



Development Control Committee

Agenda and Reports

For consideration on

**Tuesday, 4th September
2012**

In the Council Chamber, 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, one working days before the day of the meeting (12 Noon on the Monday 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.

The following procedure is the usual order of speaking but may be varied on the instruction of the Chair

ORDER OF SPEAKING AT THE MEETINGS

1. The Director Partnership, Planning and Policy 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 his/her representative will be invited to respond, for a maximum of three minutes. As with the objector/supporter there will be no second chance to address the 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.

24 August 2012

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 4TH SEPTEMBER 2012

You are invited to attend a meeting of the Development Control Committee to be held in the Council Chamber, Town Hall, Chorley on Tuesday, 4th September 2012 at 6.30 pm.

Members of the Committee are recommended to arrive at the Town Hall by 6.15pm to appraise themselves of any updates received since the agenda was published, detailed in the addendum, which will be available in the Members Room from 5.30pm.

A G E N D A

1. **Apologies for absence**

2. **Minutes (Pages 1 - 2)**

To confirm the minutes of the Development Control Committee held on 7 August 2012 as a correct record and be signed by the Chair (enclosed).

3. **Declarations of Any Interests**

Members are reminded of their responsibility to declare any pecuniary interest in respect of matters contained in this agenda.

If you have a pecuniary 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.

4. **Planning applications to be determined**

The Director of Partnerships, Planning and Policy has submitted eight reports for planning applications to be determined (enclosed).

Please note that copies of the location and layout plans are in a separate pack (where applicable) that has come with your 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 applications on our website.

http://planning.chorley.gov.uk/PublicAccess/TDC/tdc_home.aspx

- (a) 12/00296/FUL - Hall O'The Hill Farm, Chorley Road, Heath Charnock, Chorley
(Pages 3 - 24)

Proposal

Installation of two 11kW wind turbines (18.3m to hub height and 25m to blade tip)

Recommendation

Permit full planning permission

- (b) 12/00619/FUL - Sunnyside 4 Common Bank Lane, Chorley (report to follow)
(Pages 25 - 28)

Proposal

Erection of 1no. residential dwelling.

Recommendation

Refuse full planning permission

- (c) 12/00712/REM - 4 Rectory Close, Chorley (Pages 29 - 36)

Proposal

Reserved Matters application for the erection of three new dwellings giving details of appearance and landscaping of the proposed properties (relating to outline planning permission: 07/01041/OUT).

Recommendation

Permit full planning permission

- (d) 12/00742/FUL - Land 75m south east of Highfield, Southport Road, Euxton
(Pages 37 - 46)

Proposal

Minor material amendment to planning permission 10/00136/FUL comprising a re-configuration skate park equipment.

Recommendation

Permit minor material amendments

- (e) 12/00585/FULMAJ - Pole Green Nurseries, Church Lane, Charnock Richard, Chorley (Pages 47 - 62)

Proposal

Variation of condition 3 on planning permission 11/00783/MAJ, substitution of house types.

Recommendation

Permit (Subject to Legal Agreement)

- (f) 12/00605/FULMAJ - Plot 4700 land to the west of Ordnance Road, Buckshaw Avenue, Buckshaw Village (Pages 63 - 78)

Proposal

Proposed industrial, warehousing and office development (use classes B1, B2 and B8) including access roads, external works and landscaping.

Recommendation

Permit full planning permission

- (g) 12/00510/OUTMAJ - Duxbury Park Myles, Standish Way, Chorley (Pages 79 - 106)

Proposal

Application to extend the time limit for implementation of extant outline planning permission 08/01044/OUTMAJ for the erection of a mixed use development incorporating residential and B1 employment use following the demolition of the existing buildings (7.2 hectares).

Recommendation

Permit outline planning permission

- (h) 12/00750/LBC - Astley Hall, Astley Park, Park Road, Chorley (Pages 107 - 116)

Proposal

Repairs to stone archway, gates, side pillars and adjacent landscaping including: re pointing ashlar stonework; stone repairs with lime repair mortar; stone piecing-in repairs; renovation of gates; replacing corroding iron cramps; lifting and re bedding coping stonework; fitting of new metal capping to head of archway; making good adjacent landscaping.

Recommendation

Grant Listed Building Consent Subject to referral to the Secretary Of State

5. **Proposed changes to the Constitution & Scheme of Delegation - Planning Matters**

The report of the Director of Partnerships, Planning and Policy (report to follow).

6. **Planning Appeals and Decisions (Pages 117 - 118)**

Report of the Director of Partnerships, Planning and Policy (enclosed).

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

Yours sincerely



Gary Hall
Chief Executive

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Distribution

1. Agenda and reports to all members of the Development Control Committee, (Councillor Paul Walmsley (Chair), Councillor Dave Rogerson (Vice-Chair) and Councillors Ken Ball, Henry Counce, Jean Cronshaw, John Dalton, David Dickinson, Dennis Edgerley, Christopher France, Danny Gee, Harold Heaton, Steve Holgate, Roy Lees, Greg Morgan and Geoffrey Russell) for attendance.
2. Agenda and reports to Lesley-Ann Fenton (Director of Partnerships, Planning and Policy), Jennifer Moore (Head of Planning), Paul Whittingham (Development Control Team Leader), Cathryn Filbin (Democratic and Member Services Officer) and Alex Jackson (Senior Lawyer) for attendance.
3. Agenda and reports to Development Control Committee reserves for information.

**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 آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون

01257 515823

کیجئے:

Development Control Committee**Tuesday, 7 August 2012**

Present: Councillor Paul Walmsley (Chair), Councillor Dave Rogerson (Vice-Chair) and Councillors Ken Ball, Jean Cronshaw, John Dalton, David Dickinson, Dennis Edgerley, Christopher France, Danny Gee, Harold Heaton, Steve Holgate, Greg Morgan and Geoffrey Russell

Officers in attendance: Jennifer Moore (Head of Planning), Paul Whittingham (Development Control Team Leader), Alex Jackson (Senior Lawyer), David Stirzaker (Planning Officer), Robert Rimmer (Business Support Team Leader) and Cathryn Filbin (Democratic and Member Services Officer)

Also in attendance: Councillor Kim Snape

12.DC.191 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Henry Counce and Councillor Roy Lees.

12.DC.192 MINUTES

RESOLVED – That the minutes of the meeting held on 10 July 2012 be confirmed as a correct record and signed by the Chair.

12.DC.193 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest.

12.DC.194 PLANNING APPLICATIONS TO BE DETERMINED

The Director of Partnerships, Planning and Policy submitted reports on four applications for planning permission to be determined.

In considering the applications, Members of the Development Control Committee took into account the agenda reports, the addendum and the verbal representations and submissions provided by officers and individuals.

- a) **Application:** 12/00296/FUL - Hall O'Th Hill Farm, Chorley Road, Heath Charnock, Chorley **Proposal:** Installation of two 11kW wind turbines (18.3m to hub height and 25m to blade tip)

RESOLVED (11:1:1) – That the decision be deferred to allow Members of the Development Control Committee the opportunity to visit the site of the proposals.

- b) **Application:** 12/00586/OUT - Land East of Greenways and South of Rosewood, Parkside Drive, South Whittle-Le-Woods **Proposal:** Outline application (with all matters reserved) for the erection of 1 no. detached dwelling on land opposite Greenways

RESOLVED (10:0:3) - That the outline planning permission be granted, subject to the conditions detailed within the report in the agenda.

- c) **Application:** 12/00664/OUT - Park Road Methodist Church Park Road, Chorley
Proposal: Outline application for demolition of the existing church building and redevelopment of the site for residential use (seven houses)

REOSLVED (Unanimously) – That outline planning permission be granted, subject to the conditions detailed within the report in the agenda and the additional condition detailed within the addendum.

- d) **Application:** 12/00463/REMMAJ- Land North East of Buckshaw Hall and bounded by Buckshaw Avenue and Ordnance Road, Buckshaw Village, Lancashire
Proposal: Reserved matters application for the erection of 123 dwellings with associated garaging, bin/cycle stores, parking areas, landscaping, roads, drains, sewers and boundary treatments at the Southern Commercial Area, Buckshaw Village (resubmission of application 12/00148/REMMAJ)

RESOLVED (Unanimously) – That reserved matters planning permission be granted subject to the conditions detailed within the report in the agenda, and an additional condition detailed within the addendum which was amended at the meeting to include the boundary treatment fencing being extended to the boundary with the railway line and banking.

12.DC.195 PLANNING APPEALS AND DECISIONS

The Director of Partnerships, Planning and Policy submitted a report which detailed three planning appeals had been lodged against the refusal of planning permission with the Planning Inspectorate and two appeals that had been dismissed.

RESOLVED – That the report be noted.

12.DC.196 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – That the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A to the Local Government Act 1972.

12.DC.197 ENFORCEMENT REPORT

The Director of Partnerships, Planning and Policy submitted a report which provided Members of the Development Control Committee with an update on the compliance with enforcement notices.

Since the last meeting of the Development Control Committee, breach of the enforcement notices was continuing and Members were asked to consider what further action should take place.

RESOLVED (Unanimously) – That the report be noted, and grant delegated authority to the Chief Executive, in consultation with the Head of Governance, to commence a criminal prosecution for non-compliance with the enforcement notices.

Chair

Item 4a	12/00296/FUL
Case Officer	David Stirzaker
Ward	Heath Charnock And Rivington
Proposal	Installation of two 11kW wind turbines (18.3m to hub height and 25m to blade tip)
Location	Hall O'Th Hill Farm Chorley Road Heath Charnock Chorley Lancashire
Applicant	Mr R Riley
Consultation expiry:	20 June 2012
Application expiry:	11 May 2012

1. Members will recall that this application was reported to Development Control Committee on 7 August 2012 wherein it was deferred for a site visit. The recommendation, that this application is granted conditional planning approval remains as per the original report.

Proposal

2. This application seeks planning permission for the erection of 2 no. wind turbines. The wind turbines would have hub heights of 18.3m and a height of 25m to the blade tips. The wind turbines are proposed to be located in an agricultural field to the south of Hall O'Th Hill Farm, Chorley Road, Heath Charnock. The application site is in the Green Belt.
3. The wind turbines will have white coloured blades and turbine heads and dull grey galvanised masts. The applicant's agent advises that the farmer will receive a tariff directly for which payment will be made for all electricity generated, not just that exported back to the grid. The farmer is paying for the installation of the turbines and will be the sole owner of the wind turbines.
4. Access to the application site is via the same road adjoining Bolton Road to the east, which serves Chorley Golf Club and Hall O'Th Farm, the applicant's property.
5. The applicant advises that the turbine size has been chosen to help contribute to the current and future energy needs of the client in terms of the considerable electricity consumption of the farm whilst the turbines will benefit from a good unimpeded wind resource, which is in excess of the minimum requirement of 4.5metres per second. The installation of the turbines will also provide the farm with a 20 year income through the Feed In Tariff.

Recommendation

6. It is recommended that this application be granted conditional planning approval.

Main Issues

- The main issues for consideration in respect of this planning application are:
- Principle of the development
- Background information
- Impact on surrounding landscape and Green Belt
- Impact on the neighbours
- Ecology
- Traffic and Transport
- Public Right of Way

Representations

7. Cllr Kim Snape (Borough Councillor for Heath Charnock and Rivington) has objected to the application stating that the turbines will set a terrible precedent for other similar features to appear along the lovely countryside up to Rivington. The noise and visual impact will be impacted massively on local residents and the lack of consultation has not been great for residents.
8. In terms of the point raised on lack of consultation, additional neighbours were consulted on the application, within a week of this matter being brought to the attention of the Planning Department by Cllr Snape, around a wider area in relation to the application site and a total of 110 neighbour notification letters were sent out.
9. To date, 27 no. letters of objections have been received and 2 no. letters of support have been received.
10. The contents of the 27 no. objection letters can be summarised as follows: -
 - The construction of the wind turbines would be an eyesore for miles around and in addition to noise, they do not generate nearly enough electricity to be warranted should be objection enough
 - The wind turbines are located far too close to residential property and will generate noise and these turbines do not actually work if located next to buildings
 - The local bat colony and other local wildlife will be affected and no sort of impact assessment has been submitted
 - Despite multiple objections to the withdrawn application, it seems this one will be approved no matter what local residents say
 - The wind turbines would be a gross intrusion into our enjoyment of our home where we have lived for 40 years and it is causing us great anguish
 - Approximately 20 properties on Chorley Road, The Green and Lower Hill Drive will have a direct view of the turbines from the rear of their homes and a small 4m high tree near the proposed site can quite clearly be seen and the turbines will tower above this
 - To have a constant noise from the wind turbines would be very annoying and when sleeping with windows open for ventilation, even the slightest noises seem amplified so noise would make living here not very nice
 - The area around here is visually stunning and could be seen for miles around
 - The wind turbines would affect property values in the area
 - It will encourage others and before we know it, Rivington will be overrun with wind turbines
 - My house backs onto planned site for turbines and this land is green belt and this sort of land is regularly being lost to various structures/buildings
 - I value natural beauty of areas around my property and emphasise its importance to my 2 young children
 - If farm wishes to generate natural energy then there are other methods which can be used e.g. solar energy
 - The noise of the turbines would also disturb wildlife, residents, walkers and golfers at nearby Chorley Golf Club
 - Surely, the better option would be to put solar panels on the roofs of the large farm buildings
 - Wind turbines are a good source of renewable energy, but should be built in areas away from people's homes and the countryside they enjoy, and preferably, several miles out to sea
 - The application makes no sense economically so one must assume it is simply to set a precedent for the area i.e. a full scale wind farm to follow with numerous turbines over the Adlington and Rivington countryside
 - On the basis of a mere 11Kw per turbine, the applicant would probably need 20 – 30 turbines to cover his operating requirements
 - The whole character of the villages will be changed and not for the good all for the profitability of one farm

- The noise generated by the turbines is often much greater than actually stated
 - Due to the elevation of the site, the turbines will be directly visible to surrounding properties to the west, south and east
 - The amenity of Chorley Golf Club could be affected
 - This whole area is a migration line for geese from west to east and back and also for migratory birds in spring and autumn from north to south and back
 - Disfigurement of the Green Belt landscape with hideous 9 storey high structures – no justification so close to the boundary of both Heath Charnock and Adlington
 - Producing enough electricity to power 2 domestic electric showers cannot be justified no matter how green this is viewed
 - The carbon footprint of manufacturing and installing these structures will take many years, if at all to cancel out
 - Turbines are the same height as Darwen tower and would overwhelm/affect the setting of Grade II listed Hall O’Th Hill Farm
 - Request application be determined by full Development Control Committee not delegated powers – committee to make a site visit including tour of all far reaching points
 - Applicant to elevate 2 helium balloons to 25m height of turbines to assist site visit
 - The photomontages and inaccurate and misleading and do not comply with Landscape Institute advice note 01/09
 - There needs to be an assessment on the listed building Rawlinson House on Slack Lane
 - The turbines would spoil the views to and from Rivington and Anglezarke
 - Whilst the power generated from the turbines would no doubt be remunerative to the applicant, as a hugely subsidised and inefficient form of power they would be of no use to the rest of the community and instead provide a permanent and wholly unwelcome blot on the landscape
 - The turbines could have an affect on satellite services i.e. TV and internet
 - It is widely acknowledged, more so in America, that wind turbines are the least affective way of generating electricity
 - Living conditions would be detrimentally harmed by the turbines to varying degrees by noise and visual impact
 - The turbines would diminish the fundamental aesthetic appeal of Rivington Pike as they would diminish the moors unique sense of openness and remoteness that visitors come to enjoy
 - There is a long established rookery within the vicinity, a roost of bats locally, owls, curlews and kestrels amongst others
 - Wind turbines are known to interfere with critical senses of wildlife because of noise and in addition there is a great threat of them flying into the path of the blades
 - The ecological benefit of wind turbines has been greatly overstated, they are not the panacea that we have been led to believe and the disadvantages of them far outweigh the perceived benefits
11. The contents of the 2 no. letters of support can be summarised as follows: -
- The turbines would help the farm become more sustainable and will generate a source of income in an increasingly tough business environment
 - Instead of being critical, we should support our local businesses to compete against larger multinational concerns
 - Surely we should show a commitment towards green energy to help save our fossil fuels for future generations
 - The structures are an investment in the future and will create a healthier environment for our children
 - Any potential noise will be drowned out by local roads
 - It is better to have wind turbines that houses at a later date
 - The proposal should be approved, I urge the Council not to be swayed by ‘nimby’ comments and this is for the long term please support it
 - The turbines would be visible from Rivington

- I live less than 500 metres from the proposed site and I can find no reasonable grounds for objection
 - Further, some of the objections published thus far seem to be rather knee-jerk in nature, especially with regard to noise (far less than is generated by the M62) and visual impact (these turbines are very much smaller than commercial wind-farm turbines)
 - Visual impact will not be great as houses on Chorley Road can barely see Rivington because of the lie of the land; if on the hill close to the farm and looking at Rivington the turbines will be either behind or to one side of the viewer and, if on Rivington itself, the turbines will be a) small and b) lost in the semi-industrial background of Chorley which exists
 - The suggestion that the turbines will interfere with satellite reception is risible; the only building likely to be thus affected is Hall O'Th Hill Farm itself since it is immediately to the north of the site
 - The total operating height of some 30 mtrs (97.50 feet) above the ground is considerably higher than conventional houses in the local area
 - When in the operational mode the wind turbines will be plainly visible to all local residents in Heath Charnock
 - The 'open mesh' design aspect of the columns will become contaminated with growing foliage, whilst the turning propeller will present a considerable danger to the local bird population
 - The proposed siting of the masts at the crest of the hill will result in all local residents and area visitors being constantly aware of their presence as will travellers on all the main and local roads along with M61 traffic
 - The wind turbines will do terrible damage to the environment
 - Noise pollution from the proposed masts will be a major problem in the area, as will associated problems such as interference with TV and electronic transmissions
 - Noise levels will vary from these installations contributing to the interference to residents normal lives
 - The idea of a wind farm being located in an area of outstanding natural beauty is completely unacceptable
 - When we came to live here and raise our family, the local beauty of the village area together with Rivington Pike and all the beauty of the Pennines was our major consideration
 - These proposals will be of little or no benefit to the local population and only create major problems for the area which will affect locals and visitors alike for years to come
12. Since the Development Control committee meeting, additional objection letters have been received from 6 no. residents, the contents of which can be summarised as follows: -
- The wind turbines will be in full view of a number of houses on Chorley Road and Lower Hill Drive
 - In addition to the spoiling of the green belt in this area the siting of the turbines is too close to housing.
 - Wind turbine companies assert that noise pollution will be 35db at 350 meters but this is best case scenario
 - The House of Commons paper, 5th July 2012 ref. SN/SC/522, whilst not setting a limit for the siting of turbines, does note that the pollution at 45db is likely
 - Scotland has a recommended 1km 'buffer' from housing and Wales a 500m minimum. Lincolnshire council has an informal 700m buffer.
 - Given the current governmental concerns over the economic value of wind turbines (proposed reduction in subsidy) and the questionable value of turbines when compared to solar panels there can be no justification to despoil the green belt and add to noise pollution by approving this proposal when a viable alternative is available
 - Surely the site should be visited by all Members of Development Control Committee prior to the recommendation being made
 - Whilst understanding the concept of renewable energy and applauding the theory, alternative systems are available and are far more sympathetic to this site and its

surroundings

- The proposed turbines are huge, the noise pollution will affect the surrounding community and their construction are strongly opposed by both myself and others that will be affected by their building, as seen in the opposition during the consultation which appears to have been ignored
- I hope the decision makers take into consideration the damaging impact these wind turbines will have on the surrounding community, and listen to those it will affect
- Would it not be fairer for the turbines to be sited closer to the Applicant's property rather than on the skyline and on rising land which is in full view of the residents of The Green, Chorley Rd, Lower Hill Drive etc.
- Once a precedent has been established, it would make way for the proliferation of the structures into the Anglezarke area
- Recent Government statements on Green Belt land have been to strengthen its preservation and not to use it in such a cavalier way
- In conclusion, as local ratepayers, we feel that the decision by the Planning Department will be biased in favour of the Applicant, the unfairness of which is causing much anxiety and depression
- The effect on neighbouring properties requires careful consideration, especially as alternative methods of environmentally friendly power generation, such as solar panels, could be considered
- They will also affect the light for many householders
- If these two are allowed more will follow
- The farmer could use solar panels for his power supply
- I would not like a wind turbine to spoil my beautiful view
- The worry I have is that two may not be enough power, therefore more wind turbines may be added

Consultations

13. **Lancashire County Council (Ecology)** do not raise any objections to the proposed wind turbines subject to planning conditions stipulating that no vegetation clearance works should take place between March to August inclusive unless the absence of nesting birds has been confirmed by further surveys or inspections. It is also recommended that the stock piling of materials within 100m of a pond should be avoided unless materials are raised off the ground (i.e. on pallets).
14. Additional comments were also made by **LCC (Ecology)** following issues raised by a local resident. In addressing these concerns about sensitive species, the assessment of LCC (Ecology) is that in terms of Kestrels and Owls, although LCC (Ecology) do not have records for kestrel and owl species in the area, it does not necessarily mean that they are not present within the nearby vicinity of the proposed application. If they are present in the area, it is possible that barn owls and raptors such as kestrels could be vulnerable to the proposed turbines (through collision) and would be a valid concern. However the habitat in the nearby vicinity of the turbine does not appear optimum foraging habitat for such species as it appears to be improved grassland. LCC (Ecology) advise that from the limited information provided, the size of the turbines and the sub-optimal habitat within the immediate vicinity, it seems reasonably unlikely that there would be significant impacts on sensitive species.
15. **The Environment Agency**, on the basis that the wind turbines have been moved from the position previously proposed by application no. 12/00047/FUL which was withdrawn, do not now raise any objections to the application as the Environment Agency consider this has overcome their previous objection.
16. **NATS (National Air Traffic Control)** do not raise any objections to the application.
17. The **Civil Aviation Authority** has provided guidance which Local Planning Authorities should follow in determining such an application for wind turbines although no objections are raised but the Council is reminded of its obligation for consultation with National Air Traffic Control and the Ministry of Defence.

18. The **MOD (Ministry of Defence)** does not raise any objections to the application.
19. **English Heritage** do not wish to offer any comments on the application and advise that it should be determined in accordance with national and local policy guidance and on the basis of the Council's own specialist conservation advice.
20. **Chorley's Conservation Officer** advises that the application site is close to two listed buildings, designated heritage assets as defined in Annex 2 to the NPPF. These are Hall O'Th' Hill Farm and Hall O'Th' Hill itself, now Chorley Golf Club. This application is judged with reference to section 12 of the NPPF. In my opinion, given that the nearest of these buildings is around 150metres from the application site and that the farm is surrounded by other farm buildings, the impact of the development upon the significance of these designated heritage assets or their settings is negligible. In my view that significance will be sustained. Consequently I consider the application to be acceptable.
21. **Director People and Places** does not raise any objections to the application.
22. **Lancashire County Council (Archaeology)** advise that on the basis of a check of archaeological records, there are no significant archaeological implications.
23. **Planning Policy** have advised on the pertinent policies in relation to this application.
24. **Lancashire County Council (Highways)** do not raise any objections to the application subject to a condition requiring the submission and written approval of a Construction Traffic Management Method Statement.
25. **Chorley's Waste & Contaminated Land Officer** does not raise any objections to the application.
26. **Manchester Airport (Aerodrome Safeguarding Response)** do not raise any objections to the application.

Assessment

Principle of the development

27. The proposed development should be assessed against the Development Plan which comprises of the Regional Spatial Strategy, the Core Strategy, the Adopted Chorley Borough Local Plan Review, the NPPF and the companion guide to it.
28. The proposal is located in the Green Belt wherein Local Plan Policy DC1, which reflects the NPPF, sets out acceptable developments in the Green Belt. Wind turbines do not fall within the specified categories of acceptable uses, therefore planning permission will only be granted in very special circumstances.
29. Paragraph 91 of the NPPF in section 9 (Protecting Green Belt Land) states that: "*When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to succeed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.*"
30. Paragraph 98 of the NPPF in section 10 (Meeting the challenge of climate change, flooding and coastal change) also states: "*When determining planning applications, local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions and should approve the application if its impacts are (or can be) made acceptable.*" However, the first issue in policy terms is whether or not the 'principle' of the development is acceptable in the Green Belt, a

matter evaluated from paragraph 30 onwards in this report.

31. Policy 21: Landscape Character Areas of the recently adopted Core Strategy states that *'New Development will be required to be well integrated into existing settlement patterns, appropriate to the landscape character type and designation within which it is situated and contribute positively to its conservation, enhancement or restoration or the creation of appropriate new features.'*
32. The preamble to this policy states that landscape is important in the way that it contributes to an area's distinctiveness and key activities and that all the 'natural' landscapes in Central Lancashire have been shaped by human activity over thousands of years. The preamble also refers to The Landscape Strategy for Lancashire (2000) which was produced by Lancashire County Council in partnership with the former Countryside Agency and the Lancashire Historic Landscape Characterisation. This document identified a broad range of landscape character areas within Central Lancashire worthy of conserving, protecting and enhancing.
33. Policy 28: Renewable and Low Carbon Energy Schemes of the Core Strategy states the following: -
Proposals for renewable and low carbon energy schemes will be supported and planning permission granted where the following criteria are met:
 - (a) *The proposal would not have an unacceptable impact on landscape character and visual appearance of the local area, including the urban environment; (see paragraphs 49 to 62)*
 - (b) *The reason for the designation of a site with statutory protection would not be compromised by the development; (see paragraphs 63 to 67)*
 - (c) *Any noise, odour, traffic or other impact of development is mitigated so as not to cause unacceptable detriment to local amenity; (see paragraphs 39 to 48)*
 - (d) *Any significant adverse effects of the proposal are considered against the wider environmental, social and economic benefits, including scope for appropriate mitigation, adaptation and/or compensatory provisions. (see paragraphs 77 to 78)*
34. As the site is in the Green Belt, it is therefore appropriate to consider any factors in support of the application, which individually or cumulatively could amount to very special circumstances that would outweigh the harm to the Green Belt. Additionally, the impact on the openness of the Green Belt should also be considered.
35. Firstly, in terms of openness, it is acknowledged that the turbines represent an encroachment of development into the countryside (which is one of the purposes for including land within the Green Belt). However, it should also be noted that there often is a requirement for wind turbines to be located within open areas away from built development to function effectively.
36. Turning to the issue of very special circumstances, the applicant has submitted a case in support of the application which covers a number of issues in favour of the application and to address the requirements of the NPPF (see paragraph 24 above).
37. The applicant highlights that the proposed development finds support in national planning policy which was identified in 2006 through the Stern Report. This report demonstrated that climate change must be managed if we are to avoid catastrophic social and environmental effects. The Government's energy policy, including its policy on renewable energy, is set out in the Energy White Paper. This sets the challenging aim for the UK to cut its carbon dioxide emissions by some 60% by 2050, with real progress by 2020, and to maintain reliable and competitive energy supplies. The UK has a more tangible target to incorporate 10% renewable sources by 2010, and at least 20% by 2020.

38. The applicant advises that the proposed turbines would provide a modest but important contribution to addressing climate change and in terms of energy production, the wind turbines will produce around 25,000 kWh of renewable energy per turbine based upon the wind speed available on the site. This gives a potential annual total of 50,000kWh which will have a direct impact on reducing some 25-tonnes of carbon emissions.
39. The applicant asserts that the proposed turbines are small scale in comparison with the turbines found at larger wind farms, and other prominent vertical features in the British countryside such as electricity pylons. The 11kW turbine model has been chosen because the form of this turbine is considered to best suited to this landscape setting and the purpose for which it is intended. The mast design, which tapers towards the top, and the dull grey colour which is proven to blend in with the sky and surrounding landscape, result in reduced visibility over both mid and long-range distances. The nacelle of the turbine is small which reduces the bulk of this section of the turbine and helps again to minimise its impact on the landscape.
40. In terms of the benefits of the turbines to the site, the applicant advises that the turbine installation will greatly assist in the diversification of the farm as farming in general terms is changing; forced in the main by economic and climatic forces. In order to survive, both now and for future farming generations, farmers are having to embrace new technologies and ideas to best utilise their land to generate income. The installation of the turbines will provide the farm with a 20 year income through the Feed In Tariff. They will also help offset the considerable electricity consumption on the farm; another ever growing cost.
41. It is therefore considered that the above factors constitute 'very special circumstances' which outweigh any harm to the Green Belt, by way of inappropriateness. This being the case, the proposal accords with the NPPF in terms of 'principle' which is found to be acceptable.

Impact on neighbours

42. In terms of neighbour amenity and any resultant noise and disturbance, a noise assessment of the wind turbine has been included with the application.
43. In terms of noise pollution objections, the submitted noise report in relation to the turbines concludes that the noise level of the turbines at a distance of 100mtrs will be under 40dB (whispering levels) and only 45dB (quieter than conversational speech) at a distance of 60mtrs. The report advises that in general context, the noise of the wind itself (background noise) will be heard over that of the turbines. The Director of People and Places does not raise any objections to the wind turbines on this basis.
44. With regards to shadow flicker, the turbine blade diameter is 14-metres and therefore the applicant asserts that shadow flicker would only occur within a 140-metre distance from the turbines. The nearest property is in excess of this distance from the turbines.
45. The Council's Director of People and Places has been consulted on the application and provided comments. In response, no objections have been raised to the proposed turbines in relation to noise nor have any been raised with regards to shadow flicker.
46. The nearest residential property (Slacks Farm), other than the applicants, is situated approx. 320m east of the site of the southern wind turbine. There is also another property on Slacks Lane (Rawlinson House) approx. 350m away. Both of these properties will have some views of the turbines. However, at the distances they are away from the site of the turbines, it is not considered that views of the turbines will cause harm to living conditions. There are also established trees between these properties and the site of the turbines that will have a filtering effect on any attainable views of the turbines. Views from properties further east than these will have limited views of the turbines due to the presence of established trees in the intervening landscape.
47. Lonsdale Farm is located to the south of the site approx. 350m away, a distance which is

considered adequate to ensure the amenities of the occupiers of this property are not detrimentally harmed.

48. There is a property located on the road leading to the site and golf course (Noran) which is located approx. 330m away from the site of the turbines. This property sits at a lower level than the site (approx. 20m) so any views of the turbines will encompass the upper parts of the turbines which will be seen against the sky.
49. In terms of the residential properties further away, the dwellings located on Chorley Road (approx.. 480m away), Lower Hill Drive (approx.. 400m away) and Waterford Close (approx. 550m away) also sit below the level of the site of the turbines by at least 15m so again any views of them, which are attainable from properties on these roads will be of the upper parts of the turbines against the sky.
50. Properties further away on Stoneacre Drive to the south are approx. 560m away, properties on Sutton Lane are at least 620m away and properties on Windermere Drive, Thirlmere Close and Stonegate Fold are all 700m or more away from the site of the turbines. After Stonegate Fold, the nearest property on Babylon Lane is approx. 750m away from the site.
51. On the basis of the above and the various distances specified, it is concluded that the turbines will not have a detrimental impact on the living conditions of nearby residents. It is accepted that the wind turbines will be visible to varying degrees from the properties which have a view of the site. However, the turbines would be far enough away not to cause harm to living conditions and as detailed, the noise and shadow flicker generated by the turbines would not result in detrimental harm to the living conditions or nearby residents.

Impact on surrounding landscape and Green Belt

52. Wind turbines, by virtue of their purpose, are often sited on areas of open and exposed landscape, as is the case here, in order to gain the maximum benefit from the wind and in turn generate electricity. It should be noted that the application site is not a designated Area of Outstanding Natural Beauty (AONB).
53. The application includes a Landscape Assessment which includes 5 panorama images taken from various points around the local area. The panorama images show superimposed images of the wind turbines in situ and on the basis of these images and the assessment, it is concluded that the turbines will have a relatively minor visual impact on the landscape.
54. In 2000, a study entitled "A Landscape Strategy for Lancashire" was published by Lancashire County Council. This study provides an understanding of different landscape types and character areas and places different parts of Lancashire in various Landscape Character Areas. This document is referred to in the preamble to Policy 21 of the adopted Core Strategy.
55. The site of the turbines falls within landscape type 6b (West Pennine Foothills). This is described as being a complex transitional landscape of relatively small scale with intensive settlement. This area is also described as having a more gentle landform and vegetation cover than that of nearby higher ground. The main characteristic is the mixture of rural and agricultural land uses. A further study published in 2005 by the Lovejoy consultancy looked specifically at the sensitivity of landscapes in Lancashire to wind energy proposals. The Lovejoy study places the application site as having a moderate sensitivity to wind development. Within this area, the study states that the scale of development potentially acceptable is defined as being small scale development. The study provides a typology for small scale development as comprising of clusters of 2 to 5 1.3MW turbines. These documents therefore provide a useful evidence base for the determination of planning applications.
56. The wind turbines are proposed to be sited on a plateau which sits at a higher point than most of the surrounding land to the east, south and west although to the north, the level of

the land continues to rise towards the applicant's property (Hall O'Th Hill Farm) and the clubhouse for Chorley Golf Course. To the west, the level of the land falls and then rises again up towards from where views are attainable of the site from Babylon Lane.

57. Although the turbines would be higher than anything else found in the landscape in the vicinity of the site they are proposed upon, the turbines are relatively slender structures and would be well spaced with a gap of 45m between them. It is not considered that they would detract from the sense of space and openness of the area surrounding the site of the turbines which is an important attribute of the Green Belt. Also, the dimensions and spacing of the turbines would not significantly interfere with longer views to the extent that views would be blocked or seriously obstructed.
58. In terms of the visual impact of the turbines, it is accepted that given the height of the turbines and the movement of their blades, they will be seen from a number of public vantage points, particularly from the network of public footpaths and tracks near to the site itself, on higher ground to the north and east, the lower ground to the west and south and from the golf course. It is also accepted that that the turbines would be seen from some of dwellings around the site.
59. However, from many of the closest footpaths across the site, the upper parts of the grey coloured masts and their white coloured turning blades would be seen against the sky, whilst from some of the viewpoints from the north, including the golf course, the lower parts of the masts would be seen against and with the backdrop of well-established trees and the landscape to the south, the level of which rises after it falls away from the site. From further afield, particularly from the higher land to the east and north, the turbines would be seen at some distance with the upper parts of the turbines seen against a wide expanse of sky although these vistas will include established trees and the cluster of buildings of Hall O'Th Hill Farm in the vista. The grey finish of the mast and the white finish of the turbine hub and blades will reduce the prominence of the turbines when they are seen against the backdrop of the sky.
60. From the west, when seen from Chorley Road, The Green and Lower Hill Drive, roads which are between 20m and 25m lower than the site, any attainable views would be of the upper parts of the turbines and these will be seen against a backdrop of sky. However, the nearest of the properties to the west with views of the site are approx. 340m away (Noran and The Green). The same can also be said of any views of the turbines from Stoneacre Drive, Sutton Lane and Windermere Drive to the south. In terms of views of the site from Babylon Lane, where it opens up after the Stonegate Fold development, these are direct across to the site although the turbines will be seen with the established trees.
61. As stated, the site has been identified in the Lovejoy study as having a moderate sensitivity to wind development wherein small scale development is deemed as being potentially acceptable (i.e. 2 to 5 1.3MW turbines) in principle. This development of 2 no. 11kW wind turbines does not exceed the typology specified. Notwithstanding this, from both the nearer and more remote public vantage points with attainable views of the turbines, it is not considered that the turbines would have an unacceptable and harmful visual impact on the local landscape character.
62. With regards to Green Belt policy, as set out in the 'Principle of Development' section of this report, the turbines are considered to be an acceptable form of development in the 'in principle'. On Green Belts, the NPPF (Section 9 paragraph 79) states that '*the essential characteristics of Green Belts are their openness and their permanence.*'
63. The turbines do represent an encroachment of development into the countryside/Green Belt, which is one of the reasons for including land in the Green Belt. However, this has to be balanced against the requirement for turbines to be sited in open areas well away from buildings and structures which could impede or divert the flow of wind. Of necessity, this invariably means that a large proportion of turbines are located in areas of countryside away

from settlements.

64. In terms of longer distance views attainable from Rivington, the turbines will be seen at some distance and against a wide expanse of sky and with the established trees adjacent to the site. However, the slender dimensions of turbines and their light colour means that the views from Rivington will not be detrimentally harmed to an extent that the character of the landscape within which the turbines sit would suffer harm. Likewise, the turbines are such that it is not considered that they will result in detrimental harm to the openness of the Green Belt.
65. It is therefore considered that the turbines comply with the objectives of the pertinent planning policies which seek to safeguard the existing landscape character and the openness of the Green Belt as whilst the turbines will be visible from a wide range of vantage points, their presence in the landscape will not cause a detrimental level of harm to it.

Impact on setting of listed buildings

66. As already set out in the consultations section, English Heritage have advised that the application should be determined in accordance with national and local policy guidance and on the basis of the Council's own specialist conservation advice.
67. The Council's Conservation Officer advises that the application site is close to two listed buildings which are designated heritage assets as defined in Annex 2 to the NPPF. These are Hall O'Th' Hill Farm and Hall O'Th' Hill itself, now Chorley Golf Club. The application therefore assessed in accordance with Section 12 of the NPPF.
68. Given that the nearest of these buildings is around 150metres from the application site and that the farm is surrounded by other farm buildings, the impact of the development upon the significance of these designated heritage assets or their settings is considered to be a negligible one.
69. In terms of the comment raised in the objections that an assessment should be done in terms of impact on Rawlinson House, this property is located approx. 350m east of the site of the turbines which is 200m further away than Hall O'Th Hill Farm is from the site and no concerns have been raised in relation to this by the Conservation Officer.
70. On this basis, it is not considered that the turbines will have a harmful impact on the significance of the aforementioned heritage assets.

Ecology

71. The previously submitted application (Ref No. 12/00047/FUL) proposed 2 no. wind turbines located in closer proximity to the field boundary and this resulted in LCC (Ecology) objecting to the application.
72. The turbines are now proposed to be sited (50m) further away from the field boundaries or features which LCC (Ecology) considered as being suitable for bats. LCC (Ecology) state that due to the position of the turbines, based on Natural England Guidance notes (TIN 059 and 051) impacts on bats seem reasonably unlikely.
73. In terms of Great Crested Newts, LCC (Ecology) advise that the application area lies approximately 100m from a pond and several other ponds lie within the nearby area which may have the potential to support Great Crested Newts. However, it appears that the proposed development would affect only intensively managed improved grassland and would be sub-optimal for amphibians. This in combination with the small footprint of the development it would seem reasonably unlikely that the proposed development would have an impact on Great Crested Newts. However as no survey of the pond has been undertaken, a precautionary approach to avoid impacts on Great Crested Newts is advised. A planning condition is therefore recommended. The applicant should be made aware that works should

stop if Great Crested Newts are suspected or found and advice should be sought from Natural England. Any other amphibians should be moved to a safe area of suitable habitat.

74. In terms of breeding birds, LCC (Ecology) advise that the proposed wind turbines do not appear to be located within an area identified as supporting significant bird populations sensitive to wind turbines (RSPB and Lancashire Wildlife Trust, July 2008). However, these areas are not definitive and the need for an ornithological assessment proportionate to the likely impact should be considered on a case by case basis. In this case, Lancashire County Council does not have records of any priority bird species likely to be affected by the proposed development. This combined with the location of the proposed turbines and the small scale of the proposed development suggest that any requirement for a detailed ornithological assessment may be disproportionate to the likely impacts, unless evidence has been provided by another consultee indicates that there is a significant bird population that may be adversely affected. There is not a requirement to consult Natural England on this application and the Environment Agency have not raised any issues in terms of impacts on bird populations.
75. In terms of cable routing, more information is required and this can also be made the subject of a planning condition. On the basis of the comments of LCC (Ecology), there are no concerns that the proposed turbines would detrimentally impact on the various ecological elements specified by LCC (Ecology).

Traffic and Transport

76. Access to the site of the wind turbines would be via the same road which leads to Chorley Golf Club and Hall O' Th Hill Farm. LCC (Highways) have considered the proposals and do not raise any objections to the application on the basis that a planning condition is imposed which requires the applicant to submit to the Council, prior to the commencement of development, a Construction Traffic Management Method Statement including details of construction vehicle routing, junction management, timing of vehicle movements, details of banksmen/escorts for abnormal loads, temporary warning signs, proposed accommodation works and the traffic management on existing highway network.

Public Right of Way

77. A public footpath (Path No. 67) runs adjacent to the site of the wind turbines along the western boundary of the field and the southern boundary of the field (Path No. 59) within which the turbines are proposed. The northern turbine would be located approx. 54m east of path no. 67 at its nearest point whilst the southern turbine would be located 56m east of the path no. 67 at its nearest point.
78. In terms of the footpath which runs to the south of the turbines, (Path No. 59), the southern wind turbine would be approx. 31m from the path whilst the northern turbine would be approx. 73m from the path.
79. In terms of safety, whilst PPS22 has now been superseded by the NPPF, the companion guide to it is not specifically mentioned in Annex 3 (Documents replaced by this Framework) of the NPPF, which lists the documents replaced by the NPPF. The companion guide can still therefore be afforded weight and this document states that the fall over distance for turbines should be the height of the turbine to the tip of the blade, plus 10%. In this case, the required distance for safety purposes would be 27.5m. Both of the turbine locations exceed this distance. As such, it is considered in this case that reasonable steps have been taken to maintain the safety of local residents and other members of the public wishing to use the public footpath which runs adjacent to the site of the turbines.

Overall Conclusion

80. This application turns on whether or not the balance of harm is sufficient to outweigh the significant benefits of carbon reduction and the provision of a source of renewable energy and whether or not 2 no. wind turbines would cause detrimental harm to the landscape character. There are no concerns with the impact of the turbines on the amenities of local

residents which could justify the refusal of the application and could thereafter be substantiated at appeal. In terms of the impact of the wind turbines on local ecology, traffic and transport, the public rights of way and the setting of the nearby listed buildings, there are also no concerns that would form the basis of reasons to refuse planning permission and indeed can be mitigated by planning conditions.

81. With regards to landscape impact, it is accepted that the wind turbines will be visible from various vantage points around the site. However, the landscape character will not be detrimentally harmed as a result of the wind turbines and in terms of Green Belt impact; the wind turbines will not have a significant impact on openness, which is one of the most important attributes of the Green Belt. This being the case, it is not considered that there are sufficient reasons why planning permission should not be granted.

Other Matters

Sustainability

82. As already stated, the turbines comply with the criteria specified in Policy 28 of the Core Strategy. In providing a source of renewable energy, this policy provides support for renewable and low carbon energy schemes subject to compliance with the specified criteria (a to d listed in paragraph 28 of this report). In this case, it is considered that the application complies with the said criteria.

Non-material planning considerations

83. Some of the objections have suggested that the applicant installs solar panels on the existing farm buildings rather than the wind turbines proposed. However, the Council must determine this application for the 2 no. wind turbines in accordance with the development plan.
84. With regards to the issue of interference with TV and electronic transmissions, Ofcom have not raised any issues with the application and the applicants Design and Access Statement also refers to guidance on the BBC website in relation to the impact of wind turbines. This states that the assessment tool on the BBC website is only intended to assess the impact of commercial wind farms on TV reception and does not consider small, domestic installations. It also states *"We are not aware of any problems caused to TV reception by small domestic wind turbine installations."*

Planning Policies

National Planning Policies:

National Planning Policy Framework (NPPF)

Adopted Chorley Borough Local Plan Review

Policies: GN5 / DC1 / EP4 / TR4

Joint Core Strategy

Policy 16: Heritage Assets
 Policy 21: Landscape Character Areas
 Policy 22: Biodiversity and Geodiversity
 Policy 28: Renewable and Low Carbon Energy Schemes

Sites for Chorley Issues and Options Discussion Paper December 2010

Policy BNE6: Heritage Assets

Planning History

12/00047/FUL - Installation of 2 no. 11kW small domestic micro wind turbines (18.3m to hub height and 25m to blade tip) – Withdrawn
 09/00747/FUL - Replacement poultry rearing building – Permitted
 02/00073/FUL - Replacement chicken house - Permitted
 98/00715/FUL - Erection of Poultry Shed – Permitted
 98/00714/FUL - Erection of covered silage clamp – Permitted

83/00087/FUL - Poultry House for production of broiler chickens (200 feet by 80 feet) – Permitted
76/00765/FUL - Extension and alterations – Permitted
75/00079/FUL - Covered Treated Water Reservoirs, allowing grazing on completion - Withdrawn

**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. If either turbine hereby permitted ceases to operate for a continuous period of 6 months then, the wind turbine(s) and any other ancillary equipment and structures shall be dismantled and removed from the land and the land restored to its original state within 3 months of the cessation period.
Reason: To ensure that the rural landscape is not littered with structures that are no longer needed or have outlived their useful lives and in accordance with the NPPF, Policy 28 of the Core Strategy and Policy DC1 of the Adopted Chorley Borough Local Plan Review.
3. This permission shall expire no later than 25 years from the date that the first turbine is erected. Within 6 months of the expiration of the permission, all elements of the development shall be removed and the land restored to its former condition.
Reason: To ensure that the rural landscape is not littered with structures that are no longer needed or have outlived their useful lives and in accordance with the NPPF, Policy 28 of the Core Strategy and Policy No. DC1 of the Adopted Chorley Borough Local Plan Review.
4. If any materials associated with the development hereby permitted are stockpiled on land which is within 100m of a pond, the materials shall be stored off the ground (e.g. on pallets) for the duration of storage.
Reasons: In the interests of protected species and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local Plan Review and the NPPF (National Planning Policy Framework).
5. No vegetation clearance works or other works that may affect nesting birds shall commence between March and August inclusive, unless the absence of nesting birds has been first confirmed through appropriate surveys and/or inspections carried out by a suitably qualified ecologist which are submitted to an approved in writing by the Local Planning Authority.
Reason: To ensure nesting birds (including ground nesting birds) are not adversely affected by the development in accordance with the NPPF and Policy EP4 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 the colour finish to all external facing elements of the wind turbines (i.e. mast, blade and hub body) (notwithstanding any details shown on the approved plans) 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. DC1 and GN5 of the Adopted Chorley Borough Local Plan Review, Policy 28 of the Core Strategy and the NPPF.
7. The development hereby permitted shall not commence until full details of all cable routing and reinstatement works have been submitted to and approved in writing by the Local Planning Authority. The cable routing works shall only be carried out in

accordance with the approved details and reinstatement works.

Reasons: To ensure that the works do not compromise local ecology and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local plan Review and the NPPF.

8. Before the development hereby approved is first commenced, a Construction Traffic Management Method Statement shall be submitted to and approved in writing by the local planning authority. The turbine construction and traffic management plan shall include:
- construction vehicle routing;
 - the management of junctions with and crossings of the public highway;
 - the timing of delivery vehicle movements including turbine component delivery vehicles;
 - details of banksmen/escorts for abnormal loads;
 - temporary warning signing;
 - proposed accommodation works and where necessary a programme for their subsequent removal and the reinstatement of street furniture, where required along the route;
 - traffic management on the existing highway network.
 - provide bond for full value of reinstatement.
 - approval is secured by the main contractor for the passage of all construction vehicles over all highway structures from the relevant responsible authorities (i.e. canal, railway, highway over-bridge etc.).
 - there is confirmation from the main contractor that access arrangements (ingress, egress and vehicle turning space) at the development site are considered suitable for construction vehicles.



The development shall be carried out and implemented in full in accordance with the approved details thereafter.

Reasons: To ensure there is no unreasonable inconvenience to other road users, to ensure all plant and vehicles are suitably sized to use the access road, to ensure all plant and vehicles are not a danger to themselves or any other road user(s) (i.e. pedestrians / horses / vehicles / cyclists), in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review 2003, and to notify the MOD of certain information which is required so the data can be plotted on flying charts to make sure the military avoid this area.

9. Before the development hereby permitted is first commenced, full details of the position, height and appearance of any fences or walls to be erected around the base of the wind turbines, shall have been submitted to and approved in writing by the Local Planning Authority. Fences and walls erected around the base of the wind turbines shall only be erected in accordance with the approved details and retained and maintained as such at all times thereafter.
- Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy Nos. DC1 and GN5 and of the Adopted Chorley Borough Local Plan Review and the NPPF.*

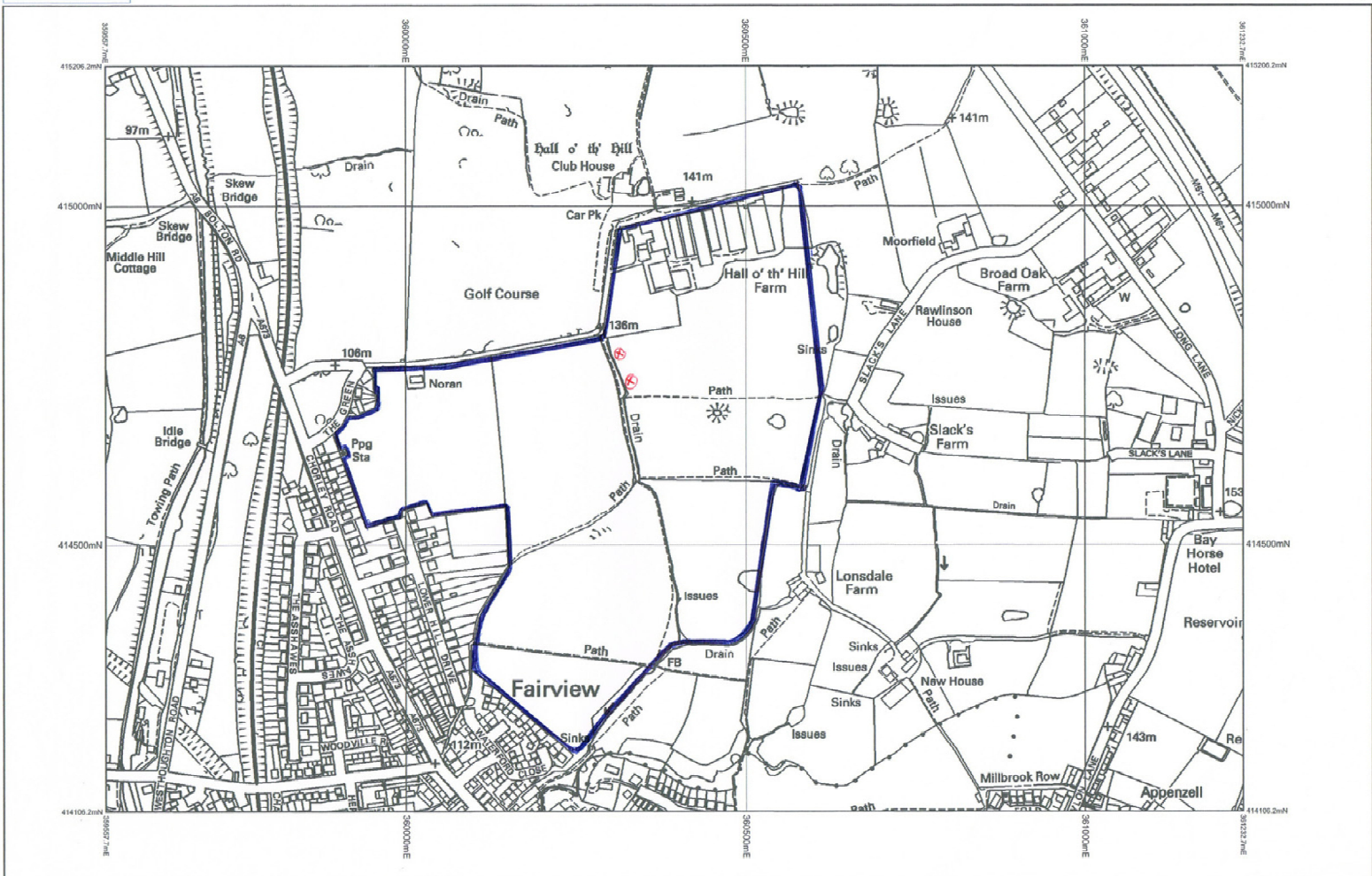
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 Ordnance Survey
 Mapping and Data Centre
 Supplied by: www.ukmapcentre.com
 Serial Number: 2446
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 Production Date: 16 Jun 2012 14:56

 = Turbine Locations
 = Boundary

REF: 2415102

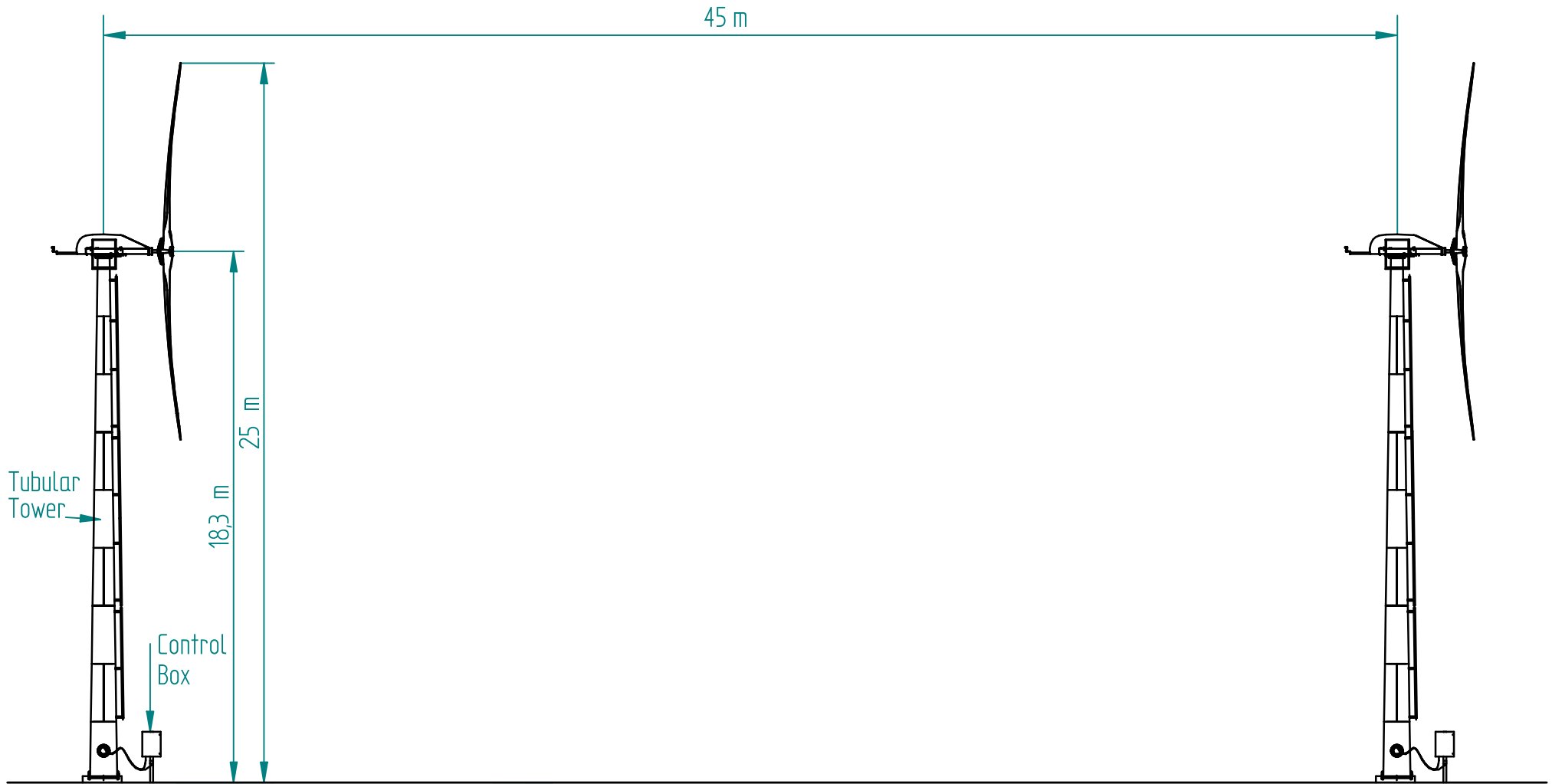
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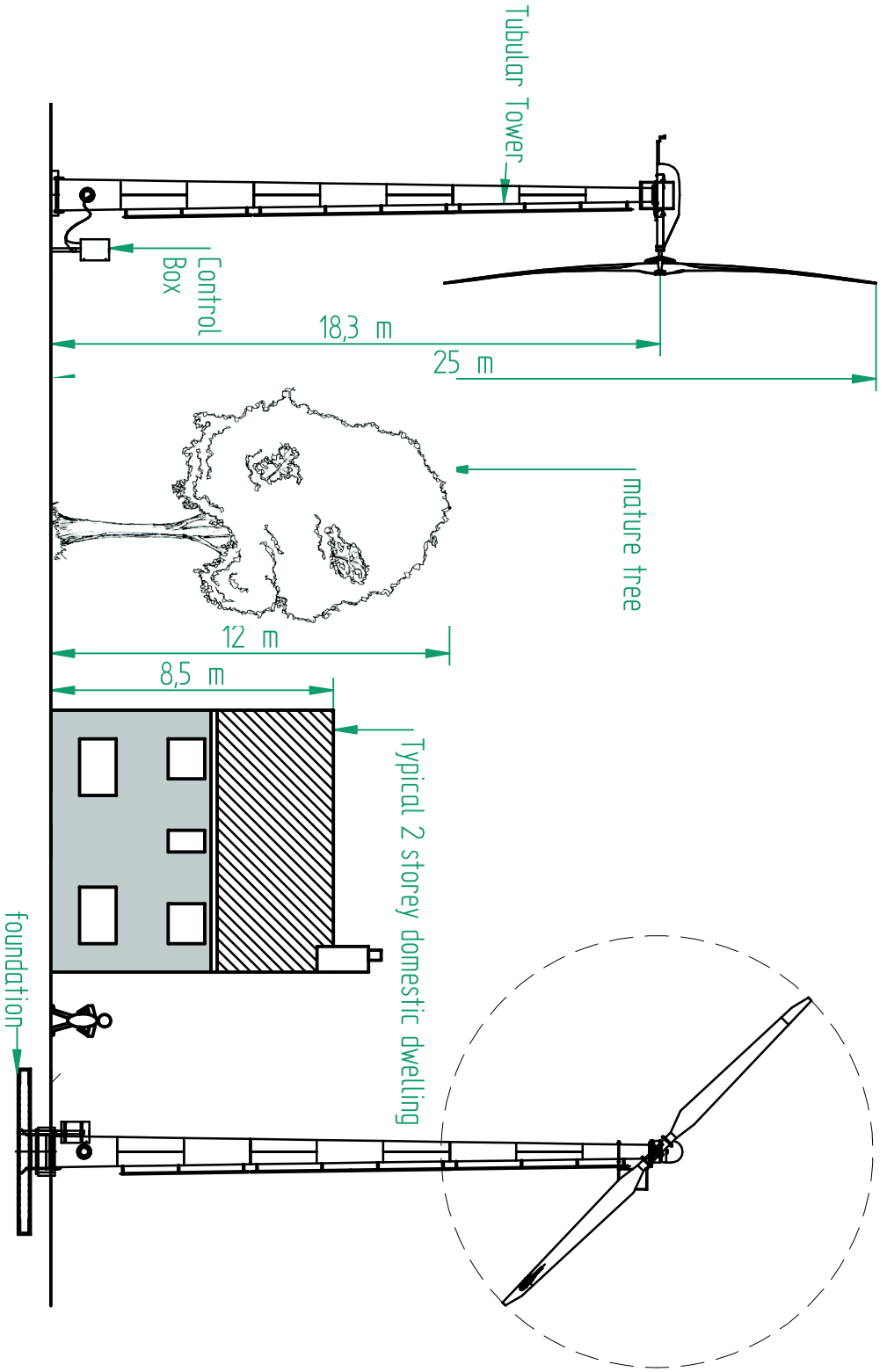
0 200 m
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 Hall Oth Hill Farm

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TITLE Scale Elevation Drawing of the proposed turbines showing the distance between them		
DWG NO Ref: RRILEY?	REV	
Sheet: A4		
SCALE: 1:200	WEIGHT:	SHEET 1 OF 1

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Renewable Solutions
 Unit 13, The Bridgewater Complex
 36 Canal Street, Bootle, Merseyside, L20 8AH
 Tel: 0845 224 7001 / Fax: 0151 550 0142
 www.renewablesolutionsuk.com

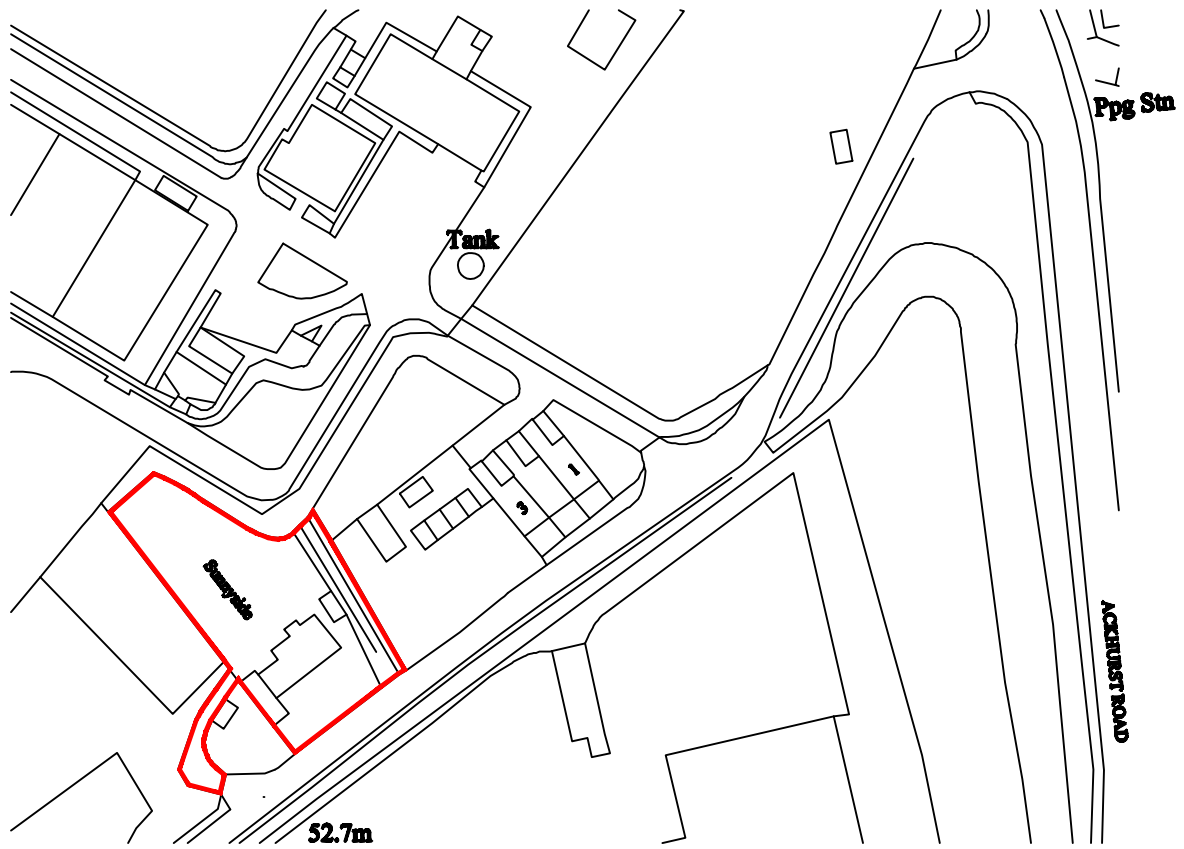
UNLESS OTHERWISE SPECIFIED
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TITLE		Gaia-Wind 11kW Footprint	
DWG NO		REV	
Sheet: A4		SHEET 1 OF 1	
SCALE: 1:200	WEIGHT:		

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 All levels to be checked on site.
 All materials to be referred to the Council Administrator prior to proceeding.
 Positions of existing drainage runs to be verified prior to proceeding and shown checked as necessary.
 All related boundary positions to be checked prior to proceeding.

Note:
 For Planning and Building Regulation purposes only

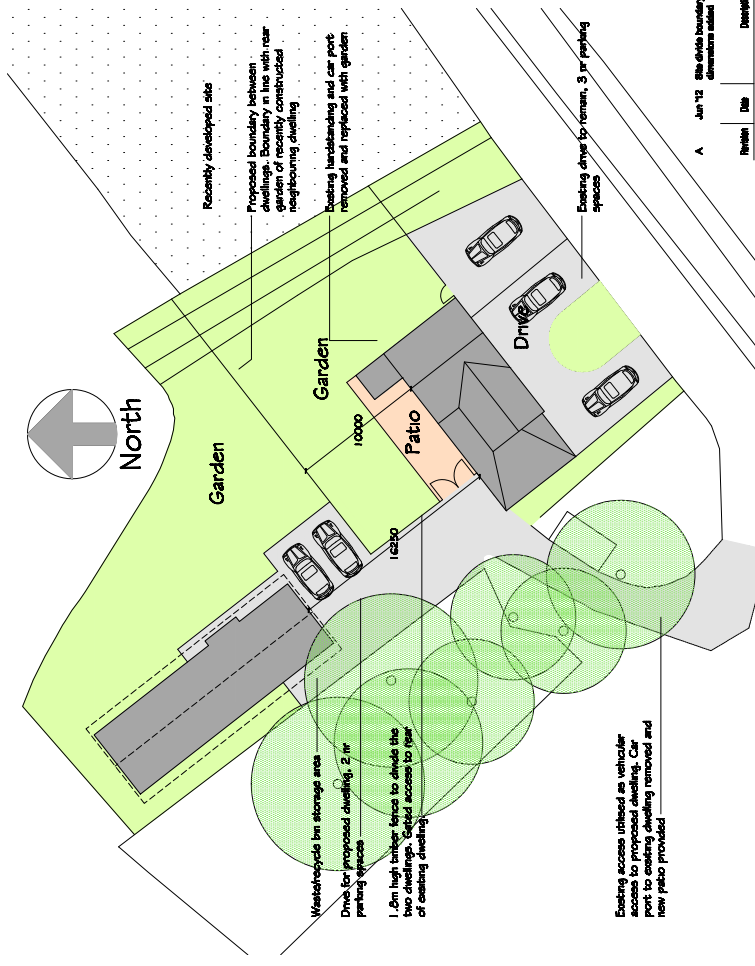


Revision	Date	Description
Client Mr J Weddlove		
Project Proposed New Dwelling 4 Common Bank Lane		
Drawing Title Location Plan		
Scale 1:1250	Date Mar '12	Drawn -
Dep No. JW-1008	Rev	Job No.

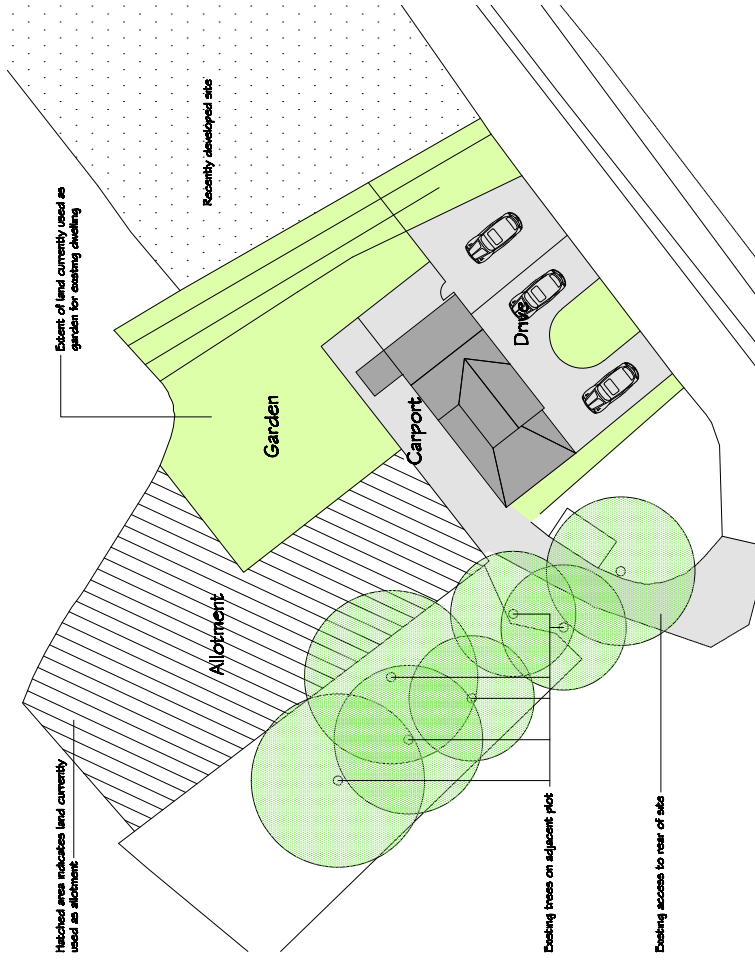
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Proposed Site Layout



Existing Site Layout

A Jun '12 Site-wide boundary amended and dimensions added

Client	Mr J Waddilove		
Project	Proposed New Dwelling 4 Common Bank Lane		
Drawing Title	Existing & Proposed Site Layouts		
Scale	Date	Drawn	Check
1:200 (A1)	Mar '12	-	-
Drawn By	Checked By	Drawn No.	Check No.
JWV-1001	A		

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Item 4c	12/00712/REM
Case Officer	Caron Taylor
Ward	Chorley North West
Proposal	Reserved Matters application for the erection of three new dwellings giving details of appearance and landscaping of the proposed properties (relating to outline planning permission 07/01041/OUT)
Location	4 Rectory Close Chorley PR7 1QW
Applicant	Mr George Banks
Consultation expiry:	29 August 2012
Application expiry:	17 September 2012

Proposal

1. The proposal is a Reserved Matters application for the erection of three new dwellings giving details of appearance and landscaping of the proposed properties (relating to outline planning permission 07/01041/OUT).

Recommendation

2. It is recommended that this application is approved.

Main Issues

3. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Housing Development
 - Density
 - Levels
 - Impact on the neighbours
 - Design
 - Open Space
 - Trees and Landscape
 - Ecology
 - Flood Risk
 - Traffic and Transport
 - Contamination and Coal Mines
 - Drainage and Sewers

Representations

4. 2 letters of objection have been received
 - The proposal would change the character of the area with the increase in the number of people living there and the increase in the number of cars and problems will occur when cars try to pass and prejudice road safety;
 - 4 bed houses are out of character with the adjacent 2 and 3 bedroom bungalows;

- The houses will overlook their property (number 3 Rectory Close) and obscure their views into Astley Park;
- Rectory Close is a private road;
- The lighting in the close is substandard;
- The proposal is garden grabbing;
- There are deeds on the land that say any building must be in keeping with the style and character of the area and materials should harmonise with surrounding properties.

Consultations

5. No consultation responses have been received.

Assessment

Principle of the development

6. The principle of three new dwellings on the site has already been established by outline permission (ref: 07/01041/OUT). This was permitted by the Development Control Committee on 13 November 2007 but was not issued until 2009 when the associated s106 agreement was signed. The outline permission approved the layout, scale and access of the properties. The only aspects that were not approved were their appearance and the landscaping of the site. This application therefore only relates to the acceptability of these outstanding reserved matters.

Levels

7. The levels of the site drop away to the west towards Astley Park. The property on plot 1 furthest to the west proposes to take advantage of this by the inclusion of an undercroft garage on one side and will have an associated retaining wall along the side of the driveway leading to it. The case officer has requested details of proposed floor levels and the acceptability of these will be reported on the addendum.

Impact on the neighbours

8. The nearest property is number 3 Rectory Close, a bungalow which has a detached single garage to the rear against the boundary with the application site. The nearest proposed property will be on plot 3. This plot will have no windows in its side elevation facing towards this property. There is an existing bungalow (to be demolished) on this part of the site and although the proposed property will be higher than the existing bungalow and will have a gable with first floor accommodation and first floor dormers, the relationship with no. 3 is considered acceptable subject to conditions preventing the insertion of windows in the side elevation of plot 3.
9. The windows in the proposed properties face north or south, away from each other. The only side windows are at ground floor serving a dining or living area and are proposed to be obscure glazed. This can be controlled by condition as can suitable boundary treatments to ensure the amenity between the dwellings is maintained.
10. There are no properties to the north, west or south of the site. The proposal is therefore considered acceptable in terms of neighbour amenity in accordance with policy HS4 of the Local Plan.

Design

11. The properties are as shown at outline stage, in that they are one and a half storeys in height (they incorporate living accommodation in the roof space) and this scale was approved at

outline stage. In terms of appearance which is for consideration this stage, the properties include a small gable and open porch on the front elevation at ground floor with two first floor dormers. To the rear there is a larger gable at first floor the same height as the ridge height with two further first floor dormers. The design of plots 2 and 3 are the same, however plot 1 is different having the garage as an undercroft and therefore the ground floor layout has a lounge rather than a garage. It is considered that the appearance properties are appropriate to the area and there are a variety of other properties in Rectory Close in accordance with Policy 17 of the Core Strategy.

Open Space

12. The outline permission has a Section 106 Agreement tied to it in relation to a public open space payment.

Trees, Landscape and Parking

13. There are four protected trees on the site (protected at the time of the outline application) covered by Tree Preservation Order 9 (Chorley) 2007. The position of the properties are as approved by the outline application and will not have a detrimental impact on these trees.
14. The site plan shows the dwellings each have a driveway sufficient for at least two cars to be parked as well as an integral garage. The garage will be conditioned to be retained as parking to ensure the properties meet the Council's parking standards of three spaces for properties will four or more bedrooms.
15. Paths will be provided to the front door of each property and the rest of the site provided as gardens to the properties.

Other Matters

16. Representations to the application have raised issues about the principle of the development and that it is garden grabbing but as discussed above the development of the site has already been established by the outline permission.
17. Comments that Rectory Close is a private road is not a planning issue which can be taken into account when determining the application. Planning permission does not however override other legal restrictions there may be on the land. Issues raised regarding the deeds of the properties are a separate matter and not enforced through the planning system.
18. It has been considered that the proposals are acceptable in terms of the character of the area.
19. Lighting on the close is not in control of the Highway Authority as it a private road, however unless this is changed then the properties will use the lighting that currently serves the existing properties.

Overall Conclusion

20. The principle of the dwellings and their siting, layout and access to the site has already been established by the outline permission. Their appearance of the properties and their landscaping is considered acceptable subject to finished floor levels being satisfactory.

Planning Policies

National Planning Policies:

National Planning Policy Framework

Adopted Chorley Borough Local Plan Review

Policies: HS4

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

Joint Core Strategy

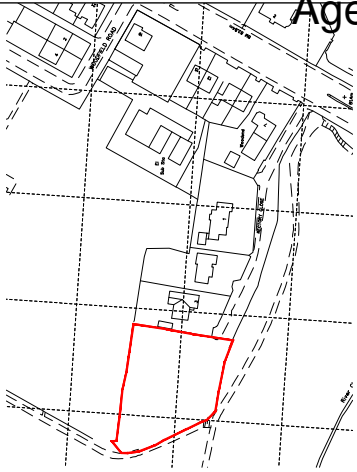
Policies 5 and 17.

Planning History

07/01041/OUT- Outline application for the demolition of existing bungalow and erection of three new dwellings (access, layout & scale). Permitted by Committee November 2007 (issued October 2009).

**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. All windows in the ground floor of the west elevation of the dwellings hereby permitted shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy or equivalent.**
Reason: In the interests of the privacy of occupiers of neighbouring properties given the level difference on the site and in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.
- 3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be inserted or constructed at any time in the side elevations of any of the dwellings hereby approved.**
Reason: To protect the amenities and privacy of the adjoining property and in accordance with policy HS9 of the Adopted Chorley Borough Local Plan Review.
- 4. The dwellings hereby permitted shall not be occupied until the driveway and access for each dwelling, as shown on plan 2140/PL/01, have been implemented in accordance with the approved plans.**
Reason: In the interests of highway safety and to avoid on street parking.



LOCATION PLAN
1:10 000 000 000 111200



www.swiftbuildingdesign.co.uk
 100 Albany Lane
 Weybridge
 Surrey
 TW20 9SD 1307954 40091 Building@swiftbuildingdesign.co.uk

Project
 Residential Development
 4 Rectory Close, Chorley
 Ackland Banks

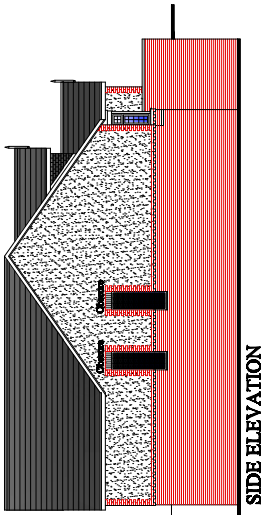
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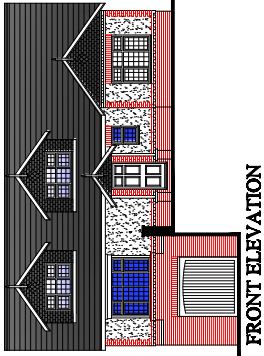
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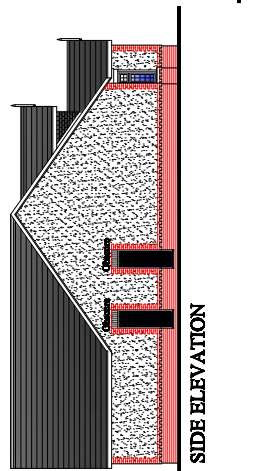
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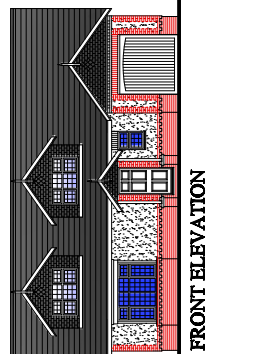
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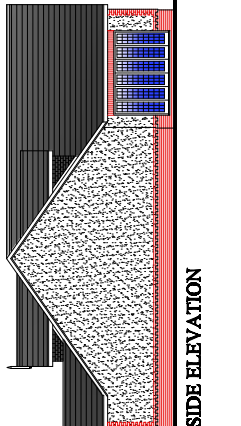
REAR ELEVATION



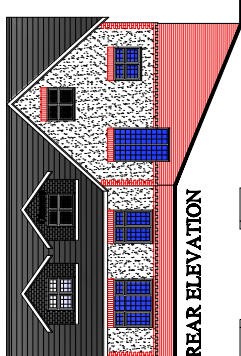
SIDE ELEVATION



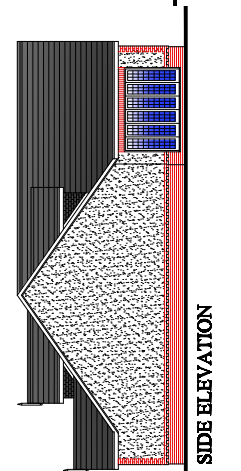
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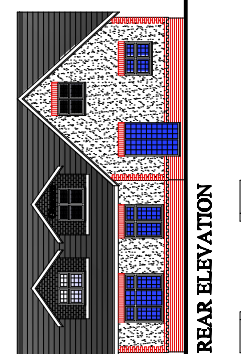
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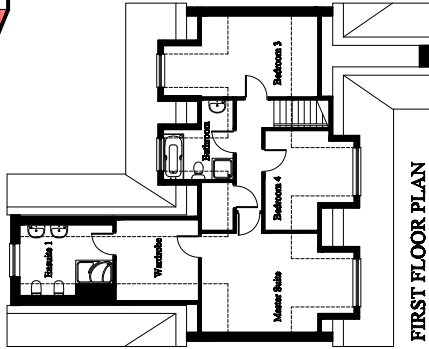
REAR ELEVATION



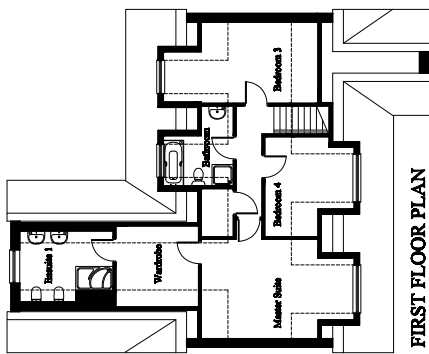
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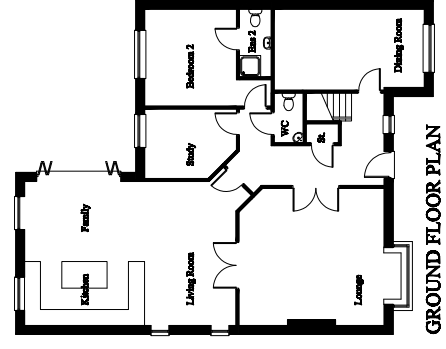
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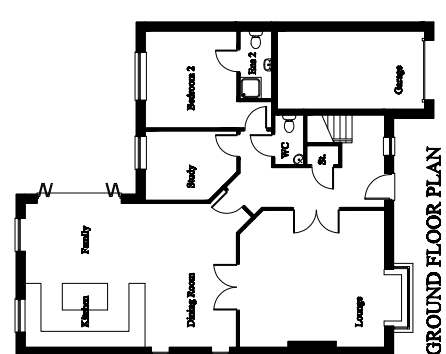
FIRST FLOOR PLAN



FIRST FLOOR PLAN



GROUND FLOOR PLAN



GROUND FLOOR PLAN



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Widnes, Cheshire
WA9 5SD

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Item 4d **12/00742/FUL**

Case Officer **Adele Hayes**

Ward **Euxton South**

Proposal **Minor material amendment to planning permission
10/00136/FUL comprising a re-configuration skate park
equipment**

Location **Land 75M South East Of Highfield Southport Road Euxton
Lancashire**

Applicant **Euxton Parish Council**

Consultation expiry: **21 August 2012**

Application expiry: **18 September 2012**

Proposal

1. This is an application for minor material changes to an extant planning permission submitted under the provisions of Section 73 of the Town and Country Planning Act 1990.
2. The proposed minor material amendments to the previously approved application 10/00136/FUL involve a reconfiguration of the skate park equipment following the tender process and finalisation of the design. The general position of the skatepark remains unchanged although its maximum dimensions have been reduced.
3. The application site is located at the entrance to Yarrow Valley Park adjacent to an existing car park and it currently comprises a grassed area with picnic benches.
4. The acceptability of the principle of the creation of a public outdoor leisure skate park facility was established with the grant of planning permission in April 2010.
5. The application has again been submitted by Euxton Parish Council. In July 2008 the Parish Council contacted Chorley Council with a view to providing the facility and several sites were considered. Potential sites included the field adjacent to Southport Road, land adjacent to the railway station and James Moorcroft Play Area. All of the sites were ruled out due to restrictions such as land ownership, the size of the land available and access problems.
6. This site is considered to be the most appropriate as it has good access arrangements and it is sited away from neighbouring properties. The site is owned by Chorley Council. and is considered to be the only site available for this facility.

Recommendation

7. It is recommended that this application is granted conditional full planning approval.

Main Issues

8. The main issues for consideration in respect of this planning application are whether the proposed changes can be regarded as a minor material amendment to the originally approved scheme and whether the proposal would be acceptable under the provisions of the National Planning Policy Framework, published earlier this year, and Central Lancashire Core Strategy which was adopted in July 2012.

Representations

9. 3 letters of objection have been received citing the following grounds of objection:
- The proposed development is not necessary
 - The proposed development is inappropriate in the green belt and will detrimentally affect existing leisure facilities
 - The development should not be allowed to impinge upon the openness of the Green Belt
 - The amended scheme will be more prominent

Concern has also been expressed that the application has been submitted at the start of school holidays when local residents may be on holiday and it has been requested that the consultation period be extended.

Consultations

10. **Lancashire County Council Highways** – no objection
11. **People & Places – Noise and Emissions** - no objection
12. **The Council's Parks and Open Spaces Officer (Development)** has confirmed that he is in support of this development and believes it will provide a significant boost to the current wheeled-sports provision in the borough. Its location should ensure that there is very little disturbance to residents and that access – with a bus route, cycle route and car park is available to young people and adult users alike. It is envisaged that the site will be extremely popular and the design will cater for users of all abilities and provide suitable levels of risk and challenge. It is suggested that suitable, robust, signage is in place to highlight the risks of site use without wearing protective equipment.

Assessment

Principle of development

13. The Government guidance note "Greater Flexibility on Planning Applications" offers some guidance on the procedure for dealing with minor-material amendments to planning applications. As per this guidance, the application should be determined in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and in making decisions the Local Planning Authority should focus attention on national, local or other material considerations since the grant of permission.
14. The National Planning Policy Framework (NPPF) states that inappropriate development in the Green Belt should only be permitted in very special circumstances and that the construction of new buildings is generally considered to be inappropriate and by definition harmful. The NPPF states that the construction of new buildings will only be permitted where, amongst other things, they relate to the provision of appropriate facilities for outdoor sport or outdoor recreation. New buildings should preserve the openness of the Green Belt and should not conflict with the purposes of including land within it.
15. The proposed development incorporates the creation of a public outdoor sports facility which is considered to be appropriate development within the Green Belt and acceptable within the context of the NPPF. The proposal therefore remains acceptable in principle.

Impact on the Valley Park

16. The design of the facility incorporates a mixture of elements set below the existing soil line and above. Sunken elements will still be created and the material dug out to create the sunken elements will be utilised to create the higher elements which will create the ramps. The site will be surrounded with grass bund/ mounds to cover the concrete edges of the facility. All of the existing trees and hedges will be preserved on site.

17. It is considered that the proposed facility will provide a new and unique recreation facility, which will ensure that the amenity value of the Park for recreation is enhanced and alternative recreation facilities within the Borough are provided. As such the proposals are considered to be acceptable in respect of Policy 18 of the Central Lancashire Core Strategy.

Design and appearance

18. Whilst there is no statutory definition of "minor material amendment", central governments definition is 'A minor material amendment is one whose scale and nature results in development which is not substantially different from one which has been approved. To this end, the proposed amendments to the skate park will result in a slightly smaller structure (44m x 11.8m rather than 44.5m x 17.7m) although its maximum height above ground level will remain at 1.5m. The proposed changes involve a re-configuration of the internal design and position of structures. The alterations are of a minor nature and are not considered to compromise the design and appearance of the original scheme.

Highway safety

19. The access arrangements are unaffected by the proposed minor material amendment and the County Council's Highway Engineer has not raised any objections to the proposal.

Conclusion

20. Taking the above matters into consideration, the proposed minor material amendments to the previously approved scheme are considered to be acceptable and comply with local and national planning policy.

Planning Policies

National Planning Policies:

National Planning Policy Framework

North West Regional Spatial Strategy

Policies: Policy L1

Adopted Chorley Borough Local Plan Review

Policies: DC1, LT8, EP20

Central Lancashire Core Strategy

Policies: 16 and 18

Planning History

96/00047/CB3- Regulation 3 Application for extension of Yarrow Valley Park entailing provision of footpaths, car parks, picnic areas, fencing, signs, interpretation/way-marking signs, landscaping, steps and bridges. Approved April 1996.

10/00136/FUL - Creation of a public outdoor leisure skate park facility at Yarrow Valley Park. 7 April 2010.

12/00423/DIS - Application to discharge conditions 4 and 5 attached to planning approval 10/00136/FUL. Conditions discharged 10 May 2012.

Recommendation: Permit Minor Material Amendments Conditions

- 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 approved plans are:

Plan Ref.

Received On:

Title:

EUX 101 DESIGN 3 REV 1 GA

24 July 2012

Euxton Skatepark

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

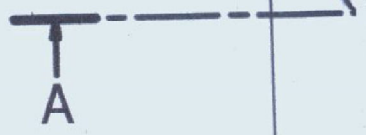
3. Prior to the commencement of the development full details of the litter bins and management regime for litter collection shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the location and specification of the litter bins. The development thereafter shall be carried out in accordance with the approved details and management regime.

Reason: In the interests of the visual amenities of the area and in accordance with Policy GN5 and DC1 of the Adopted Chorley Borough Local Plan Review

4. Prior to the commencement of the development full details of the proposed works to the existing hedgerows surrounding the site shall be submitted to and approved in writing to the Local Planning Authority. The details shall include full details of the proposed pruning works, any proposed removal works, details of replacement/enhanced planting, a timetable for the works and a management regime for the future maintenance of these hedgerows. The development thereafter shall be carried out in accordance with the approved details and the management regime.

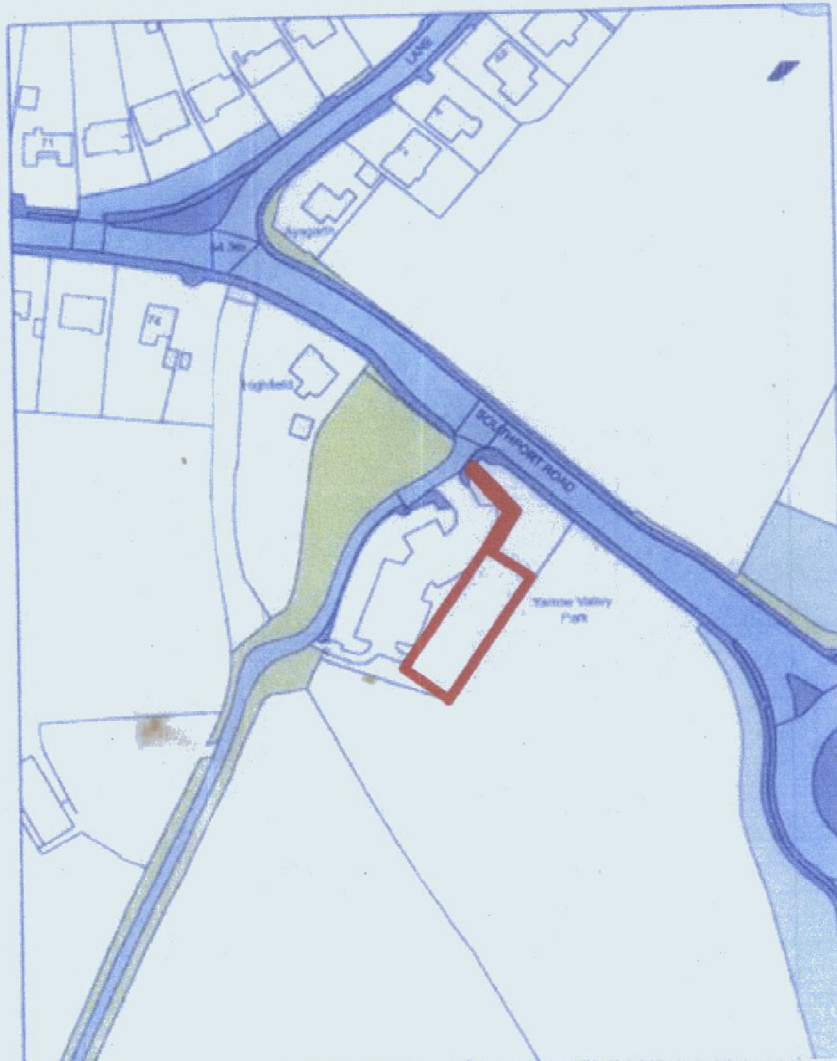
Reason: To ensure that the site benefits from natural surveillance whilst still providing a landscape buffer. In accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.

1180



12/742

Euxton Skatepark Planning Application, off Southport Road, Euxton



Jane E Meek BSc(Hons) DipTP MRTPI
 Corporate Director (Business)
 Chorley Council

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 Chorley C.C. 11/2018/2017

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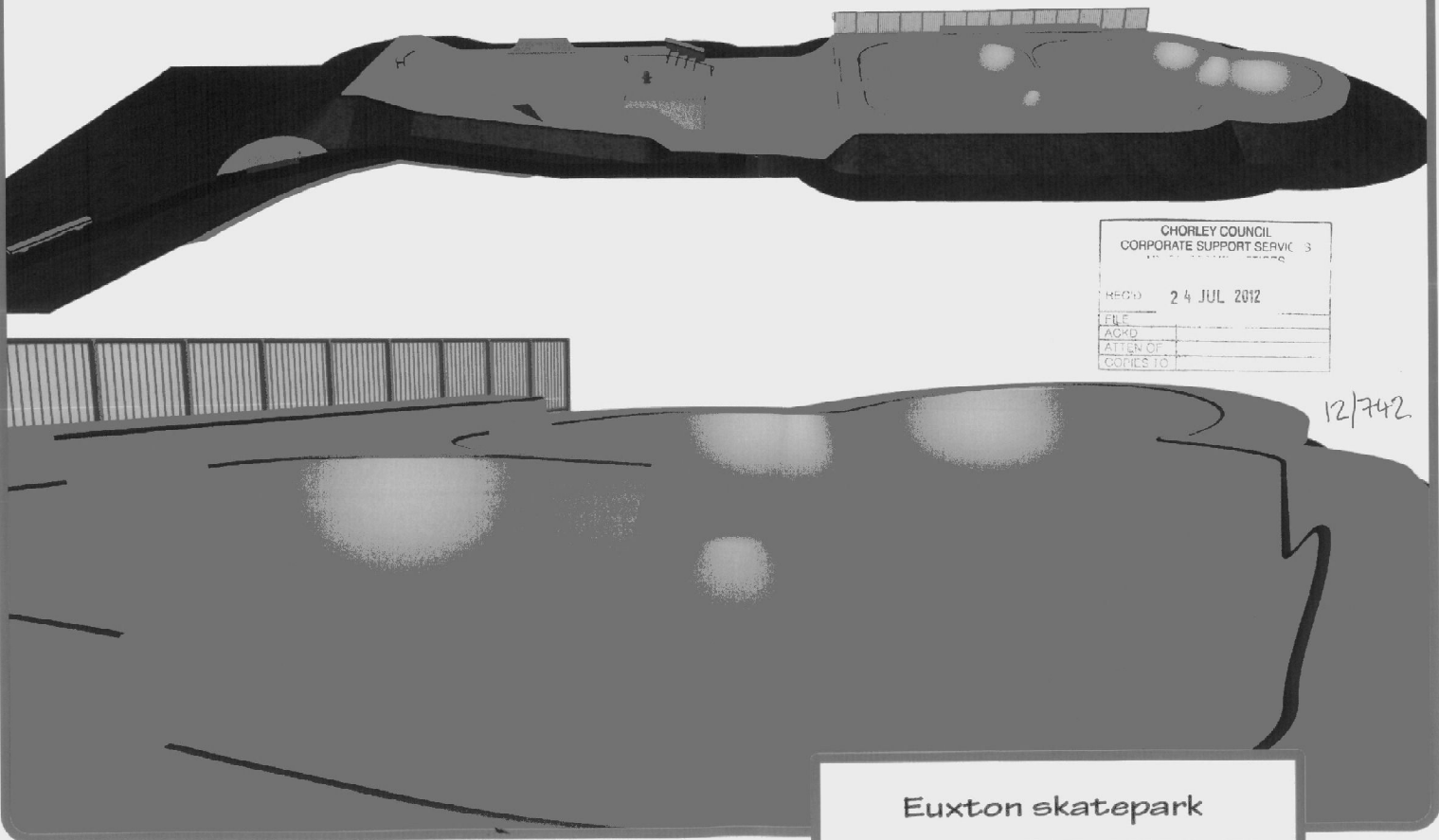
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Visual 1 - For illustrative purposes only



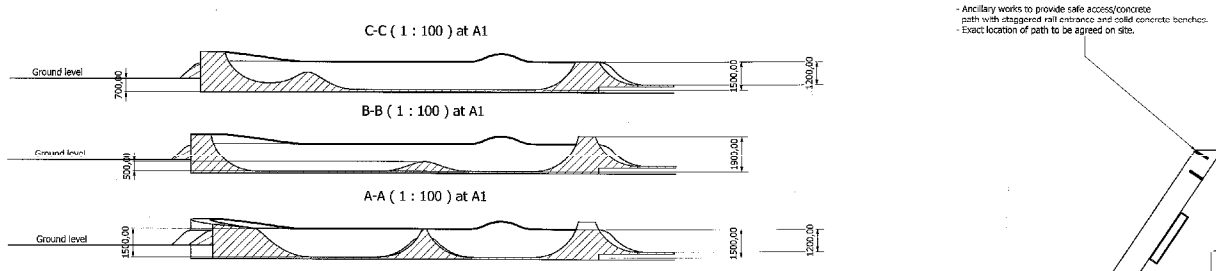
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12/742

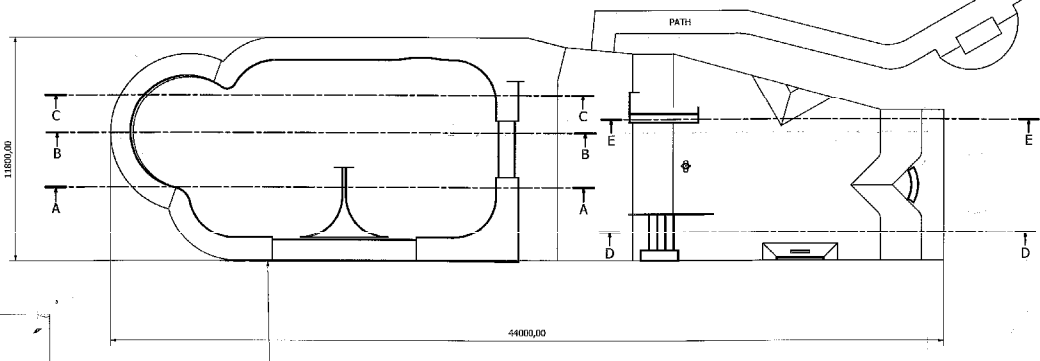
Euxton skatepark

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Euxton skatepark off Southport road, Euxton



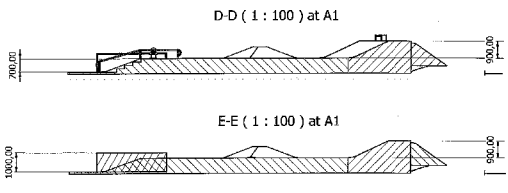
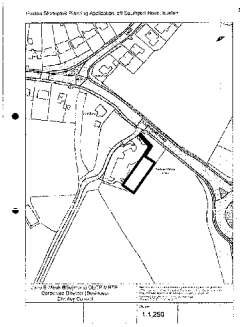
- Ancillary works to provide safe access/concrete path with staggered rail entrance and solid concrete benches.
- Exact location of path to be agreed on site.



Guardrails to run along this side of the bowl

DRAINAGE/POHOL	
CIVIL/PAVING SERVICES	
DATE:	24 JUL 2012
SCALE:	
PROJECT:	
CLIENT:	

12/19/12



Designed by	Checked by	Approved by	Date	Date
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EUX 101 DESIGN 3 REV 1 CA				2/72

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Item 4e	12/00585/FULMAJ
Case Officer	Adele Hayes
Ward	Chisnall
Proposal	Variation of condition 3 on planning permission 11/00783/MAJ, substitution of house types
Location	Pole Green Nurseries Church Lane Charnock Richard ChorleyPR7 5NH
Applicant	Arley Homes North West Ltd
Consultation expiry:	25 July 2012
Application expiry:	5 September 2012

Proposal

1. This application seeks consent for a variation of condition no.3 (approved plans) of planning permission 11/00783/MAJ and essentially involves a change of house types on several of the plots.
2. The proposal still involves the erection of a total of 30 dwellings on this site that previously formed part of the former Pole Green Nursery site.
3. The acceptability of the principle of redeveloping the site for residential development was established with the previous grant of planning permission in November 2011.
4. Access will be gained through the applicant's adjoining development which has been built on the former Dog and Partridge site.

Recommendation

5. It is recommended that this application is granted conditional planning approval subject to a supplemental Section 106 Agreement

Main Issues

6. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Design and appearance
 - Affordable housing
 - Density
 - Impact on the neighbours
 - Open space
 - Highway safety

Representations

7. 2 letters have been received citing the following grounds of objection:
 - The developer should not be allowed to change the approved plans

- Changes to approved schemes are frustrating

Consultations

8. **Charnock Richard Parish Council** - no objection.
9. **The Environment Agency** – no comments to make
10. **Director People and Places** - no comments to make
11. **United Utilities** – no comments received
12. **Lancashire County Council (Highways)** - no objection to revised layout

Assessment

Principle of the development

13. The application site forms part of the former Pole Green Nursery site which was accessed via Church Lane, Charnock Richard. Planning permission was granted June 2010 (10/00267/FULMAJ) to relocate the growing elements of the nursery to the opposite side of Church Lane.
14. The approved relocation has resulted in a vacant site and planning permission was granted in November 2011 for a residential development comprising 30 dwellings. Therefore the acceptability of the principle of development has been established and this application is for the consideration of plot substitutions only.

Design and Appearance

15. The proposals incorporate the erection of 30 dwellings incorporating 21 detached dwellings, 2 semi-detached dwellings and 7 terraced dwellings. The mix includes 2 three bedroom properties, 6 four bedroom properties, 15 five bedroom properties and 7 two bedroom properties.
16. The revised house types have been previously approved either on this site or the adjoining site. Fencing and landscaping have been kept to the same standards as those previously approved.
17. The submitted layout accords with the Council's spacing standards and the layout ensures that the dwellings each have sufficiently sized rear gardens.

Affordable Housing

18. In accordance with Policy HS8 of the Chorley Local Plan, the approved scheme provided 7 affordable units.
19. These were to be provided under the provisions of a S106 Agreement which was drafted to be less descriptive and included both a Shared Ownership and Rent to Buy model.

Density

20. The site covers 0.93 hectares. The proposal still involves the erection of 30 dwellings which equates to approximately 32 dwellings per hectare. The adjacent site covers 0.9 hectares and has been developed at a density of 31 dwellings per hectare. The proposed density remains acceptable.

Impact on the Neighbours

21. The general layout arrangements have essentially been retained as per the previously approved scheme and finished floor levels and interface distances are as per the approved scheme.
22. The proposed dwellings on plots 27-30 will be lower than the existing dwellings on the adjacent site (Phase 1) (a maximum of 0.75m) and the spacing distances between the proposed and existing dwellings exceed the Council's standard distances. As such this level difference will not have an adverse impact.
23. The properties on plots 28 and 29 (Harbury and Newbury house types) are 2.5 storey dwellings with a rear dormer window. This window will face the properties on phase 1 of the development. However these windows will serve bathrooms and an obscure glazing condition will be attached to secure the amenities of the neighbours.
24. The properties on plots 1-10 back onto the dwellings on Meadowlands and will be built at a slightly higher land level than the existing properties. The nearest two properties are plots 5 and 19 Meadowlands. Plot 5 will be 1.46m higher than 19 Meadowlands and as such a greater separate distance is required in accordance with the Council's Spacing guidelines. In this case approximately 26.5 metres will be retained between the rear facing elevations of the dwellings (the standard is 21 metres) and approximately 14 metres will be retained between the rear elevation to the boundary of 19 Meadowlands garden area (the standard is 10 metres).
25. The greatest level difference is between plot 6 and 17 Meadowlands (1.48 metres) where approximately 31 metres is retained between the rear facing elevations and approximately 13.5 metres will be retained to the rear garden boundary of 17 Meadowlands which is in accordance with the Council's spacing standards.
26. As such it is considered that the level differences are adequately accommodated within the site and will not result in a significant adverse impact on the level of amenity for the future or existing residents.
27. In addition there are established mature trees, which are the subject of a tree preservation order, along the western boundary of the site (along the footpath). These trees represent a positive feature and are to be retained. Furthermore, given their distance from the rear of the proposed dwellings and the edge of the root protection areas, they will not be adversely affected by the revised proposal.
28. The properties on plots 1, 2, 3, 4, 5, 9, 10, 28 and 29 are 2.5 storey (Newbury, Harbury and Portland house types) dwellings with a rear dormer window. All of these windows serve bathrooms/ shower rooms and as such a condition will be attached requiring these windows to be obscurely glazed to protect the level of residential amenity enjoyed by the occupiers of neighbouring properties.

Open Space

29. In accordance with Policy HS21 of the Chorley Local Plan proposals for new housing development will be required to include provision for outdoor play space. In appropriate developments of less than 1 hectare a commuted sum from the development may be secured for use in the provision or improvement of open space facilities in the locality.

30. This is considered to be appropriate in respect of this application and in accordance with the Council's Interim Planning Guidelines for New Equipped Play Areas Associated with Housing Developments. These guidelines state that where fewer than 100 dwellings are to be built in a housing development it is not normally expected that an equipped play area will be provided on-site.
31. The off-site play space contribution is a tariff based approach and equates to £1,379 per dwelling which results in a contribution of £41,370 from this development. The Council's Parks and Open Spaces Manager has confirmed that this contribution would be used for additional investment into the current play provision in Charnock Richard to provide adequate facilities for the new (and existing) residents.
32. Chorley Council does not have any play areas in the village however any contribution could be used on the Parish Council sites. In this regard the Parks and Open Spaces Manager would be seeking input regarding design.
33. Whilst it is not proposed to provide additional play space in the area the S106 Agreement associated with the previous planning permission required a commuted sum as a contribution towards the improvement of existing facilities. A supplemental agreement will be required to secure this contribution.

Highway safety

34. The County Council's Highway Engineer has raised no objections to the proposed changes to the house plots but raised objections to the proposed road layout as originally submitted on the basis that the turning head (adjacent plots 13-15) had been reduced and was of insufficient size to suitably cater for all servicing vehicles.
35. The turning head was a point of concern when 11/00783/MAJ was assessed and it was deemed sub-standard in size. The turning head has therefore been revised and improved to ensure an adequate turning facility and the County Highway Engineer has removed his objection.

Overall Conclusion

36. The acceptability of the principle of residential development on this site was established with the previous grant of planning permission. The amendments to the layout and house type substitutions are considered to be acceptable.

Planning Policies

National Planning Policies:

National Planning Policy Framework

North West RSS:

Policy DP1, Policy DP2, DP4 and RSS Parking Standards

Adopted Chorley Borough Local Plan Review

Policies: GN4, GN5, DC5, EP9, EP22, HS4, HS5, and HS8.

Central Lancashire Core Strategy

Policies: 1, 7, 17, 27,

Supplementary Planning Guidance:

- Design Guide

Planning History

06/00484/FUL: Erection of retrospective greenhouse (16m x 27m). Approved June 2006

10/00667/FUL: Demolition of existing glasshouse and erection of replacement twin span polytunnel in the south-eastern corner of the site. Approved December 2010

11/00783/FULMAJ: Full planning application for the erection of a residential development comprising of 30 new houses and associated access, car parking and landscaping arrangements. Approved 25 November 2011

**Recommendation: Permit (Subject to Legal Agreement)
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 approved plans are:

Plan Ref.	Received On:	Title:
506-102 Rev F	12 June 2012	Planning Layout
ASPULL-2/101 A	12 June 2012	Aspull House Type (plots 16-22)
PRESTBURY-4/103	12 June 2012	Prestbury House Type (plots 7 and 11)
DURHAM-4/101	12 June 2012	Durham House Type (plot 6, 8 and 12)
HALE-4/101	12 June 2012	Hale House Type (plot 13)
GRANTHAM-5SA/101	12 June 2012	Grantham House Type (plot 30)
NEWBURY-5/101	12 June 2012	Newbury House Type (plots 1)
NEWBURY-5/102	12 June 2012	Newbury House Type (plots 4, 9 and 29)
NEWBURY-5/103	12 June 2012	Newbury House Type (plots 2 and 5)
WAVERTON-5/102	12 June 2012	Waverton House Type (plot 27)
HAMPTON-3/101	12 June 2012	Hampton House Type (plots 14 and 15)
HARBURY-5/101	12 June 2012	Harbury House Type (plots 3 and 24)
HARBURY-5/102	12 June 2012	Harbury House Type (Plot 23)
HARBURY-5/103	12 June 2012	Harbury House Type (Plot 25 and 28)
PORTLAND-5/101	12 June 2012	Portland House Type (plots 10 and 26)
SG/DETAIL/101	12 June 2012	Single Garage
DG/DETAIL/101	12 June 2012	Double Garage
ESD BT-04	12 June 2012	1800 High Closeboard Fence
ESD BT-05	12 June 2012	1500 High Closeboard Fence with 300mm Trellis
ESD BT-28	12 June 2012	1800 High Brick Wall with Tile Crease
506-104 Rev D	12 June 2012	Planning Site Sections
506-103 Rev E	12 June 2012	Streetscenes
5969/Ph2 A	12 June 2012	Topographical Survey
506-101 A	12 June 2012	Location Plan
506-501 C	12 June 2012	Materials Layout

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

3. No dwelling on plots 1, 2, 4, 5, 6, 7, 8, 9, 11, 12, and 29 hereby permitted shall be occupied until garden sheds have been provided in accordance with plans which have been submitted to and approved in writing by the Local Planning Authority. The garden sheds shall be retained in perpetuity thereafter.

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

4. The integral and detached garages hereby permitted on plots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 23, 24, 25, 26, 27, 28, 29 and 30 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 to ensure adequate off street parking is retained. In accordance with Policies HS4 and TR4 of the Adopted Chorley Borough Local Plan Review

5. 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.

6. 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.

7. 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.

8. Before any tree felling is carried out full details (including species, number, stature and location) of the replacement tree planting shall have been submitted to and approved in writing by the Local Planning Authority. The replacement tree planting shall be carried out in accordance with the approved details within nine months of the tree felling.

Reason: To safeguard the visual amenity of the area and in accordance with Policy Nos.EP9 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. 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. The development hereby permitted shall incorporate the recommendations within Section 4 of the Ecological Considerations Report, undertaken by Bowland Ecology dated August 2011, (including the removal of trees and shrubs outside the bird breeding season and incorporating the erection of bat and bird boxes within the scheme). Any measures incorporated shall be retained in perpetuity.
Reason: To maximise the potential for ecological enhancements and opportunities at the site in accordance with Policy EP4 of the Adopted Chorley Borough Local Plan Review.
12. Prior to the commencement of the development a scheme and programme for the site enabling and construction phase of the development shall be submitted to and approved by the Local Planning Authority. The scheme and programme shall cover:

 - Site compound and contractor parking and management of contractors parking to ensure parking does not overspill onto surrounding roads.
 - Construction operating hours including deliveries and site construction staff.

The approved scheme and programme shall be implemented.
Reason: To ensure that noise and disturbance resulting from hours of operation and delivery does not adversely impact on the amenity of existing residents.
13. Each dwelling hereby permitted shall be constructed to achieve the relevant Code for Sustainable Homes Level required by Policy SR1 of the Sustainable Resources DPD (Level 3 for all dwellings commenced from 1st January 2010, Level 4 for all dwellings commenced from 1 January 2013 and Level 6 for all dwellings commenced from 1st January 2016).
Reason: To ensure the development is in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.
14. No phase or sub-phase of the development shall begin until details of a 'Design Stage' assessment and related certification have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out entirely in accordance with the approved assessment and certification.
Reason: To ensure the development is in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.
15. No dwelling shall be occupied until a letter of assurance, detailing how each plot will meet the necessary code level, has been issued by an approved code assessor and approved in writing by the Local Planning Authority. The development thereafter shall be completed in accordance with the approved measures for achieving the required code level. Prior to the completion of the development a Final Code Certificate shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the development is in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document
16. Prior to the commencement of the development full details of the on-site measures to reduce the carbon emissions of the development, through the use of renewable or low carbon energy sources/ technologies, by 15% shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be completed in accordance with the approved details.
Reason: To ensure the development is in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.
17. 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.

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. There is a potential for ground contamination at this site. 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 10175:2011 'Investigation of potentially contaminated sites - 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 any remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of 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.

20. The external facing materials detailed on the approved plans shall be used and no others substituted.

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.

21. The noise mitigation measures should be carried out as outlined in the following report 'Noise Assessment Charnock Richard Phase 2 No. AAL/BS11056' by Acoustic Associates dated 2 August 2011.

Reason: To protect the amenity of future occupiers.

22. Prior to the occupation of dwellinghouses hereby permitted full details of the noise barrier to be erected along the site boundary and railway line shall be submitted to and approved in writing by the Local Planning Authority. The noise barrier shall be retained in perpetuity thereafter.

Reason: To protect the amenity of the future occupiers.

23. All windows in the dormer window within the dwellings rear elevation on plots 1, 2, 3, 4, 5, 9, 10, 28 and 29 shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter.

Reason: In the interests of the privacy of occupiers of neighbouring property and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

24. 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 on plots 1-10 (inclusive) and 27-30 (inclusive) 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.

25. Prior to the commencement of the development full details of the on-site surface water storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved system shall be retained in perpetuity thereafter.

Reason: To secure proper drainage and in accordance with Policy Nos. EP18 of the Adopted Chorley Borough Local Plan Review.

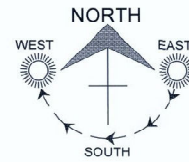
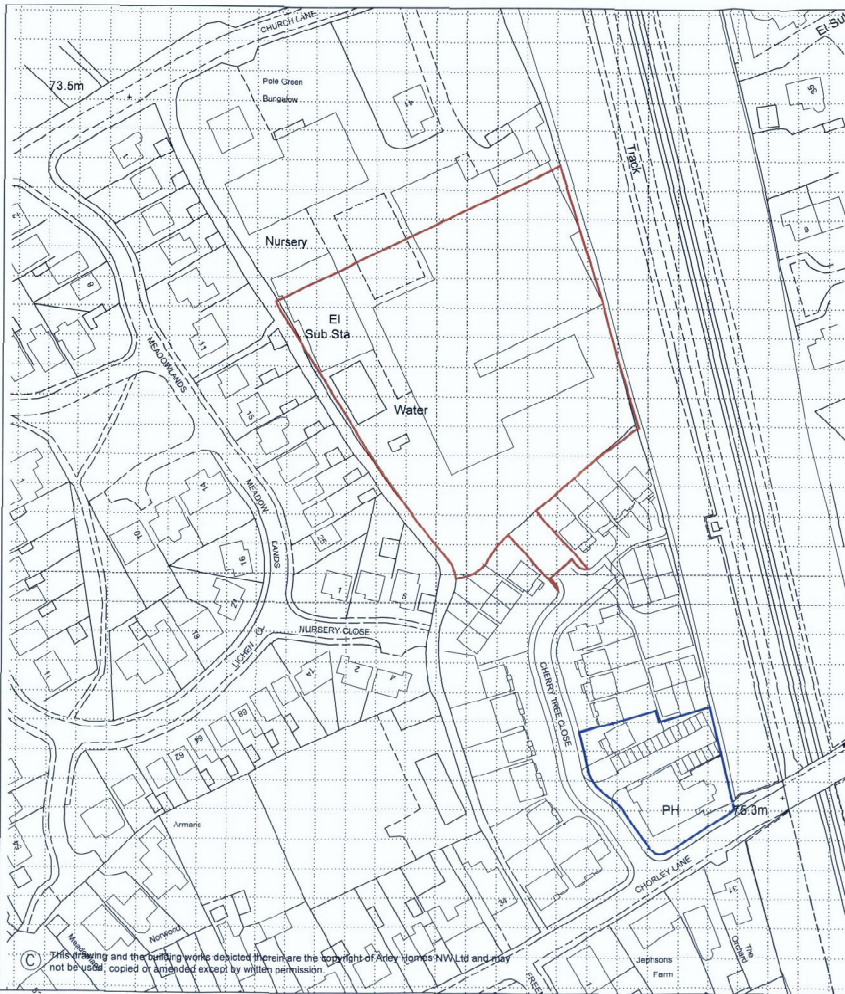
26. The foundations of the dwellings hereby approved shall be of a traditional shallow ground bearing type and not of a “driven” or “impact” type unless it is identified during an assessment of ground conditions that piling is necessary. In the event that piling is required full details of the proposed piling activities shall be formally submitted, as a discharge of condition application, to the Local Planning Authority, prior to the commencement of the development. The details shall include which plots are affected, full details of the reasons why piling is required and full details of the proposed activities. The Local Planning Authority will then consult with residents on the discharge of condition application and if there are objections then the discharge application should be referred to the Chair and Vice Chair of the Development Control Committee for a decision about reference to committee. The agreed scheme shall be maintained at all times to the satisfaction of the Local Planning Authority.

Reason: - The applicants have confirmed that piling will not be required as such in order to protect the amenities of the neighbouring properties full details of any piling activities are required prior to the construction of the foundations on site. In accordance with saved policies GN5, HS4 and EP20 of the Adopted Chorley Local Plan Review.

27. No development shall take place until details of the proposed drainage strategy, including full details of the existing drainage ditch, have been submitted to and approved by the Local Planning Authority in writing. No part of the development shall be occupied until the approved drainage arrangements have been fully implemented.

Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 of the Adopted Chorley Borough Local Plan Review.

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11585

CHORLEY COUNCIL
CORPORATE SUPPORT SERVICES
PLANNING SERVICES

REC'D - 1 JUN 2012

FILE _____

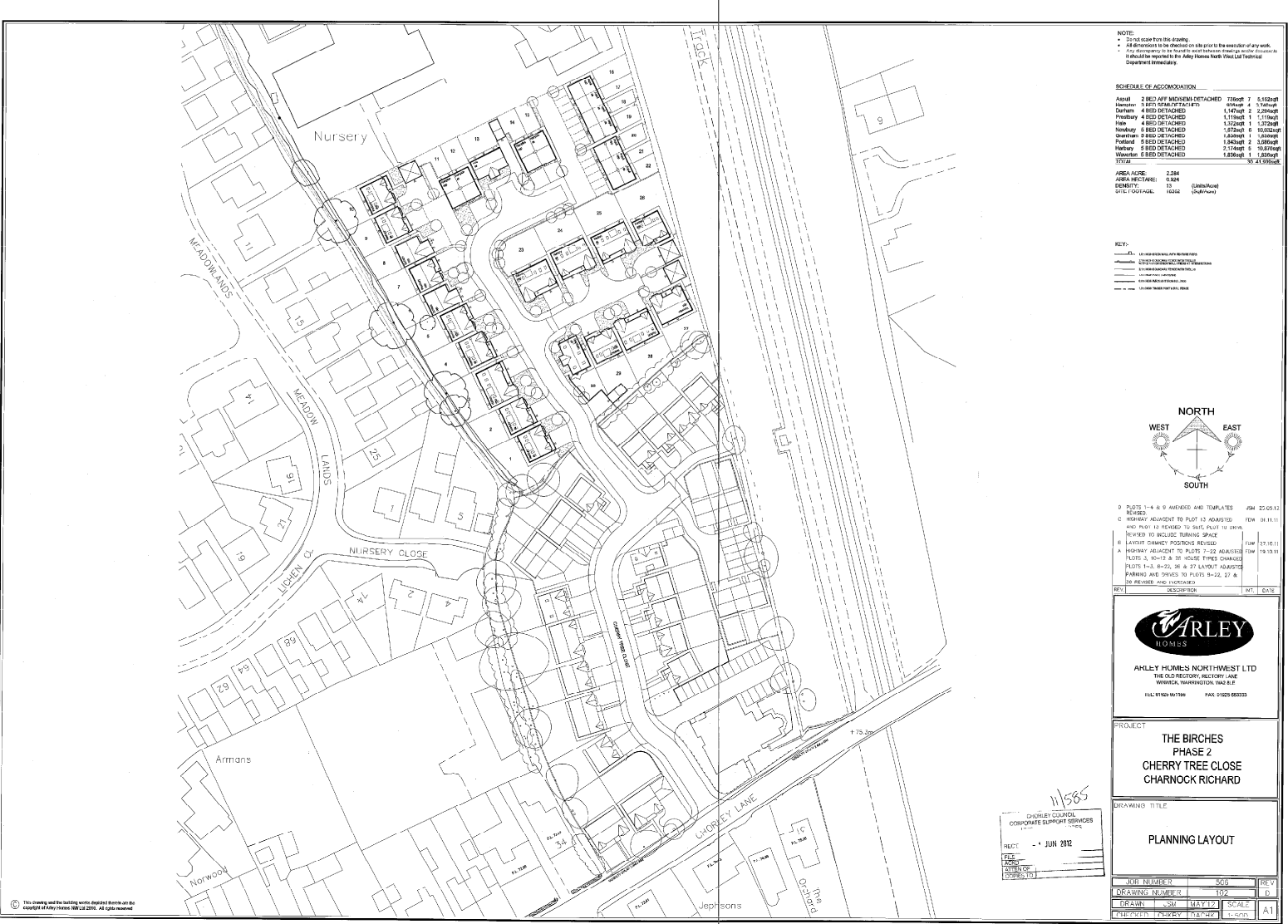
ACK'D _____

ATTN OF _____

COPIES TO _____

A. BLUE EDDING UP DATED	JSM	31.06.12
REV.	DESCRIPTION	INT. DATE
<p>ARLEY HOMES</p> <p>ARLEY HOMES NORTHWEST LTD THE OLD RECTORY, RECTORY LANE, WIMBORNE, WARRINGTON, W9 2LE TEL: 01925 651156 FAX: 01925 653333</p>		
PROJECT		
THE BIRCHES PHASE 2 CHERRY TREE CLOSE CHARNOCK RICHARD		
DRAWING TITLE		
LOCATION PLAN		
JOB NUMBER	506	REV
DRAWING NUMBER	101	A
DRAWN	FDW	AUG11
CHECKED	FDW	1:1250
		A3

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NOTE

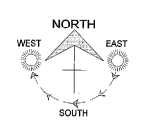
- Do not scale from this drawing.
- All dimensions to be checked on site prior to the construction of any work.
- Any discrepancy to be reported to the Architect immediately and rectified at the expense of the Contractor.
- It should be reported to the Arley Homes North West Ltd Technical Department immediately.

SCHEDULE OF ACCOMMODATION

Annex	2 BED ANNEX DETACHED	100sqm	7	0.152ha
House	3 BED SEMI-DETACHED	104sqm	4	0.346sqm
Detached	4 BED DETACHED	1.147sqm	2	2.294sqm
Plot	4 BED DETACHED	1.119sqm	1	1.119sqm
Plot	4 BED DETACHED	1.222sqm	1	1.222sqm
Nursery	8 BED DETACHED	1.222sqm	6	7.332sqm
Plot	8 BED DETACHED	1.484sqm	1	1.484sqm
Plot	8 BED DETACHED	1.484sqm	2	2.968sqm
Plot	8 BED DETACHED	1.484sqm	1	1.484sqm
TOTAL			30	31.430sqm

AREA: 2.284
 AREA: 0.524
 DENSITY: 13 (Units/ha)
 DENSITY: 13 (Units/acre)
 GROSS FLOOR AREA: 10302 (sqm/ha)
 GROSS FLOOR AREA: 10302 (sqm/acre)

- KEY:**
- Plot boundary
 - Proposed building footprint
 - Proposed parking space
 - Proposed driveway
 - Proposed path
 - Proposed tree
 - Proposed fence
 - Proposed boundary wall



- PLOTS 1-4 & 9 REVISED AND TEMPLATES REVISED
- HOUSEY ADJUSTED TO PLOT 13 ADJUSTED
- AND PLOT 13 REVISED TO SUIT PLOT 10 DRIVE
- REVISED TO INCLUDE TURNING SPACE
- LAYOUT CHANGES POSITIONS REVISED
- ADJUSTED TO SUIT PLOT 10 DRIVE
- PLOTS 1-3, 8-22, 26 & 27 LAYOUT ADJUSTED
- PARKING AREAS SPACES TO PLOTS 9-22, 27 & 30 REVISED AND RE-DRAWN

REV	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	22.05.13
2	REVISED TO SUIT PLOT 10 DRIVE	09.06.13
3	REVISED TO SUIT PLOT 10 DRIVE	27.10.11
4	REVISED TO SUIT PLOT 10 DRIVE	19.10.11
5	REVISED TO SUIT PLOT 10 DRIVE	08.09.10
6	REVISED TO SUIT PLOT 10 DRIVE	08.09.10
7	REVISED TO SUIT PLOT 10 DRIVE	08.09.10

ARLEY HOMES

ARLEY HOMES NORTHWEST LTD
 THE OLD RECTORY, RECTORY LANE
 WARRICK, WARRINGTON, WA5 6LF
 TEL: 01925 901700 FAX: 01925 800333

PROJECT

THE BIRCHES
 PHASE 2
 CHERRY TREE CLOSE
 CHARNOCK RICHARD

DRAWING TITLE

PLANNING LAYOUT

DATE: JUN 2012

SCALE: 1:500

REV: 102

SCALE: 1:500

DATE: MAY 12

SCALE: 1:500

DATE: JUN 2012

SCALE: 1:500

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Item 4f	12/00605/FULMAJ
Case Officer	Caron Taylor
Ward	Astley and Buckshaw
Proposal	Proposed industrial, warehousing and office development (use classes B1, B2 and B8) including access roads, external works and landscaping.
Location	Plot 4700 Land to the west of Ordnance Road Buckshaw Avenue Buckshaw Village Lancashire
Applicant	Roundhouse@Buckshaw Limited
Consultation expiry:	25 July 2012
Application expiry:	13 September 2012

Proposal

1. Proposed industrial, warehousing and office development, use classes B1 (business), B2 (general industrial) and B8 (storage and distribution), including access roads, external works and landscaping

Recommendation

2. It is recommended that this application is

Main Issues

3. The main issues for consideration in respect of this planning application are:
 - Background information
 - Principle of the development
 - Levels
 - Impact on the neighbours
 - Design and Landscaping
 - Traffic and Transport
 - Contamination and Coal Mines
 - Drainage and Sewers

Representations

4. No representations have been received to the application.

Consultations

5. **Chorley Council Economic Development Section**
The development of one larger unit and 35 smaller light industrial/office units is supported by Economic Development. The development of these commercial units at Buckshaw will complement the other commercial units available and fulfil a demand for smaller units.
6. The Council's Sites and Premises database shows only 3 other industrial units from 59-68sqm currently available, and therefore it would improve our offer and assist in attracting new inward investment and support smaller start-up businesses.
7. In the current economic climate, many businesses are looking for smaller units initially (at the right price), with the opportunity to expand at a later date.
8. **The Environment Agency**
Have no objection in principle to the proposed development but wish to make the following comments:

9. The site is located in the Southern Commercial Area on the boundary of what were Areas 4 & 9. BAE Systems remediated these areas and validation reports were accepted by us in 2003. 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 remediation strategy detailing how this unsuspected contamination shall be dealt with.
10. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS).
11. Foul drainage from the development of this site must be drained to the foul sewer. Surface water from any areas likely to be contaminated should be connected to the foul sewer for which the formal consent of United Utilities Limited is required.
12. For car parks typically larger than 800m² in area or for 50 or more car parking spaces, prior to being discharged into any watercourse, surface water sewer or soakaway system, surface water drainage should pass through an oil interceptor designed and constructed to have a capacity appropriate to the site being drained. Oil interceptor efficiency is enhanced by connecting roof water in to the surface water system downstream of the interceptor. However, if the unit is sized accordingly, taking the area of roof drainage into account, then roof water may pass via the interceptor.
13. **The Architectural Design and Crime Reduction Advisor**
The proposed development of industrial, warehousing and office space is on Buckshaw Avenue, Chorley. During the last 12 months (05/07/2011-05/07/2012) there have been a number of recorded crimes committed within the immediate vicinity of this location.

In order to minimise the risk of burglary at the development, Block G and associated office units the following crime prevention measures are recommended:-

- There was no design and access statement available with this application therefore I am not aware of the intended crime prevention measures to reduce the opportunity for criminal activity.
- CCTV should be installed on the individual office units and warehouse unit providing coverage of the openings e.g. doorways and windows.
- Units should be installed with an intruder alarm system that is monitored through an Alarm Receiving Centre.
- The principles of Secured by Design should be implemented at the site e.g. Windows should have laminated glazing of 6.4mm or more and all windows and doors should be protected externally e.g. with roller shutters.
- Security lighting operated by PIR sensors should be installed around the perimeter of the buildings particularly at the rear.
- The perimeter of the turning area/delivery yard should be well secured with 2.4m fencing e.g. Paladin or a similar railing arrangement and be well illuminated.
- The electric sliding gate leading into the Industrial/Warehouse area should be a rapid closing arrangement so as to avoid/minimise the risk of tail gating. Secure access control arrangements at the site are crucial.
- Car parking areas should be well lit with uniformed lighting levels so as to reduce the fear of crime amongst users and deter potential offenders.

Should Secured by Design accreditation for the individual Units be progressed, further security advice and checklists can be provided by the Police Architectural Liaison Officer.

14. **Chorley Council Planning Policy**
Support the application. Local Plan policy GN2 supports use classes B1, B2 and B8 use on the site. Core Strategy Policy 1 - Locating Growth allocates Buckshaw Village as a Strategic Site for mixed uses and Policy 9 – Economic Growth and Employment supports other major

development for employment with regionally significant schemes at Buckshaw Village. The site is located in the Southern Commercial Area, being development to create substantial employment growth at Buckshaw and ranked as 'Best Urban' according to the Employment Lane Review. The Southern Commercial Area is allocated for employment uses B1, B2, B8 (policy EP1.16) in the Site Allocations DPD Preferred Option Document. The publication version will be published for consultation in October 2012.

15. Lancashire County Council (Highways)

Whilst not against the principle of the site being developed in the manner proposed had concerns over the originally submitted plans:

16. The site is split into two areas north and south. The 35 units (north portion) will be a mixture of small to medium sized units and it is reasonable to assume that there will be regular visits by delivery/collection wagons to the site. Based on the proposed site layout there will be no separate provision for operational space and as such the site will need to rely on on-street serving arrangements with wagons parking on the access roads (aisle). Delivery vehicles parking on the road will cause congestion with parked cars being blocked in and also having to give way either side of the stopped wagon. It will also result in delivery vehicles undertaking reversing manoeuvres along the aisle areas. Given the significant level of staff and visitor car movements may be expected to be generated on the site by the starter units, the above servicing arrangements will result in a significant level of vehicular conflict with the site increasing hazard unacceptable. From the site layout it is also unclear what the system for refuse collection will be on site.
17. In relation to the south portion, the staff and visitor parking area is located to the southern part of the site and will require vehicles to drive/pass through the operational area of the car park. This is likely to result in significant risk of vehicular conflict and increasing hazard unacceptable. There is also no designated route marked out leading to the car parking area. The site is also shown with electric gates as such I would assume the gates will maintained open during the day as otherwise will result in HGV's waiting on the main access road for the gates to open. This would have a detrimental impact on road safety of other road users. A direct pedestrian access point should also be provided off the public footway enabling easier access to the main building from the highway and not through the gates entrance.
18. If they are to support the application, they stated they will require the site layout to be amended addressing the above concerns.

Assessment

Background Information

19. The proposal is in two parts. The southern part will house one single commercial unit which will have its own independent access, parking and serving arrangements. The majority of the space will be allocated to full height storage/manufacturing (B2/B8 uses) with the remainder being an ancillary two-storey office accommodation at the eastern end of the building. It is advised at this stage that the building will be occupied by the English Trading Company who specialise in manufacturing and importing hotel bed linen and soft furnishings for the hotel and contract accommodation industry, such as cruise ships. They are currently based in Preston and are looking for larger premises. They do not supply to the general public.
20. The northern part of the site is proposed as an estate of a maximum of 35 lettable light industrial/office units used for B1, B2 and B8 uses. These are intended as 'starter units' with maximum flexibility to combine them to create larger units depending on the requirements of users or as businesses grow. Each unit will accommodate a mezzanine floor.

Principle of the Development

21. Outline planning permission was granted for this site along with the rest of Buckshaw Village under permission 97/00509/OUT and subsequent permission 02/00748/OUTMAJ. Policy GN2 of the Local Plan states that high quality and phased development will be permitted for purposes appropriate to the concept of an Urban Village for a mix of uses including B1, B2 and

- B8. Development of the site is therefore acceptable in principle. A Southern Commercial Area Design Code was drawn up in 2006 as a requirement of these permissions which the proposal must be assessed against.
22. The Design Code has a land use plan and this area is shown as Business or Commercial and the Masterplan shows it as B1 use.
 23. The Design Code document at paragraph 1.7 states that *'The Land Use Master Plan for Buckshaw is the developer's vision for the village. It is not a detailed layout but a framework to work within'*.
 24. The starter units are proposed as B1, B2 and/or B8 uses. The large unit to the south would be B2/B8 with ancillary offices. B1 use would comply with the Masterplan for this area, however the other uses would not.
 25. Section 5 of the Southern Commercial Design Code states that high quality uses such as offices and hotels are envisaged along Buckshaw Avenue, with larger B8 type uses are proposed on the buffer zone, which reflects what is proposed on the adjacent strategic regional site. However there have been no applications on the site pursuant to the outline application. The starter units would allow the provision of B1 units but also allow B2 and B8 uses so although it is not entirely in accordance with the Masterplan it is still partly in compliance. In addition the Masterplan for the area was produced in 2006 before the economic downturn. The Council's Economic Development Section support the proposal. They state the development of these commercial units at Buckshaw will complement the other commercial units available and fulfil a demand for smaller units in the current economic climate. Many businesses are looking for smaller units initially (at the right price), with the opportunity to expand at a later date.
 26. The larger unit on the south part of the site (B8/B2 use) with ancillary offices would also not be in conformity with the Masterplan of B1 for the site.
 27. However, in determining this application the Council must take into account other materials considerations in determining the application. Since the Design Code for the area was drawn up in 2006 the National Planning Policy Framework (NPPF) has been introduced, which replaces former national Planning Policy Guidance Notes and Statements.
 28. The NPPF states that at its heart is a presumption in favour of sustainable development. The Government is committed to securing economic growth in order to create jobs and prosperity ...and ensuring that the planning system does everything it can to support sustainable economic growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.
 29. Local Plan policy GN2 supports use classes B1, B2 and B8 use on the site. The Council also now has an adopted Core Strategy. Core Strategy Policy 1 - Locating Growth allocates Buckshaw Village as a Strategic Site for mixed uses and Policy 9 – Economic Growth and Employment supports other major development for employment with regionally significant schemes at Buckshaw Village. The site is located in the Southern Commercial Area, being development to create substantial employment growth at Buckshaw and ranked as 'Best Urban' according to the Employment Lane Review. The Southern Commercial Area is allocated for employment uses B1, B2, B8 (policy EP1.16) in the proposed Site Allocations DPD Preferred Option Document. The publication version will be published for consultation in October 2012.
 30. The NPPF states that where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
 31. Weighing these factors as a material consideration, although much of the proposal would not

comply with the Design Code the need to support economic growth in the NPPF is considered to carry significant weight sufficient to outweigh the original Design Code allocation for this part of the Southern Commercial Area and the proposal is therefore considered acceptable in principle.

Levels

32. The site is largely flat. A condition regarding finished floor levels will be applied to any permission to ensure they are appropriate to the current ground levels.

Impact on the neighbours

33. The site is away from residential properties being between the Tesco site and a warehouse, office and trade counter building to the north of the site (plot 4500 in the Masterplan), permitted under permission 11/01080/FULMAJ but which has not yet been implemented.
34. To the west of the site is Tesco's service yard and approved but not yet built village high street with commercial uses on the ground floor with apartments above and a block for three storey apartments closest to the starter units on the north part of the application site. Given the site's location within a mainly commercial area it is considered that the proposal is acceptable in terms of neighbour amenity, providing that 'Block A' of the starter units are conditioned to be only used for B1 or B8 uses rather than B2 uses to avoid disturbance to the nearest apartments.

Design

35. The large unit to the south of the site will have a pitched roof and be 50m x 25m with an eaves height of 8.6m and ridge height of 10.9m. It has been designed so that its east elevation facing Ordnance Road will have areas of glazing to add visual interest to this end of the building, the angle from which it will be viewed the most. An area of glazing will also 'wrap around' the southwest corner. The building will be clad in red facing brickwork and profile still cladding with powder coated aluminium doors and windows.
36. The starter units will be split into various size blocks with different roof forms. The largest block will be sited against Ordnance Road with a mono-pitched roof sloping away from the road. Amended plans have been received moving this block further away from Ordnance Road to allow more landscaping to be implemented as required by the Masterplan for this area which shows a Landscape Framework along this boundary. In addition more windows have been added to this elevation to ensure this important elevation has visual interest and avoid it being blank, something that the Council insisted upon on the building to the north. The amended plans are considered acceptable in this respect.
37. The smaller blocks will either have similar mono-pitched roof or dual-pitched roofs and will be also be constructed of red brick and cladding with powder coated aluminium doors and windows. Each of the units will have parking to the front.
38. The starter unit part of the site to the north will be fenced between the buildings with barriers at the entrance and exit to prevent access when the site is not in use. The site to the south will also be fenced. Amended plans have been received showing the fencing moved inside the landscaping on the east and southern boundaries to reflect the fencing on Buckshaw Link to the east and give a softer edge to the development. Full details of fencing will be required by condition.
39. The design of the proposal is therefore considered acceptable subject to conditions including samples of materials to be provided.

Traffic and Transport

40. Lancashire County Council Highways initially had some concerns about the layout within the site. Amended plans have now been received altering the layout to provide a designated route to the parking area on the southern part of the site. To the north the site layout has been amended so that the main route through is one-way so that larger vehicles do not have to make awkward turns. In addition, service vehicle laybys have been added to ensure that they are not

forced to wait on the internal roads leading to conflict and congestion with other users. A bin store has also been added adjacent to one of the service laybys to allow refuse vehicles to park there. The layout is now considered to address the concerns raised by LCC Highways and is therefore acceptable in relation to policy TR4 of the Local Plan.

41. In terms of parking the floor area of the starter units totals 2,290m². Each unit has an option for a future mezzanine which would add a further 1,140m² if every unit added them which would total 3,430m². The parking standards within the Regional Spatial Strategy and reflected in the Council's emerging Site Allocations and Development Management Policies document requires 1 space per 40m² of floor space for B1 uses, 1 space per 60m² for B2 uses and 1 space per 100m² for B8 uses. The starter unit part of the site is proposed to be flexible as to which of these uses the units can be used for (apart from Block A, units 1-4 which it is proposed to be conditioned as B1 or B8 uses only for neighbour amenity purposes). Depending on the uses the units are put to then the parking requirement for this part of the site would be between 34 and 86 spaces. The layout proposes 75 spaces which is considered acceptable as it is unlikely that all the units will be used for B1 uses that would require the higher number of spaces. The 5% disabled parking requirement is met.
42. The larger unit on the southern part of the site will have a floor area of 1,320m². The building will be a mixed use B2/B8. A full B2 use would require 22 spaces and a full B8 use would require 13 spaces. The application proposes 20 spaces. As the building will be used as a mixed use the parking level proposed is considered acceptable and again the 5% disabled spaces requirement is also met.
43. The proposal is therefore considered acceptable in relation to policy TR4 of the Local Plan and the Council's parking standards.

Contamination and Coal Mines

44. The application site has been remediated as part of the wider Southern Commercial Area and validation reports for this accepted by the Environment Agency. A condition will be applied to any permission as requested by them that if contamination not previously identified is found to be present, then an amendment to the remediation strategy detailing how it will be dealt with shall be submitted.
45. The site is not in a Coal Referral Area or a Standing Advice area as defined by the Coal Authority.

Drainage and Sewers

46. The whole of Buckshaw including this area has an outline permission to be developed, so the principle of development is already established in terms of drainage. A condition will be applied requiring details of foul and surface water to be submitted before commencement of the development.

Overall Conclusion

47. Although the proposal is for commercial/employment uses some parts of it do not comply with the Use Classes the site was allocated for in the Southern Commercial Design Code and its associated Masterplan drawn up in 2006. However, no other applications have been made on this site and since 2006 the Government have introduced the NPPF which states that at its heart is a presumption in favour of sustainable development. This states that significant weight should be placed on the need to support economic growth through the planning system. The Council's Economic Development Section also support the application as there is a demand for smaller starter units in the current economic climate. The weight the NPPF gives to economic growth is considered a material consideration that weighs in favour of allowing this application.

Planning Policies

National Planning Policies:

NPPF

Regional Spatial Strategy for the North West (and Partial Review)

Parking Standards

Adopted Chorley Borough Local Plan Review

Policies: GN2, TR4

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

Joint Core Strategy

Policy 1 - Locating Growth

Policy 9 – Economic Growth and Employment

Site Allocations and Development Management Policies DPD – Preferred Option Paper

ST5A Car Parking Standards

**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 any lighting to the north (defined as Blocks A-F as shown on drawing ref: 1968-11 02 Rev A) or south (defined as Block G as shown on drawing ref: 1968-11 03 Rev B) part of the site (or both) is erected, full details shall be submitted for that part of the site to and approved in writing by the Local Planning Authority. The lighting shall then only be carried out in accordance with the approved details.**
Reason: To ensure any lighting is appropriate to the area and in accordance with policy EP21A of the Adopted Local Plan Review.
- 3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (Schedule 2, Part 8, Class A) or any Order revoking or re-enacting that Order, no internal alterations involving the removal of party walls between the individual units shall be carried out in respect of blocks A- F hereby permitted, which would enlarge them so that any single unit has a ground floor area of more than 206m² (excluding mezzanine floor).**
Reason: To prevent a proliferation of over large units in this area when significant weight has been given to the creation of smaller starter units and in accordance with Policy No. EM2 of the Adopted Chorley Borough Local Plan Review.
- 4. The mezzanine floors in Blocks A-F (as shown on drawing 1968-11 02 Rev A) shall not be increased in size from that hereby permitted and no mezzanine floor shall be inserted in Block G (as shown on drawing 1968-11 03 Rev B) without express planning permission being granted.**
Reason: To ensure Blocks A-F are retained as small starter units to which weight has been given in determining the application, and that all Blocks A-G have sufficient parking space for their floor area and in accordance with policies GN2 and TR4 of the Local Plan and Polices 1 and 9 of the Core Strategy.

5. The development hereby permitted on the north part of the site (defined as Blocks A-F as shown on drawing ref: 1968-11 02 Rev A) 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. GN2 and GN5 of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Core Strategy.
6. The development hereby permitted on the south part of the site (defined as Block G as shown on drawing ref: 1968-11 03 Rev B) 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. GN2 and GN5 of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Core Strategy.
7. The development hereby permitted on the north part of the site (defined as Blocks A-F as shown on drawing ref: 1968-11 02 Rev A) shall not be occupied until the access, roads and parking as shown on drawing ref: 1968-11 02 Rev A) have been constructed in accordance with the approved details. The development shall then remain as per the approved layout.
Reason: In the interests of highway safety and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.
8. The development hereby permitted on the north part of the site (defined as Block G as shown on drawing ref: 1968-11 03 Rev B) shall not be occupied until the access, roads and parking as shown on drawing ref: 1968-11 03 Rev B) have been constructed in accordance with the approved details. The development shall then remain as per the approved layout.
Reason: In the interests of highway safety and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.
9. Before the development hereby permitted on the north part of the site (defined as Blocks A-F as shown on drawing ref: 1968-11 02 Rev A) 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 plan(s). 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.
10. Before the development hereby permitted on the south part of the site (defined as Block G as shown on drawing ref: 1968-11 03 Rev B) 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 plan(s). 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.

11. Before the development on the north part of the site (defined as Blocks A-F as shown on drawing ref: 1968-11 02 Rev A) hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.
Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy Nos. GN5 and EM2 of the Adopted Chorley Borough Local Plan Review.
12. Before the development on the south part of the site (defined as Block G as shown on drawing ref: 1968-11 03 Rev B) hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.
Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy Nos. GN5 and EM2 of the Adopted Chorley Borough Local Plan Review.
13. No materials or equipment shall be stored on any part of the site other than inside the buildings.
Reason: In the interests of the amenity of the area and in accordance with Policy No. EM2 of the Adopted Chorley Borough Local Plan Review.
14. The approved plans are:
- | Plan Ref. | Received On: | Title: |
|------------------|----------------|-------------------------------|
| 1968-11 02 rev A | 21 August 2012 | Site Plan |
| 1968-11 03 rev B | 21 August 2012 | Site Plan |
| 1968-11 04 | 14 June 2012 | Block A, Units 1-4 |
| 1968-11 05 | 14 June 2012 | Block B, Units 5-9 |
| 1968-11 06 | 14 June 2012 | Block C, Units 10-11 |
| 1968-11 07 rev A | 14 June 2012 | Block D Elevations |
| 1968-11 08 | 14 June 2012 | Block E, Units 25-32 |
| 1968-11 09 | 14 June 2012 | Block F, Units 33-36 |
| 1968-11 10 | 14 June 2012 | Block G, Proposed Floor Plans |
| 1968-11 11 | 14 June 2012 | Block G, Proposed Elevations |
- Reason: To define the permission and in the interests of the proper development of the site.*
15. The development hereby permitted on the north part of the site (defined as Blocks A-F as shown on drawing ref: 1968-11 02 Rev A) shall not commence until details of the proposed foul and surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. No part of the north 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 Policy Nos. EP18 and EP19 of the Adopted Chorley Borough Local Plan Review.
16. The development hereby permitted on the south part of the site (defined as Block G as shown on drawing ref: 1968-11 03 Rev B) shall not commence until details of the proposed foul and surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. No part of the south part of the development shall be occupied until the approved surface water drainage

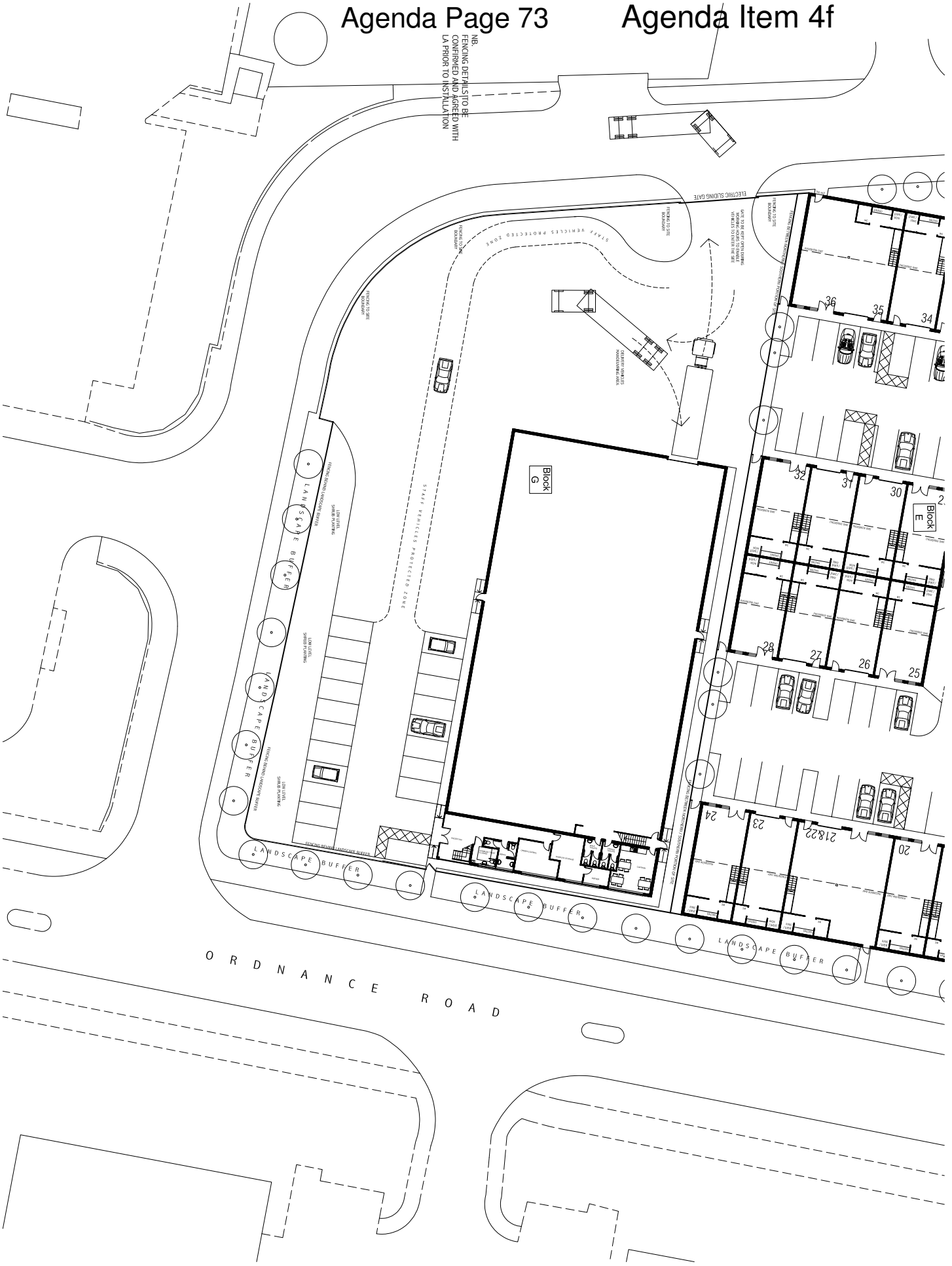
arrangements have been fully implemented.

Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 and EP19 of the Adopted Chorley Borough Local Plan Review.

17. The buildings hereby permitted shall only be used for purposes falling within the Use Classes (of the Schedule to the Town and Country Planning (Use Classes) Order 1987) as listed below:

- Block A (Units 1 to 4) (as shown on 1968-11 02 rev A) – Use Class B1 and/or B8
- Blocks B – F (Units 5 to 36) (as shown on 1968-11 02 rev A) – Use Class B1, B2 and/or B8
- Blocks G (as shown on 1968-11 03 rev B) – Use Class B2 and/or B8
- The buildings shall be used for no other purpose than those listed above or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: To clarify the permission and protect the amenities of local residents and in accordance with Policy Nos. GN2 of the Adopted Chorley Borough Local Plan Review and Policies 1 and 9 of the Core Strategy.



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REVISION STATUS - Available in the drawing design
 1 Information limited to issues of construction only
 2 Information limited to construction
 3 Information limited to Construction

NOTES

8 A4.0.12 LOW LEVEL FENCING ACCORD TO REAR OF FENCE LINE
 A A4.0.12 GENERAL AMENDMENTS FOR POWER/PROTECTION
 REVISION DATE REVISION
 ROKHACHER@BROOKSWAYLIMITED

PROJECT
 SOUTHERN COMMERCIAL QUARTER
 SOUTHWEST TILDS
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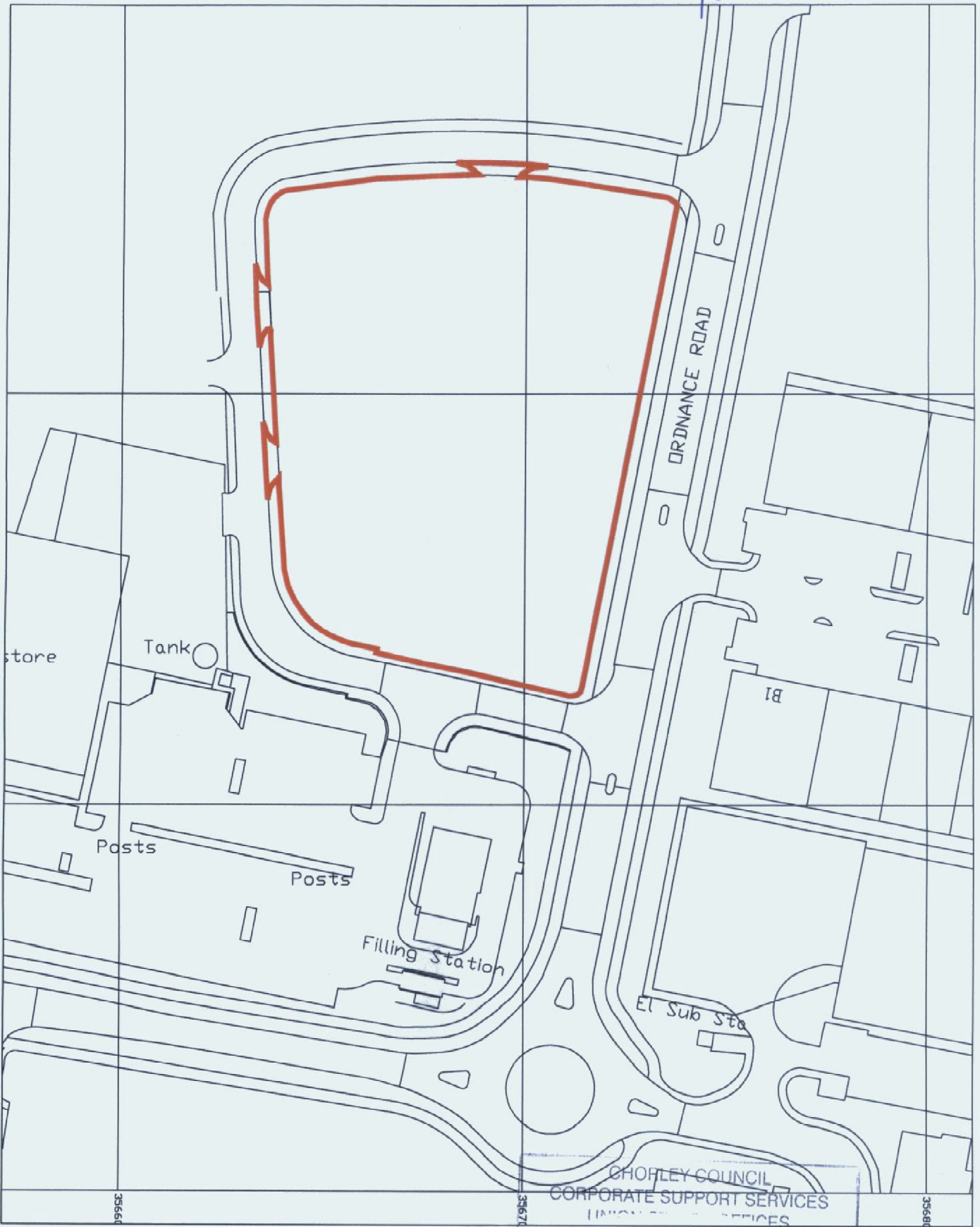
DRAWING TITLE
 PROPOSED PART SITE PLAN (P OF 2)

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REVISIONS

NO.	DATE	DESCRIPTION
A	03-06-12	ISSUED FOR PERMIT

NOTES

1. All dimensions to be checked on site.
2. Materials to be used for construction.
3. Excavation to be confirmed.

NO.	DATE	DESCRIPTION
A	03-06-12	ISSUED FOR PERMIT

CLIENT
FOUNDER/USER@CSCS/W/LIMITED

PROJECT
SOUTHERN COMMERCIAL QUARTER
SOUTHERN COMMERCIAL QUARTER
SOUTHERN COMMERCIAL QUARTER

PROPOSED PART SITE PLAN (1 OF 2)

SCALE
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DATE
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DATE
03-06-12

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Item 4g	12/00510/OUTMAJ
Case Officer	Adele Hayes
Ward	Chorley South East
Proposal	Application to extend the time limit for implementation of extant outline planning permission 08/01044/OUTMAJ for the erection of a mixed use development incorporating residential and B1 employment use following the demolition of the existing buildings (7.2 hectares)
Location	Duxbury Park Myles Standish Way Chorley Lancashire
Applicant	United Utilities Property Solutions Ltd
Consultation expiry:	4 July 2012
Application expiry:	20 August 2012

Proposal

1. The application proposes the extension of the time limit for implementing an existing outline planning permission for the erection of a mixed use development incorporating residential and B1 employment use following the demolition of the existing buildings approved under reference 08/01044/OUTMAJ and a copy of the previous report is attached for information.
2. In response to the widespread decline in the economic climate and sharp decline in development activity, the Government introduced a new procedure, whereby applications can be made to extend the life of an extant planning permission for a further period of time. This procedure only applies to planning permissions which were granted on or before 1 October 2009 and each permission can only be extended once.

Recommendation

3. It is recommended that this application is granted conditional outline planning approval.

Main Issues

4. The main issues for consideration in respect of this planning application are:
 - Guidance
 - Background of the development
 - Material considerations
 - Neighbour concerns
 - S106 Agreements

Representations

5. 2 letters of have been received objecting to the proposal on the grounds that the land should be retained as public open space. In addition concerns have been received that the development of commercial buildings would result in a loss of privacy, a loss of trees and would have an adverse impact on wildlife. It is also stated that there are lots of office units empty in Chorley and in better suited areas than here.

Consultations

6. **Lancashire County Council (Archaeology)** – no objections
7. **The Environment Agency** – no objections subject to conditions
8. **Lancashire County Council (Highways)** – no objections subject to the entrance to the site being surfaced to completion
9. **Lancashire County Council Ecology Service** - no comments received
10. **People & Places - Waste & Contaminated Land** - no comments received
11. **Parks & Public Open Space** - no comments received
12. **United Utilities** - no comments received
13. **Ramblers' Association (Chorley Branch)** - no comments received

Assessment

Guidance

14. Guidance issued by the Department of Communities and Local Government states that when determining applications for extensions to time limits the development will by definition have been judged to be acceptable in principle at an earlier date (in this case by permitting application 08/01044/OUTMAJ). While such applications must be decided in accordance with the plan, unless material considerations indicate otherwise, Local Planning Authorities should in making their decision focus their attention on development plan policies and other material considerations which may have changed significantly since the original grant of planning permission.

Background of the development

15. Outline planning permission was granted on 23 December 2008 subject to a related Section 106 Agreement for a mixed use residential and commercial development. The majority of conditions attached to the outline allowed for phased development but there were four which required amendment in order to allow contamination and archaeology to be dealt with separately for the residential development.
16. A Section 73 application was therefore submitted and a Section 73 consent was granted on 11 January 2011. Arley Homes implemented the residential development on the site pursuant to this Section 73 consent.
17. The existence and implementation of the 2011 Section 73 consent does not affect the existence of the original outline consent and this remains extant and capable of implementation in relation to the employment element of the development.

Material Considerations

18. This application is required to be determined in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, and in making a decision the Local Planning Authority is required to focus its attention on national and local planning policy or other material considerations which may have changed significantly since the original grant of permission. The original scheme was assessed against policies within the Chorley Local Plan which has now been superseded in part by the Central Lancashire Core Strategy (adopted

on 17 July 2012). In addition, the Government's National Planning Policy Framework has also recently been published. This has implications for the assessment of the proposal. The main issues for consideration are whether the principle of the proposed development remains acceptable, when assessed against Policies of the Core Strategy and National Planning Policy Framework, and whether there are any requirements imposed by conditions on the previous approval which require amendments.

19. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. The scheme involves a mixed use development on previously developed land within a sustainable location which is in accordance with the NPPF. In relation to the Core Strategy, the site is within Chorley Town where the focus of development is intended to be and provides for employment land and employment opportunities. The proposal is therefore consistent with the Core Strategy.

Neighbour concerns

20. Concerns have been raised about redeveloping the site and the fact that commercial buildings would result to a loss of residential amenity. The acceptability of the principle of the development has already been established through the granting of the outline consent. The final siting and relationship with existing buildings will be assessed as part of a reserved matters application.

Section 106 Agreement

21. The outline planning approval had an associated S106 Agreement which required the employment land to be marketed and this obligation has been met. In addition the obligations insofar as they related to the provision of affordable housing and provision of public open space were repeated in the supplemental agreement tied to the S73 application. It is therefore not necessary for a supplemental agreement to be tied to this application which is under consideration.

Overall Conclusion

22. The development involves the erection of a mixed use scheme which will facilitate the redevelopment of a brownfield site within a sustainable location. The proposals are in accordance with Government advice contained within the NPPF along with existing Planning Policy. It is not considered that there has been a material change in circumstances since the original grant of planning permission which would warrant refusal now.

Planning Policies

National Planning Policies:

National Planning Policy Framework

North West Regional Spatial Strategy:

Policies DP1, DP4, DP7, RDF1, L4, L5, RT9, EM1, EM5, EM15, EM16, EM17

Adopted Chorley Borough Local Plan Review

Policies: GN1, GN5, GN9, EP4, EP9, EP17, EP18, HS4, HS5, HS6, HS21, EM1, EM2, TR1, TR4, TR18

Joint Core Strategy

Policy 1: Locating Growth

Policy 2: Infrastructure

Policy 5: Housing Density

Policy 7: Affordable Housing
Policy 17: Design of New Buildings
Policy 22: Biodiversity and Geodiversity
Policy 26: Crime and Community Safety
Policy 27: Sustainable Resources and New Developments
Policy 28: Renewable and Low Carbon Energy Schemes
Policy 29: Water Management
Policy 30: Air Quality

Sites for Chorley- Issues and Options Preferred Option Paper September 2011

EP1.4 Carr Lane (Vertex Site)

Planning History

- 08/01044/OUTMAJ - Outline application for the erection of a mixed use development incorporating residential and B1 employment use following the demolition of the existing buildings (7.2 hectares). Approved 23 December 2008.
- 10/00004/DIS - Application to discharge condition 29 of planning approval 8/01044/OUTMAJ. Approved 27 January 2010.
- 10/00240/DIS - Application to discharge condition 14 of planning approval 8/01044/OUTMAJ. Approved 29 April 2010.
- 10/00888/OUTMAJ Application to vary conditions 11, 12 (ground remediation), 19 (surface water attenuation) and 21 (archaeology) of outline planning permission ref: 8/01044/OUTMAJ to enable the site to be developed in phases. Approved 11 January 2011.
- 10/00946/REMMAJ Reserved Matters application, pursuant to Section 73 planning permission 10/00888/OUTMAJ, proposing full details for the siting, layout, appearance and landscaping for a residential development comprising 135 dwellings at Duxbury Park, Myles Standish Way, Chorley. Approved 9 February 2011.
- 11/00190/DIS Application to discharge conditions 6, 8, 9, 12, 13, 14, 19, 21, 22, 24, 26, 27, 28, 29, & 30 attached to planning approval 10/00946/REMMAJ. Approved 17 May 2011
- 11/00263/FUL - Construction of a temporary junction and access road for use during the construction period. 23 May 2011.
- 11/00453/REMMAJ - Section 73 application to vary conditions 1 (approved plans), 4 (approved plans), 10 (finished floor levels in respect of plots 6-8, 80-89 and 126-134), 26 (carbon emissions) and 27 (code for sustainable homes) attached to planning approval 10/00946/REMMAJ. Approved 22 August 2011.
- 11/00947/DIS - Application to discharge conditions 5, 10 and 18 attached to planning approval 11/00453/REMMAJ. Approved 3 January 2012
- 11/01019/REMMAJ - Section 73 application to vary conditions 1 and 4 (approved plans) and 25 and 27 (plot references) attached to planning approval 11/00453/REMMAJ. Approved 2 April 2012.
- 12/00269/REMMAJ - Section 73 application to vary conditions 1 and 4 (approved plans) and 9 (finished floor levels), in respect of plots 58-68 and plot 75, attached to planning approval 11/01019/REMMAJ. Approved 7 August 2012.

PREVIOUS REPORT

2 neighbour letters have been received

Consultation expiry: 2 December 2008

Application expiry: 31 December 2008

Proposal

The application is an outline application for the redevelopment of the Former Vertex Training Centre, Little Carr Lane, Chorley. The proposal is outline in nature with all matters, apart from access, reserved. The proposal incorporates redevelopment for residential use, up to 200 dwellings, and 10,800 square metres of office (Use Class B1) use.

The indicative masterplan demonstrates that 200 residential units and 10,800 square metres of B1 floor space can be accommodated on the site. It is envisaged that this will be split between 80 four-bed units, 70 three-bed units and 50 two-bed dwellings. This will incorporate apartments, terraced, semi-detached and detached properties. 4,032 square metres of public open space will be provided on site including equipped play space.

The whole site is 7.2 hectares in area. Part of the site is allocated as employment land within the local plan and covers an area of approximately 3.4 hectares. The density of the housing element of the scheme for 200 new dwellings is approximately 42 dwellings per hectare.

Summary

The proposal incorporates the redevelopment of a brownfield site and will enhance employment opportunities within the Borough. There are still outstanding issues in respect of Bats which the applicants are aware of and will be reported on the addendum. This notwithstanding however the proposal is considered to be acceptable

Planning Policy**National Policies:**

PPS1, PPS3, PPS9, PPS22, PPS23, PPS25, PPG17

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 W1: Strengthening the Regional Economy

Policy W2: Locations for Regionally Significant Employment Development

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:

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

EM1: Employment Land Allocations

EM2: Development Criteria for Industrial/ Business Development

TR1: Major Development- Tests for Accessibility and Sustainability

TR4: Highway Development Control Criteria

TR18: Provision for pedestrians and cyclists in new developments

Sustainable Resources Development Plan Document

Statement of Community Involvement

Planning History

The existing training centre on site was opened in 1974 and is now an outdated facility. The building became underused a number of years ago. The training function was moved out of the facility and the centre closed in

2002. A subsequent attempt was made to reopen the centre as a conference centre initially for three years however the centre operated at a loss and was closed in 2006.

95/00050/FUL- Construction of new car park for 62 cars, including landscaping. Approved March 1995.

96/00645/FUL- Siting of one portacabin unit for temporary office accommodation. Approved October 1996

97/00025/FUL- Single-storey side extension to administration offices. Approved March 1997

97/00161/FUL- Provision of open canopy to road training area. Approved May 1997

98/00375/FUL- Siting of electricity transmission tower for training purposes only (not connected to electricity transmission/distribution network). Approved October 1998

98/00415/FUL- Single storey infill extension. Approved July 1998

98/00690/FUL- Continuation of planning permission 9/96/00645 to allow the use of one portacabin unit for temporary office accommodation for a further 2 years. Approved November 1998

98/00813/FUL- Erection of communications building on land adjacent Red Bank Mission. Approved January 1999

98/00842/FUL- Siting of portacabin for a temporary period of five years. Approved January 1999

00/00856/FUL- Extension of previous permission (9/96/00645/FUL) to continue use of one portacabin unit for temporary office accommodation for a further 12 months. Approved December 2000

06/00850/CB3- Creation of an access junction off the proposed Eaves Green Link Road (site area 0.31ha). Approved November 2006

Applicant's Case

The following points have been forwarded in support of the case:

- The scheme has been developed in close liaison with the Borough Council at pre-application stage
- Extensive community consultation has also been undertaken
- The application proposes to redevelop a brownfield site which is currently redundant and underused
- Presently the site makes no positive contribution to the character and appearance of the area.
- The development will provide on-site affordable housing and approximately 500 job opportunities.

Representations 1 letter has been received raising concerns in respect of tree removal and the location of industrial units to the rear of the dwellings although they are aware that siting will be dealt with at reserved matters stage.

1 letter has been received objecting to parts of the application as follows:

- Concerned about where the access will terminate at Little Carr Lane as it is in front of her house
- Adequate safe play areas are required as part of the development- the area to the north of the site is very small
- Concerned about drainage on the site.

Consultations **The Council's Conservation Officer** has no comments to make.

The Council's Urban Design Manager has made comments on the design and layout of the scheme. As this is an outline application issues relating to design and siting will be dealt with at reserved matters stage.

Corporate Director (Neighbourhoods) has no objections to the proposed development provided that the proposed remedial measures and any further investigation works as necessary are carried out in accordance with the recommendations made in the reports.

Lancashire County Council (Ecology) have commented on the scheme and require a method statement, for approval prior to determination of the application, detailing how detrimental impacts on the conservation status of the bat population will be avoided during and after the development

Lancashire County Council (Strategic Planning) considers that the scheme conforms with the NW Regional Spatial Strategy

United Utilities has no objections subject to various conditions/informatives.

Ramblers Association have suggested an alternative route of the diverted footpath which they consider to be more appropriate.

The Council's Parks and Open Spaces Officer has raised concerns with natural surveillance of the equipped play area but does consider that the site has a good proportion of Public Open Space.

Chorley Landscape Assistant has no objections to the proposal.

Lancashire County Council (Highways) has no objections to the proposal and confirms that the road and junctions has adequate capacity as they were designed to accommodate development. Concerns have been raised with the illustrative internal arrangements. The layout would need completely revising to meet the needs and design requirements of the site

The Environment Agency has no objections to the scheme subject to various conditions/informatives

Natural England have concerns about the impact of the proposal on bats.

Lancashire Fire and Rescue Service have suggested the installation of residential sprinkler systems

Lancashire County Council (Archaeology) have recommended an archaeological survey condition due to the possibility of the remains of collieries and buildings on the site

Planning Policy have made the following comments:

- That B1 office element of the development is contrary to National and Regional Planning Policy because since the adoption of the Local Plan more recent Planning Policy, National Planning Policy Statement 6 (PPS6) and the adopted Regional Spatial Strategy (RSS), has been adopted. Both of these documents direct office uses to town centre locations
- This site is a brownfield site within the defined Chorley town settlement and as such housing development is acceptable in principle
- The application proposes 20% affordable housing on site, which accords with Policy HS5 in the Local Plan Review and National Planning Policy in Planning Policy Statement 3.

Assessment

Principle of the development

Part of the site is previously developed, brownfield land and is occupied by the former Vertex Training Centre. The built development is located on a central position on the site. The land to the east and west of the built development is previously undeveloped land however the whole site forms part of the curtilage of the site. Additionally the site is located within the defined settlement within the Local Plan.

In accordance with Planning Policy Statement 3: Housing the site is considered to be previously developed land. Previously developed land is land which is or was last occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure. PPS3 encourages the redevelopment of previously developed land. As such the principle of redeveloping the site for accords with Government guidance.

Employment Land

The eastern section of the site is allocated as employment land within the Local Plan. As such in accordance with Policy EM1 this part of the site is identified as suitable for business, general industrial or storage and distribution (Use Classes B1, B2 and B8). Additionally financial and professional services (Use Class A2) are identified as being appropriate in this location.

The proposed employment part of the scheme does not, however, fully accord with the employment land allocation. It was determined during pre-application discussions that it would be more appropriate to locate the employment uses along Myles Standish Way to give greater prominence to employment uses on Myles Standish Way and to reduce the impact of the employment development on the adjacent residential properties. The size of

the employment site has not been reduced, however, when compared to the employment allocation.

The employment proposed as part of this scheme is proposed to be wholly B1 Office accommodation comprising of small to medium sized units with a maximum floor space of 10,800 square metres. B1 Office accommodation is identified as an appropriate use within the Policy EM1 allocation however since the adoption of the Local Plan more recent Planning Policy, National Planning Policy Statement 6 (PPS6) and the adopted Regional Spatial Strategy (RSS), has been adopted. Both of these documents direct office uses to town centre locations. Policy W3 of the RSS states that office development should, as far as possible, be focused in the regional centres, in or adjacent to town/city centres listed in Policy RDF1 and in Key Service Centres (such as Chorley Town), consistent with Policy RDF2 and the sequential approach to the location of development in PPS6.

The allocation under Policy EM1 clearly does not conform with more recent National and Regional Policy however it is a saved Policy and as such is still a material planning consideration. The Policy identifies B1 office use as appropriate. The submission of this planning application follows extensive pre-application discussions with the Council. Small/ starter B1 office units have been identified as lacking in the Borough and the applicants were advised that B1 office units would be appropriate in this location.

Additionally the allocated housing site to the north of the application site originally formed part of the whole site and was sold to Persimmon Homes after outline planning permission had been granted (04/01457/OUTMAJ) for residential redevelopment. This development is well commenced on site. At the time of the outline planning application United Utilities entered into a Section 106 Agreement which Chorley BC which obliged United Utilities to, among other obligations, market the allocated employment land for B1, B2, B8 and A2 uses. Chorley Council entered into this agreement with United Utilities in October 2005 and the obligation related directly to the opening of the Eaves Green Link Road, now known as Myles Standish Way.

The obligation required a 6-month marketing exercise however, although this hasn't been undertaken, this exercise may have resulted in no employment interest in the site. If this occurred other uses, including residential development, would have had to be considered for the allocated employment site. This development ensures employment uses will be accommodated on this allocated employment site to the benefit of the local economy.

Although current National and Regional Planning Policy would prefer to direct office accommodation to town centre locations in this situation, taking into account the Policy EM1 allocation, the fact that the legal agreement identified B1 Uses as appropriate uses to market the site for and the fact that there are no identified town centre locations, ensures that employment accommodation will be achieved in the Borough and is appropriate in this location.

Lancashire County Council consider that due to the location of the site, the fact that the site is well serviced by sustainable transport and is allocated

within the Local Plan then this element of the scheme is in conformity with the RSS.

Two office buildings will form the 'gateway' to the development as they will front Myles Standish Way and the access junction into the site. The addendum to the Design and Access Statement encourages exceptional design solutions for these buildings to create a 'gateway'.

Concerns have been raised that due to the current market the employment uses will not be delivered whereas the residential units will be leaving a vacant piece of land. The applicants have confirmed that due to the size of the site and two differing types of development it is likely that the site will be split into parcels and 2/3 different developers will develop the site. To ensure the employment uses will be delivered current discussions in respect of the Section 106 Agreement are based around phasing the development so the construction of a proportion of the residential development will require the construction of a proportion of the employment development.

Additionally details of the structure planting will be required prior to the commencement of the development which will require planting/ landscaping along the main access route into the site at an early stage.

Housing Development

The proposed development incorporates a mixed use scheme with an element of employment use, set out above, and an element of residential redevelopment. The site is located within the settlement boundary and is allocated under Policy GN1 of the Adopted Local Plan. As such the principle of redeveloping the site for residential purposes is considered to be acceptable.

The residential units will be sited to the north and west of the site. The west of the site rises upward to the woodland located at the western boundary of the site. Locating the residential properties in this location takes into account the natural topography of the site and will afford views to the east.

Following receipt of the comments from the Urban Design Manager the indicative layout has been amended and an addendum to the Design and Access Statement has been submitted. To take into account the topography of the site the addendum letter encourages future developers to consider split level houses. The apartment building to the north of the site has been relocated forward to continue the adjacent building line and the parking has been repositioned to a more discrete location. The addendum to the Design and Access Statement encourages dual aspect housing and consideration of detailed boundary treatments will be dealt with at reserved matters stage.

Although the application is outline with all matters reserved an indicative Masterplan has been submitted which demonstrates that 200 new dwelling units can be accommodated on the site. This will be split between 80 four bed units, 70 three bed units and 50 two bed units. This will include terraced, semi-detached and detached dwellinghouses and apartments. The dwellinghouses will range in height between two and two and a half storeys; the apartments will range in height between 3 and 4 storey.

Although the submitted layout plan is indicative the plan seeks to demonstrate that the site can be developed as proposed without adversely impacting on the neighbours' amenities. The immediate residential neighbours to the site are located to the north of the site along Carr Lane and Little Carr Lane, the new Persimmon development, Duxbury Gardens, is also located to the north of the site. To the west of the site are the residential properties on The Bowers.

The submitted parameters plan details that along the northern boundary of the site with Carr Lane and Little Carr Lane all of the proposed dwellings will be a maximum of 2 stories high. The existing dwellings are located in close proximity to the site boundary and are at a slightly lower land level than the application site. However the illustrative masterplan illustrates that the required 21 metre window to window distance can easily be achieved with the spacing of the properties exceeding this distance. Where properties are located closer than 21 metres to the rear of the existing dwellings the masterplan illustrates that the proposed dwellings will be orientated to ensure a blank gable wall faces the existing property and more than the required 12 metres spacing distance is retained.

Along the boundary with Duxbury Gardens a three storey apartment block, 2 storey dwellinghouses and 2 storey office buildings are proposed. Duxbury Gardens consists of three storey dwellings and as such the siting of a three storey apartment block close to this boundary is not considered to be out of keeping with the character of the area. Additionally over 27 metres separation distance can be achieved between the proposed apartments and the existing dwellings which will ensure there is no loss of amenity for the future or existing residents. The closest office building is indicated to be approximately 14 metres from the rear of the existing properties however in this situation the gable end of the office building will face the dwellinghouse with no side windows.

The Biological Heritage Site and dense vegetation is located along the boundary of the site adjacent to the properties on The Bowers. Due to the presence of this landscape strip and the fact that the majority of the BHS falls outside the application site ensures that this landscaping will be retained and screens the proposed development from the properties on The Bowers.

It is considered that the development can be achieved whilst maintaining adequate spacing distances and ensuring the amenities of the existing and future residents are maintained.

In accordance with Policy L5 of the Regional Spatial Strategy and Policy HS5 of the Adopted Local Plan and 20% on site affordable housing will be required as part of the development. This obligation will form part of the Section 106 Agreement associated with the development and the 20% provision will be split between 70% rented affordable units and 30% shared ownership affordable units. This split is based on local need in the area.

It is considered that as the proposed housing forms a key element within a mixed use regeneration project and will meet district targets in terms of providing affordable housing. As such redeveloping the scheme for housing is considered to be appropriate.

Open Space

The proposal incorporates elements of Public Open Space within the site. A total of 4,032 square metres of Public Open Space will be provided within the site which includes 1,308 square metres of Equipped Play Space. These areas will be provided by the developers and passed over to the Council for adoption and maintenance. This provision will be secured by the associated legal agreement.

The indicative masterplan details three areas of public open space to the north of the site adjacent to the properties on Little Carr Lane, in a central location on the site and to the south of the site close to Myles Standish Way. The equipped play area will form part of the open space proposed to the south of the site.

A Public Realm Plan forms part of the submission which indicates which elevations of the dwellings and B1 office units should incorporate habitable room windows and office windows to promote informal supervision of streets, public open space and paths.

Additionally in accordance with Policy HS21 of the Adopted Local Plan provision of playing fields is required due to the size of the proposed residential development. This provision will form part of the Section 106 Agreement and will be provided off site.

Trees and Landscape

The site incorporates areas of trees and vegetation some of which will be retained as part of the development and some of which will be removed. An Arboricultural Survey has been submitted with the application which includes details of all the trees on site which formed part of the Tree Survey.

The report identifies which trees are worthy of retention and which are not worthy of retention. The trees on site are generally in a good condition. 24 trees/ groups have been recommended for removal for Arboricultural reasons as they are considered unsafe and because their removal will benefit adjacent trees. 93 trees/ groups have been recommended for removal because they are either within the development footprint or too close to the proposed development to be practically protected during construction. The majority of the trees to be removed to accommodate the development are identified as category 'C' trees within the survey which have a low amenity value. 14 of the 33 Category 'B' trees are proposed to be felled however as part of the landscaping of the whole site replacement trees will be planted to mitigate for the loss of the existing trees.

The trees which have the highest amenity value are located within the woodland along the western boundary of the site. This area is also designated as a Biological Heritage site. None of these trees will be affected by the development. These trees are also protected by Tree Preservation Order 9 (Chorley) 1995.

The Council's Arboricultural Officer will review the submitted report and his comments will be reported on the addendum.

Ecology

As there are existing buildings and trees on site the proposed redevelopment has the potential to impact on protected species. An Ecological Assessment of the site has been undertaken which has been assessed by Lancashire County Council's Ecologist.

The proposal could have possible impacts on the Biological Heritage site, bats and nesting birds, as well as the fragmentation/isolation of habitats. There is also the possibility that giant hogweed will be spread.

The Ecological Assessment concludes that there are no Great Crested Newts on the site and as such there will be no impact on Great Crested Newts. Bats roosts are present on the site and as such a method statement for approval prior to determination of the application, detailing how detrimental impacts on the conservation status of the bat population will be avoided during and after the development will be required.

Appropriate conditions can be attached to ensure the proposal does not adversely impact on breeding birds and eradication of evasive plant species on the site can be dealt with by condition. The area of woodland to the west of the site is designated as Biological Heritage Site (Duxbury Woods Biological Heritage Site (BHS 51NE13)). The Ecologist at LCC has confirmed that Duxbury Woods has been damaged (loss of extent and fragmentation) by earlier developments. As such it is important to ensure that the remaining areas are adequately protected from further damage. To ensure the Biological Heritage site is not affected by the development appropriate planning conditions will be attached to the recommendation.

Flood Risk

Part of the site falls within a Flood Risk Zone 2 and 3. As such Flood Risk Assessments have been submitted as part of the application. The assessment concludes that there is a low flood risk from the River Yarrow and the proposal is acceptable from a flood risk perspective.

United Utilities have assessed the Flood Risk Assessments and have confirmed that the flood risk assessment and proposed drainage details are acceptable to United Utilities in principle, subject to amendments to the sewer in the area. The Environment Agency are also satisfied with the findings of the Flood Risk Assessment

Traffic and Transport

The proposal incorporates the redevelopment of the site for employment and residential uses. The site has previously been used for a number of purposes including a training centre which, when it was fully operational, would have attracted a significant number of traffic movements. Additionally the site accommodates large parking areas for the existing facility. The current vehicle access to the site is via Little Carr Lane which is a residential street however the proposal intends to incorporate vehicle access off the new Eaves Green Link Road, Myles Standish Way, with only emergency and

pedestrian/ cycle access achieved through the current Little Carr Lane access.

It is possible that the proposed development will generate more traffic than the existing use and as such a Traffic Assessment has been undertaken and forms part of the planning application.

The assessment concludes that the Eaves Green Link Road has been designed to accommodate significant traffic flows and the junction into the application site, which has already been constructed, will be able to operate well within capacity and will not result in queuing during peak hours. Additionally the closure of the Little Carr Lane entrance and removal of traffic generated by the Conference Centre would have environmental and safety benefits to the existing residential areas.

The site is located close to existing bus stops and a contribution will be provided, which will be secured as part of the Section 106 Agreement, to Sustainable Transport Improvements which will include improvements to the local bus service and the provision of a bus stop close to the site.

The Little Carr Lane access will be available for emergency access and will be managed with appropriate measures, such as drop down bollards, to ensure the access is not utilised by general traffic.

There is an existing public right of way which goes through the site. The route will not follow the existing route but will be diverted through the development. The indicative masterplan indicated that the proposed diversion route will run from Little Carr Lane through the emergency access point and along the main access road of the site to Myles Standish Way. The Ramblers have an alternative suggestion which follows the original route more closely. The Public Right of Way diversion has not yet been finalised and will be agreed with the Public Rights of Way Officer at Lancashire County Council.

A dedicated cycle route will also be provided through the site linking Little Carr Lane with Myles Standish Way along with additional pedestrian links, in addition to the public right of way.

The S106 contribution will also improve pedestrian links between the Development and the bus stop and contribute to the provision of safe cycling facilities. As such the development will enable other transport choices rather than the car in accordance with the Government's sustainability principles.

The Highways Engineer at Lancashire County Council has reviewed the Transport Assessment and the proposal and considers that the junction and access road have sufficient capacity for the development. Concerns have been raised in respect of the internal road layout however this is indicative at this stage and will be fully developed at reserved matters stage.

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 the formal application. This included a public

exhibition where neighbours were asked to comment on the proposed scheme.

Following the exhibition the applicants reviewed their scheme in light of the comments received from the residents. Following receipt of the comments the scheme has been amended to accommodate some of the concerns, not all of the concerns have been addressed however the following changes were made. The public house and hotel were removed from the scheme, industrial uses will not be incorporated as part of the development, the layout of the properties along the northern boundary has been revised along with introducing an area of open space to the northern boundary to increase separation distances, affordable housing will be provided as part of the scheme, the heights of the houses in the north west corner of the site have been reduced to 2 storey, the easements and alignment of the electricity cables has been investigated and positions reflected in the revised scheme and mature planting will be retained with replacement planting proposed for the trees lost.

In addition to the exhibition updates have been provided to a ward councillor and residents and a formal presentation was given to Development Control Committee on 16 September 2008.

It is considered that the community involvement undertaken is in accordance with the Council's Statement of Community Involvement. Additionally this involvement resulted in changes which are reflected in the submitted application.

Sustainability

Following the adoption of the first policy document, Sustainable Resources DPD, within Chorley's new Local Development Framework (LDF), the new style Local Plan, September 2008 a sustainability statement has been submitted as part of the planning application. This document covers climate change, energy, place making, community involvement, transport, ecology, resources, business and buildings.

This is an outline application with all matters reserved except for means of access. As such measures to achieve the required 10% reduction in energy consumption are speculative at this stage. Comments have been made that building orientation can make a big difference to energy efficiency and the ability to implement micro-generation. Sustainable Urban Drainage Systems should be included within the site. Additionally there could also be potential for a small wind turbine on site, or utilisation of ground source heat within the road layout.

To ensure that the future reserved matters applications accord with Policy SR1 of the Sustainable Resources DPD appropriately worded conditions will be attached to the recommendation in respect of reducing energy consumption.

Local Facilities

Lancashire County Council (Education) consider that there is sufficient capacity within the nearby primary and secondary schools for the new development.

Contamination and Coal Mines

Due to nature of the type of training that took place on site for both water and electricity industries there may be issues with contaminated land in some parts of the site. In addition to this there are thought to be mine shafts across the site. As such a preliminary risk assessment and mine shaft assessment have been submitted as part of the application.

The reports suggest further work which is required in respect of contaminates, gas and coal mine shafts on site. The Council's Environmental Services Section and the Environment Agency have reviewed the documents and no objection is raised on the proviso that the proposed remedial measures and further investigation works are carried out in accordance with the report recommendations. This will be dealt with by suitably worded conditions.

Conclusion As demonstrated above the scheme is considered to be acceptable. The impact on bats is still outstanding which the applicants are aware of and will be reported on the addendum. The proposal will ensure the redevelopment of a brownfield site, will contribute to the Borough's affordable housing targets and include further employment opportunities within the Borough.

Recommendation **Permit Outline Planning Permission (subject to S106 Agreement)**
Refuse if S106 Agreement is not signed by 23 December 2008

Recommendation: Permit Outline Planning Permission Conditions

1. **Any application for approval of reserved matters must be made to the Council not later than four years from the date of this decision. The development shall be begun within two years of the date of approval of the last of the reserved matters or within six years of the date of this decision whichever is the later.**
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. **Before any phase of the development hereby permitted is first commenced, full details of all reserved matters relating to that phase (namely the siting, design, external appearance of the buildings, and the landscaping of the site) shall be submitted to and approved in writing by the Local Planning Authority.**
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.
3. **At the time of submission of the first set of details for development of the residential parcel, pursuant to Condition 2 above, a Statement of Overall Landscape Strategy for the residential parcel shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a landscaping/habitat creation and management plan and shall include details of structure planting on the site's**

peripheral areas and adjacent to the primary roads, footpaths and cycle ways within the site. The details shall also include the treatment of the boundaries of the site with the existing residential dwellings along Carr Lane/ Little Carr Lane to ensure the existing residential amenities are protected.

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. At the time of submission of the first set of details for development of the employment parcel, pursuant to Condition 2 above, a Statement of Overall Landscape Strategy for the employment parcel shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a landscaping/habitat creation and management plan and shall include details of structure planting on the site's peripheral areas and adjacent to the primary roads, footpaths and cycle ways within the site.

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.

5. Within one year of or within the first planting and seeding season following the completion of the access junction (whichever is the sooner) the structure planting along the access road and boundary of the site with Myles Standish Way shall be completed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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.

6. Before any phase of the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected for that phase (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building/ dwelling for that phase shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy Nos. GN5, HS4 and EM2 of the Adopted Chorley Borough Local Plan Review.

7. Samples of all external facing materials to the proposed buildings (notwithstanding any details shown on previously submitted plans and specification) for each phase shall be submitted to and agreed in writing prior to the commencement of that phase of development. 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, HS4 and EM2 of the Adopted Chorley Borough Local Plan Review.

8. 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) for each phase shall be submitted to and agreed in writing prior to the commencement of that phase of development. The development shall only be carried out using the approved external facing materials. 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.

9. A scheme of landscaping for each phase shall be submitted and agreed in writing prior to the commencement of that phase of development. The scheme shall indicate

the types and numbers of trees and shrubs to be planted, their distribution on the site, those areas to be seeded, paved or hard landscaped, detail any changes of ground level and shall be in accordance with the approved landscape strategy pursuant to conditions four and five. Landscaping and restoration schemes should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area.

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.

10. All planting, seeding or turfing comprising approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of any buildings within each phase of development and any trees or plants which within a period of five years from the completion of the development phase die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other 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.

11. Prior to the commencement of the development hereby permitted in the residential zone (as identified on the LK Consult Limited Plan Figure 1 drawn August 2010) the proposed remedial measures and further investigation works for that zone shall be carried out in accordance with the recommendations set out in the submitted Preliminary Risk Assessment (Phase 1 Desk Study) by Leyland Kirby Associates dated 9 June 2008, the Ground Investigation and Risk Assessment (Ref CL1301 and CL1302) dated 11 August 2008 and Investigation of Mine Shafts dated 25th July 2008.

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.

12. Prior to the commencement of the development hereby permitted in the commercial zone (as identified on the LK Consult Limited Plan Figure 1 drawn August 2010) the proposed remedial measures and further investigation works for that zone shall be carried out in accordance with the recommendations set out in the submitted Preliminary Risk Assessment (Phase 1 Desk Study) by Leyland Kirby Associates dated 9 June 2008, the Ground Investigation and Risk Assessment (Ref CL1301 and CL1302) dated 11 August 2008 and Investigation of Mine Shafts dated 25 July 2008.

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.

13. Upon completion of the remediation works for each phase ((as identified on the LK Consult Limited Plan Figure 1 drawn August 2010) a validation report for that phase containing any validation sampling 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.

14. Prior to the commencement of the development hereby permitted a method statement, setting out proposals for the protection of the Biological Heritage Site during construction, shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved methods.

Reasons: In the interests of the continued protection of the Biological Heritage Site. In accordance with Policy EP2 of the Adopted Chorley Borough Local Plan Review.

15. Giant hogweed (*Heracleum mantegazzianum*) is present within the application area. Under the Wildlife and Countryside Act 1981 (as amended) it is illegal to cause the spread of Giant hogweed (*Heracleum mantegazzianum*). Following an inspection of the

site in May 2009 confirmation, in writing to the Local Planning Authority, will be required that Giant hogweed has been eradicated. In the event that the species has not been eradicated a programme of control/eradication of this species shall be submitted to and approved in writing by the Local Planning Authority. The programme shall accord with Environment Agency Guidelines. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure the eradication of Giant hogweed (Heracleum mantegazzianum) in accordance with the Wildlife and Countryside Act 1981 (as amended).

16. Each 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. 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 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. Details shall be submitted for on-site measures to be implemented including rainwater/brown water recycling, the implementation of sustainable urban drainage systems and the provision of storage space for recyclable waste materials and composting. 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 objectives of the National Planning Policy Framework, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD.

17. 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 scheme shall include details of the Code for Sustainable Homes Level, how the proposals minimise energy use and maximise energy efficiency. All dwellings commenced after 2010 will be required to meet Level 3, all dwellings commenced after 2013 will be required to meet Level 4 and all dwellings commenced after 2016 will be required to meet Level 6 of the Codes for Sustainable Homes. 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 objectives of the National Planning Policy Framework, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD.

18. Each application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels of the dwellings and the B1 units (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 level 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, EM2 and HS4 of the Adopted Chorley Borough Local Plan Review.

19. The access link from Little Carr Lane shall cease to be used 3 months following the commencement of development and prior to the commencement of the residential development unless otherwise agreed in writing with the Local Planning Authority. Full details of the measures to be implemented to prevent vehicular access except in emergencies shall be submitted to and approved in writing by the Local Planning Authority. The details shall include details of proposed signage, details of the

pedestrian/cycle route and samples of the proposed hard surfacing materials. The development thereafter shall be carried out in accordance with the approved scheme.

Reason: To ensure the acceptable development of the site and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.

20. No development approved by this permission shall be commenced in the residential zone (as identified on the LK Consult Limited Plan Figure 1 drawn August 2010) until a strategy to attenuate surface discharges from that zone of 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 reduce the risk of flooding at the site.
22. No development approved by this permission shall be commenced in the commercial zone (as identified on the LK Consult Limited Plan Figure 1 drawn August 2010) until a strategy to attenuate surface discharges from that zone of 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 reduce the risk of flooding at the site.
23. Each reserved matters application shall include full details of the trees to be felled on that phase of the development and shall include full details (including species, number, stature and location) of the replacement tree planting. The replacement tree planting shall thereafter be carried out in accordance with the approved details.
Reason: To safeguard the visual amenity of the area and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.
24. No development shall take place in the residential zone (as identified on the LK Consult Limited Plan Figure 1 drawn August 2010) until a programme of archaeological work has been implemented for that zone 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.
25. 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.
26. 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.
27. 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.

28. No dwelling/ B1 unit hereby permitted shall be occupied until the highway alterations to the site access with Myles Standish Way, to include access roads into the two employment areas located to the east and west of the access junction, as set out on plan reference B3141 P017A, dated 21st November 2008, or any other such works which have been submitted to and approved in writing by the Local Planning Authority, have been completed to the satisfaction of 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.
29. No dwelling/ B1 unit 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 plans which have been submitted to and approved 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.
30. The outline planning permission hereby approved relates to the erection of up to 200 residential units and up to 10,800 square metres of B1 floor space. The applications for reserved matters shall not exceed 200 residential units and 10,800 square metres of B1 floor space.
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 Policy EM2 of the Adopted Chorley Borough Local Plan Review.
31. The employment units hereby approved shall be used for B1 uses and for no other purpose (including any other purpose in Class B of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.
Reason: To protect the amenities of local residents and in accordance with Policy Nos EM2 of the Adopted Chorley Borough Local Plan Review.
31. Prior to demolition of the buildings on the site, the developer shall undertake further detailed bat surveys of the existing buildings to establish whether or not any bat species are present. Where bat species or their habitat are found to be present, a mitigation report shall be prepared and submitted to the Local Planning Authority, in accordance with the recommendations of the UES Ecological Assessment submitted with this application. No development or site clearance shall take place until the Local Planning Authority has agreed the mitigation measures in writing, and these measures shall then be implemented in accordance with that agreement.
Reason: To protect the interests of any bat species which may be present on the site and in accordance with Policy EP2 of the Adopted Chorley Borough Local Plan Review.
32. Prior to the commencement of the residential parcel 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.

33. Prior to the commencement of the employment parcel 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.

34. This consent relates to the following plans:

Plan Ref.	Received On:	Title:
B3141 P000E	1 October 2008	Location Plan
B3141 P008E	17 November 2008	Proposed Indicative Colour Masterplan
B3141 PO11D	21 November 2008	Proposed Indicative Colour Landscape Structure Plan
B3141 P010D	21 November 2008	Proposed Colour Parameter Plan
B3141 P001B	1 October 2008	Existing Site Plan
A0 07I123/005	1 October 2008	Topographical Survey (5 of 5)
A0 07I123/004	1 October 2008	Topographical Survey (4 of 5)
A0 07I123/003	1 October 2008	Topographical Survey (3 of 5)
A0 07I123/002	1 October 2008	Topographical Survey (2 of 5)
A0 07I123/001	1 October 2008	Topographical Survey (1 of 5)
N71264-004A	1 October 2008	Proposed Access Road Stub
B3141 P014A	1 October 2008	Proposed Site Sections (A, B, C, D, E)
B3141 P015A	1 October 2008	Proposed Site Sections (F, G, H, J)
P3141 P009	17 November 2008	Proposed Public Realm Plan
B3141 P017A	21 November 2008	Proposed Phase 1 Infrastructure Plan

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

PLEASE NOTE comments from United Utilities:

- a) Surface water should discharge to the watercourse/soakaway/surface water sewer and may require the consent of the Environment Agency.
- b) If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.
- c) There are a number of sewer lengths that exceed a velocity of 4m/s and therefore United Utilities would insist upon suitable amendments being made prior to authorizing any full acceptance
- d) The applicant must discuss full details of the site drainage proposals with John Lunt contact Number 01925 537174.
- ☐ There is a sewer that crosses the site but this has been protected by an 8m easement either side.
- e) Our water mains may need extending to serve any development on this site. The applicant, who may be required to pay a capital contribution, will need to sign an Agreement under Sections 41, 42 & 43 of the Water Industry Act 1991.
- f) A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999

- g) The applicant should contact our Water Fittings Section at Warrington North WwTW, Gatewarth Industrial Estate, off Liverpool Road, Sankey Bridges, Warrington, WA5 2DS.
- h) The site of the proposed development should be carefully checked to ascertain if any sewers/ drains/ water mains cross the area. If any such pipes exist these may require diversion or protection before the development commences.
- i) United Utilities offers a fully supported mapping service at a modest cost for our electricity, water mains and sewerage assets. This is a service, which is constantly updated by our Map Services Team (Tel No: 0870 7510101) and I recommend that the applicant give early consideration in project design as it is better value than traditional methods of data gathering. It is, however, the applicant's responsibility to demonstrate the exact relationship on site between any assets that may cross the site and any proposed development.

Please Note: You are informed that the responsibility for safe development and secure occupancy of the site rests with the developer. The Local Planning Authority has determined the application on the basis of the information submitted, but this does not mean that the site is free from contamination.

Please note: Your attention is drawn to the existence of a separate legal agreement under Section 106 of the Town and Country Planning Act 1990 which relates to the use or development of the land to which this permission relates.

Please note: Your attention is drawn to the importance of 'Preventing Crime by Design'. Advice on aspects of security is available from the Crime Prevention Officer at Chorley Police Station, Chorley (01257) 269021. The Lancashire Constabulary also operate a 'Secured by Design' initiative. Details of the scheme and how house builders may seek approval under it may be obtained from the Community Affairs Department, Police HQ, P.O. Box 77, Hutton, Preston, Lancashire, PR4 5FB. (Telephone: 01772 614444).

Please note: The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpath/Bridleway No. 41 crosses the site.

Please note: It is recommended that in order to avoid disturbance of breeding birds development should be carried out in accordance with the recommendations set out within Paragraph 5.3 of the submitted Ecological Assessment dated 24th September 2008.

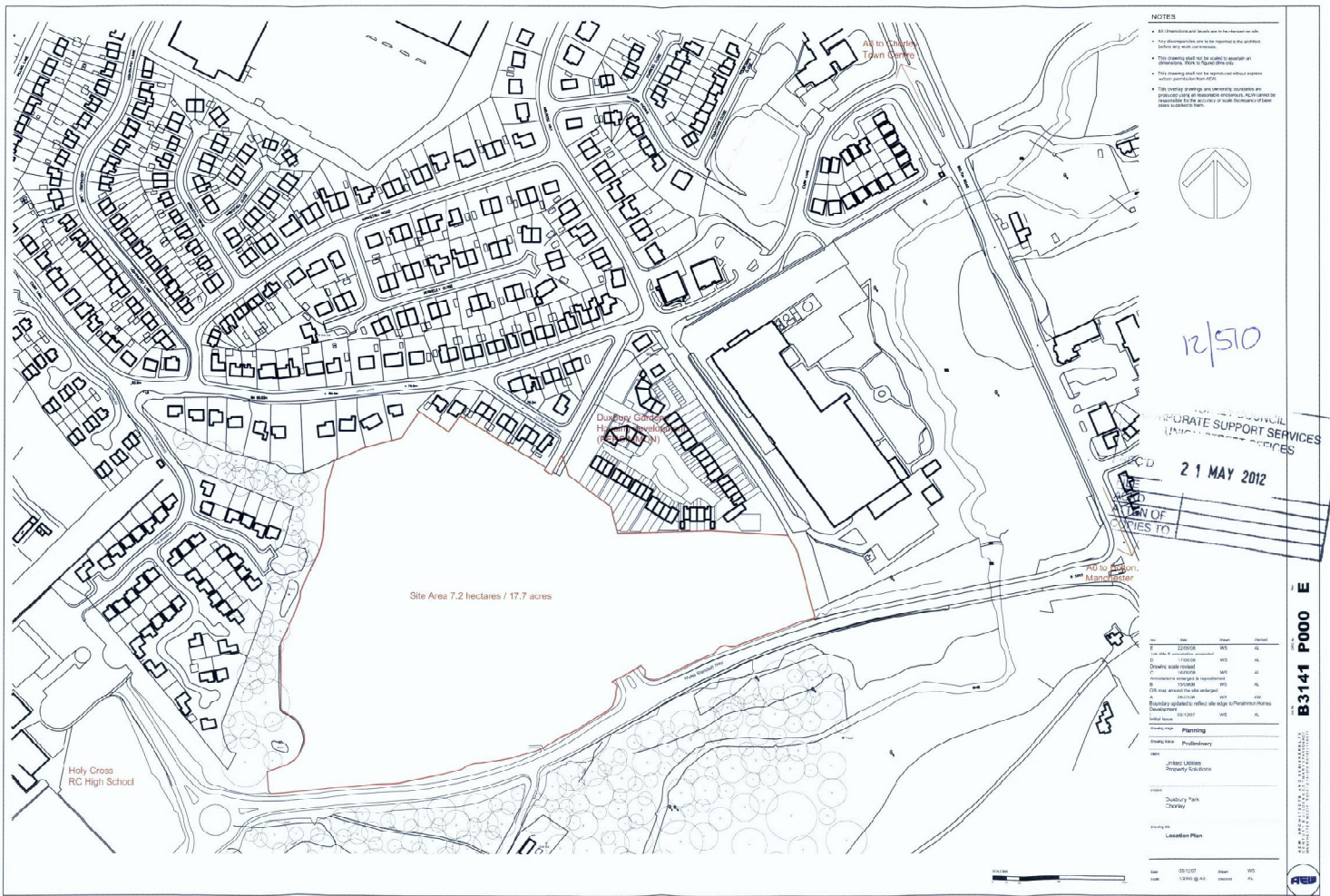
Please note: The following comments from the Environment Agency:

- j) Support for the Sustainable Urban Drainage Systems approach to managing surface water run-off
- k) The developer should consider the following as part of the scheme:
 - Water management in the development, including, dealing with grey waters
 - Use of sustainable forms of construction including recycling of materials
 - Energy efficient buildings
 - Prior to being discharged into any watercourse or surface water sewer, all surface water drainage from parking areas in excess of 100 spaces and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.
 - For Parking Areas of less than 100 spaces, prior to being discharged into any watercourse or surface water sewer, all surface water drainage shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

PLEASE NOTE the following comments from Lancashire Fire and Rescue Service:

- l) **It is recommended that the installation of domestic/ residential sprinkler systems in the proposed premises.**

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- NOTES
- All dimensions and details are to be checked on site.
 - Any discrepancies are to be reported to the architect before any work commences.
 - This drawing shall not be used to establish an entitlement to any rights or interests.
 - This drawing shall not be reproduced without express written permission from the architect.
 - The architect shall not be responsible for any errors or omissions in this drawing or any consequences thereof.



12/50

DUBLIN CITY COUNCIL
CORPORATE SUPPORT SERVICES
(PLANNING) SERVICES

21 MAY 2012

NO OF
SITES TO

B3141 P000 E



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Item 4h	12/00750/LBC
Case Officer	Ian Heywood
Ward	Chorley North West
Proposal	Repairs to stone archway, gates, side pillars and adjacent landscaping including: re pointing ashlar stonework; stone repairs with lime repair mortar; stone piecing-in repairs; renovation of gates; replacing corroding iron cramps; lifting and re bedding coping stonework; fitting of new metal capping to head of archway; making good adjacent landscaping.
Location	Astley Hall, Astley Park, Park Road, Chorley Lancashire
Applicant	Chorley Borough Council
Consultation expiry:	5 September 2012
Application expiry:	19 September 2012

Proposal

1. Repairs to stone archway, gates and adjacent landscaping including: repointing of ashlar stonework; stone repairs with lime repair mortar; stone piecing-in repairs; renovation of gates; replacing corroded iron cramps; lifting and rebidding coping stonework; fitting of new metal capping to head of archway; making good adjacent landscaping.
2. The works are all part of a coordinated project being run and funded jointly by Chorley Council (for which Executive Cabinet approval has already been given) and 'Chorley Remembers' Charity with funding from the Heritage Lottery Fund. Other works include the Chorley Pals memorial, the Cenotaph and an exhibition within the Coach House, Astley Hall.

Site Description

3. The 'Memorial Arch' stands at the entrance to Astley Park on Park Road in the centre of Chorley. It originally stood at the entrance to the Gillibrand Estate, but in 1923 was moved to its current site after which time it had the dates of The Great War, 1914 – 1918, and the inscription, 'Pro Patria' carved in time for the official opening on 31 May 1924.
4. The 'arch' consists of the principal masonry arch, intended for carriage entrance and two adjacent side pedestrian arches and abutments. Each opening is filled with wrought iron gates with iron running rails set in stone setts in the floor.
5. The head of the arch includes substantial blocks of stone held in place by wrought iron cramps. With the passage of time water has found its way into the structure causing these iron cramps to corrode, expand and fracture the stone. Vegetation has also taken hold in other gaps between the masonry joints and as the roots of these plants have grown and expanded so again the mortar joints have cracked open still further.
6. The iron gates have also suffered from corrosion as the iron has expanded and delaminated in places.
7. The proposed works are designed to repair the stone arch and the gates. Repairs in themselves if undertaken on a like-for-like basis would not normally require listed building consent. However the opportunity is being taken to change the iron cramps for ones of stainless steel and to add a cap from the same material which is to be fabricated to cover the uppermost stone joints to prevent water ingress in the future, which will also prevent plant

growth from becoming established in upward facing mortar joints. It is the use of non-original materials that determines the need for listed building consent to be obtained.

8. The proposal together with a highly detailed works specification have been drawn up by a leading conservation architect, who will also act as project manager, and the works are currently being sent out for tenders in a competitive bidding process being organised by Liberata in consultation with the Head of Streetscene and Leisure Contracts, the Conservation Architect and myself.

Recommendation

9. The Local Planning Authority recommend to the Secretary of State that the Listed Building Consent should be granted.

Main Issues

10. The main issues for consideration in respect of this planning application are:
 - Principle of the development, which in this case refers to the impact upon the significance of a designated heritage asset (as defined in both Annex 2 and Section 12 of the NPPF).

Representations

11. No letters of objection have been received.

Assessment

Principle of the development

12. The proposal suggests the use of established and accepted conservation practice. The recent and dramatic increase in lead thefts from church roofs has resulted in the recognition that alternative materials need to be considered in these circumstances – no point in replacing stolen lead with more lead that is going to be stolen again almost straight away. It is the enhanced expertise in this area that is being utilised to devise an appropriate solution here. The conservation architect is vastly experienced in this type of work and consequently his proposed solution here is appropriate, cost effective and highly durable.
13. The alternative option is to undertake exact like-for-like repairs using matching materials and omitting the stainless steel cap. The problem with this option would be that by using iron cramps again these would corrode, expand and fracture the stonework again. Omitting the stainless steel cap will allow water penetration and possible establishment of vegetation growth, which will cause further damage to the structure in the future.
14. The proposed stainless steel cap is to be fabricated from pre-treated steels that will have a dull grey appearance rather than a shiny one that is normally associated with stainless steel. The drawings and specification that accompany the application illustrate that the 'cap' will only cover the very uppermost area of the arch. This combined with the discrete colour of the material will result in an inconspicuous appearance when the arch is viewed from ground level.
15. The design of the proposed works is such that the significance of the designated heritage asset will be sustained. Indeed the longevity of the structure will be enhanced as the proposed works will make it more durable and resistant to both the weather and organic growth.

Overall Conclusion

16. The proposal complies with Section 12 of the NPPF, Policy 16 of the Adopted Central Lancashire Core Strategy DPD and the emerging policy BNE6 for the Sites for Chorley Site Allocations and Development Management Policies DPD. It will result in an enhanced appearance for the structure and also a structure that has a greatly enhanced life expectancy. It is therefore recommended for approval.

Planning Policies

National Planning Policy Framework (NPPF):

Section 12: Conserving and enhancing the historic environment

Sites for Chorley: Site Allocations and Development Management DPD Policies(Preferred Options, not yet at Publication stage): BNE6 - Heritage

Adopted Central Lancashire Joint Core Strategy DPD Policies: 16 – Heritage Assets

Planning History

- Ref:** 07/00232/FUL **Decision:** PERFPP **Decision Date:** 18 July 2007
Description: Proposed lighting of the main route through Astley Park (4.79m high lighting columns at 28m intervals)
- Ref:** 08/00143/CB3 **Decision:** PERRG3 **Decision Date:** 24 July 2008
Description: Installation of pets corner with animal accommodation and adventure play area
- Ref:** 12/00750/LBC **Decision:** PDE **Decision Date:**
Description: Repairs to stone archway, gates, side pillars and adjacent landscaping including: re pointing ashlar stonework; stone repairs with lime repair mortar; stone piecing-in repairs; renovation of gates; replacing corroding iron cramps; lifting and re bedding coping stonework; fitting of new metal capping to head of archway; making good adjacent landscaping.
- Ref:** 93/00868/FUL **Decision:** WDN **Decision Date:** 15 December 1994
Description: Construction of pumping station and appropriate landscaping works
- Ref:** 90/00965/FUL **Decision:** PERFPP **Decision Date:** 26 November 1990
Description: Deemed regulation 4 application for the erection of single-storey public toilet accommodation
- Ref:** 12/00750/LBC **Decision:** PDE **Decision Date:**
Description: Repairs to stone archway, gates, side pillars and adjacent landscaping including: re pointing ashlar stonework; stone repairs with lime repair mortar; stone piecing-in repairs; renovation of gates; replacing corroding iron cramps; lifting and re bedding coping stonework; fitting of new metal capping to head of archway; making good adjacent landscaping.
- Ref:** 07/00243/LBC **Decision:** PERLBC **Decision Date:** 19 November 2007
Description: Construction of 2.7m to 2.1m high brick wall between lean to of boiler house and corner of the rear of Astley Hall.
- Ref:** 08/00060/LBC **Decision:** WDN **Decision Date:** 14 August 2008
Description: Listed Building Consent for the installation of six CCTV cameras on Astley Hall and The Coach House,
- Ref:** 08/00884/CB3 **Decision:** PERFPP **Decision Date:** 4 February 2009
Description: Installation of a CCTV system including six cameras (located on Astley Hall, The Coach House, wall mounted and on poles in the grounds) and eight loudspeaker horns on the roof of Astley Hall and The Coach House
- Ref:** 08/00885/LBC **Decision:** PERLBC **Decision Date:** 4 February 2009
Description: Listed Building Consent for the installation of a CCTV system including six cameras (located on Astley Hall, The Coach House and wall mounted in the grounds) and eight loudspeaker horns on the roof of Astley Hall and The Coach House,
- Ref:** 12/00750/LBC **Decision:** PDE **Decision Date:**
Description: Repairs to stone archway, gates, side pillars and adjacent landscaping including: re pointing ashlar stonework; stone repairs with lime repair mortar; stone piecing-in repairs; renovation of gates; replacing corroding iron cramps; lifting and re bedding coping

stonework; fitting of new metal capping to head of archway; making good adjacent landscaping.

Ref: 90/00253/COU

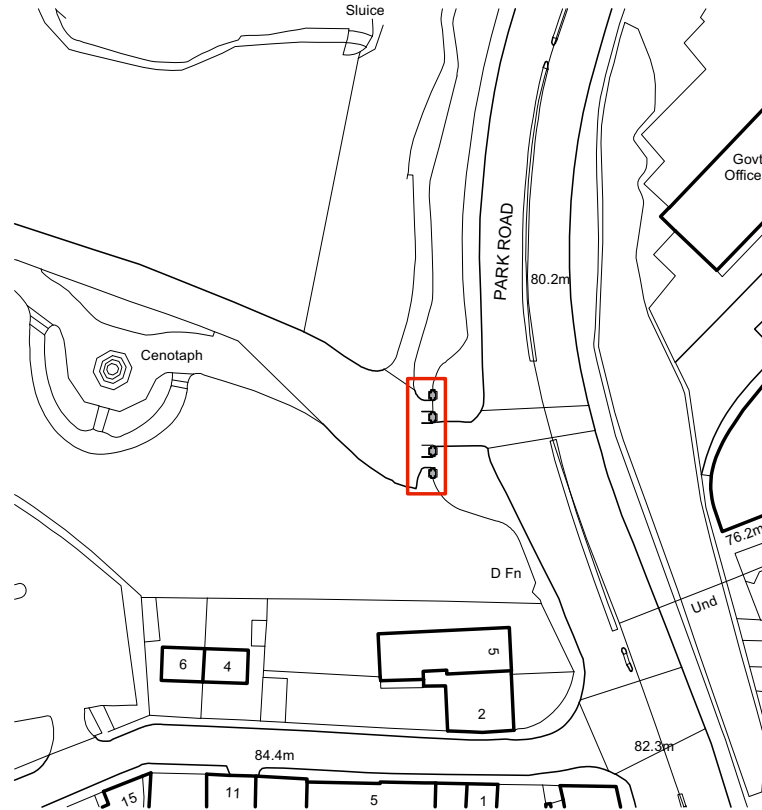
Decision: PERFPP

Decision Date: 3 July 1990

Description:

Change of use of agricultural dwelling to office accommodation

Recommendation: **The Local Planning Authority recommend to the Secretary of State that the Listed Building Consent should be granted.**



Rev	Date	Description
-	dd/mm/yyyy	-

Memorial Gate
 Astley Park, Chorley

Location Plan

Drwg. No.: 1909.L.00	Rev.: -
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Date: 07/2012	Scale: 1:1250@A4
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IWA Architects

Waterloo Mill, Waterloo Road, Clitheroe, Lancashire, BB7 1LR.

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 f: +44 (0) 1200 458278
 e: admin@iwarchitects.co.uk
 w: www.iwarchitects.co.uk

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Cenotaph

(work by others will be taking place at the Cenotaph during this contract - the contractor will be expected to cooperate in terms of allowing deliveries / plant through the Archway).

Pedestrian access to be temporarily diverted during the works via the 'Rectory' entrance / exit at the North West corner of Astley Park

Diverted pedestrian access route (from entrance / exit)

Contractor's working areas surrounded by 2.0 metre high 'Heras' fencing

Maintain safe / unrestricted vehicle access unless full closure is by prior agreement with Chorley Borough Council (pedestrian access to be diverted via the 'Rectory' entrance / exit.

Allowable extension to compound area if required by Contractor for site cabins / storage / welfare (contractor will be expected to make good landscaping at end of contract)

Note:
Contractor will be expected to stage the works to enable vehicular access route to be kept open throughout the works including allowing access to the Cenotaph for works concurrent with this contract

PARK ROAD

80.2m

Govt Offices

D Fn

76.2m

Und

6

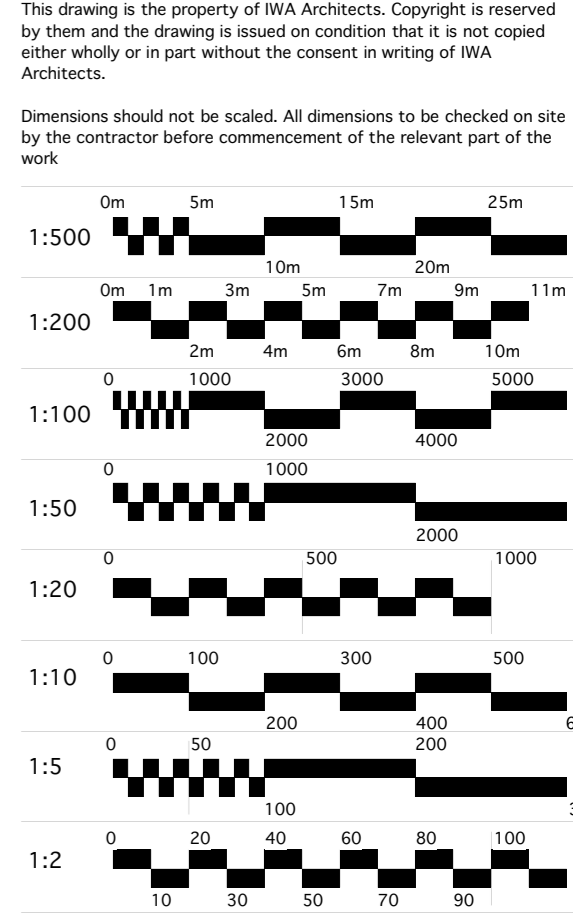
4

2

5

84.4m

82.3m



Rev	Date	Description
-	dd/mm/yyyy	-

Memorial Gate
Astley Park, Chorley

Proposed Site Compound and Working Area

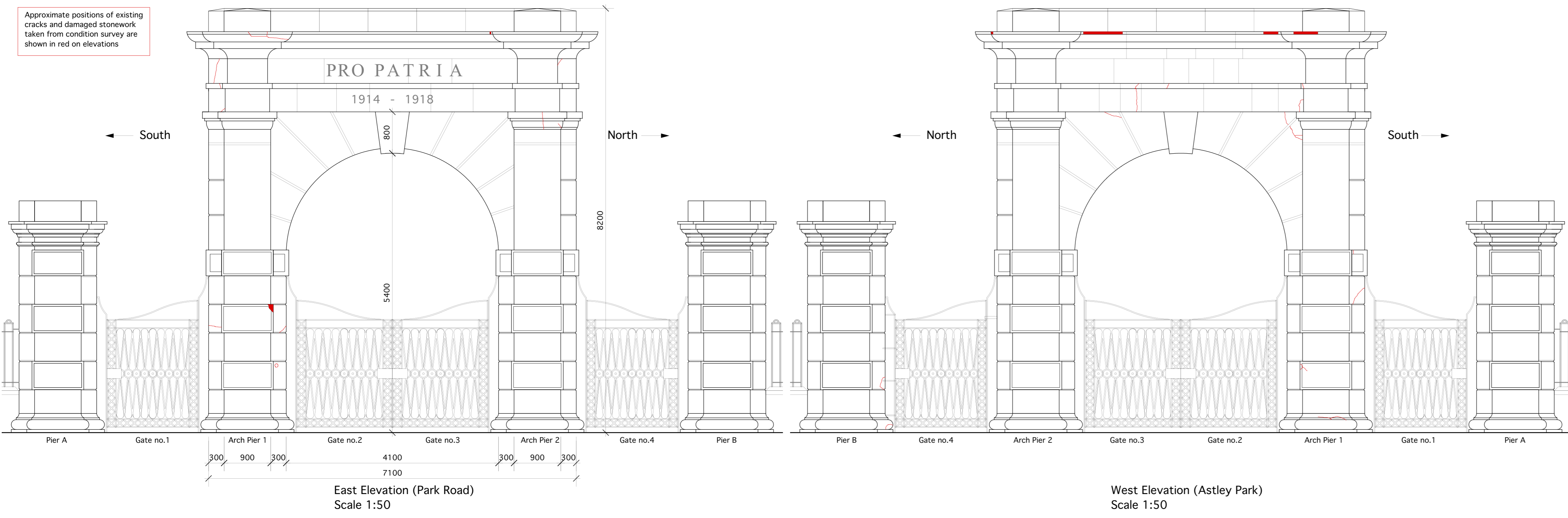
Drwg. No.: 1909.T.02	Rev.:-
Date: 07/2012	Scale: as shown@A1

IWA Architects
Waterloo Mill, Waterloo Road, Clitheroe, Lancashire, BB7 1LR.

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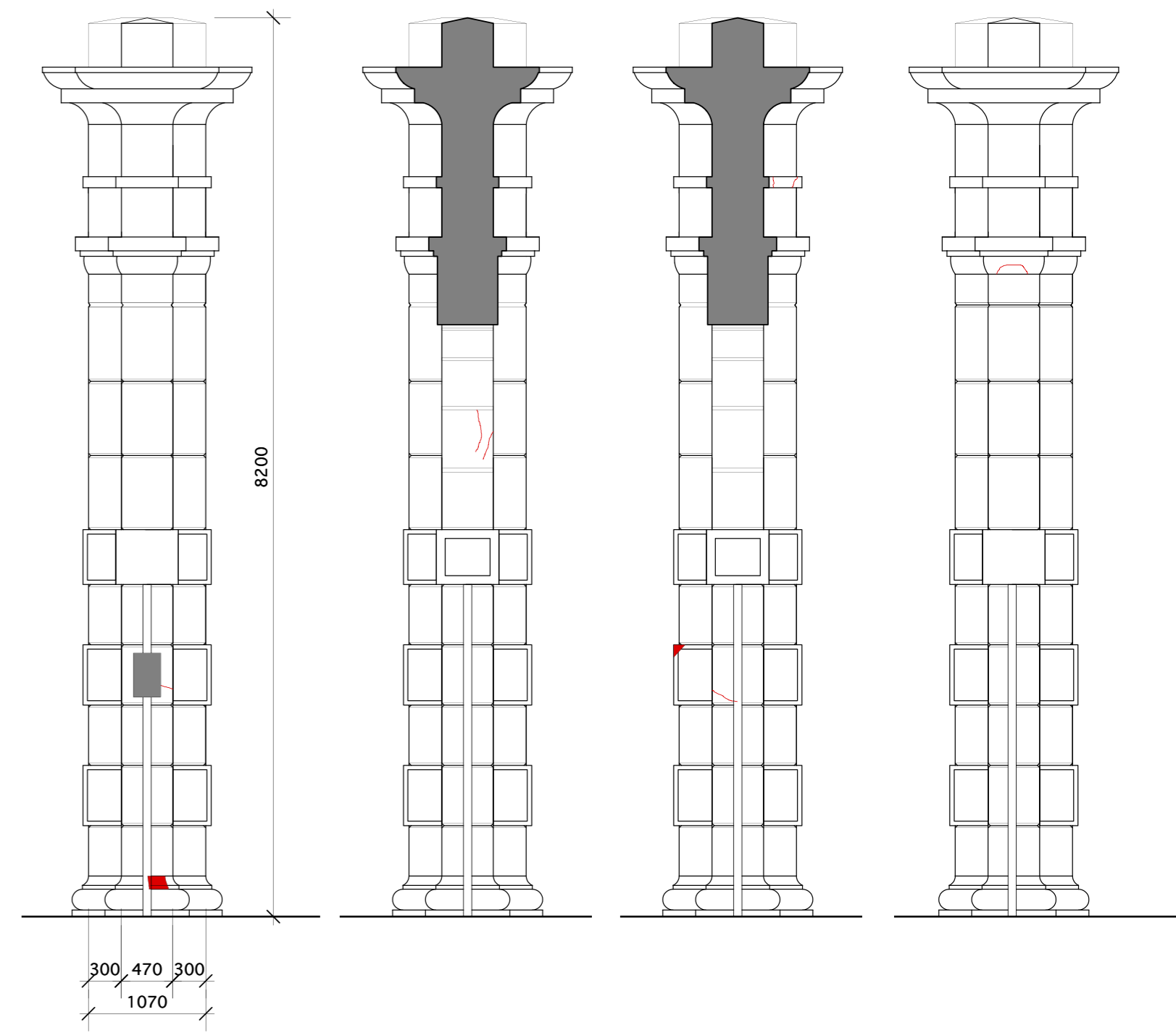
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Approximate positions of existing cracks and damaged stonework taken from condition survey are shown in red on elevations



East Elevation (Park Road)
Scale 1:50

West Elevation (Astley Park)
Scale 1:50

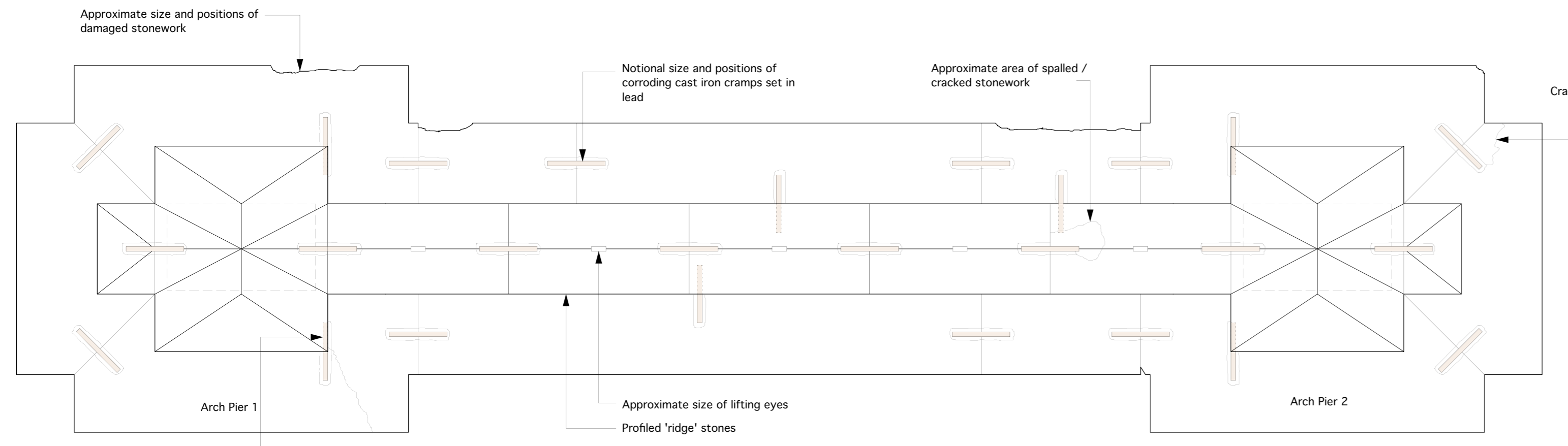


Arch Pier 1 Facing South
Scale 1:50

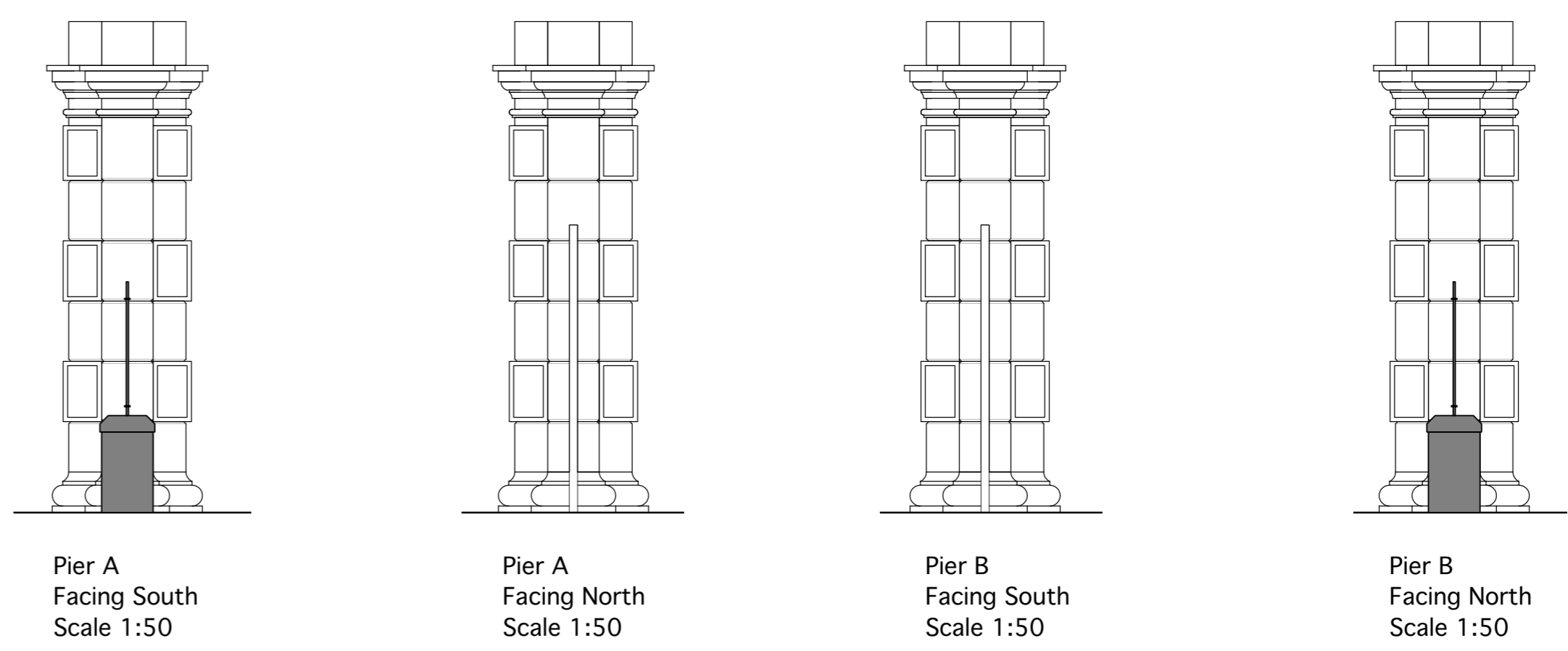
Arch Pier 2 Facing South
Scale 1:50

Arch Pier 1 Facing North
Scale 1:50

Arch Pier 2 Facing North
Scale 1:50



Plan of Arch Head
Scale 1:20

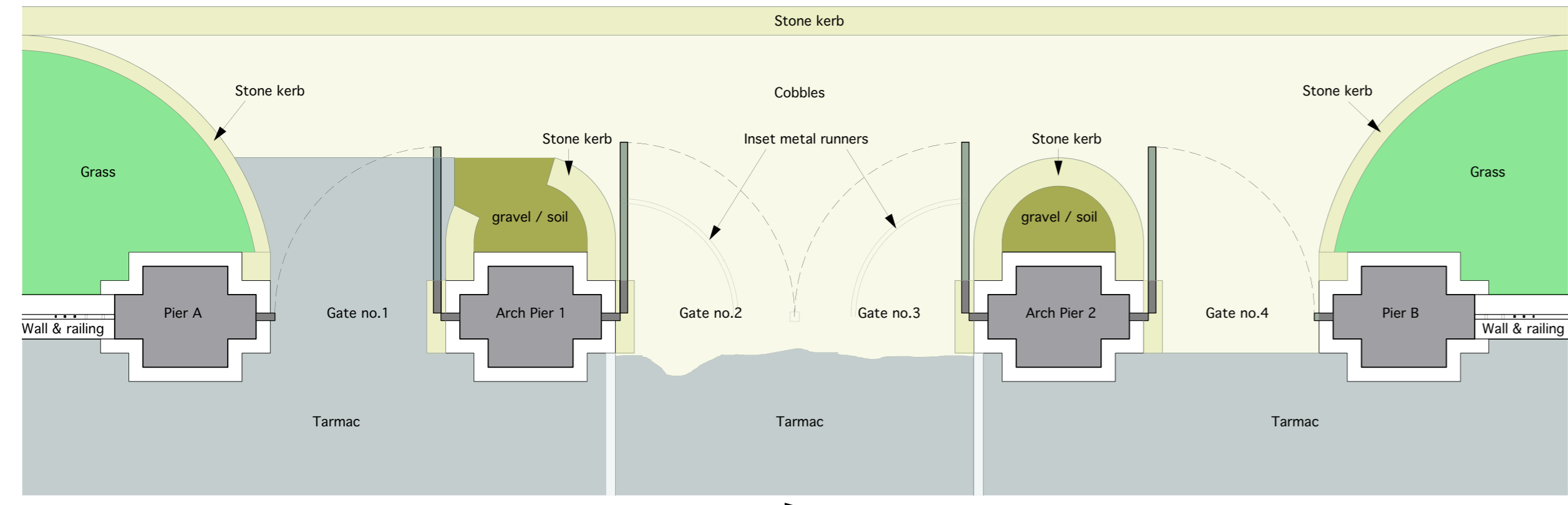


Pier A Facing South
Scale 1:50

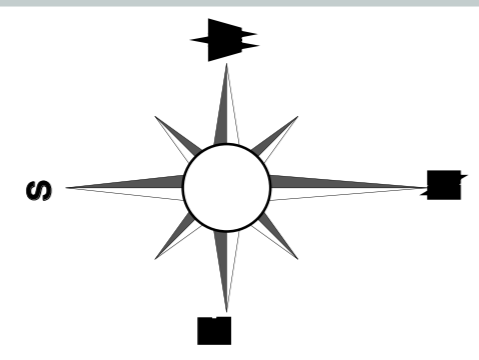
Pier A Facing North
Scale 1:50

Pier B Facing South
Scale 1:50

Pier B Facing North
Scale 1:50

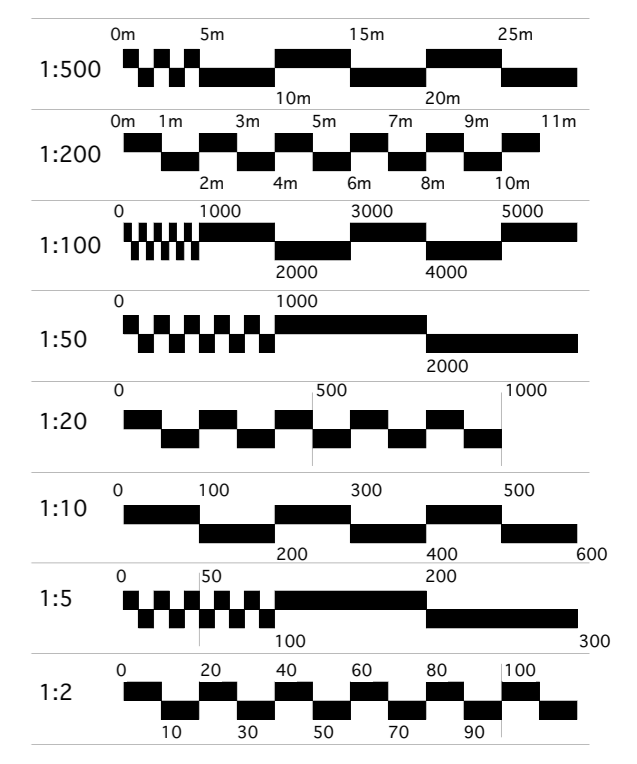


General Arrangement Plan
Scale 1:50



Note:
This drawing is based on an original survey drawing prepared by others. Dimensions shown are taken from the original survey. Additional detail added using photographic and further survey information. IWA survey information conducted from ground level only. High level information should be deemed notional and is diagrammatic only.

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Rev	Date	Description
..	dd/mm/yyyy	..

MANORIAL Gate
Astley Park, Chorley

Survey

Drwg. No.: 1909.E.01	Rev.:
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Date: 07/2012	Scale: as shown@A1
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Report of	Meeting	Date
Director of Partnerships, Planning & Policy	Development Control Committee	4 September 2012

PLANNING APPEALS AND DECISIONS RECEIVED FROM LANCASHIRE COUNTY COUNCIL AND OTHER BODIES BETWEEN 27 JULY AND 22 AUGUST 2012

PLANNING APPEALS LODGED

1. Appeal by Redrow Homes (Lancashire) Ltd against the Development Control Committee refusal of Outline Planning Permission for the development of land to the east of Wigan Road for the erection of up to 160 dwellings and associated open space with all matters reserved, save for access at Land North Of Lancaster Lane And Bounded By Wigan Road And Shady Lane, Lancaster Lane, Clayton-le-Woods. (Planning Application: 11/01093/OUTMAJ Inspectorate Reference APP/D2320/A/12/2181005/NWF). Planning Inspectorate letter received 16 August 2012.

PLANNING APPEALS DISMISSED

2. Appeal by Mr Michael Catterall against the Development Control Committee decision to refuse permission for amendments to the pitch of the roof over the entrance and garage to the front of the property, and application for retrospective permission for the roof pitch over side extension (same plans as submitted for application 11/00262/FUL) at Woodcock Barn, Runshaw Lane, Euxton PR7 6HB (Planning Application: 11/00994/FUL Inspectorate Reference: APP/D2320/D/12/2175734). The Appeal is dismissed. Planning Inspectorate decision received 13 August 2012.

PLANNING APPEALS ALLOWED

3. None.

ENFORCEMENT APPEALS LODGED

4. None.

ENFORCEMENT APPEALS DISMISSED

5. None.

ENFORCEMENT APPEALS ALLOWED

6. None,

ENFORCEMENT APPEALS WITHDRAWN

7. None.

LANCASHIRE COUNTY COUNCIL DECISIONS

8. Planning Permission granted for proposed access, equipment and engineering operations associated with a new sewer overflow detention tank at land to the rear of St Oswalds

Roman Catholic Church, Tansley Avenue, Coppull and the properties on Westend Avenue, Coppull. (Planning Application: 12/00461/CTY). Decision received 6 August 2012.

All papers and notifications are viewable at Civic Offices, Union Street, Chorley, or online at www.chorley.gov.uk/planning.

LESLEY-ANN FENTON
DIRECTOR OF PARTNERSHIPS, PLANNING & POLICY

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Robert Rimmer	5221	22.08.2012	***