



Development Control Committee

Agenda and Reports

For consideration on

**Tuesday, 11th December
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.

30 November 2012

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 11TH DECEMBER 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, 11th December 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 - 4)**

To confirm the minutes of the Development Control Committee held on 20 November 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 six 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) 12/00910/FUL - Chordale Wine Merchants, 275 Eaves Lane, Chorley (Pages 5 - 10)

Proposal

Conversion of existing shop with accommodation above (Class A1) to 4 no. Studio Apartments (Class C3), to include removal of the shop front, erection of a two storey rear/side extension, and pitched roof over the existing store.

Recommendation

Permit full planning permission

- (b) 12/00982/FUL - Land 50m north west Wrenalls House, Ridley Lane, Mawdesley (Pages 11 - 18)

Proposal

Change of use of an existing detached garage and store/games room to a residential dwelling.

Recommendation

Permit full planning permission

- (c) 2/00886/FUL - 46 Moor Road, Chorley (Pages 19 - 22)

Proposal

Demolition of existing property and construction of 4 apartments

Recommendation

Permit full planning permission.

- (d) 12/00942/FUL - 127A Station Road, Croston (Pages 23 - 32)

Proposal

Application to demolish the existing dwelling (127a) and other out buildings situated on the site and to build a replacement dwelling fronting Station Road and also 4 further dwellings to form a small residential street on the rest of the application site, with associated access road, driveways, private gardens and communal landscaping (resubmission of withdrawn application ref: 12/00628/FUL)

Recommendation

Permit (subject to legal agreement)

- (e) 12/009453/CON - 127A Station Road, Croston (Pages 33 - 40)

Proposal

Application for Conservation Area Consent to demolish the existing dwelling (127a) and other out buildings situated on the site (development associated planning application 12/00942/FUL). Resubmission of withdrawn application 12/00629/CON

Recommendation

Permit conservation area consent

- (f) 12/00945/REMMAJ - Parcel H3 Group 1, West of Central Avenue and south of Worden Brook, Euxton Lane, Euxton (Pages 41 - 48)

Proposal

Reserved matters application for the erection of 32no residential dwellings and associated landscaping treatment and highway works (pursuant to outline permission reference 08/00910/OUTMAJ).

Recommendation

Permit full planning permission

5. **Planning Appeals and Decisions** (Pages 49 - 50)

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

6. **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 آپکی 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, 20 November 2012**

Present: 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, Roy Lees and Geoffrey Russell

Substitutes: Councillor Alison Hansford and Mick Muncaster

Also in attendance:

Officers: Jennifer Moore (Head of Planning), Paul Whittingham (Development Control Team Leader), Alex Jackson (Senior Lawyer), Iain Crossland (Planning Assistant) and Cathryn Filbin (Democratic and Member Services Officer)

12.DC.218 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Harold Heaton, Steve Holgate and Greg Morgan.

Councillor Alison Hanford attended the meeting as substitute for Councillor Morgan and Councillor Mick Muncaster attended the meeting as substitutes for Councillor Heaton.

12.DC.219 MINUTES

RESOLVED – That the minutes of the Development Control Committee held on 30 November 2012 be confirmed as a correct record and signed by the Chair.

12.DC.220 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest received.

12.DC.221 PLANNING APPLICATIONS TO BE DETERMINED

The Director of Partnerships, Planning and Policy submitted six applications for planning permission and one for agricultural prior approval to be determined.

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

- a) **Application:** 12/00981/FUL - CGS Design & Screen, Bridge House, 23 Railway Road, Adlington, Chorley **Proposal:** Conversion of existing building to form 6 apartments with associated car parking

Speaker: Applicants agent

RESOLVED (unanimously) – That planning permission be granted subject to a Section 106 legal agreement, the conditions detailed within the report in the agenda and that delegated authority be granted to the Director of

Partnerships, Planning and Policy in consultation with the Chair and Vice Chair, to amend the wording on condition three provided details of the area for waste collection and storage be received from the applicant prior to the decision notice being issued.

- b) **Application:** 12/00694/PAR- **Proposal:** Provide roof to existing silage
Culbeck Farm, Culbeck Lane, clamp
Euxton, Chorley

Speaker: Applicant's agent

RESOLVED (unanimously) - That agricultural prior approval be granted and that delegated authority be given to the Director of Partnership, Planning and Policy in consultation with the Chair and Vice Chair to investigate and approve the maximum capacity of the water tank provided there would be no adverse impacts as a result.

- c) **Application:** 12/00435/FULMAJ - St **Proposal:** Erection of 20 affordable
Joseph's Roman Catholic School, residential dwellings with associated
Railway Road, Chorley infrastructure

RESOLVED (unanimously) – That full planning permission granted subject to a Section 106 legal agreement and the conditions detailed within the report in the agenda.

- d) **Application:** 12/00867/FUL - **Proposal:** Retrospective planning
Croston Farm, Lucas Lane, application for erection of office & store
Whittle-le-Woods, Chorley building to serve riding school

RESOLVED (unanimously) – That retrospective planning permission be granted subject to the conditions detailed within the report in the agenda and the additional conditions detailed in the addendum.

- e) **Application:** 12/00809/OUTMAJ - **Proposal:** Outline application (with all
Chorley Fire Station, Weldbank matters reserved) for the erection of 14 no.
Lane, Chorley dwellings following demolition of Fire
Station site

RESOLVED (unanimously) – That outline planning permission be granted subject to a Section 106 legal agreement, the conditions detailed within the report in the agenda, and that delegated authority be granted to the Director of Partnerships, Planning and Policy in consultation with the Chair and Vice Chair to include an additional condition in relation to the protection of trees within the site of the development during construction.

- f) **Application:** 12/00443/FUL - High **Proposal:** Construction of fish stock
Heys Farm, Langton Brow, breeding pond
Eccleston, Chorley

RESOVLED (unanimously) – That full planning permission be granted subject to the conditions detailed within the report in the agenda and the amended condition detailed in the addendum.

- g) **Application:** 12/00782/FUL -Stoat Hall Fisheries, Back Lane, Bretherton, Ormskirk **Proposal:** Application for a two room stable with hay store & tack room with wind turbine (height 7.77m to hub, 8.65 m to blade tip) and poly-tunnel

RESOLVED (unanimously) – That full planning permission be granted subject to the conditions detailed within the report in the agenda.

12.DC.222 PLANNING APPEALS AND DECISIONS

The Director of Partnerships, Planning and Policy submitted a report which detailed notifications from the Planning Inspectorate of one planning appeal that had been lodged and one planning appeal that had been withdrawn.

RESOLVED – That the report be noted.

Chair

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Item 4a	12/00910/FUL
Case Officer	Iain Crossland
Ward	Chorley East
Proposal	Conversion of existing shop with accommodation above (Class A1) to 4 no. Studio Apartments (Class C3), to include removal of the shop front, erection of a two storey rear/side extension, and pitched roof over the existing store.
Location	Chordale Wine Merchants 275 Eaves Lane Chorley PR6 0EY
Applicant	Mr Brian Wilding
Consultation expiry:	3 December 2012
Application expiry:	12 November 2012

Proposal

1. Change of use from existing shop with accommodation above (Class A1) to 4 no. Studio Apartments (Class C3)
2. Two storey rear/side extension and pitched roof over existing store.

Recommendation

3. It is recommended that this application is approved.

Main Issues

4. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Housing Development
 - Impact on the neighbours
 - Design
 - Flood Risk
 - Traffic and Transport
 - Contamination and Coal Mines

Representations

5. Six letters of objection have been received from the occupiers of 271, 273 and 277 of Eaves Lane and 2, 3 and 6 Geoffrey Street raising the following issues:
 - Lack of parking availability and highway safety
 - Loss of privacy
 - Excessive additional noise
 - Lack of space for waste bins
 - Adverse impact on character of the area
6. No letters of support have been received

Consultations

7. **Lancashire County Council (Highways)**
No objection on the basis that the scheme has been revised to seek consent for 4 apartments rather than 5 as originally proposed.
8. **Planning Policy**

No objection and comment that the existing shop is not within the adopted Chorley Local Plan Review boundary of the Eaves Lane Neighbourhood Shopping Centre protected by Policy SP6. However, at the Preferred Option stage (Site Allocations and Development Management Policies DPD– September 2011) the Eaves Lane (North) Local Centre was amended to include the property 275 Eaves Lane within the boundary of the Local Centre and subject to Policy EP7 (Development and Change of Use in District and Local Centres). This is the boundary carried forward to the Publication Local Plan (September 2012) and protected within Policy EP7 (Development and Change of Use in District and Local Centres) which states at criteria c) planning permission will not be granted for non- retail uses unless it can be shown that there is no demand for retail or commercial use or the property was last occupied by a non- retail/non -commercial use. The Publication Chorley Local Plan, however, has limited weight.

Assessment

Principle of the development

9. The application property is currently a retail unit (A1) where trading has ceased. There is an associated storage building with a small yard area to the rear, and living accommodation above at first floor level.
10. The application site occupies a corner position on Eaves Lane and Geoffrey Street, and is one of four terraced properties in a row, the others being residential dwellings. The terraced properties along Eaves Lane on the opposite corner of Geoffrey Street are also residential dwellings. The row of properties directly opposite, on the other side of Eaves Lane, is shops with living accommodation at first floor.
11. The residential properties and shops along Eaves Lane rely on the car parking bay along the road for parking. There is also a bus stop and shelter outside the shops. The terraced residential properties on Geoffrey St equally rely on on-street parking which takes place on both sides of the road.
12. The proposed development would add a two storey rear/side extension measuring 5.5m by 2m to cover the space taken up by an existing yard between the shop and a store, which is to include living accommodation. The roof would extend above the existing two storey outrigger and would be more than 1m lower than the original roofline and would therefore appear subservient to the original property.
13. As the site is located within the settlement boundary, covered by Policy GN1 of the Chorley Borough Local Plan Review 2003, there is a presumption in favour of appropriate development, subject to normal planning considerations and the policies and proposals of the plan. In an area that is largely residential, with good transport links and proximity to amenities the principle of replacing a retail unit with four one bed studio apartments is considered an appropriate development.
14. The property is located outside the boundary of the Eaves Lane Neighbourhood Shopping Centre within the extant Chorley Local Plan Review (2003). Although the property is within the Eaves Lane (North) Local Centre as identified within the Publication Local Plan (September 2012), this currently has limited weight and therefore the change of use is considered an appropriate development in this location.

Housing Development

15. The application site is situated in a highly accessible location, close to the town centre and public transport facilities, and predominantly consisting of housing.
16. The proposed flats comply with Local Plan policy HS11. The conversion would provide acceptable standards of accommodation with typical room sizes and means of independent access for each individual unit. The residents of neighbouring properties would be unlikely to be affected by unacceptable noise transmission or other disturbance.
17. The development would result in three net additional units, as one existing unit would be

replaced. This would represent a reasonable increase in the level of housing provided in a largely residential location of relatively high density. It would also contribute to the overall housing requirement identified within the Chorley Local Plan Review (2003) and Central Lancashire Core Strategy (2012), and is supported by the NPPF as the benefits provided by additional housing are not outweighed by harm presented by additional demand upon on street parking.

Impact on the neighbours

18. The replacement of the shop with studio apartments would result in reduced levels of visitors to the property, therefore the level of nuisance would be less than would be experienced with a thriving retail business located there.
19. The development would result in the creation of windows serving habitable rooms to the ground floor and first floor front elevation, first floor and ground floor rear elevation, and ground floor side elevation facing Geoffrey Street. There would be no windows in the side elevation facing 273 Eaves Lane.
20. To the front elevation these have interface distances of over 21m from properties opposite, reflecting the situation at neighbouring residential properties.
21. The first floor rear elevation window would be approximately 10m from the nearest property to the rear and faces a side elevation featuring only one window to a non-habitable room at first floor. It would overlook Geoffrey Street and the front garden of 3 Geoffrey Street.
22. The ground floor rear elevation window would look directly onto the back street and would be approximately 5m from the side elevation and front garden of 3 Geoffrey Street, which it would face. Although this window would be in close proximity to 3 Geoffrey Street it would not provide views into any private areas of the property. It would also directly overlook the back street, which although unusual, would add to the natural surveillance of the area and is fundamentally no different to the many windows on other properties in the area that look directly onto the highway.
23. The ground floor side elevation window would be located in an original window opening that is currently a boarded part of the shop front. This would form a window to a habitable room and would face the blank elevation of 277 Eaves Lane from which it would be 11m distance. The window looks directly out onto Geoffrey Street but would not provide views into any private areas as a result.
24. Other window openings would be added serving non habitable rooms and would have obscure glazing secured by condition.
25. The proposed extension would have a marginally greater impact on the amenity of the neighbouring property at 273 Eaves Lane. It would be 0.85m higher to the ridge above first floor level but no greater in length and no nearer to this property. Also the single storey rear extension would have a mono pitched roof and would be 0.65m higher than the existing store building at the top of the pitch, but 0.6m lower at the lowest point. The extension is to the north of 273 Eaves Lane and therefore would not result in any loss of direct sunlight. The effect the additional height is considered to be acceptable.
26. The extension would not impact negatively through its scale on any other neighbours due to the distances from other properties and small scale nature of the changes.
27. It is considered that the proposed development would not have an unacceptable impact on the amenity of the occupiers of any other neighbouring properties through loss of outlook, privacy or light.

Design

28. The proposed extension would be built of materials to match the existing buildings. It would be of a lower height to the existing building and therefore subservient. It would have a pitched roof and gable end perpendicular to the property, which is a common feature throughout the

area. The shop front would also be removed and altered to reflect residential use. Bin storage would be provided via the rear side elevation facing Geoffrey Street. A pitched roof would be built above the existing storage building.

29. The material changes would not have an adverse impact on the character of the area due to their small scale. A front garden wall and gate would be added in order to harmonise with the residential nature of the street scene in this location.
30. In addition to these physical changes the development would be a positive outcome in terms of providing much needed attention to the building. The development would improve the appearance of a rather poorly designed store building to the rear, which currently detracts from the appearance of the area.

Flood Risk

31. The site is not within a Flood Zone as identified by the Environment Agency nor is it more than 1 hectare in size. A Flood Risk assessment is therefore not required.

Traffic and Parking

32. No specific off street parking has been proposed as part of the development. It is considered, however, by LCC Highways that there is an adequate level of on street parking in the area to support the four vehicles that would reasonably be generated by occupants of the proposed development. Further to this there is good access to public transport and town centre amenities reducing the need for car journeys.
33. It is accepted that there are existing parking difficulties in the area, however, the car journeys and parking demand generated by the existing retail unit would be removed, and there is already a residential unit at the property that would result in parking demand. The additional residential parking demand generated by this proposal would therefore be presented by three net additional residential units, and the removal of the need for parking to serve a retail unit. This is considered to be a negligible increase on existing levels of demand and is therefore considered appropriate.

Contamination and Coal Mines

34. The site is not within a Coal Referral Area, the Coal Authority do however wish their Standing Advice to be added to any permission as an informative.

Overall Conclusion

35. The property would be extended to support the creation of four studio apartments. The physical changes would not result in any significant harm to the character and appearance of the existing building or the surrounding area, nor would it cause any significant harm to the amenity of neighbouring residents.
36. The main issue with this proposal is that of parking provision. No off street parking has been provided within the proposed scheme, however, LCC Highways considers that there is adequate on street parking in the area to support four one bed apartments at the property in light of one dwelling and a retail unit being replaced. In addition to this there is good access to public transport and town centre amenities without the need for access to a car.
37. It is considered that the proposed flats would provide adequate accommodation and cause no loss of amenity for neighbouring residents through overlooking, car parking or noise disturbance.

Other Matters

Sustainability

38. The proposal would result in the creation of dwellings located close to public transport, and within walking distance of local amenities available in the Neighbourhood Shopping Centre.

Waste Collection and Storage

39. Provision has been made for the storage of six bins to the rear side of the property accessed

via Geoffrey Street. This is considered to be a reasonable level of provision for four one bed studio apartments.

Planning Policies

National Planning Policies:

National Planning Policy Framework (NPPF)

Adopted Chorley Borough Local Plan Review

Policies: GN1, GN5, HS11, TR8

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Joint Core Strategy

Central Lancashire Core Strategy (2012)

Emerging Chorley Local Plan Publication Version (formerly Site Allocations and Development Management Policies Development Plan Document)

V1, ST4, EP7

Planning History

Ref: 88/00418/COU **Decision:** REFFPP **Date:** 12 July 1988
Description: Change of use to fish and chip shop/ hot food take away

Ref: 75/00573/FUL **Decision:** PERFPF **Date:** 18 August 1975
Description: Replacement Garage

Ref: 74/00850/FUL **Decision:** WDN **Date:** 6 December 1974
Description: Take Away Fish/Chip Sales

Recommendation: Permit Full Planning Permission Conditions

1. The approved plans are:

Title	Plan Ref.	Received On:
Location Plan		17 September 2012
Existing Plans	LE01	17 September 2012
Existing Elevations	LE03	17 September 2012
Proposed Plans (Amended)	LE02	19 November 2012
Proposed Elevations (Amended)	LE04	19 November 2012

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

2. All external facing materials shall match in colour, form and texture those on the existing building.

Reason: *In the interests of the visual amenity of the area in general and the existing building in particular and in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.*

3. All windows in the first floor of the building's side elevation, and the window to the ensuite bathroom in the ground floor of the building's side elevation 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, HS4 and HS9 of the Adopted Chorley Borough Local Plan Review.*

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Item 4b	12/00982/FUL
Case Officer	Matthew Banks
Ward	Eccleston And Mawdesley
Proposal	Change of use of an existing detached garage and store/games room to a residential dwelling.
Location	Land 50M North West Of Wrenalls House Ridley Lane Mawdesley Lancashire
Applicant	Mr Nick Hepplestone
Consultation expiry:	30 November 2012
Application expiry:	7 December 2012

Proposal

1. Change of use of an existing detached garage and store/games room to a residential dwelling.

Recommendation

2. It is recommended that this application is granted full conditional planning approval subject to the signing of a Section 106 legal agreement (for a payment towards Public Open Space) and a Unilateral Undertaking (removing permitted development rights for further outbuildings at the site).

Main Issues

3. The main issues for consideration in respect of this planning application are:
 - Background information;
 - Principle of the development;
 - Design and impact on the streetscene;
 - Impact on the neighbour amenity;
 - Impact on highways/access;
 - Impact on ecology;
 - Other matters.

Representations

4. To date, 3no. letters of objection have been received in relation to this application. The contents of which have been summarised below:
 - The Campaign to Protect Rural England (CPRE) Lancashire objects to the change of use due to it being sited within the Green Belt;
 - CPRE is concerned that Green Belt land is being nibbled away by precisely this type of small scale development. Lancashire is increasingly under attack from it.
 - The development is a form of 'back-door planning', causing urban sprawl and eroding the separation between places that make them distinct.
 - From a site visit it is clear the address is located at the settlement fringe with views to open countryside.
 - The five tests of Green Belt still very much apply here, there is no exceptional case (required by the NPPF) to trigger its release.
 - It is of no surprise to the residents of this area that this conversion application has been

proposed.

- The site chosen seems as far away from the main residence as possible. A double garage, games room, hobby room and store would normally be attached or alongside the main residence for convenience of use, not 50m away.
- The GPDO definition of the residential curtilage area of the farmhouse would seem to be questionable.
- The driveway to the garages would normally be off the farm driveways, whereas at this site there appears to be a temporary/unauthorised entry onto Ridley lane at a very narrow section which could be hazardous.
- There is hardly enough room for 2 vehicles to pass at this point on Ridley Lane.
- The NPPF (paragraph. 190) dealing with the re-use of a permanent building does not seem to define how long a building has to have been "permanent" to qualify. This could obviously allow an insidious erosion of the Green Belt land by building to purpose and then later converting.
- The development is not appropriate within the Green Belt.
- Should the change of use be granted, the peace and privacy enjoyed by 'The Nook' will be lost.
- Planning permission would not be required to erect a further garage at the boundary with 'The Nook' increasing noise with 4 cars being accommodated.
- The application form states there are no trees or hedges at the site, when there clearly are.
- The development does not assist in safeguarding the countryside from encroachment and could 'open the flood gates' for anybody owning Green Belt land to build a second residence (or more), slowly eating away at the Green Belt.
- The development will not benefit the community, the economy or environment and so should not be granted.
- The NPPF States that local planning authorities should protect Green Belt land and should only release it in exceptional circumstances. These have not been demonstrated.
- The development sets a dangerous precedent for future properties on Green Belt land.
- The applicant should have carried out some informal consultation with neighbouring residents prior to submission.

Consultations

5. **Parish Council – object** – The garage was built under permitted development rights and so the application to convert it should not be approved. The application is exploiting planning regulations.
6. **Lancashire County Council Ecology Service** – It is not clear whether or not the building affected by the proposed works has any features with the potential to support roosting bats. This needs to be assessed before the application is determined.
7. **Lancashire County Council Highways** – raise no objection to the amended access and parking layout.
8. **CBC Planning Policy** – A financial contribution of £1379 towards the off-site provision of casual/amenity greenspace and equipped play areas is required from this development in accordance with the Interim Planning Guidelines associated with Policy HS21 of the Adopted Chorley Borough Local Plan Review.
9. **CBC Waste and Contaminated land officer** – no comments to make.
10. **United Utilities** – none received.

Assessment

Background information

11. The application site comprises an outbuilding sited within the domestic curtilage of Wrenalls farmhouse. The application site is situated between the farmhouse and the last property 'The Nook' which forms the end of what is considered the end of the 'built up' part of Ridley Lane.

12. The land to which the outbuilding is positioned is relatively flat and the building itself sits approximately 12.6m back from the edge of Ridley Lane. There is an existing vehicular access to the building in question.
13. The building itself was erected as 'permitted development' under Schedule 2, Part 1, Class E of the Town and Country General Permitted Development Order 2008 (as amended).
14. In 2005 a Lawful Development Certificate (05/01022/CLPUD) was granted in respect of the outbuilding. The building has been constructed and used for purposes incidental to the enjoyment of the main dwellinghouse ever since. The Council accepted at the time of determining the certificate that the land to which the building would be sited formed part of the residential curtilage of Wrennalls farmhouse.
15. The applicant now seeks permission to convert the outbuilding to a residential property which would have its own residential curtilage but share the existing access.

Principle of the development

16. The application site is within the Green Belt and so the relevant guidance outlined in the National Planning Policy Framework (NPPF) applies.
17. The NPPF states that a local planning authority should consider the construction of new buildings as inappropriate in the Green Belt unless it falls within one of the exceptions. These include, amongst other things, the re-use of buildings provided that the buildings are of permanent and substantial construction.
18. The building under question was erected a number of years ago under permitted development and comprises a single storey structure with block and rendered walls and grey roof tiles for the roof. The building is of substantial construction and has a significant degree of permanence having foundations affixed to the ground.
19. It is therefore considered the proposed development is appropriate development within the Green Belt. Additionally, it is considered that no greater significant harm will come to the openness of the Green Belt in this case as the development primarily seeks conversion of an existing structure (barring some minor alterations required to make the conversion functional, including a modest front porch and the addition of various windows and doors). However, none of these features are considered to significantly affect the character, appearance or openness of the Green Belt to a greater degree than the existing development to warrant refusal of the application on these grounds.
20. Aside from the above, it has been noted that the proposed development seeks permission to convert a domestic outbuilding which comprises a double garage, store, hobby room/studio, WC and snooker room. All of these features are considered incidental to the enjoyment of the dwellinghouse and would be lost should the proposed conversion be granted.
21. As such, to ensure the applicant does not seek to replace these features through the erection of new outbuildings at the site (under permitted development) which would further erode the rural character of the area, a Unilateral Undertaking has been submitted surrendering permitted development rights to erect further outbuildings for both the application property (Wrennalls House) and the converted outbuilding.
22. The residential curtilage at this site is substantial and currently offers ample space for the applicant to erect additional outbuildings at the site (under permitted development) out of control of the local planning authority. The extent of domestic curtilage in this case means that such outbuildings could be potentially harmful to the rural character of the area. The Unilateral Undertaking will ensure that permitted development rights (for outbuildings) are surrendered in this case, meaning that the applicant would have to apply for planning permission for additional outbuildings at the site in the future. The Unilateral Undertaking therefore offers benefits in that additional outbuildings will not be erected in this Green Belt location without first gaining permission from the local planning authority.

23. It should also be noted that surrendering permitted development rights by Unilateral Undertaking has other benefits over removing such rights by planning condition. The first being that the applicant cannot appeal a Unilateral Undertaking (unlike a planning condition) and the second being that the obligations within the Unilateral Undertaking come into immediate effect from signing of the agreement, whereas the requirements of a planning condition only come into force upon commencement of the development.
24. As such, subject to a signed Unilateral Undertaking, the proposed development is considered to accord with the relevant guidance within the NPPF in Green Belt terms.

Design and impact on the streetscene

25. At a national level the NPPF states that the Government attaches great importance to the design of the built environment and good design is a key aspect of sustainable development.
26. The NPPF also states that planning policies and decisions should aim to ensure that developments (amongst other things) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
27. At a local level, Policy 17 of the Central Lancashire Core Strategy states that the design of new development should take account of the character and appearance of the local area, including (amongst other things) design, materials and ensuring development is sympathetic to surrounding land uses.
28. The existing development comprises a single storey building set back from the highway by approximately 12m. The application site and surrounding area is very green in character, comprising a number of established trees, hedgerows and shrubbery. To the south of the outbuilding is an existing access which provides limited views of the development when passing by. The remainder of the boundary treatment fronting the road comprises trees and shrubbery which provide partial screening from the streetscene.
29. When considering the resulting impact on the streetscene, it must be acknowledged application site comprises an existing building of which the only proposed alterations are to install windows and doors to make it habitable and to erect a porch to the front elevation.
30. As such, it is considered the proposed development will essentially retain a similar appearance to that which exists on site, thereby not intensifying or worsening the resulting impact on the streetscene or character of the area. The proposed windows and doors have been sited to ensure a habitable space can be created within, whilst the front porch would remain as a subservient structure, providing a degree of cover when entering the property.
31. If planning permission is granted, it is expected the surrounding land will become more domesticated than it is at present. However, the site to which the outbuilding is located already forms part of the domestic curtilage of Wrennalls farmhouse and so could, if desired, be domesticated in a more intense way without planning permission anyway.
32. As such, it is considered the proposed conversion and alterations to the existing outbuilding will not result in significant detrimental harm to the character or appearance of the streetscene or surrounding area. The development is therefore considered to be in accordance with the NPPF and Policy 17 of the Central Lancashire Core Strategy.

Impact on the neighbour amenity

33. At a national level, the NPPF states within one of its twelve core planning principles that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
34. Policy 17 of the Central Lancashire Core Strategy states that the design of new development should take account of the character and appearance of the local area, including ensuring that the amenities of occupiers of the development will not be adversely affected by neighbouring uses and vice versa. The Central Lancashire Core Strategy also states that development

should be sympathetic to surrounding land uses and occupiers, and should not result in demonstrable harm to the amenities of the local area.

35. Policy HS4 of the Adopted Chorley Borough Local Plan Review states that proposals for residential development will be permitted provided that a number of criteria are satisfied including (amongst other things), that the development will provide reasonable privacy and amenity for the future residents and the residents of neighbouring properties.
36. The outbuilding is positioned to the west of Wrennalls farmhouse in an area of domestic curtilage. To the west is 'The Nook' which comprises a neighbouring residential property.
37. Given the position of the development on the fringe of the built development, it is considered that the resulting impact on neighbour amenity will be relatively localised, with the greatest impact being on 'The Nook'.
38. In assessing this relationship, it is relevant to note that the converted outbuilding would have no windows in the side elevation facing 'The Nook' (which would be retained by planning condition) and is separated from it by substantial trees and hedges which form the boundary treatment.
39. Additionally, it is relevant to note that the outbuilding has a current lawful use for purposes incidental to the enjoyment of the dwellinghouse, which by its very nature could mean a degree of noise and disturbance to the adjacent property. It is not considered conversion of the outbuilding to a residential property would result in any greater significant detrimental harm to the amenity of 'The Nook', than the existing development. Furthermore, the development will not result in any significant overlooking or overshadowing to this property.
40. It has been noted that the converted outbuilding would be sited in the curtilage of Wrennalls House. However, the farmhouse occupies a generous plot, retaining adequate private amenity space for both the occupiers of Wrennalls House and the proposed dwelling.
41. It is not considered the converted outbuilding will raise any other significant neighbour amenity issues.
42. The development is therefore considered to be in accordance with the NPPF, Policy 17 of the Central Lancashire Core Strategy and Policy HS4 of the Adopted Local Plan Review 2003.

Impact on highways/access

43. The application site is currently served by a single formal vehicular access point, positioned approximately half way in-between the existing outbuilding and Wrennalls House. The original submission sought to utilise a less formal access to the south-east of the application site (to serve the converted outbuilding). However, comments received from Lancashire County Council raised concerns in respect of visibility in using the less formal access and so the submitted plans were amended.
44. The amended scheme now seeks to utilise only the existing formal access point from Ridley Lane (currently serving Wrennalls house) by creating an additional driveway from this access to serve the converted outbuilding. The existing access at Wrennalls house enjoys adequate visibility and ample space for vehicles to pull clear of the highway whilst entering and existing the site.
45. Lancashire County Council (LCC) Highways consider that the amended access alterations are acceptable from a highway safety perspective.
46. The converted building would retain an existing area of hardstanding to the front which would provide adequate off-road parking space and a vehicular manoeuvring area. This would be linked to the existing access via a new driveway positioned approximately 5m back from the edge of Ridley Lane. The existing access and parking arrangements for Wrennalls house will effectively remain unchanged barring the new driveway created to the west to serve the converted outbuilding.

47. The development is therefore considered to be in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

Impact on ecology

48. Policy EP4 of the Adopted Chorley Borough Local Plan Review states that planning permission will not be granted for development which would have an adverse effect on protected species.
49. As part of the application advice was sought from LCC Ecology who advised that it was not clear whether or not the building affected by the proposed works has any features with the potential to support roosting bats. LCC Ecology advised that this needed to be assessed before the application could be determined (favourably).
50. The applicant was contacted to this effect and employed the services of a suitably qualified ecologist who has concluded that there is no evidence of roosting bats within the building and no habitat value associated with the interior or the roof. It is considered there is only localised, very low potential value associated with the outer walls which will not be affected.
51. The report states that the development raises no implications in respect of the legal protection of bats or nesting birds, and so there is no requirement for further actions or precautions to ensure compliance with wildlife legislation.
52. As such, it is not considered significant detrimental harm would come to protected species as a result of the development and so the proposal is in accordance with Policy EP4 of the Adopted Chorley Borough Local Plan Review

Overall Conclusion

53. On the basis of the above, the application is accordingly recommended for approval subject to conditions.

Planning Policies

National Planning Policy Framework

Central Lancashire Core Strategy

Policy 17

Adopted Chorley Borough Local Plan Review

Policies GN5, HS4 and TR4

Planning History

The site history of the property is as follows:

Ref:	78/00825/FUL	Decision: PERFPP	Decision Date: 12 February 1979
Description:	Extensions (kitchen/2 bedrooms/lounge/garage)		
Ref:	75/00944/OUT	Decision: REFOPP	Decision Date: 5 January 1976
Description:	Outline application for 2 Bungalows		
Ref:	74/00301/FUL	Decision: REFFPP	Decision Date: 26 June 1974
Description:	Site for 2 bungalows/garages		
Ref:	97/00662/FUL	Decision: PERFPP	Decision Date: 27 October 1997
Description:	Erection of conservatory to rear,		
Ref:	05/00448/FUL	Decision: REFFPP	Decision Date: 14 June 2005
Description:	Proposed detached garage and studio		
Ref:	05/01022/CLPUD	Decision: PERPUD	Decision Date: 17 November 2005
Description:	Proposed erection of a single storey building comprising double garage, games		

room, hobby room, store and toilet with construction of a driveway

Ref: 91/01011/FUL **Decision:**REFFPP **Decision Date:** 16 December 1991
Description: Erection of detached bungalow and garage

Ref: 91/00818/FUL **Decision:**REFFPP **Decision Date:** 29 October 1991
Description: Erection of detached bungalow and garage

Ref: 90/00818/FUL **Decision:**PERFPP **Decision Date:** 12 October 1990
Description: First floor bedroom and shower room extension over existing kitchen and erection of porch to side

Ref: 78/00678/FUL **Decision:**PERFPP **Decision Date:** 31 July 1978
Description: Extension and alterations

Ref: 77/00626/FUL **Decision:**PERFPP **Decision Date:** 13 September 1977
Description: Extension, alterations and vehicular access

Ref: 75/00601/OUT **Decision:**REFOPP **Decision Date:** 9 September 1975
Description: Outline application for 2 bungalows

Application Number - 12/00982/FUL

- Change of use of an existing detached garage and store/games room to a residential dwelling.
- Approve subject to conditions.

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. 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 other than those expressly authorised by this permission, or as subsequently agreed in writing by the local planning authority, shall be inserted or constructed at any time in the west elevation of the dwelling hereby permitted.
Reason: To protect the amenities and privacy of the adjoining property and in accordance with the National Planning Policy Framework, Policy 17 of the Central Lancashire Core Strategy and policy HS4 of the Adopted Chorley Borough Local Plan Review.
3. The approved plans are:

Received on:	Drawing Ref:	Title:
29 October 2012	137_2012_01	Existing plan and elevations
5 October 2012	137_2012_02	Existing site plan

Reason: To define the permission and in the interests of the proper development of the site.
3. The external facing materials detailed on the approved plans shall be used and no others substituted without the prior written approval of the Local Planning Authority.
Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

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Item 4c	12/00886/FUL
Case Officer	Hannah Roper
Ward	Chorley South West
Proposal	Demolition of existing property and construction of 4No apartments
Location	46 Moor Road Chorley Lancashire PR7 2LN
Applicant	Mr Nick Burton
Consultation expiry:	5 October 2012
Application expiry:	2 November 2012

Proposal

1. The proposals relates to a terraced property at 46 Moor Road. The property is an end terrace and has most recently been used for retail purposes, albeit that this use has ceased some time ago and the building has fallen into disrepair. There is currently residential accommodation at first floor, however this is also unoccupied.
2. The existing building fills the extent of the curtilage by virtue of a large single storey extension to the rear of the property. A 3m high wall bounds this and a number of neighbouring properties at the rear.
3. The applicant seeks to remove the existing building and to redevelop the site for four one bed apartments within a two storey building. Access would be taken from the side elevation of the building where there is an unusual spur road situated between the side of the terrace and the adjacent Grafton court.
4. No parking is proposed as part of the application.

Recommendation

5. It is recommended that this application is granted conditional planning approval

Main Issues

6. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Impact on the neighbours
 - Design
 - Traffic and Transport

Representations

7. 1 letter of objection have been received which has raised the following issue:
 - That the flats might be let to single girls or one parent families and should be let to senior citizens

Consultations**8. Lancashire County Council (Highways) – No objection****9. Planning Policy – No objection****Applicants Case**

10. The applicant states that the building is structurally unstable and that its removal and rebuild is the only viable option.

AssessmentPrinciple of the development

11. The site is located within the Key Service Centre of Chorley wherein the majority of new development is envisaged by Policy 1 of the Core Strategy and as such it is considered that the principle of development is acceptable and accords with the Framework. In terms of the loss of the retail use, the site is outside a defined retail centre and the size of the retail unit is limited and as the building has been empty for an extended period of time the benefit of seeking a continuation of the use cannot be proven and is not material to the determination of this application. It is therefore also considered that the loss of the retail use is acceptable. Planning Policy concurs with this view and has raised no objection to the proposal.

Impact on the neighbours

12. The site forms the end of a row of terraced properties. To the south is a small vehicular spur road that serves only the property to which this application relates access road but provides pedestrian access to a narrow pedestrian access at the rear of 46 Moor Road and its neighbouring properties. To the south of this is the blank two storey side elevation of the end property at Grafton court.
13. Habitable room windows proposed in the south facing elevation of the property will be slightly offset from directly overlooking this gable end and as such the impact resulting from the inability of the development to achieve the 12m preferred interface distance between habitable room windows and a blank gable on both this elevation and to the rear of the property is reduced. Any future resident of the property will also be aware of this relationship.
14. To the rear of the property, is the blank side elevation of the property at 5 Grafton Court and its rear garden. Habitable room windows are proposed at ground floor level, no overlooking will take place due to the garden screening. At first floor, amendments have been made to the proposed layout so that a window overlooking the rear garden will be a secondary window to the kitchen/diner. A condition will be used to ensure that it is obscure glazed.
15. The adjacent property at 44 Moor Road has no habitable room windows at ground or first floor and as such the building will not impact upon the amenity of this property.

Scale and Design

16. Whilst the building is larger than an average terraced property due to the extensions that have taken place on the existing building it does not represent a significant increase in size to that already on the site. The adjacent property at 44 Moor Road has significant extensions to the rear and a 3m high wall at the rear of these properties gives an impression of a larger building than is here. Therefore it is not considered that the scale of the building is out of proportion with the surroundings.
17. The proposal is adjacent to a fish and chip shop which interrupts the flow of the traditional terraced frontages. The main door will be located on the side elevation, however the window

design and location has been positioned to emulate the adjoining properties. It is therefore considered that the proposal will not appear incongruous within the street scene.

18. The proposal includes integral bin stores that should remove the need for bins to be stored on the street as is the existing situation. This would result in an improvement in the street scene.

Traffic and Transport

19. No car parking is proposed as part of the development. The site is located on a main bus route and within easy walking distance of shops and services. As such can be considered sustainable. There is no parking associated with the existing retail and residential use and as such LCC Highways considers that the exiting situation will not be worsened and has raised no objection to the proposal.

Overall Conclusion

20. That the application should be approved subject to conditions.

Planning Policies

National Planning Policies:

National Planning Policy Framework

Adopted Chorley Borough Local Plan Review

Policies: GN1, TR4

- Design Guide

Joint Core Strategy

Policy 1, Policy 17

Planning History

Ref: 12/00660/FUL **Decision:** WDN **Decision Date:** 30 August 2012

Description: Demolition of existing property and construction of 4No apartments

Ref: 12/00886/FUL **Decision:** PDE **Decision Date:**

Description: Demolition of existing property and construction of 4No apartments

Ref: 84/00289/FUL **Decision:** PERFP **Decision Date:** 11 June 1984

Description: Single storey shop/storeroom extension

Recommendation: Permit Full Planning Permission Conditions

1. The approved plans are:

Title	Reference	Received On
Proposed floor layouts and elevations	1208 01 RevA	14 November 2012
Site Location Plan		13 September 2012

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

2. Prior to fist occupation of the unit, the first floor window adjacent to the boundary with 44 Moor Road shall be obscure glazed and non-opening and shall be maintained as such in perpetuity.

Reason: In the interest of the amenity of neighbouring residents in accordance with Policy 17 of the Adopted Central Lancashire Joint Core strategy.

3. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) have been submitted to and approved in

writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4, of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Adopted Joint Central Lancashire Core Strategy.

4. 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.

Item 4d	12/00942/FUL
Case Officer	Ian Heywood
Ward	Lostock
Proposal	Application to demolish the existing dwelling (127a) and other out buildings situated on the site and to build a replacement dwelling fronting Station Road and also 4 further dwellings to form a small residential street on the rest of the application site, with associated access road, driveways, private gardens and communal landscaping (resubmission of withdrawn application ref: 12/00628/FUL)
Location	127A Station Road Croston Leyland LancashirePR26 9RP
Applicant	Mrs L Glover
Consultation expiry:	14 November 2012
Application expiry:	29 November 2012

This report relates to two related applications 12/00942/FUL & 12/00943/CON

Proposal

1. The erection of a replacement dwelling and 4 further dwellings to form a small residential street with associated access road, driveways, private gardens and communal landscaping.
2. Conservation Consent for the demolition of a bungalow (127A Station Road, Croston) and a number of out buildings.

Site Description

3. The site is located on the eastern side of Station Road at the centre of the Croston settlement close to the junction of Town Road and Westhead Road. The western or front part of the site is located within Croston Conservation Area, a designated heritage asset as defined by Annex 2 to the NPPF. Located at the front of the site is a mid-twentieth century bungalow constructed of red brick with a Welsh slate roof positioned side on to the highway. Immediately behind that building is a builder's merchant's yard, now disused, that contains a number of storage buildings. The yard is accessed by a single track drive, albeit wide enough for commercial vehicles.

Development Description

4. Following pre-application discussions with the planning authority and two meetings with the Parish Council the applicant submitted proposals to demolish the existing bungalow, as it was considered by officers that its character was quite alien to that of the village overall, and that a replacement two-storey dwelling of appropriate design would sit better in this context and to erect four additional dwellings on the site of the former builder's merchants yard. The design of all the dwellings includes, at the request of the Parish Council, a work 'pod' to allow the possibility of, albeit limited, live-work activity to be undertaken within the development. The design chosen adopts a traditional form but with contemporary elements

such as sections of elevations completed with a rendered finish and small sections of flat roofs covered by sedum (green roofs).

5. The site is to be sold and it is not envisaged that the development will be undertaken by the applicant.

Recommendation

6. It is recommended that these applications are granted both planning permission and conservation area consent.

Main Issues

7. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Impact upon a Designated Heritage Asset – Croston Conservation Area
 - Impact on the neighbours
 - Design
 - Flood Risk
 - Traffic and Transport
 - Drainage and Sewers

Representations

8. One letter of objection has been received. The basis of this objection is:
 - a. Traffic congestion and parking

Response to objections

9. The response to these objections is as follows:
 - a. LCC Highways have not expressed any concerns for the creation of extra traffic by the development in terms of the adverse impact upon congestion. The proposed parking provision is considered to be more than adequate.
 - b. LCC Highways have not expressed any concern about the proposed access onto Station Road in terms of highways safety.
10. No letters of support have been received

Consultations

11. **The Environment Agency** has commented that they have no objections to the proposed development and that they are satisfied that it would not be at an unacceptable risk of flooding providing that the development proceeds with the mitigation measures suggested in the applicants Flood Risk Assessment in place. These will be made a condition to any permission granted.
12. **United Utilities** have commented that they do not object to the proposal per se; however they have requested some conditions and informatives to be attached to any permission that may be granted.
13. **Lancashire County Council (Highways)** do not object to the development proposal in principle and consider that an access onto Station Road at this point will not be problematic in terms of traffic movements, congestion and parking. They consider that more than adequate parking is proposed within the development. They do express concern that to achieve the proposed access at the entrance to the site this will involve the use of land outside the control of the applicant. It is suggested that a 'grampian' or pre-commencement

condition is attached to any permission granted to control this part of the development, i.e. the development cannot commence until the access arrangements have been completed.

14. **Chorley's Waste & Contaminated Land Officer** has suggested a number of conditions and informatives to be attached to any permission that may be granted to ensure appropriate investigation for contamination of the land and the imposition of mitigation measures should these prove to be necessary.
15. **Chorley's Planning Policy Team** comments that whilst Croston is not an area identified for housing development the proposal could be justified against Local Plan policy GN4 and HS6. Whilst not strictly in conformity with the adopted Central Lancashire Core Strategy the applicant has put forward sufficient justification for the development by providing the potential for residents to work from home.
16. **Croston Parish Council** supports the applications and has been involved in extensive discussions prior to submission. Indeed the views of the PC have, to a significant extent, shaped the development proposals.

Assessment

Principle of the development

17. The site is located within the settlement boundary of Croston and is accepted as a previously developed or 'brown field' site, being previously used as a builders merchants yard that principally supplied roofing contractors. It is also located within an area of residential development with residential properties located immediately adjacent to the entrance to the site. It is considered that consequently residential is the most appropriate use of this site.
18. Whilst the proposed development does not strictly accord with the Core Strategy the applicant has put forward sufficient justification for the development by providing the potential for residents to work from home. This at least goes some way to offsetting the loss of the, albeit now redundant, employment use of the land. This also conforms with Adopted Local Plan Review 2003 policies GN4 and HS6, which refer to the use of previously developed land in providing facilities needed by the local community – live-work units in this case and also the criteria to be met:
 - The site is accessible;
 - The existing social and physical infrastructure can absorb the additional development;
 - The development is compatible with surrounding uses;
 - The development can be satisfactorily accommodated on the site;
 - The site has adequate road access, foul and surface water drainage arrangements and other essential services.

In this case it is considered that all these criteria can be met and conditions can be used to ensure compliance.

Impact upon a designated heritage asset

19. The development site is partly within the Croston Conservation Area and as such, under the terms of NPPF Section 12, must be considered in terms of the impact upon the significance of this designated heritage asset. The incumbent bungalow at the front of the site within the conservation area that it is proposed be demolished is quite alien in character to the conservation area and its loss will have no impact upon the significance of the designated heritage asset. The replacement building has been carefully designed to be sympathetic, in

both design and choice of materials, to those of the immediate vicinity of the conservation area and will overall enhance the significance of the designated heritage asset.

20. Numbers 1 and 3 Out Lane, 129 and 133 Station Road are all listed buildings, grade II, that are therefore also designated heritage assets as defined by Annex 2 to the NPPF. None of these buildings is less than 20 metres from the development site and the closest building, 1 Out Lane, has a number of substantial storage buildings, stables and trees that effectively hide the development site, and any potential buildings, from view. It is therefore considered that the impact upon these designated heritage assets will be minimal and as such their significance will be sustained.

Impact on the neighbours

21. Neighbouring residential properties are to be found to the south of the development site, on Out Lane, which have long rear gardens that abut the site. Number 1 Out Lane includes substantial storage sheds/stable buildings in the rear garden effectively masking the development site from view. The adjacent property, 'Southview', will have a separation distance at first floor window level of approximately 23 metres. To the north of the site is to be found open countryside and the former Methodist school building, now a residential conversion separated from the site by approximately 40 metres of private amenity space. To the west of the site are terraced residential properties on the western side of Station Road and number 127 is a two storey dwelling immediately adjacent to the existing bungalow.
22. The demolition of a number of ramshackle sheds, used previously in conjunction with the now closed roofing contractors supply business, will enhance the relationship to neighbouring properties, as will the loss of industrial commercial traffic in to and out of the site.
23. The proposed interface distances between neighbouring properties and the development are either the same as those for the existing bungalow at the western edge of the site or for the remainder of the development site are considered acceptable and commensurate with this close grained settlement and furthermore meet the Council's recommended standards.

Design

24. The chosen design and use of materials for, firstly the dwelling to replace the bungalow, have been chosen to reflect neighbouring properties on both Station Road and Town Road beyond and are considered to be acceptable. The use of a two-storey house in place of the bungalow will effectively complete the street frontage in a sympathetic style. The four new dwellings within the site use a more contemporary yet sympathetic style of design and again use complimentary materials to blend with the majority of development within Croston –brick and render being found commonly within the settlement. There is a contemporary element in the use of more extensive glazing in the links to the work 'pods' together with green sedum roofs to add architectural interest within the development. These are also considered to be acceptable concepts that, furthermore, will enhance the setting of the conservation area.

Flood Risk

25. The Environment Agency has confirmed that the proposed development would not be susceptible to an unacceptable flood risk. The mitigation measures as proposed by the applicants Flood Risk Assessment will be made a condition to any permission granted and full details of finished floor levels, other than the 600mm above the 1 in 100 year flood level quoted in the Design and Access Statement will also be required before works commence on site.

Traffic and Transport

26. County Council Highways Engineers have confirmed that, subject to conditions, the proposed development is acceptable and will not cause any undue traffic hazards or issues for parking. The development proposes an amount of parking space that meets the Council's required standard, three spaces per dwelling, and swept path analysis confirms to the satisfaction of highway engineers that movement of service and emergency vehicles is to their required standard.

Drainage and Sewers

27. United Utilities have requested a number of conditions, which will be attached to any consent granted, to include the method of attachment to the public sewer and the use of a surface water attenuation tank. These will not only ensure compliance with their statutory undertaker requirements but also compliance with Adopted Core Strategy Policy 29.

Section 106 Agreement

28. A Section 106 Agreement has been drafted to cover a financial contribution for the provision of green space, play space and play equipment to the value of £5516 (plus legal fees).

Overall Conclusion

29. Whilst the proposed development site is within Croston, wherein no further expansion of the settlement is proposed, the site is considered as previously developed and is seen to meet the requirements of Local Plan Policies for the redevelopment of previously developed land. The proposed development is considered to enhance the appearance and significance of the Croston Conservation Area, designated heritage asset and to sustain the significance of adjacent listed buildings. The design has been carefully considered and not only responds to the context, but also takes on board the aspirations of local people. It also responds to the aspirations of the Parish Council in providing an opportunity for home working for prospective purchasers. The development is acceptable in terms of highways and parking, drainage and flood risk, all of which being suitably controlled by appropriate conditions. Relationships to neighbouring residential properties will be sustained or enhanced and the removal of inappropriate vehicular movements and unsightly buildings will further enhance the amenity of local residents and visitors to Croston alike. The applications are therefore recommended for approval.

Other MattersPublic Consultation

30. The applicant consulted the Parish Council on two separate occasions.

Sustainability

31. Whilst it is anticipated that the development will be constructed in a sustainable manner, to the requisite Code for Sustainable Homes level, a pre-commencement condition has been included requiring the prospective developer to submit a "Sustainable Resources Statement in accordance with Policy 27 of the Core Strategy.

Planning Policies

Saved Policies from the Adopted Chorley Borough Local Plan Review 2003: GN4 and HS6.

Publication Local Plan (2012): Site Allocations and Development Management DPD Policies: HS1, HS7, BNE1 and BNE8.

National Planning Policy Framework Sections: 6, 7, 10 and 12.

Adopted Central Lancashire Joint Core Strategy DPD (2012) Policies: 1, 5, 7, 16, 17, 27 and 29.
SPD on Design

Planning History

Ref: 80/00674/FUL **Decision:** PERFPP **Decision Date:** 18 August 1980

Description: Change of use of general industrial and builders yard to builders yard

Ref: 80/00652/FUL **Decision:** PERFPP **Decision Date:** 4 August 1980

Description: Change of use of shop to office and extension to bungalow

Ref: 80/00443/CLEUD **Decision:** WDN **Decision Date:** 20 June 1980

Description: Established Use Certificate - Builders Yard

Ref: 12/00628/FUL **Decision:** WDN **Decision Date:** 20 August 2012

Description: To demolish the existing dwelling (127a) and other out buildings situated on the site and construct a replacement dwelling fronting Station Road and also 5 further dwellings to form a small residential street on the rest of the application site, with associated access road, driveways, private gardens and communal landscaping.

Ref: 12/00629/CON **Decision:** WDN **Decision Date:** 20 August 2012

Description: To demolish the existing dwelling (127a) and other out buildings situated on the site (development associated with 12/00628/FUL).

Ref: 12/00942/FUL **Decision:** PDE **Decision Date:**

Description: Application to demolish the existing dwelling (127a) and other out buildings situated on the site and to build a replacement dwelling fronting Station Road and also 4 further dwellings to form a small residential street on the rest of the application site, with associated access road, driveways, private gardens and communal landscaping (resubmission of withdrawn application ref: 12/00628/FUL)

Ref: 12/00943/CON **Decision:** PCO **Decision Date:**

Description: Application for Conservation Area Consent to demolish the existing dwelling (127a) and other out buildings situated on the site (development associated planning application 12/00942/FUL). Resubmission of withdrawn application 12/00629/CON.

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 development hereby permitted shall only be completed in accordance with the approved plans. The approved plans are:

Plan Ref.	Received On:	Title:
12/1011/101A	23 October 2012	Proposed Site Plan
1431/102	01 October 2012	Proposed FL Plans & Elevs: House Type 1
1431/103	01 October 2012	Proposed FL Plans & Elevs: House Type 2
12/1011/100/1	01 October 2012	Proposed Residential Development at 127A Station Road, Croston, Leyland, PR26 9RP House Type 3
1043-200	01 October 2012	Outline Drainage Layout

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

3. Prior to the commencement of the development hereby permitted, samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) and specification) shall 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. 16 and 17 of the Adopted Central Lancashire Core Strategy.
4. Prior to the commencement of the development hereby permitted, full details of the treatment of all the proposed windows and doors shall have been submitted to and been approved in writing by the Local Planning Authority. The submitted details shall include the proposed method of construction, the materials to be used, fixing details (including cross sections) and their external finish including any surrounds, sills or lintels.

Reason: In the interests of the character and appearance of the building and in accordance with Policies 16 and 17 of the Adopted Central Lancashire Core Strategy.
5. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted 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.
6. Before the development 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.
7. Before the development of the buildings hereby permitted commences the means of vehicular access shall have been constructed in accordance with the approved plans.

Reason: In the interests of highway safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.
8. No dwelling hereby permitted shall be occupied until that part of the service road which provides access to it from the public highway has been constructed in accordance with the approved plans.

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

9. Before the development hereby permitted is first commenced, full details of facilities to be provided for the cleaning of the wheels of vehicles leaving the site shall be submitted to and approved in writing by the Local Planning Authority. The wheel wash facility shall be provided, in accordance with the approved details, before the use of the site hereby permitted is first commenced and thereafter retained at all times during operation of the site.

Reason: To prevent the tracking of mud and/or the deposit of loose material upon the highway, in the interests of public safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.

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

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

11. 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.

12. The development hereby permitted shall not commence until full details of a Sustainable Resources Statement including the proposed Code For Sustainable Homes code level and how that is to be achieved has been submitted to and approved in writing by the local planning authority. All new dwellings will be required to meet Code Level 4 from January 2013 and Level 6 from January 2016.

Reason: To meet the standards set out by the Code For Sustainable Homes and to be in accordance with Core Strategy Policy 27.

13. United Utilities require that this site must be drained onto a totally separate system combining just prior to the network, where surface water must be attenuated to a maximum pass forward flow rate of 9.8l/s as stated in the flood risk assessment provided with the application.

Reason: To accord with the requirements of United Utilities as the statutory undertaker for water supply and sewerage disposal.

14. A public sewer crosses this site and United Utilities (UU) will not permit building over it. UU will require an access strip width of eight metres, four metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement.

Reason: To accord with the requirements of United Utilities as statutory undertaker for water supply and sewerage disposal.

15. Before the development hereby permitted commences, the applicant is required to submit to and have received approval in writing from the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. The report should include an initial desk study, site walkover and preliminary risk assessment. If the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

Reason: It is the applicant's responsibility to properly address any land contamination issues, to ensure the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012). A Desk Study Report should include a desk study and site reconnaissance (walk over) and preliminary risk assessment as defined in 'CLR 11: Model Procedures for the Management of Land Contamination' (Environment Agency, 2004). Further guidance and advice on producing the report can be obtained from the Contaminated Land Officer on 01527 515661.

16. Before the development hereby permitted commences the applicant shall undertake further ecological surveys to establish the existence (or otherwise) of any protected species within the buildings – Bats, Owls or other nesting birds. The results of the ecological survey must, before the development hereby permitted commences, be submitted to and have received approval in writing from the local planning authority. Any mitigation measures required as a result of the survey findings must be completed and also have received approval in writing from the local planning authority before the development hereby permitted commences. Further re-surveys will be required if the time elapsed between the date of the survey and the commencement of works is greater than twelve months.

Reason: To comply with the requirements of the Wildlife and Countryside Act and the European Protected Species Regulations.

17. Prior to the commencement of the development hereby permitted, plans and particulars showing the provision to be made for the storage and disposal of refuse and recycling receptacles shall be submitted to and approved in writing by the Local Planning Authority. Such provision as is agreed shall be implemented concurrently with the development and thereafter retained. No part of the development shall be occupied until the agreed provision is completed and made available for use.

Reason In order that the Council may be satisfied with the details of the proposal.

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Item 4e	12/00943/CON
Case Officer	Ian Heywood
Ward	Lostock
Proposal	Application for Conservation Area Consent to demolish the existing dwelling (127a) and other out buildings situated on the site (development associated planning application 12/00942/FUL). Resubmission of withdrawn application 12/00629/CON.
Location	127A Station Road Croston Leyland LancashirePR26 9RP
Applicant	Mrs L Glover
Consultation expiry:	14 November 2012
Application expiry:	29 November 2012

This report relates to two related applications 12/00942/FUL & 12/00943/CON

Proposal

1. The erection of a replacement dwelling and 4 further dwellings to form a small residential street with associated access road, driveways, private gardens and communal landscaping.
2. Conservation Consent for the demolition of a bungalow (127A Station Road, Croston) and a number of out buildings.

Site Description

3. The site is located on the eastern side of Station Road at the centre of the Croston settlement close to the junction of Town Road and Westhead Road. The western or front part of the site is located within Croston Conservation Area, a designated heritage asset as defined by Annex 2 to the NPPF. Located at the front of the site is a mid twentieth century bungalow constructed of red brick with a Welsh slate roof positioned side on to the highway. Immediately behind that building is a builder's merchant's yard, now disused, that contains a number of storage buildings. The yard is accessed by a single track drive, albeit wide enough for commercial vehicles.

Development Description

4. Following pre-application discussions with the planning authority and two meetings with the Parish Council the applicant submitted proposals to demolish the existing bungalow, as it was considered by officers that its character was quite alien to that of the village overall, and that a replacement two-storey dwelling of appropriate design would sit better in this context and to erect four additional dwellings on the site of the former builder's merchants yard. The design of all the dwellings includes, at the request of the Parish Council, a work 'pod' to allow the possibility of, albeit limited, live-work activity to be undertaken within the development. The design chosen adopts a traditional form but with contemporary elements such as sections of elevations completed with a rendered finish and small sections of flat roofs covered by sedum (green roofs).
5. The site is to be sold and it is not envisaged that the development will be undertaken by the applicant.

Recommendation

6. It is recommended that these applications are granted both planning permission and conservation area consent.

Main Issues

7. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Impact upon a Designated Heritage Asset – Croston Conservation Area
 - Impact on the neighbours
 - Design
 - Flood Risk
 - Traffic and Transport
 - Drainage and Sewers

Representations

8. One letter of objection has been received. The basis of this objection is:
 - a. Traffic congestion and parking

Response to objections

9. The response to these objections is as follows:
 - a. LCC Highways have not expressed any concerns for the creation of extra traffic by the development in terms of the adverse impact upon congestion. The proposed parking provision is considered to be more than adequate.
 - b. LCC Highways have not expressed any concern about the proposed access onto Station Road in terms of highways safety.
10. No letters of support have been received

Consultations

11. **The Environment Agency** has commented that they have no objections to the proposed development and that they are satisfied that it would not be at an unacceptable risk of flooding providing that the development proceeds with the mitigation measures suggested in the applicants Flood Risk Assessment in place. These will be made a condition to any permission granted.
12. **United Utilities** have commented that they do not object to the proposal per se; however they have requested some conditions and informatives to be attached to any permission that may be granted.
13. **Lancashire County Council (Highways)** do not object to the development proposal in principle and consider that an access onto Station Road at this point will not be problematic in terms of traffic movements, congestion and parking. They consider that more than adequate parking is proposed within the development. They do express concern that to achieve the proposed access at the entrance to the site this will involve the use of land outside the control of the applicant. It is suggested that a 'grampian' or pre-commencement condition is attached to any permission granted to control this part of the development, i.e. the development cannot commence until the access arrangements have been completed.
14. **Chorley's Waste & Contaminated Land Officer** has suggested a number of conditions and informatives to be attached to any permission that may be granted to ensure appropriate

investigation for contamination of the land and the imposition of mitigation measures should these prove to be necessary.

15. **Chorley's Planning Policy Team** comments that whilst Croston is not an area identified for housing development the proposal could be justified against Local Plan policy GN4 and HS6. Whilst not strictly in conformity with the adopted Central Lancashire Core Strategy the applicant has put forward sufficient justification for the development by providing the potential for residents to work from home.
16. **Croston Parish Council** supports the applications and has been involved in extensive discussions prior to submission. Indeed the views of the PC have, to a significant extent, shaped the development proposals.

Assessment

Principle of the development

17. The site is located within the settlement boundary of Croston and is accepted as a previously developed or 'brown field' site, being previously used as a builders merchants yard that principally supplied roofing contractors. It is also located within an area of residential development with residential properties located immediately adjacent to the entrance to the site. It is considered that consequently residential is the most appropriate use of this site.
18. Whilst the proposed development does not strictly accord with the Core Strategy the applicant has put forward sufficient justification for the development by providing the potential for residents to work from home. This at least goes some way to offsetting the loss of the, albeit now redundant, employment use of the land. This also conforms with Adopted Local Plan Review 2003 policies GN4 and HS6, which refer to the use of previously developed land in providing facilities needed by the local community – live-work units in this case and also the criteria to be met:
 - The site is accessible;
 - The existing social and physical infrastructure can absorb the additional development;
 - The development is compatible with surrounding uses;
 - The development can be satisfactorily accommodated on the site;
 - The site has adequate road access, foul and surface water drainage arrangements and other essential services.In this case it is considered that all these criteria can be met and conditions can be used to ensure compliance.

Impact upon a designated heritage asset

19. The development site is partly within the Croston Conservation Area and as such, under the terms of NPPF Section 12, must be considered in terms of the impact upon the significance of this designated heritage asset. The incumbent bungalow at the front of the site within the conservation area that it is proposed be demolished is quite alien in character to the conservation area and its loss will have no impact upon the significance of the designated heritage asset. The replacement building has been carefully designed to be sympathetic, in both design and choice of materials, to those of the immediate vicinity of the conservation area and will overall enhance the significance of the designated heritage asset.
20. Numbers 1 and 3 Out Lane, 129 and 133 Station Road are all listed buildings, grade II, that are therefore also designated heritage assets as defined by Annex 2 to the NPPF. None of these buildings is less than 20 metres from the development site and the closest building, 1 Out Lane, has a number of substantial storage buildings, stables and trees that effectively hide the development site, and any potential buildings, from view. It is therefore considered

that the impact upon these designated heritage assets will be minimal and as such their significance will be sustained.

Impact on the neighbours

21. Neighbouring residential properties are to be found to the south of the development site, on Out Lane, which have long rear gardens that abut the site. Number 1 Out Lane includes substantial storage sheds/stable buildings in the rear garden effectively masking the development site from view. The adjacent property, 'Southview', will have a separation distance at first floor window level of approximately 23 metres. To the north of the site is to be found open countryside and the former Methodist school building, now a residential conversion separated from the site by approximately 40 metres of private amenity space. To the west of the site are terraced residential properties on the western side of Station Road and number 127 is a two storey dwelling immediately adjacent to the existing bungalow.
22. The demolition of a number of ramshackle sheds, used previously in conjunction with the now closed roofing contractors supply business, will enhance the relationship to neighbouring properties, as will the loss of industrial commercial traffic in to and out of the site.
23. The proposed interface distances between neighbouring properties and the development are either the same as those for the existing bungalow at the western edge of the site or for the remainder of the development site are considered acceptable and commensurate with this close grained settlement and furthermore meet the Council's recommended standards.

Design

24. The chosen design and use of materials for, firstly the dwelling to replace the bungalow, have been chosen to reflect neighbouring properties on both Station Road and Town Road beyond and are considered to be acceptable. The use of a two-storey house in place of the bungalow will effectively complete the street frontage in a sympathetic style. The four new dwellings within the site use a more contemporary yet sympathetic style of design and again use complimentary materials to blend with the majority of development within Croston –brick and render being found commonly within the settlement. There is a contemporary element in the use of more extensive glazing in the links to the work 'pods' together with green sedum roofs to add architectural interest within the development. These are also considered to be acceptable concepts that, furthermore, will enhance the setting of the conservation area.

Flood Risk

25. The Environment Agency has confirmed that the proposed development would not be susceptible to an unacceptable flood risk. The mitigation measures as proposed by the applicants Flood Risk Assessment will be made a condition to any permission granted and full details of finished floor levels, other than the 600mm above the 1 in 100 year flood level quoted in the Design and Access Statement will also be required before works commence on site.

Traffic and Transport

26. County Council Highways Engineers have confirmed that, subject to conditions, the proposed development is acceptable and will not cause any undue traffic hazards or issues for parking. The development proposes an amount of parking space that meets the Council's required standard, three spaces per dwelling, and swept path analysis confirms to the satisfaction of highway engineers that movement of service and emergency vehicles is to their required standard.

Drainage and Sewers

27. United Utilities have requested a number of conditions, which will be attached to any consent granted, to include the method of attachment to the public sewer and the use of a surface water attenuation tank. These will not only ensure compliance with their statutory undertaker requirements but also compliance with Adopted Core Strategy Policy 29.

Section 106 Agreement

28. A Section 106 Agreement has been drafted to cover a financial contribution for the provision of green space, play space and play equipment to the value of £5516 (plus legal fees).

Overall Conclusion

29. Whilst the proposed development site is within Croston, wherein no further expansion of the settlement is proposed, the site is considered as previously developed and is seen to meet the requirements of Local Plan Policies for the redevelopment of previously developed land. The proposed development is considered to enhance the appearance and significance of the Croston Conservation Area, designated heritage asset and to sustain the significance of adjacent listed buildings. The design has been carefully considered and not only responds to the context, but also takes on board the aspirations of local people. It also responds to the aspirations of the Parish Council in providing an opportunity for home working for prospective purchasers. The development is acceptable in terms of highways and parking, drainage and flood risk, all of which being suitably controlled by appropriate conditions. Relationships to neighbouring residential properties will be sustained or enhanced and the removal of inappropriate vehicular movements and unsightly buildings will further enhance the amenity of local residents and visitors to Croston alike. The applications are therefore recommended for approval.

Other MattersPublic Consultation

30. The applicant consulted the Parish Council on two separate occasions.

Sustainability

31. Whilst it is anticipated that the development will be constructed in a sustainable manner, to the requisite Code for Sustainable Homes level, a pre-commencement condition has been included requiring the prospective developer to submit a "Sustainable Resources Statement in accordance with Policy 27 of the Core Strategy.

Planning Policies

Saved Policies from the Adopted Chorley Borough Local Plan Review 2003: GN4 and HS6.

Publication Local Plan (2012): Site Allocations and Development Management DPD Policies: HS1, HS7, BNE1 and BNE8.

National Planning Policy Framework Sections: 6, 7, 10 and 12.

Adopted Central Lancashire Joint Core Strategy DPD (2012) Policies: 1, 5, 7, 16, 17, 27 and 29.
SPD on Design

Planning History

Ref: 80/00674/FUL

Decision:PERFPP

Decision Date: 18 August 1980

Description:

Change of use of general industrial and builders yard to builders yard

Ref: 80/00652/FUL

Decision:PERFPP

Decision Date: 4 August 1980

Description: Change of use of shop to office and extension to bungalow

Ref: 80/00443/CLEUD **Decision:**WDN **Decision Date:** 20 June 1980

Description: Established Use Certificate - Builders Yard

Ref: 12/00628/FUL **Decision:**WDN **Decision Date:** 20 August 2012

Description: To demolish the existing dwelling (127a) and other out buildings situated on the site and construct a replacement dwelling fronting Station Road and also 5 further dwellings to form a small residential street on the rest of the application site, with associated access road, driveways, private gardens and communal landscaping.

Ref: 12/00629/CON **Decision:**WDN **Decision Date:** 20 August 2012

Description: To demolish the existing dwelling (127a) and other out buildings situated on the site (development associated with 12/00628/FUL).

Ref: 12/00942/FUL **Decision:**PDE **Decision Date:**

Description: Application to demolish the existing dwelling (127a) and other out buildings situated on the site and to build a replacement dwelling fronting Station Road and also 4 further dwellings to form a small residential street on the rest of the application site, with associated access road, driveways, private gardens and communal landscaping (resubmission of withdrawn application ref: 12/00628/FUL)

Ref: 12/00943/CON **Decision:**PCO **Decision Date:**

Description: Application for Conservation Area Consent to demolish the existing dwelling (127a) and other out buildings situated on the site (development associated planning application 12/00942/FUL). Resubmission of withdrawn application 12/00629/CON.

**Recommendation: Permit - Conservation Area Consent
Conditions**

1. Before the works of demolition hereby permitted commence, further ecological surveys shall have been submitted to and approved in writing by the local planning authority to determine the presence, or otherwise, of protected species as defined in the Wildlife and Countryside Act and the European Habitats regulations.

Reason: To safeguard any protected species and to conform with the relevant legislation and Planning Policy:

- *The Conservation of Habitats and Species Regulations 2010 (as amended);*
- *The Wildlife and Countryside Act (1981)*
- *The Natural Environment and Rural Communities Act 2006*
- *National Planning Policy Framework*
- *Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their impact within the planning system (DEFRA 01/2005);*

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

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

3. This consent relates to the following plans:

Plan Ref.	Received On:	Title:
12/1011/101A	23 October 2012	Proposed Site Plan

Reason: To define the consent and to ensure all works are carried out in a satisfactory manner.

4. Before the development hereby permitted is first commenced, full details of facilities to be provided for the cleaning of wheels of vehicles leaving the site shall be submitted to and approved in writing by the Local Planning Authority. The wheel wash facility shall be provided in accordance with the approved details, before the use of the site hereby permitted is first commenced and thereafter retained at all times during operation of the site.

Reason: To prevent the tracking of mud and/or the deposit of loose material upon the highway, in the interests of public safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review 2003.

5. Before the development hereby permitted is first commenced a site management and operation plan including the days and hours of operation of the site shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenity of local residents.

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Item 4f	12/00945/REMMAJ
Case Officer	Caron Taylor
Ward	Astley And Buckshaw
Proposal	Reserved matters application for the erection of 32no residential dwellings and associated landscaping treatment and highway works (pursuant to outline permission reference 08/00910/OUTMAJ).
Location	Parcel H3 Group 1 West Of Central Avenue And South Of Worden Brook Euxton Lane Euxton Lancashire
Applicant	Persimmon Homes Lancashire
Consultation expiry:	21 November 2012
Application expiry:	11 January 2013

Proposal

1. Reserved matters application for the erection of 32 dwellings and associated landscaping treatment and highway works (pursuant to outline permission reference 08/00910/OUTMAJ).
2. The site is within the part of Buckshaw Village known as Group 1, the area to the west of Central Avenue. The site was given outline planning permission by 08/00910/OUTMAJ.

Recommendation

3. It is recommended that this application is approved subject to satisfactory amended plans being received prior to Committee. This will be reported on the addendum.

Main Issues

4. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Design Code
 - Impact on the neighbours
 - Design and Layout
 - Legal Agreement
 - Trees and Landscape
 - Traffic and Transport
 - Contamination and Coal Mines
 - Drainage and Sewers
 - Sustainability

Representations

5. No representations have been received.

Consultations

6. **The Environment Agency**
Have no objection in principle to the proposed development subject to comments that if during the earthworks exercise further contamination is found in close proximity to the streams and reservoir then the risks to controlled waters will need to be re-assessed.
7. They are satisfied with BAE Systems' conclusion that no specific groundwater remedial measures are required.

8. They are satisfied with BAE Systems' proposals for the surveying and removal of drains and for surface water management during the remediation works.
9. All site drainage must be in accordance with the approved detailed drainage plan for the Group One site.
10. The buffer between the development and adjacent watercourse should be maximised to allow sufficient access and the development of riparian habitat. If practicable, developers should refrain from the use of close boarded fencing along the riparian boundary and leave the area open or use post and rail fencing to try and incorporate the habitat into the development.
11. **The Architectural Design and Crime Reduction Advisor**
The Plans indicate a 1.8m close boarded fencing arrangement for rear boundary security of individual dwellings which is supported. Horizontal supporting rails should be fitted to the private side of the fence so as not to create a ladder effect around the public side of the dwelling boundaries. Elevations indicate windows in the garages. It is recommended that openings are kept to a minimum in sheds and garages as they provide an opportunity for offenders to view items in the garage and provide a means of entry.
12. **United Utilities**
Have no objection to the proposal subject to conditions in relation to a scheme for the disposal of foul and surface water incorporating a surface water regulation system restricting runoff to greenfield runoff rates and that the site must be drained on a separate system, with only foul drainage connected into the foul sewer.

Lancashire County Council (Highways)

13. Originally raised some concerns regarding the parking and road width. Amended plans were received in response to these points and LCC Highways state the internal layout is now improved and is acceptable from a highway viewpoint.
14. Nearly all plots are either 4/5 bedroom, and the level of parking provision is in accord with the preferred standards, that is 3no spaces. The garages, whether detached or internal, are still slightly undersized however the majority of the plots are catering for an extra parking space and the level of undersize is small [2.8m rather than 3m] therefore they accept them.
15. They understand that the spine road will eventually form part of a 20mph zone therefore they are agreeable to direct access for the 6 plots fronting it. In this respect the visibility sightlines are also likely to be satisfied.
16. As such, they no longer have any overriding highway objection to the proposed development.
17. **Chorley's Waste & Contaminated Land Officer**
Has no comment to make on the application.

Assessment

Principle of the development

18. The principle of the proposal has already been established by outline planning permission 08/00910/OUTMAJ. This outline permission required a Design Code to be drawn up and this has been submitted to and approved by the Council. The application will therefore be assessed as to whether it conforms to the approved Design Code.

Design Code

19. The application site is within Plot H3 of the approved Design Code and is known as a 'Woodland Green' area. There are three such plots on the site, H3 being the middle sized one. Plot H4 is the smallest and is within the Borough of South Ribble. Plot H2 is the largest and is situated to the southeast of this application site within Chorley Borough.
20. Plot H3 bounds with an existing large pond to the south (the former Fire Pond). At the time of the outline permission it was envisaged that the plot would accommodate low density housing

development as the site is surrounding by a Biological Heritage Site (BHS), which was one of the main material planning considerations at outline stage. Low density large detached dwellings were envisaged to retain an open feeling and respect the interface with the BHS with a maximum of 30 dwellings per hectare. The proposed layout would provide a development equivalent to 20.5 dwellings per hectare and the density is considered to comply with the Design Code.

Impact on the neighbours

21. The application site is set within a distinct parcel within the Group 1 site. There are no existing properties and there will be no other parcels immediately adjacent to this one so there are no neighbour amenity issues outside the site.
22. Within the site the layout is considered acceptable apart from on three plots that do not meet the Council's interface distances. This has been raised with the applicant and amended plans are to be submitted before Committee in relation to this issue and will be report on the Addendum. Subject to the amended plans meeting the interface distances on all plots the proposal is considered acceptable in relation to neighbour amenity within the site.

Design and Layout

23. The layout of the parcel is as indicated at outline stage, accessed from one point from the main spine road running through the Group 1 site. The Design Code states that the entrance to Woodland Green plots should be defined with individual building types, with change of surface at key locations to define character and control traffic. Parcel H3 should have houses fronting the Fire Pond and Village Street with an informal streetscape to reflect the secluded setting.
24. The entrance to the site has a Hogarth house type on each corner former a feature and is considered to conform to the Design Code. The site will also use changes of surfaces within the layout including rumble strips to slow traffic. In line with the Design Code houses will front towards the Fire Pond and Village Street to the south of the site.
25. The proposed properties are all large detached two-storey houses, again this is in-line with the Design Code with stated that the development on Plot H3 will be exclusive and have larger two and two-and-a-half storey buildings.
26. The design of the properties incorporate front gables, porches, vertically proportioned windows with heads and sills. Some properties will incorporate integral garages, while others have detached garages.
27. The boundary treatments are important on this parcel given its relationship with the woodland. The Environment Agency has advised that close boarded fencing should be avoided on the site boundaries. The proposal orientates the properties so they face outwards avoiding the need to have rear boundaries backing onto the woodland. The boundaries to the east and southwest will be left open. Where side gardens bound with the woodland the boundary will be hedgerow, details of which will be controlled by condition. This is considered to be in accordance with the Design Code and the advice of the Environment Agency.

Legal Agreement

28. A legal agreement attached to the outline permission secures affordable housing provision across the site. This will not be provided on this small parcel which has a character of larger dwellings but the developers will still need to incorporate the requirements across the other parts of the site. The legal agreement also secured a transport contribution, on-site public open space, management details, highway improvements and reserves a school site for a set period if it is needed amongst other things.
29. The infrastructure and affordable housing provision related to the site has therefore already been secured through the outline permission.

Trees and Landscape

30. The site is surrounded by trees and a Biological Heritage Site BHS. These issues were

extensively discussed at outline stage. In terms of this reserved matters application the important issue is the interface between the site and the surrounding woodland. The properties will front onto the Fire Pond to the south and the woodland to the east avoiding the need for boundaries with the woodland. There will be six plots that are side on to the woodland (10, 19, 29, 28 and 41) and therefore require a boundary treatment to enclose their rear gardens. This will be in the form of a native hedge incorporating a steel post and wire fence to be secure, but also in keeping with the woodland setting. This is considered acceptable and is in line with the Design Code on boundary treatments.

Traffic and Transport

31. The site is accessed from one point of the main spine road running through the development. This will then divide into two shared surface cul-de-sacs.
32. Six dwellings will be accessed from the main spine road, however the Design Code doesn't rule this out and the indicative layouts within the Code document do show such an arrangement and it is therefore considered acceptable subject to them having the correct parking levels.
33. The Council's parking standards require 2/3 bed properties to have two parking spaces and 4 bed properties to have three spaces. Garages do count providing they are large enough to be a usable space. Amended plans have been received so that all plots meet the Council's parking standards, although one house type (The Lewis) has a garage slightly below the normally required garage width of 3m, it is only just short at 2.8m, it is therefore considered it can be counted as a parking space. LCC Highways find the layout and parking acceptable.
34. Garages counted as a parking space will be conditioned to prevent them being converted without express planning permission being granted.

Contamination

35. The site has been the subject of a separate application for remediation (ref: 09/00095/FULMAJ) and is not therefore a matter for this application. A precautionary condition is proposed that if during the earthworks exercise further contamination is found in close proximity to the streams and reservoir then the risk to controlled waters be re-assessed.

Drainage and Sewers

36. A drainage strategy in relation to surface water and flood risk forms part of the Design Code based around the current natural drainage catchments on the site, the aim of which is attenuating surface water runoff for all events up to and including a 100-year event, plus a 20% allowance for climate change and attenuation within the site for runoff above the existing 1-year, 15-minute runoff rate. There will be provision of attenuation on site in existing ponds with an additional attenuation feature in the northwest of the site. Standard piped drainage within the site will drain surface water runoff from hard standing areas to the attenuation areas.
37. A condition will be applied requiring specific details to be submitted for this parcel.

Sustainability

38. The proposal is a Reserved Matters application and therefore condition 16 of the outline permission for Group 1 (08/00910/OUTMAJ) requires details of how the proposal will meet the requirements of Policy SR1 that was in force at that time to be submitted. This policy is no longer in force, having been replaced by Policy 27 of the Core Strategy which is slightly different. Therefore it is considered that a condition be applied to the permission relating Policy 27.

Overall Conclusion

39. The principle of the development has already been established by outline permission 08/00910/OUTMAJ. The proposal is considered to comply with the Design Code for Group 1. Amended plans have been requested in relation to interface distances. This will be reported on the addendum. Subject to these being acceptable the application is recommended for approval.

Planning PoliciesNational Planning Policies:

National Planning Policy Framework

Adopted Chorley Borough Local Plan Review

Policies: GN2

Planning History

08/00910/OUTMAJ. Outline planning application for the redevelopment of land at Group One (Site Area 54.34 Hectares), Royal Ordnance Site, Chorley for mixed use development comprising housing and commercial uses (including uses A1, A2, A3, B1, B2, C1, C2 and C3 of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2006) and associated landscape treatment and highway works. Permitted December 2009.

Recommendation: Permit Full Planning Permission Conditions

1. If during the earthworks further contamination is found in close proximity to the streams and reservoir (that has not been covered by the existing remediation strategy at the site) then the risks to controlled waters will need to be re-assessed. If so the development shall cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority and the development shall then only be carried out in full accordance with the approved remediation proposals.

Reason: Shallow groundwater has been found as perched water bodies within the made ground and granular layers within the glacial clays. Hotspots of contaminated groundwater have been identified. However, there is no evidence of a continuous shallow groundwater body that is in continuity with the surface waters at the site. To protect the environment and prevent harm to human health, by ensuring the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework.

2. The development hereby permitted shall not commence until full details of foul and surface water drainage arrangements including a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved details prior to the first occupation of any dwelling on the site and retained and maintained as such at all times thereafter.

Reasons: To reduce the increased risk of flooding and in accordance with Policy No. EP18 of the Chorley Borough Local Plan Review.

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

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

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

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

5. Before the commencement of any particular dwelling, full details of the onsite measures to be installed and implemented for that property to reduce carbon emissions of predicted energy use by the figure set out in Policy 27 of the Core Strategy shall have been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include full details of the predicted energy use of the development expressed in terms of carbon emissions and how energy efficiency is

addressed. The approved details shall be implemented in full and retained thereafter.

Reason: To ensure the development is in accordance with Government advice contained in the NPPF and Policy 27 of the Core Strategy.

6. Each dwelling hereby permitted shall be constructed to achieve the relevant Code for Sustainable Homes Level required by Policy 27 of the Core Strategy (Level 3 for all dwellings commenced from 1st January 2010, Level 4 for all dwellings commenced from 1st January 2013 and Level 6 for all dwellings commenced from 1st January 2016).
Reason: To ensure the development is in accordance with the NPPF and in accordance with Policy 27 of the adopted Core Strategy.
7. 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. Within 6 months of completion of that dwelling 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 the NPPF and in accordance with Policy 27 of the adopted Core Strategy.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 1, Class A) or any Order revoking or re-enacting the Order, no extensions shall be undertaken that would be built off the rear elevation of the conservatories approved under this permission (for clarity the rear elevation is defined as the elevation of the conservatories facing the rear boundary of the properties, parallel with the rear elevation of the dwelling), without express planning permission being granted.
Reason: To protect the amenity of adjoining properties and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.
9. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on the approved plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.
Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy Nos. GN5 and HS4 of the 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, of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Core Strategy.
11. Before the dwellings hereby permitted are occupied the driveways and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The driveways and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.
Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.

12. 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 at first floor level or above in the northwest elevation of the Hilliard House Type on plot 29 hereby permitted.

Reason: To protect the amenities and privacy of the adjoining property on plot 40 and in accordance with policy HS9 of the Adopted Chorley Borough Local Plan Review.

13. The integral/attached or detached garage(s) of any properties hereby approved that have 4 or 5 bedrooms shall be kept freely available for the parking of cars and shall not be converted to living accommodation, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, unless the property still has three off-road parking spaces.

Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review and to safeguard the visual amenity of the area in accordance with Policy 17 of the Core Strategy.

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Report of	Meeting	Date
Director of Partnerships, Planning & Policy	Development Control Committee	11 December 2012

PLANNING APPEALS AND DECISIONS RECEIVED FROM LANCASHIRE COUNTY COUNCIL AND OTHER BODIES BETWEEN 9 NOVEMBER AND 30 NOVEMBER 2012

PLANNING APPEALS LODGED

1. None.

PLANNING APPEALS DISMISSED

2. Appeal by Mr David Rothwell against the delegated refusal of Full Planning Permission for the erection of detached two storey dwelling and detached garage at site adjacent to Wenderholm, Preston Road, Charnock Richard PR7 5LH. (Planning Application: 12/00149/FUL Inspectorate Reference APP/D2320/A/12/2178520/NWF). The Appeal is dismissed Planning Inspectorate letter received 30 November 2012.

PLANNING APPEALS ALLOWED

3. None.

PLANNING APPEALS WITHDRAWN

4. None.

ENFORCEMENT APPEALS LODGED

5. None.

ENFORCEMENT APPEALS DISMISSED

6. None.

ENFORCEMENT APPEALS ALLOWED

7. None.

ENFORCEMENT APPEALS WITHDRAWN

8. None.

LANCASHIRE COUNTY COUNCIL DECISIONS

9. None

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	30 November 2012	***