellings on the site will generate traffic to and from the site and as such the access and highway safety implications is a consideration.

Although the layout plan is indicative at this stage the plan indicates that 2 off road parking spaces will be provided for two and three bedroom dwellings and 3 off road parking spaces will be provided for 4 bedroom dwellings. The plan also indicates that 6 metres of driveway space will be provided in front of garages to accommodate a car off the highway. This provision accords with the Council's parking standards and the draft RSS parking standards. Additionally the agent for the application has been advised that garage accommodation will be required to measure 6 x 3 metres in accordance with Manual for Streets.

The Highway Engineer has commented that in general terms he has no highway comments to make on the general principle of the development or the basic layout itself. He has also confirmed that the proposed junction with Langton Brow is adequate for the traffic generated and the layout works internally.

However he was originally concerned that the layout contains two roads that are effectively 110m and 130m straights. The design speed of this development is 20mph and as such, some horizontal feature is needed at a maximum distance apart of 60m to encourage the low traffic speed. He considered that this could be achieved relatively simply by strongly accentuating the deflection at Plots 27/60/69 and introducing a change of direction at Plots 46/49/67 and this could be done without too much impact on the layout.

Another concern is that the roads are set at a non-standard width of approximately 5m. The road widths need to be at 5.5m wide for this number of dwellings. Additionally further information is required in respect of what is proposed for the junctions, turning head areas and stripes/rumble strips shown, however none of these features would have any impact on the planning layout. The Highway Engineer originally confirmed that he could not support this application in its current layout however with the features suggested above there would be no reason to object, from a highways viewpoint

Following the Highway Engineer comments the illustrative layout has been amended to take into account his concerns. The amended illustrative layout incorporates 5.5 metre wide roads and

road deflections at plots 27/60/69 and plots 46/47/67 which appears to address the Highway Engineer comments. The Highway Engineer has reviewed the amended plans and has confirmed that the amendment is fine and will encourage slower moving vehicles.

Affordable Housing

In accordance with Policy L5 of the Regional Spatial Strategy and Policy HS5 of the Adopted Local Plan 20% on site affordable housing will be required as part of the development, in respect of the brownfield element of the site. Based on the illustrative layout this equates to 8 affordable dwellings on the site. As 20% of the number of dwellings proposed on the brownfield part of the site equates to 8.8 units the 0.8 element will be calculated as a commuted sum which will be used for the provision of off site affordable housing

In respect of the greenfield element of the site, based on the illustrative layout, a minimum of 50% affordable housing will be required in order to accord with Policies GN3 and HS8 of the Local Plan. This equates to 13 affordable units on the site.

In total 21 affordable units will be provided on the site, based on the illustrative layout. Based on need in the area this will be split between 80% rented and 20% intermediate accommodation. The preferred split would consist of 10 x two bedroom and 11 x three bedroom accommodation which reflects need in this area of the Borough. The location of the affordable units will be agreed at reserved matters stage. This obligation will form part of the Section 106 Agreement associated with the development.

Local Services

Ecclestone is a rural Village surrounded by Green Belt. The proposed development will increase the population of the Village and the indicative layout demonstrates that family accommodation will be provided on the site. Within the Village there is a GP Practice and 2 primary schools.

Lancashire County Council Education Authority have requested a contribution towards education facilities. They have confirmed that at the moment there is anticipated to be sufficient secondary places to support the development. However, the rising birth-rate leads us to expect that there will now be a shortfall of approximately 15 places in the surrounding primary schools by 2014. Following further consultation in this regard the Education Authority have confirmed however that there is not a shortfall currently in primary school places.

Circular 05/2005 sets out the five tests which are required to be met when requesting planning obligations. Two of the tests 'necessary to make the proposed development acceptable in planning terms' and 'directly related to the proposed development' are particularly pertinent to this request.

Firstly, as the LEA have confirmed there is not a current deficit of primary school places within the area and the deficit in places will not occur until 2014. As such the primary school places deficit is not directly related to this development. Secondly, no evidence has been provided as to where the contribution will be utilised and as such the request is not directly related to the proposed

development. As such the request does not meet the tests of the Circular and cannot be requested as a planning contribution.

As such it is not considered that the proposal will adversely impact on the schools within the Village.

Ecology

Due to the nature of the site and the proximity of the site to the adjacent open countryside the ecological implications of the development are a consideration. The first application at the site was withdrawn due to the requirement for a Newt survey which can only be undertaken at certain times of the year. The second application was refused due to the fact that insufficient information was submitted in respect of Great Crested Newts

The Ecologist at Lancashire County Council has commented on the proposals and originally requested that prior to determination of the application, the applicant will be required to clarify the width of the habitat areas to be retained at the boundaries of the proposed development.

It was subsequently confirmed that the proposed newt habitat/connecting corridor would be approximately 1 metre wide which the Ecologist was concerned with as it is too narrow to function effectively for Great Crested Newts. However the Ecologist considers that if there is sufficient flexibility regarding the scheme layout then the mitigation could be amended at the stage when a licence will be required from Natural England, Natural England will be the determining authority in respect of Newt mitigation. The Ecologist also commented on the distance between the existing and proposed hedge and the proposals to accommodate a screen fence immediately adjacent to the hedge, which could adversely impact on hedgerow establishment. The agent for that application has confirmed that the new hedge will be located 1 metre south of the existing hedge (as opposed to 1 metre south of the centre line as originally proposed) and alternative boundary treatment will be introduced. This shows that there is flexibility and the precise details of the Newt mitigation will need to be determined by Natural England.

The amended illustrative layout details the above suggestions in respect of the hedge and the fencing and the Ecologist considers that the amended boundary is more suitable and is acceptable. The Ecologist considers that, taking into account the amendments, appropriate planning conditions can be attached to the recommendation which will ensure that the proposals are in accordance with the requirements of relevant biodiversity planning policies and legislation.

In respect of Great Crested Newts the application area does not support a breeding pond, and is comprised of terrestrial habitat that is largely suboptimal, for great crested newts. It therefore seems reasonably unlikely that the redevelopment of this site would compromise the ability of the local area to support great crested newts at current population levels. However, redevelopment could potentially result in a loss of habitat connectivity between ponds and the proposals also have the potential to result in an offence being committed (killing/injuring). Mitigation measures have therefore been proposed to ensure that the existing population of newts can be maintained at a favourable

conservation status. These measures (habitat creation, enhancement and management; newt exclusion; and monitoring) are outlined within the submitted reports. The Ecologist considers the outline proposals for mitigation would demonstrate in principle that detrimental impacts on great crested newts can be avoided, and implementation of the mitigation/compensation proposals would then need to be the subject of a planning condition.

In respect of bats the ecological consultant concluded there was a low likelihood of bats roosting within the site however mitigation proposals for impacts on bats were provided. These mitigation measures are considered to be acceptable and will be secured via condition. Habitats on the site, including existing buildings, have the potential to support nesting birds. It needs to be ensured that detrimental impacts on breeding birds are avoided.

The ecology report states that the application area supports approximately 400m of hedgerows, of considerable value, providing shelter and foraging opportunities for birds, mammals and invertebrates and potential commuting routes for bats. Hedgerows are a UK Biodiversity Action Plan Priority Habitat and their retention is important to ensure no net loss of biodiversity value. However if these hedgerows cannot be retained and enhanced, then appropriate compensatory planting (replacement hedgerows) can be accommodated. This will be secured via the landscaping scheme/habitat creation and management plan conditions.

The Ecologist has commented on the trees on site. The majority of existing trees on site would be retained within the proposed development. However, the Tree Schedule recommends that two trees (T16 and T23) should be felled 'for reasons of sound arboricultural management'. The description of these trees, as over-mature with cavities and much dead wood, suggests strongly that these trees could be classified as veteran trees. The Ecologist confirms that retention of such trees is encouraged by PPS9 and therefore, unless these trees are actually dangerous, they should be retained within the development.

Tree T16 is an Ash Tree and Tree T23 is an Oak tree. The Council's Arboricultural Officer has visited the site and made an assessment of all the trees. Those trees considered worthy of retention have been protected by a Tree Preservation Order (TPO 1(Eccleston) 2009) and this includes the two trees raised by the Ecologist. The two trees in question are incorporated on the indicative layout as retained and as such the removal of these trees does not form part of this application.

Following a recent high court decision the Local Planning Authority have a legal duty to determine whether the three 'derogation tests' of the Habitats Directive implemented by the Conservation (Natural Habitats &c.) Regulations 1994 have been met when determining whether to grant planning permission for a development which could harm a European Protected Species. The three tests include:

- (a) the activity must be for imperative reasons of overriding public interest of for public health and safety;
- (b) there must be no satisfactory alternative and
- (c) favourable conservation status of the species must be maintained.

This requirement does not negate the need for a Licence from Natural England in respect of Protected Species and the Local Planning Authority are required to engage with the Directive.

The proposals partly involve the redevelopment of brownfield land which is the preferred location for development and will incorporate a proportion of affordable housing which is both a National and Corporate priority. There is a need for affordable housing within the Borough and the redevelopment of this site for housing will contribute to the supply of new housing in the Borough which is within the public interest. The site and building has been marketed for over a year now with no interest in retaining the premises for employment purposes. The building is vacant and if the site was left vacant the building would deteriorate further. The redevelopment of this site is considered to be the most appropriate use for the site. An Ecology survey and Great Crested Newt survey has been undertaken on the site, it is considered that if the proposed mitigation measures are implemented the proposals will not adversely impact on protected species. It is considered that the proposals satisfy the three derogation tests and will not impact unfavourably on the population of protected species.

Drainage and Flooding

A number of concerns have been raised in respect of the drainage/ sewerage facilities in the Village, the capacity of the existing facilities to support the proposed increase in dwellings and flooding implications resulting from the development.

United Utilities have no objection to the proposal although they have confirmed that a water main runs along the entrance to the site and an access strip of no less than 5 metres wide measuring at least 2.5 metres either side of the centre line of the main will be required. The applicants are aware of this.

When the previous application was considered a number of concerns were raised in respect of the capacity of the existing services, similar concerns have been raised in respect of this application. During the assessment of the previous application these concerns were forwarded to United Utilities who confirmed that in respect of the public sewer system serving this area there was a history of blockages causing flooding however, the sewers are hydraulically capable of receiving foul flows from the proposed development.

In respect of surface water United Utilities originally intended to direct all surface water flows from the proposed development

directly/indirectly in to the adjacent watercourse (Sydd Brook), with the Environment Agency's approval, which they consider will further reduce any likelihood of sewer related flooding within the vicinity.

The Environment Agency confirmed that the site is in flood zone 1 and they have no knowledge of any flooding. However, there are serious problems in Sydd Brook to which United Utilities originally proposed to discharge the surface water. The Environment Agency would be opposed to any increase in surface water discharges to the watercourse.

Following receipt of these comments United Utilities confirmed that the surface water discharge from the proposed development would be restricted to the previous run off rate in agreement with the Environment Agency. United Utilities records provided show that surface water from the property currently drains to the public sewer network. The submitted Flood Risk Assessment states that the surface water strategy for the site is to drain surface water runoff post-development to the same point of discharge at a lesser rate

The Environment Agency have requested confirmation on the above point and whether the surface water will discharge to the surface water sewer or to a watercourse. Permission is required from the Environment Agency if the intention is to discharge to the watercourse however permission is not needed if the developers intend to utilise to surface water sewer. The agent for the application has confirmed that surface water will be directed to the existing sewer network with a 20% reduction in current rates. As such the Environment Agency have no objections to the proposal subject to several conditions/ informatives.

Public Consultation

In accordance with the Council's Statement of Community Involvement the applicants along with their agents undertook consultations with the community prior to submitting a formal planning application. This was undertaken prior to the submission of the previous application and included a public exhibition where neighbours were asked to comment on the proposed scheme.

A Statement of Community Involvement forms part of the submitted supporting documentation. The original consultation involved a leaflet drop to neighbouring homes and businesses and a public exhibition at Sagar House. 46 people attended and 12 consultation slips were completed which incorporated 7 supporting the proposals, 2 objecting to the proposals and three undecided. Two layouts were displayed at the original consultation event, one demonstrating 106 dwellings and one demonstrating 101 dwellings.

The current proposal has been prepared in an attempt to address the reasons for refusal on the previous application. Prior to the submission of this application a Planning Application Update Sheet and illustrative site layout was sent out to residents inviting them to comment. Two letters were received raising concerns in respect of plot 45. The submitted statement confirms that this property should be a bungalow to take into account level changes. The amended illustrative layout incorporates bungalows along the site boundary.

Impact on the Locally Listed Building

The existing office building located on the site features on the Council's list of Locally Important Buildings. The property is not statutory listed however the Council has drawn up its own list of buildings within the Borough which have historic and/or architectural value and will seek to protect these buildings from demolition or inappropriate alterations.

The Council's Conservation Officer has made the following comments on the proposals. This is the third application received from this applicant for the redevelopment of this site. As previously the proposal is for demolition of the building currently occupying part of the site and redevelopment of the whole site for housing. Whilst the number of units proposed and the layout has been tweaked slightly, reducing the number of units from 82 to 70, substituting some houses for bungalows, retaining trees and allowing a slightly larger area of open green space, essentially the proposal is the same as before.

The building that it is proposed to be demolished is defined by Chorley Council as a 'Locally Important' building. Policy HT10 of the 2003 adopted Chorley Council Local Plan Written Statement, and specifically paragraph d of that policy refers to demolition of locally important buildings and states that this will only be permitted if the building has been proven to be structurally unsound and incapable of beneficial reuse. In my view that case has not been proven by the applicant for the following reasons:

- No exploration of possible other uses for the building has been undertaken.
- The estimated refurbishment costs have been inflated by the cost of works that the applicant would have to incur whether the building remains or not - Street lighting, road resurfacing and landscaping.
- The potential residential value of the building, which would be significantly higher than the commercial value, has not been shown.
- The cost of embodied energy and the value of materials and construction labour that would be lost as a result of demolition has not been included.
- The demolition cost has not been included, although that for the removal of asbestos (already undertaken) has.
- The cost for air conditioning and toilet block refurbishment are included, but would be excluded from a costing for residential conversion.
- The building has not been proven to be structurally unsound.

Whilst there may be other costs for a residential conversion scheme the simple fact is that this option has not been considered by the applicant. Only the option of continued commercial, office, use has been considered. Consequently the Conservation Officer considers that the proposal is unacceptable because it has failed to adequately address the requirements of Policy HT10.

English Heritage have assessed the building in respect of statutory listing the building however they did not consider it worthy of protection and as such the building is not a statutory listed building.

When the previous application was submitted a letter was submitted from CGMS Consulting on behalf of the applicants in respect of the Local Listing. The letter states that Sagar House and its ancillary gatehouse were built in the mid-1960s, for the textile manufacturers, Carrington and Dewhurst. The company had acquired an interest in Grove Mill, Ecclestone in the late 19th Century and had built New Mill, Ecclestone in the early 20th Century. Sagar House was opened in 1965, providing space for administrative and executive functions.

By the early 1980s, Carrington Dewhurst had been absorbed into Carrington Viyella, which had then been taken over by Vantona. In the process, both mills in Ecclestone had been closed down and Sagar House had been vacated, thus bringing to an abrupt and lasting close its short-lived association with the textile industry. Sagar House was acquired and significantly altered by Pontins in the late 1980s and the site became the company's head office, until this function was transferred to Southport in February 2008.

Sagar House was purpose built to a design by Leonard Fairclough and Partners. The letter goes on to state that in terms of general style, proportions, plan form, materials and texture, Sagar House is typical of functional office buildings that were produced in great numbers in the later C20, as much across Lancashire as elsewhere. It displays a confident but unimaginative use of what were current technologies. Nor do Sagar House and its ancillary gatehouse possess unusual architectural value as a group, or form part of a wider ensemble with the former mill buildings in the village.

The letter states that the limited architectural significance of the unexceptional principal building has been so debased by change that no architectural grounds for local listing can reasonably be sustained. Were any individual items thought to have residual interest, these could be recorded before demolition.

The letter then goes on to state that there are extensive repairs needed to refurbish and upgrade the building for re-use which would rob the structure of a substantial proportion of the surviving elements of the original external fabric, including glazing and external facing panels.

The letter concludes that the modest architectural quality and aesthetic merits of the building have been seriously debased by alterations and adaptations; and further radical and damaging change would now be required (at prohibitive cost) to keep the building in active use. In terms of historic interest, this modern building had only a short lived connection with the two village mills (which closed many years ago) and does not have any intrinsic ability to reveal an association with any key aspect of local history (nor is any such interest suggested in the local list description). The letter concludes that the building should be removed from the Local List.

The building, although included on the Local List, can be demolished without the need for Planning Permission. The inclusion on the Local List does not constitute statutory listing and was not considered worthy of statutory listing. It is not considered justifiable to refuse the application on the grounds of the loss of an important historical building particularly as there has been no interest in the building for conversion (which is demonstrated by the marketing exercise which has occurred at the site). As such the demolition of this building is considered to be acceptable.

Section 106 Agreement

Due to the nature and scale of the development there will be a legal agreement associated with the development. The Section 106 Agreement will include the provision of on site affordable housing, as set out above, a contribution to equipped play space (£2526 per dwelling) and a contribution towards community recreational amenities.

Response to the Neighbours concerns

As set out above there is significant neighbour objection to the proposal. A number of concerns have been raised which will be addressed below.

Impact on Local Services

The residents are concerned that the local services cannot cope with proposed increased in dwellings however LCC Education have confirmed there is no current shortfall in school places. Additionally the PCT have been consulted in respect of health care provision.

Capacity of drainage infrastructure and flooding

Concerns have been raised in respect of the drainage and sewerage systems in the area and their capacities however United Utilities have no objection to the proposals and it is considered that surface water can be dealt with at the site.

Chorley Borough Council has no direct responsibility to solve land drainage flooding but they can, using powers within the Land Drainage Act 1991, enforce maintenance responsibilities and in default carry out that work and recharge the person with riparian responsibility.

Full details of surface water drainage water arrangements are required by condition. This condition will include details of measures to reduce water run off outside the boundaries of the site

Building on Green Belt land, impact on trees, wildlife and hedgerows

It has been established that part of the site is brownfield and part greenfield hence the different Policy requirements set out above. The impact of the development on protected species is a consideration hence the submission of the Newt and bat survey. The Ecologist is satisfied that protected species will not be harmed by the proposed development.

A hedgerow and trees have been removed from the site, the hedgerow was located along the boundary of the brownfield part of site and the greenfield part of the site, the hedgerow was removed early 2008. The hedgerow has been assessed and it does appear that the hedgerow fits the criteria to be deemed an Important Hedgerow. However given that over a year has lapsed since its removal it is not considered suitable to prosecute this matter, however a replacement hedgerow can be required if considered necessary.

2.5 storey out of character

Comments have been raised about the inclusion of 2.5 storey properties which will not be in keeping with the character of the Village. The submitted Planning Statement however indicates that the properties will be a mixture of 1 and 2 storey dwellings. Design and character will be dealt with at reserved matters stage to ensure the properties are in keeping with the character of the surrounding area.

Impact on highway infrastructure, highway safety and parking

Increased traffic and highway safety issues have been raised as concerns however the Highway Engineer has raised no objection to the proposed access onto Langton Brow.

The illustrative layout sets out parking requirements which accord with the Council's parking standards. Additionally, although illustrative at this stage, the Council's Spacing Standards have been adhered to to ensure there is no loss of privacy, overlooking or loss of light to the detriment of the amenities of the existing or future residents.

Housing need

The need for additional housing is not a material planning

consideration

Strictly affordable

A proportion of the properties on site will be affordable dwellings secured through the associated Section 106 Agreement and

managed via a Registered Social Landlord who will ensure the properties are maintained as affordable units.

Levels, overlooking, loss of light, loss of privacy

Levels and privacy is dealt with in the report. The Council's spacing standards are met taking into account the level changes and bungalows are incorporated to take into account the level changes. As such it is considered that the amenities of the existing and future residents can be maintained.

Loss of employment site

This issue is addressed within the report. The site has been marketed in accordance with relevant Planning Policy and it has been adequately demonstrated that there is no interest in retaining this employment premises.

Too many houses

The housing density is below the National standard and the illustrative layout demonstrates that the number of houses proposed can be accommodated on the site. As such the number of dwellings is considered to be appropriate.

Loss of a historic building

Some residents consider that Sagar House is an important historic building however the property is not statutory listed or considered worthy of listing and its retention is not justified.

Eccleston Village Design Statement

A few residents have stated that the Eccleston Village Design Statement states that development should be of no more than 20-30 dwellings. However only parts of this document forms part of adopted Supplementary Planning Guidance. The part of the document which states that developments should be in smaller groupings of up to 25 dwellings does form part of the adopted text.

However since the adoption of this guidance document in 2001 the Local Plan has been adopted (2003) and Planning Policy Statement 3: Housing has been published (2006). PPS3 encourages the redevelopment of brownfield land and the Policies of the Adopted Plan do not restrict the size of developments in the Village on the proviso that the development accords with the Policy. Given the age of the document, the fact that the document is for guidance only and subsequently adopted Planning Policies only limited weight can be afforded to the Eccleston Village Design Statement. The proposals are considered to be acceptable in terms of National, Regional and Local Planning Policy and it is not considered that guidance with the Design Statement is sufficient to warrant refusal.

Sustainability

The first policy document, Sustainable Resources DPD, within Chorley's new Local Development Framework (LDF), the new style Local Plan, was adopted in September 2008. As such the scheme will be required to achieve a minimum 10% reduction in energy consumption and accord with Code for Sustainable Homes.

To ensure that the future reserved matters application accord with Policy SR1 of the Sustainable Resources DPD appropriately worded conditions will be attached to the recommendation in

respect of reducing energy consumption

Waste Collection and Storage

The Council's Waste & Contaminated Land Officer has not identified any major concerns in respect of waste collection and storage. All of the highways shown on the amended illustrative layout are shown to adoptable standards which will enable the collection vehicles to access and serve the site.

Conclusion

The proposal involves the redevelopment of brownfield land, which is considered acceptable in terms of National Planning Policy. The redevelopment of the greenfield part of the site will make a significant contribution to local housing need, i.e. affordable housing which accords with Policy HS8 of the Local Plan.

The proposal does involve the loss of an employment facility however the marketing exercise carried out at the property accords with the Supplementary Planning Guidance which accompanies Policy EM4. The exercise demonstrates that a suitable employment re-use cannot be secured in accordance with Policy EM4.

Recommendation **Permit (Subject to Legal Agreement)**
Refuse if the Section 106 Agreement is not signed by 26th
January 2010

Recommendation: Conditions

1. An application for approval of the reserved matters (namely siting, scale, external appearance of the buildings and landscaping of the site) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plans. The development shall only be carried out in conformity with the approved details.

Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review

3. The application for approval of reserved matters shall be accompanied by full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

4. Each application for approval of Reserved Matters shall be accompanied by full

details of the on-site measures to be installed and implemented so as to reduce carbon emissions, by the figure set out in policy SR1 of the Sustainable Resources DPD at the time of commencement of each individual plot, by means of low carbon sources has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall also include full details of the predicted energy use of the development expressed in terms of carbon emissions (If no data specific to the application is available benchmark data will be acceptable) and how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policies EM16 and EM17 of the North West Regional Spatial Strategy and Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

5. The applications for approval of Reserved Matters shall demonstrate and provide full details of how the design and layout of the buildings will withstand climate change. The details shall include details of the proposed Code for Sustainable Homes Level, how the proposals minimise energy use and maximise energy efficiency. All dwellings commenced after 1st January 2010 will be required to meet Code Level 3, all dwellings commenced after 1st January 2013 will be required to meet Code Level 4 and all dwellings commenced after 1st January 2016 will be required to meet Code Level 6 of the Codes for Sustainable Homes. The development shall not commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policies EM16 and EM17 of the North West Regional Spatial Strategy and Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

6. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.

7. In accordance with the Lancashire Biodiversity Action Plan Targets the submission of a habitat creation and management plan is required to be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development. The plan shall include methods to establish habitats as well as appropriate aftercare and long term management. The proposed landscaping should comprise only native plant communities appropriate to the area and should enhance habitat connectivity. The existing hedgerows on site shall be retained and where this is not possible then replacement hedgerows will be required as part of the landscaping scheme/habitat creation and management plan. The landscaping thereafter shall accord with the approved plan.

Reason: To ensure that the retained and re-established habitats that contribute to the Biodiversity Action Plan targets are suitably established and managed. In accordance with Policy ER5 of the North West Regional Spatial Strategy.

8. 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 sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

9. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the areas so fenced. All excavations within the area so fenced shall be carried out by hand.

Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.

10. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the making of a photographic record of the building. This must be carried out by a professionally qualified archaeological/building recording consultant or organisation in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority. Upon completion the photographic record shall be submitted to the Local Planning Authority.

Reason : To ensure and safeguard the recording and inspection of matters of historical importance associated with the building/site and in accordance with Planning Policy Guidance Note 15: Planning and the Historic Environment

11. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings (notwithstanding any details shown on the previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

12. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

13. Notwithstanding the submitted details the application for reserved matters shall be accompanied by full details of the access junction to the site with Langton Brow. The junction thereafter shall be completed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review

14. Due to the size of development and sensitive end-use, no development shall take place until:

a) a methodology for investigation and assessment of ground contamination has

been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2001 'Investigation of potentially contaminated site - Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;

- b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;
- c) the Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority.

Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Planning Policy Statement 23: Planning and Pollution Control

15. Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use, in accordance with PPS23.

16. No development shall take place until details of the proposed surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. The details shall include a strategy to attenuate surface water discharges and measures to reduce land flooding from within the site to outside the boundaries of the site. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented.

Reason: To secure proper drainage and to prevent flooding and in accordance with PPS25 Development and Flood Risk

17. Before the development hereby permitted is first commenced full details of the means of foul water drainage/disposal shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for foul water drainage/disposal have been completed in accordance with the approved details.

Reason: To ensure proper drainage of the development and in accordance with Policy No. EP17 of the Adopted Chorley Borough Local Plan Review.

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

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.

19. The development hereby approved shall be carried out in accordance with the Great Crested Newt Outline Mitigation set out within Section 6 and Appendix 1 of the Great Crested Newt Assessment undertaken by Scott Wilson dated August 2009.

Reason: To ensure the continued protection and enhancement of Great Crested Newts. In accordance with Government advice contained in PPS9 and Policy EP4 of the Adopted Chorley Borough Local Plan Review.

20. Prior to the commencement of the development details of a suitable receptor site for any great crested newts (GCN) trapped as a result of exclusion techniques shall be submitted to and approved in writing by the Local Planning Authority. These details should include a Management and Maintenance Plan to run for a minimum of 5 years and Post Development Monitoring for a period of 4 years in accordance with Section 6.1.4 of the GCN Assessment. The development thereafter shall be carried out in accordance with the approved plan.

Reason: To ensure the continued protection and enhancement of Great Crested Newts. In accordance with Government advice contained in PPS9 and Policy EP4 of the Adopted Chorley Borough Local Plan Review.

21. Prior to the commencement of the development a scheme for the creation/ enhancement of 0.27 hecatres of intermediate terrestrial habitat for Great Crested Newts within the development site shall be submitted to and approved in writing by the Local Planning Authority. This should include: planting a dense hedgerow along the northern boundary of the site, retention/ enhancement of rough grassland along the north-west boundary and retention/ enhancement of rough grassland in the north-east corner of the site. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure the continued protection and enhancement of Great Crested Newts. In accordance with Government advice contained in PPS9 and Policy EP4 of the Adopted Chorley Borough Local Plan Review.

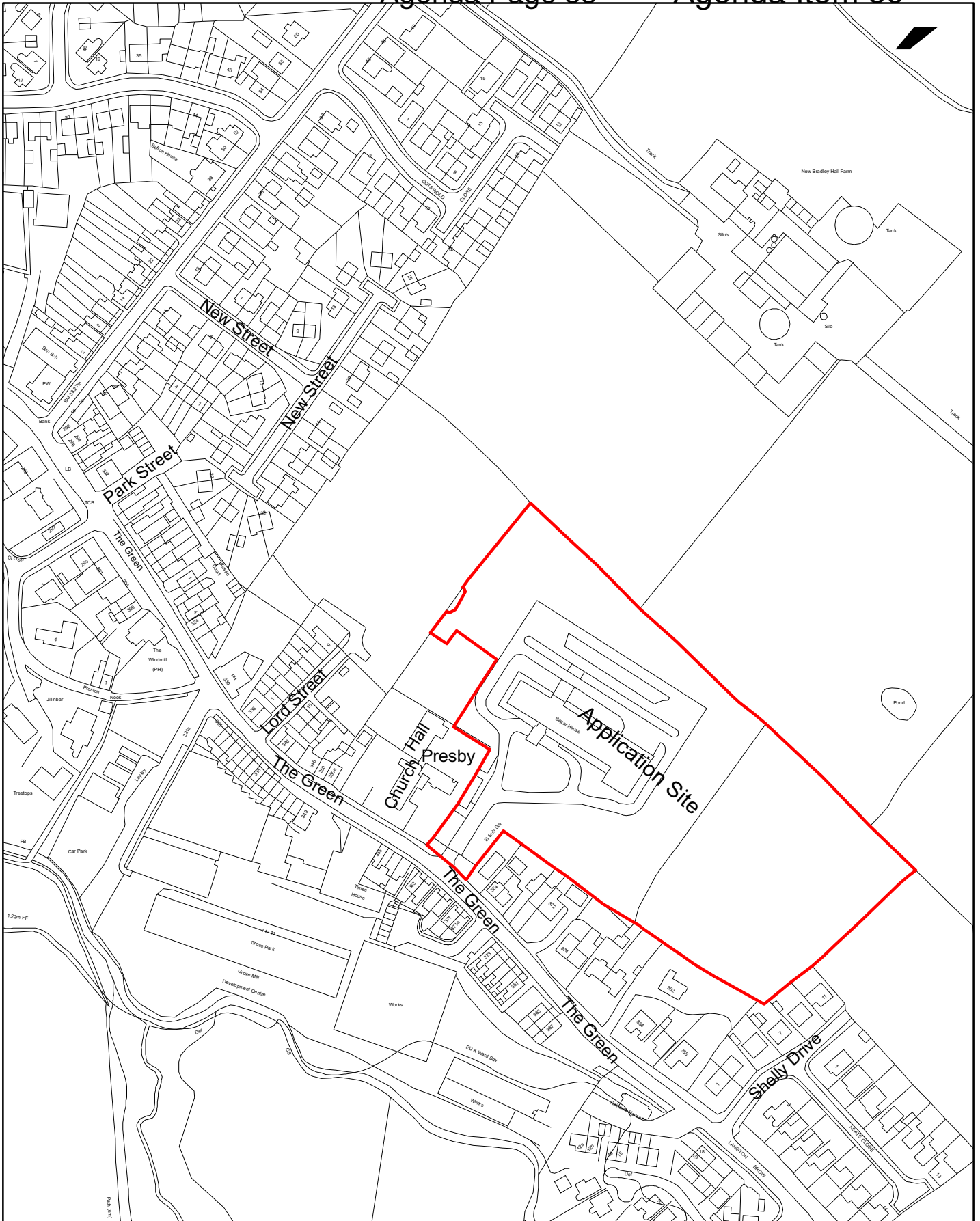
22. The outline planning permission hereby approved relates to the erection of upto 70 residential units. The application for reserved matters shall not exceed 70 residential units.

Reason: In the interests of the appropriate development of the site, to prevent intensification in the development of the site and in the interests of the visual amenities of the area. In accordance with Government advice contained in PPS3: Housing and Policy HS4 of the Adopted Chorley Borough Local Plan Review

23. The approved plans are:

Plan Ref.	Received On:	Title:
1048.10	27th October 2009	Location Plan
S08/148	27th October 2009	Topographical Land Survey
1101.SK10C	15 th November 2009	Illustrative Layout

Reason: To define the permission and in the interests of the proper development of the site.



Jane E Meek BSc(Hons) DipTP MRTPI
 Director of Development and Regeneration
 Chorley Borough Council

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Application No.

09/00802/OUTMAJ

Grid Ref:

E: 352621
 N: 416382

Scale:

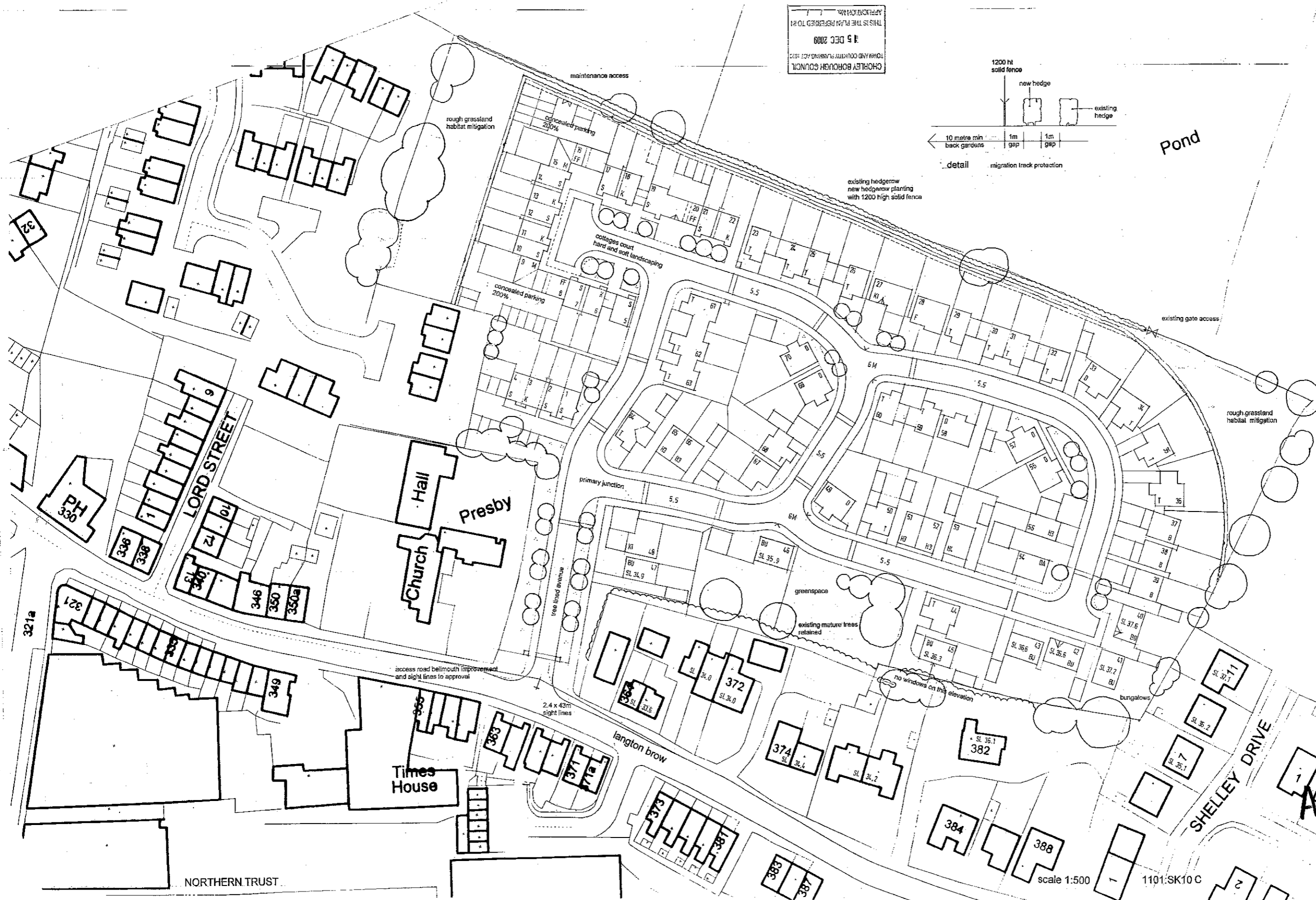
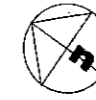
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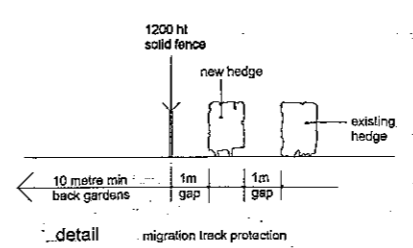
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LANGTON BROW ECCLESTON

proposed residential development on the site of Sagar House illustrative layout



CHORLEY BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
15 DEC 2009 A1
THIS IS THE PLAN REFERRED TO IN APPLICATION No. 09/1000802



MIX

S	2 bedroom	11no
K	3 bedroom	6no
FF (flyover flat)	2 bedroom	3no
M (comar house)	3 bedroom	2no
T (range of)	3 bedroom	20no
K1	4 bedroom	2no
F	4 bedroom	1no
D	4 bedroom	8no
DA (variation)	4 bedroom	1no
B	3 bedroom	3no
H3	3 bedroom	5no
H4	4 bedroom	1no
BU (bungalow)	2 bedroom	7no
Total		70no plots

- 11.12.09 revision c.
- proposed new hedgerow set out 1 metre from existing hedge. 1200 height solid rear boundary fence set 1 metre from new hedge
 - detail of migration track protection amended
 - 10 metre minimum rear gardens maintained at eastern boundary and rear building lines adjusted accordingly
 - all road widths indicated at 5.5 metres and road junctions adjacent to plots 27 and 49 adjusted in accordance with Lancashire Highways requirements
 - slab levels indicated on existing housing at Langton Brow and Shelley Drive and on proposed new work closest to those properties
 - proposed plots 45, 46 and 47 indicated as bungalows and plot 46 re-orientated to increase interface stand-off distance from existing properties

NOTE:

PARKING:
2 off road parking spaces to 2 and 3 bedroom dwellings
3 off road spaces for 4 bedroom dwellings

6 metre minimum parking apron in front of garaging

8.10.09 revision b
interface distances and minimum 10m back gardens reviewed in accordance with planning officer requirements

CHORLEY BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
15 DEC 2009 A1
THIS IS THE PLAN REFERRED TO IN APPLICATION No. 09/1000802

AMENDED PLAN

John Wilson Associates, architects. 0707
KEATS C 8.10.09

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Item 4	09/00825/OUTMAJ Outline App Permitted with Legal Agmnt
Case Officer	Mr Andy Wiggett
Ward	Brindle And Hoghton
Proposal	Demolition of existing buildings, erection of 15 units for mixed use of office and living accommodation, formation of new access to Finnington Lane, landscaping and laying out of new road and parking areas together with provision of washroom/W.C. building for canal-boat users.
Location	Finnington Industrial Estate Finnington Lane Feniscowles Withnell
Applicant	MAS Site Services
Proposal	<p>The application relates to the redevelopment of an isolated site adjacent to the Leeds and Liverpool Canal within the Green Belt. The site is close to junction 3 of the M65 motorway on the A674 road to Feniscowles. The site at present is a collection of various industrial buildings which was previously used as a hatchery and prior to that as a sewage treatment works and isolation hospital. The site comprises a number of dilapidated and poorly maintained buildings used for a variety of B1 and B2 uses including car repairs, vehicle storage/dismantling.</p> <p>There is a short terrace of five houses on the road frontage to the northwest of the proposed development.</p> <p>The development would consist of the provision of fifteen office/live work units. The development also includes improvements to the access arrangements and facilities to serve the occupiers of moored boats on the adjacent canal.</p>
Policy	<p>Planning Policy Guidance 2: Green Belts</p> <p>Planning Policy Guidance 6: Planning for Town Centres Northwest Regional Spatial Strategy 2008</p> <p>Chorley Borough Local Plan Review DC1- Development in the Green Belt EP4 – Species Protection EP5 – Wildlife Corridors EP13 – Under-used, Derelict and Unsightly Land EM2– Development Criteria for Industrial/Business Development TR4 – Highway Development Control Criteria GN5 – Building Design</p>
Planning History	<p>01/00324/FUL – Demolition of existing building, erection of 2 office blocks, formation of new access. Withdrawn</p> <p>08/00796/FULMAJ - Demolition of existing buildings, erection of 5 office units with ancillary residential use, erection of 5 affordable housing units, formation of a new access to Finnington Lane, landscaping, new road and parking areas. Including the</p>

provision of washroom/WC building for canal boat users.

Withdrawn

09/00332/FULMAJ - Demolition of existing buildings, erection of 5 office units with ancillary residential use, erection of 5 live/work units, erection of 5 affordable housing units, formation of new access to Finnington Lane, landscaping, laying out of new road and parking areas together with the provision of washroom/ .wc building for canal boat users.

Refused

Consultations

County Highways The application should be refused on highway safety grounds in its current form.

United Utilities:

No objections, the water mains in the area may need extending into the site.

Lancashire County Archaeological Service:

No comments.

Architectural/Crime Reduction Advisor:

The development should be constructed to full Secure by Design standards. Requires a properly designed signal controlled access.

Neighbourhoods:

There is the potential for ground contamination and therefore, conditions should be attached requiring ground condition investigations and any remediation works found to be necessary.

Policy:

Not a major developed site in Green Belt so need to demonstrate special circumstances. PPS6 represents changed circumstances from previous application and makes it clear that trip intensive uses should be located where there is a realistic choice of transport modes. New RSS emphasises that accessibility by public transport is a key consideration for development in rural areas. The proposal does not satisfy the requirements in Policy SR1, Incorporating Sustainable Resources into New Development. The site provides a source of local employment opportunities and could also be used for B1 uses. No evidence had been put forward as to how Policy EM9 has been satisfied.

Lancashire County Ecologist:

Require an inspection of the cellars to supplement the bat survey. Work should be conditioned to avoid the bird breeding season.

British Waterways Board:

No objections subject to conditions covering protection of the waterway from pollution and boundary treatment.

Representations

Two letters have been received. One letter from a nearby resident expresses concern about the relationship of the application to their garage and parking space and also that the 'B' units might overlook their property. The second letter is from the owner of adjoining farmland stating that some of the application site is within their ownership and concerned about rights of way.

Applicant's Case

The development is in the Green Belt but very special circumstances exist in terms of regeneration of the site, improvement of the access, improvement in the visual amenity of the site, the removal of bad neighbour uses from the site, enhanced employment facilities and facilities for users of the Canal.

Assessment

The site has a complicated planning history in that the Council in

2003 wished to see it redeveloped for office uses and was only frustrated in that aim by the Government Office for the Northwest who decided that there had to be a public inquiry to resolve the Green Belt policy issues. The Council lobbied hard that this was an unreasonable approach as there were sufficient exceptional circumstances to make the redevelopment of the site for employment purposes beneficial and in the wider public interest. Since that time there have been changes in Government Policy namely PPS6 – Planning for Town Centres and PPS7 – Sustainable Development in Rural Areas which need to be taken into account as well as the changed position of the Highway Authority who initially accepted an improved traffic light junction but are now of the view that the site needs a completely new access.

The main issues concerned with the application, however, still relate to Green Belt Policy, landscape and environment related to the Leeds and Liverpool Canal, business development and access details.

Green Belt

The site is located within the Green Belt and as such the applicant has to provide a justification as to why inappropriate development should be allowed. The applicant has put forward a range of benefits that the development will bring involving regeneration and the replacement of a bad neighbour activity on the site next to the terrace of houses adjacent. The site has not been identified in the Local Plan as a major developed site but Inspectors have used the criteria in Annex C of PPG2 as a guide to how to assess redevelopment of sites in the Green Belt, provided that there are very special circumstances to justify this. These are that the scheme should have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it, contribute to the achievement of the objectives for the use of land in Green Belts, not exceed the height of the existing buildings and not occupy a larger area of the site than the existing building.

The site in its current form damages the local environment and impacts adversely on the Leeds and Liverpool Canal. It does not meet one of the defined objectives of Green belt, namely to retain attractive landscapes and enhance landscapes near to where people live. On that basis the redevelopment of the site represents a very special circumstance.

Business Development

The scheme proposes 2 detached 3 bedroom live work units to include 716sq ft of office space, 3 bedroom live work units to include 591 sq ft of office space and 10 4 storey units comprising a 3 bedroom apartment and 514 sq ft of office space.

The live/work units could be justified as an exception to Green Belt in that they may fall within the scope of guidance in PPS7 – Sustainable Development in Rural areas. This states that the Government is supportive of the replacement of suitably located, existing buildings of permanent design and construction in the countryside for economic development purposes. This is where the replacement building would bring about an environmental improvement in terms of the impact of the development on its surroundings and the landscape.

However, it still does not follow the guidance in PPS6 and its emphasis that office developments should focus on local service centres.

Policy EP13 of the Local Plan seeks to deal with underused, derelict and unsightly land and one of the locations identified for regeneration is the Leeds and Liverpool Canal.

The proposed live work units on the scale intended can be viewed as an experiment to demonstrate that there is a demand for this form of employment as a catalyst for rural regeneration in terms of meeting a local employment need. There are very few sites in rural locations where such units could be built and this one has the added benefit a dealing with an environmental eyesore but a S106 agreement will be needed to ensure that together with the design of the units they do not simply become homes within the countryside without an employment base.

Landscape and Environment

The design of the buildings has been developed from the scheme considered by the Council in 2001 and would not exceed the height of the existing buildings on the site. The materials and style are appropriate for the context being adjacent to the Canal and therefore in conformity with Policy LT9. The site and buildings are generally well absorbed into the landscape and will not be prominent features except when viewed in close up from Finnington Lane and the Canal towpath. The ecological report accompanying the application suggests that the existing dense landscaping to the north and east of the site should be retained in order to continue as a wildlife corridor as well as the existing trees and vegetation at the rear of the terrace of houses adjacent to the development.

The ecological survey concluded that there was no evidence of rare or fragile plant species on the site. There was no evidence of bats in the buildings or cellars or the presence of other protected species or fauna.

As the proposed development is one to which the new adopted DPD document – Sustainable Resources applies and the application needs to meet the criteria set out in Policy SR1 but as the application is in outline form this can be secured by condition.

The Type B units would be located at least 39m from the rear of the terraced house on Finnington Lane. This is sufficient to avoid any problems with regard to overlooking especially as the units are 2.5 storey in this part of the site. The remaining units on the site are four storey but these are situated on the other side of the access road and face the end gable of the terrace. The site slopes down from the canal and the Type A units are at a lower level than the houses and would appear as three storey due to the changes in ground level.

Access Details

The application was accompanied by a Transport Assessment which proposes an access with an improved priority junction with a traffic calming scheme comprising warning signs and road markings on the approaches. The proposed access junction improvement options both provide a positive benefit over the existing substandard access provision to the site, improving sightlines to the south west and providing visual warnings for drivers travelling along Finnington Lane on the approaches to the site. The previous application for office blocks gave rise to

concern from the Government Office with regard to an increased volume of trips to an out of town location in the Green Belt. The current Traffic Assessment compares an existing daily vehicle movement of 88 mainly heavy goods vehicles with an anticipated 40 daily vehicle movements if the proposed scheme is implemented. The provision of 36 car parking spaces is considered reasonable and not excessive. The scheme shows the provision of four parking spaces for the residents of the terraced house adjacent to the development. One of the houses has its own existing space off the main road.

The site is located on a bus route with a segregated access to the bus stop along the canal towpath. The canal towpath also provides a pleasant walking and cycling route towards Withnell Fold, Wheelton and Chorley to the south west and Fennisowles and Blackburn to the north east.

Conclusion

The planning history of the site shows that the Local Planning Authority was prepared to accept redevelopment in this location as representing a beneficial proposal as it would bring highway improvements, safeguard and improve the amenity of nearby residents and improve the visual amenity of the Green Belt. This assessment has not changed but the nature of the scheme is different in that it comprises live/work units rather than offices. The proposal is to be supported as representing the only one that has come forward to redevelop the site and improve the existing substandard access. The fall back position of further sub-division of the existing buildings on the site into small units with an unconstrained B2 established use would intensify an unacceptable situation in this rural Green Belt location. The proposal satisfies the criteria in PPG2 and very special circumstances have been demonstrated to justify a redevelopment scheme. However, this is a marginal proposal but on balance it would be in the community's interests to grant permission and see if the market will respond and carry out the development. There is no certainty that the development will take place but as a rural experiment to resolve this long running problem it is to be supported.

Recommendation: Outline App Permitted with Legal Agmnt Conditions

1. Prior to the commencement of development details of appropriate mitigation measures to prevent pollution of the waterway during and after construction of the proposed development shall be submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.

Reason: In order to avoid contamination of the waterway and ground water from wind blow, seepage or spillage in accordance with the guidance in PPS23 – Planning and Pollution Control.

2. Notwithstanding the submitted plans prior to the first occupation of the units, details of the proposed boundary treatment (showing height, specification, colour, materials and/or planting) shall first have been submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.

Reason: To ensure that the external appearance of the development is satisfactory in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.

3. 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.

4. The development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. The report should include an initial desk study, site walkover and risk assessment and if the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with the Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

Reason: In the interests of safety and in accordance with the guidance set out in PPS23 – Planning and Pollution Control 2004.

5. Notwithstanding the submitted plans no development shall take place until a detailed scheme for the access in accordance with the plans shown in the report by PSA Design received on the 17th November 2009 has been submitted to and agreed in writing by the Local Planning Authority in consultation with the Highway Authority and thereafter implemented in accordance with the agreed plan.

Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

6. The approved units shall be used for a mixed residential and office use (classes C3 and B1(a), (b) of the Use Classes Order) and for no other use unless agreed in writing by the Local Planning Authority.

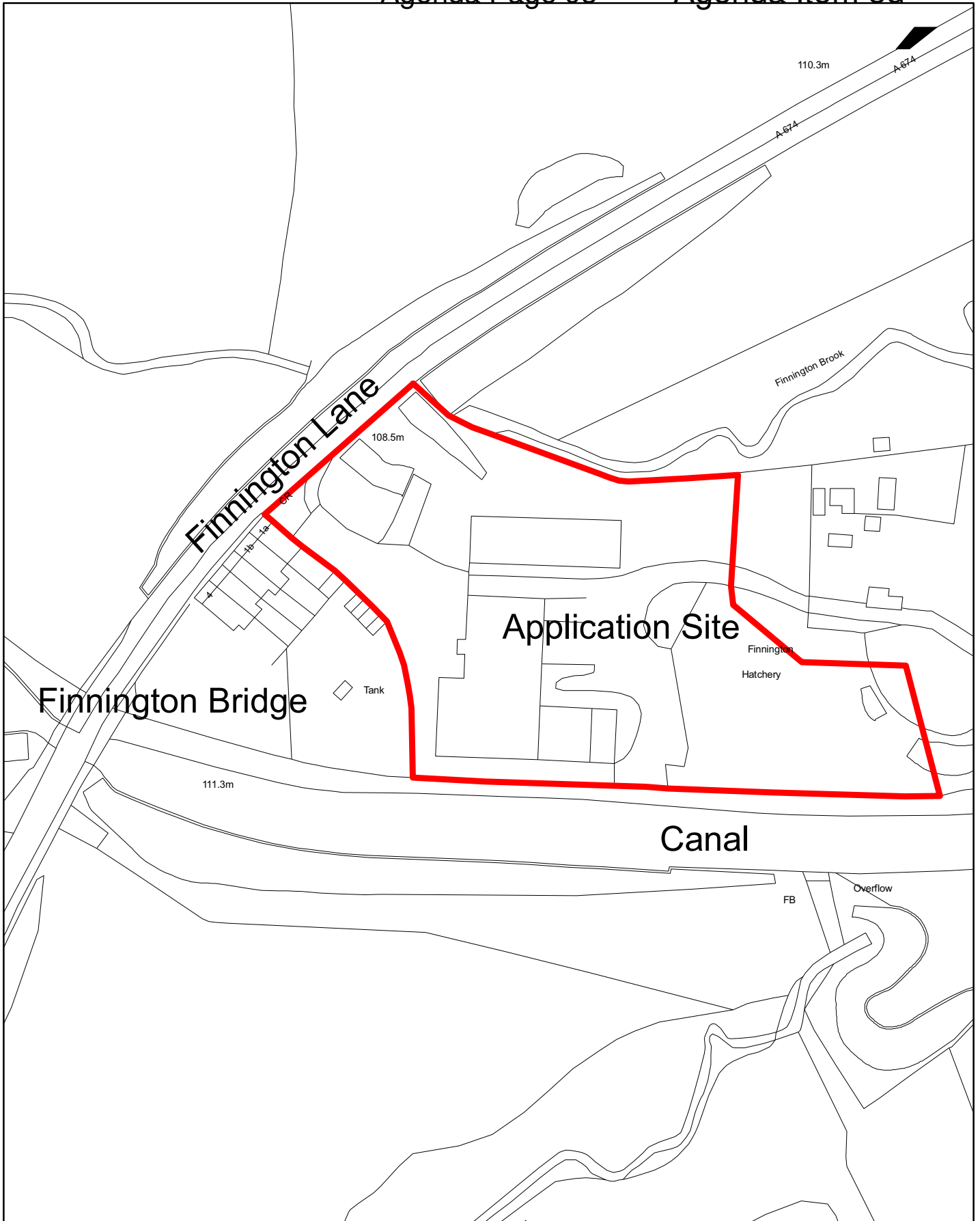
Reason: To safeguard the Green Belt from inappropriate development and in accordance with Policy EP13 of the Adopted Chorley Borough Local Plan Review and the guidance in PPS7 - Sustainable Development in Rural Areas.

7. The application for approval of Reserved Matters shall be accompanied by full details of the predicted energy use of the development expressed in terms of carbon emissions and a schedule setting out how energy efficiency is being addressed, including benchmark data. It will show the on-site measures to be installed and implemented so as to produce a minimum of 10%, or locally set targets (whichever is the higher) in place at the receipt of the reserved matters, of the predicted energy use of the development by means of low carbon energy sources. Appropriate on-site measures include rainwater/brown water recycling. No development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area, in line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1 and Chorley Borough Council's Sustainable Resources DPD.

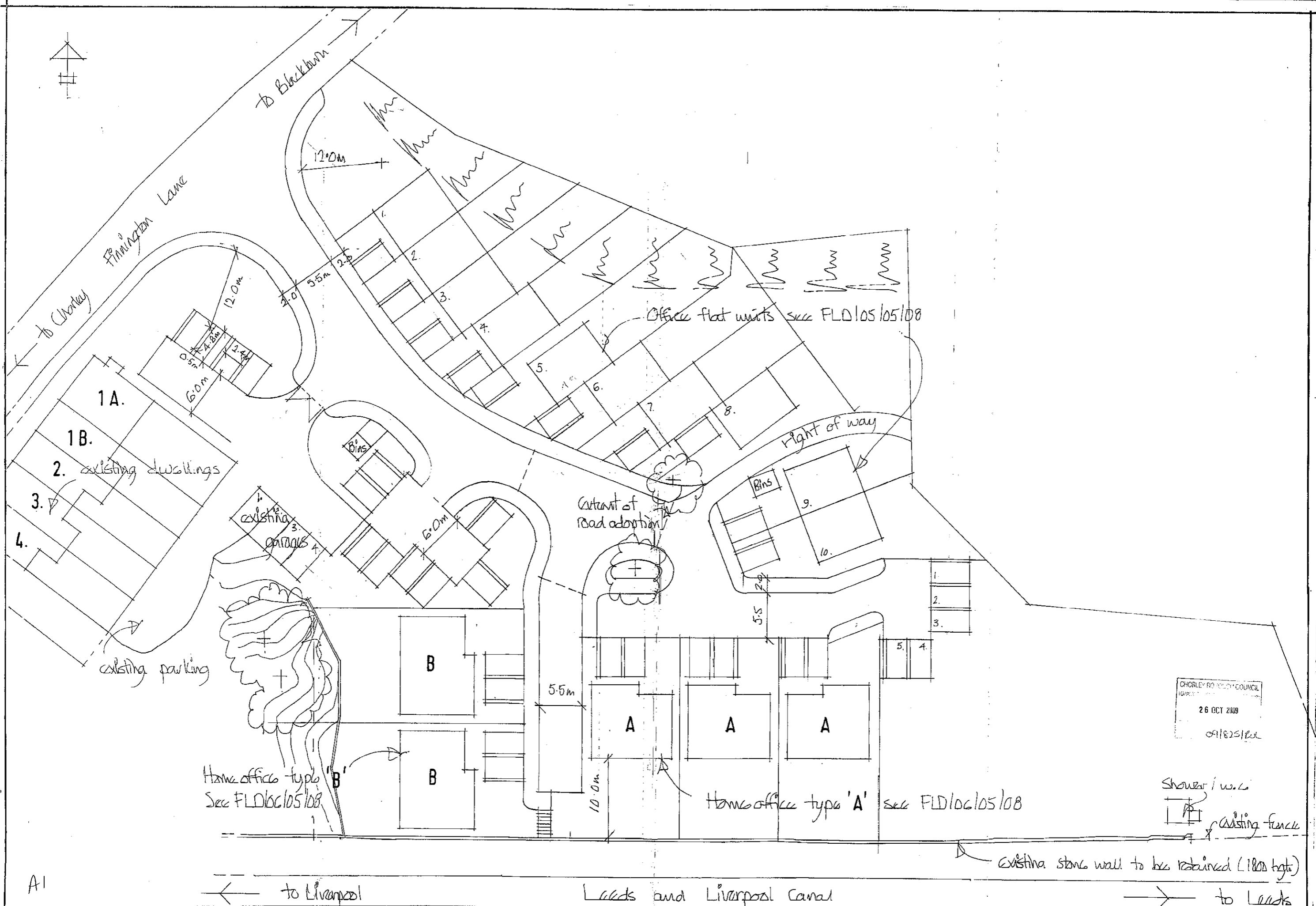
8. Before the development hereby permitted is first commenced, full details of the following reserved matters (namely appearance and landscaping) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The permission is in outline only and in accordance with Policy Nos. GN5 and EP13 of the Adopted Chorley Borough Local Plan Review.



<p>Jane E Meek BSc(Hons) DipTP MRTPI Director of Development and Regeneration Chorley Borough Council</p>		<p>Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Chorley B.C. 100018509</p>	
<p>Application No. 09/00825/OUTMAJ</p>	<p>Grid Ref: E: 363251 N: 424860</p>	<p>Scale: 1:1,250</p>	<p>4</p>

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FINNINGTON HATCHERY, FINNINGTON LANE, FENISCOLES, BLACKBURN, PROPOSED LAYOUT '3'.

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Item 5 **09/00836/FULMAJ and Refuse Full Planning Permission**
09/00837/FULMAJ

Case Officer **Caron Taylor**

Ward **Adlington & Anderton**

Proposal **Redevelopment of existing motorway service area to include demolition of existing service area buildings (including former police station, amenity building, petrol filling station, forecourt and canopy) and construction of a new amenity building, petrol filling station, forecourt and canopy. Refurbishment of existing lodge, associated landscaping and recreational facilities, vehicular and pedestrian circulation and ancillary works (09/00836/FULMAJ)**

Redevelopment of existing motorway service area to include demolition of existing service area buildings (including former police station, amenity building, petrol filling station, forecourt and canopy) and construction of a new amenity building, petrol filling station, forecourt and canopy and annex building, associated landscaping and recreational facilities, vehicular and pedestrian circulation and ancillary works (09/00837/FULMAJ)

Location **Bolton West Motorway Service Area Southbound Greenlands Lane Anderton Bolton Lancashire**

Applicant **Euro Garages**

These applications are required to be determined by the Development Control Committee as they are both major applications.

Consultation expiry: 2nd December 2009
Application expiry: 6th January 2010

Proposal **This report relates to two applications for the redevelopment of Bolton West Motorway Service Area (MSA). Separate applications have been submitted for the southbound side of the M61 (ref: 09/00836/FULMAJ) and the northbound side (ref: 09/00837/FULMAJ).**

09/00836/FULMAJ: The southbound application relates to: Redevelopment of existing motorway service area to include demolition of existing service area buildings (including former police station, amenity building, petrol filling station, forecourt and canopy) and construction of a new amenity building, petrol filling station, forecourt and canopy. Refurbishment of existing lodge, associated landscaping and recreational facilities, vehicular and pedestrian circulation and ancillary works.

09/00837/FULMAJ: The northbound application relates to: Redevelopment of existing motorway service area to include demolition of existing service area buildings (including former police station, amenity building, petrol filling station, forecourt and canopy) and construction of a new amenity building, petrol filling station, forecourt and canopy and annex building, associated

landscaping and recreational facilities, vehicular and pedestrian circulation and ancillary works.

This report covers both applications, as they are closely associated and their impact has been assessed together as well as individually.

Both applications include the demolition of the existing buildings and erection of new amenity buildings, forecourt and canopy. The main differences between the two applications is that the southbound application also includes refurbishment of the existing travel lodge which is only on the south side and the northbound application includes the erection of an annex building that incorporates conference suites and an additional restaurant, coffee shop, toilets and training area.

Background

Bolton West Services is located between Junctions 6 and 7 of the M61 within the Green Belt. The original outline planning permission was granted for the service areas in 1967 (ref: 5/5/6156) and the services opened in 1971. The applicant advises they have undergone a change in ownership four times since opening. The proposal includes new amenity buildings, filling station, forecourt and canopies on both sides of the motorway, refurbishment of the existing travel lodge on the southbound side and a new annex building on the northbound side, all following demolition of the existing buildings.

Circular 01/2008

Circular 01/2008: Policy on Service Areas and Other Roadside Facilities on Motorways and All-Purpose Trunk Roads in England, sets out policy on the provision, standards and signing of roadside facilities on the Strategic Road Network including motorway service areas. Although the circular is non-statutory it provides advice and guidance on the implementation of motorway service areas and explains policy and regulation more fully.

The Government's objective is to encourage greater choice in the provision of service facilities for all road users, thereby encouraging drivers to take breaks more frequently and so reducing the number of fatigue-related accidents.

The northbound application also includes an annex building including conference facilities. The Circular states that motorway service areas can offer a sustainable location at which to hold business meetings by reducing the overall distance that delegates need to travel. The circular states that operators may therefore be permitted to develop a modest conference facility or business centre at a motorway service area, where the proposal is supported by an acceptable Impact Assessment. This would need to demonstrate either that no new trips would be generated on the strategic road network, or, if there would be, that overall vehicle mileage would be reduced. The Highways Agency has been consulted on this aspect.

Policies

Circular 01/2008
 Planning Policy Statement 1: Delivering Sustainable Development
 Planning Policy Guidance 2: Green Belts
 Planning Policy Guidance 13: Transport
 Regional Spatial Strategy for the North West
 Local Plan policies: DC1, GN5, EP21A

Local Development Framework: Sustainable Resources DPD,
Policy SR1

Planning History

There are a number of planning applications regarding the service areas the most relevant to these applications relating to an application in 2006 that was only for the northbound side:

Ref: 06/01289/FULMAJ **Decision:** Permitted – not implemented

Decision Date: 14 February 2007

Description: Proposed demolition of existing motorway amenity services building and construction of new replacement building and new fuel filling station on footprint 10m south of demolished building

Consultations

Chorley Planning Policy

Development in the Green Belt, other than for the exceptions listed in Policy DC1 of the Local Plan Review, is inappropriate. This proposal does not fall within one of these specified categories of acceptable uses, however the motorway service area is a well established development, therefore redevelopment would be acceptable provided that the impact of the new development on the openness of the Green Belt is not greater than that of the existing services. The site is not allocated as a major developed site in the Green Belt.

Chorley's Urban Designer

Welcomes the proposals to upgrade what are extremely run down services. They question whether the parking needs to be so separated and could be more flexible and what has influenced the number of bays. His comments regarding the building design are incorporated into the relevant section below. They welcome the idea of using the existing amenity areas by providing pathways as this would allow drivers and dog owners etc to stretch their legs, though they will have to be well lit and safe. The proposals to enhance the tree planting are also welcomed.

Environment Agency

Recommend conditions in relation to ground contamination and a surface water strategy to be submitted.

United Utilities

Have no objection providing the site is drained on a separate system, with only foul drainage connected into the foul sewer.

Landscape Assistant

No objection, considers the landscaping proposals to be acceptable.

Lancashire County Council Highways

As the service areas are both served primarily by the M61, the proposals will have no highway impact. They therefore have no comments to make, especially as the proposals would appear to offer some useful improvements.

Waste and Contaminated Land Officer

No comments to make on the two applications

MAPS (Police Architectural Liaison Officer)

States there is no mention of security i.e. CCTV, high security anti ram bollards or installation and siting of ATM cash dispensers.

The site is situated on the border of Lancashire and Greater Manchester Policing areas. The M61 is a main arterial route used by travelling criminals from all over the country. It is essential that the site is equipped with the highest levels of security in the interest and safety of staff and customers. They ask that the fuel forecourts be fitted with downward white light and each pump has full CCTV coverage also the shop and cash area. Both sites would benefit from the installation of Automatic Number Plate recognition. They also ask that each site have a raised parking point for two police vehicles side by side in a prominent location with full natural surveillance.

Representations

Adlington Parish Council

They are aware of the previous bad reputation gained by the motorway service area and therefore are generally supportive of the proposed redevelopment. As one of the major enterprises within the parish they also welcome the creation and maintenance of local employment opportunities. As it is located in the Green Belt they expect any development to respect the natural surrounding and remain in keeping with them. They are pleased to see the incorporation of sustainability principles within the application but note the absence of the use of wind power. As the area has previously been identified as one with a suitable wind gradient, they wonder if local electricity generation from wind should be incorporated in the scheme. The Parish Council has received numerous complaints over the past few years regarding the spread of litter emanating from the motorway service areas to the surrounding area. They suggest that any planning approval incorporate some form of requirement for a litter management plan. The applicant should also be aware that the interconnecting road-bridge forms part of a public footpath within the parish. They would expect this right of way to be maintained and possibly enhanced e.g. by appropriate signage etc. They note, although not strictly a planning consideration, that the motorway service areas will be re-branded. The parish council urges the applicant to consider restoring the original name of Anderton Services which still has historic resonance with many people and is more appropriate to the district in which the motorway service areas are located.

Horwich Town Council

No comments to make on either application.

Blackrod Town Council

No comments to make on the applications.

Applicants Case

The site appears tired and visually detracts from its surrounding. It offers poor and substandard service for the travelling public from the M61 motorway. The existing amenity building is poorly designed for the needs of a modern service area in this location. The replacement facility is smaller in the total area and designated to enable the efficient delivery of modern motorway amenities. The existing hard standing areas are grossly oversized for modern requirements. They also present a bland mass of tarmac and there are no separate facilities for serving the amenity building. The existing amenity buildings are in a very poor condition and have been neglected over the past years. They are unsightly and are part derelict, are not fit for purpose and deter customers from using the motorway service areas. The majority of the building fabric is damaged to such a degree it is uneconomical to refurbish.

The economic viability of the amenity building is further compromised by the remote location of the petrol service forecourt. The proposal is to provide a modern replacement amenity building of a size appropriate to the volume of traffic using (and likely to use) the facility and with facilities appropriate to motorists needs. The brief also requires the provision of a petrol filling station linked to the amenity building to optimise operational efficiency and ensure the best possible service for users.

The amenity buildings, one on each side of the motorway will provide a shop, restaurant, games area, contemplation/prayer room, tourist information service, communal seating and rest area and toilets. A new picnic area will also be provided, creating an attractive environment for travellers to have refreshments outdoors.

Department for Transport Circular 01/2008 is prescriptive of the number of parking spaces (across the various types) that need to be provided based on the number of vehicles passing the site on the M61 each day. It also directs that provision is made available for the various types of vehicles that would potentially visit the site – as the provision in terms of size/orientation is specific to the type of vehicle to be accommodated it makes more sense operationally to group the various sizes. The applicant states the layout has been discussed at length with the Highways Agency.

The annex building will contain a conference facility that will be available to travellers using the service station facilities, however it is unlikely that it will attract business from the local area and therefore unlikely it will become a destination in its own right. Separate fuel filling areas are to be provided for both cars and HGVs and will provide alternative fuels such as LPG. Air and water facilities will be provided free of charge.

The following facilities will also be incorporated into the development as a minimum, in accordance with the Circular, and will be available 24 hours a day, 365 days a year:

- Free parking for up to 2 hours for all types of vehicle;
- Free toilets and hand washing facilities for all road users, with no obligations to make a purchase;
- Parent/carer and child facilities containing baby changing facilities;
- Access to a signed, free, private breastfeeding area;
- A free picnic area;
- Access to a cash operated telephone;
- Fuel;
- Snacks and hot drinks (hot substantial food and hot drinks available between the hours of 6 am and 10 pm);
- Free play area for children;
- Access must be permitted for up to two hours for those carrying out emergency repairs to broken-down vehicles.
- Free overnight parking for lodge customers;

Assessment

Principle of the development

The proposal is in the Green Belt where development is inappropriate unless it falls within one of the categories listed in PPG2, which this proposal does not. As the proposal is therefore inappropriate development and by definition, harmful to the Green Belt, it is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate

development will not exist unless the harm by reason of its inappropriateness, and any other harm, is clearly outweighed by other considerations.

The site is not allocated as major developed site in the Green Belt and therefore the normal considerations of Green Belt policy above apply. However, the site is obviously already developed so therefore providing the proposal has no more impact on the openness of the Green Belt than the existing buildings the development would be permissible as this would constitute very special circumstances. In addition, the need to provide the facilities as detailed in the Circular would also constitute very special circumstances.

On the southbound side of the motorway the volume of the existing buildings added together is 13,370 cubic metres, with the proposed replacement buildings being 11,465 cubic metres. This results in a 1,905 fewer cubic metres overall than exists at present. Therefore it is considered that although the development is inappropriate in the Green Belt there are very special circumstances that would outweigh the presumption against it as there is a reduction in built volume and therefore a benefit to the Green Belt.

In terms of the northbound side of the motorway the proposed volume of the buildings is 17,240 cubic metres, compared to the existing 9,920 cubic metres, an increase of 7,320 cubic metres across the two sites.

Although there is an increase on the northbound side there is a reduction of 1,905 cubic metres on the southbound side. However, there is still an overall increase of 5,415 cubic metres.

The applicant has submitted amended plans lowering the finished floor level of the annex building by 0.66m and its height by 2.29m on the northbound side to reduce its impact. In addition, further justification and clarification has been sought from the applicant on how much the above amendments have reduced the volume. However without this justification the development on the northbound side of the motorway does represent inappropriate development and it is not considered sufficient very special circumstances has not been provided at this time to outweigh the presumption against it. Any further information provided by the applicant will be reported to Committee via the Addendum.

The development is being considered as a whole, rather than each side of the carriageway independently due to the argument of offsetting the volume of buildings to be demolished on one side of the motorway against the other. As established above the southbound side would be acceptable in policy terms as it results in a reduction in volume of existing to proposed. However, the increase in the development on the northbound side has not been sufficiently justified. It would however be inappropriate to approve the southbound application in isolation from the consideration of all the elements within the combined scheme.

Design

The Council's Urban Designer advises the proposed design of the amenity building has a contemporary appearance with an extensive amount of glazing and a striking roof treatment. The

entrance is successfully articulated with a canopy which mirrors the roof treatment and makes the building easy to read. The elevation to the M61 will be largely screened by trees and landscaping at ground floor level, so the roof and glazing at first floor would be acceptable. The crisp white render, glazing and roofing materials complement the design further. The proposed annex building is also contemporary with an entrance porch/feature.

The design of the travel lodge building has been amended so that it better reflects the rest of the buildings of the site and to tie the scheme together. In addition the timber cladding originally proposed has been amended to grey infill panels to reflect the aluminium window frames, as it was considered timber cladding would not weather well in the long term in such an exposed location.

The design of the proposals is now acceptable and it is considered it will greatly enhance the site.

Visual Amenity

The application is accompanied by a Visual Impact Assessment having regard to long views of the site from nearby residential areas and roads and footpaths. The landscaping of the site has been designed to provide screening of the site from key viewpoints. The lighting of the site will be an improvement on the present situation with the existing 30m tall floodlighting columns replaced with 8m ones, with more targeted lighting. In terms of the visual amenities of the Green Belt it is considered that the proposals will be an improvement on the site as existing in terms of design, siting and materials and is therefore acceptable in this respect.

Traffic and Highway Safety

The slip roads will remain the same as at present. The comments of the Highways Agency will be added to the addendum, but they have advised verbally that they have been involved with the scheme from an early stage.

The relationship with the surrounding roads will remain as at present. Lancashire County Council Highways (who are not responsible for the motorway but have jurisdiction over the surrounding roads) make no comments as they state they will have no impact on the highway network, though they do state that the proposals would appear to offer some useful improvements.

In terms of parking the Circular is prescriptive of the numbers of parking spaces and also requires different types of parking spaces to be made available for the various types of vehicles using the site. It is considered reasonable that the different types are grouped together to ensure ease of use.

Other Matters

In terms of the comments of the Architectural Liaison Officer, if the applications are approved conditions will be added to any permission relating to CCTV and a parking point for two police vehicles.

As shown in the planning history the northbound side of the services had planning granted in 2007 (ref: 06/01289/FULMAJ)

also for demolition of the existing motorway amenity services building and construction of new replacement building and new fuel filling station. This permission although not implemented is still extant and the permitted building was not on the site of the one now proposed. The permission could therefore be implemented until its expiry date. If this permission was implemented as well as the one now for consideration on the northbound site, it would result in inappropriate development in the Green Belt. A legal agreement would prevent the earlier permission being built if the current application is permitted.

Public Footpath number 11 crosses the road bridge over the M61. This part of the site is unaffected by the proposals and the existing situation will remain. It is not therefore considered the proposals will have an unacceptable impact on this footpath.

Conditions

If the applications were approved the development would be implemented in phases, with the parking arrangements being designed to allow for extension overtime, in place with increasing demands. It is also intended that the development will be brought into use in stages as construction proceeds. Phase 1 will be the demolition and construction of the Southbound Amenity Building and works to the existing lodge. Phase 2 will be the demolition of the existing northbound Amenity Building and construction of the new Amenity Building. Phase 3 will be the construction of the new Annex Building. A condition relating to phasing of the development to ensure buildings are demolished when new ones are erected would be applied to any permission.

Conditions are also proposed to any permission relating to a waste, to ensure sufficient recycling and waste provision is provided to prevent litter to the site and surroundings in line with Anderton Parish Council's comments, full details of external ventilation and extraction systems to ensure equipment such as air-conditioning units are appropriately sited, sample materials to the buildings and ground surfaces, landscaping implementation, no other access to the motorway than via the slip roads, surface water, ground contamination, site boundary treatments, CCTV, police vehicle parking and levels.

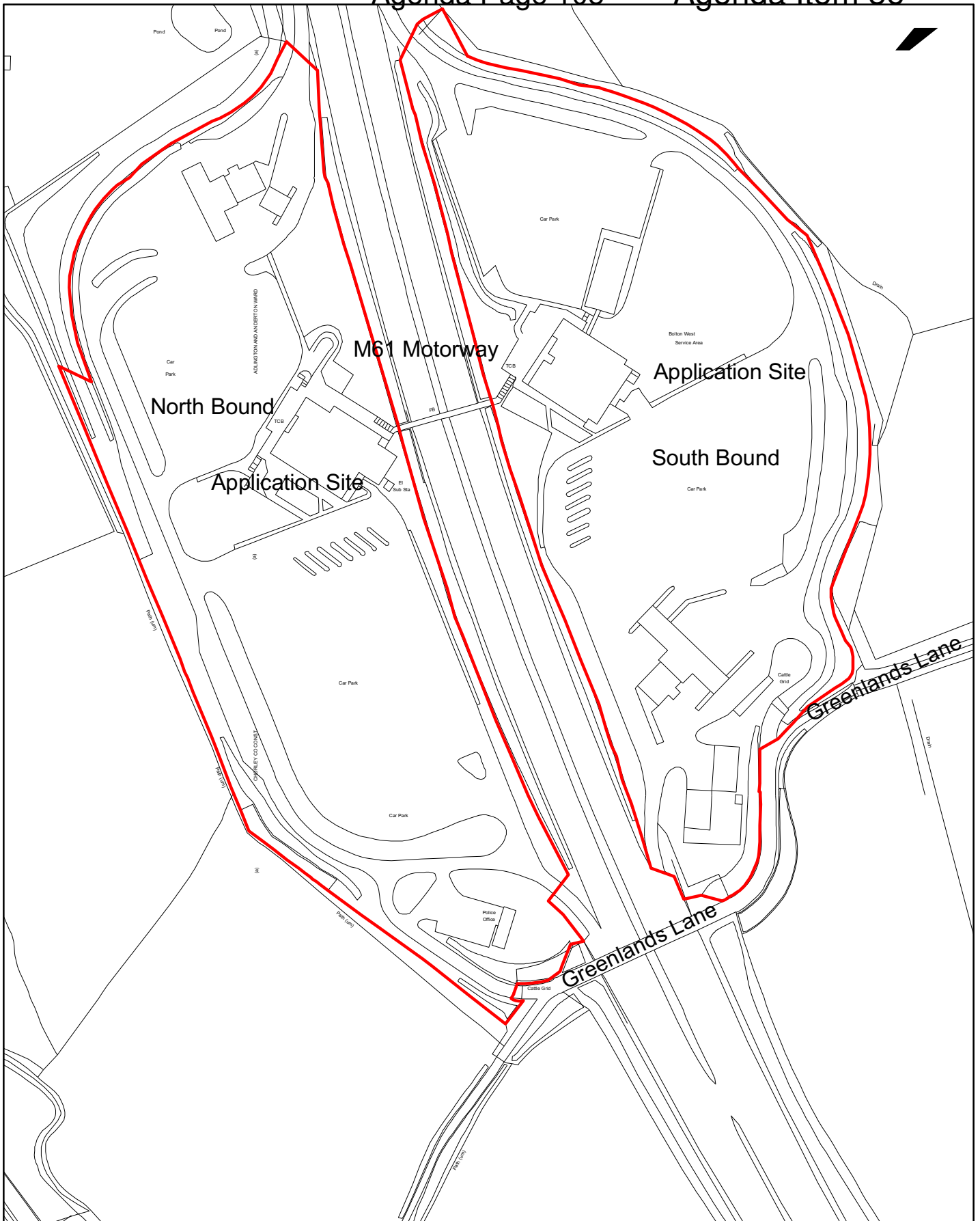
Recommendations Although the development on the southbound side will result in a reduction of built development in the Green Belt, this reduction is not as much as the increase proposed on the northbound side.

As the development is being considered as a whole, rather than each side of the carriageway being dealt with independently, it is not considered that sufficient justification has been given for the increase in size of the proposals in the Green Belt overall that would warrant very special circumstances sufficient to outweigh the presumption against it.

Recommendation: 09/00836/FULMAJ Southbound - Refuse Full Planning Permission
09/00837/FULMAJ Northbound - Refuse Full Planning Permission

Reasons

To follow



Jane E Meek BSc(Hons) DipTP MRTPI
 Director of Development and Regeneration
 Chorley Borough Council

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Application No.
 09/00836/FULMAJ
 09/00837/FULMAJ

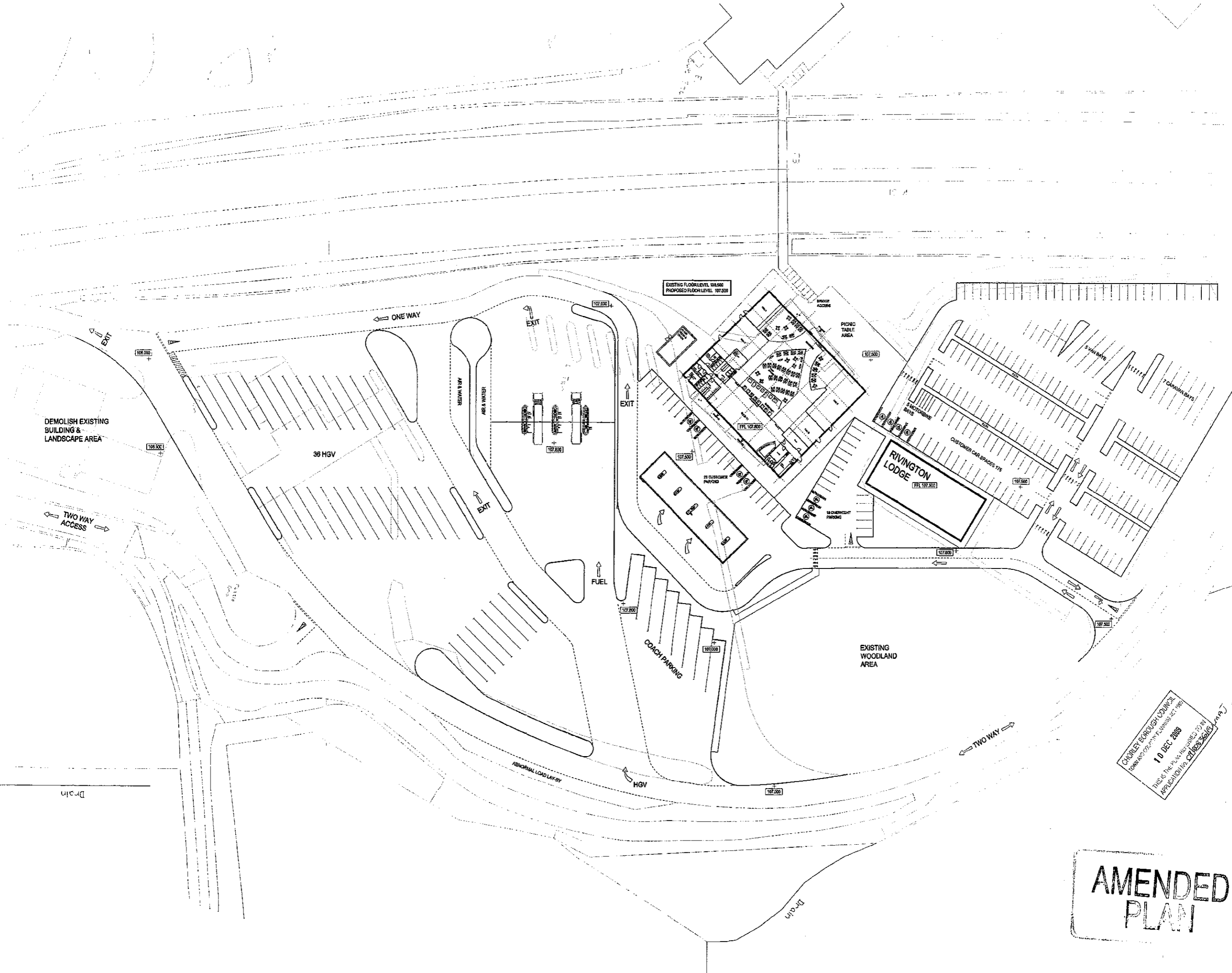
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- C - ADDITIONAL DISABLED BAYS - 04/12/09
- D - AMENITY BUILDING AMENDED - 16/10/09
- A - AMENITY BUILDING REPOSITIONED AND OVERNIGHT PARKING ADDED - 16/10/06

Building Design Consultants

Architectural Design Services

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 Skipton
 North Yorkshire
 BD23 1JR
 Tel: 01756 700364
 Fax: 01756 701119

M61 SOUTH BOLTON

FEASIBILITY PLAN

EURO GARAGES LTD

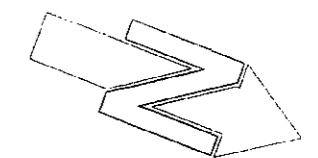
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COURTNEY BOROUGHS COUNCIL
 Planning Department
 10 DEC 2009
 This is the PL as submitted to the Council
 Application No. 2009/00000000000000000000

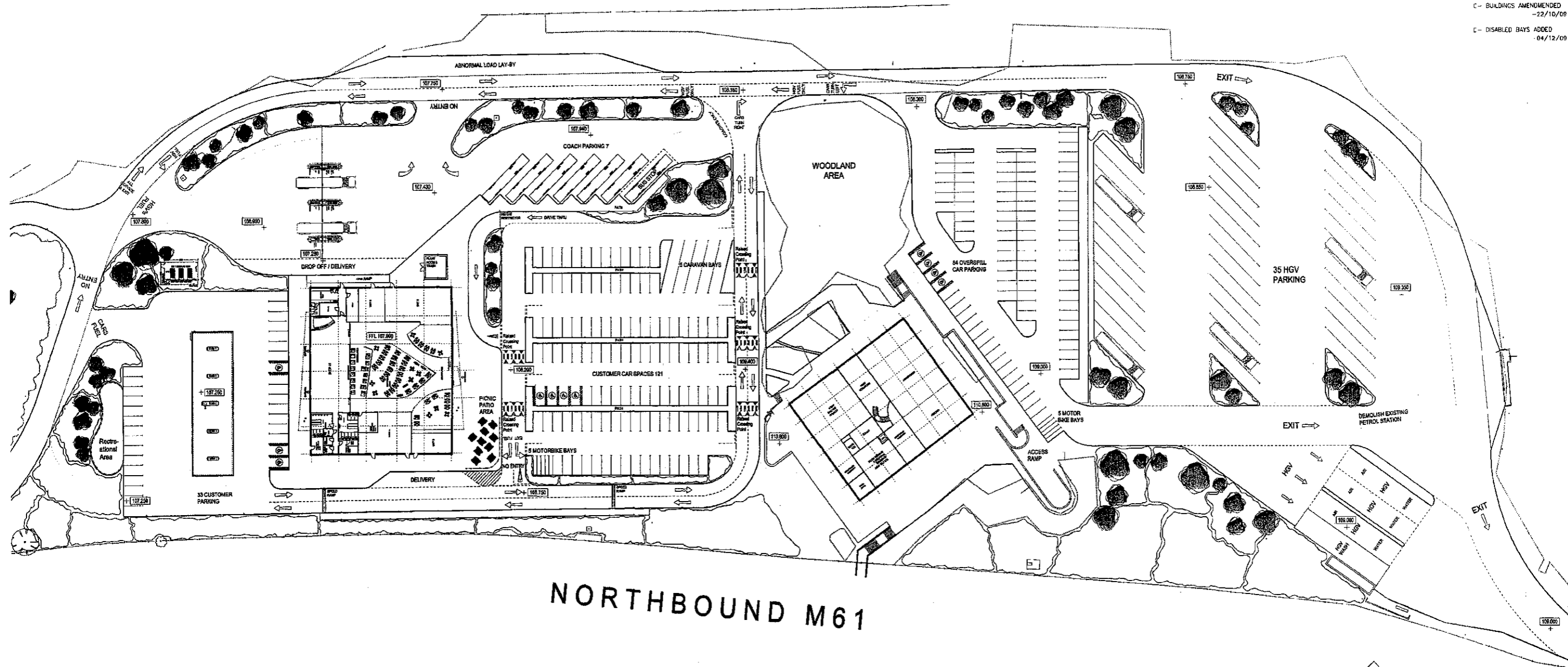
AMENDED PLAN

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- A- HIGHWAYS AMENDMENTS -13/08/09
- B- GENERAL AMENDMENTS -14/10/09
- C- BUILDINGS AMENDMENTS -22/10/09
- E- DISABLED BAYS ADDED -04/12/09



NORTHBOUND M61

Agenda Page 109

Agenda Item 5e

CHORLEY BOROUGH COUNCIL
 Planning and Building
 10 DEC 2009
 THIS IS THE PLAN SUBMITTED TO IN APPLICATION NO. 09/0057/EA/PP1

AMENDED PLAN

Architectural Design Services
 High Street
 Skipton
 North Yorkshire
 BD23 1JR
 Tel: 01756 700354
 Fax: 01756 701115

CHORLEY SERVICES NORTH, M61
 PROPOSED SITE PLAN
 EURO GARAGES LTD
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Item 6 **09/00866/OUTMAJ** **Refusal of Outline Planning Permission**

Case Officer **Caron Taylor**

Ward **Adlington & Anderton**

Proposal **Outline application (specifying access and layout) for the erection of 12 dwellings and associated infrastructure (resubmission of application 09/00513/OUTMAJ)**

Location **The Grove Railway Road Adlington ChorleyPR6 9RG**

Applicant **Miss Vanessa Oliver**

Application No. **09/00866/OUTMAJ**

Consultation expiry: 24th December 2009

Application expiry: 31st January 2010

The application must be determined by the Development Control Committee as it is a major application.

Proposal: Outline application (specifying access and layout) for the erection of 12 dwellings and associated infrastructure (resubmission of application 09/00513/OUTMAJ).

Summary: The development of the site for housing is acceptable in principle in accordance with PPS3, as the site meets the definition of previously developed land. The layout is considered in keeping with the surrounding area, although at a lower density than normally required by PPS3 this is considered justified given the layout and character of the surrounding area. Lancashire County Council Highways consider the access acceptable (and have considered the proposal in relation to the application at Grove Farm opposite).

However, the Environment Agency objects to the proposal on the grounds that there is a culvert across the site and it has not been shown where this will lie in relation to the proposed layout and they object to building over them. In addition, a flood risk assessment has not been done. Although the site is only in flood zone 1 i.e. in an area at a very low risk of flooding, the Environment Agency understand that the capacity of the culvert under the road is inadequate and results in flooding at times of higher rainfall and therefore a flood risk assessment should be undertaken in line with PPS25: Planning and Flood Risk. The application is therefore recommended for refusal on these grounds.

Background: The application site is within the settlement of Adlington in the grounds of a large detached property known as The Grove. This property was erected in approximately 1938 and it is proposed to retain it as part of the scheme. The grounds of the property include grassed areas, a rose garden, vegetable plot, tennis court, patios, driveway and detached garage (to be demolished). The site is bounded by a brick wall. A number of trees on the site bounding with Railway Road are covered by Tree Preservation Order 8 (Adlington) 2008.

Planning Policy: Planning Policy Statement 1: Delivering Sustainable Development
 Planning Policy Statement 3: Housing (and By Design Better Places to Live: A Companion Guide to PPG3)
 Planning Policy Statement 23: Planning and Pollution Control
 Planning Policy Guidance 13: Transport Manual for Streets
North West Regional Spatial Strategy:
 Policy DP1- Economy in the Use of Land and Buildings
 Policy DP3- Quality in New Development
 Policy UR7- Regional Housing Provision
 Policy RT2- Managing Travel Demand
Chorley Borough Local Plan Review:
 GN1- Settlement Policy- Main Settlements
 EP9- Trees and Woodland
 HS4- Design and Layout of Residential Developments
 HS6 – Housing Windfall Sites
 TR4- Highway Development Control Criteria
 Sustainable Resources DPD
 Sustainable Resources SPD
 SPG: Design Guidance,
 SPD: Householder Design Guidance

Planning History: The only relevant planning application is the previously withdrawn application:
 09/00513/OUTMAJ: Outline application (specifying access and layout) for the erection of 12 dwellings and associated infrastructure.

It should be noted that an application had also been submitted at Grove Farm opposite (ref: 09/00721/OUTMAJ) for at least 75 dwellings, although this has now been withdrawn.

Consultations: Chorley Council Planning Policy
 The site is covered by Policy GN1 of the Local Plan Review which sets a presumption in favour of appropriate development subject to other relevant policies. In particular, the application needs to be assessed against the criteria of Policy HS6.

The Chorley Borough 5 year housing supply position at 1 April 2009 identifies that there will be just under 6.2 years supply of potentially deliverable housing land in the Borough. This figure has been identified through the Strategic Housing Land Availability Assessment (SHLAA) which will inform the Core Strategy policies as well as housing allocations within the Site Allocations document. Until the Core Strategy and Site Allocations document are adopted planning applications will continue to be considered against the saved Local Plan Policies as well as relevant national and regional planning guidance. It will be difficult to refuse applications on site that are not identified within the 5 year supply if they meet the requirements of all other relevant planning policies. Guidance from the Department of Communities and Local Government states that where local authorities can demonstrate an up to date 5 year supply of deliverable sites, they should consider the application having regard to PPS3, Development Plan policies and other material considerations. In areas with significant demand and need for housing, Local Planning Authorities should not necessarily treat the 5-year housing provision figures as a ceiling which cannot be exceeded.

Policy SR1 of the Sustainable Resources Development Plan Document is also relevant to this application. An Energy Efficiency/Resource Conservation Statement has been submitted as part of the application, which provides information on how the criteria of Policy SR1 will be addressed. Information has been submitted on passive solar design which satisfies criteria (a). As the application is for outline planning permission, the information submitted for criteria (b), (c) and (d) of Policy SR1 is sufficient at this stage. Detailed information will be required at the reserved matters stage to demonstrate in detail how each criterion has been addressed, particularly in relation to the installation of low carbon/renewable technologies.

LCC Highways

State they are pleased to see the revised arrangements [from the previously withdrawn application]. These address the previous highway concerns and they are happy to confirm that the development will not have planning implications from a highways point of view. They state it is worth noting that the access arrangements for this site and those for the nearby outline application (09/00721/OUTMAJ) at Grove Farm will work adequately together. They will effectively form new cross roads, but no traffic will want to actually cross Railway Road. Each development will have its own traffic and that traffic will only manoeuvre in and out of 'their' road from Railway Road.

Unites Utilities

Have no objection to the proposal provided the site is drained on a separate system with only foul drainage connected into the foul sewer.

Environment Agency

Object to the proposal. The application is supported by a culvert survey. However there is no indication on the proposal plan of where this culvert lies. They are opposed to development over culverts. This is not good practice, as it will prejudice future replacement restoration and can restrict necessary access to the watercourse. PPS25 (Development and Flood Risk) requires that all forms of flooding should be taken into account when considering an application. Whilst the site is shown to be in flood zone 1 (low probability with land assessed as having a less than 1 in 1000 annual probability of river or sea flooding in any year (<0.1%) in the latest version of their flood map), on a recent visit to the site, there was significant ponding of surface water in the area of plots 1-3. Also, they understand that the capacity of the culvert under the road is inadequate and results in flooding at times of higher rainfall. Paragraph E9 of PPS25 advises that a flood risk assessment should be submitted for those sites which may have drainage problems and they recommend that such an assessment is done for this site. They state their objection could be overcome by the applicant demonstrating that no built development will take place over the culvert. Any diversion or alteration of an existing culvert will require the formal consent of the Environment Agency under the Land Drainage Act 1991.

If the Council conclude that other material consideration outweigh this objection and are minded to grant planning permission, paragraph 26 of PPS25 requires that the Environment Agency are informed of this and allowed to make further representation before any permission is issued.

Environmental Protection

Request a condition relating to ground contamination to be applied to any permission.

Arboricultural Officer

After looking at the new layout in the replacement application they state it is good to see that there is now provision to give adequate protection to the best trees on the site. That more trees are being retained in the new layout is also gratifying. They now have no objections to the application.

LCC Strategic Planning

Consider that the proposed development conforms to the North West of England Plan Regional Spatial Strategy to 2021.

Coal Authority

Standing advice.

Adlington Parish Council

Road Safety – Railway Road is a very busy road and cars park all day opposite the proposed entrance to this site whilst their owners travel to work by train. The proposed entrance/exit is also quite close to a narrow hump back bridge with poor sight lines. There could be up to 60 extra cars per day using this entrance, which would create major traffic problems at busy times. This figure does not include delivery or refuse vehicles or visitors. If the development is permitted, the Town Council suggests that it should be a condition that the entrance to the site should be the one at the western edge, as this is further away from the bridge, rather than the one proposed. The revised access to the site is still only 4.5m, although the sight lines have been improved. A planning application has been submitted for a further 75 dwellings, plus park and ride facilities on land immediately opposite this site. If both developments are permitted it would constitute a major traffic hazard. LCC as the Highways Authority should be consulted before any development is authorised.

Drainage – there used to be a pond in the present garden of The Grove, with was one of a series of reservoirs/ponds that passed through the village to feed the Pincroft Dyeing Works. There is concern that, should the development be permitted, it could lead to flooding in the area, particularly in Grove Crescent, where there have been previous problems. There are also doubts as to whether the main sewer would be able to cope with the extra burden. These potential problems need to be investigated. Recent building developments in Adlington have resulted in sewage problems, which could be exacerbated by this development.

Boundaries – the gable end of plot 8 of the proposed development abuts the boundary of no. 15 Grove Crescent and any windows in this would overlook this property resulting in a loss of privacy for the occupants of no. 15 Grove Crescent.

Type of houses – the proposed development consists of mainly four bed houses, with two, three bed houses. The Town Council is of the opinion that this type of dwelling is not required in Adlington as there are plenty of such houses already on the market. There is however, a grave shortage of affordable housing, particularly as

that proposed for the Fairview development ten years ago has not yet been built.

Trees – in the letter sent by the agent to neighbouring properties [prior to the first application being submitted in July], it states that the positioning of houses will not involve the removal of any trees. The Town Council understands that all the trees remaining at The Grove are covered by Tree Preservation Orders. These trees may be affected by construction work and should be protected if the application is approved.

Representations: Four letters of objection and one letter of no objection have been received to the application (six letters of objection along with one letter of no objection were received to the previously withdrawn application 09/00513/OUTMAJ).

The planning reasons for objection can be summarised as:

- Concern over if outline permission is granted it would result in the owner developing something quite different when the plans are ultimately finalised;
- They will lose views of the gardens of The Grove from their rear windows;
- The trees within the grounds were cleared ready for the development. The tree survey does not detail which of the trees will remain as part of the proposed development. Safeguards need to be put in place to stop further tree felling prior to and after any development;
- The Grove was the family home of the Croston's since the early 1900s, local mill owners who were a well respected family. Many locals will remember fondly the days of garden parties, open to the mill workers and their families, being held in the gardens of The Grove. Every effort must be made to maintain history and heritage wherever possible;
- Concerns over the impact additional cars will have on traffic congestion in this vicinity as the area is already very busy. Since the building of the Fairview estate, Railway Road is much busier than a few years ago. With virtually no car park at Adlington railway station and increasing passenger numbers from Adlington, Railway Road is often home to a line of parked cars from the Conservative Club upwards – directly opposite to the entrance to The Grove. The narrow bridge over the railway, only a matter of metres from The Grove entrance makes the road difficult to negotiate at the best of times, so more cars is certainly not going to help. The entrance is not wide enough to allow vehicles to pass when entering and leaving which will lead to queuing on Railway Road. The development would cause unacceptable further pressure on existing struggling infrastructure and erode the quality of life of all residents of Adlington and they are concerned for the safety of school children. In addition there is a proposal for 37 new properties on Fairview Farm and over 70 properties on Grove Farm opposite which altogether with this application could result in 316 extra cars. The next thing on Railway Road will be a roundabout to serve this application and Grove Farm. This could also kill the protected trees;
- There was a probable graveyard around the former Methodist Chapel that used to be on the site;

- The types of properties proposed are likely to house people who will need to commute and given the decline in rail provision from Adlington Station will do so by car;
- There is wildlife in the garden of The Grove. They will be lost if the garden is developed. No wildlife or bird survey has been undertaken;
- Water courses/culverts run through the grounds of The Grove and already being prone to saturation and occasional flooding, there is concern that building work disturbing these courses will potentially have a direct impact on the residences on Grove Crescent;
- It is not clear if there will be any impact on the garden wall which offers privacy at ground level, and they would not want it lost;
- Object to how close the properties are to be built to the boundaries of the site. They should be set further back from Grove Avenue and Grove Crescent. Two storey properties will block out light from gardens and properties on Grove Crescent throughout the year due to their proximity and result in a loss of privacy and overlooking. Bungalows should be proposed at a lower density;
- The garages (serving plots 8 and 9) against the boundary with number 13 Grove Crescent have been re-positioned since the withdrawn application and the pitches of these garages have been changed from a pyramid pitched roof to a dual-pitched roof which will cut off more light to number 13;
- Windows in the property on plot 8 will overlook number 11 and 13 Grove Crescent. This property is also very oppressive to numbers 13 and 15 Grove Crescent. The outlook from their property will be a continuous brickwall;
- The density of the development is out of proportion to its environment and the density of the housing on Grove Crescent and the village of Adlington which is characterised by property with significant garden space and a housing density of less than 30 dwelling per hectare;
- The Council's Housing Land Supply figures state the Council has sufficient existing site provision and identified sites to meet demand and obligations placed on it by outside agencies so development on windfall sites is not required. There has been sufficient development in Adlington;
- Brownfield sites must be a favoured option for development. Looking at the Site Specific Allocation Development Plan there are many suitable sites within the Parish other than The Grove. The preference for brownfield sites is strengthened by the Government focus on 'garden grabbing' and new planning rules to strengthen powers to refuse them should be used;
- The proposal will result in a strain on infrastructure and erode the quality of life of local residents;
- It is inappropriate to surround such an architecturally interesting and substantial property as The Grove with the proposed density and style of modern properties;

The letter of no objection states they are sure the type of housing development is a definite requirement in the Adlington area and will soon become an integral part of and an asset to the community. This type of project appears to be a good use for an

under utilised piece of land they are sure will add a little more character to Railway Road.

Assessment:Principle of the Development

Planning Policy Statement 3: Housing (PPS3) is the national planning guidance that sets out the Government's national policies on housing and is a material consideration in determining planning applications.

PPS3 defines previously developed land (also known as brownfield land) as that which was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The application site is therefore previously developed land under this definition. The development of previously developed land is encouraged over the use of greenfield sites. The principle of redevelopment of the site is therefore acceptable in principle in line with planning policy.

Policy HS6 of the Local Plan Review states that residential development on sites not allocated and within the boundaries of settlements excluded from the Green Belt will only be permitted if the applicant can satisfy all the criteria set out in this policy. In terms of housing supply the proposal will not result in an over-supply of housing in the area as confirmed by the Planning Policy Section in the 'Consultees' part of this report. It is considered that the proposals are in line with this policy and national planning guidance PPS1, in that the site is considered to be located in a sustainable location, accessible via a variety of transport methods with a range of local services in the area.

Impact on Character and Appearance of the Area:

The scheme proposes to retain the existing dwelling on the site and erect 12 dwellings, 10 detached and one pair of semi's. In terms of density, PPS3 states that 30 dwellings per hectare should be the national indicative minimum density in decision-making. However, PPS3 does allow lower densities as long as they are justified. The current proposals are below this density, but it is considered in this case the lower density can be justified in terms of the character of the area, as many of the surrounding properties are detached and semi-detached dwellings with more spacious gardens. However, it is not considered that the application could be refused on the number of dwellings proposed being too many for the site, as the scheme is already lower in density than set out in PPS3 and there are a wide range of properties in the wider area including terraced properties on Railway Road itself.

Layout

Policies HS4 and GN5 of the Local Plan Review set out the basis for assessing housing applications. The application is made in outline with only the access and layout for consideration in this report, although the principle of the scale of the dwellings should be considered.

The site is bounded to the northwest by detached two-storey properties on Grove Crescent and to the southwest by the bungalows on Grove Avenue. To the northeast is the Gladmar Hotel, a two-storey building and opposite the site on the other side of Railway Road is Grove Farm, a site that has also recently had an application made for housing development including a park and ride facility for the station next to the existing Conservative Club

(ref: 09/00721/OUTMAJ), although the application has now been withdrawn.

The proposed layout is centred round a cul-de-sac road with properties on either side focussed around the existing property on the site 'The Grove', cumulating in a turning head. The existing dwelling that will remain on site will form a central feature as the development is entered from Railway Road, which is looked upon favourably.

All the properties are detached apart from plots 1/2 and 4/5 which are a pair of semi-detached properties. The house types proposed are considered appropriate. There are a range of properties in the area and although the properties on Grove Avenue are bungalows, the properties to the rear on Grove Crescent are detached properties and the Gladmar Hotel bounding with the site to the northeast is also two-storey. Looking at the wider area in terms of the layout, there are cul-de-sacs like such as Highfield Close, Granville Street and Lancaster Close in the vicinity so the cul-de-sac layout is not out of place within Adlington. There are also properties with side driveways and detached garages to the rear and others with integral garages as proposed. The site will also largely retain its tree dominated road frontage from Railway Road.

Although scale and appearance have not been applied for the application indicates the properties will be two-storey with an eaves height of approximately and a ridge height of between 7.5 and 8m. This is considered acceptable as it is similar to the height of the properties on Grove crescent.

Trees

Trees are a dominant feature of the road frontage along this part of Railway Road, the existing property not being highly visible from the road due to the trees. The trees on the road frontage are the subject of a Tree Preservation Order (TPO 8 (Adlington) 2008) and a Tree Survey has been submitted with the application. The other trees within the site are not protected as they would not meet the criteria to warrant a Tree Preservation Order. The layout of the proposal takes the frontage trees into account by setting the property on plot 12 in from the boundaries of the site and giving the properties on plots 1 and 12 generous gardens. Tree protection conditions will be applied to any permission.

Neighbour Amenity

Although the layout does form part of the application the appearance of the dwellings if the application is approved will be the subject of a reserved matters application. However, it is considered that the layout would result in a development that would have a satisfactory relationship with the surrounding properties. There would be over 10m between the first floor windows of the proposed properties and the boundaries with the existing surrounding properties. Although the properties on plots 4 and 8 are shown closer to the boundaries than this, the layout indicates these will be side elevations of the properties, rather than elevations with principle windows. The positioning of windows will be considered as part of the reserved matters application but in terms of layout the proximity of secondary elevations to surrounding properties is considered acceptable. Although there are garages close to the boundary with neighbouring properties (plots 8, 9, 11 and the replacement garage for the existing property

know as The Grove), the roofs are hipped away from them and they are single storey. The relationship of the garages with the neighbouring properties is therefore considered acceptable.

Highways

Lancashire County Council highways had concerns over the highway layout on the previously withdrawn application. They state that the revised arrangements on this application are satisfactory. The case officer specifically asked them to look at the development in relation to the application across the road on Railway Road at Grove Farm. Although this application has now been withdrawn they consider that the two accesses would work adequately together and would effectively form a new cross roads.

The proposal would have parking provision at 3 spaces for four bedroom properties and 2 spaces for three bedroom properties. Although this would include garages, the garages would be at a size of 3m x 6m for single garage and 6m x 6m for double garages so are of sufficient size to be counted as a space with room for some storage, such as bicycles as well. The layout of the properties at reserved matters stage will consider the parking provision i.e. whether integral garage have been included to ensure this parking provision is met. A condition will be placed on any permission to ensure that parking is provided at this standard.

Sustainable Resources

An Energy Efficiency/Resource Conservation Statement has been submitted as part of the application, which provides information on how the criteria of Policy SR1 will be addressed which is considered sufficient at this outline stage. Detailed information will be required at the reserved matters stage and will be secured by condition.

Affordable Housing

As the scheme is for less than 15 dwellings there is no requirement for affordable housing on the site in line with national PPS3.

Public Open Space

As this application relates to a net increase of 11 new dwellings there is a requirement for a financial contribution towards equipped play space which would need to be secured through a s106 Agreement.

Flooding

The Environment Agency object to the proposal. The previously withdrawn application identified the presence of a culvert on the site. Although the application is supported by a culvert survey the Environment Agency states there no indication on the proposed plan of where this culvert lies and they are opposed to development over culverts as it is not good practice, as it will prejudice future replacement restoration and can restrict necessary access to the watercourse.

Although the site is shown to be in flood zone 1 and therefore at a low risk of flooding the Environment Agency understand that the capacity of the culvert under the road is inadequate and results in flooding at times of higher rainfall and therefore a flood risk assessment in line with PPS25 should be undertaken. The applicant has not demonstrated that no built development will take

place over the culvert. It is not therefore not considered that the proposal complies with PPS25: Development and Flood Risk.

Other Matters

One of the neighbours have stated that houses should not be build in the grounds of such an architecturally interesting building as the property is part of the heritage of the area which should be preserved. However, the property is not listed, or locally listed, nor is it in a Conservation Area. It therefore has no statutory protection from demolition and it is not considered that the building is of such merit that it would warrant such protection. That the applicant is proposing to retain the building as part of the scheme is however, welcomed.

In terms of wildlife an ecological report has been submitted with the application. The report shows the most significant part of the site with respect to bats is the existing house which was found to be suitable for bat roosting, and mature trees and shrubs which form a small wooded copse along the north-eastern and south-eastern boundaries. Most of the trees are unsuitable for roosting due to lack of height or absence of suitable cavities or cracks and crevices in bark but do provide potential for foraging. Three mature trees (one of which is off the site) were found to provide marginal suitability for roosting. These trees are to be retained as part of the scheme. Despite this no conclusive signs of bat roosting were found during the daytime part of the survey and no bats were recorded emerging from any of the trees or buildings during the dusk emergence and activity survey. The site is used to some extent for foraging and at least three common pipistrelle were recorded feeding around the edge of the wooded area. This is the area that is covered by the tree preservation order and is to be retained as part of the scheme. The survey also states the site is relatively isolated from other suitable habitat by surrounding residential housing, a road and various brick or stone walls, thereby providing limited potential for badgers. In terms of birds the report states that there is considered to be little or no likely impact upon breeding birds, providing no vegetation or other potential breeding habitat is removed or modified during the breeding season. An informative note will be added to any permission regarding this. It is not therefore considered the proposal will have an unacceptable impact on wildlife including protected species.

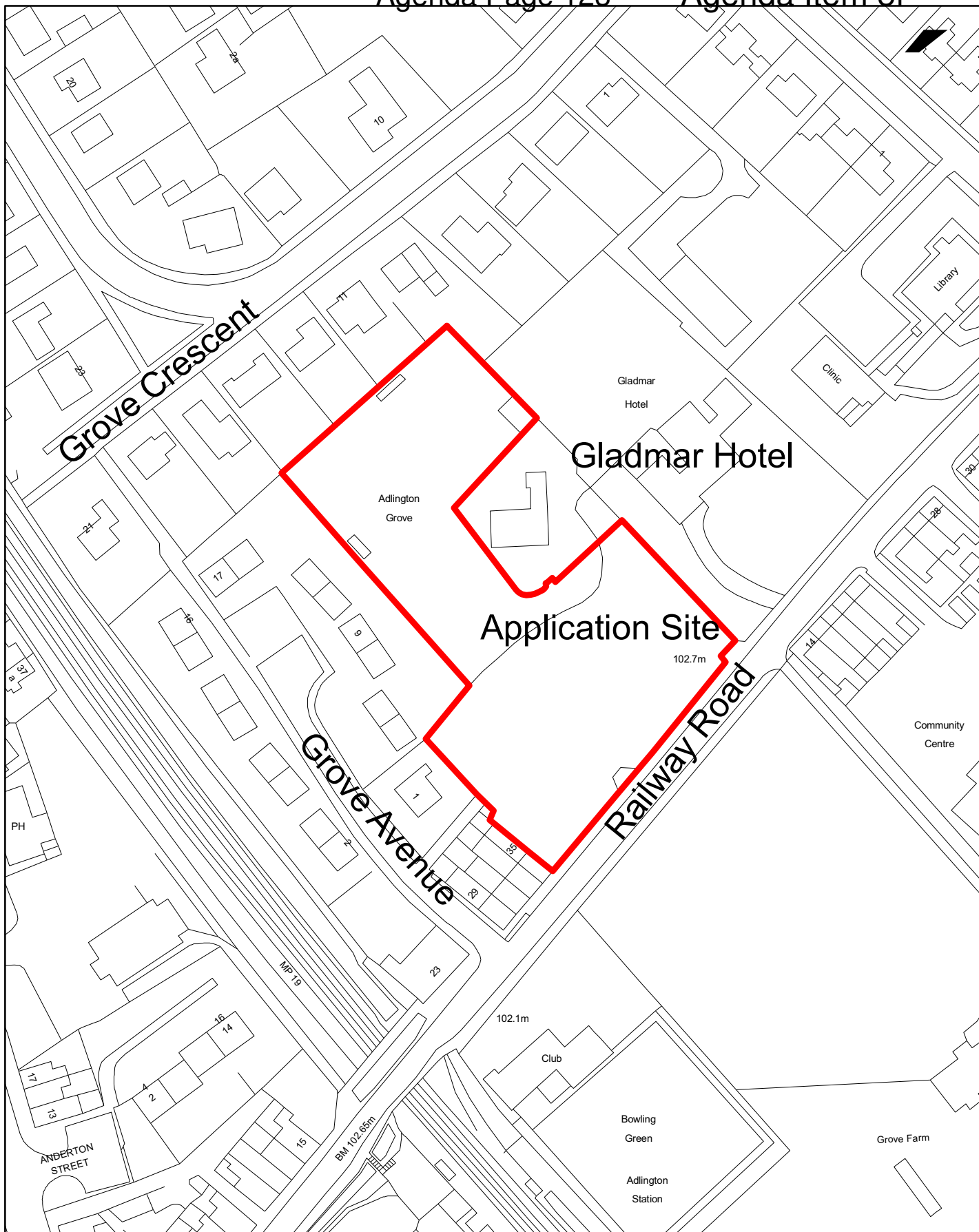
Recommendation: Refusal of Outline Planning Permission

Reasons

1. It has been identified that there is a culvert on the site. However, it has not been demonstrated where this in relation to the proposed layout. The Environment Agency object to development over culverts as it will prejudice future replacement restoration and can restrict necessary access to the watercourse. In addition PPS25 (Development and Flood Risk) requires that all forms of flooding should be taken into account when considering an application. Although the site is shown to be in flood zone 1 there is surface water on the site. In addition, it is understand that the capacity of the culvert under the road is inadequate and results in flooding at times of higher rainfall. Paragraph E9 of PPS25 advises that a flood risk assessment should be submitted for those sites which may have drainage problems. It is therefore considered that the proposal is contrary to PPS25 in that it has not been accompanied by a flood risk assessment and the relationship of the culvert to the proposed development has not been demonstrated to the satisfaction of the Environment Agency.

Members should be aware that if they are minded to approve the application contrary to recommendation, the Environment Agency must be informed and given further opportunity to comment before a permission is issued.

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Jane E Meek BSc(Hons) DipTP MRTPI
 Director of Development and Regeneration
 Chorley Borough Council

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Application No.

09/00866/OUTMAJ

Grid Ref:

E: 360215
 N: 413282

Scale:

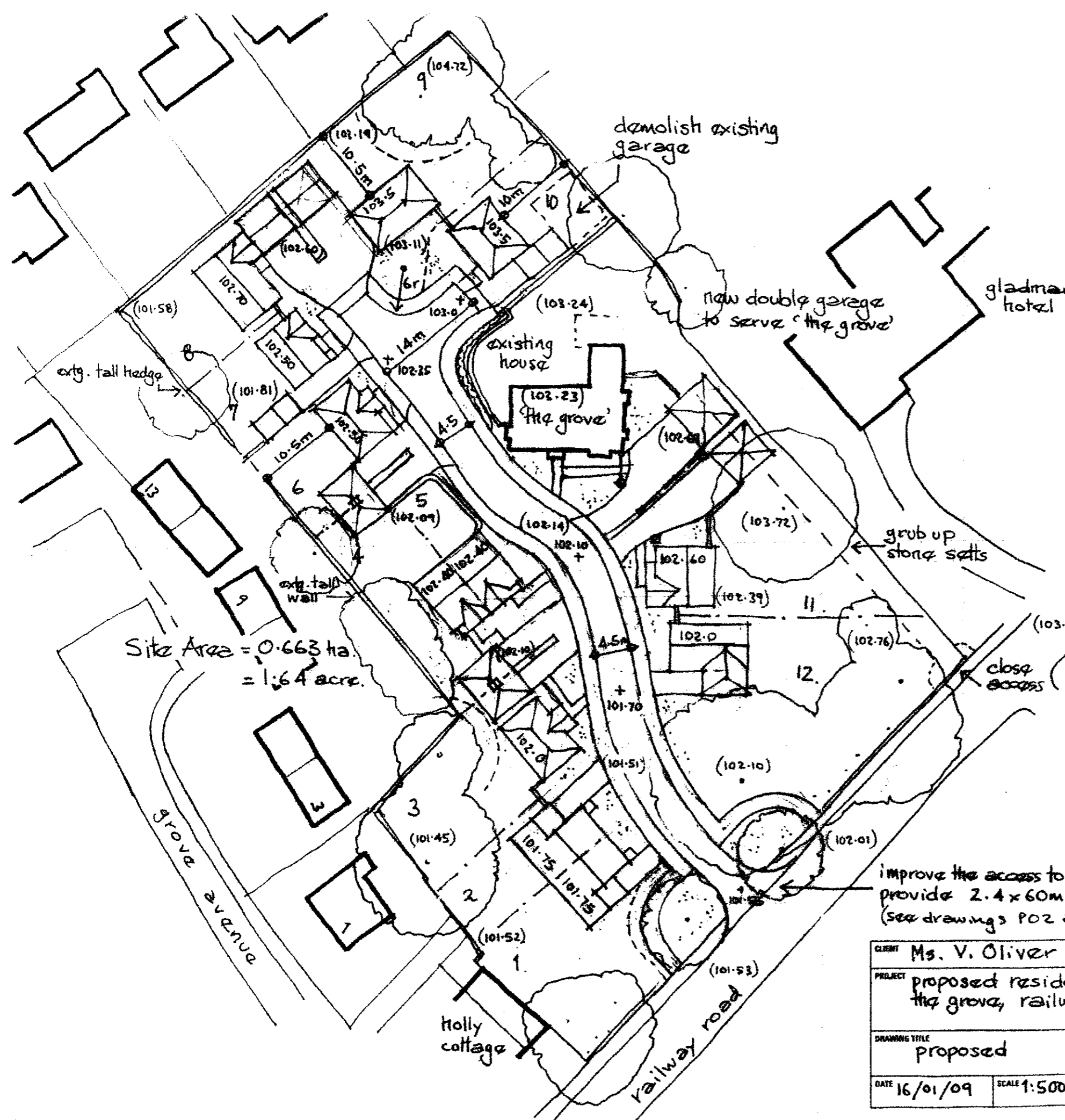
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11 OCT 2009

07 866 21111



Parking requirements

- 4 bedroom properties to be provided with 3 parking spaces.
- 3 bedroom properties to be provided with 2 parking spaces
- Each space to be a min. of 2.5m x 5.0m (6.0m in front of a garage).
- Single garages to be 3.0m x 6.0m.
- Double garages to be 6.0m x 6.0m.

Levels

- existing g.l.'s denoted (101.33)
- proposed road levels denoted +102.10
- proposed floor levels denoted 102.70

Revisions

- A: Highways altered to comply with Principal Engineer's 5 point comments; house type altered on plot 10 (due to turning head); parking requirements noted & drawing adjusted; indicative layout notes deleted; levels added asl 25/08/09
- B: Alterations throughout the site to comply with C.B.C. arboriculturalist comments asl 15/10/09.

Site Area = 0.663 ha.
= 1.64 acre.

improve the access to 4.5m wide and provide 2.4 x 60m sight lines. (see drawings P02 & P03)

CLIENT	Ms. V. Oliver				 213 PRESTON ROAD WHITTLE-LE-WOODS 9 CHORLEY LANCASHIRE PRG 7PE TEL: 01257 261565 FAX: 01257 267224 www.mlmparchitects.co.uk © Copyright Lawson Magerison Practice Ltd.
PROJECT	proposed residential development at the grove, railway road, adlington				
DRAWING TITLE	proposed		site layout		
DATE	16/01/09	SCALE	1:500 @ A3	DRAWN	asl
				DRWG No.	08/080/P01
				REV	B

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Item 7	09/00797/REMMAJ	Approve Reserved Matters
Case Officer	Mrs Nicola Hopkins	
Ward	Clayton-le-Woods And Whittle-le-Woods	
Proposal	Reserved matters application for the erection of 17 dwellings on Parcel I, Buckshaw Village. Including a part amendment to the road layout previously approved as part of reserved matters approval 05/00523/REMMAJ and 05/00525/REMMAJ and a part amendment to reserved matters approval 09/00449/REMMAJ.	
Location	Parcel I Euxton Lane Euxton Lancashire	
Applicant	Redrow Homes (Lancs) Ltd	
	Consultation expiry: 5th January 2010	
	Application expiry: 1st February 2010	
Proposal	<p>The application relates to the erection of 17 dwellings at Parcel I, Buckshaw Village. A reserved matters application was submitted earlier this year for the erection of 227 dwellings on Parcel H6 and Parcel I at Buckshaw Village. The Council were concerned about the proximity of some of the proposed dwellings to the highway (the main loop road) particularly as the previously approved highway layout incorporated a landscaped edge along the carriageway. As such some of the plots were conditioned out of this approval. This application relates to the Plots which were conditioned out and resultant amendments to surrounding plots.</p> <p>Outline permission was granted for the Buckshaw Village development in 1997 and amended in 2002. The site as a whole is split between the administrative areas of South Ribble Borough Council and Chorley Borough Council. This application is entirely within the boundary of Chorley Borough Council.</p>	
Summary	<p>The principle of redeveloping the site for a mixed use development was established with the original grant of outline planning permission. The parcels subject to this planning application are allocated for residential development within the Masterplan and as such the proposals are considered to be acceptable.</p>	
Amendments	<p>This application relates to plots which were conditioned out of the previous approval and amendments to previously approved plots. The amendments include resiting the properties further into the site which enables the inclusion of a landscape strip along the highway which will improve the visual amenities of the area.</p>	
Planning Policy	<p>National Policies: PPS1, PPS3, PPS23, PPS25</p> <p>North West Regional Spatial Strategy: Policy DP1: Spatial Principles Policy DP4: Make the best use of Existing Resources and Infrastructure</p>	

Policy DP7: Promote Environmental Quality
Policy RDF1: Spatial Priorities
Policy L4: Regional Housing Provision
Policy L5: Affordable Housing
Policy RT9: Walking and Cycling
Policy EM5: Integrated Water Management

Adopted Chorley Borough Local Plan Review:

GN2: Royal Ordnance Site, Euxton
GN5: Building Design and Retaining Existing Landscape Features and Natural Habitats
GN9: Transport Accessibility
EP18: Surface Water Run Off
HS4: Design and Layout of Residential Developments
HS5: Affordable Housing
TR1: Major Development- Tests for Accessibility and Sustainability
TR4: Highway Development Control Criteria
TR18: Provision for pedestrians and cyclists in new developments

Planning History **97/00509/OUT:** Outline application for mixed use development (granted in 1999)

02/00748/OUT: Modification of conditions on outline permission for mixed use development

05/00523/REMMAJ: Formation of phase 1 of link road to serve residential development. Approved July 2005

05/00525/REMMAJ: Formation of phase 1 of link road to serve residential development (duplicate of planning application 05/00523/REMMAJ). Approved July 2005

09/00449/REMMAJ: Reserved matters application for the erection of 227 dwellings with associated garages, roads, sewers & parking spaces for Parcels H6, I (Phase 1) and I (Phase 2). Including a part amendment to the road layout previously approved as part of reserved matters approval 05/00523/REMMAJ and 05/00525/REMMAJ. Approved September 2009

09/00771/DIS: Discharge of conditions 3, 4, 5, 6, 10, 11, 12, 13 and 17 of planning approval reference 09/00449/REMMAJ. Complete November 2009

Representations **Whittle le Woods Parish Council** have no comments to make

Consultations **United Utilities** have no objection subject to various conditions/informatives

Council's Waste and Contaminated Land Officer has no objections

Assessment **Principle of the Development**

Policy GN2 of the Adopted Chorley Borough Local Plan Review applies to the Royal Ordnance Site. This states that high quality and phased development will be permitted for purposes appropriate to the concept of an Urban Village. Parcel I incorporates various character areas, the area of Parcel I subject to this application includes a contemporary character area and

Village Street character area with secondary frontage identified along the loop road.

In respect of the contemporary housing parcels the Masterplan states that these parcels should incorporate modern estate development with 1-3 storey detached, semi-detached and terraced housing at a density of 25-35 dwellings per hectare.

In respect of Village Street Character area these are defined as pre and post Industrial revolution character areas within 2 to 3 storey blocks principally terraces with a density of 40-50 dwellings per hectare.

The originally considered site (which included the whole of Parcel I and Parcel H6) covered 15.8 acres which equates to 6.39 hectares. The original proposal incorporated the erection of 227 dwellings which equated to approximately 36 dwellings per hectare. The amendments proposed as part of this application (which have resulted from amendments to the plots which were conditioned out of the previous approval) results in the loss of 3 plots. The erection of 224 dwellings across 6.39 hectares equates to a density of approximately 35 dwellings per hectare.

Proposed Amendments

When the previous application was considered concerns were raised about the impact on the loop road particularly as when the loop road was approved it incorporated a landscaped edge along the carriageway and the dwellings proposed as part of the previous application were considered to be too close to the highway. As such the plots which were of concern were conditioned out of the approval. This application seeks to approve these conditioned out plots. Additionally the amendments to the conditioned out plots have resulted in amendments to the previously approved plots.

The amendments, when compared to the previous submission, are as follows:

- The loss of two approved plots in Phase 1
- Relocating the dwellings along the loop road further back into the site which enables an increased landscaping strip to be incorporated along the loop road
- Relocating plot 889 further back into the site to accommodate additional landscaping along the loop road.
- Plots 810-816 were conditioned out of the previous approval. The properties have been relocated further back in the site, reduced in number by one dwelling and resited to face onto the roundabout
- Plot 817 has been resited further back into the site
- The parking arrangements for plots 817-820 have been amended.

When the loop road was approved the scheme incorporated a grassed area, shrub planting and tree planting between the footway and the residential parcel. The proposed redevelopment of Parcel I reduces this landscaping as the red edge extends upto the edge of the pavement. The current proposal however incorporates tree planting and grassed areas along the footway, within the curtilage of the properties, which has been achieved by locating the properties further back into the site. It is considered

that the proposed landscaping will achieve the landscaped visual appearance originally envisaged whilst incorporating appropriate development of the parcel.

Design and Appearance

This application will complete the development of Parcel I at Buckshaw Village. This application incorporates the erection 17 dwellings on the parcel which includes the plots which were conditioned out of the previous approval and amendments to the previously approved plots to accommodate the amendments to the conditioned out plots. Additionally there are part amendments to the layout of the loop road which was approved under applications 05/00523/REMMAJ and 05/00525/REMMAJ.

Parcel I, Phase 1

When the previous application was considered Parcel I was split into two phases. 7 of the plots subject to this application fall within Phase 1 of the Parcel. This part of Parcel I is contemporary housing character area as identified with the approved Residential Design Code. The parcel incorporates the erection of 7 two storey detached family dwellinghouses. The dwellinghouses incorporate a mixture of three and four bedroom dwellings. The properties are modern dwellinghouses which incorporate in curtilage parking, detached garages and integral garages. The three bedroom properties incorporate two off road parking spaces and the four bedroom dwellings incorporate three off road parking spaces. This is in accordance with Council's and RSS Parking Standards. The garages measure 5.95 metres by 3 metres (single garage) which is just below guidance in Manual for Streets however considered sufficient to accommodate a vehicle and a bicycle.

All of the properties subject to this application within Phase 1 will be constructed out of red/ dark red brick with a mix of grey and red roof tiles. Additionally render is proposed for plots 889, 892 and 922.

The amendments to this parcel have resulted in the loss of 2 previously approved plots. Phase 1 covers 1.915 hectares and a total of 57 dwellings will be constructed across the whole of Phase 1 which equates to approximately 30 dwellings per hectare. This density accords with the density for a contemporary housing parcel as set out within the approved Masterplan.

The proposed modern family dwellinghouses are considered to be appropriate for a contemporary housing parcel and as such accord with the approved Masterplan.

Parcel I, Phase 2

Ten of the plots subject to this application fall within Phase 2 of the Parcel. This part of Parcel I has a mixture of character area as identified with the approved Residential Design Code. The plots subject to this application fall within the Village Street character area. This application incorporates the erection of 10 two storey detached and terraced dwellinghouses. The dwellinghouses incorporate a mixture of two, three and four bedroom dwellings. The properties are modern dwellinghouses which incorporate in curtilage parking, detached garages and parking courts. The two/ three bedroom properties incorporate two off road parking spaces and the four bedroom dwellings incorporate three off road parking spaces. This is in accordance with Council's and RSS Parking

Standards. The garages measure 5.95 metres by 3 metres (single garage) which is just below guidance in Manual for Streets however considered sufficient to accommodate a vehicle and a bicycle.

The majority of the properties subject to this application within Phase 2 will be constructed out of red/ dark red brick with a mix of grey, brown and red roof tiles. Additionally render is proposed for plots 812-815. Across the remainder of the parcel the use of buff brick occasionally has been permitted to act as feature buildings and break up the visual appearance of the scheme. The originally submitted scheme proposed four of the 10 dwellings to be constructed out of this light coloured gold brick however the applicants have been advised to reduce this number so that the predominant brick is red.

The amendments to this parcel have resulted in the loss of 1 dwelling when compared to the previous application. Phase 2 covers 3.518 hectares which equates to 34 dwellings per hectare. Due to the various character areas present within this parcel the masterplan sets out various densities (ranging from 25-50 dwellings per hectare). It is considered that an average of 34 dwellings per hectare is an acceptable density taking into account the various character areas.

The proposed properties are detached and terraced dwellings and although the Masterplan suggests that these areas should be principally terraces this parcel is moving away from the Village Centre and the properties will overlook the Village Green area. It is considered that this section of the parcel will provide a traditional street character with direct vehicular access off the highway serving garages set back/ to the rear of the dwellings. As such the proposals are considered to be in accordance with the Masterplan

Levels

The levels on this parcel rise upwards from south to north with the proposed properties along the northern boundary approximately 2 metres higher, in respect of the finished floor level, than the southern boundary. This parcel achieves the Council's standard spacing distances and where there are direct interface issues amendments to the property have been requested to ensure there are no issues in respect of loss of amenity to the future residents.

Refuse collection

The Council's Waste and Contaminated Land Officer has reviewed the proposals and confirmed that there are no objections over waste collection. The properties subject to this application will be accessed via highways which will be adopted which is suitable for collection vehicles to access.

Highways

When the whole of Parcel I was considered the Highway Engineer objected to the scheme as they were concerned that the highway layout as shown would not be acceptable in respect of the Section 38 Agreement. A Grampian style condition was attached to the approval which ensured the scheme could not commence until an acceptable highway layout has been achieved. Redrow have submitted an application to discharge the conditions including this Grampian highways condition. The Highway Engineer has

confirmed that layout submitted as part of the discharge of condition application is capable of being adopted as part of a S38 Agreement however there is not actually a Section 38 Agreement currently in place for this part of the site. This notwithstanding the highway layout is considered to be acceptable.

The highway is not included within the red edge for this application and as such does not form part of the consideration of this application. The highway as approved is considered to be acceptable and as such there are no highway issues arising from this application.

Conclusion

The proposals accord with the Masterplan and represent a modern housing development within the Village. The principle of housing development was established with the grant of outline planning permission and the parcels subject to this application will see a further expansion of the residential elements of the Village.

Recommendation: Approve Reserved Matters 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 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The approved plans are:

Plan Ref.	Received On:	Title:
BV-i1&2-P02 Rev A	2 nd November 2009	Planning Layout
BV-i1&2-P02 Rev A	2 nd November 2009	Planning Layout Coloured
BV-i1&2-MS01 Rev B	17 th December 2009	Materials Schedule
BV-i1&2-BT01 Rev A	2 nd November 2009	Boundary Treatment
BV-i1&2-ENG01	2 nd November 2009	Engineering Levels Layout
C4H133	2 nd November 2009	The Cambridge
C4H109	2 nd November 2009	The Stratford
BVED-01	13 th October 2009	Various Detail
CSD-0910	13 th October 2009	Gate within Close Boarded Fence
C-SD0905	13 th October 2009	Close Boarded/ Trellis Fencing
C3H090	13 th October 2009	The Tetbury
C4H129	13 th October 2009	The Ruthin Floor Plans (Plots 918 and 820)
C4H129	13 th October 2009	The Ruthin Elevations (Plots 918 and 820)
	17 th December 2009	The Ruthin Elevations (Plot 889)
	17 th December 2009	The Ruthin Floor Plans (Plot 889)
	17 th December 2009	The Ruthin Elevations (Render- plot 892)
	17 th December 2009	The Ruthin Elevations (Plot 920)
	17 th December 2009	The Ruthin Floor Plans (Plots 892 & 920)
C4H111	13 th October 2009	The Pembroke Floor Plans
C4H111	13 th October 2009	The Pembroke Elevations
	13 th October 2009	The Broadway and Evesham
3649.02A	21 st October 2009	Landscape Structure Plan
3649.01A	21 st October 2009	Landscape Structure Plan
L_TSG01	17 th December 2009	Triple Single Garage Details
L-DSG01	17 th December 2009	Double Single Garage
C-SG01	17 th December 2009	Single Garage
A2A064 Rev A	17 th December 2009	The Ashdon

Reason: To define the permission and in the interests of the proper development of the site.

3. 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 sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review

4. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwellings hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

6. The garages hereby permitted shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

Reason: In order to safeguard the residential amenity and character of the area and in accordance with Policy HS4 of the Adopted Chorley Borough Local Plan Review.

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

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.

8. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control

10. The external facing materials, detailed on plan reference BV-i1&2-MS01 Rev B, shall be used and no others substituted without the prior written approval of the Local Planning Authority.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review

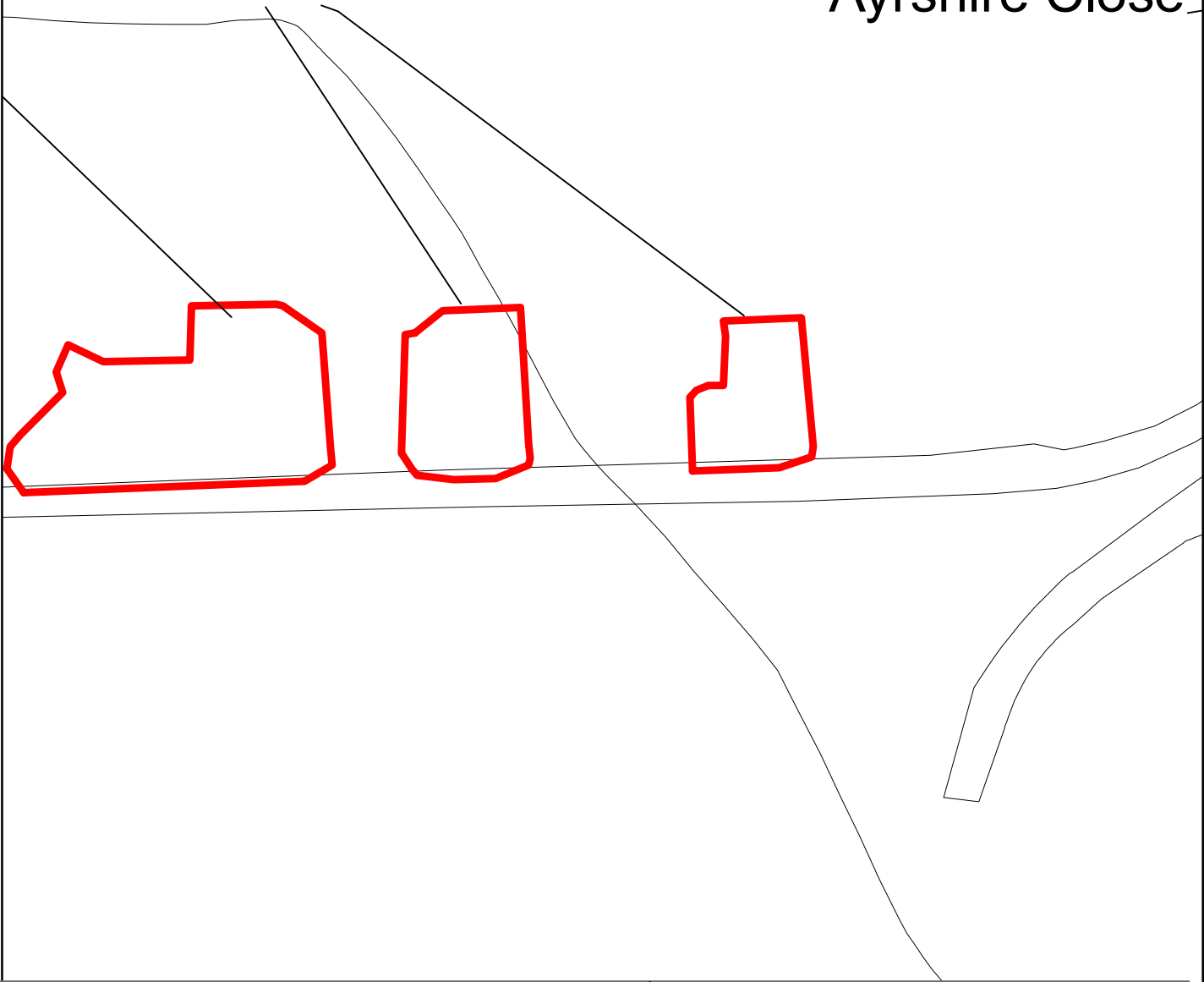
11. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.



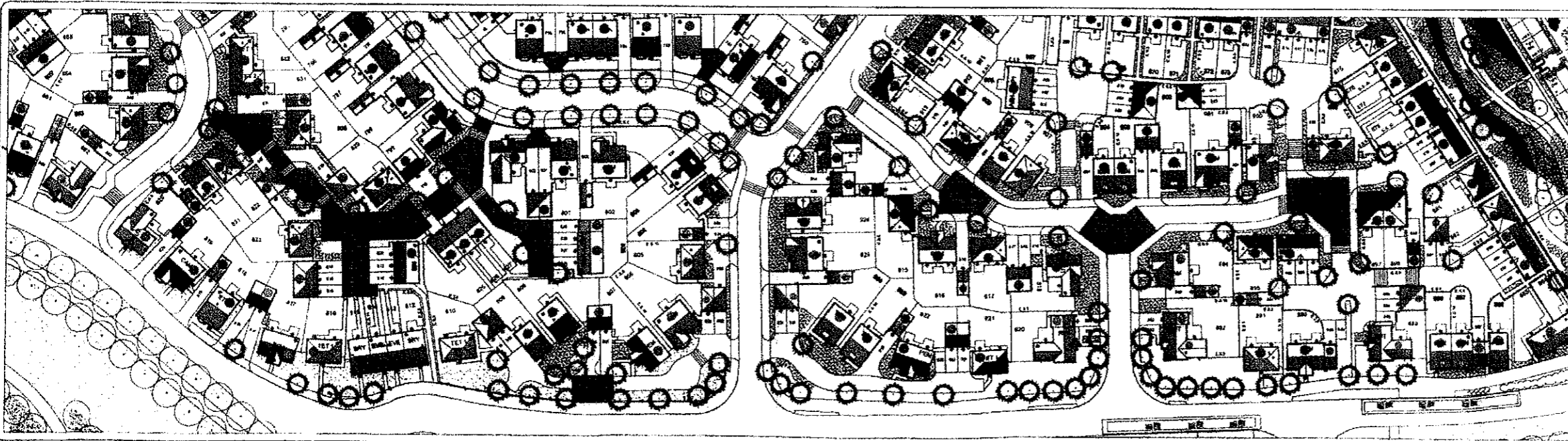
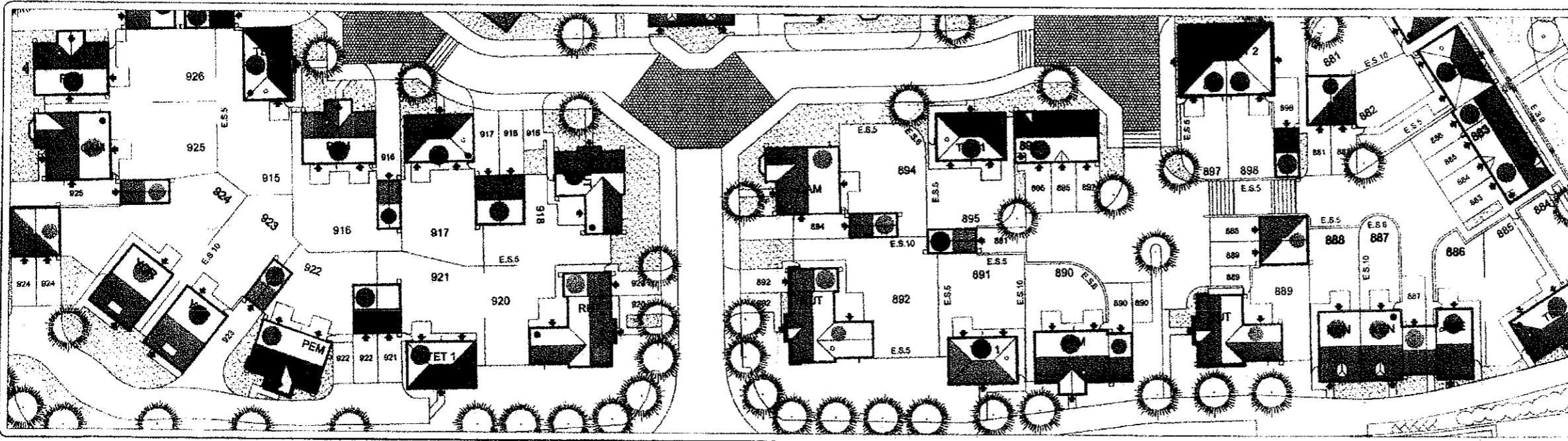
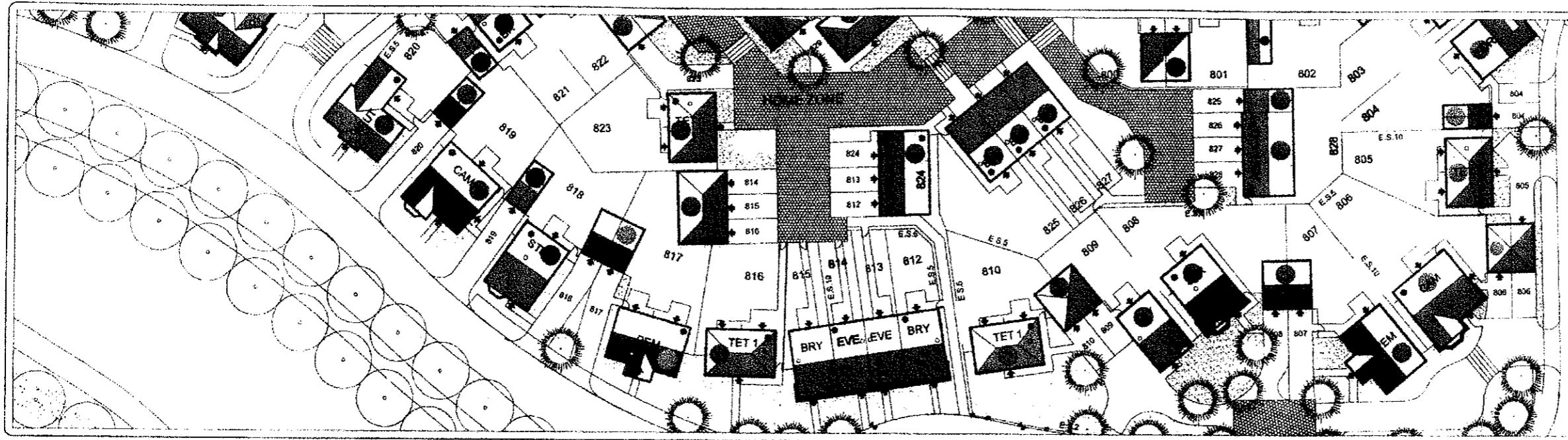
ication Site

Ayrshire Close



Lesley - Ann Fenton Director of Parterships, Planning and Policy		Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Chorley B.C. 100018509	
Application No. 09/00797/REMAJ	Grid Ref: E: 356896 N: 420621	Scale: 1:1,250	7

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Survey information

Legend

Facing Bricks

- Teica Wendeberger Kuddington Red Mult
- Teica Wendeberger Ganshugh Red Stock
- Teica Wendeberger Woodlands Mature
- Teica Wendeberger Fairington Gold Blend

Feature Bricks

All detail bricks, heads & sills to be built using Teica Wendeberger Staffordshire Stream Red

indicates location of feature

Roof Tiles

- Redland Minstersware Farmhouse Red
- Redland Minstersware Breckvale Brown Roof Tile
- Redland Minstersware Slate Grey
- Redland Grovesbury Farmhouse Red
- Redland Grovesbury Breckvale Brown

General

- All windows to be White UPVC
- All Facades to be White UPVC
- All Rainwater Goods to be White

COUNCIL
15 OCT 1990

- 2 NOV 2009

Revision	Date	Amendment	Initials
A	30.10.09	Plots 894/ 916/ 889- 817-820 included in red edge	HC
		09/797	

Development THE VILLAGE PH1 & 2

Location Buckshaw Village, Chorley

Marketing Name

Drawing Title MATERIALS SCHEDULE

Drawing Number BV - I1&2 - MS01

Revision	Scale @ A3	N.T.S
A		
Drawn By	Date Started	OCT 09
HC		
Checked by	Date	

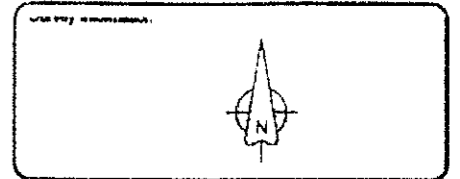
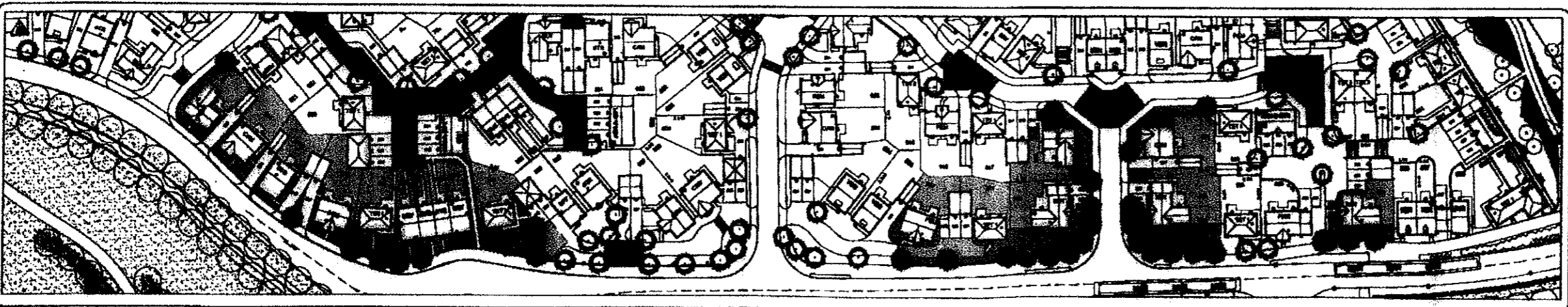
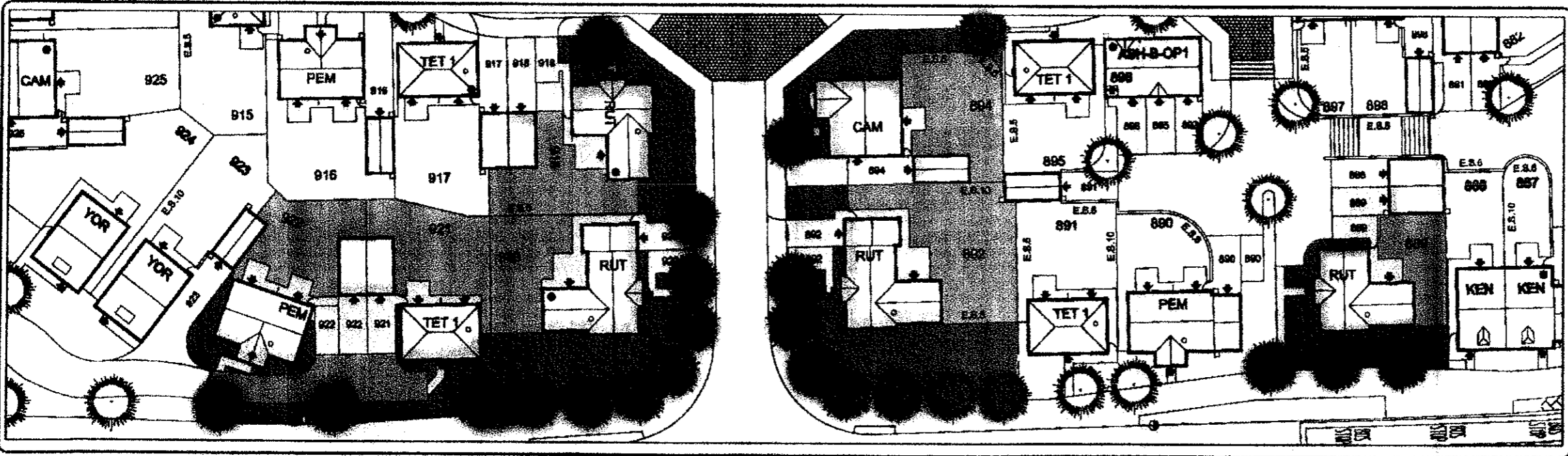
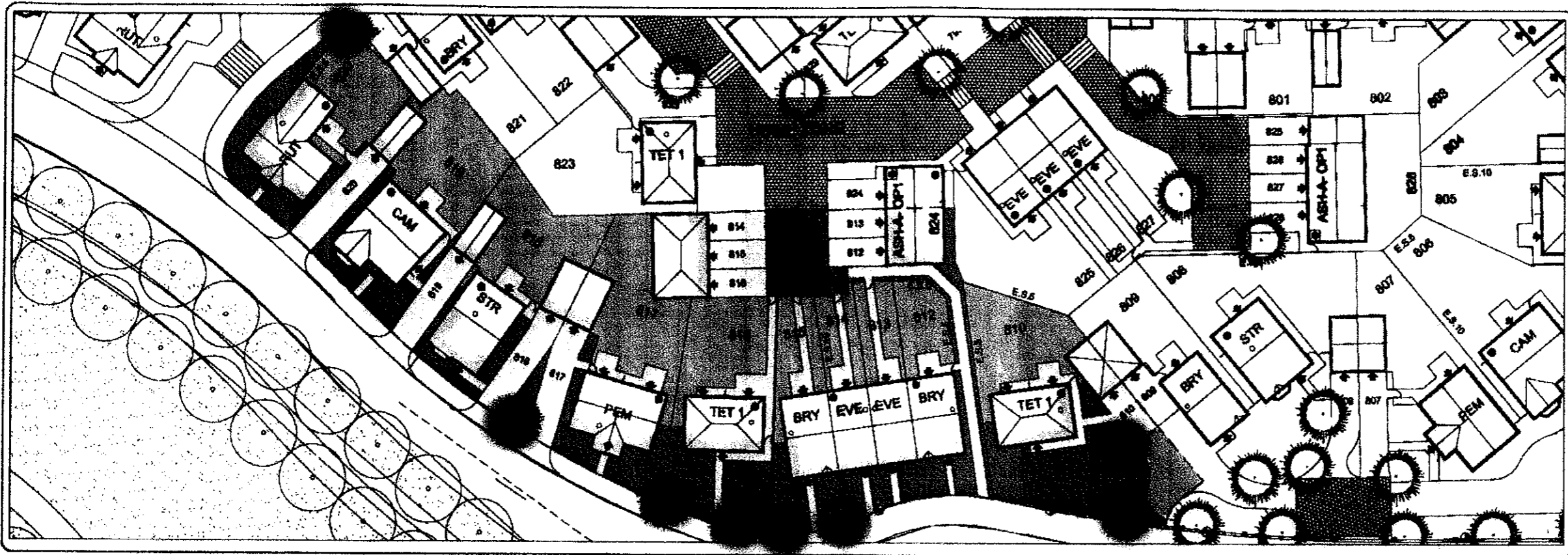
REDROW HOMES

Redrow Homes (Lancashire) Limited

Redrow House, 14 Eaton Avenue, Buckshaw Village, Chorley, Lancashire, PR7 7NA
Tel: 01772 643700 Fax: 01772 643701 Web: www.redrow.co.uk

Legal Disclaimer TBC

This layout has been designed after due consideration of our Context & Contents Plan



Legend

- Line to delineate plot boundaries. Refer to Boundary Treatment plan for type of wall/fence
- Location of plot entrance doors / garage doors
- Indicative position of new tree planting. Refer to Landscape Layout for further details.
- Existing trees to be retained. Trees to be topped, pruned and tidied up by specialist contractor

Item	Description
------	-------------

Mix Schedule

House Type	No Beds	Quantity
HOUSE TYPES		
The Broadway	3	02
The Tetbury 1	3	03
The Evesham	2	02
The Pembroke	4	02
The Ruthin	4	05
The Cambridge	4	02
The Stratford	4	01
TOTAL		17

CHORLEY BOROUGH COUNCIL
 2 NOV 2009
 09/1797

A 29 10 09 Plans 894/ 915 / 899 / 817-820
 included in red edge.

Revision Date: Approved

Development THE VILLAGE PH1 & 2

Location: Buckshaw Village, Chorley

Planning Name: PLANNING LAYOUT COLOURED

Drawing Number: **BV - 11&2 - P02**

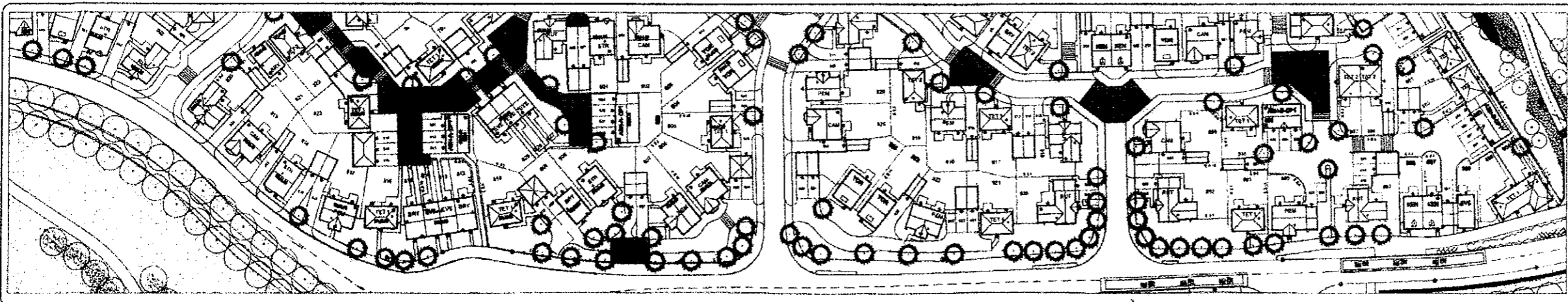
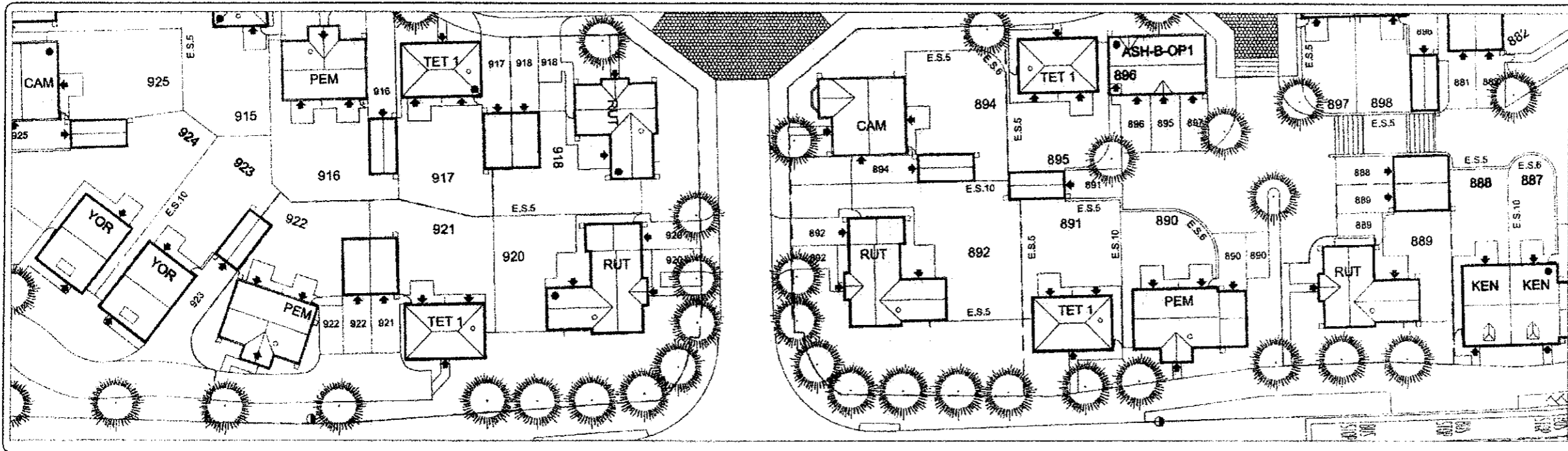
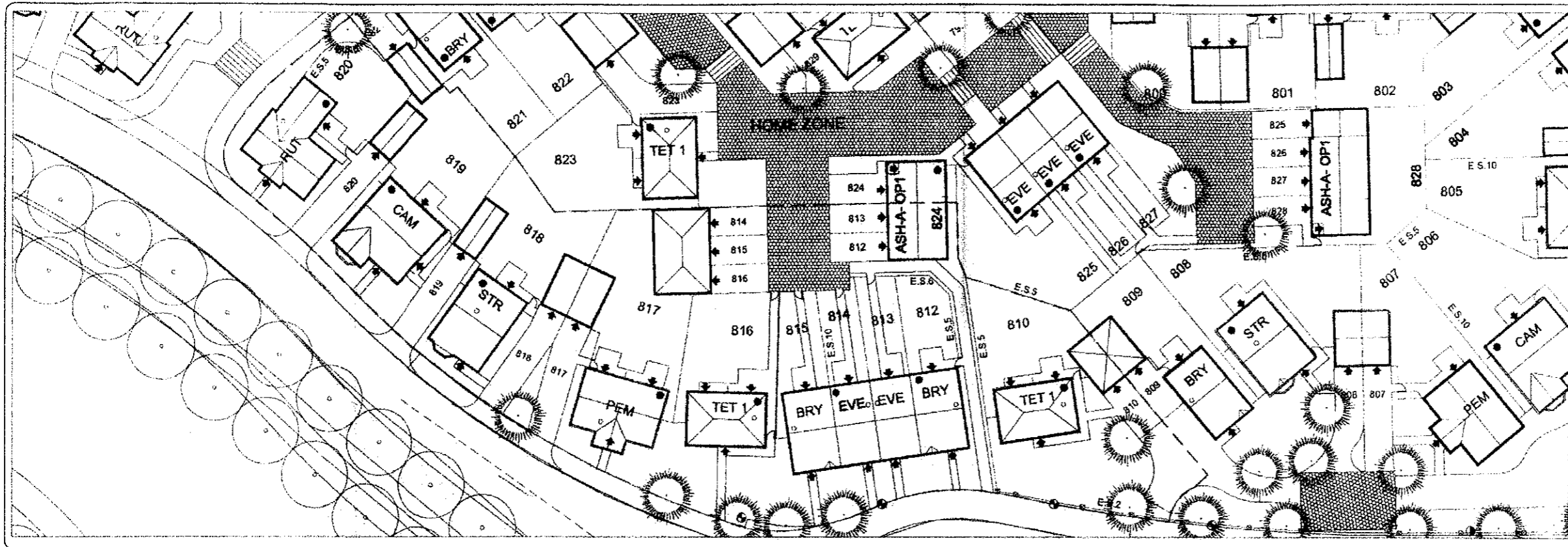
Revision: **A** Scale @ A3: 1:1250/1:500

Drawn By: HC Date Issued: OCT 09

Checked by: Date

REDROW HOMES
 Redrow Homes (Lancashire) Limited
 Redrow Homes, 14 Edna Avenue, Buckshaw Village, Chorley, Lancashire, PR9 7PW
 Tel: 01772 843799 Fax: 01772 843791

Legal Disclaimer: This layout has been prepared after due consideration of our Grids & Gridable Part



Survey Information

Legend

- Line to delineate plot boundaries. Refer to Boundary Treatment plan for type of wall/fence
- Location of plot entrance doors / garage doors
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Item	Description
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Mix Schedule

House Type	No Beds	Quantity
HOUSE TYPES		
The Broadway	3	02
The Tetbury 1	3	03
The Evesham	2	02
The Pembroke	4	02
The Ruthin	4	05
The Cambridge	4	02
The Stratford	4	01
TOTAL		17

CHORLEY BOROUGH COUNCIL
 2 NOV 2009
 A 29 10 09 Plots 894/918/889/817-820
 Revision: Date Amendment

Development: **THE VILLAGE PH1 & 2**
 Location: Buckshaw Village, Chorley
 Marketing Name:
 Drawing Title: **PLANNING LAYOUT**
 Drawing Number: **BV - 11&2 - P02**
 Revision: **A** Scale: **1:1250/1:500**
 Drawn By: **HC** Date Started: **OCT 09**
 Checked by:

REDROW HOMES
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 Tel: 01772 543700 Fax: 01772 645721 Web: www.redrow.co.uk

Legal Disclaimer: TBC
 This layout has been designed after due consideration of our Context & Conditions Plan

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Item 8	09/00799/REMAJ	Approve Reserved Matters
Case Officer	Mrs Nicola Hopkins	
Ward	Astley And Buckshaw	
Proposal	Proposed re-plan of Parcel F (amendment to previous approval 07/00244/FULMAJ) replacing 52 apartments and houses with 61 houses (retaining 11 dwellings of the previous approval)	
Location	Parcel F1 Barratt Homes Central Avenue Buckshaw Village Lancashire	
Applicant	Barratt Homes (Manchester)	
	Consultation expiry: 18th November 2009 Application expiry: 20th January 2010	
Proposal	<p>The application relates to part of Parcel F of Buckshaw Village which is located adjacent to Central Avenue. Reserved matters planning permission was granted for this part of Parcel F in 2007 (07/00244/FULMAJ) for the construction of 30 houses and 28 apartments. Barratt Homes, who are the developers, are now proposing a re-plan of this area hence the submission of this application.</p> <p>Part of the parcel will be developed in accordance with the originally approved scheme incorporating the erection of 11 dwellinghouses. The remainder of the parcel, which is subject to this planning application, will be amended incorporating the erection of 50 dwellinghouses.</p> <p>Outline permission was granted for the Buckshaw Village development in 1997 and amended in 2002. The site as a whole is split between the administrative areas of South Ribble Borough Council and Chorley Borough Council. This application is entirely within the boundary of Chorley Borough Council.</p>	
Summary	<p>The principle of redeveloping the site for a mixed use development was established with the original grant of outline planning permission. The parcel subject to this planning application is allocated for residential development within the Masterplan and as such the proposals are considered to be acceptable.</p>	
Amendments	<p>This application is a resubmission of a previously withdrawn application. The Council's main concern related to the proposed dwellings fronting onto Central Avenue due to the location of the properties and the fact that modern dwellings are proposed. Through negotiations the scheme was amended relocating the dwellings further back into the site to respect the building line along Central Avenue and amendments to the design of the properties to improve the visual amenities along this important frontage.</p>	

Planning Policy	<p>National Polices: PPS1, PPS3, PPS23, PPS25</p> <p>North West Regional Spatial Strategy: Policy DP1: Spatial Principles Policy DP4: Make the best use of Existing Resources and Infrastructure Policy DP7: Promote Environmental Quality Policy RDF1: Spatial Priorities Policy L4: Regional Housing Provision Policy L5: Affordable Housing Policy RT9: Walking and Cycling Policy EM5: Integrated Water Management</p> <p>Adopted Chorley Borough Local Plan Review: GN2: Royal Ordnance Site, Euxton GN5: Building Design and Retaining Existing Landscape Features and Natural Habitats GN9: Transport Accessibility EP18: Surface Water Run Off HS4: Design and Layout of Residential Developments HS5: Affordable Housing TR1: Major Development- Tests for Accessibility and Sustainability TR4: Highway Development Control Criteria TR18: Provision for pedestrians and cyclists in new developments</p>
Planning History	<p>97/00509/OUT: Outline application for mixed use development (granted in 1999)</p> <p>02/00748/OUT: Modification of conditions on outline permission for mixed use development</p> <p>07/00244/FULMAJ: Construction of 30 no. houses and 28 no. apartments with associated parking. Approved April 2007</p> <p>09/00527/REMMAJ: Proposed re-plan of parcel F (amendment to previous approval 07/00244/FULMAJ) replacing 52 apartments and houses with 57 houses (retaining 6 dwellings of the previous approval). Withdrawn</p>
Applicant's Case	<p>The following points have been submitted in support of the application:</p> <ul style="list-style-type: none"> • Current housing market conditions dictate that three storey properties are unpopular and it is difficult to get mortgages on apartments • 29 of the proposed 50 plots are from the Aspirations range which is a new concept of housing at more affordable market values. They have been designed to mirror the living space of an apartment over two storeys • The Aspirations house types have 100% parking for the 2 bed units and 200% parking for the 3 bed units. This matches the provision on the already approved scheme. The conventional house types have 200% parking provision and 300% for the larger units.
Representations	None received
Consultations	Lancashire County Council (Highways) have no comments to make

The Environment Agency has no objection

United Utilities has no objection subject to various conditions/informatives

Chorley's Environmental Services have no objection

Assessment

Principle of the Development

Policy GN2 of the Adopted Chorley Borough Local Plan Review applies to the Royal Ordnance Site. This states that high quality and phased development will be permitted for purposes appropriate to the concept of an Urban Village. Parcel F is allocated as a Contemporary Housing parcel within the Masterplan approved under the outline permission and the Buckshaw Village Design Code. This parcel also includes a key frontage element along Central Avenue

In respect of the contemporary housing parcels the Masterplan states that these parcels should incorporate modern estate development with 1-3 storey detached, semi-detached and terraced housing at a density of 25-35 dwellings per hectare.

The site covers 4.5 acres which equates to 1.84 hectares. The proposal incorporates the erection of 50 new dwellings and 11 previously approved dwellings which equates to approximately 33 dwellings per hectare. This accords with the densities set out with the Masterplan for this Parcel

Proposed Amendments

The originally approved scheme incorporated the erection of 30 apartments and 28 detached, semi-detached and terraced properties. The apartments were sited along the Central Avenue with the dwellinghouses sited to the rear of the apartments and to the rear of the drainage pond which forms part of this parcel.

The current proposal deletes all of the proposed apartments. Eleven of the dwellings approved as part of the previous approval are retained and do not form part of this planning application. The proposed scheme incorporates the erection of 50 dwellings in total, 21 are traditional detached, semi-detached and terraced properties and the remaining 29 dwellings are the Aspiration house type range. This house type range is modern house types which reflects the internal floor space typically associated with apartments however incorporated into two and three storey dwellinghouses. The proposals include a mixture of 1, 2, 3 and 4 bedroom dwelling in a mixture of 2, 2.5 and 3 storey dwellings.

The properties on plots 22-41 are the Peridot and Amber house type, which form part of the Aspirations range. These properties have the appearance of a more traditional house type although they are relatively small two bedroom dwellings sited in 'clusters' of five properties. The properties which front onto Central Avenue, and replace the originally approved apartments, are also Aspirations house types which are relatively small dwellinghouses which reflect the floor areas typically associated with apartments. These properties will be very prominent within the Central Avenue frontage.

It is proposed that the smaller dwellings on the site, the Aspiration

house types (plots 22-41, 42-47 and plots 59-61), will be marketed at young people/ first time buyers. Barratt Homes have confirmed that they will secure, through long term lease arrangements, that these plots cannot be occupied other than by the owner so as to exclude investors and therefore making the properties genuinely available in the long term to first time buyers. A management company will maintain the communal areas and all the external fabric of the building which will protect the integrity and quality of the development.

A similar model was used as part of Redrow's debut housing scheme on the opposite side of Central Avenue. On the Debut parcel the developer achieved more affordable housing by the exclusion of private amenity space and a more flexible approach to spaces between dwellings. This is similar to the current proposals. The properties do not have private gardens however open landscaped areas are incorporated within the layout. This range of house types is in addition to the affordable housing requirements on the Village which were secured through the original Section 106 Agreement.

Design and Appearance

The design and appearance of the traditional housing reflects those properties on the adjacent parcels. The properties on plots 10-21 front onto the detention pond which forms part of this parcel and will be visible from Central Avenue. The properties along this frontage consist of Maidstone house types (3 bedroom, two storey properties) and the Kingsville house type (3 bedroom, 2.5 storey properties). These properties reflect traditional house types. The properties on plots 10 and 21 will incorporate dual aspect dwellings due to their siting on corner plots.

The properties on plots 22-41 incorporate small two bedroom dwellinghouses sited within four blocks of five dwellings. The Amber house types are back to back 'cluster' properties with a Peridot house type attached at the end of the block. These properties form part of Barratts Aspiration range however they are the more traditional version of this type of property.

The properties along Central Avenue, plots 42-57 and plots 59-61, are also part of Barratts Aspiration range however these properties are the more contemporary versions. These properties front onto Central Avenue and as such will be a very prominent element of this parcel. The submission of this application follows a previously withdrawn application, this application was withdrawn due to the need for various amendments particularly to the properties along Central Avenue. The requested amendments include siting the properties further back into the parcel to ensure that the building line along Central Avenue is maintained and amendments to the properties along Central Avenue to improve the visual amenities along this important street scene. These amendments have been incorporated into this re-submitted application.

These properties back onto one another and provide a parking space at ground floor level with a decked area (an element of private amenity space) at first floor level. The three storey Quartz house type, of which there is only two, also incorporates a roof terrace.

All of the Aspirations house types incorporate very tight layouts which do not achieve the Council's spacing standards. As the properties will be constructed back to back there is no issue in respect of interlocking. The four blocks of five dwellings do not achieve the 21 metres window to window distance across the highway however the future purchasers will be aware of this distance before they purchase the property. Similarly the 12 metre window to gable distance is not achieved across all of the Aspirations house types however the purchasers of the properties will also be aware of the relationship when they purchase the properties. It is considered that this 'tight' layout ensures that more affordable housing can be achieved without having a significant impact on the future amenities of the occupiers.

The more traditional properties on this parcel achieve the required spacing standards and provide an adequate amount of private garden space within the curtilages of the properties.

In respect of the existing dwellinghouses on the adjacent parcels the only area where there will be an impact is the relationship of the proposed Aspirations house types and the neighbouring apartment blocks. The properties where there is a direct interface retain over 17 metres spacing distance which is similar to the approved layout and the majority of the proposed properties will directly face parking courts and garages. As such there is no issue in respect of neighbour amenity.

This parcel is identified as a contemporary housing parcel within the Residential Design Code. Contemporary Housing Parcels are defined as modern estate development. The modern Aspirations house types do not strictly accord with the design characteristics of a contemporary housing parcel however the introduction of these properties represents an innovation aimed at providing lower cost housing than could otherwise be achieved. This is an experiment and requires some normal external standards to be cut. The developers are retaining a stake in the scheme and managing the entire external environment to reduce the risk.

Buckshaw Village is a new residential environment and previously Committee have taken the view, at the Debut parcel, that it is an ideal place to accept the risks inherent in a new concept such as this. It is considered that the proposals generally accord with Policy GN2 and the Residential Design Code for Buckshaw Village

Highways

The layout incorporates the extension of existing estate roads within the Village development to serve this parcel. It is proposed that only part of the highway network will be adopted with some of the accessways falling under the responsibility of the Private Management Company.

The traditional two and three bedroom properties on this parcel accommodate two off road parking spaces. Whilst the traditional four bedroom dwellings have two off road parking spaces and garage accommodation. Although where internal garage accommodation is proposed (plots 1, 4 and 5) the dimensions do not accord with Manual for Streets (the internal garages measure 3x5.5 metres) the fact that 2 off road parking spaces are provided to the front of the garage is an improvement to the approved

scheme and it is not considered reasonable to refuse on lack of parking taking into account the approved scheme which could still be constructed. The proposed detached garages accord with Manual for Streets. As such sufficient parking provision is provided.

The one and two bedroom Aspirations house types incorporate 1 designated parking space. This is acceptable for the one bedroom dwellings however usually two parking spaces should be provided for the two bedroom dwellings. These properties are, however, relatively small similar to the size of apartments and will be aimed at the first time buyer market. As such in this situation it is considered that one parking space per property will be sufficient for these types of dwellings. The three storey, 3 bedroom Quartz (Aspirations) house types incorporate two designated parking spaces which is considered to be acceptable.

The Highway Engineer has confirmed the proposed changes would have no highway impact and as the external areas are to be controlled and maintained by a management company, there is no road making implications either.

Refuse

The traditional house types and the Aspirations house types on plots 42-47 and 59-61 incorporate in curtilage refuse storage. The Aspirations house types on plots 22-41 have a designated bin store. It is intended that the management company responsible for the central communal area will move the bins from the store to the back of the adoptable footpath on bin collection days. This notwithstanding however a vehicle tracking plan has been submitted with the application which demonstrates that refuse vehicles can enter and manoeuvre within the available space.

The Council's Waste & Contaminated Land Officer has confirmed that the proposals are acceptable from a waste storage and collection perspective.

Levels

The application is accompanied by a levels plan which demonstrates that the proposed levels are similar to the surrounding properties and the adjacent Green Corridor. As such there will be no neighbour amenity issues created through significant level differences

Section 106 Agreement

Lancashire County Council's Planning Obligations team have requested planning obligations associated with this development. This proposal is, however, as reserved matters application associated with a previously approved outline approval. The Section 106 Agreement for this site was established at the granting of outline approval and as such no further obligations can be requested.

Conclusion

The proposals accord with the Masterplan and represent a modern housing development within the Village. The principle of housing development was established with the grant of outline planning permission and the parcel subject to this application will see a further expansion of the residential elements of the Village.

**Recommendation: Approve Reserved Matters
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 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

3. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

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

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.

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 sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwellings hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review

7. The external facing materials detailed within the submitted Design and Access Statement, namely Terca Woodland Mixture Facing Brick, 2 coat sand/ cement render, Marley Modern Smooth Grey roof tiles and Rivendale Fibre Cement Slate, shall be used and no others substituted without the prior written approval of the Local Planning Authority.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review

8. The development hereby permitted shall not commence until full details of the colour, form and texture of the timber cladding to the proposed buildings (notwithstanding any details shown on the previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

9. The hard ground- surfacing materials detailed within the submitted Design and Access Statement, namely Pennant Grey Tegular Paving for the main vehicle route, Brindle Block Paving for the parking bays and Buff paving slabs for the access to and around the properties, shall be used and no others substituted without the prior written approval of the Local Planning Authority.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.

10. Before the development hereby permitted is first occupied, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. RT2 of the North West Regional Spatial Strategy 2008.

11. The integral and detached garages hereby permitted shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking and in accordance with Policy No. RT2 of the North West Regional Spatial Strategy 2008

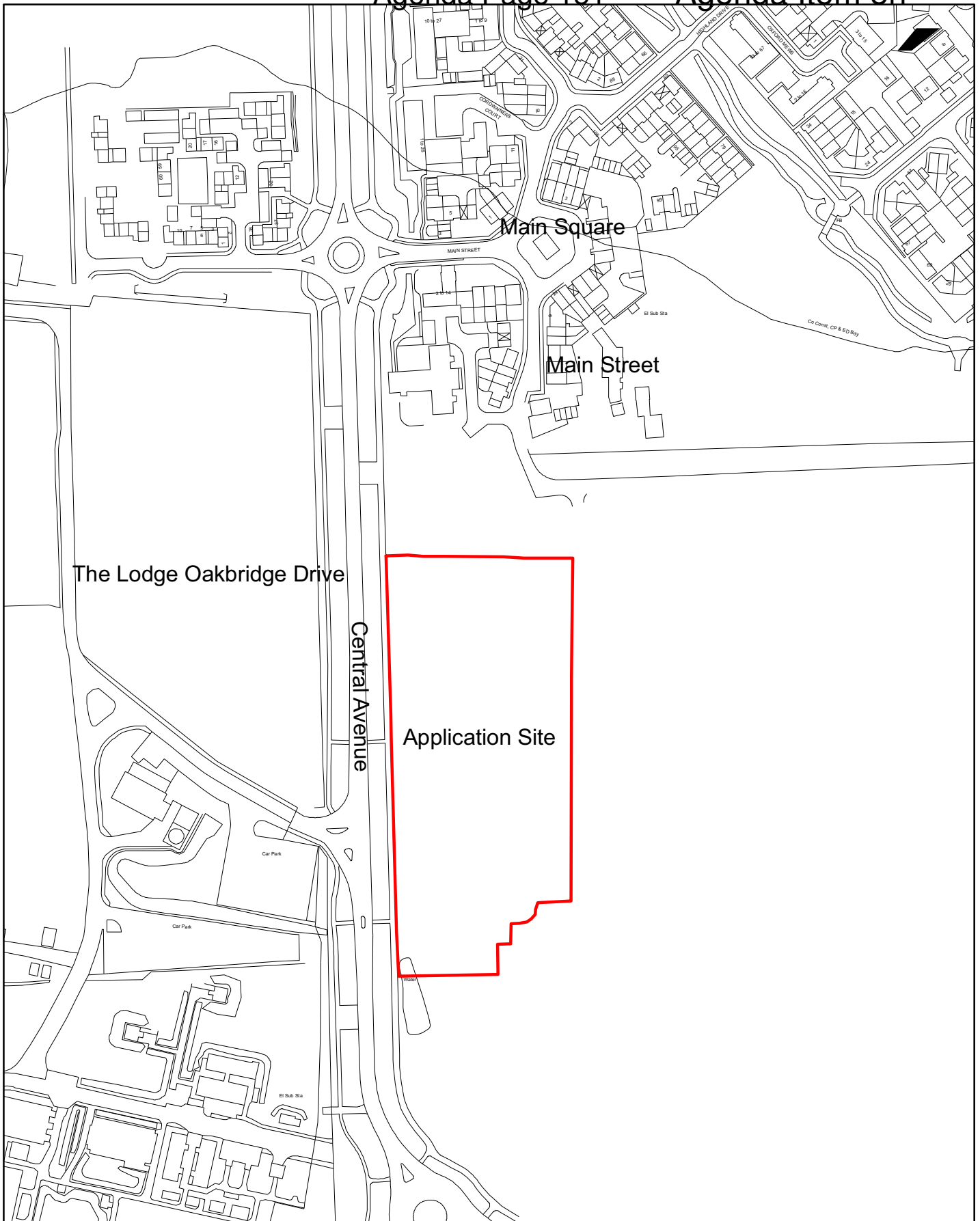
12. The approved plans are:

Plan Ref.	Received On:	Title:
351/PL01 Rev M	2 nd December 2009	Planning Layout
351/QUA01 Rev C	2 nd December 2009	Quartz house types plans and elevations
351/WIN01	13th October 2009	Windermere house type plans and elevations
351/ALD01 Rev A	13th October 2009	Alderney House type plans and elevations
351/KIN01	2 nd December 2009	Kingsville House type plans And elevations
351/MAI(S)01 Rev A	2 nd December 2009	Maidstone (semi) house type plans and elevations (plots 20 and 21)
351/MAI(S) 02 Rev A	13th October 2009	Maidstone (semi) house type plans and elevations (plots 10 and 11)
351/PM401	13th October 2009	Palmerston 4 house type plans and elevations
351/BUK01 Rev A	2 nd December 2009	Buckingham house type plans and elevations
351/MAI(D) 01	13th October 2009	Maidstone (Detached) house

351/PER&AMB01 Rev B	2 nd December 2009	type plans and elevations (plots 8 and 9) Peridot & Amber house type plans and elevations
351/PER&AMB02	2 nd December 2009	Peridot & Amber House types plans and elevations (plots 22-26 and 32-36)
351/PEA01 Rev A	13th October 2009	Pearl house type plans and elevations
351/TOP01 Rev B	13th October 2009	Topaz house type plans and elevations
351/OS01	21 st October 2009	Ordnance Survey
351/BS01	13th October 2009	Bin Store Detail 01
351/CASS01 Rev D	3 rd December 2009	Plots 42-47, 59-61
351/G 02	13th October 2009	Double Garage
WF01 Rev A	13th October 2009	Walls and Fences
c-620-01 Rev B	13th October 2009	Soft and Hard Landscape Proposals
251/TS01	13th October 2009	Topographical Survey
293/ED/816 Rev A	13th October 2009	Proposed Finished Floor Levels
351/ML01	13th October 2009	Materials Layout

Reason: To define the permission and in the interests of the proper development of the site.

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Lesley - Ann Fenton Director of Parterships, Planning and Policy		Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Chorley B.C. 100018509	
Application No. 09/00799/REMAJ	Grid Ref: E: 356309 N: 420507	Scale: 1:2,500	8

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WARNING TO HOUSE PURCHASERS
Property Misdescriptions Act 1991

Buyers are warned that this is a working drawing and a not intended to be treated as descriptive material describing, in relation to any particular property or development, any of the matters prescribed by any Order made under the above Act. The contents of this drawing may be subject to change at any time and alterations and variations can occur during the progress of the works without revisions of the drawing. Consequently the layout, form, content and dimensions of the finished construction may differ materially from those shown. Nor do the contents of this drawing constitute a contract, part of any contract, or warranty.

Schedule of Accommodation

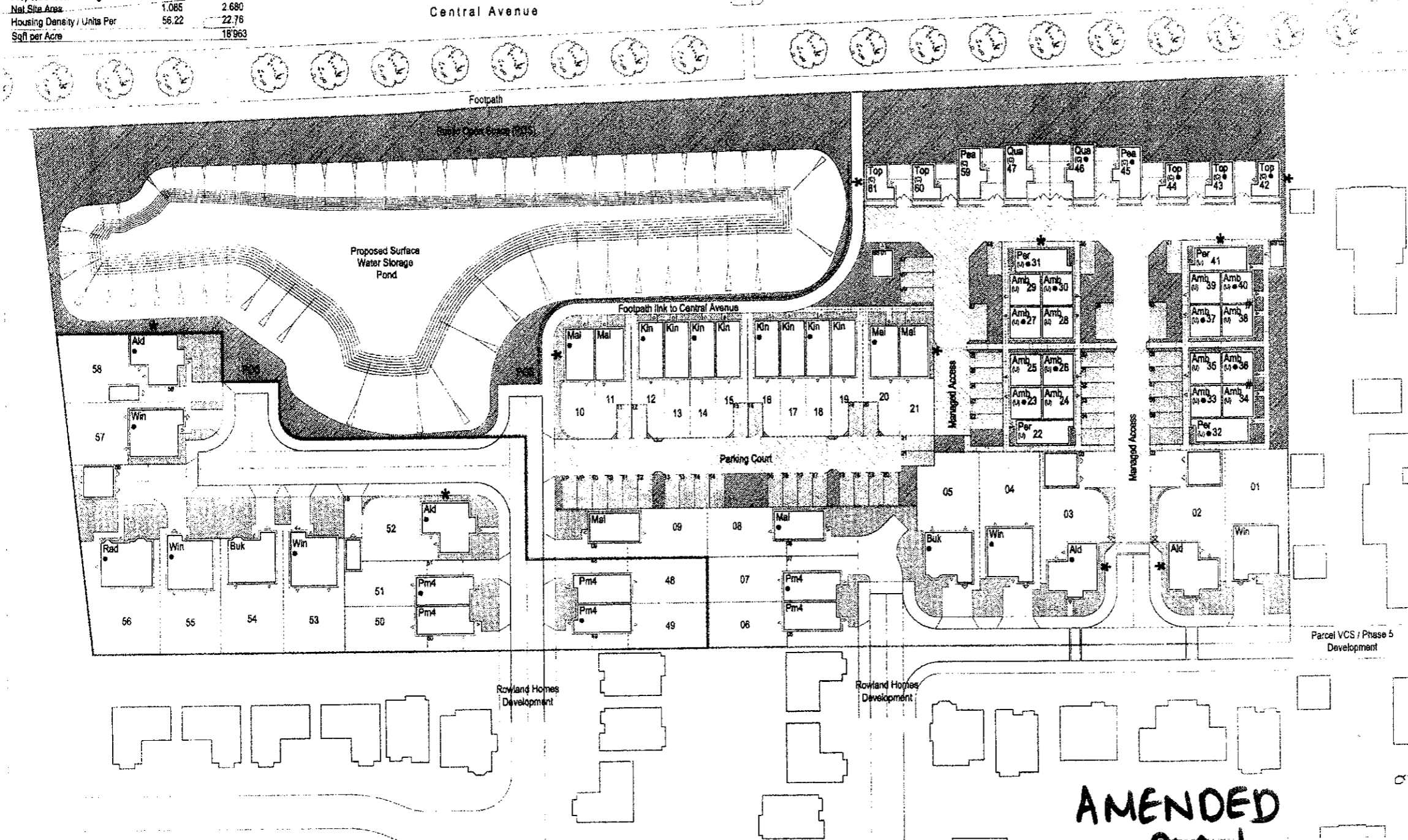
Abb'	House Type	No	s.q.m	s.q.ft	Total s.q.ft
Rad	Redleigh	1	127.5	1'372	1'372
Ald	Aldemey	4	112.3	1'209	4'836
Win	Windemere	5	107.7	1'159	5'795
Kin	Kingsville	8	104.8	1'128	9'024
Buk	Buckingham	2	98.5	1'060	2'120
Pm4	Palmerston4	6	83.9	904	5'424
Mai	Maldstone	6	77.2	832	4'992
		32			33'563

Accessories house type:					
Top	Topaz	5	44.7	482	2'140
Pea	Pearl	2	81.8	865	1'330
Qua	Quartz	2	85.9	925	1'850
Per	Peridot	4	67.0	721	2'884
Amb	Amber	16	52.6	566	9'056
		29			17'280

Total: 61 50'823

Ha (hectare) Acres

Gross Site Area	1.843	4.554
Public Open Space	0.245	0.606
Home Zone	0.133	0.329
Proposed Water Storage Pond	0.380	0.939
Net Site Area	1.085	2.680
Housing Density / Units Per	56.22	22.76
Sqft per Acre	18'963	



Rev	Description	Date	Drawn	Chk'd
A	Various minor amendments following comments from the LA	11/06	S J W	
B	Rowland's approved layout added	11/07	PAS	
C	Layout amended following comments from LA	25/07/07	M C	
D	Scheme amended to LA comments	28/02/07	PAS	
E	Amended to LA comments	29/03/07	PAS	
F	Speed table added to junction	13/04/07	PAS	
G	As & Opp annotation added	24/04/07	S J W	
H	Minor amendments to plots 39, 40, & 44	31/07/07	P C D	
I	Electrify Easement added to site	28/10/07	P C D	
J	Eastern boundary altered to suit correct setting out co-ordinates	28/10/07	S J W	
K	Re plan, accommodating Appointments house types, to whole site excluding plots 33 - 09	29/06/09	S J W	
L	Re plan altered following comments from LA	26/08/09	S J W	
M	Layout updated following comments from the LA, to demonstrate how 2 parking spaces for plots 7 and 8 can be achieved, and to increase the length of the parking spaces within the parking courts to 5.5 meters long	12/12/09	S J W	



BARRATT HOMES MANCHESTER

Barratt Homes Manchester
(A division of BDW Trading Ltd)
4 Brindley Road
City Park
Manchester
M16 9HQ
Tel: 0161 872 0161
Fax: 0161 855 2828

Job	Title	Design By	Date	Drawing Number	Rev
Buckshaw Village Phase B / Parcel F	Planning Layout	S J W	July 2009	351 / PL01	M
		S J W	15/09		

AMENDED PLAN

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Item 9 09/00804/REMMAJ Approve Reserved Matters

Case Officer Mrs Nicola Hopkins

Ward Astley And Buckshaw

Proposal Proposed re-plan of Parcel K (amendment to previous approval 05/00106/REMMAJ) replacing apartments, town houses and coach-houses with 27 dwelling houses.

Location Land North Of Main Street And Immediately East Of Coopers Place Buckshaw Village Lancashire

Applicant Barratt Homes Manchester

Consultation expiry: 18th November 2009

Application expiry: 15th January 2009

Proposal This application relates to Parcel K, Buckshaw Village and proposes an amendment to a previously approved layout. Planning permission was granted in April 2005 for this parcel of land which included the erection of 155 dwellings which included a mixture of houses and apartments. The proposal incorporates amending part of this parcel.

The proposal includes erecting 27 dwellings. 18 of the proposed dwellings are located within Chorley Borough and the remaining properties are located within South Ribble. The scheme includes constructing Barratts Aspirations house types. These properties are modern dwellings which reflect the size of an apartment however they are in the form of 2 storey dwellings.

Summary The proposals reflect an amendment to a previously approved scheme which is considered to be appropriate for the specific character area and will introduce a variation of house types into the Village.

Planning Policy **National Policies:**
PPS1, PPS3, PPS23, PPS25

North West Regional Spatial Strategy:

Policy DP1: Spatial Principles

Policy DP4: Make the best use of Existing Resources and Infrastructure

Policy DP7: Promote Environmental Quality

Policy RDF1: Spatial Priorities

Policy L4: Regional Housing Provision

Policy L5: Affordable Housing

Policy RT9: Walking and Cycling

Policy EM5: Integrated Water Management

Adopted Chorley Borough Local Plan Review:

GN2: Royal Ordnance Site, Euxton

GN5: Building Design and Retaining Existing Landscape Features and Natural Habitats

GN9: Transport Accessibility

EP18: Surface Water Run Off

HS4: Design and Layout of Residential Developments

HS5: Affordable Housing

TR1: Major Development- Tests for Accessibility and Sustainability

TR4: Highway Development Control Criteria

TR18: Provision for pedestrians and cyclists in new developments

Planning History **97/00509/OUT:** Outline application for mixed use development (granted in 1999)

02/00748/OUT: Modification of conditions on outline permission for mixed use development

05/00106/REMAJ- Reserved Matters application for residential development comprising of 155 dwellings, garages, parking areas and landscaping. Approved April 2005

09/00900/NLA- Neighbouring Local Authority application from South Ribble Borough Council for a proposed re-plan of Parcel K replacing apartments, townhouses and coachhouses with 27 house types. No objection

Applicant's Case The following points have been submitted in support of the application:

- Current market conditions dictate that three storey properties are unpopular and it is difficult to get mortgages on apartments. Therefore this part of the site has been replanned
- 23 of the proposed 27 plots are from the Aspirations range which is a new concept of housing at more affordable market values
- The properties have been designed to mirror the living space of an apartment over two storeys

Representations None received

Consultations **South Ribble Borough Council** have no objections

Environment Agency has no objections

United Utilities have no objection subject to various conditions/informatives

Chorley Environmental Services have no objection

Assessment **Principle of the Development**

Policy GN2 of the Adopted Chorley Borough Local Plan Review applies to the Royal Ordnance Site. This states that high quality and phased development will be permitted for purposes appropriate to the concept of an Urban Village. Parcel K is wholly allocated as Village Street character area within the Master plan approved under the outline permission and the Buckshaw Village Design Code

In respect of the village street character housing parcels the Masterplan states that these parcels are defined as pre and post Industrial revolution character areas within 2 to 3 storey blocks principally terraces with a density of 40-50 dwellings per hectare.

All of the proposed dwellings which fall with the boundary of Chorley Borough are the Aspirations house types. These are modern dwellings which include a mixture of 2 and 3 storey dwellings. The scheme represents a continuation of the village centre theme running into the village street and therefore the layout is characterised by narrow frontages with vertical emphasis with three-storey properties interspersed with two-storey predominantly in rows rather than detached and semi-detached properties. The current scheme reflects this character and is considered to be acceptable in respect of the approved design code. Although the proposed house type range is a modern interpretation the proposed dwellings will be constructed of traditional red brick and render which will be in keeping with the more traditional surrounding house types.

Proposed amendments

The originally approved layout for this part of the site incorporated a mixture of two bedroom apartments, two bedroom houses and three bedroom houses. Parking was in the form of a parking court to the rear of the dwellings and accommodated 1 parking space per property.

The proposed scheme incorporates a mixture of two and three storey properties which include 2 and 3 bedroom dwellinghouses. The property on plot 89 is a one bedroom flat over garage which is very similar to the approved scheme. The proposals incorporate a mixture of courtyard parking and in curtilage parking all at 100% (1 space per property). The Quartz house types on plots 168-170 accommodate in curtilage parking.

The proposed layout is very similar to the approved layout and will result in a very similar layout which is considered to be acceptable.

Parking and Highways

Although no comments have been received from the Highway Engineer the proposed layout reflects the approved scheme which was considered to be acceptable. The adoptable part of the highway is identical to the approved scheme and does not form part of this application. The remainder of the site will not be adopted and will be privately managed, as such no adverse comments from the Highway Engineer are envisaged.

Each property has 1 car parking space. In accordance with the draft Regional Spatial Strategy car parking standards and the Council's House Extension Design Guidelines two and three bedroom properties should provide 2 off road parking spaces. However in this situation the properties, although dwellinghouses reflect the internal dimensions of apartments. Additionally this parking provision reflects the previously approved provision and this permission could still be implemented. As such it is not possible to require additional parking provision. However taking into account the size of the dwellings proposed and the location of the dwellings one space per dwelling is considered to be acceptable.

Refuse Collection

The properties on plots 168-170 will have their own in curtilage refuse storage. The remainder of the properties will have a designated bin storage area. The Council's Waste &

Contaminated Land Officer has confirmed that the proposals are acceptable from a waste storage and collection perspective.

Neighbour amenity

This site forms part of a larger residential parcel at Buckshaw Village. When planning permission was originally granted for this parcel due to the utilisation of this tight-knit village character the visibility interface standards on certain parts of the development were reduced below what would normally be required. Given the high density achieved and the variation in orientation and house types used, it was considered that the layout achieved satisfactory natural light to the properties and satisfactory levels of privacy by way of the design rather than distance.

This part of the site represents a continuation of the village street character area with a high density relatively 'tight' layout. The parcel is 0.3 hectares in size and the erection of 27 dwellings represents a very high density. However as already set out the density reflects the approved density for this part of the site and is considered to be appropriate for this village street character area.

The majority of the plots within the Chorley boundary do not have private garden areas however this reflects the approved layout. The site is adjacent to a Green Corridor and landscaped pedestrian access is provided to this open space. This communal open space will be maintained by a private management company

The three quartz house types do have an element of private space in the form of first floor terrace areas and second floor roof terraces. These two areas of private space will overlook the Green Corridor. The first floor terrace area for plot 170 adjoins the terrace area for plot 169 however the internal layout of these properties has been orientated to ensure that no habitable room windows overlook these private areas creating usable outdoor space.

It is not considered that the layout will create amenity issues to the detriment of the future residents and future purchasers will be aware of the tight layout.

Levels

The application is accompanied by a levels plan which demonstrates that the proposed levels are similar to the surrounding properties and the adjacent Green Corridor. As such there will be no neighbour amenity issues created through significant level differences.

Green Corridor

Part of the Green Corridor network which forms the cycle and pedestrian links through the village borders the site. The properties adjacent to the Green Corridor overlooks the corridor which provides natural surveillance, utilises this asset within the design of the properties and provide visual interest along the Green Corridor.

Conclusion

Reserved matters approval has already been granted for this part of Buckshaw Village. The amendments proposed are not considered to be significant and will introduce a variation in house type across the Village. As such the scheme is considered to be acceptable.

Recommendation Approve Reserved Matters**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 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

3. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

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

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.

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 sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwellings hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

7. The external facing materials detailed within the submitted Design and Access Statement, namely Terca Woodland Mixture Facing Brick, 2 coat sand/ cement render and Russell Galloway Anthracite Grey roof tiles, shall be used and no others substituted without the prior written approval of the Local Planning Authority.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.

8. The hard ground- surfacing materials detailed within the submitted Design and Access

Statement, namely Pennant Grey Tegular Paving for the main vehicle route, Brindle Block Paving for the parking bays and Buff paving slabs for the access to and around the properties, shall be used and no others substituted without the prior written approval of the Local Planning Authority.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.

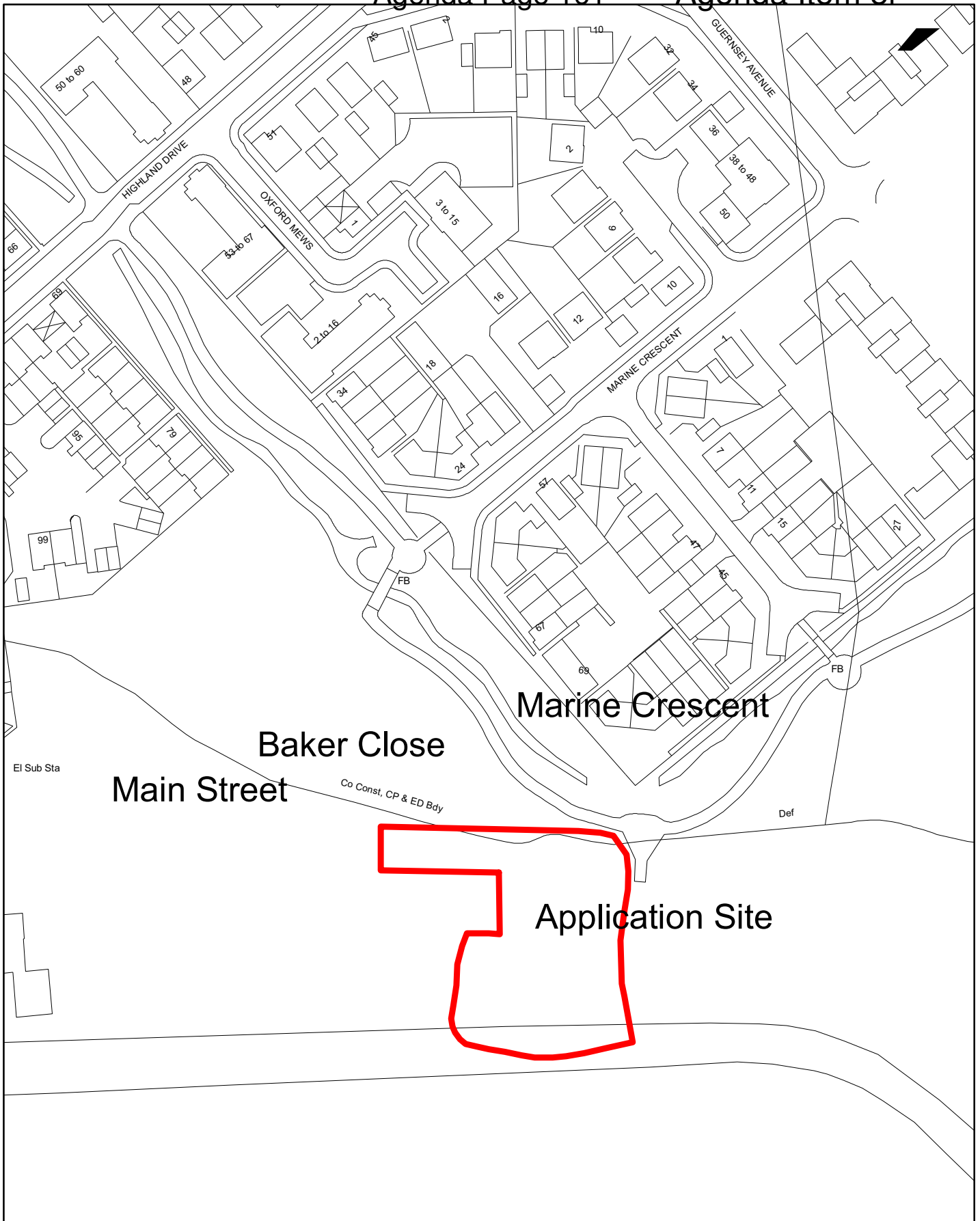
9. Before the development hereby permitted is first occupied, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. RT2 of the North West Regional Spatial Strategy 2008.

10. The approved plans are:

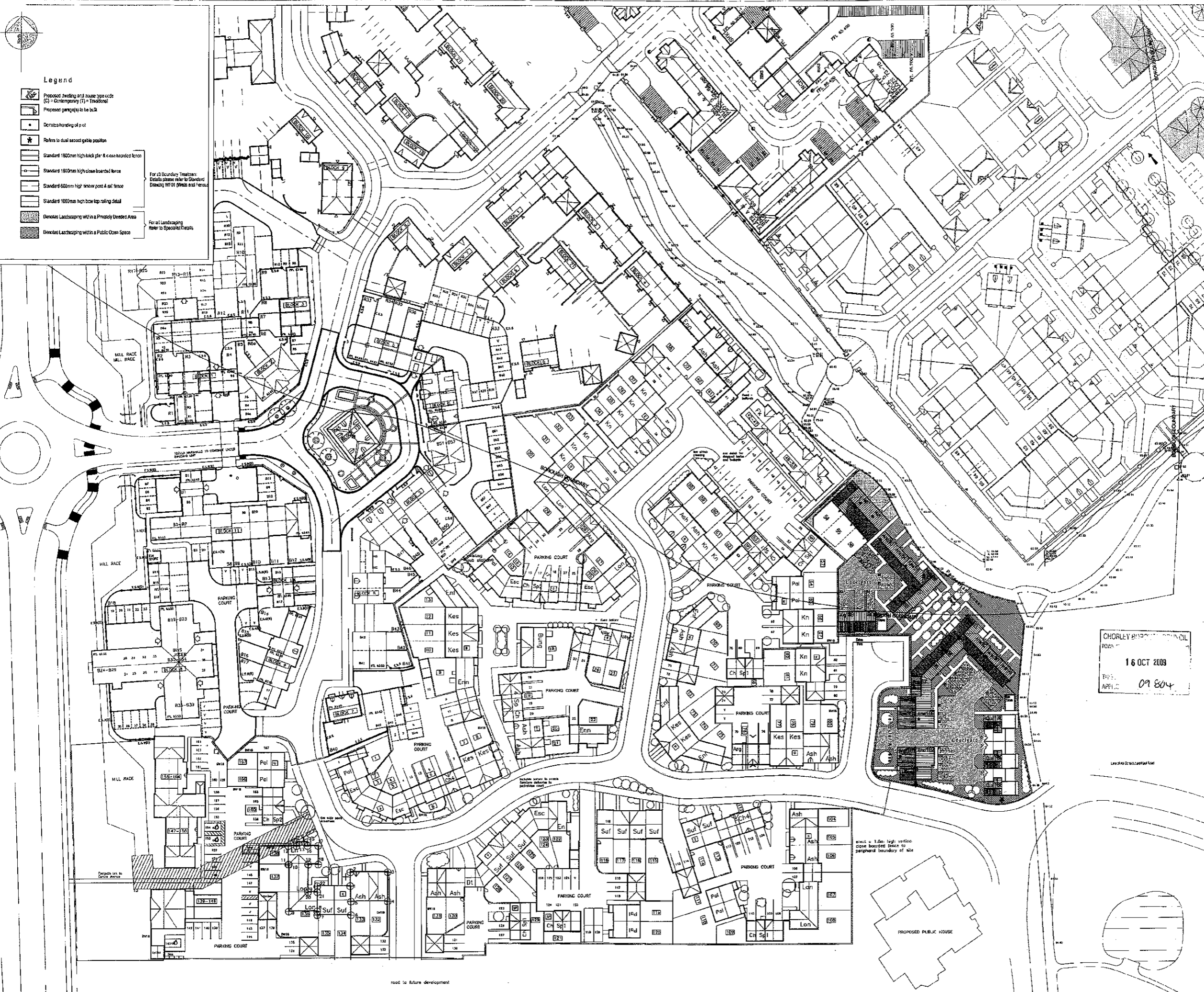
Plan Ref.	Received On:	Title:
03/213/FF01 Rev A	16th October 2009	Proposed Finished Floor Levels
03/00213/PL01 Rev T	16th October 2009	Planning Layout
03/213/HT01B	16th October 2009	Elevations for Plots 168-170
03/213/HT01A	16th October 2009	Plans for Plots 168-170
03/213/HT05A	16th October 2009	Plans for Plots 90-100
03/213/HT05B	16th October 2009	Elevations for Plots 90-100
03/213/HT03	16th October 2009	Plans and Elevations for Plots 101-103
03/213/HT00	16th October 2009	Plans and Elevations for Plot 89
03/213/OS 01(C)	16th October 2009	Ordnance Survey
03/213/TS01	16th October 2009	As Constructed/ Topographical Survey
c-632-01 Rev A	16th October 2009	Detailed Landscape Proposals
03/213/BS01	16th October 2009	Bin Store Detail
WF01 Rev A	16th October 2009	Walls and Fences

Reason: To define the permission and in the interests of the proper development of the site.



<p>Lesley - Ann Fenton Director of Parterships, Planning and Policy</p>		<p>Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Chorley B.C. 100018509</p>	
<p>Application No. 09/00804/REMAJ</p>	<p>Grid Ref: E: 356515 N: 420635</p>	<p>Scale: 1:1,250</p>	<p>9</p>

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WARNING TO HOUSE PURCHASERS
 Property Misdescriptions Act 1991

Buyers are warned that this is a planning drawing and is not intended to be used as a contract. It is not a guarantee of any particular property or development, or of the specific matters provided by any other documents which may be referred to. The accuracy of the drawing, its contents, and any other information, and the accuracy of the information on which it is based, is not guaranteed. The accuracy of the information on which it is based, and the accuracy of the information on which it is based, is not guaranteed. The accuracy of the information on which it is based, and the accuracy of the information on which it is based, is not guaranteed.

Schedule of Accommodation

Abb	House Type	No.	Sq. Ft./Person	Sq. Ft.	Total Sq. Ft.
Individual House and Apartment Types					
Pol	Petrol	10	38/SP	787	7870
Ash	Ashbourne	24	38/SP	878	21072
Enn	Ennisdale	5	38/SP	897	4485
Esc	Escote	10	28/SP	480	4900
Frl	Fringford	4	38/SP	969	3976
Lon	Londonia	7	38/SP	878	6146
Arg	Argyle	3	18/2P	653	658
Ch	Coach House	3	28/SP	812	2436
Fal	Falmer apt.	10	28/SP	565	5650
Fal	Falmer apt.	2	18/2P	50	1002
Kes	Keswick	9	38/SP	1155	10385
Ken	Kennington	15	38/SP	1066	15984
Sul	Sulfolk	11	38/SP	1155	12705
Ap	Apartments	8	28/SP	553	4424
Mil	Mil Apartments	18	28/SP	500	9300
SP1	Special Coach 1	6	28/SP	730	4380
SP2	Special Coach 2	1	28/SP	730	730
DiSp	Drive Through Sp	1	28/SP	730	700
CoSp	Corner Splay Sp	1	38/SP	970	970
Bun	Bungalow	1	38/SP	780	780
Accommodation Totals					
Pol	Petrol	2	28/4P	721	1442
Ame	Amethyst	4	28/3P	525	2100
Rub	Rubellite	2	28/3P	679	1358
Am	Amber	6	28/3P	555	3336
Am	Amethyst Corner	5	28/4P	642	3210
Qua	Quartz	3	38/8P	925	2775
				176	133187

T	Boundary fence plus water out	01.0024	SJW
R	Re-plan between plots 89-103 including the addition of 2nd plots	06.1883	SJW
S	10m Run added to plots 30-36		PAS
Q	Floors 38-53 amended to working stage	24.1807	PCD
P			
C	10,18,20,21 & 22 PARKING AMENDMENTS	26.3405	PCD
N	22 & 132-137 AS WORKING DRAWINGS	06.3003	SMK
M	23-24 & 121-131 AS WORKING DRAWING	00.0201	JRM
L	TO PLANNING OFFICERS LETTER DA 143203	00.0000	JRM
K	TURNING HEAD AMENDED ADJACENT PLOT 94	00.0000	JRM
J	TURNING HEAD AMENDED ADJACENT PLOT 94	00.0000	JRM
I	ACCUMULATION SCHEDULE AMENDED	00.0000	CNO
H	P135-P152 REPLACED BY P135-P154	25.1005	JRM
G	9-13 & 16-21 AS WORKING DRAWING	00.0000	JRM
F	AS BUILT POSITIONS OF PLOTS 1-4 SHOWN	25.0705	RB
E	PARKING BAYS TO S. GALLEYS LETTERS & PLOTS 114 & 133-138 REPOSITIONED	25.0701	JRM
D	FLOTS 116-118, 120-126 NOV/EC IM EAST	00.0000	JRM
C	FLOTS 58, 60-68 & 118 AMENDED	00.0000	JRM
B	6m STORES AND ACCESS IMPROVED	00.0000	JRM
A	ADJ. STAIRS TO PATHS AND DRIVEWAYS	00.0000	MW

CHORLEY BOROUGH COUNCIL
 16 OCT 2009
 09 804

BARRATT HOMES MANCHESTER

Barratt Homes Manchester
 (A division of BDW Trading Ltd)
 4 Brindley Road
 City Park
 Manchester
 M16 9HQ
 Tel: 0161 872 0161
 Fax: 0161 855 2828

102 Bucksfaw Village Street
 Chorley
 Phase 5 (Parcel UCS)

Title
 Planning Layout

Drawn By	Issue	Scale	Drawing Number	Rev
S.J.W.	16.12.09	A1	03/213/PL 01	T

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Report of	Meeting	Date
Corporate Director (Business)	Development Control Committee	12-01-2010

PLANNING APPEALS AND DECISIONS - NOTIFICATION

PURPOSE OF REPORT

- To advise Committee of appeal notifications and decisions received from the Planning Inspectorate and notification of decisions received from Lancashire County Council and other bodies between 26th November and 22nd December 2009.

RECOMMENDATION(S)

- That the report be noted.

CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	X

PLANNING APPEALS LODGED

- Appeal by Mr M Spellman against the delegated refusal of planning permission for the erection of one detached and two semi-detached dwelling houses with single garages including one detached garage at Former Victoria Mill Building 10m south west of 23 Millbrook Close, Wheelton (Application No. 09/00327/FUL)

PLANNING APPEALS DISMISSED

- None

PLANNING APPEALS ALLOWED

- None



PLANNING APPEALS WITHDRAWN

7. None

ENFORCEMENT APPEALS LODGED

8. None

ENFORCEMENT APPEALS DISMISSED

9. None

ENFORCEMENT APPEALS ALLOWED

10. None

ENFORCEMENT APPEALS WITHDRAWN

11. None

LANCASHIRE COUNTY COUNCIL DECISIONS

12. Planning permission granted for the creation/extension to school based adventure trail incorporating six agility play pieces at Trinity St Michaels Primary, Out Lane, Croston. (Application No. 09/00856/CTY)

GOVERNMENT OFFICE DECISIONS

13. None

IMPLICATIONS OF REPORT

14. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	√

J E MEEK
CORPORATE DIRECTOR (BUSINESS)

Report Author	Ext	Date	Doc ID
Louise Taylor	5220	29/10/2009	

Background Papers			
Document	Date	File	Place of Inspection

4	Letter from the Planning Inspectorate	01/12/09	09/00327/FUL	Civic Offices, Union Street, Chorley or on line at www.chorley.gov.uk/planning
7	Letter from Lancashire County Council	09/12/09	09/00856/CTY	

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Report of	Meeting	Date
Corporate Director (Business)	Development Control Committee	12 January 2009

ENFORCEMENT ITEM

TITLE: Boundary wall, pillars, gate posts, gates & wooden infill panels 77 Preston Road, Chorley, PR6 7AX that exceed 1 metre in height.

PURPOSE OF REPORT

1. To consider whether it is expedient to take enforcement action to secure the reduction to the height of the boundary wall, pillars, gate posts, gate and wooden in fill panels to a height of 1 metre.

RECOMMENDATION(S)

2. That it is expedient to pursue enforcement action to reduce the height of the unauthorised means of enclosure erected to the frontage of a parcel of land adjacent to 77 Preston Road, Chorley, to include wall, pillars, gate posts, gates, & wooden in fill panels to a height of 1 metre thereby benefitting as permitted development granted by virtue of Schedule 2, Part 2, Class A, The Town & Country Planning (General Permitted Development) Order 1995 (as amended).

EXECUTIVE SUMMARY OF REPORT

3. The issues for consideration in this case are the impact the development has upon the visual amenities of the locality and the Green Belt.

Reasons for Recommendations

4. The unauthorised development is contrary to Policy DC1, Chorley Borough Local Plan Review (CBLPR) Adopted Edition dated August 2003, and Policy 6 of the Joint Lancashire Structure Plan and Government advice in PPG 2, Green Belts

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5. Following a meeting with the applicant it was suggested to him that he comes forward, on an informal basis, with a proposal that would meet his needs and be acceptable to the Council in the expectation that an agreed scheme could be formally submitted.



CORPORATE PRIORITIES

6. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	X
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	

BACKGROUND

7. The property is a large detached dwelling house situated to the west side of Preston Road, Chorley, directly opposite the Hartwood roundabout. The property is within the urban settlement of Chorley. Adjacent to the property is a parcel of land in the same ownership as 77 Preston Road, this parcel of land being within the designated Green Belt. Both uses defined as such within the Chorley Borough Proposals Map, Adopted Edition August 2003.
8. The property/landowner made an application to the Council under application 06/01109/Ful for the erection of a boundary wall, pillars and railings across the frontage of both the dwelling house and the parcel of land adjacent to the dwelling. This application was refused by decision notice dated 16 January 2007. The reason for refusal was that it was considered the proposal would detrimentally impact on the character and openness of the Green Belt and was therefore contrary to Policy DC1, Chorley Borough Local Plan Review (CBLPR) Adopted Edition dated August 2003, Policy 6 of the Joint Lancashire Structure Plan and Government advice in PPG 2, Green Belts.
9. An appeal against the refusal was lodged and duly considered by the Planning Inspectorate, and on 11 September 2007 the Inspectors decision was to dismiss the appeal. He considered that the development would represent a change in character of the street scene to the detriment of visual amenity contrary to Policies DC1 & GN5, CBLPR and Government advice in PPG2.
10. Subsequently, planning application, 08/00027/Ful was submitted proposing to erect a brick wall with brick piers in filled with wrought iron railings but only to the frontage of the dwelling and not the adjacent parcel of land within the Green Belt. This application was approved by decision dated 21 February 2008.
11. It has been noted by the Council that whilst the works for the approved development has been ongoing additional works have taken place to erect a wall, brick piers, gate pillars and in fill panels of close boarded timber across the frontage of the land to the north of the dwelling, (land within the designated Green Belt), that exceed 1 metre in height. These works do not benefit from any planning permission and are unauthorised.
12. The reason why planning permission is required in this instance is because the means of enclosure erected across the frontage of the land within the Green Belt exceeds 1 metre in height, and is adjacent to a highway used by vehicular traffic. As stated at Para 2 a means of enclosure adjacent to a highway used by vehicular traffic cannot exceed 1 metre in height to benefit as permitted development.

ALTERNATIVE REQUIREMENTS

- 13. It is considered that any means of enclosure comprising of brick pillars, wooden in fill panels, gates and gate posts to a height exceeding 1 metre in height across the frontage of this parcel of land will be disharmonious and not in keeping with good design and that such development will be visibly conspicuous within the designated Green Belt.
- 14. The owner has submitted a proposal via the MP's office that would result in a marginal improvement in the unauthorised development undertaken but as a whole would result in a boundary treatment that would be more harmful upon the Green Belt than a modest treatment. The grounds for requiring a high boundary treatment of limiting views into the area of land and the security of this land are not overriding matters or material to this decision.

IMPLICATIONS OF REPORT

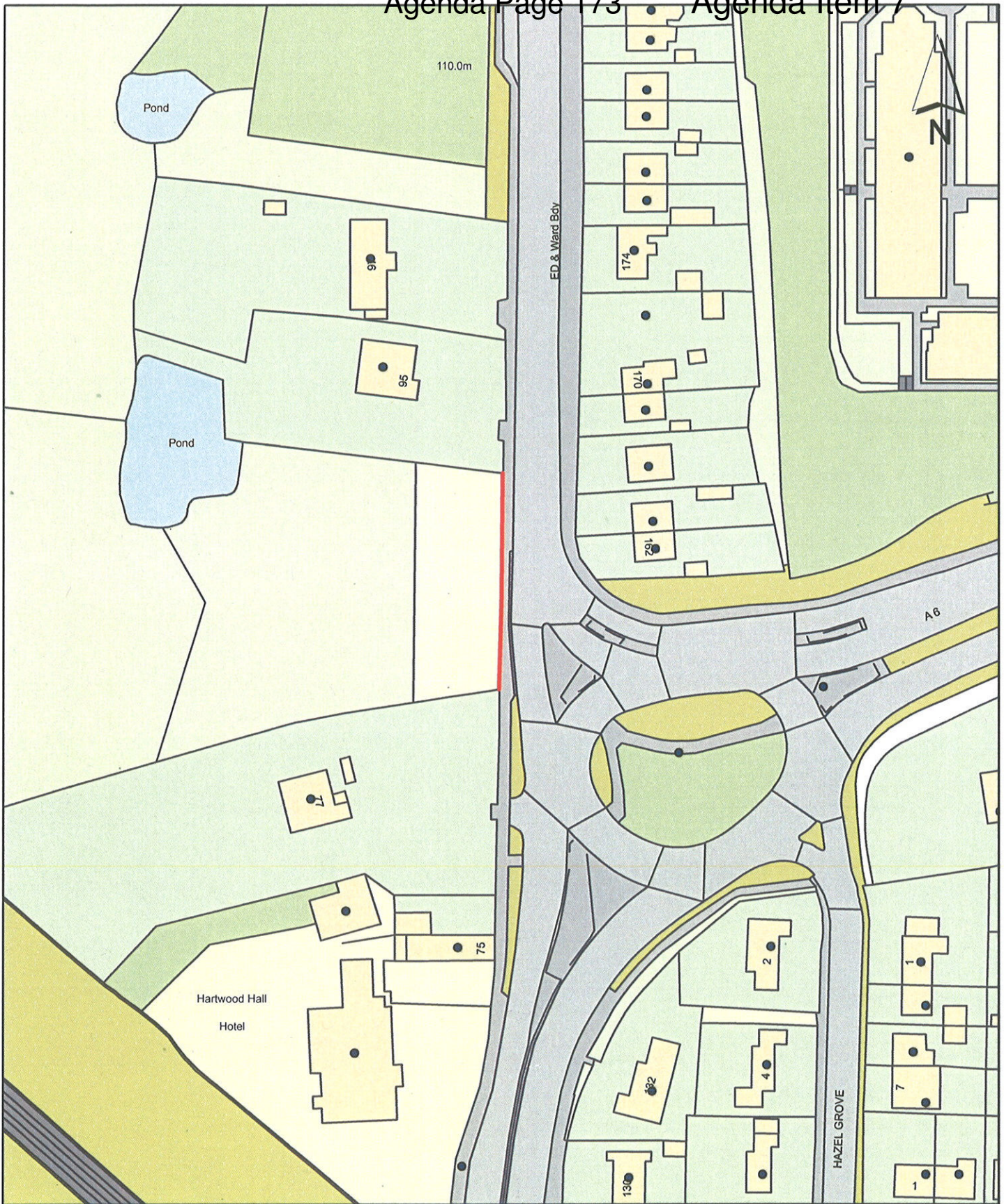
- 14. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	X

LESLEY-ANN FENTON
 DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY

Report Author	Ext	Date	Doc ID
Steve Aldous	5414	18 December 2009	09/00121/WALL

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Jane E Meek BSc(Hons) DipTP MRTPI
 Corporate Director (Business)
 Chorley Borough Council

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Enforcement Notice EN623

77 Preston Road
 Chorley
 Lancashire
 PR6 7AX



SCALE
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Report

Report of	Meeting	Date
Corporate Director (Business)	Development Control Committee	12.01.2010

PLANNING APPLICATIONS DECIDED BY THE CORPORATE DIRECTOR (BUSINESS), THE CHAIR AND VICE-CHAIR OF THE COMMITTEE ON 8 DECEMBER 2009

Application No.	Recommendation	Location	Proposal
09/00622/FUL	Permit Full Planning Permission	102 Chorley Road Adlington Chorley PR6 9LG	Retrospective application for 5 air conditioning units
09/00820/ADV	Advertising Consent	Euxton Library St Marys Gate Euxton Chorley PR7 6AH	Retrospective application to regularise a non-illuminated aluminium sign on the north facing elevation of the building
09/00846/TEL	Prior Approval Not Required	Telecommunication mast 50m south of 126 Preston Road, Chorley	Replace telecom pole with 12m high pole and ancillary equipment

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Report



Report of	Meeting	Date
Corporate Director (Business)	Development Control Committee	12/01/2010

PLANNING APPLICATIONS DECIDED BY THE CORPORATE DIRECTOR (BUSINESS), THE CHAIR AND VICE-CHAIR OF THE COMMITTEE ON 18 DECEMBER 2009

Application No.	Recommendation	Location	Proposal
09/00807/OUT	Refusal of Outline Planning Permission	The Bungalow 28 Botany Brow Chorley Lancashire PR6 0JW	Outline application for the erection of 4 No. two storey town houses following demolition of former nursery school and pre-fabricated garage

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Report



Report of	Meeting	Date
Corporate Director (Business)	Development Control Committee	12.01.2010

PLANNING APPLICATIONS DECIDED BY THE CORPORATE DIRECTOR (BUSINESS), THE CHAIR AND VICE-CHAIR OF THE COMMITTEE ON 22 DECEMBER 2009

Application No.	Recommendation	Location	Proposal
09/00737/OUT	Refusal of Outline Planning Permission	3 Out Lane Croston Leyland PR26 9HJ	Demolition of existing detached double garage and erection of single detached bungalow
09/00787/FUL	Permit Full Planning Permission	St James Church St James Place Chorley Lancashire PR6 0NA	Installation of a storage container for a temporary period of three years

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Report of	Meeting	Date
Corporate Director (Business)	Development Control Committee	12/01/2010

List of Applications Determined by the Corporate Director (Business) and Under Delegated Powers

Between 26th November and 22nd December 2009

Plan Ref 09/00598/TPO **Date Received** 24.07.2009 **Decision** Consent for Tree Works

Ward: Clayton-le-Woods
And Whittle-le-Woods **Date Decided** 27.11.2009

Proposal : Pruning of tree's in the rear of the garden covered by TPO7 (Whittle Le Woods) 1996

Location : 5 Blossom Grove Whittle-Le-Woods Lancashire

Applicant: Miss Amanda Lindsay 5 Blossom Grove Whittle-Le-Woods Chorley Lancashire

Plan Ref 09/00630/FUL **Date Received** 05.08.2009 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods
And Whittle-le-Woods **Date Decided** 01.12.2009

Proposal : Amendment to the original planning permission for the site (Ref No. 07/01285/FUL) comprising of a double garage building split between plot 6 (6 Blossom Grove) and plot 7 (7 Blossom Grove) and attached to plot 6 (6 Blossom Grove)

Location : 6 Blossom Grove Whittle-Le-Woods Chorley Lancashire PR6 7HB

Applicant: Wainhomes North West Ltd Cedarwood 2 Kelvin Close Birchwood Warrington WA3 7PB

Plan Ref 09/00699/FUL **Date Received** 07.09.2009 **Decision** Permit Full Planning Permission

Ward: Adlington & Anderton **Date Decided** 30.11.2009

Proposal : Removal of existing trees, shrubs and garden wall to form new vehicle access and parking space and erection of a fence and access gate

Location : 61 Railway Road Adlington Chorley PR6 9QZ

Applicant: Mr Christopher Jones 61 Railway Road Adlington Chorley PR6 9QZ

Continued....

Plan Ref 09/00715/FUL **Date Received** 10.09.2009 **Decision** Permit Full
Planning
Permission

Ward: Brindle And
Hoghton **Date Decided** 14.12.2009

Proposal : Extension to form new bedrooms above existing garage
Location : 4 Station Road Hoghton Preston PR5 0DD
Applicant: Mrs Katherine Nichols 4 Station Rd Chorley PR5 0DD United Kingdom

Plan Ref 09/00718/COU **Date Received** 11.09.2009 **Decision** Permit Full
Planning
Permission

Ward: Lostock **Date Decided** 02.12.2009

Proposal : Change of use of agricultural land to recreational/amenity and educational use, including erection of eco- hut, wooden carved sculptures and re routing of church footpath.
Location : Church Of St Michael And All Angels Church Street Croston Lancashire PR26 9HA
Applicant: Clive Barbour Church Of St Michael And All Angels Church Street Croston Lancashire PR26 9HA

Plan Ref 09/00730/FUL **Date Received** 17.09.2009 **Decision** Permit Full
Planning
Permission

Ward: Lostock **Date Decided** 01.12.2009

Proposal : Proposed detached double garage/garden store and stable
Location : Brook House Barn North Road Bretherton Lancashire PR26 9AY
Applicant: Mr Wayne Jackson Brookhouse Farm Barn North Road Bretherton Lancashire

Plan Ref 09/00744/FUL **Date Received** 24.09.2009 **Decision** Permit Full
Planning
Permission

Ward: Chisnall **Date Decided** 10.12.2009

Proposal : Erection of a first floor balcony to replace an existing balcony
Location : Parkinsons Farm German Lane Charnock Richard Chorley PR7 1PA
Applicant: Mr Craig Wellum Parkinsons Farm German Lane Charnock Richard Chorley

Plan Ref 09/00742/TPO **Date Received** 28.09.2009 **Decision** Consent
for Tree
Works

Ward: Chorley North
East **Date Decided** 02.12.2009

Proposal : Pruning of trees covered by TPO7 (Chorley) 1989
Location : The Preston Temple Temple Way Chorley Lancashire PR6 7EQ
Applicant: Mr Keith Kirby The Preston Temple Temple Way Chorley Lancashire PR6 7EQ

Plan Ref 09/00743/FUL **Date Received** 28.09.2009 **Decision** Permit Full Planning Permission

Ward: Chorley North **Date Decided** 27.11.2009
East

Proposal : Erection of a single storey side and rear extension
Location : 10 Larch Avenue Chorley PR6 0JL
Applicant: Ms Sylvia Purcell 10 Larch Avenue Chorley PR6 0JL

Plan Ref 09/00748/ADV **Date Received** 28.09.2009 **Decision** Advertising Consent

Ward: Clayton-le-Woods **Date Decided** 02.12.2009
North

Proposal : Erection of flagpole and flying of flag
Location : Cuerden Valley Park Trust Berkeley Drive Bamber Bridge Preston PR5 6BY
Applicant: Mr Jim Longbottom Cuerden Valley Park Trust The Barn, Berkeley Drive Bamber Bridge Preston PR5 6BY

Plan Ref 09/00751/FUL **Date Received** 28.09.2009 **Decision** Permit Full Planning Permission

Ward: Chorley North **Date Decided** 02.12.2009
East

Proposal : First floor front extension and conversion of existing garage
Location : 4 Bromley Green Chorley PR6 8TX
Applicant: Mr Terence McMullan 4 Bromley Green Chorley PR6 8TX

Plan Ref 09/00752/FUL **Date Received** 28.09.2009 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods **Date Decided** 17.12.2009
West And
Cuerden

Proposal : Addition of a porch to a park house
Location : 18 Birch Avenue Cuerden Residential Park Clayton-Le-Woods Leyland Lancashire
Applicant: Mrs Lily Matthews 18 Birch Avenue Cuerden Residential Park Clayton-Le-Woods Leyland Lancashire PR25 5PD

Plan Ref 09/00757/FUL **Date Received** 29.09.2009 **Decision** Permit Full Planning Permission

Ward: Chorley South **Date Decided** 10.12.2009
West

Proposal : Proposed side extension and garage
Location : 4 Kingfisher Close Chorley Lancashire PR7 2RB
Applicant: Mr C Hatton 4 Kingfisher Close Gillibrand South Chorley Lancs PR7 2RB

Plan Ref 09/00763/FUL **Date Received** 01.10.2009 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods
And Whittle-le-Woods **Date Decided** 02.12.2009

Proposal : Change of use from Photographers to Beauty Salon with additional car parking
Location : 353 Preston Road Clayton-Le-Woods Chorley PR6 7PY
Applicant: Mr Tom Bennett 27 Dunham Drive Whittle-Le-Woods Chorley PR6 7DN

Plan Ref 09/00764/FUL **Date Received** 01.10.2009 **Decision** Refuse Full Planning Permission

Ward: Clayton-le-Woods
And Whittle-le-Woods **Date Decided** 26.11.2009

Proposal : Proposed erection of a detached house and integral garage (amended house type to that originally approved by 07/00177/FUL which now includes first floor accommodation above the garage)
Location : Land Rear Of 209 To 213 Preston Road Whittle-Le-Woods
Applicant: Lawson Margerison Partnerships 213 Preston Road Whittle-Le-Woods Chorley

Plan Ref 09/00770/CLPUD **Date Received** 01.10.2009 **Decision** Grant Certificate of Lawfulness

Ward: Eccleston And Mawdesley **Date Decided** 18.12.2009

Proposal : Application for certificate of lawfulness for the erection of a single storey side extension
Location : Folly Cottage Syd Brook Lane Eccleston Leyland Lancashire
Applicant: Mr P Ekersley Folly Cottage Syd Brook Lane Eccleston Leyland Lancashire

Plan Ref 09/00772/FUL **Date Received** 02.10.2009 **Decision** Permit Full Planning Permission

Ward: Coppull **Date Decided** 30.11.2009

Proposal : Two storey side extension
Location : Coppull Brow Farm Wigan Lane Coppull PR7 4BN
Applicant: Mr Gary Tyrer Coppull Brow Farm Wigan Lane Coppull PR7 4BN

Plan Ref 09/00767/FUL **Date Received** 05.10.2009 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 01.12.2009

Proposal : Proposed two storey rear extension, conversion of existing garage not including the erection of detached double garage

Location : 135 Preston Road Whittle-Le-Woods Chorley PR6 7PJ

Applicant: Mr G Walsh Scale Hill Farm Windmill Lane Brindle

Plan Ref 09/00768/ADV **Date Received** 05.10.2009 **Decision** Advertising Consent

Ward: Adlington & Anderton **Date Decided** 30.11.2009

Proposal : Provision of 4 no. illuminated fascia signs and 7 no. non-illuminated informative signs

Location : United Norwest Co-operatives Ltd Bolton Road Adlington Chorley PR6 9NA

Applicant: Food Programme Delivery OrchiGroup Old Bank Building Hanover Street Manchester

Plan Ref 09/00778/FUL **Date Received** 06.10.2009 **Decision** Permit Full Planning Permission

Ward: Chorley North West **Date Decided** 02.12.2009

Proposal : Erection of a single storey rear extension to create sun room, utility room and wc.

Location : 15 Shaftesbury Place Chorley Lancashire PR7 1LS

Applicant: Mr David Smith 15 Shaftesbury Place Chorley Lancashire PR7 1LS

Plan Ref 09/00784/FUL **Date Received** 06.10.2009 **Decision** Permit retrospective planning permission

Ward: Pennine **Date Decided** 01.12.2009

Proposal : Retrospective application for the insertion of an additional window to the master bedroom in the first floor north facing elevation of the dwelling on plot 5 approved by planning permission no. 07/01424/FUL

Location : 3 Springside Gardens Whittle-Le-Woods Chorley Lancashire PR6 7DL

Applicant: Wainhomes North West Ltd Cedar 2 Kelvin Close Birchwood Warrington WA3 7PB

Plan Ref 09/00788/FUL **Date Received** 06.10.2009 **Decision** Permit Full Planning Permission

Ward: Pennine **Date Decided** 04.12.2009

Proposal : Substitution of house type on plot 9 originally permitted by 08/00289/FUL comprising of the same Gainsborough house type to now include a window to the master bedroom (1st floor south east facing elevation)

Location : 7 Springside Gardens Whittle-Le-Woods Chorley Lancashire PR6 7DL

Applicant: Wainhomes North West Ltd Cedar2 Kelvin Close Birchwood Warrington WA3 7PB

Plan Ref 09/00781/FUL **Date Received** 08.10.2009 **Decision** Refuse Full Planning Permission

Ward: Wheelton And Withnell **Date Decided** 02.12.2009

Proposal : Proposed garage and stable buildings

Location : Drakeshead Boarding Kennels Willowgarth Lodge Bank Brinscall Chorley

Applicant: Mr & Mrs John & Sandra Halstead Brinscall Boarding Kennels & Cattery Lodge Bank Brinscall Chorley PR6 8QU

Plan Ref 09/00791/ADV **Date Received** 13.10.2009 **Decision** Advertising Consent

Ward: Chorley North West **Date Decided** 18.12.2009

Proposal : Fascia sign & projecting sign

Location : 2 Pall Mall Chorley Lancashire PR7 2LA

Applicant: Swinton Colonnade Swinton House 6 Great Marlborough House Manchester Greater Manchester M1 5SW

Plan Ref 09/00796/FUL **Date Received** 13.10.2009 **Decision** Permit Full Planning Permission

Ward: Adlington & Anderton **Date Decided** 02.12.2009

Proposal : Conversion of existing store room to one bed-roomed apartment

Location : 8 - 10 Market Street Adlington Lancashire PR7 4HE

Applicant: Mr Paul Andrews 96 Richmond Road Ecclestone Chorley Lancashire PR7 5SR

Plan Ref 09/00794/FUL **Date Received** 14.10.2009 **Decision** Permit Full Planning Permission

Ward: Heath Charnock And Rivington **Date Decided** 04.12.2009

Proposal : Erection of an agricultural building

Location : Wilcocks Farm Dean Head Lane Rivington Bolton BL6 7SJ

Applicant: Mr Gregory Fairbrother United Utilities Plc Rivington Bolton Road Horwich Bolton BL6 7RN

Plan Ref 09/00798/FUL **Date Received** 14.10.2009 **Decision** Permit Full
Planning
Permission

Ward: Lostock **Date Decided** 16.12.2009

Proposal : Demolition of existing bungalow and erection of replacement bungalow in its place
Location : Moss Gate Marl Cop Bretherton Leyland PR26 9BD
Applicant: Mr & Mrs Gamble 243 Hesketh Lane Tarleton Preston Lancs PR4 6AT

Plan Ref 09/00805/FUL **Date Received** 16.10.2009 **Decision** Permit Full
Planning
Permission

Ward: Eccleston And
Mawdesley **Date Decided** 02.12.2009

Proposal : Demolition of existing garage and erection of new garage and outbuilding
Location : Brooklands Dark Lane Mawdesley Ormskirk L40 2QU
Applicant: Mr & Mrs K Cranfield Brooklands Dark Lane Mawdesley Ormskirk L40 2QU

Plan Ref 09/00803/FUL **Date Received** 17.10.2009 **Decision** Permit Full
Planning
Permission

Ward: Euxton North **Date Decided** 02.12.2009

Proposal : Demolition of existing single storey side building and garage, erection of new part
two storey/part single story side extension including front dormer window.
(resubmission of pervious application 09/00382/FUL)
Location : 3 Barnside Euxton Chorley PR7 6AJ
Applicant: Mr R Fernando 3 Barnside Euxton Chorley PR7 6AJ

Plan Ref 09/00808/FUL **Date Received** 19.10.2009 **Decision** Permit Full
Planning
Permission

Ward: Chisnall **Date Decided** 16.12.2009

Proposal : Two storey rear extension and alterations to front elevation (associated with
conversion of property from 2 dwellings to one for which planning permission is not
required)
Location : 323-325 Wood Lane Heskin Lancashire PR7 5NT
Applicant: Mr David Marshall & Miss Fiona O'Loughlin 323-325 Wood Lane Heskin Lancashire
PR7 5NT

Plan Ref 09/00809/FUL **Date Received** 19.10.2009 **Decision** Permit Full
Planning
Permission

Ward: Clayton-le-Woods
And Whittle-le-
Woods **Date Decided** 10.12.2009

Proposal : Two storey extension with glazed link and new detached garage (amendment to
previously approved application 09/00433/FUL)
Location : Sibbering Farmhouse Dawson Lane Whittle-Le-Woods Chorley PR6 7DT
Applicant: Mr & Mrs Peter Love 12 Yew Tree Grove Lostock Hall Preston PR5 5ND

Plan Ref 09/00810/LBC **Date Received** 19.10.2009 **Decision** Grant Listed Building Consent

Ward: Clayton-le-Woods And Whittle-le-Woods **Date Decided** 10.12.2009

Proposal : Listed Building Consent for a two storey extension with glazed link and internal and external refurbishment (amendment to previously approved application 09/00436/LBC).

Location : Sibbering Farmhouse Dawson Lane Whittle-Le-Woods Chorley PR6 7DT

Applicant: Mr & Mrs Peter Love 12 Yew Tree Grove Lostock Hall Preston PR5 5NP

Plan Ref 09/00812/TCON **Date Received** 20.10.2009 **Decision** No objection to Tree Works

Ward: Lostock **Date Decided** 03.12.2009

Proposal : Felling of 1 Larch tree at 38 Grape Lane Croston

Location : Park View 38 Grape Lane Croston Leyland PR26 9HB

Applicant: Mr Alan Smith Park View 38 Grape Lane Croston Leyland PR26 9HB

Plan Ref 09/00813/FUL **Date Received** 20.10.2009 **Decision** Permit Full Planning Permission

Ward: Chorley North East **Date Decided** 02.12.2009

Proposal : Erection of attached garage to side

Location : 36 St Josephs Place Chorley PR6 0NE

Applicant: Mrs Hardy 36 St Josephs Place Chorley PR6 0NE

Plan Ref 09/00815/LBC **Date Received** 20.10.2009 **Decision** Grant Listed Building Consent

Ward: Lostock **Date Decided** 04.12.2009

Proposal : Erection of new 900mm high perimeter wall & metal railings

Location : Land At 5 - 7 Back Drinkhouse Lane Croston Lancashire

Applicant: Mr Douglas McMillian Croston United Charties Manor House Farm Hillocks Croston, Leyland PR26 9RE UK

Plan Ref 09/00821/FUL **Date Received** 21.10.2009 **Decision** Permit Full Planning Permission

Ward: Brindle And Hoghton **Date Decided** 16.12.2009

Proposal : Demolition of single storey rear extension and erection of two story rear extension.
Location : Lowood Station Road Hoghton Preston PR5 0DD
Applicant: Mr A Lawson Lowood Station Road Hoghton Preston PR5 0DD

Plan Ref 09/00823/FUL **Date Received** 22.10.2009 **Decision** Permit Full Planning Permission

Ward: Adlington & Anderton **Date Decided** 16.12.2009

Proposal : Change of use from Public House to a repair workshop for electronic equipment with flat above and the erection of a detached block of 4 no. garages
Location : The Railway Inn 84 Market Street Adlington Chorley PR7 4HF
Applicant: C J & R S Services The Railway Inn 84 Market Street Adlington Chorley PR7 4HF

Plan Ref 09/00833/FUL **Date Received** 22.10.2009 **Decision** Permit Full Planning Permission

Ward: Pennine **Date Decided** 03.12.2009

Proposal : Amendment to approved house type on plot 8 (6 Springside Gardens) comprising of the conversion of one of the garages originally intended to serve plot 7 (5 Springside Gardens) to living accommodation to be incorporated into the dwelling and variation of condition no. 4 of planning permission no. 09/00456/FUL linking the use of the remaining single garage and driveway space in front to the occupiers of plot 7 (5 Springside Gardens) only to reflect the reduction in garage space
Location : 6 Springside Gardens Whittle-Le-Woods Chorley Lancashire PR6 7DL
Applicant: Wainhomes North West Ltd Cedarwood 2 Kelvin Close Birchwood Warrington WA3 7PB

Plan Ref 09/00829/FUL **Date Received** 23.10.2009 **Decision** Permit Full Planning Permission

Ward: Eccleston And Mawdesley **Date Decided** 08.12.2009

Proposal : Single storey extension adjoining existing garage to house
Location : Morningtown Dark Lane Mawdesley Ormskirk L40 2QU
Applicant: Mr & Mrs Peter Kay Morningtown Dark Lane Mawdesley Ormskirk L40 2QU

Plan Ref 09/00826/FUL **Date Received** 27.10.2009 **Decision** Permit Full Planning Permission

Ward: Clayton-le-Woods
West And
Cuerden **Date Decided** 04.12.2009

Proposal : Single storey extension to rear of existing dwelling.
Location : 18 Harrock Road Leyland PR25 5TX
Applicant: Mr Patrick Kenny 18 Harrock Road Leyland Lancashire PR25 5TX England

Plan Ref 09/00852/COU **Date Received** 27.10.2009 **Decision** Permit Full Planning Permission

Ward: Adlington &
Anderton **Date Decided** 14.12.2009

Proposal : Change of use to residential use
Location : 106 Railway Road Adlington Chorley PR6 9QT
Applicant: Mr Pendlebury 1A Lancaster Close Adlington Chorley PR6 9RA

Plan Ref 09/00854/FUL **Date Received** 28.10.2009 **Decision** Permit Full Planning Permission

Ward: Eccleston And
Mawdesley **Date Decided** 08.12.2009

Proposal : Proposed first floor extension over the existing garage and two story rear/side extension
Location : 7 Reeveswood Eccleston Chorley PR7 5RS
Applicant: Mr Mark Holt-Rogers 7 Reeveswood Eccleston Chorley PR7 5RS

Plan Ref 09/00849/FUL **Date Received** 29.10.2009 **Decision** Permit Full Planning Permission

Ward: Heath Charnock
And Rivington **Date Decided** 18.12.2009

Proposal : Demolition of existing detached garage and erection of a two storey rear extension (including balcony), erection of a conservatory and loft conversion.
Location : Lee House Back Lane Heath Charnock Lancashire PR6 9HB
Applicant: Mr D Ashworth Lee House Back Lane Heath Charnock Lancashire PR6 9HB

Plan Ref	09/00859/FUL	Date Received	29.10.2009	Decision	Permit Full Planning Permission
Ward:	Clayton-le-Woods And Whittle-le-Woods	Date Decided	18.12.2009		
Proposal :	Raising of roof by 1.45m and insertion of one dormer and erection of porch to front (re-submission of application 09/00460/FUL)				
Location :	5 Spinney Close Whittle-Le-Woods Chorley PR6 7PW				
Applicant:	Mr Shergun Akinpelu 5 Spinney Close Whittle-Le-Woods Chorley PR6 7PW				
Plan Ref	09/00871/FUL	Date Received	02.11.2009	Decision	Permit Full Planning Permission
Ward:	Chorley North West	Date Decided	14.12.2009		
Proposal :	Erection of rear/side single story extension and formation of a pitched roof over part of the existing garage				
Location :	20 Crawford Avenue Chorley Lancashire PR7 2QT				
Applicant:	Mrs Catherine Harmer 20 Crawford Avenue Chorley Lancashire PR7 2QT				
Plan Ref	09/00872/ADV	Date Received	02.11.2009	Decision	Advertising Consent
Ward:	Chorley North West	Date Decided	18.12.2009		
Proposal :	Illuminated sign on gable end of building				
Location :	10 St Thomas's Road Chorley PR7 1HR				
Applicant:	Mr Robert Kipling Napthens LLP 10 St Thomas's Rod Chorley PR7 1HR				
Plan Ref	09/00879/FUL	Date Received	05.11.2009	Decision	Permit Full Planning Permission
Ward:	Adlington & Anderton	Date Decided	14.12.2009		
Proposal :	Erection of car port to the side of the existing dwelling				
Location :	9 St Pauls Close Adlington Chorley PR6 9RS				
Applicant:	Mr Alan Tresize 9 St Pauls Close Adlington Chorley PR6 9RS				
Plan Ref	09/00883/FUL	Date Received	05.11.2009	Decision	Permit Full Planning Permission
Ward:	Brindle And Hoghton	Date Decided	17.12.2009		
Proposal :	Erection of a two storey and part single storey rear extension (amendment to previously approved plans comprising of 40cm higher eaves level on the two storey extension) and cleaning of stonework of the existing side elevation of property				
Location :	5 Smithy Lane Brindle Lancashire PR6 8NN				
Applicant:	Mr Adrian West 5 Smithy Lane Brindle Lancashire PR6 8NN				

Plan Ref 09/00885/FUL **Date Received** 06.11.2009 **Decision** Permit Full Planning Permission

Ward: Chisnall **Date Decided** 18.12.2009

Proposal : Demolition of existing conservatory and erection of part single/part two storey rear extension

Location : 109 Preston Road Coppull Chorley Lancashire PR7 5DP

Applicant: Ms Joanne Ryan 109 Preston Road Coppull Chorley Lancashire PR7 5DP

Plan Ref 09/00900/NLA **Date Received** 11.11.2009 **Decision** No objection to NLA consultation

Ward: **Date Decided** 02.12.2009

Proposal : neighbouring Local Authority application from South Ribble Borough Council for a proposed re-plan of Parcel K replacing apartments, townhouses and coachhouses with 27 house types.

Location : Royal Ordnance Site Including Land Between Dawson Lne And Euxton Lne Euxton Lane Euxton Lancashire

Applicant: Barratt Homes (Manchester) 4 Brindley Road City Park Manchester M16 9HQ

Plan Ref 09/00919/MNMA **Date Received** 13.11.2009 **Decision** Minor Non-Material Amendment Accepted

Ward: **Date Decided** 15.12.2009

Proposal : Minor amendments to proposed new dwelling (08/01218/Ful)

Location : Sidegate Cottage Pompian Brow Bretherton Lancashire PR26 9AQ

Applicant: Mr & Mrs A Hearn 3 Mill Street Leyland Lancs

Plan Ref 09/00931/MNMA **Date Received** 19.11.2009 **Decision** Minor Non-Material Amendment Accepted

Ward: **Date Decided** 16.12.2009

Proposal : Application for minor non material amendment to planning application 09/00627/FUL comprising use of GRP roof covering in lieu of slate due to shallow pitch roof

Location : Close Gate Barn Buckholes Lane Wheelton Chorley Lancashire

Applicant:

Plan Ref 09/00944/MNMA **Date Received** 23.11.2009

Decision Minor Non-
Material
Amendment
Accepted

Ward: **Date Decided** 03.12.2009

Proposal : Application for minor non-material amendment to planning application 08/00949/FULMAJ comprising amendments to plots 8 and 85

Location : Gillibrand Hall Grounds Grosvenor Road Chorley

Applicant: Mr Chris Greenall Redrow Homes (Lancashire) Ltd Redrow House 14 Eaton Avenue Buckshaw Village Chorley PR7 7NA

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Report of	Meeting	Date
Director of Transformation	Development Control Committee	12 January 2010

TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 257 PROPOSED PUBLIC PATH DIVERSION ORDER RE: PART OF PUBLIC FOOTPATH NO 6, ADLINGTON

PURPOSE OF REPORT

1. To consider an application submitted by Dickinson Dees Solicitors on behalf Places for People Ltd, for the diversion of part of Public Footpath No. 6, Adlington, in order to facilitate the development of an affordable housing scheme.

RECOMMENDATION(S)

2. That the making of a Public Path Diversion Order pursuant to Section 257 of the Town and Country Planning Act 1990, be approved, subject to the grant of planning permission, in respect of a 158.7 metre length of Footpath No. 6, Adlington, so as to enable the carrying out of development.

REASONS FOR RECOMMENDATION(S)

3. To facilitate the carrying out of development subject to the grant of planning permission in accordance with Part III of the Town and Country Planning Act 1990.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

4. To have rejected the application would have been to compromise the proposed scheme of development in that a right-of-way would continue to subsist on the land concerned and therefore be exercisable in law across the site of 11 proposed properties.

CORPORATE PRIORITIES

5. This report does not relate to any of the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the central Lancashire sub region		Improved access to public services	
Improving equality of opportunity and life chance		Develop the character and feel of Chorley as a good place to live	
Involving People in their Communities		Ensure Chorley is a performing Organisation	



BACKGROUND

6. Public Footpath No. 6 Adlington runs from the western end of Farm Avenue in a south-westerly direction across an undeveloped expanse of open land to Fairview Drive, and thence along the footway (i.e. "pavement") of Fairview Drive, onto which the remaining length of Footpath No. 6 has already been provisionally diverted as a consequence of a Public Path Diversion Order made on 21 January 2004 under Section 257, Town and Country Planning Act 1990. The land over which the Footpath runs was formerly pasture land belonging to Fairview Farm extending down to the pedestrian level-crossing on the Preston to Manchester line. The bulk of the land was subsequently developed as a private residential estate, Fairview Drive, initially by Westbury Homes and then subsequently by Persimmon.
7. It was always intended that the small parcel of land sandwiched between the new residential estate and Farm Avenue should be developed for low cost housing and such a scheme was brought forward in 1999, entailing the diversion of Footpath No. 6. Although the Council on that occasion approved the making of a Diversion Order, the low-cost housing scheme put forward at that time did not progress and in the end the wider development proceeded ahead of the proposed low-cost scheme. The Order approved at that time was therefore not pursued to completion. A new scheme has now been drawn up by Places for People Ltd, (constituted as an Industrial and Provident Society) for the construction of 36 properties.

DETAILS OF PROPOSAL

8. The length of footpath forming the subject of the application runs for a total distance of 158.7 metres from the western termination of Farm Avenue in a south-westerly direction to the rear north-west corner of No. 32 The Avenue and thence in a south-south-westerly direction to the front north-western corner of no. 96 Fairview Drive. The Footpath thereafter runs along the footway fronting nos. 90, 92, 94 and 96.
9. The proposed diversion, running for a total length of 174 metres, would run from the western termination of Farm Avenue and thence in a generally south-westerly and thence southerly direction along the pavement serving the new affordable housing scheme to the front north-western corner of no. 96 Fairview Drive. Although the diversion comprises a slightly longer route, it is not significantly different in extent or direction to the existing route. The end effect of the proposal would also, of course, result in the Footpath being encompassed within a fully urbanised environment

IMPLICATIONS OF REPORT

10. This report does not have any implications in relation to the following areas:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal			

GARY HALL
DIRECTOR OF TRANSFORMATION

Background Papers			
Document	Date	File	Place of Inspection
Letter from Dickinson Dees Solicitors together with map	9 November 2009	4002	Town Hall, Chorley

Report Author	Ext	Date	Doc ID
G Fong	5169	27 November 2007	