

DEVELOPMENT CONTROL COMMITTEE

WEDNESDAY, 3RD SEPTEMBER 2014, 6.30 PM

COUNCIL CHAMBER, TOWN HALL, CHORLEY

AGENDA

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.

APOLOGIES

1 MINUTES

(Pages 3 - 8)

To confirm the minutes of the Development Control Committee held on 5 August 2014 as a correct record and be signed by the Chair.

2 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.

3 PLANNING APPLICATIONS TO BE DETERMINED

The Director of Public Protection, Streetscene and Community has submitted eight reports for planning applications to be determined (enclosed).

Please note that copies of the location and layout plans are in a separate pack (where applicable) that has come with your agenda. Plans to be considered will be displayed at the meeting or may be viewed in advance by following the links to the current planning applications on our website. <http://planning.chorley.gov.uk/online-applications/>

3A	14/00641/FULMAJ- CHARNOCK RICHARD GOLF CLUB, PRESTON ROAD, CHARNOCK RICHARD (REPORT TO FOLLOW)	
3B	14/00491/FULMAJ- THE CARRINGTON CENTRE, NEW MILL STREET, ECCLESTON	(Pages 9 - 26)
3C	14/00635/REMAJ - GROUP 1, EUXTON LANE, EUXTON	(Pages 27 - 36)
3D	14/00662/REMAJ - PLOTS 1075-1093 THE ORCHARD, ORDNANCE ROAD, BUCKSHAW VILLAGE	(Pages 37 - 50)
3E	14/00730/REMAJ - LAND SOUTH OF CUERDEN FARM AND WOODCOCKS FARM AND LAND NORTH OF CATON DRIVE, WIGAN ROAD, CLAYTON-LE-WOODS	(Pages 51 - 58)
3F	14/00426/FUL- ROSELANDS, TINCKLERS LANE, ECCLESTON	(Pages 59 - 66)
3G	14/00480/FUL - WHITTLE-LE-WOODS VILLAGE HALL, UNION STREET, WHITTLE-LE-WOODS, CHORLEY	(Pages 67 - 76)
3H	14/00783/FUL- ASTLEY PARK, PARK ROAD, CHORLEY	(Pages 77 - 84)
4	ENFORCEMENT - LAND OPPOSITE 71 CHURCH LANE, CHARNOCK RICHARD	
	Report of the Director of Public Protection Streetscene and Community (to follow).	
5	PROPOSAL TO CONFIRM (WITHOUT MODIFICATION) TREE PRESERVATION ORDER NO.4 (ECCLESTON) 2014	(Pages 85 - 88)
	Report of the Chief Executive (enclosed).	
6	PLANNING APPEALS AND DECISIONS	(Pages 89 - 90)
7	ANY URGENT BUSINESS PREVIOUSLY AGREED WITH THE CHAIR	

GARY HALL
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Development Control Committee Councillor Matthew Crow (Chair), Councillor Dave Rogerson (Vice-Chair) and Councillors Charlie Bromilow, Henry Counce, Jean Cronshaw, David Dickinson, Christopher France, Danny Gee, Keith Iddon (Eccleston and Mawdesley), June Molyneaux, Alistair Morwood, Mick Muncaster, Richard Toon, Paul Walmsley and Alan Whittaker.

Electronic agendas sent to Development Control Committee reserves for information.

If you need this information in a different format, such as larger print or translation, please get in touch on 515151 or chorley.gov.uk

To view the procedure for public questions/ speaking click here

<https://democracy.chorley.gov.uk/ecSDDisplay.aspx?NAME=SD852&id=852&rpId=0&sch=doc&cat=13021&path=13021>

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MINUTES OF	DEVELOPMENT CONTROL COMMITTEE
MEETING DATE	Tuesday, 5 August 2014
MEMBERS PRESENT:	Councillors Matthew Crow (Chair), Dave Rogerson (Vice-Chair) and Charlie Bromilow, Henry Caunce, Jean Cronshaw, Christopher France, Danny Gee, Keith Iddon, June Molyneaux, Alistair Morwood, Mick Muncaster and Paul Walmsley
RESERVES:	Councillors John Dalton, Robert Finnamore and Mike Handley
OFFICERS:	Jamie Carson (Director of Public Protection, Streetscene and Community), Jennifer Moore (Head of Planning), Paul Whittingham (Development Control Team Leader), Alex Jackson (Legal Services Team Leader), Nicola Hopkins (Principal Planning Officer) and Cathryn Filbin (Democratic and Member Services Officer)
APOLOGIES:	Councillors David Dickinson, Richard Toon and Alan Whittaker
OTHER MEMBERS:	Councillors Paul Leadbetter

14.DC.60 Minutes

RESOLVED – That the minutes of the Development Control Committee held on 8 July 2014 be confirmed as a correct record and signed by the Chair.

14.DC.61 Declarations of Any Interests

There were no declarations of interest submitted.

14.DC.62 Planning applications to be determined

The Director of Public Protection, Streetscene and Community submitted twelve applications for planning permission consideration.

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

14.DC.62a 14/00071/OUTMAJ - Camelot Theme Park Park Hall Road Charnock Richard Chorley PR7 5LP

Speakers: Agent for the objector – Chris Weetman, Parish Councillor – Harold Heaton (Charnock Richard Parish Council), Ward Councillor – Councillor Paul Leadbetter, applicant's agent – Dan Mitchell

RESOLVED (unanimously) - That the planning permission be refused on the grounds that the impact of the development would cause significant harm to the openness of the surrounding area and the benefits of the development would not outweigh the harm. That harm was significant to warrant refusal and that the framing of the reason for refusal be passed to officers in consultation with the Chair and Vice Chair of the Development Control Committee and be recorded in the minutes for the meeting.

The Chair and Vice Chair subsequently agreed the following reason for refusal and in accordance with the resolution above this reason is recorded below:

1. The Chair and Vice Chair subsequently agreed the following reason for refusal and in accordance with the resolution above this reason is recorded below: The proposed development is not small scale or limited to appropriate infilling, conversion of buildings or meeting local need and is therefore contrary, in the absence of exceptional reasons for the large scale redevelopment proposed, to Policy 1 of the Adopted Central Lancashire Core Strategy and the spatial vision that underlies it. The proposed development would also have a greater impact on the openness of the Green Belt and the purpose of including land within in than the existing development on that part of the site that is previously developed and would therefore be inappropriate development in the Green Belt. Substantial weight attaches to the harm to the Green Belt by reason of inappropriateness and further harm arising here by reason of the impact of the proposed development on the openness of the Green Belt. The benefits associated with the proposed development would not clearly outweigh the harm resulting and therefore constitute, individually or cumulatively, very special circumstances required if inappropriate development is to be approved in the Green Belt in accordance with paragraph 88 of the National Planning Policy Framework ('the Framework'). The presumption in favour of sustainable development set out at paragraph 14 of the Framework is not considered, for these reasons, to apply to the proposed development.

14.DC.62b 14/00022/OUTMAJ - Goodyear Business Park Gorsey Lane Mawdesley

Speakers: Objector – Ian Paterson, supporter – Stella Thompson, Parish Councillor – Grahame Green (Mawdesley Parish Council) and the applicant's agent – Justin Cove

A motion to refuse the outline planning permission on the grounds that the special circumstances demonstrated did not outweigh the harm that the development would cause in that:

1. There was no requirement for affordable homes in Mawdesley
2. The emerging Local Plan stated that the only development for Gorsey Lane should only be infill developments.

3. Due to other business park developments in the area, moving the Goodyear furniture business would make it unsustainable
4. The Goodyear furniture business was sustainable in its current location

When the motion was put to the vote the vote was lost (6:9:0)

RESOLVED (10:4:1) – That the outline planning permission be approved subject to an associated Section 106 legal agreement and conditions detailed in the addendum.

14.DC.62c 14/00550/OUT- Land to the south west of Ricmarlo, Preston Nook, Ecclestone

RESOLVED (unanimously) – That the outline planning permission be approved subject to an associated Section 106 legal agreement and the conditions detailed within the report in the agenda.

14.DC.62d 14/00551/OUT- Ricmarlo , Preston Nook, Ecclestone

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

14.DC.62e 14/00512/FULMAJ - Unit 7 And 9, Revolution Park, Buckshaw Avenue, Buckshaw Village

SPEAKER: Applicant's agent – Andrew Bickerdike

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

14.DC.62f 14/00560/FULMAJ - Formerly Burrows (Grass Machinery) Limited, Wigan Road, Clayton-le-Woods

Speaker: Applicant's agent – Simon Pemberton

RESOLVED (unanimously) - That full planning permission be approved subject to a Section 106 legal agreement and the conditions detailed in the addendum.

14.DC.62g 14/00563/REMMAJ - Land bounded by Town Lane (to the north) and Lucas Lane (to the east), Town Lane, Whittle-le-Woods

RESOLVED (unanimously) – That planning permission for the reserved matters application be approved subject to the conditions detailed within the report in the agenda.

14.DC.62h 14/00618/FUL - Clayton Brook Community Hall, Great Greens Lane, Bamber Bridge, Perton, PR5 8HL

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

14.DC.62i 14/00332/OUT - Land between Wheatsheaf Hotel and 2 Chapel Lane, Coppull

RESOLVED (14:1:0) – That the outline planning permission be approved subject to a Section 106 legal agreement and the conditions detailed within the report in the agenda.

14.DC.62j 14/00541/REM - Land north of Lancaster Lane and bounded by Wigan Road and Shady Lane, Lancaster Lane, Clayton-le-Woods

RESOLVED (unanimously) – That planning permission be approved subject to a Section 106 legal agreement and the conditions detailed within the report in the agenda and the amended condition detailed in the addendum.

14.DC.62k 14/ 00584/FUL - Eaves Green Community Centre, Cottage Fields, Chorley, PR7 3QE

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

14.DC.62l 14/00620/FUL- Land west at rear of 5 Fendley Cottage, Blackburn Brow, Chorley

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

14.DC.63 Footpath 31 Coppull Confirmation of Public Path Diversion Order 2014

The Head of Governance submitted a report which asked Members of the Development Control Committee to consider whether the diversion of a section of public footpath number 31 Coppull be confirmed as an unopposed order to facilitate the development of 8 two bedroomed bungalows for affordable rent.

No objections had been received. A verbal update was given to Members of the Development Control Committee to the effect that the Public Rights of Way Officer at Lancashire County Council was satisfied that works required under the order had been satisfactorily completed.

RESOLVED (unanimously) –

- 1. That the Public Footpath Diversion Order for a length of public footpath number 31 Coppull made on 16 January 2014 pursuant to Section 257 of the Town and Country Planning Act 1990 be confirmed as an unopposed order.**
- 2. That the Head of Governance be authorised to serve notice regarding the confirmation of the order on prescribed persons and arrange for notice in the local press and on site, and certify the order as being complied with having regard to any representations from the Public Rights of Way Team at Lancashire County Council or to confirm the order in the absence of representation from the Public Rights of Way Team and certify its terms as being complied with.**

14.DC.64 Tree Preservation Order No 1 (Whittle-le-Woods) 2014

Members of the Development Control Committee considered a report from the Head of Governance which recommended formal confirmation of the Tree Preservation Order number 1 (Whittle-le-Woods) without modification.

No objections had been received in response to the making of the order.

RESOLVED (unanimously) – That formal confirmation of the Tree Preservation Order number 1 (Whittle-le-Woods) be approved.

14.DC.65 Proposed Confirmation of Tree Preservation Order No.3 (Clayton-le-Woods) 2014 without modification

Members of the Development Control Committee considered a report from the Head of Governance which recommended formal confirmation of the Tree Preservation Order number 3 (Clayton-le-Woods) without modification.

No objections had been received in response to the making of the order.

RESOLVED (unanimously) – That formal confirmation of the Tree Preservation Order number 3 (Clayton-le-Woods) be approved.

14.DC.66 Appeals and other decisions

The Director of Public Protection, Streetscene and Community submitted a report which informed Members of the Development Control Committee of –

- two appeals that had been lodged with the Planning Inspectorate against the delegated decision to refuse full planning permission.
- an enforcement appeal that had been withdrawn from the Planning Inspectorate
- and; two planning applications from Lancashire County Council
 - a decision to vary condition number 3 of planning permission 09/13/0185
 - the erection of a new single storey extension planning application number 14/00556/CTY.

RESOLVED – That the report be noted.

Chair

Date

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Item 3b	14/00491/FULMAJ
Case Officer	Nicola Hopkins
Ward	Eccleston And Mawdesley
Proposal	Erection of 20 dwellings on land to the rear/side of the Carrington Centre incorporating the substitution of approved house types and the erection of two additional dwellings (resulting in 64 dwellings in total across the whole of the site).
Location	The Carrington Centre, New Mill Street, Eccleston
Applicant	Bloor Homes North West
Consultation expiry:	2nd July 2014
Decision due by:	13th August 2014 (extension agreed until 10th September 2014)

Recommendation

Permit full planning permission subject to the associated legal agreement

Executive Summary

The main issues to consider are the impact of the proposed changes when compared to the approved scheme on this site and the impact of 2 additional dwellings. After fully assessing the proposals the amendments are considered to be acceptable within the context of this site.

Representations

Eccleston Parish Council no comments received	
In total 15 representations have been received which are summarised below	
Objection	
Total No. received: 15	
<ul style="list-style-type: none"> • The proposed change to incorporate 4 houses where 3 were previously approved is unsuitable because: <ul style="list-style-type: none"> - The proposals would be out of character with the area - The lack of a driveway will result in on road parking • The addition of a 4th house facing Bradley Lane gives the appearance of a high density urban development • Existing properties at this end of Bradley Lane are individual in character, are well spaced and enjoy substantial gardens. • Plot 64 is to be 2.5 storeys. This would be the first property of its type to be erected on Bradley Lane and would be highly intrusive in terms of its impact on the existing dwelling opposite its proposed location and on the adjacent playing fields. • A formal agreement was made with Patrick Hemmings and David Forshaw from Northern Trust to build three dwellings in keeping with the local area. These plans were agreed in good faith and should be the last word. • Loss of privacy. • Will interfere the wild live and shade the pond • Not enough room for 4 houses- create squashed appearance • Loss of views • Dwellings extend beyond the established building line • On road parking would interfere within the farm access • The submitted streetscene visualisation is misleading • Will create a terrace effect 	

Consultees

Consultee	Summary of Comments received
LCC Planning Officer (Strategic Planning)	Has confirmed that the proposals have been assessed by the LCC Education team and has not resulted in a request for a planning contribution.
LCC Highways	From highways perspective, the proposed substitution of house types and the additional two houses does not constitute a major shift from the previously approved development as to warrant a review of previous highways comments. As such, I have no objections to the proposal.

AssessmentBackground Information

1. The site owners, Northern Trust, applied to the Council in April 2011 (11/00366/OUTMAJ) for the erection of a replacement Local Centre Parade, Supermarket and up to 40 residential dwellings (outline application) and for the relocation of existing pond to provide enhanced new pond (full application). The application was refused at Development Control Committee on 15th September 2011. The applicants appealed this decision and the appeal was allowed on 6th March 2012.
2. Following the approval Northern Trust submitted a full application for the site which was markedly different than the originally approved scheme for this site. The full application proposed the erection of a replacement local centre including associated parking and servicing areas and the erection of 62 residential dwellings. Planning permission was granted in August 2013 and works have commenced on site including the completion of the local centre and works have begun on the dwellings.

Principal of Housing Development

3. The site has full planning permission for 62 new dwellings. The current application proposes to substitute 18 previously approved dwellings and erect 2 additional dwellings which will result in the erection of 64 dwellings across the site. The proposed changes are as follows:

Full application	Two bed house	Three bed house	Four bed house	Five Bed house	Total
Approved					
11/00366/OUTMAJ					40
13/00156/FULMAJ	4	11	44	3	62
13/01106/FUL	8	7	44	3	62
Proposed					
14/00491/FULMAJ	8	7	44	5	64

4. The site is currently allocated within the Adopted Local Plan 2003 as partly retail land (under Policy SP6) and partly safeguarded land (under Policy DC3). Within the emerging Local Plan part of the site is allocated as a District and Local Centre under Policy EP7 and part of the site is allocated for housing under Policy HS1.50.
5. The Inspector has issued her partial report on the findings into the soundness of the Chorley Local Plan 2012-2026 which is a material consideration in the consideration of any planning application. In summary, the plan is considered to be legally compliant. In relation to soundness, the plan is considered sound, with the exception of matters relating to Gypsies and Travellers. The examination of the local plan remains open, and the Inspector will reconvene the examination later in 2014 to consider Gypsy and Traveller matters, which would enable the adoption of the local plan, following a supplementary report.
6. Paragraph 18 of the Partial Report states: *"For the avoidance of doubt, the Plan may not be adopted until it has been changed in accordance with all the main modifications set out in the Appendix to this partial report and any which may be specified in the Appendix of my forthcoming supplementary report. However because of the very advanced stage in the examination process that the main modifications set out in the Appendix have reached, significant weight should be attached to all policies and proposals of the Plan that are amended accordingly, where necessary, except for matters relating to Gypsies and Travellers."*
7. The Council accepted the Inspector's modifications for Development Management purposes at its Executive Committee on 21st November 2013. It is therefore considered that significant weight can be given to her report, and to the policies and proposals of the emerging Local Plan, as amended by the main modifications.
8. The western half of the site is allocated under Policy EP7 which states:

The boundaries of the District and Local Centres are defined on the Policies Map. The following criteria apply for change of use and development in District and Local Centres:

- a) Planning permission will be granted for A1, A2, A3, and A4 uses which support the role and function of District and Local Centres.
- b) A5 uses (hot food takeaways) will only be permitted if the District or Local Centre falls outside of the 400 metre exclusion zone (identified in the Access to Healthy Food SPD) and where the proposal would not adversely impact, either individually or cumulatively, on the function, vitality and viability of the centre.
- c) Planning permission will not be granted for non-retail uses (including the loss of A1 use) 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. This will need to be demonstrated through an active 12 month marketing process showing that the property has been offered for sale on the open market at a realistic price and that no reasonable offers have been refused.

The provision of flats on the upper floors of the building will be encouraged but this will not apply where the applicant can demonstrate that the whole building will be fully utilised for retail/commercial purposes.

9. Similar to Policy SP6, although the area of land covered under Policy EP7 is larger than that allocated under Policy SP6 (approximately 29 of the proposed dwellings are located within the emerging local centre allocation), the erection of dwellinghouses within the Local Centre is contrary to criteria a and b of the above policy.
10. However there is an extant planning approval on this site for 62 dwellings and as such the principle of developing the site for housing has been established.

Affordable Housing

11. Policy 7 of the Core Strategy requires 35% affordable housing in rural areas and as such there would be a requirement to incorporate 35% (or 22 dwellinghouses) on site affordable housing.
12. The approved scheme details 12 affordable houses (which equates to 19%) which was directly linked to the financial viability of the scheme. Policy 7 does reference financial viability as a material consideration and in this case a reduced percentage of affordable housing was approved at this site.
13. When the previous application was considered at this site Liberata, on behalf of the Council, assessed the submitted assessment. Liberata considered that a higher residential land value should be applied to the scheme which could be used to provide additional onsite affordable housing. In this regard it was acknowledged that further on-site provision would result in the loss of market housing and as such the viability of the scheme however the S106 Agreement secured £100,000 for off-site affordable housing to ensure that the scheme was more in line with Policy 7.
14. Whilst the addition of 2 dwellings does not generate the need for additional affordable units across the whole site it is noted that the scheme does not provide the specified affordable housing percentage in accordance with Policy 7. Whilst the addition of 2 five bedroom family dwellings will increase the profit received from house sales it is noted that the residential land value was a consideration as part of the previous scheme and was raised to provide a commuted sum contribution of £100,000. It is considered that in the case of 2 additional dwellings the returns will not be increased to the degree to request further affordable housing in this case given that a substantial commuted sum has already been secured from this site for affordable housing.

Density

15. The developable area of the proposed residential part of the site covers 2.47 hectares. The erection of 64 dwellings equates to a density of approximately 26 dwellings per hectare. Policy 5 of the Core Strategy relates to housing densities and states that the authorities will secure densities of development which are in keeping with local areas and

which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of an area, consideration will also be given to making efficient use of land. The original approval (11/00366/OUTMAJ) equated to approximately 23 dwellings per hectare and the previous approval (13/00156/FULMAJ) equated to a density of 25 dwellings per hectare is appropriate for this rural location. As such the density is considered to be appropriate.

House Type Substitutions

16. The proposed application includes substituting 18 of the approved dwellinghouses as follows:

Plot	Approved	Proposed
14	4 bed detached dwelling	4 bed detached dwelling
15	4 bed detached dwelling	4 bed detached dwelling
16	3 bed semi-detached dwelling	3 bed semi-detached dwelling
17	3 bed semi-detached dwelling	3 bed semi-detached dwelling
18	4 bed detached dwelling	4 bed detached dwelling
22	4 bed detached dwelling	4 bed detached dwelling
26	4 bed detached dwelling	5 bed detached dwelling
27	4 bed detached dwelling	4 bed detached dwelling
28	4 bed detached dwelling	4 bed detached dwelling
33	4 bed detached dwelling	5 bed detached dwelling
34	4 bed detached dwelling	4 bed detached dwelling
35	4 bed detached dwelling	4 bed detached dwelling
44	4 bed detached dwelling	4 bed detached dwelling
47	4 bed detached dwelling	4 bed detached dwelling
57	4 bed detached dwelling	4 bed detached dwelling
60	5 bed detached dwelling	5 bed detached dwelling
61	5 bed detached dwelling	4 bed detached dwelling
62	5 bed detached dwelling	4 bed detached dwelling

17. The main alteration in respect of this application relates to plots 60-62 which have been relocated when compared to the approved layout to enable the erection of 2 additional 5 bedroom detached dwellings (plots 63 and 64). This involves the erection of 1 additional dwellings fronting and served via Bradley Lane and one additional dwelling to the rear of the plots fronting Bradley Lane served from within the development site. As noted above several concerns have been raised about the proposed additional dwelling served off Bradley Lane.

18. The concerns raised relate to:

- *Out of character with the area-* Bradley Lane accommodates a mixture of dwelling types including terraced/ semi-detached and detached. Whilst it is appreciated that at this part of Bradley Lane the immediate character is detached dwellings located within relatively generous plots it is not considered that the erection of large detached family dwellings as proposed with a decent amount of private amenity space is so completely out of character with the area to warrant refusal.
- *lack of a driveway will result in on road parking and on road parking would interfere within the farm access-* Plots 61 , 62 and 63 have driveways which measure 6 metres in length and 5 metres wide which is sufficient to accommodate two cars. Each of these plots has an integral garage which is large enough to accommodate a car. As each of these dwellings has provision for 3 off road parking spaces this is in accordance with the Council’s parking standards. The Highway Engineer has reviewed the proposals and raised no concerns with highway conflicts.
- *Dwellings extend beyond the established building line-* It is noted that the plots are sited forward of the building line of 62 Bradley Lane however are set further back from the road than other dwellings along Bradley Lane (in particular the terraced dwellings). Whilst there is a generally uniform front building line for 54-62 Bradley Lane it is noted that the approved dwellings on both plots 60 and 61 are sited forward of the building line and as such the principle of this design approach has already been established.

- *Will create a terrace effect-* although the dwellings will be sited closer together than the 3 approved dwellings within this part of the site these are still detached dwellings with a 2m gap retained between the dwellings which will avoid a terracing effect.
19. The proposals now include the erection of twelve 2.5 storey dwellings (plots 14, 15, 16, 17, 22, 26, 28, 33, 35, 47, 57 and 64) and four 3 storey dwellings (plots 18, 27, 34 and 44) which differs from the approved scheme which was all 2 storey dwellings. The 2.5 storey dwellings incorporate accommodation in the roof space through the insertion of front dormer windows and as such do not differ for the appearance of a 2 storey dwelling to a significant degree. The three storey dwellings will however have a greater massing than the approved 2 storey dwellings.
 20. Three of the four proposed three storey dwellings are located within the development site (plots 18, 34 and 44) whilst the proposals incorporate the erection of a second floor window this will serve a bathroom and as such will not result in any further loss of privacy to the neighbouring properties.
 21. Plot 27 is located adjacent to the turning head at Middlewood Close and as such will not result in any loss of amenity to existing residents.
 22. There are varying types and sizes of dwellings within Ecclestone and as such it is not considered that the introduction of 2.5 and 3 storey dwellings as proposed is unacceptable on this site.

Impact on the neighbours

23. The immediate neighbours to the application site are the residential dwellings on Middlewood Close and Bradley Lane. All of the proposed dwellings subject to this application (plots 26, 27, 28, 61) which border the common boundary with existing residential dwellings meet the Council's standard spacing distances and as such no loss of amenity, including loss of privacy and overlooking, will be created for the existing or future residents.

Open Space

24. When the previous application was considered on this site the proximity of the site to existing open space was taken into account although it also was noted that new housing development raises the local population, and consequently places additional pressure on existing publicly accessible sport and recreation facilities. The associated legal agreement included the following contributions:
 - Amenity greenspace = £5,270 (£85 per dwelling)
 - Equipped play area = £26,412 (£426 per dwelling)
 - **TOTAL = £31,682**
25. This application will be subject to a supplemental agreement to tie the approval into the original obligations. As the current proposals still do not include provision for either amenity or equipped play space the additional 2 family dwellings generate the need for additional contributions as follows.
26. The Open Space and Playing Pitch SPD was adopted for development control purposes at the Council meeting on 17th September 2013. Therefore, the requirements below are based upon the standards within emerging Local Plan Policies HS4A and HS4B and the approach in the SPD.

Amenity greenspace

27. There is currently a deficit of provision in Ecclestone in relation to this standard, a contribution towards new provision in the settlement is therefore required from this development. The amount required is £140 per dwelling.

Provision for children/young people

28. There is currently a surplus of provision in Ecclestone in relation to this standard, a contribution towards new provision in the settlement is therefore not required from this

development. The site is also not within the accessibility catchment (800m) of any areas of provision for children/young people that are identified as being low quality and/or low value in the Open Space Study. A contribution towards improvements is therefore also not required from this development.

29. Contribution from additional 2 dwellings: Amenity greenspace £280. This will be scored as part of the associated legal agreement.

Traffic and Transport

30. The Highway Engineer at LCC has reviewed the proposals and confirmed that from a highways perspective, the proposed substitution of house types and the additional two houses does not constitute a major shift from the previously approved development as to warrant a review of previous highways comments. As such, the Engineer has no objections to the proposal.

Parking

31. The scheme incorporates a mixture of 3, 4 and 5 bedroom properties. Policy ST4 of the emerging Local Plan states that proposals for development will need to make parking provision in accordance with the standards set out in Appendix D of the emerging Local Plan.
32. Within this rural settlement there is a requirement for 2 off road parking spaces for 2/3 bedroom dwellings and 3 off road parking spaces for larger dwellings. The scheme incorporates a mixture of driveway and garage parking provision. The majority of the scheme accords with these standards and all of the detached garages accord with the Manual for Streets dimensions (6x3 metres single garage) to 'count' as a parking space.
33. There is one area where the standards are, however, not meet as follows:
- Plot 22 is a four bedroom dwelling which only accommodates 2 off road parking spaces.
34. Plot 22 incorporates a 9 metre long driveway and single garage. In this part of the site the presence of the protected trees along the boundary and their associated root protection zones hinders the ability for the garage accommodation to be relocated further back into the site to provide more driveway space. This property is located close to the end of a cul de sac and away from the proposed retail section of the site and it is considered in this situation, whereas bedroom 4 is a very small room, that a lower number of off road parking spaces will not create any highway safety issues. The layout also reflects the approved scheme on this site which is still extant and could be implemented.

Sustainability

35. Policy 27 of the Core Strategy currently requires dwellinghouses to be built to meet Code for Sustainable Homes Level 4 (this increases to Level 6 on 1st January 2016). This will be addressed by condition.
36. Policy 27 also includes the following requirements:
- Criteria (a) - Evidence is set out to demonstrate that the design, orientation and layout of the building minimises energy use, maximises energy efficiency and is flexible enough to withstand climate change;
- Criteria (b) - Prior to the implementation of zero carbon building through the Code for Sustainable Homes for dwellings or BREEAM for other buildings, either additional building fabric insulation measures,
- Or
- appropriate decentralised, renewable or low carbon energy sources are installed and implemented to reduce the carbon dioxide emissions of predicted energy use by at least 15%;
- Criteria (c) - Appropriate storage space is to be provided for recyclable waste materials and composting;
- Criteria (d)- If the proposed development lies within a nationally designated area, such as a Conservation Area or affects a Listed Building, it will be expected to satisfy the requirements of the policy through sensitive design unless it can be demonstrated that

complying with the criteria in the policy, and the specific requirements applying to the Code for Sustainable Homes and BREEAM, would have an unacceptable adverse effect on the character or appearance of the historic or natural environment.

- 37. This part of the policy relates to a reduction in carbon emissions. A Carbon Reduction Statement for this site has already been submitted and as such a compliance condition will be attached to any positive recommendation to adhere to the previously approved measures.

Ecology

- 38. All of the ecological implications of this site have been previously addressed which included the relocation of the pond. Concerns have been raised about the dwellings overshadowing the pond however the dwellings are sited to the south west of the relocated pond and are sited further away than the approved dwelling in this part of the site

Community Infrastructure Levy

- 39. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for housing - £65 per sq m. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013.

- 40. The original planning approval for housing at this site pre-dates the levy and as such was not subject to CIL. However this full application proposes new residential development after the levy is applied and as such could be liable for CIL.

- 41. The Local Planning Authority requires plot substitutions to be dealt with via the submission of a full application as they are not considered minor amendments to the approved scheme and as such could not be dealt with via the submission of a S73 application. However the CIL regulations only specify that the fall back position of approved schemes can only be taken into account in respect of CIL when a S73 application is submitted.

- 42. In the case of sites within Chorley it is considered that a pragmatic approach is appropriate given that the intention of CIL was never to retrospectively impose CIL charging on approved schemes. As such the extent of approved development is subtracted from the extent of proposed development and CIL is only charged on the uplift created by virtue of the proposed amendments.

- 43. The total residential floorspace approved and proposed on these plots is set out below:

Plot	Proposed (m²)	Approved (m²)
14	153.29	128.11
15	253.29	128.11
16	91.23	69.68
17	91.23	69.68
18	150.13	121.51
22	135.08	111.48
26	172.79	157.23
27	150.13	121.51
28	135.08	162.58
33	172.79	139.35
34	150.13	121.51
35	135.08	111.48
44	150.13	121.51
47	135.08	99.03
57	135.08	99.03
60	181.16	231.32
61	120.77	231.32
62	148.64	231.32

63	157.93	N/A
64	172.79	N/A
Single Garage	18 (x7) 126	18 (x9) 162
Double Garage	36 (x6) 216	36 (x5) 180
TOTAL	3333.83	2797.76
Difference	536.07m²	

44. As the floor area proposed is more than that approved the CIL levy for this development is £34,844.55

Overall Conclusion

45. The majority of the proposals involve house type substitutions which respect the character of the scheme already approved on this site. Whilst the proposals now include the erection of twelve 2.5 storey dwellings and four 3 storey dwellings it is considered that these can be adequately accommodated onto the site. There is sufficient capacity within the site to accommodate the two additional dwellings and although this involves further built development along Bradley Lane this change is considered to be acceptable. As such the proposals are recommended for approval.

Planning Policies

46. In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Borough Local Plan Review 2003 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposals has had regard to guidance contained within the National Planning Policy Framework (the Framework), the development plan and the emerging Local Plan 2012-2026. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

Reference	Description	Decision	Date
87/00242/COU	COU of shop unit to office	Approved	May 1987
89/00524/FUL	Creation of 3 shop units and alteration of internal walkway	Approved	August 1989
89/01151/COU	Change of use of one conservatory unit inside centre to office use.	Approved	January 1990
94/00730/COU	Change of Use from Shop (Class A1) to Financial and Professional Services Office (Class A2).	Approved	October 1994
94/00731/COU	Change of Use from Shop (Class A1) to Cafe/Hot Food Take Away (Class A3).	Approved	November 1994
99/00115/COU	Change of use from printing factory to gym	Approved	April 1999
00/00661/COU	Change of use from retail to Internet/Cyber cafe	Approved	October 2000
05/00794/COU	Change of use from A1(shop) to A4 (wine bar).	Approved	September 2005
11/00366/OUTMAJ	Outline application for the erection of a replacement Local Centre Parade, Supermarket and up to 40 residential dwellings with associated areas of parking and servicing (all matter reserved apart from access). Full application for the relocation of existing pond to provide enhanced new pond	Refused September 2011. Allowed on appeal March 2012.	
13/00156/FULMAJ	Erection of a replacement local centre including associated parking and servicing areas and the erection of 62 residential dwellings	Approved	August 2013
13/01106/FUL	Substitution of house types on plots 26, 30, 36, 41, 46, 48, 49, 50 and 59	Approved	January 2014
14/00345/MNMA	Application for a minor non-	Approved	April 2014

	<p>material amendment to re orientate plot 36 to address concerns raised about the highway layout and to amend the approved external facing bricks (approved as part of application 13/01106/FUL)</p>		
<p>14/00595/MNMA</p>	<p>Minor non material amendment application to replace the approved facing brick from Hanson Crowhurst Multi reserve brick to Ibstock Hardwicke Lenton Dark Multi along with the use of Hanson Oakthorpe Red Mutli Stock brick, Hanson Wentworth Mixture and Hanson Oakthorpe Red Multi Stock (in respect of planning approval 13/01106/FUL)</p>	<p>Approved</p>	<p>June 2014</p>

Suggested Conditions

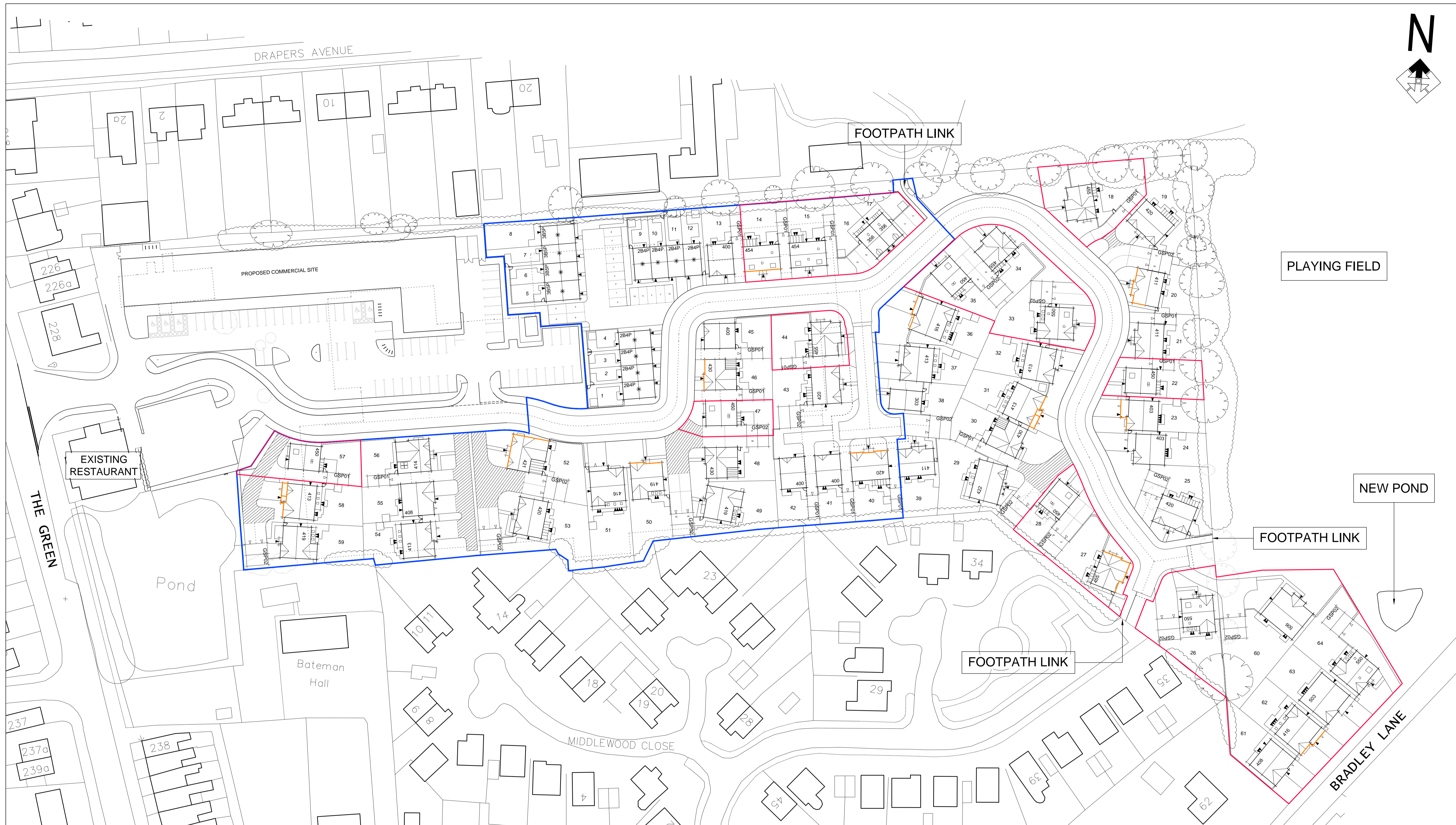
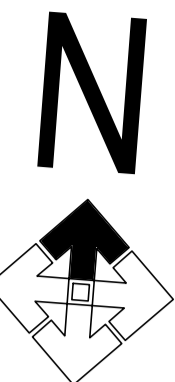
No.	Condition																																																																																								
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004</p>																																																																																								
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="368 562 1350 2022"> <thead> <tr> <th data-bbox="368 562 628 595">Title</th> <th data-bbox="628 562 836 595">Plot</th> <th data-bbox="836 562 1110 595">Drawing Reference</th> <th data-bbox="1110 562 1350 595">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="368 595 628 629">Planning Layout</td> <td data-bbox="628 595 836 629"></td> <td data-bbox="836 595 1110 629">C079_PL01 Rev H</td> <td data-bbox="1110 595 1350 629">2nd May 2014</td> </tr> <tr> <td data-bbox="368 629 628 663">Location Plan</td> <td data-bbox="628 629 836 663"></td> <td data-bbox="836 629 1110 663">C079_LP01</td> <td data-bbox="1110 629 1350 663">2nd May 2014</td> </tr> <tr> <td data-bbox="368 663 628 752">Floor Plans & Elevations Cottage Brick</td> <td data-bbox="628 663 836 752">16 and 17</td> <td data-bbox="836 663 1110 752">356.C_PL01</td> <td data-bbox="1110 663 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	Means of Enclosure Layout (Fencing)		NW016-SL-004G	14 th August 2014
	Materials Layout		NW016-SL-007	14 th August 2014
	Hard Landscaping Layout		C079_11	14 th August 2014
	1.8m overlap Ecology Timber Panel Fence		001_25	14 th August 2014
	1.8m Close Board Ecology Timber Fence Detail		001_24	14 th August 2014
	0.45m Timber Knee Rail Fence		001_23	14 th August 2014
	1.2m Timber Post & 3 Rail Fence		001_06	14 th August 2014
	1.2m High Metal Railings		001_04	14 th August 2014
	Reason: For the avoidance of doubt and in the interests of proper planning			
3.	<p>All dwellings commenced prior to 31st December 2015 will be required to meet Code Level 4 of the Code for Sustainable Homes and all dwellings commenced after 1st January 2016 will be required to meet Code Level 6 of the Code for Sustainable Homes. Within 6 months of occupation of each dwelling a Final Certificate, certifying that the relevant Code for Sustainable Homes Level for that dwelling has been achieved, shall be submitted to the Local Planning Authority.</p> <p>Reason: In the interests of minimising the environmental impact of the development.</p>			
4.	<p>Prior to the commencement of the development a 'Design Stage' assessment and related certification shall be submitted to and approved in writing by the Local Planning Authority. The assessment and certification shall demonstrate that the dwellings will meet the relevant Code Level.</p> <p>Reason: In the interests of minimising the environmental impact of the development.</p>			
5.	<p>No dwelling shall be occupied until a letter of assurance; detailing how that plot has met the necessary Code Level has been issued by a Code for Sustainable Homes Assessor and approved in writing by the Local Planning Authority.</p> <p>Reason: In the interests of minimising the environmental impact of the development.</p>			
6.	<p>The dwellinghouses hereby permitted shall be constructed in accordance with the measures contained within the approved Energy Statement (undertaken by Briary Energy). In particular carbon emissions in respect of the approved development will be reduced by 25.1% above 2010 Building Regulations.</p> <p>Reason: In the interests of minimising the environmental impact of the development.</p>			
7.	<p>Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plans. The development shall be carried out strictly in conformity with the approved details.</p>			

	Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.
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 accordance with Policy TR4 of the Chorley Borough Local Plan Review 2003
9.	A scheme of landscaping (including habitat creation, enhancement and management) for each phase or sub-phase shall be submitted the Local Planning Authority for approval in writing prior to the commencement of that phase or sub-phase of development. The scheme shall indicate the types and numbers of trees and shrubs to be planted, their distribution on the site, those areas to be seeded, paved or hard landscaped and details of any changes of ground level. The scheme shall include the retention/replacement of hedgerows and trees to maintain the extent of Habitat of Principal Importance, and bat foraging and commuting habitat, and bird nesting opportunities. The scheme shall also include details of long-term management of features including hedgerows and ponds. Landscaping and restoration schemes should aim to protect, enhance, expand and connect existing habitats. Landscaping and restoration schemes should also aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the area. Reason: In the interests of the visual amenities of the area and the biodiversity value of the site.
10.	All planting, seeding or turfing comprised in the approved details of landscaping above shall be carried out in the first planting and seeding seasons following the occupation of the dwellings hereby permitted, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. Reason: In the interest of the appearance of the locality.
11.	The development shall be completed in accordance with the approved external facing and roofing materials unless otherwise agreed in writing by the Local Planning Authority. Reason: To ensure that the materials used are visually appropriate to the locality.
12.	The development shall be completed in accordance with the approved hard landscaping (ground surfacing materials) materials. Reason: To ensure a visually satisfactory form of development.
13.	No building shall be erected within 3 metres of any public sewer. Reason: To protect existing service infrastructure. In accordance with Government guidance contained within the National Planning Policy Framework
14.	The development of this site shall be undertaken in accordance with the site investigation report (Undertaken by Coopers Consulting Engineers, for the Carrington Centre Ref: 5587si(p1)). Upon completion of actions, as outlined in section 21 of the report, and detailed further within the relevant sections of the report, the necessary reports shall be submitted to and approved in writing by the Local Planning Authority. Reason: To protect the environment and prevent harm to human health, by ensuring the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012).
15.	Should, during the course of any phase of the development, any contaminated

	<p>material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development phase should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority. Reason: To protect the environment and prevent harm to human health, by ensuring the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012).</p>
16.	<p>During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards. Reason: To safeguard the trees to be retained</p>
17.	<p>The demolition and construction works associated with the development hereby permitted shall not take place except between the hours of:</p> <ul style="list-style-type: none"> • 0800 to 1800 Monday to Friday • 0800 to 1300 on Saturdays. <p>No demolition or construction activities shall take place on Sundays or Public and Bank Holidays. Reason: To safeguard the amenities of local residents, to protect nearby noise sensitive buildings</p>
18.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (Schedule 2, Part 1, Classes A, B, C, D, E) or any subsequent re-enactment thereof no extension to the dwellings on plots 18, 26, 28, 33, 34, 35, 44, 47, 57, 61, 62, 63 and 64 porch, garden shed, greenhouse, garage or car port shall be erected nor any hardstanding area extended other than those expressly authorised by this permission. Reason: In the interests of amenities of the existing and future residents.</p>
19.	<p>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 and to provide reasonable standards of privacy to residents.</p>
20.	<p>The garages hereby approved shall be kept freely available for the parking of cars and no works, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order amending or revoking and re-enacting that order, shall be undertaken to alter convert the space into living or other accommodation. Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking.</p>
21.	<p>The development hereby permitted shall hereafter comply with the measures contained within the approved Travel Plan (ref: SMCGS/14049/TP/2 received 20th March 2014). Reason: To reduce the number of car borne trips and to encourage the use of public transport.</p>
22.	<p>All windows in the second floor of the rear elevation of house type 455 hereby permitted shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the</p>

	<p>local planning authority.</p> <p>Reason: In the interests of the privacy of occupiers of neighbouring property.</p>
23.	<p>Plots 14-17 hereby approved shall be constructed in accordance with the approved noise mitigation measures set out within the Acoustic Report (ref: R0670/L01/IE, dated 22/11/2013) undertaken by Red Acoustics</p> <p>Reason: to safeguard the amenities of the future residents</p>



Key

- GSP01 - SINGLE GARAGE 6x3m
- GSP02 - DOUBLE GARAGE 6x6m
- *ALL INTEGRAL GARAGES MEASUR 6x3m

- Rendered property
- Tree to be retained
- Tree to be removed
- Denotes shared surface
- Denotes affordable unit
- Building to be removed

Plot No.	Household Name	Total Sqft	No.
1	The Grange	1100	1
2	The Grange	1100	1
3	The Grange	1100	1
4	The Grange	1100	1
5	The Grange	1100	1
6	The Grange	1100	1
7	The Grange	1100	1
8	The Grange	1100	1
9	The Grange	1100	1
10	The Grange	1100	1
11	The Grange	1100	1
12	The Grange	1100	1
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20	The Grange	1100	1
21	The Grange	1100	1
22	The Grange	1100	1
23	The Grange	1100	1
24	The Grange	1100	1
25	The Grange	1100	1
26	The Grange	1100	1
27	The Grange	1100	1
28	The Grange	1100	1
29	The Grange	1100	1
30	The Grange	1100	1
31	The Grange	1100	1
32	The Grange	1100	1
33	The Grange	1100	1
34	The Grange	1100	1
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Revision	Date	Description	By
H	26.03.2014	2.5 storey replan affecting plots 14,15,16,17,18,22,26, 27,28,33,34,35,44,47,57. Bradley Lane replan affecting Plots 60-64 inc.	SJS
G	24.03.2014	Plots 36 repositioned to Highways 538 comments.	SJS
F	12.02.2014	Replan approved removing houseplots 415,401&423. Plots 59,50,49,48,46,41,36,30,29 affected.	SJS
D	07.05.2013	Plot 36 changed to 3 bed, 30 row with DG.	SJS
E	10.05.2013	Plots changed to 2B4P. PFLs added to plan.	SJS
C	03.05.2013	Layout updated to retail & affordable plots.	SJS
B	17.04.2013	Layout updated to Planner comments.	SJS
A	12.02.2013	Plot 22 changed to 411; layout amended to suit AIA.	SJS

BLOOR HOMES

J S BLOOR (NORTH WEST) LIMITED
 2-4 WHITESIDE BUSINESS PARK, STATION ROAD,
 HOLMES CHAPEL, CHESHIRE, CW4 8AA
 TELEPHONE 01477 536550 FACSIMILE 01477 536551

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Drawing No. **C079_PL01**

the green ~ eccleston

Job: Proposed Retail & Residential Development The Green, Eccleston.
 Title: Planning Layout
 Scale: 1:500
 Date: 23:01:13
 Drawn: BW
 Checked:

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Item 3c	14/00635/REMMAJ
Case Officer	Caron Taylor
Ward	Astley And Buckshaw
Proposal	Reserved matters application for the erection of 64 no. residential dwellings and associated landscape and highway works (pursuant to outline permission ref: 13/00126/OUTMAJ).
Location	Group 1, Euxton Lane, Euxton
Applicant	Charles Church Lancashire
Consultation expiry:	18th July 2014
Decision due by:	5th September 2014

Recommendation

The application is recommended for approval subject to the parking issues being overcome. This will be updated on the addendum.

Executive Summary

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 apart from the parking levels. This has been raised with the applicant and will be reported on the addendum. Subject to these being acceptable the application is recommended for approval.

Representations

Euxton Parish Council has made no comments on the application.
No representations have been received on the application.

Consultees

Consultee	Summary of Comments received
United Utilities	Have no objection subject to conditions.
Lancashire County Council Highways	Have no objections to the reserved matters application, however they suggest conditions relating to highway matters be attached to any permission.

AssessmentBackground Information and Principle of the Development

1. The principle of the proposal has already been established by outline planning permission 08/00910/OUTMAJ, but all matters were reserved. This application is therefore applying for the access, appearance, landscaping, layout and scale of the proposal. The 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 and Layout

2. The application site is within Plot H2 of the approved Design Code and is known as a 'Woodland Green' area. There are three such plots on the site, H2 being the largest. Plot H4 is the smallest and is within the Borough of South Ribble. Plot H3 is the medium sized one and is situated close to the border with South Ribble. Plots H3 and H4 both have full permission, H4 within South Ribble is constructed and occupied, Parcel H3 is currently under construction.
3. The approved Design Code shows this application parcel to be low density housing at a proposed density of 20-30 dwellings per hectare. The proposed layout is equivalent to 28.4 dwellings per hectare so complies with the Code. It also states that the parcel will have an informal layout with outward facing development creating an open aspect with passive surveillance of the surrounding mature woodland and public spaces. House types to be detached with in-curtilage parking and a mix of boundary types from open plan to native clipped hedge planting.
4. The layout incorporates informal streets and all the proposed houses are detached two-storey dwellings with in-curtilage parking.
5. Like on Parcel H3 the boundary treatments are important on this parcel given its relationship with the woodland. The properties are laid out so those on the outside of the parcel face towards the woodland to avoid the rear of properties backing onto the woodland and negate the need for secure rear boundaries. The Design Code states that the overriding consideration is for the development to respect the importance of the landscape setting. It is considered the outside facing layout respects the woodland setting and gives passive surveillance of the surrounding woodland. 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.
6. 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.
7. The design and layout is therefore considered acceptable and in accordance with the Design Code.

Impact on the neighbours

8. The application site is set within a distinct parcel within the Group 1 site. There are no existing properties on or adjacent to the site and there will be no other parcels immediately adjacent to this one so there are no neighbour amenity issues outside the site.
9. Within the site, following the receipt of amended plans the proposal complies with the Council's interface distances and is therefore considered acceptable in terms of the relationships between the proposed properties.
10. All the proposed properties have conservatories on their rear elevations. If this application is permitted these would form part of the original dwelling in terms of future permitted development rights. Building further out than this could have significant impacts on neighbouring properties and therefore a condition is proposed preventing extensions being built off the rear elevation of the approved conservatories approved

under this but keeps the other permitted development rights of the properties intact.

Trees and Landscape

11. The Design Code states that there is a cluster of mature trees stand in the centre of the area and that these will be protected and incorporated into the housing layout. At the time of the site visit for this application there were not trees on the site to protect.
12. No landscaping scheme has been supplied with the application, it is considered an acceptable one can be achieved and a condition is therefore proposed controlling this.

Traffic and Transport

The site will be accessed from a single approach road that goes over Buckshaw Brook off the main spine road running through the wider development linking Central Avenue with Wigan Road. This will then divide off which will be a number of shared surface cul-de-sacs. This is as envisaged by the Design Code and is considered acceptable.

13. 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. Not all the properties meet this requirement and this issue has been raised with the applicant. This issue will be updated on the addendum.
14. Garages counted as a parking space will be conditioned to prevent them being converted without express planning permission being granted.

Contamination

15. 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

16. 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.
17. A condition will be applied requiring specific details to be submitted for this parcel.

Sustainability

18. The proposal is a Reserved Matters application. The condition applied to the original outline permission for Group 1 (08/00910/OUTMAJ) was varied under permission ref: 13/00126/OUTMAJ to require the scheme to be built to Code for Sustainable Homes Level 4. A condition requiring details of how this condition will be met to be provided.

Legal Agreement

19. A legal agreement attached to the outline permission secures affordable housing provision across the site. This will not be provided on this 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 and they have been made aware of this. The amount of affordable housing to be provided across the site of a whole has been reduced to 15% through application ref: 13/00649/FUL (permitted 20th September 2013) which was to vary the affordable housing obligations contained in the original legal agreement. 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.

20. The infrastructure and affordable housing provision related to the site has therefore already been secured through the outline permission.

Overall Conclusion

21. 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 apart from the parking levels. This has been raised with the applicant and will be reported on the addendum. Subject to these being acceptable the application is recommended for approval.

Planning Policies

22. In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Borough Local Plan Review 2003 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposals has had regard to guidance contained with the National Planning Policy Framework (the Framework), the development plan and the emerging Local Plan 2012-2026. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

Reference	Description	Decision	Date
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.	Permitted	21 st December 2012
09/00095/FULMAJ	Land reclamation and remediation earthworks to create a development platform at Group 1, Buckshaw Village (site area 54.34 hectares).	Permitted	22 nd December 2009
11/00403/OUTMAJ	Section 73 application to vary condition 29 (access on the A49) attached to outline planning approval 08/00910/OUTMAJ	Permitted	27 th July 2011
12/00475/FULMAJ	Section 73 application to vary condition 18 (southern boundary treatment) attached to planning approval 09/00095/FULMAJ	Permitted	4 th January 2013
12/00688/FUL	Construction of an access road leading from Central Avenue together with earthworks and landscape treatment associated with the realignment of watercourses	Permitted	2 nd November 2012

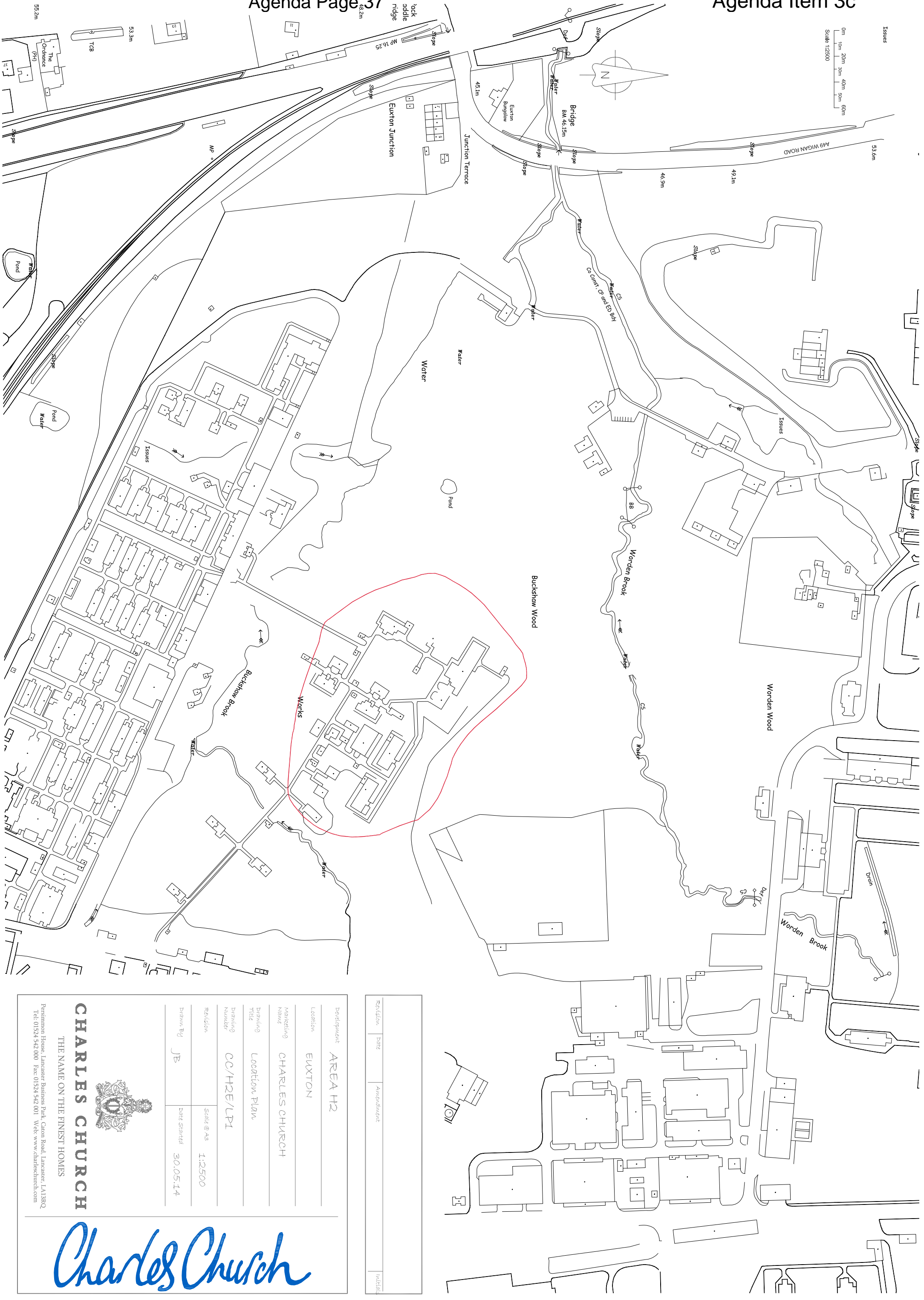
13/00126/OUTMAJ	Section 73 application to vary condition no. 17 (Code for Sustainable Homes) of planning permission no. 11/00403/OUTMAJ to remove the requirement for dwellings built post January 2016 to achieve Level 6	Permitted	17 th July 2013
13/00649/FUL	Application under Section 106 BA of the Town and Country Planning Act 1990 (as amended) to modify a planning obligation dated 22 December 2009.	Permitted	20 th September 2013

Recommended Conditions:

No.	Condition																														
1	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 2, Class A) (or any Order revoking and re-enacting that Order) no fences, gates or walls shall be erected within the curtilage of any dwelling hereby permitted (other than those expressly authorised by this permission) or on the boundary of the site.</p> <p><i>Reason: To protect the appearance of the locality and to ensure a satisfactory relationship is maintained with the immediate surroundings.</i></p>																														
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="0"> <tr> <td>Plan Ref.</td> <td>Received On:</td> <td>Title:</td> </tr> <tr> <td>CC/HHT01</td> <td>9th June 2014</td> <td>The Hilliard House Type</td> </tr> <tr> <td>CC/HGHT</td> <td>9th June 2014</td> <td>The Hogarth</td> </tr> <tr> <td>CC/LHT</td> <td>9th June 2014</td> <td>The Lewis House Type</td> </tr> <tr> <td>CC/DHT</td> <td>9th June 2014</td> <td>The Danby House Type</td> </tr> <tr> <td>CC/BGHT</td> <td>9th June 2014</td> <td>The Burgess House Type</td> </tr> <tr> <td>CC/CVHT</td> <td>9th June 2014</td> <td>The Calvert House Type</td> </tr> <tr> <td>CC/BHT</td> <td>9th June 2014</td> <td>The Burton House Type</td> </tr> <tr> <td>CC/HAHT</td> <td>9th June 2014</td> <td>The Harley</td> </tr> <tr> <td>PL/CONS-01</td> <td>9th June 2014</td> <td>Typical Optional Conservatory</td> </tr> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>	Plan Ref.	Received On:	Title:	CC/HHT01	9 th June 2014	The Hilliard House Type	CC/HGHT	9 th June 2014	The Hogarth	CC/LHT	9 th June 2014	The Lewis House Type	CC/DHT	9 th June 2014	The Danby House Type	CC/BGHT	9 th June 2014	The Burgess House Type	CC/CVHT	9 th June 2014	The Calvert House Type	CC/BHT	9 th June 2014	The Burton House Type	CC/HAHT	9 th June 2014	The Harley	PL/CONS-01	9 th June 2014	Typical Optional Conservatory
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CC/HAHT	9 th June 2014	The Harley																													
PL/CONS-01	9 th June 2014	Typical Optional Conservatory																													
3	<p>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.</p> <p><i>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.</i></p>																														
4	<p>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</p>																														


	<p>any dwelling on the site and retained and maintained as such at all times thereafter.</p> <p><i>Reasons: To reduce the increased risk of flooding.</i></p>
5	<p>Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>
6	<p>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.</p> <p><i>Reason: To ensure the development is in accordance with Government advice contained in the NPPF and Policy 27 of the Core Strategy.</i></p>
7	<p>Each dwelling hereby permitted shall be constructed to achieve Level 4 of the Code for Sustainable Homes.</p> <p><i>Reason: To ensure the development is in accordance with the NPPF and in accordance with Policy 27 of the adopted Core Strategy.</i></p>
8	<p>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.</p> <p><i>Reason: To ensure the development is in accordance with the NPPF and in accordance with Policy 27 of the adopted Core Strategy.</i></p>
9	<p>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 parallel with the rear elevation of the dwelling), without express planning permission being granted.</p> <p><i>Reason: To protect the amenity of adjoining properties.</i></p>
10	<p>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. This shall specifically include details of the hedge with stock proof fence shown on the approved site layout. 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.</p> <p><i>Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents.</i></p>
11	<p>The development hereby permitted shall not commence until full details of the</p>

	<p>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. <i>Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.</i></p>
<p>12</p>	<p>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. <i>Reason: To ensure adequate on site provision of car parking and manoeuvring areas.</i></p>
<p>13</p>	<p>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.. <i>Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking and to safeguard the visual amenity of the area.</i></p>



Revision	Date	Amendment	Initials

Development	AREA H2
Location	EUXTON
Mobilising Name	CHARLES CHURCH
Drawing Title	Location Plan
Drawing Number	CC/H2E/LP1
Revision	Sheet @ A3 1:2500
Drawn By	JB Date Printed 30.05.14



CHARLES CHURCH

 THE NAME ON THE FINEST HOMES

 Persimmon House, Lancaster Business Park, Canon Road, Lancaster, LA13RQ

 Tel: 01524 542 000 Fax: 01524 542 001 Web: www.charleschurch.com

Charles Church

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Item 3d	14/00662/REMMAJ
Case Officer	Nicola Hopkins
Ward	Astley And Buckshaw
Proposal	Reserved matters application for the erection of 14 dwellings and 4 Alton Maisonettes adjacent to the retail area of the Southern Commercial Area (replan of the dwellings approved as part of reserved matters approval 08/01098/REMMAJ and 12/00463/REMMAJ)
Location	Plots 1075 - 1093 The Orchard, Ordnance Road, Buckshaw Village
Applicant	Redrow Homes Ltd
Consultation expiry:	18th July 2014
Decision due by:	12th September 2014

Recommendation
Refuse reserved matters consent

Executive Summary

The proposals represent another standard housing layout on a parcel of land within Buckshaw Village which needs a non-standard, innovative design solution in order to respect the character of the area. Similar to other recent applications on this site the application is considered to be unacceptable.

Representations

Parish Council no comments received
In total 3 representations have been received which are summarised below
Support
Total No. received: 3
<ul style="list-style-type: none">• More residential properties on the village is great news for local businesses• Will complement the existing development.• The already wide range of property styles in that area from different developers does not need another style adding to it.• There is a need for more family sized homes. Will add the finishing touches to an extremely pleasant and attractive corner of Buckshaw Village

Consultees

Consultee	Summary of Comments received
United Utilities	Have commented on the required drainage conditions
LCC Highways	In highways term, there seems very little difference between this proposal and that of 13/00817/REMMAJ which received Highways comment on 04/11/2013, but was refused planning permission. As there are no further comments to be made in respect of the proposal, the Highways response to the previously refused application 13/00817/REMMAJ should still hold for the current proposal.

AssessmentPrinciple of the development

1. Policy 1 (c) iii of the Adopted Core Strategy identifies Buckshaw Village as a location for strategic growth. Policy GN2 of the Adopted Chorley Borough Local Plan Review also applies to the Royal Ordnance Site. This states that high quality and phased development will be permitted for purposes appropriate to the concept of an Urban Village.

Background Information

2. When the reserved matters approval was granted in January 2009 (08/01100/REMMAJ) for the retail elements of the Southern Commercial Area a concurrent application was considered (08/01098/REMMAJ) for purely residential properties adjacent to the local retail centre. The scheme approved the erection of 84 apartments and 24 dwellinghouses on the site. The land has been subsequently divided between Redrow Homes and Barratt Homes.
3. Following this original reserved matters approval Redrow Homes submitted a reserved matters application for Parcel N which included their part of the land adjacent to the local retail centre. That application (12/00463/REMMAJ) amended part of the previously approved scheme.
4. Since the two previous approvals Redrow have applied for several replans all of which have been refused as follows:

Reserved matters application	One bed apartment	Two bed apartment	Two bed house	Three bed house	Four bed house	Total
Approved						
08/01098/REMMAJ	24	0	0	0	14	38
12/00463/REMMAJ	0	42	4	0	0	46
Refused						
13/00817/REMMAJ	0	4	0	11	3	18
14/00264/REMMAJ	0	4	6	9	0	19
Proposed						
14/00662/REMMAJ	0	4	0	11	3	18

5. It is important to note that this is a reserved matters application validated from 13th June however the time period for submitting reserved matters expired on 24th August 2014 (in accordance with planning approval 02/00748/OUTMAJ) and as such no further reserved matters application can be submitted on the Village.

Density

6. The application site covers 0.59 hectares. The proposed scheme equates to a density of 30 dwellings per hectare. The previous approvals equate to 64 and 78 dwellings per hectare respectively, due to the fact that these schemes incorporated apartment accommodation.

Design

7. Within the Masterplan, approved as part of the outline planning permission and the Southern Commercial Design Code, this parcel of land is allocated as a mixed use area including housing. In accordance with the Masterplan it is considered that this parcel should reflect the transition of the area from rural to urban incorporating 2 to 3 storey blocks, principally terraces with individual houses sandwiched in between or attached.
8. The design of the properties on this part of the site has previously been one of the key considerations. The Design Code confirms that the western side of the mixed use core will comprise housing. This is a key frontage and a strong design connection with the housing adjacent to the listed building will be required. The Design Code confirms that there will be no direct vehicular access to the dwellings from the distributor road.

9. The originally approved residential scheme for this parcel of land (along with the parcel directly to the north which Barratt Homes are responsible for developing) incorporated a much more dense form of development. The Committee report set out the following design considerations at that time:

The proposal incorporates a mixture of three storey apartment blocks and 2/2.5 storey terraced/ semi-detached houses. The Ambleside/ Buttermere apartment blocks are located on corner plots with open space and pedestrian access located to the front and side of the building. The buildings incorporate front projections, vertically proportioned windows and dormer style windows in the roof space. The Coniston apartments reflect large three storey dwellinghouses with a mix of brick and render. The dwellinghouses reflect more modern properties with dormer windows and front balconies.

The use of vertically proportioned windows, brick quoins and arched windows with the apartment buildings represent late 18th Century dwellinghouses whereas the more modern dwellinghouses with stone window surrounds and square windows represent mid 19th Century dwellinghouses which accords with the Design Code for this area.

10. The original reserved matters approval was granted to Eden Park Developments, who are responsible for the development of the retail parade, and when Redrow looked at the parcel in more detail amendments were suggested via the submission of reserved matters application 12/00148/REMMAJ. Whilst this reserved matters application related mainly to the land adjacent to Buckshaw Hall this parcel of land adjacent to the retail parade was also included within the red edge. On consideration of the proposals the following concerns were raised in respect of this specific part of the site:

When the design of the properties adjacent to the local retail centre was considered the apartment blocks incorporated front projections, vertically proportioned windows and dormer style windows in the roof space. The dwellinghouses reflected more modern properties with dormer windows and front balconies. It was considered that the use of vertically proportioned windows, brick quoins and arched windows with the apartment buildings represented late 18th Century dwellinghouses whereas the more modern dwellinghouses with stone window surrounds and square windows represent mid-19th Century dwellinghouses. This was considered to be in accordance with the Design Code for this area and reflected the adjacent character of the retail centre. These features appear to been reduced on the current proposals and I would advise reintroducing some of these features to ensure that the proposals reflect the aspirations of the Design Code and the character of the area.

11. The application was subsequently withdrawn and a revised reserved matter application submitted 12/00463/REMMAJ. The amended application incorporated a mixture of three storey apartment blocks and 2 storey maisonettes. The apartment blocks were located on corner plots with open space and pedestrian access located to the side and rear of the buildings. The approved dwelling houses were accessed via Buckshaw Avenue/Ordnance Road and parking was provided in the form of rear parking courts and parking to the front of the Evesham house type. The amended scheme ensured that the scheme reflected the adjacent character of the retail centre and was granted reserved matters approval.
12. The current proposals incorporate a standard housing layout introducing Redrow's Heritage range onto this parcel of land. Whilst it is acknowledged that the Southern Commercial Design Code is 7 years old now and the Design Codes at Buckshaw are ever evolving and developing documents to ensure that the developments reflect market/ design/policy changes this parcel of land is still very important in achieving a transition between the retail centre of the Village and the housing adjacent to Buckshaw Hall. As such the design/ layout considerations are a key element of the proposals which reflects the Government's core land use planning principles of always seeking to secure high quality design.

13. This principle is reflected within Policy 17 of the Adopted Central Lancashire Core Strategy and Policy BNE1 of the emerging Local Plan which, since the publication of the Inspectors Interim Report, can be afforded significant weight. The Policy states:

Planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development:

- a) The proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.
 - b) The development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or overbearing;
 - c) The layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area;
 - d) The residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction;
 - e) The proposal would not adversely affect the character or setting of a listed building and/or the character of a conservation area and/or any heritage asset including locally important areas;
 - f) The proposal would not have a detrimental impact on important natural habitats and landscape features such as historic landscapes, mature trees, hedgerows, ponds and watercourses. In some circumstances where on balance it is considered acceptable to remove one or more of these features then mitigation measures to replace the feature/s will be required either on or off-site;
 - g) The proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses;
 - h) The proposal includes measures to help to prevent crime and promote community safety.
14. This Policy is supported by the Central Lancashire Supplementary Planning Document 'Design Guide' which encourages high quality design of places, buildings and landscaping in the borough.
15. Reserved matters approval (12/01001/REMMAJ) was granted last year for 11 dwellings on the parcel of land immediately to the east of this application site. Formally offices were approved on this site however the land owners applied to erect dwellings on this site. The design and layout reflects an appropriate design solution for this part of the Village and should be reflected within the parcel of land subject to this application. The design and height of the adjacent dwellings forms a transition from the taller commercial units with apartments above to the lower density housing outside the commercial core.
16. When the similar scheme on this site was considered (13/00817/REMMAJ) concerns were raised about the layout of plots 1075-1077 which sought to replicate the 'semi-circular' treatment achieved on Parcel N. The agent for the application was advised of these concerns and advised that the most appropriate solution for this site would be to create a development which fronts directly onto the highway(s), incorporates a rear parking area, reflects the design of the adjacent retail centre utilising corner turning buildings on the corners of the site, utilise 2/2.5/3 storey dwellings directly fronting the

highway to create a vertical emphasis and respect an effective transition in density terms from the approved apartments on the retail area to parcel N (the approved density for this site has reduced significantly with the current proposals).

17. Within this parcel of land it is considered that dwellings should be sited on the corners of the development to provide a vertical emphasis and a frontage to the main public highway together with the properties being accessed via rear courtyard parking.
18. From a marketability perspective a recent S106A application by Redrow Homes within this part of the site (13/00785/S106A) which was approved by Members on 29th October 2013, subject to the legal agreement, specifically related to apartments. At this time Redrow acknowledged that the apartment market was very challenging however in that case the construction could proceed with Government initiatives such as Help to Buy. As such it isn't as 'clear cut' as saying apartments are unsellable.
19. The treatment of plots 1075-1077 still includes the 'semi-circular' feature and reflects the treatment on the opposite side of Ordnance Road. However on the opposite side of Ordnance Road this treatment/ layout was introduced to create a 'gateway' feature to Buckshaw Hall in accordance with the Design Code to create a defined access way to this heritage asset and the surrounding residential properties. A similar treatment is not required on this part of the site and will look particularly unusual as the Barratts scheme does not incorporate that same treatment and as such this treatment will not create a complete circle which may have been justified as an appropriate design solution.
20. This part of the site leads to a roundabout and office development and it is not considered necessary or acceptable to create a 'gateway' to these features half way down the distributor road. Additionally inclusion of this treatment on this part of the site will effectively diminish the effect of the existing 'gateway' feature to Buckshaw Hall which is currently created on site.
21. It is appreciated that Redrow Homes are striving to develop the site with a product that is in demand and will sell hence why they have introduced their Heritage Range, which has been very popular on the Village, onto this parcel of land. However it is not possible to develop this parcel of land with a standard housing layout whilst achieving the most appropriate design and layout solution. As such an innovative and non-standard solution needs to be considered. This approach has been established on the Barratts site, to the north of this parcel of land, where the recent replan (12/00787/REMMAJ) saw a reduction in the parcels density but incorporated Barratts contemporary first time buyer range which have a vertical emphasis and distinguish between the retail core and the more standard dwellings sited adjacent to the Listed Building.
22. The applicant has previously been advised that the dwellings should be sited at the back of footways, vertical emphasis is key, parking should be at the rear and the semi-circular 'gateway' feature should be removed. An apartment led solution could achieve all of the layout and design requirements however alternative solutions could also have the same result and compromises have previously been discussed with the applicants which included incorporating small private access roads with dwellings fronting the main distributor roads, having in-curtilage parking but disguising this at the rear/ side and creating rows of attached dwellings mixing in their Heritage range along with some 2.5 storey vertically proportioned dwellings to provide a vertical, dominant frontage along the distributor roads and the corners of the parcel. This would involve some innovation on the inclusion of the products that Redrow want to build if innovative parking solutions were considered (parking courts are not considered favourably by the applicant). However the layout as submitted results in a standard layout with no design reflection of the adjacent retail/ residential units. Amendments have not been requested as part of this application as this scheme reflects a previously refused layout on this parcel and the applicants have appealed the most recent refusal at this site. As such the Planning Inspector will determine the most appropriate design approach for this site.

23. The Council's Policy and Design Team Leader has previously reviewed the potential development of this parcel of land and considers that a scheme undertaken by Bardsley Homes at Worsley Village would be appropriate for this site as the detached dwelling successfully turn corners and the dwellings incorporate garage/ frontage parking whilst creating massing and scale. The applicants have been advised on the above concerns along with these suggestions for appropriate house types and layout.
24. Concerns have been raised previously in respect of the inclusion of blank facades/ frontages, the lack of considerations of appropriate focal point buildings and the inclusion of parking at the entrance which is a poor design solution.

Impact on Neighbours

25. The site is currently occupied by an earth mound which has been produced from the neighbouring parcels of land however when the site is returned to its post-remediation state it is effectively a flat site. In respect of the layout the scheme works purely in respect of the relationship of the proposed properties and the amenities of the future residents.
26. The layout as proposed effectively results in private garden areas adjacent to the parking court of the adjacent dwellings of the neighbouring piece of land however this reflects the approved layout for the application site which detailed plots 1090-1093 with private garden areas immediately adjacent to the parking court on the adjacent piece of land.
27. The properties on plots 6-11 of the adjacent piece of land are sited over 21 metres from the garden boundaries of the proposed dwellings and even though plots 7-9 incorporate 2nd floor bedroom windows the spacing is considered more than adequate to ensure that no overlooking will be created to the detriment of the future residents.
28. The dwelling on plot 1075 is a two storey semi-detached dwelling which incorporates 2 first floor rear bedroom windows. The window to bedroom 3 does not secure the required 10 metres to the rear garden area of plot 1 on the adjacent piece of land which will lead to an unacceptable level of overlooking. The suggested amendments to the layout set out above, including removing the semi-circle feature, would have addressed this however the layout has not been amended and this relationship is considered to be unacceptable.

Traffic and Transport

29. The scheme incorporates a mix of 3 and 4 bedroom houses. All of the properties incorporate parking in accordance with the Council's standards (2 and 3 parking spaces respectively) and the garage accommodation is large enough to accommodate a car and storage in accordance with Manual for Streets. The one exception to this is plot 1090 which is a 4 bedroom dwelling which only has sufficient space for 2 cars. Amendments to this plot are required to increase the driveway space.
30. The scheme also incorporates four 2 bedroom maisonettes which are effectively apartments. This part of the scheme only incorporates 150% parking provision whereas 200% parking is required in accordance with Emerging Local Plan Policy ST4. This parking provision does however reflect that previously approved within this parcel of land and due to this highly sustainable location a deviation from the standard is considered to be acceptable in respect of the criteria set out within Policy ST4.

Overall Conclusion

31. The proposals effectively create a standard housing layout on a parcel of land which was always envisaged to act as the transition parcel between the commercial core and the residential areas adjacent to Buckshaw Hall. The proposed scheme would create a low density development within an area of the site where the character of the area is higher density. The use dwellings, on the adjacent piece of land, sited at the back of the road/pedestrian frontage effectively creates an enclosed more traditional space which is considered more appropriate for this parcel of land than the current proposals.
32. Whilst it is acknowledged that there is a degree of flexibility within the approved Design Code, as this document should be treated as an evolving guide, it is not considered that

the amendments made to the scheme reflect the most appropriate solution for this parcel of land.

33. The dwellings approved on the adjacent piece of land respect the character and design principles of the commercial area by siting properties on the prominent corners, creating a vertical emphasis and siting the dwellings close to the road. Additionally all of the parking is located to the rear of the dwellings reducing its prominence within the streetscene.
34. It is considered that a suitable compromise could be achieved on this site which meets the applicant's aspirations, creates an attractive commercial product and respects the character of this part of the Village. The scheme as submitted however does not respect the character of this part of the Village nor does it represent a fluid transition between the commercial and residential parts of the site.
35. Policy 17 of the Core Strategy requires the design of new buildings to take account of the character and appearance of the local area and Policy BNE1 requires the layout, design and landscaping to be of a high quality and respect the character of the site and local area. For the reasons set out above it is not considered that the proposals are the most appropriate solution for this site, act as an effective transition between the areas or respect the character of the area and as such the application is recommended for refusal.

Planning Policies

National Planning Policies:

National Planning Policy Framework

Adopted Chorley Borough Local Plan Review

Policies:

GN2: Royal Ordnance Site, Euxton

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

GN9: Transport Accessibility

EP18: Surface Water Run Off

HS4: Design and Layout of Residential Developments

HS5: Affordable Housing

TR1: Major Development- Tests for Accessibility and Sustainability

TR4: Highway Development Control Criteria

TR18: Provision for pedestrians and cyclists in new developments

Central Lancashire Core Strategy

Policies to be given weight are:

Policy MP clarifies the operational relationship between the Core Strategy and the National Planning Policy Framework. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Planning policies that accord with the policies in the Core Strategy will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date the Council will grant planning permission unless material considerations indicate otherwise taking into account Policy MP a) and b).

Policy 1 Locating Growth

Policy 4 Housing Delivery

Policy 5 Housing Density

Policy 7 Affordable Housing

Policy 17 Design of new buildings

Chorley Local Plan 2012 – 2026

The Inspectors Interim Report is expected imminently and as such the following policies are afforded substantial weight in decision making:

Relevant Policies are:

V2: Settlement Areas

ST4: Parking Standards

HS1: Housing Site Allocations

BNE1: Design Criteria for New Development.

Supplementary Planning Guidance:

- Southern Commercial Design Code
- The Central Lancashire Supplementary Planning Document Design Guide (adopted October 2012) is relevant as it aims to encourage high quality design of places, buildings and landscapes in the Borough. This supersedes the Chorley Design Supplementary Planning Guidance (July 2004)

Planning History

Reference	Description	Decision	Date
97/00509/OUT	Outline application for mixed use development	Approved	1999
02/00748/OUT	Modification of conditions on outline permission for mixed use development	Approved	2002
07/00660/FUL	Proposed formation of a detention basin off Central Avenue, Buckshaw Village, Chorley.	Approved	July 2007
08/01098/REMMAJ	Reserved matters application for the erection of 84 apartments and 24 dwelling houses at the Southern Commercial Area, Buckshaw Village.	Approved	January 2009
08/01100/REMMAJ	Reserved Matters Application for the Southern Commercial Area, Buckshaw Village. Including retail uses, residential, car parking, related infrastructure and landscaping.	Approved	January 2009
10/00237/DIS	Application to discharge condition no. 3 attached to planning approval 08/01100/REMMAJ.	Discharged	April 2010
10/00334/FULMAJ	Application under Section 73 to vary Conditions 1, 5, 6, 12, 13 and 14 as attached to Planning Permission Reference 08/01100/REMMAJ.	Approved	July 2010
10/00379/DIS	Discharge of condition nos. 4, 7, 8, 10 and 16 attached to planning approval reference 08/01100/REMMAJ	Discharged	July 2010
10/00381/MNMA	Application for Minor Non Material Amendments to planning application 08/01100/REMMAJ (Tesco store) and 08/01099/FUL (Tesco filling station).	Approved	May 2010
10/00591/FULMAJ	Erection of a railway station, access road and associated car parking at Buckshaw Village including parking provision on the south side of the railway.	Approved	August 2010
11/00141/DIS	Application to discharge the planning condition of planning		

	permission 10/00591/FULMAJ (for erection of a railway station, access road and associated parking and infrastructure at Buckshaw Village).		
12/00148/REMMAJ	Reserved matters application for the erection of 124 dwellings with associated garaging, bin / cycle stores, parking areas, landscaping, roads, drains, sewers and boundary treatments at the Southern Commercial Area, Buckshaw Village.	Withdrawn	
12/00463/REMMAJ	Reserved matters application for the erection of 123 dwellings with associated garaging, bin / cycle stores, parking areas, landscaping, roads, drains, sewers and boundary treatments at the Southern Commercial Area, Buckshaw Village (resubmission of application 12/00148/REMMAJ).	Approved	August 2012
13/00817/REMMAJ	Reserved matters application for the erection of 14 dwellings and 4 Maisonettes adjacent to the retail area of the Southern Commercial Area (replan of the dwellings approved as part of reserved matters approval 08/01098/REMMAJ and 12/00463/REMMAJ).	Refused	November 2013
14/00264/REMMAJ	Reserved matters application for the erection of 19 dwellings adjacent to the retail area of the Southern Commercial Area (replan of the dwellings approved as part of reserved matters approval 08/01098/REMMAJ and 12/00463/REMMAJ)	Refused	June 2014
Adjacent parcels of land			
<i>Barratts</i> 12/00787/REMMAJ	Proposed residential development comprising 82 dwellings and associated works.	Approved	November 2012
<i>Eden Park</i> 12/01001/REMMAJ	Reserved matters application for the erection of 22 dwellings at the Southern Commercial Area, Buckshaw Village (pursuant to outline permissions 97/00509/OUT and 02/00748/OUTMAJ).	Approved	January 2013

Suggested Reasons for Refusal

No.	reason
1.	The proposed layout, design and density of the dwellings proposed do not respect of character or appearance of the surrounding area or secure high quality design and fails to take the opportunity for improving the character and quality of the Southern Commercial Area and the way it functions. It is considered important from a design perspective that this site provides a transition between the high density commercial centre and the dwellinghouses surrounding the Listed Building, Buckshaw Hall, which the proposals do not secure. As such the proposals are contrary to Government advice contained within the National Planning Policy Framework, Policies 5 and 17 of the Adopted Central Lancashire Core Strategy, Policy BNE1 of the Emerging Chorley Local Plan 2012-2026, guidance contained within the Central Lancashire 'Design Guide' Supplementary Planning Document and the Buckshaw Village Southern Commercial Design Code.
2.	The proposed dwelling on plot 1075 will create overlooking to the rear garden of the adjacent dwelling to the detriment of the future residents amenities. The proposals are therefore contrary to Policy HS4 of the Adopted Chorley Borough Local Plan Review 2003 and Policy BNE1 of the emerging Local Plan 2012-2026.
3.	The property on plot 1090 incorporates insufficient off road parking provision for the size of dwelling proposed which will be detrimental to the surrounding road network through the creation of on road parking. The proposals are therefore contrary to Policy TR4 of the Adopted Chorley Borough Local Plan review 2003 and Policy ST4 of the emerging Local Plan 2012-2026.

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B	10.06.14	Layout amended following client comments	ST
A	22.10.13	Layout amended following planners comments	ST
Rev	Date	Amendment	Initials

Baldwin Design Consultancy Ltd
 Town Farm, 17 Orford Close, Golborne, Warrington, Cheshire, WA3 3WP.
 Mob: 07773343602
 Tel: 01942 719513
 Email: graham.baldwin@bdc.gb.com
 Web: www.bdc.gb.com

Development	Buckshaw Southern Commercial
Location	Buckshaw Southern Commercial
Marketing Name	The Orchard
Drawing Title	COLOUR SITE LAYOUT
Drawing Number	BSC / CSL / 002
Revision	★ Scale 1:200 @A1
Drawn By	CPM Date Started 10.01.12
Checked by	Date

REDROW HOMES
 Redrow Homes Lancashire
 Redrow House, 14 Eaton Avenue, Buckshaw Village, Chorley, PR7 7NA
 Tel: 01772 643700 Fax: 01772 643701 Web: www.redrow.co.uk

Legal Disclaimer TBC
 This layout has been designed after due consideration of our Context & Constraints Plan

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Item 3e	14/00730/REMMAJ
Case Officer	Adele Hayes
Ward	Clayton-le-Woods West and Cuerden
Proposal	Reserved matters application pursuant to outline planning permission 11/01085/OUTMAJ for substitution of house types on Plots D78 - D85 and D89 - D101 approved under reserved matters approval 13/00138/REMMAJ.
Location	Land South Of Cuerden Farm And Woodcocks Farm And Land North Of Caton Drive Wigan Road Clayton-Le-Woods
Applicant	David Wilson Homes North West
Consultation expiry:	5 August 2014
Decision due by:	3 October 2014

Proposal

1. The wider site, which is being developed by both the applicant and Taylor Wimpey Homes, comprises approximately 13.65ha of land located to the east of the A49 Wigan Road, to the north of Clayton-le-Woods, approximately 6km from Chorley Town Centre and 8km from Preston.
2. This application seeks reserved matters approval for a re-plan of part of the approved development. The revised proposal affects 21 no. plots, located centrally within the site, which were approved previously under reference 13/00822/REMMAJ.
3. Consent is sought for details of appearance, landscaping, layout and scale. Details relating to means of access into the site from Wigan Road were approved at the outline stage.
4. The proposed development is subject to a number of conditions attached to the outline permission and a separate S106 Obligation.

Recommendation

5. It is recommended that the application is approved.

Representations

6. No representations have been received.

Consultations

7. Clayton-le-Woods Parish Council have confirmed that they have no comments to make.
8. Lancashire County Council Highways have confirmed that they have no objections to the proposal.

Assessment

Principle of the development

- 9. The principle of redeveloping the site with housing was originally established as being acceptable by the grant of outline planning permission in 2011; the subsequent Section 73 application to vary condition 20 of that approval (Layout of Highway Improvements at Hayrick Junction); and by the grant of reserved matters approval last year. This application purely proposes amendments to the detail of the approval which is addressed below.
- 10. The acceptability of the principle of development has been established and this application is for the consideration of a re-plan of part of the development only.

Design and character of the development

- 11. The design principles for the proposed development are set out in the Design Code for the site and the proposed re-plan is considered acceptable.
- 12. David Wilson Homes are proposing changes to the approved site layout of plots D78 – D85 and Plots D89 – D101.
- 13. The proposed changes affect a total of 21 plots, including 19 no. affordable dwellings as detailed below.

HOUSE TYPE	NUMBER OF UNITS PREVIOUSLY APPROVED	NUMBER OF UNITS PROPOSED
<u>Affordable dwellings</u>		
2 bedroom	15	19
1 bedroom	2	0
3 bedroom	2	0
<u>Market Housing</u>		
3 bedroom	1	1
4 bedroom	1	1

- 14. The total number of units remains unchanged. The revisions will result in the removal of a rear parking court and 2no. one bedroom flats creating a stronger streetscene.

Traffic and Transport

- 15. The acceptability of the principle of the site access was established by the grant of outline planning permission. This is a further reserved matters application that seeks approval for a re-plan of part of the development
- 16. The Highway Engineer at Lancashire County Council has been consulted and has raised no objections.

Impact on the neighbours

- 17. The plots are located centrally within the wider development site and are remote from existing properties. It is considered that their relationship with each other would be

acceptable and would not result in a reduction in the level of residential amenity expected to be enjoyed by the occupiers of other dwellings within the development, or a greater degree of harm, when assessed against the approved scheme.

Conclusion

18. The reserved matters details are considered acceptable and the application is recommended for approval. The applicant is bound by the conditions placed on the outline permission and the legal agreement that was submitted at that time.

Suggested Conditions

1. The development shall only be carried out in accordance with the approved plans, except as may otherwise be specifically required by any other condition of the outline planning permission or this approval of reserved matters.

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

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

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

3. The approved plans are:

Plan reference number:	Title:	Date received:
20251 CLW LP01	Location Plan	1 July 2014
H6063/01 Rev H	Planning Layout	1 July 2014
H6063/01 SLAB01	Proposed Slab Levels	20 August 2014
EXT WKS 16v	1800 Brick Pier Wall	20 August 2014
EXT WKS CLW01	1800 Close Boarded Timber Fence	20 August 2014
H6063/FL01 Revision A	Fencing Layout	20 August 2014
H6063-04 Rev G	Materials Layout	1 July 2014
06913 03C	Soft Landscape Scheme	1 July 2014
06913 04G	Soft Landscape Scheme	1 July 2014
06913 05F	Soft Landscape Scheme	1 July 2014
SH17--5	Planning Elevations Trad. Opt.	1 July 2014
SH17--5	Planning Floorplans Trad. Opt.	1 July 2014

H469—X5	Planning 1 of 2 - Holden	1 July 2014
H469—X5	Planning 2 of 2 - Holden	1 July 2014
H411—5	Planning 1 of 2 - Milford	1 July 2014
H411—5	Planning 1 of 2 - Milford	1 July 2014

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

4. 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.

5. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans.

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

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

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

7. The car parking spaces for each dwelling shall be surfaced or paved, drained and marked out all in accordance with the approved plan before it is first occupied. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas.

10. The detached and integral garages hereby approved shall be kept freely available for the parking of cars and no works, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order amending or revoking and re-enacting that order, shall be undertaken to alter or convert the space into living or other accommodation

Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards and nuisance caused by on-street parking.

11. Prior to the marketing of the site full details of the marketing documentation showing prospective purchasers the location and approved details of the play area shall be submitted to an approved in writing by the Local Planning Authority.

Reason: To ensure the provision of equipped play space to benefit the future occupiers of the site.

12. Prior to the first occupation of any dwellings hereby approved an Estate Street Phasing and Completion Plan shall be submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the standards to each estate streets serving each phase of the development will be completed.

Reason: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

13. The new estate road/access for each phase of the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within each phase.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

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

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

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

Site History

The site history of the property is as follows:

Ref: 95/00479/FUL Decision: WDN Decision Date: 30 April 1996
Description: Erection of 330 houses together with estate roads and the provision of open space on approximately 42 acres (17 Ha) of land,

Ref: 10/00275/SCE Decision: PESCEZ Decision Date: 30 April 2010
Description: EIA Screening Opinion for Land off A49 Wigan Road, Clayton-le-Woods

Ref: 10/00414/OUTMAJ Decision: Appeal Allowed Decision Date:

Description: Outline application for residential development of up to 300 dwellings (comprising 2, 2.5, & 3 storeys) with details of access and highway works and indicative proposals for open space, landscape and associated works.

Ref: 11/00990/SCE Decision: PESCEZ Decision Date: 7 December 2011
 Description: Request for a screening opinion under the Town and Country Planning (EIA) regulations by Redrow Homes for Land off Wigan Road, Clayton le Woods

Ref: 11/01085/OUTMAJ Decision: PERFPP Decision Date: 4 April 2012
 Description: Section 73 application to amend condition 20 (Layout of Highway Improvements at Hayrick Junction) of Outline application 10/00414/OUTMAJ relating to the residential development of up to 300 dwellings (comprising 2, 2.5, & 3 storeys) with details of access and highway works and indicative proposals for open space, landscape and associated works.

Ref: 13/00095/SCE Decision: PESCEZ Decision Date: 19 April 2013
 Description: Request for Screening Opinion Pursuant to Regulation 5 of The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011

Ref: 13/00138/REMMAJ Decision: PERRES Decision Date: 7 May 2013
 Description: Reserved matters application pursuant to outline planning permission 11/01085/OUTMAJ for the erection of 294 dwellings, associated highways infrastructure, car parking and pedestrian / cycle routes, formal and informal open space provision and associated works

Ref: 13/00139/DIS Decision: PEDISZ Decision Date: 28 August 2013
 Description: Application to discharge conditions numbered 2 (affordable housing), 3 (phasing programme), 4 (external facing materials), 5 (hard ground surfacing materials), 6 (ground and slab levels), 7 (walls and fences), 8 (surface water drainage), 9 (foul water drainage), 10 (ground contamination), 11 (landscaping), 12 (public open space and play space provision), 15 (bat mitigation), 17 (construction method statement), 18 (ecological management plan), 21 (design of sewer network), 22 (archaeological work), 24 (maximum number of dwellings) and 25 (masterplan and design code) of planning approval 11/01085/OUTMAJ.

Ref: 13/00874/DIS Decision: REDISZ Decision Date: 6 December 2013
 Description: Application to discharge conditions numbered 12 (marketing documentation), 13 (estate street phasing plan), 14 (highway works), and 16 (construction method statement) of reserved matters approval 13/00138/REMMAJ.

Ref: 14/00079/DIS Decision: PEDISZ Decision Date: 12 May 2014
 Description: Application to discharge conditions 12 (marketing documentation), 13 (phasing plan), 14 (highway works) and 16 (Construction Method Statement) of planning permission ref: 13/00138/REMMAJ (which was a reserved matters permission for the erection of 294 dwellings)

Ref: 14/00161/MNMA Decision: PEMNMZ Decision Date: 7 March 2014
 Description: Minor non-material amendment to plots T1, T9-T31, T34, T36-T40, T42-T46, T49 and T50 (approved under 13/00138/REMMAJ) involving repositioning of previously approved house types.

Ref: 14/00750/MNMA Decision: PEMNMZ Decision Date: 19 August 2014
 Description: Minor non-material amendment to plots D61 -D68 (approved under 13/00138/REMMAJ) involving repositioning of previously approved house types.

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David Wilson Homes

Taylor Wimpey

Taylor Wimpey North West
Taylor Woodrow House, The Beacons, Warrington Road,
Birchwood, Warrington, Cheshire WA3 6XU
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www.taylorwimpey.com

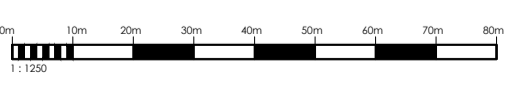
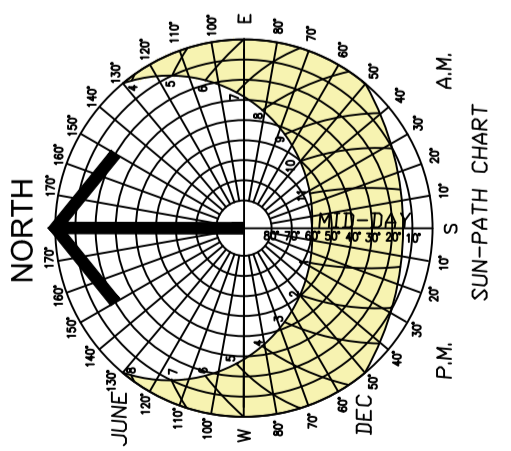
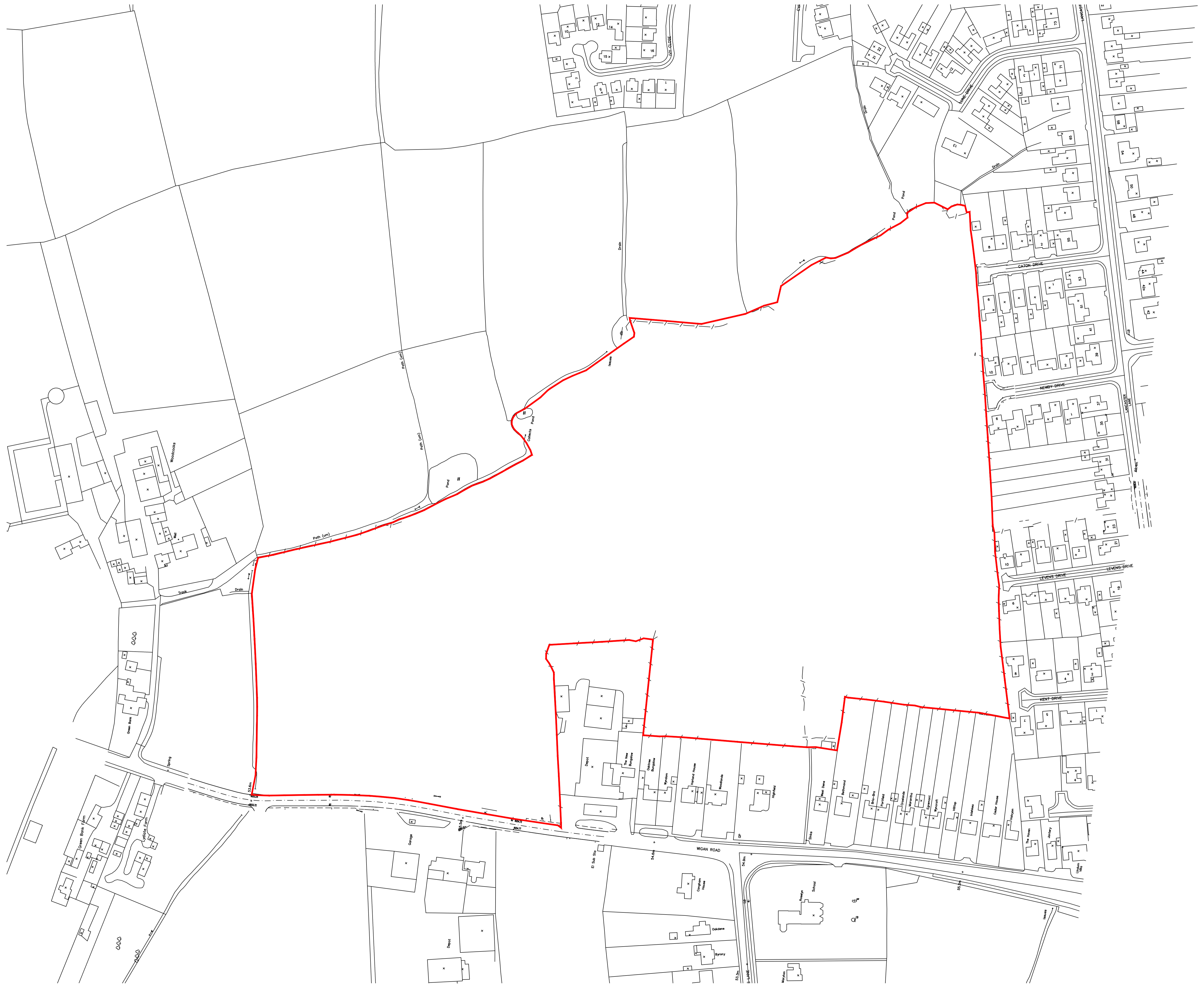
WIGAN ROAD
Clayton le Woods

Location Plan

PRELIMINARY

SCALE 1:1250 @ A1 DATE 28/01/13 DRAWN NMW

DRAWING NUMBER		
20251	CLW	LP01



Item 3f **14/00426/FUL**

Case Officer **Thomas Parkinson**

Ward **Eccleston And Mawdesley**

Proposal **Erection of single storey side extension to dwelling**

Location **Roselands Tincklers Lane Eccleston Chorley PR7 5QX**

Applicant **Mr Henry Counce**

Consultation expiry: **21 May 2014**

Decision due by: **5 September 2014**

Recommendation

Permit full planning permission

Executive Summary

The main issues are whether the proposal would constitute appropriate development within this Green Belt location and if not whether there are any special circumstances in this case to outweigh the harm to the Green Belt. In addition would the proposal's design, amenity, parking and highways impacts be satisfactory. It is considered that the proposal would be acceptable in terms of its Green Belt, design, amenity and parking/highways impacts for the reasons set out below.

Representations

Eccleston and Mawdesley Parish Council – No comments received

Assessment

Background information

1. The application site comprises of a relatively recently built Victorian/Edwardian style 2 storey detached property set within extensive grounds on the corner on Tinklers Lane. This property is located in an area washed over by Green Belt to the south of Eccleston village. The site also includes a large outbuilding to the side of the dwelling house (outside the residential curtilage), a long driveway leading from Tinklers Lane and a large area of hard standing to the front of the main building. The property is surrounded by fields with the only neighbouring property being a detached dwelling house on the opposite side of the road at a distance of approximately 40m to the north-east (Tinklers House). There are a large number of trees and other vegetation along the front boundary with Tinklers Lane which largely screen views towards the front of the property from the road.
2. Planning permission (ref: 99/00113/FUL) was originally granted for the demolition of the original property and the construction of the current dwelling house.
3. The matter has been referred to Development Control Committee because the applicant is a Cllr Henry Counce.

Principal of the development

4. The application site is located within the Green Belt as identified by the adopted Local Plan and the emerging Local Plan.
5. The National Planning Policy Framework (the Framework) states that there is a general presumption against inappropriate development in the Green Belt and advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. It advises that development which is harmful to the Green Belt should only be permitted in 'very special circumstances' and that these will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
6. The Framework and Policy DC1 of the Chorley Borough Local Plan Review outlines the instances in which development may be permitted within the Green Belt. Policy DC1 states that planning permission may be granted for the limited extension, alteration or replacement of existing dwellings provided that it is in accordance with Policy DC8A.
7. Policy DC8A of the Chorley Borough Local Plan Review states that permission will only be granted for extension of dwellings in the Green Belt where the siting, design, external materials and final character of the dwelling do not detract from its surrounds and where the proposed extension would not result in a significant increase in the volume of the original dwelling. This is reiterated within the Householder Design Guidance SPD.
8. The Inspector has issued her partial report on the findings into the soundness of the Chorley Local Plan 2012-2026 which is a material consideration in the consideration of any planning application. In summary, the plan is considered to be legally compliant. In relation to soundness, the plan is considered sound, with the exception of matters relating to Gypsies and Travellers. The examination of the local plan remains open, and the Inspector will reconvene the examination later in 2014 to consider Gypsy and Traveller matters, which would enable the adoption of the local plan, following a supplementary report.
9. Paragraph 18 of the Partial Report states: *"For the avoidance of doubt, the Plan may not be adopted until it has been changed in accordance with all the main modifications set out in the Appendix to this partial report and any which may be specified in the Appendix of my forthcoming supplementary report. However because of the very advanced stage in the examination process that the main modifications set out in the Appendix have reached, significant weight should be attached to all policies and proposals of the Plan*

that are amended accordingly, where necessary, except for matters relating to Gypsies and Travellers.”

10. The Council accepted the Inspector's modifications for Development Management purposes at its Executive Committee on 21st November 2013. It is therefore considered that significant weight can be given to her report, and to the policies and proposals of the emerging Local Plan, as amended by the main modifications.
11. Policy HS5 of the emerging Chorley Local Plan 2012 – 2026 states that in the case of the Green Belt the proposed extension should not result in a disproportionate increase in the volume of the original dwelling. Increases of up to 50% are not considered to be disproportionate.
12. The Central Lancashire Rural Development SPD sets down the volume percentage increase which is allowed for the extension or replacement of dwelling houses within the Green Belt. Paragraph 56 states that a volume increase of up to 50% of the property's original volume for properties within the Green Belt is acceptable.
13. The proposed sunroom would increase the cubic content of original building, however this will be less than a 50% increase in volume (10%), and therefore it is not considered to be disproportionate. The extension is of modest scale and would not intrude on the openness of the green belt. The design of the proposed extensions will adequately match that of the existing building (see below).
14. As such the proposed development is considered to have an acceptable impact upon the character and openness of the Green Belt.

Design and impact on the street scene

15. At a national level the Framework states that the Government attaches great importance to the design of the built environment and good design is a key aspect of sustainable development.
16. The Framework 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.
17. Policy 17 of the Central Lancashire Core Strategy states that the design of new buildings will be expected to take account of the character and appearance of the local area. It states that this will include a consideration of siting, layout, massing, scale, design, materials, building to plot ratio and landscaping. Policy 17 also seeks to promote designs that will be adaptable to climate change and which adopt the principles of sustainable construction.
18. Policy GN5 of the Chorley Borough Local Plan Review stipulates that the design of proposed developments will be expected to be well related to their surroundings.
19. Policy HS9 of the Chorley Borough Local Plan Review states that extensions will be permitted provided that the extension is in keeping with the existing house and the surrounding buildings in terms of scale, size, design and facing materials.
20. Policy HS5 of the emerging Chorley Local Plan 2012 – 2026 states that the proposed extension must respect the existing house and the surrounding buildings in terms of scale, size, design and facing materials, without innovative and original design features being stifled.
21. The Householder Design Guidance SPD requires that extensions be subservient to the existing dwelling. In addition the SPD requires extensions to respect the scale, character, proportions of the existing dwelling and surrounding area.

22. The form and mass of the proposed extension would not dominate the original building and would be subservient to it. It is noted that the proposed brickwork, UPVC windows/doors and stonework will complement those of the original building. The extension's front elevation will be set back by 0.3m from the property's front wall.
23. Whilst it is accepted that the proposed flat roof element would not match the property's pitched roof elements, and that the design of the extension as a whole does not perfectly relate to that of the existing property, it is also noted that the view from Tinkler's Lane is largely screened from public view by a dense bank of trees and vegetation, and the property is set back by approximately 26m along the front boundary.
24. As such in design terms the proposed development is considered to be acceptable.

Amenity of neighbouring occupiers

25. 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.
26. Policy HS4 of the Adopted Chorley Borough Local Plan Review 2003 states that development will only be permitted if reasonable privacy and amenity for future residents and residents of neighbouring properties is provided.
27. Policy HS9 of the Chorley Borough Local Plan Review states that house extensions will be permitted provided that there would be no unacceptable adverse effect on the amenity of neighbouring properties through overlooking, loss of privacy or reduction of daylight.
28. HS5 of the emerging Chorley Local Plan 2012 – 2026 states that there should be no unacceptable adverse effect on the amenity of neighbouring properties through overlooking, loss of privacy or reduction of daylight.
29. The adopted Chorley Borough Council Householder Design Guidance SPD asserts that extensions should not result in unacceptable harm to the amenity of neighbouring occupiers.
30. The sole neighbouring property (Tinklers House) is located approximately 40m to the north-east of the proposed extension on the opposite side of Tinklers Lane. None of the extension's front facing windows would face towards this neighbouring property. The rear facing glazed bi-folding doors would face towards a field to the rear of the site. It is concluded that the proposed side extension will not result in a negative amenity, privacy or overshadowing impact upon any neighbouring properties. It is noted that no letters of objection have been received.
31. Taking the above factors into account, the proposed development is considered to be in accordance with policy HS9 of the Chorley Borough Local Plan Review, policy HS5 of the emerging Chorley Local Plan 2012 – 2026 and the guidance set out within the Householder Design Guidance SPD.

Impact on highways, access and parking

32. Policy HS9 of the Local Plan states that residential development should provide safe and convenient access for cyclists and pedestrians, in addition to addressing the needs of vehicular movement and parking.
33. With respect to parking provision, Policy ST4 of the emerging Local Plan requires off-street parking at a ratio of 2 spaces for a two or three bed dwelling, and 3 spaces for a larger property, including garages.

34. The property will retain its current 5 bedrooms and it is noted that the proposed extension would occupy and block off part of the hard standing to the side of the property, however post development the site will retain its current driveway and large expanse of hard standing to the front of the property capable of accommodating over 3 off-street parking spaces.

Overall Conclusion

35. The proposed development would not result in any significant harm to the character and openness of the Green Belt, it would not cause undue harm to the character and appearance of the existing dwelling or the surrounding area, nor would it cause any significant harm to the amenity of neighbouring residents, or an unacceptable parking impact. The proposed development would therefore be in accordance with the National Planning Policy Framework, the Central Lancashire Core Strategy, policies DC1, DC8A, GN5 and HS9 of the Local Plan Review 2003; HS5 of the emerging Chorley Local Plan 2012 – 2026, the Central Lancashire Rural Development SPD and the Householder Design Guidance SPD.

36. On the basis of the above, the application is accordingly recommended for approval.

Planning Policies

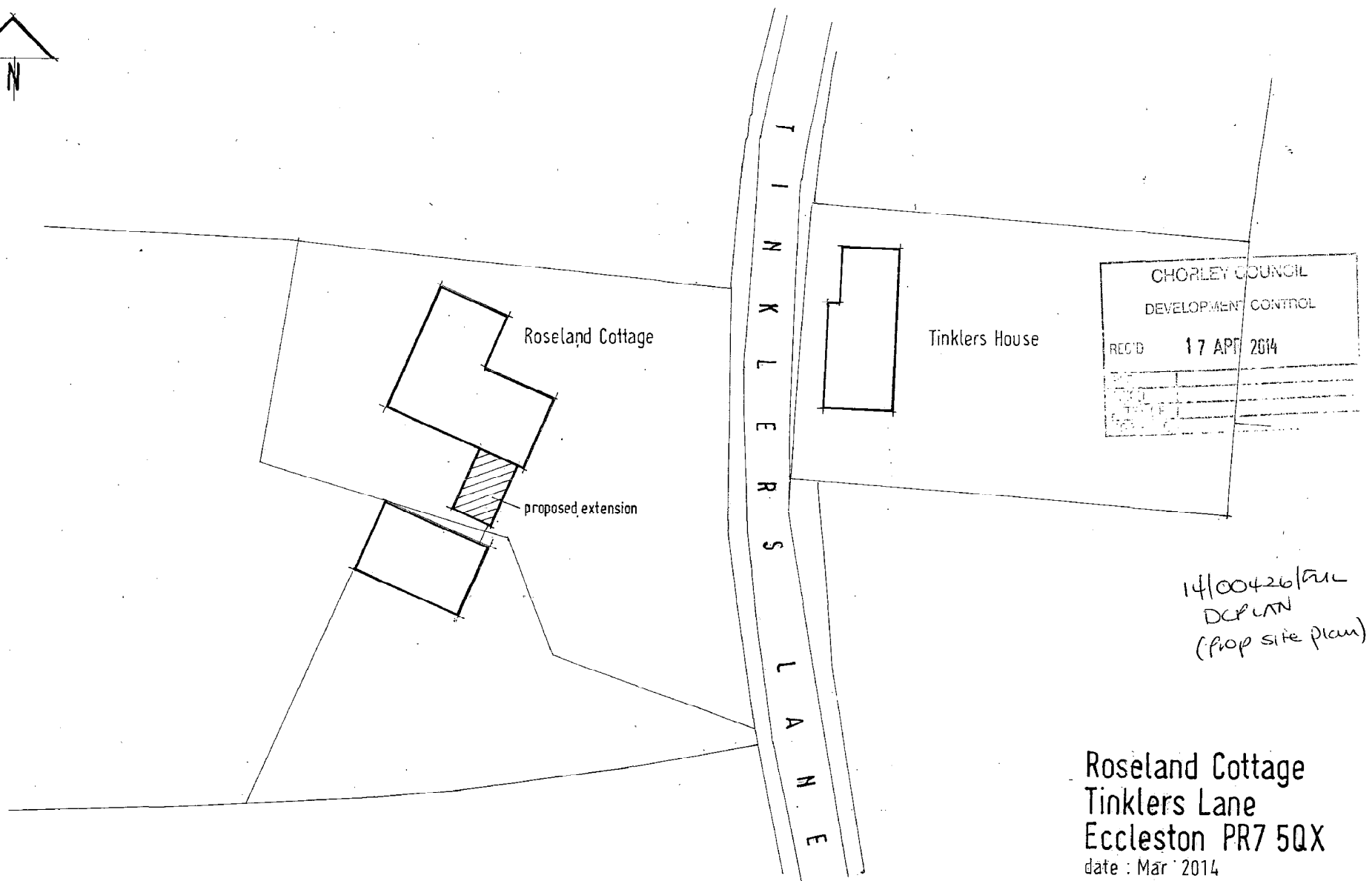
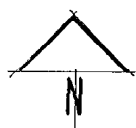
37. In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Borough Local Plan Review 2003 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposals has had regard to guidance contained with the National Planning Policy Framework (the Framework), the development plan and the emerging Local Plan 2012-2026. The specific policies/guidance considerations are contained within the body of the report.

Planning History

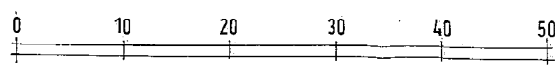
Reference	Description	Decision	Date
89/00654/FUL	First floor extension to existing bungalow and 2 storey side/rear extensions	Permitted	5 September 1989
92/00884/FUL	Erection of agricultural building for lambing, hay and general storage	Permitted	9 February 1993
95/00431/FUL	Erection of detached storage building for the use as a lambing shed, hay and general storage	Permitted	2 August 1995
99/00113/FUL	Demolition and replacement of existing building	Permitted	28 April 1999
00/00065/FUL	Temporary siting of 4 caravans and the use of barn (12 months) during demolition and rebuild of house	Withdrawn	12 May 2000
04/00701/FUL	Erection of garden wall and alterations to carport	Permitted	29 July 2004

Recommended Conditions

No.	Condition																								
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>																								
2.	<p>All external facing materials shall match in colour, form and texture those on the existing building.</p> <p><i>Reason: In the interests of the visual amenity of the area in general and the existing building in particular.</i></p>																								
3.	<p>The approved plans are:</p> <table border="0" data-bbox="355 622 1356 884"> <thead> <tr> <th data-bbox="355 622 853 656">Title</th> <th data-bbox="853 622 1109 656">Plan Ref</th> <th data-bbox="1109 622 1356 656">Received On</th> </tr> </thead> <tbody> <tr> <td data-bbox="355 656 853 689">Site location plan</td> <td data-bbox="853 656 1109 689">N/A</td> <td data-bbox="1109 656 1356 689">17 April 2014</td> </tr> <tr> <td data-bbox="355 689 853 723">Existing site plan</td> <td data-bbox="853 689 1109 723">N/A</td> <td data-bbox="1109 689 1356 723">17 April 2014</td> </tr> <tr> <td data-bbox="355 723 853 757">Existing elevations and ground floor plan</td> <td data-bbox="853 723 1109 757">DS14/05/01</td> <td data-bbox="1109 723 1356 757">17 April 2014</td> </tr> <tr> <td data-bbox="355 757 853 790">Proposed site plan</td> <td data-bbox="853 757 1109 790">DS14/05/SK3</td> <td data-bbox="1109 757 1356 790">17 April 2014</td> </tr> <tr> <td data-bbox="355 790 853 824">Proposed ground floor plan</td> <td data-bbox="853 790 1109 824">DS14/05/SK1</td> <td data-bbox="1109 790 1356 824">17 April 2014</td> </tr> <tr> <td data-bbox="355 824 853 857">Proposed elevations</td> <td data-bbox="853 824 1109 857">DS14/05/SK2</td> <td data-bbox="1109 824 1356 857">17 April 2014</td> </tr> <tr> <td data-bbox="355 857 853 891">Proposed roof plan</td> <td data-bbox="853 857 1109 891">DS14/05/SK4</td> <td data-bbox="1109 857 1356 891">17 April 2014</td> </tr> </tbody> </table> <p><i>Reason: To define the permission and in the interests of the proper development of the site.</i></p>	Title	Plan Ref	Received On	Site location plan	N/A	17 April 2014	Existing site plan	N/A	17 April 2014	Existing elevations and ground floor plan	DS14/05/01	17 April 2014	Proposed site plan	DS14/05/SK3	17 April 2014	Proposed ground floor plan	DS14/05/SK1	17 April 2014	Proposed elevations	DS14/05/SK2	17 April 2014	Proposed roof plan	DS14/05/SK4	17 April 2014
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Proposed ground floor plan	DS14/05/SK1	17 April 2014																							
Proposed elevations	DS14/05/SK2	17 April 2014																							
Proposed roof plan	DS14/05/SK4	17 April 2014																							



site plan - as proposed
1:500



Roseland Cottage
Tinklers Lane
Eccleston PR7 5QX

date : Mar 2014
drg n° : DS14 / 05 / SK3

D. R. SCARISBRICK M.C.I.A.T.
CONSTRUCTION DESIGN SERVICES

101 LIVERPOOL ROAD, SKELMERSDALE,
LANCASHIRE. WN8 8BS.
TEL/FAX: 01695 733506
E-mail: drscarisbrick@btinternet.com

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Item 3G **14/00480/FUL**

Case Officer **Iain Crossland**

Ward **Whittle Le Woods Ward**

Proposal **Change of use of part of play area to car parking**

Location **Whittle-le-Woods Village Hall
Union Street
Whittle-Le-Woods
Chorley
PR6 7LN**

Applicant **Whittle Le Woods Community Hall Trust**

Consultation expiry: **05 June 2014**

Decision due by: **08 July 2014**

Delegated		Delegated following Chairs Brief		Committee	
Date: 19 th August 2014					

	Case Officer	Authorising Officer
	IC	
Date	12 th August 2014	

Recommendation

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

Executive Summary

The main issues to consider are the loss of open space, impact on the play area and equipment and highway safety. As assessed below the proposals are considered to be acceptable when assessed against the relevant criteria.

Representations

Whittle Le Woods Parish Council - While the Parish Council isn't opposed in principle to the additional spaces (in fact, the need for additional parking is undoubted), some reservations regarding practicality were raised. For example, the safety of children must be paramount and it was felt that the newly positioned gate might be too close to the Chorley Old Road junction. Regarding the spaces themselves - the access of cars for residents and for car users is a major issue, and the manoeuvrability of the cars was considered. Would there be restrictions on these spaces to mean only village hall customers could use them? It was felt that the positioning of spaces could be a problem when it comes to manoeuvrability.

In total 4 representations have been received which are summarised below

Objection	Not specified
Total No. received: 3	Total No. received:1
<ul style="list-style-type: none"> • Loss of play equipment – these should be retained on another part of the site. • Loss of open space. • There may not be enough space for the number of spaces shown on the plans. • The maintenance gate for the open space could become blocked. • There are no parking problems and the money should be put to better use. • Highway safety • Street lighting • Land to the rear would be a better alternative. • Horrendous parking issues caused by the visitors to the village hall • Request that a painted white 'T Bar' is installed by the Council (at the Council's cost) on the road way at the dropped kerb to 33 Chorley Old Road, which will certainly help with our parking issues. This will ensure our drop kerb is not parked upon by the unwanted. 	<ul style="list-style-type: none"> • There are parking issues resulting from the hall not having enough parking, which the proposal will help, but this proposal may not provide enough parking. • Concerns over safety to users of play area.

Consultees

Consultee	Summary of Comments received
LCC Highways	No objections to the proposal. Each space should be of size 2.4m x 4.8m and the overall layout should be such that vehicles do not project onto the footway when parked. The parking area should also be hard paved to prevent dirt and mud being carried onto the highway.
Chorley Council Parks and Open Space	No comments have been received.

AssessmentThe Site

1. The application site is a Council owned play area located close to the Village Hall at Whittle Le Woods. This is within the core settlement area.
2. The application site is an allocated open space. It is a grassed area with scattered play equipment and landscaping to the boundary with Chorley Old Road.

The Proposal

3. It is proposed to remove and replace the boundary fence adjacent to Union Street and resurface the grassed area with tarmac extending 4.8m into the site and around 37m in length along Union Street. The kerb would be dropped to allow direct vehicular access onto Union Street, crossing the pedestrian pavement.

Assessment

The main issues are as follows:-

Issue 1 – Loss of Public Open Space

Issue 2 – Impact on character and appearance of the locality

Issue 3 - Impact on highways/access

Issue 4 – S106

Principle of the Development

4. The Inspector has issued her Partial Report on her findings into the soundness of the Chorley Local Plan, which is a material consideration in the consideration of any planning application.
5. In summary, the plan is considered to be legally compliant. In relation to soundness, the plan is considered sound, with the exception of matters relating to Gypsies & Travellers. The examination of the local plan remains open, and the Inspector will reconvene the examination later in 2014 to consider Gypsy & Traveller Matters, which would enable adoption of the local plan, following a supplementary report.
6. Paragraph 18 of the Partial Report states: "For the avoidance of doubt, the Plan may not be adopted until it has been changed in accordance with all of the main modifications set out in the Appendix to this partial report and any which may be specified in the Appendix of my forthcoming supplementary report. However, because of the very advanced stage in the examination process that the main modifications set out in the attached Appendix have reached, significant weight should be attached to all policies and proposals of the Plan that are amended accordingly, where necessary, except for matters relating to Gypsies and Travellers." The Council accepted the Inspectors modifications for Development Management purposes at its Executive Committee on 21st November 2013.
7. It is therefore considered that significant weight can be given to the policies and proposals of the emerging Local Plan, as amended by the main modifications.
8. Policy HW2 of the Chorley Local Plan 2012 – 2026 states that land and buildings currently or last used as, or ancillary to, open space or sports and recreational facilities will be protected unless certain criteria can be met. These are assessed below.
9. This approach is reflected and supported in the National Planning Policy Framework (The Framework).

Loss of Public Open Space

10. The proposal involves the loss of a small part of land allocated as open space under Policy HW2 in the Local Plan. Policy HW2 protects all existing open space, sport and recreational facilities and requires alternative provision to be made under criterion a) of the policy unless the proposal satisfies all of criteria b) to e). The proposal is assessed against these criteria below:

11. *b) It can be demonstrated that the loss of site would not lead to a deficit of provision in the local area in terms of quantity and accessibility;*
The site falls within the open space typology of provision for children and young people. There is currently a surplus of provision of this typology in Whittle-le-Woods and the loss of this small part of the site will not result in there being a deficit therefore the proposal meets this criterion.
12. *c) The site is not identified as being of high quality and/or high value in the Open Space Study;*
The site is identified as being of high quality and high value in the Open Space Study therefore the proposal fails this criterion. As the proposal results in the loss of high quality open space this is contrary to criterion c.
13. *d) It can be demonstrated that retention of the site is not required to satisfy a recreational need in the local area;*
The site is an important recreational facility in the area and is needed to meet the required amount of this typology of open space in the settlement, however, provided the proposal does not result in the loss of recreation at this site then then the proposals comply with criterion d. This is assessed below.
14. *e) The site does not make a significant contribution to the character of an area in terms of visual amenity;*
The site does make a significant contribution to the character of the area in terms of visual amenity, but the proposal only involves the loss of a small part of the site, which will have little impact on the visual amenity of the site and meets this criterion.
15. The proposal fails criterion c) therefore in order to satisfy this policy alternative provision is required under criterion a). The policy requires that this provision is provided nearby before the existing facilities cease to be available. A site investigation identified that three pieces of play equipment would be affected by the proposal and therefore in order for the proposal to be considered acceptable in relation to policy HW2 of the Local Plan the equipment must be replaced or repositioned elsewhere on the site. It is considered that there is adequate space to enable this, and it is therefore recommended that a condition be attached requiring the submission of a scheme detailing the removal and replacement, or repositioning, of the affected play equipment prior to the commencement of development.
16. The loss of open space identified within this proposal is considered acceptable in relation to policy HW2 of the Local Plan as the site is small, not of significant character, there is surplus provision in the area and the functionality of the site can be sustained through the removal and/or replacement of play equipment.

Impact on character and appearance

17. The visual impact of the proposal would be most noticeable in terms of the boundary moving 4.8m into the site. This would have a low impact on the character and appearance of the locality. As a result it is considered that the impact upon the character and appearance of the site is acceptable.

Impact on highways/access

18. The proposal would provide additional parking spaces for the users of Whittle Le Woods Village Hall on a strip of open space opposite the Village Hall. This would require a dropped kerb running 37m in length along the south side of Union Street, which is a vehicular highway with no through access.
19. As a result there would be direct vehicular access to the parking spaces with vehicles crossing the pedestrian footpath between the road and spaces themselves. This was considered to be an acceptable method of access by LCC Highways.

20. Currently the demand for car parking spaces at the hall outweighs the supply, particularly during busy periods in the evenings. This results in cars being parked on Union Street and surrounding streets taking up pavement space and causing pedestrian conflict. This presents a safety hazard and improved levels of off street parking would help to alleviate this issue.

S106 Requirement

21. The proposal involves the loss of a small part of land allocated as open space under Policy HW2 in the Local Plan. Policy HW2 protects all existing open space, sport and recreational facilities and requires alternative provision to be made under criterion a) of the policy unless the proposal satisfies all of criteria b) to e).
22. The proposal would have a very limited impact on the functionality of the play area itself, and it is recognised that the three pieces of play equipment affected by the development could be replaced on a different part of the site. It is recommended that a condition is attached requiring the removal and replacement, or repositioning, of the affected play equipment prior to the commencement of development.
23. The Village Hall is a valuable community asset that is well used for a variety of activities by all sections of the local community. It currently suffers from a lack of parking to meet the demand. Although some public open space would be lost as a result of the proposal this would be balanced by the contribution made to the viability of this important community asset through securing a reasonable level of vehicular access.
24. The increased parking provision would help to alleviate the existing pressure for on street parking, which currently presents safety issues and pedestrian conflict during busy times at the Village Hall. This proposal would therefore result in a benefit to highway safety.
25. It is also noted that Chorley Council is willing to dispose of this part of the site to Whittle Le Woods Village Hall Trust. It is the Council's intention to carry out improvements to this site and at other areas of Public Open Space in Whittle Le Woods. On this basis Chorley Council considers that the area of land identified by this proposal is surplus to requirements and its loss will be offset by improvements made on site and at nearby site.
26. On the basis of the benefits to the community provided by the Village Hall and the positive contribution that this proposal would make in supporting the viability of the hall, improved highway safety, limited impact on the functionality of the site and the Council's willingness to dispose of the site, it is not considered that the payment of a s106 contribution is required on this occasion.

Other Matters

27. The maintenance gate for the open space could become blocked: The parking will be mostly used in the evenings, whereas maintenance is in the daytime. Access for maintenance is therefore not considered to be an issue.
28. Street lighting: This would be retained within the proposal.
29. Land to the rear would be a better alternative: This land does not form part of the proposal and was not available at the time of the application. It is noted, however, that a proposal for car parking to the rear of the Village Hall has been received (app. ref.14/00803/FUL) and each planning application must be considered on its individual merits.
30. Request that a painted white 'T Bar' is installed by the Council (at the Council's cost) on the road way at the dropped kerb to 33 Chorley Old Road: This is not considered to be an impact that would result through this proposal. Any works to the highway are a private matter between residents and LCC Highways. Chorley Council has no powers to carry out works to the highway.
31. There may not be enough space for the number of spaces shown on the plans: The number of car parking spaces can be altered without the need to apply for planning permission, however, no space should be less than 2.4m in width as specified on the plans.

Overall Conclusion

32. The proposed development would support the viability of the Village Hall and would improve highway safety. There would be no impact on the amenity of neighbouring occupiers or the overall appearance and character of the area. Although a small part of the protected open space would be lost the impact is considered acceptable. On the basis of the above, it is recommended that planning permission be granted.

Planning Policies

33. In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Borough Local Plan Review 2003 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposals has had regard to guidance contained with the National Planning Policy Framework (the Framework), the development plan and the emerging Local Plan 2012-2026. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

Ref: 11/00810/FUL Decision: PERFPP Decision Date: 24 October 2011
Description: Erection of solar panels on south facing roof pitch.

Ref: 14/00803/FUL Decision: PCO Decision Date:
Description: Creation of over flow car-park for village hall on former storage yard

Suggested Conditions

No.	Condition								
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>								
2.	<p>The approved plans are:</p> <table data-bbox="355 472 1369 600"> <tr> <td>Title</td> <td>Received On:</td> </tr> <tr> <td>Location Plan</td> <td>29 April 2014</td> </tr> <tr> <td>Proposed Site Plan</td> <td>23 June 2014</td> </tr> <tr> <td>Proposed pedestrian gate position</td> <td>08 August 2014</td> </tr> </table> <p><i>Reason: To define the permission and in the interests of the proper development of the site.</i></p>	Title	Received On:	Location Plan	29 April 2014	Proposed Site Plan	23 June 2014	Proposed pedestrian gate position	08 August 2014
Title	Received On:								
Location Plan	29 April 2014								
Proposed Site Plan	23 June 2014								
Proposed pedestrian gate position	08 August 2014								
3.	<p>No development shall take place until a scheme detailing the removal and replacement, or repositioning, of the affected play equipment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate all existing play equipment on the site; detailing those to be retained, and those to be replaced or repositioned; details of any new equipment types shall be provided, and the future positioning of equipment in relation to the approved parking scheme.</p> <p><i>Reason: In the interests of the amenity of the area</i></p>								

14/00480/m
DWC

Whittle Le Woods Village Hall

CHORLEY COUNCIL

DEVELOPMENT CONTROL

REC'D 29 APR 2014

FILE
ACK'D
ATTEND
COPIED TO



EXISTING KERB TO BE LOWERED

ACCESS TO GRASS CUTTER

EXISTING STREET LAMPS

4m WIDE FENCE TO BE RE-POSITIONED

RE-POSITIONED ACCESS GATE TO PLAY AREA

OS Mastermap
07 September 2011, ID: BLJT-00093525
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 358115 E, 421550 N
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Mapping sourced from Ordnance Survey

bluejet mapping

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Item 3h	14/00783/FUL
Case Officer	Ian Heywood
Ward	Chorley North West
Proposal	Extension of play facilities in Astley Park, Chorley to be used for recreational purposes
Location	Astley Park, Park Road, Chorley
Applicant	Chorley Council
Consultation expiry:	22 August 2014
Decision due by:	5th September 2014
Link to view plans	http://planning.chorley.gov.uk/online-applications/search.do?action=simple&searchType=Application

Recommendation
Permit Full Planning Permission

Executive Summary

The main issues to consider are whether the proposals accord with the policies contained within the current and emerging Local plan. For the reasons set out below it is considered that the proposals are consistent with the aims of the development plan and the Framework and represent a sustainable form of development within the settlement boundary of Chorley.

Representations

In total 2 representations have been received which are summarised below
Objection
Total No. received: 2
<ul style="list-style-type: none">• Grounds for objection: Cannot identify from the plans where the development is taking place.

Policy Position with regard to the emerging Chorley Local Plan 2012 – 2026

1. The Inspector has issued her Partial Report on her findings into the soundness of the Chorley Local Plan which is a material consideration in the consideration of any planning application.
2. In summary, the plan is considered to be legally compliant. In relation to soundness, the plan is considered sound, with the exception of matters relating to Gypsies & Travellers. The examination of the local plan remains open, and the Inspector will reconvene the examination in 2014 to consider Gypsy & Traveller Matters, which would enable adoption of the local plan, following a supplementary report.
3. Paragraph 18 of the Partial Report states: *“For the avoidance of doubt, the Plan may not be adopted until it has been changed in accordance with all of the main modifications set out in the Appendix to this partial report and any which may be specified in the Appendix of my forthcoming supplementary report. However, because of the very advanced stage in the examination process that the main modifications set out in the attached Appendix have reached, significant weight should be attached to all policies and proposals of the Plan that are amended accordingly, where necessary, except for matters relating to Gypsies and Travellers.”*
4. The Council accepted the Inspectors modifications for Development Control purposes at its Executive Committee on 21st November 2013 and as such the policies referred to below can be afforded significant weight.

Description of the site

5. The site is located within the settlement area of Chorley as identified within both the existing and emerging Local Plan. It is within Astley Park which is a Registered Park and Garden, which is defined as a designated heritage asset by Annex 2 to the Framework. The park, together with Astley Hall, was gifted to the people of Chorley by the last resident, R.A. Tatton, in 1922. Public access to both the hall and park has been continuous since 1924, following a period of refurbishment works to the hall building.
6. The site is located over 400 metres to the east of Astley Hall, which is grade I listed and therefore also defined by Annex 2 to the Framework as a designated heritage asset, immediately to the west of the pavilion building and to the north of the access path that runs generally from west to east through the park.
7. The site is currently an open, slightly undulating piece of grassed land that is used for general recreation purposes. Residential properties are located, at the nearest, 185 metres to the north of the site on Millfield Road and 140 metres to the south on Belverdere Drive. In both cases, but particularly to the south these properties are screened from the site by a significant number of mature trees.

AssessmentPrinciple of the Development

8. The pertinent policies are: Adopted Chorley Borough Local Plan Review (2003), Policy LT7; Adopted Central Lancashire Core Strategy (2012) Policy 24; Emerging Chorley Local Plan 2012 – 2026, Policy HW1. Also of relevance is the Framework, section 8.
9. The aforementioned policies seek to protect and enhance community recreation activities, within historic parks and gardens. Policy LT7 requires the following criteria to be satisfied before development proposals within historic parks and gardens can be permitted:
 - a. The special character and appearance of the park or garden and any important landscape features within it are protected;
 - b. The proposals satisfy the requirements of Policy HT13;
 - c. The proposals are compatible with the character and appearance of the area and the Council's policies relating to the Green Belt;
 - d. Access is available by a choice of means of transport other than by private car;
 - e. The site has adequate access and traffic generated can be safely accommodated on the local highway network.

10. Policy 24 of the adopted Central Lancashire Core Strategy (2012) aims to: Ensure that everyone has the opportunity to access good sport, physical activity and recreation facilities (including children's play) by:
 - d. Identifying sites for major new facilities where providers have evidence of need.
11. Policy HW1 of the emerging Chorley Local Plan 2012 – 2026 states that: Proposals for the provision of new open space, port or recreational facilities or extensions to existing facilities will be permitted if all of the following criteria are met:
 - a. The development will not have an adverse impact on the local environment or visual character of the landscape;
 - b. The development will not result in the loss of the best and most versatile agricultural land (Grades 1 and 3);
 - c. The development will not cause harm to a site of nature conservation value;
 - d. The development will not harm the amenities of local residents;
 - e. The site is accessible by a choice of means of transport other than the private car and the traffic generated would not have a severe impact on the highway network.
12. The proposed development has been designed following consultation with local people and is the Council's response to a request to improve the offer of Astley Park. The project has been designed specifically with reference to the historic location of the site and specific references are made to Astley Hall within the design concept. The chosen design follows pre-application discussion with officers of the Council and as a result utilises materials and finishes that are considered to be appropriate to the location whilst at the same time being robust and fit for purpose.
13. Ecological surveys and a report have been produced confirming that the proposed development will have no impact upon either protected or endangered species or their habitats.
14. The site is located close to Chorley town centre which is served by a number of bus routes, a railway station, taxi ranks and a number of car parks. Furthermore it is located close to the principal thoroughfare through the park that links the town centre to Astley Village and via Ackhurst Lodge to Southport Road.
15. The potential impact of the proposed development upon the significance of a designated heritage asset is considered in the following section where, amongst other things, the conformity to Policy HT13 is considered.
16. Overall it is considered that the proposed development accords with the aforementioned policies with respect to recreational facilities within historic parks and gardens.

Impact on the Significance of a Designated Heritage Asset

17. The pertinent policies are: Adopted Chorley Borough Local Plan Review (2003), Policy HT13; Adopted Central Lancashire Core Strategy (2012), Policy 16; Emerging Chorley Local Plan 2012 – 2026, Policy BNE8. Also of relevance is the Framework, section 12.
18. Policy HT13 of the Adopted Chorley Borough Local Plan Review (2003) states, Development will not be permitted if it would lead to the loss of or cause harm to the historic character or setting of any part of a Park or Garden of Special Historic Interest as defined on the Proposals Map. Pedestrian access to these areas by historic paths and routes will also be protected and maintained.
19. The Adopted Central Lancashire Core Strategy (2012), policy 16 refers to Heritage Assets. This policy mirrors that given in the Framework and states that it seeks to, 'Protect and seek opportunities to enhance the historic environment, heritage assets and their setting by: Safeguarding heritage assets from inappropriate development that would cause harm to their significances.'

20. The emerging Chorley Local Plan 2012 – 2026, Policy BNE8 refers to the Protection and Enhancement of Heritage Assets. Essentially this policy mirrors the Framework. Paragraph b, states that, 'Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for the following: iii, The Conservation and, where appropriate. The enhancement of the setting of heritage assets.'
21. Within the Framework paragraph 129 states that, 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.'
22. Paragraph 132 states, 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'
23. It is considered that given the location, design and choice of materials the significance of the grade II registered Astley Park will be sustained as a result of the proposed development. Furthermore it is considered that the significance of the setting of the grade I listed Astley Hall will, given the 400 metres separation distance from the site, be also sustained as a result of the proposed development.
24. The proposed development is therefore considered to accord with the aforementioned policies with respect to the significance of a designated heritage asset.

Impact on the neighbours

25. Given the separation distances of 185 and 140 metres from the site to the nearest residential properties and the profusion of mature trees between them it is considered that there will be no material impact upon the amenity currently enjoyed by neighbouring residential properties.

Overall Conclusion

26. In conclusion the proposals are considered to be acceptable. As such the proposal is recommended for approval.

Planning Policies

27. In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Borough Local Plan Review 2003 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposals has had regard to guidance contained with the National Planning Policy Framework (the Framework), the development plan and the emerging Local Plan 2012-2026. The specific policies/ guidance considerations are contained within the body of the report.

Recommended Conditions

No.	Condition									
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>									
2.	<p>The development shall only be completed in accordance with the approved plans. The approved plans are:</p> <table border="0" data-bbox="352 412 1359 506"> <tr> <td>CX1321/SEC rev3</td> <td>Sections</td> <td>Received on 5 August 2014</td> </tr> <tr> <td>AN200336</td> <td>Look Out Tower</td> <td>Received on 5 August 2014</td> </tr> <tr> <td>CX1321/LO1 Rev3</td> <td>Site Plan</td> <td>Received on 1 August 2014</td> </tr> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>	CX1321/SEC rev3	Sections	Received on 5 August 2014	AN200336	Look Out Tower	Received on 5 August 2014	CX1321/LO1 Rev3	Site Plan	Received on 1 August 2014
CX1321/SEC rev3	Sections	Received on 5 August 2014								
AN200336	Look Out Tower	Received on 5 August 2014								
CX1321/LO1 Rev3	Site Plan	Received on 1 August 2014								
3.	<p>No development shall commence unless and until full details of the proposed materials (notwithstanding any details shown on previously submitted plans and specifications) have been submitted to and approved in writing by the local planning authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p>Reason: To ensure that the materials used are visually appropriate to the locality.</p>									
4.	<p>External lighting associated with the development shall be minimal, designed to avoid excessive light spill and shall not illuminate potential bat habitat (e.g. hedgerow, trees) and or/ bird breeding places. In particular, in accordance with the submitted Ecological Assessment, no lighting shall directly illuminate the retained and protected trees and shrubs along the boundaries of the site and there shall be no lighting of the proposed bat habitat e.g. proposed roosting opportunities and proposed planting. The principles of relevant guidance should be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009).</p> <p>Reason: In the interests of maintaining a favourable conservation status of bats on the site.</p>									

ASTLEY PARK - DESTINATION PLAY SPACE



1. Swing Rope - Timberplay
Max height for top of post 5.8m



2. Roll Up - Proludic
Height 1.73m

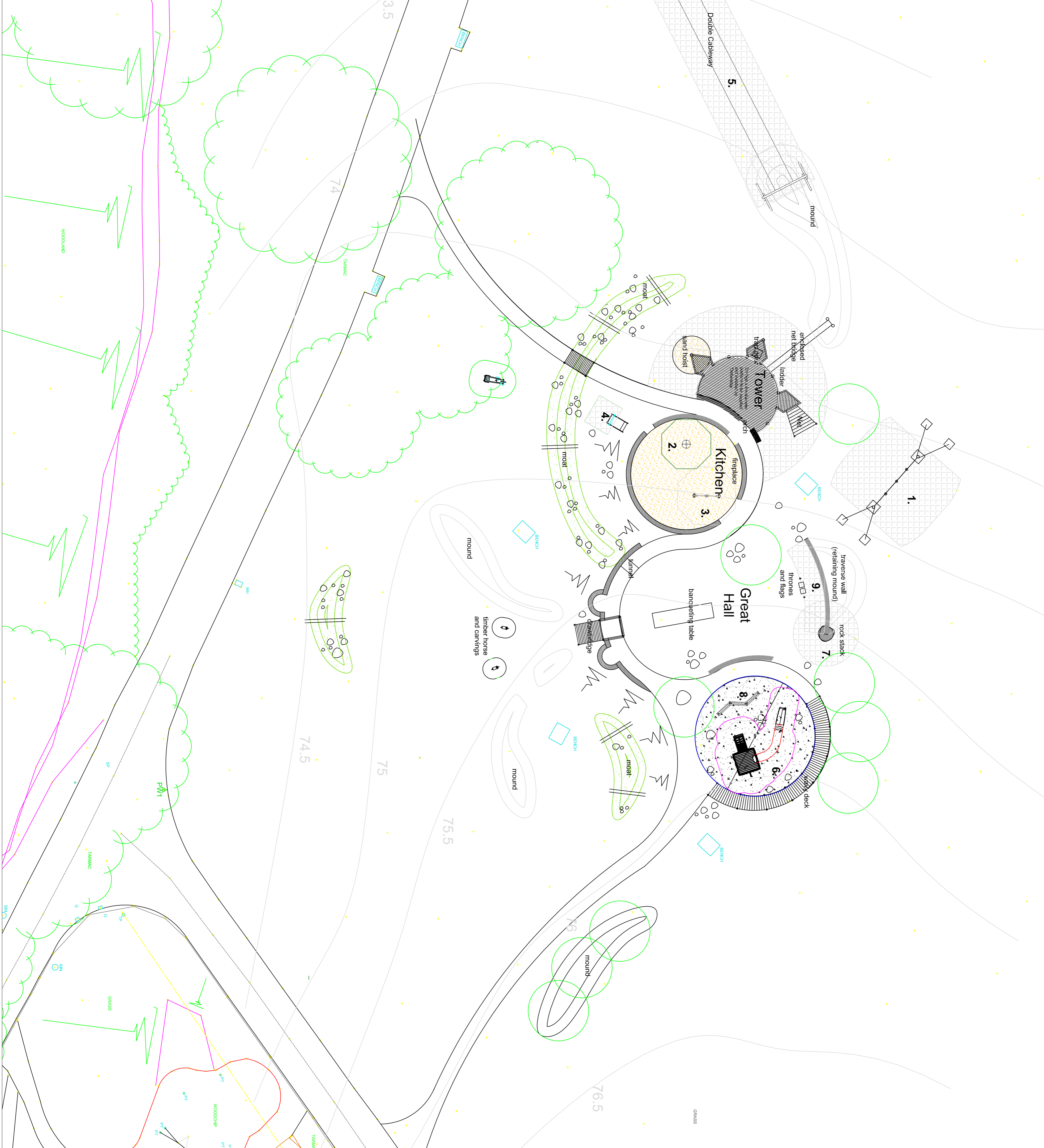


3. Hip Hop - Proludic
Height 1.57m



4. Small Children Slide - Timberplay

SCALE 1:200



5. Double Cableway - FHS (Proludic)
Height 3.2m



6. Jupiter 'Wall Tower Trier'
- Bespoke. Platform height 2.95m



7. Rock Stack - Bespoke
3m height



8. Balance trail - Proludic
1.6m height



9. Traverse wall - Bespoke
Ground level to 2m high

KEY	
	Gravel safety surface
	Sand safety surface
	Grassmat safety surface
	Timber platform
	Castle walls
	Timber Deck (wavy)
	Balance log
	mound/contours
	swathe
	boulders
	Proposed trees

Revision Notes -
CX1321/LO1 Rev 1 (07.05.14)
A. Due to underground services and excavation restrictions the sodrine has been re-located and moved back up the slide.
B. Solid 'spin tower' and stone steps replaced with a timber 'look out' tower. With link net bridge access to mound leading onto cableway.
CX1321/LO1 Rev 2 (03.06.14)
A. Timberplay 'look out tower' removed. New mound to be included in place of the platform to sit from a link with net bridge.
B. Rockstack moved from mound sand area to merge with traverse wall (retaining).
C. Timberplay tree house and turned slide replaced with Jupiter tower and traverse steps.
CX1321/LO1 Rev 3 (31.7.14)
A. Jupiter tower removed and replaced with 3D vegetation.
B. Jupiter tower removed and replaced with 3D vegetation.
C. Proposed trees have been added out on mound.

Dwg No: CX1321/LO1 Rev.3
Date: 26.03.14
Drawn by: DB
Checked by: AD
SCALE: 1:200
newground
landscape services

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Report of	Meeting	Date
Chief Executive	Development Control Committee	3 September 2014

PROPOSED CONFIRMATION OF TREE PRESERVATION ORDER NO.4 (ECCLESTON) 2014 WITHOUT MODIFICATION

PURPOSE OF REPORT

1. To consider formal confirmation of the Tree Preservation Order No.4 (Eccleston) 2014 without modification.

RECOMMENDATION(S)

2. Formal confirmation of the Order affords permanent as opposed to provisional legal protection to the tree covered by the Order.

EXECUTIVE SUMMARY OF REPORT

3. Formal confirmation of the Order affords permanent as opposed to provisional legal protection to the tree covered by the Order. Not to confirm the Order would mean allowing the Order, and thereby the protection conferred on the trees covered by the Order to lapse.

Confidential report Please bold as appropriate	Yes	No
--	-----	-----------

CORPORATE PRIORITIES

4. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	x	A strong local economy	
Clean, safe and healthy communities		An ambitious council that does more to meet the needs of residents and the local area	

BACKGROUND

5. The Order was made on the 27 June 2014 and served along with the statutory notice prescribed in Regulations on all those with an interest in the land on which the trees are situated on the 27 June 2014. The Order was made because on the assessment of the Council's Tree Officer that the trees make a valuable contribution to the visual amenity of the area, being prominently situated and clearly visible to the public and that their removal would have a significant impact on the environment and its enjoyment by the public.
6. No objection has been received in response to the making of the above Order. It is therefore, now open to the Council to confirm the above Order as unopposed. The effect of formally confirming the Order will be to give permanent legal force to the Order, as opposed

to provisional force, thereby making it an offence on a permanent basis to fell or otherwise lop, prune etc, any of the trees covered by the Orders without first having obtained lawful permission.

IMPLICATIONS OF REPORT

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

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area	x	Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

8. If the trees were to be lopped or pruned or chopped in breach of the order the Council would incur staff costs in any criminal investigation and prosecution. Staff costs in the Planning Department are also involved when dealing with applications for consent to work to protected trees.

COMMENTS OF THE MONITORING OFFICER

9. The legal effect of the order and the consequences of breach are addressed within the body of the report.

GARY HALL
CHIEF EXECUTIVE

Report Author	Ext	Date	Doc ID
Elizabeth Walsh	5169	29.07.14	64068



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Report of	Meeting	Date
Director of Public Protection, Streetscene, and Community	Development Control Committee	3 September 2014

PLANNING APPEALS AND DECISIONS RECEIVED FROM LANCASHIRE COUNTY COUNCIL AND OTHER BODIES BETWEEN 25 JULY AND 21 AUGUST 2014

PLANNING APPEALS LODGED

1. Appeal by Mr and Mrs David And Judith Whelan against the delegated decision to Refuse Tree Works for Crown reduction, crown raising and crown thinning to oak tree located behind the rear garden fence at Land To Rear Of 10 Birch Road, Coppull, Chorley PR7 5BG (Planning Application: 14/00363/TPO Inspectorate Reference APP/TPO/D2320/4057). Inspectorate letter received 29 July 2014.
2. Appeal by Redrow Homes Ltd. - Lancashire Division against the Committee decision to Refuse Reserved Matters Permission for Reserved matters application for the erection of 19 dwellings adjacent to the retail area of the Southern Commercial Area (re-plan of the dwellings approved as part of reserved matters approval 08/01098/REMMAJ and 12/00463/REMMAJ) at Land South Of Buckshaw Avenue, Buckshaw Village PR7 7EZ (Planning Application: 14/00264/REMMAJ Inspectorate Reference APP/D2320/A/14/2222150). Inspectorate letter received 5 August 2014
3. Appeal by Cassidy & Ashton Group Ltd. against the Committee decision to Refuse Full Planning Permission for the Construction of a (up to 8MW) Solar Photovoltaic (PV) Farm and associated works at Land Bounded By Black Brook, Chapel Lane And Tithe Barn Lane, Heapey (Planning Application: 13/00811/FULMAJ Inspectorate Reference: APP/D2320/A/14/2222025). Inspectorate letter received 8 August 2014.

PLANNING APPEALS DISMISSED

4. None.

PLANNING APPEALS ALLOWED

5. None.

PLANNING APPEALS WITHDRAWN

6. None

ENFORCEMENT APPEALS LODGED

7. None.

ENFORCEMENT APPEALS DISMISSED

8. None.

ENFORCEMENT APPEALS ALLOWED

9. None.

ENFORCEMENT APPEALS WITHDRAWN

10. None.

HIGH HEDGES APPEALS LODGED

11. Appeal by Mrs Kathleen Moon against the Remedial Notice issued under Part 8 of the Anti-Social Behaviour Act 2003 about the high hedge situated at 14 Judeland, Astley Village, Chorley PR7 1XJ issued 18 June 2014 taking effect 31 July 2014 (Chorley Case Reference: ENF/HH/1 Inspectorate Reference: APP/HH/14/1372). Inspectorate letter received 18 August 2014.

LANCASHIRE COUNTY COUNCIL DECISIONS

12. None.

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

JAMIE CARSON

DIRECTOR PUBLIC PROTECTION, STREETSCENE AND COMMUNITY

Report Author	Ext	Date	Doc ID
Robert Rimmer	5221	21.08.2014	***