

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 16TH JUNE 2015, 6.30 PM

COUNCIL CHAMBER, TOWN HALL, CHORLEY

AGENDA

APOLOGIES

- 1 **MINUTES OF MEETING TUESDAY, 26 MAY 2015 OF DEVELOPMENT CONTROL COMMITTEE**

(Pages 3 - 8)

- 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 7 reports for planning applications to be determined (enclosed).

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:

<https://planning.chorley.gov.uk/online-applications/search.do?action=simple&searchType=Application>

- 3A **15/00067/FUL - 1 VICTORIA TERRACE, VICTORIA STREET, WHEELTON, CHORLEY, PR6 8HE**

(Pages 9 - 16)

- 3B **15/00295/FUL- LAND ADJACENT CANAL WALK PLAY AREA**

(Pages 17 - 32)

- 3C **14/01272/OUT - LAND BETWEEN 71 AND 81 STATION ROAD, CROSTON (REPORT TO FOLLOW)**

- 3D **15/00359/FUL - RAMBLER COTTAGE, 86 PRESTON ROAD, WHITTLE-LE-WOODS, CHORLEY, PR6 7HE**

(Pages 33 - 46)

**3E 15/00282/FUL - H W MOON LTD, 56 WOOD LANE, HESKIN
(REPORT TO FOLLOW)**

**3F 12/000270/FUL - 1 DARLINGTON STREET, COPPULL
(REPORT TO FOLLOW)**

**3G 15/00307/FUL- WALLED GARDEN, ASTLEY PARK, PARK
ROAD, CHORLEY**

(Pages 47 - 54)

**4 DELEGATION FOR APPLICATIONS TO ADDRESS THE JUDICIAL
REVIEW CHALLENGE OUTCOME**

Report of the Director of Public Protection, Streetscene and Community
(to follow).

5 APPEALS AND OTHER DECISIONS

Report of the Director of Public Protection, Streetscene and Community
(to follow).

6 ANY URGENT BUSINESS PREVIOUSLY AGREED WITH THE CHAIR

GARY HALL
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Development Control Committee Councillor June Molyneaux (Chair), Councillor Christopher France (Vice-Chair) and Councillors Aaron Beaver, Martin Boardman, Charlie Bromilow, Henry Counce, Paul Clark, John Dalton, Danny Gee, Keith Iddon, 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

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MINUTES OF DEVELOPMENT CONTROL COMMITTEE

MEETING DATE Tuesday, 26 May 2015

MEMBERS PRESENT: Councillor June Molyneaux (Chair), Councillor Christopher France (Vice-Chair) and Councillors Aaron Beaver, Martin Boardman, Charlie Bromilow, Henry Counce, Paul Clark, John Dalton, Danny Gee, Alistair Morwood, Mick Muncaster, Paul Walmsley and Alan Whittaker

RESERVES: Councillors Gordon France and Greg Morgan

OFFICERS: Paul Whittingham (Development Control Team Leader), Nicola Hopkins (Principal Planning Officer), Helen Lowe (Planning Officer), Alex Jackson (Legal Services Team Leader) and Cathryn Filbin (Democratic and Member Services Officer)

APOLOGIES: Councillors Keith Iddon and Richard Toon

15.DC.126 Minutes of meeting Tuesday, 21 April 2015 of Development Control Committee

RESOLVED – That the minutes of the meeting of the Development Control Committee on 21 April 2015 be approved as a correct record for signature by the Chair.

15.DC.127 Declarations of Any Interests

There were no declarations received.

15.DC.128 Implications of the Deregulation Act 2015 on Core Strategy Policy 27: Sustainable Resources and New Developments

The Director of Public Protection, Streetscene and Community submitted a report which informed members of the Development Control Committee of the implications of the Deregulation Act 2015 on the Council's sustainability requirements for new dwellings set out in the Core Strategy Policy 27: Sustainable Resources and New Developments.

RESOLVED – That the report be noted.

15.DC.129 Planning applications to be determined

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

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

15.DC.129a 15/00141/FUL - Woods Fold Saw Mill, Dole Lane, Abbey Village, Chorley

The application was withdrawn for the agenda.

15.DC.129b 15/00089/FULMAJ - Land North Of Units A1- A4 Buckshaw Link Ordnance Road, Buckshaw Village

Registered speakers: Peter Willingham (supporter) and Philip Isherwood (applicant)

RESOLVED (unanimously) –

- 1. That planning permission be approved subject to the conditions detailed within the report in the agenda and the amended conditions in the addendum,**
- 2. that delegated authority be approved for officers, in consultation with the Chair and Vice Chair of the Development Control Committee, to vary the wording of condition 7 relating to contaminated land, to a compliance condition in the event that the submitted information was acceptable.**

15.DC.129c 15/00294/FUL - Land To The West Of 8 Chester Place, Adlington

Registered speaker: Steven Gallagher (applicant's agent)

RESOLVED (14:0:1) – That planning permission be approved subject to the conditions detailed within the report in the agenda excluding conditions 16, 17 and 18 which had been replaced by a new condition detailed in the addendum.

15.DC.129d 14/00974/FUL - Land North Of The Walled Orchard, Berkeley Drive, Cuerden

Registered speakers: Neville Whitham (Coppull parish councillor) and Dean Barlow (applicant)

RESOLVED (14:0:1) – That full planning permission be refused on the grounds that the proposed development would be inappropriate development within the green belt. Members of the Development Control Committee considered that it had not been adequately demonstrated that there was sufficient very special circumstances to outweigh the harm caused by that inappropriateness. Members of the Development Control Committee felt that whilst there may be limited visual harm, harm to the openness of the green belt would arise as a result of the proposals, and that it had not been adequately demonstrated that the proposed development would support the functioning of the Valley Park.

15.DC.129e 15/00152/OUTMAJ - Goodyear Business Park, Gorsey Lane, Mawdesley

RESOLVED (13:0:2) – That planning permission be approved subject to an associated supplemental Section 106 Agreement and the conditions detailed within the report in the agenda.

15.DC.129f 15/00067/FUL - 1 Victoria Terrace, Victoria Street, Wheelton, Chorley, PR6 8HE

Registered speaker: Peter Goldsworthy (the applicant's representative)

RESOLVED (13:0:2) – That the decision be deferred to allow members of the Development Control Committee the opportunity to attend the site of the proposals.

15.DC.129g 15/00140/FUL - Clayton Brook Primary School, Great Greens Lane, Bamber Bridge, Preston, PR5 8HL

Registered speaker: Deryck Scargill (objector)

A motion was proposed, and seconded, for the decision to be deferred to allow members of the Development Control Committee the opportunity to visit the site of the proposals. When the motion was put to the vote the result was 7:7:1. The Chair used her casting vote against the motion which resulted in the motion being refused.

RESOLVED (10:1:4) – That planning permission be approved subject to the conditions detailed within the report in the agenda.

15.DC.129h 14/01331/FUL - The Windmill Hotel, 311 The Green, Eccleston

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

15.DC.129i 15/00281/REM - H W Moon Ltd, 56 Wood Lane, Heskin, Chorley

A motion was proposed and seconded to approve planning permission subject to an additional condition that the small proportion of existing three meter high fence at the rear boundary be extended to encompass the entire length of the proposed car park for the purpose of reducing noise emanating from the car park. When put to the vote, the motion was lost 4:10:1.

RSOLVED (12:3:0) – That the reserved matters planning permission be granted subject to conditions detailed within the report in the agenda.

15.DC.129j 15/00049/FUL - Dutch Barn Close, Chorley

The Chair announced that items 4j, 4k and 4l relating to Dutch Barn Close, Chorley be considered together.

Registered speaker: Carly Hinde (applicant's agent)

RESOLVED (14:0:1) – That the Section 73 application to vary condition number 7 of planning permission no: 94/00808/OUT to enable the properties to be occupied as open market residential dwellings be approved.

15.DC.129k 15/00050/FUL - Dutch Barn Close, Chorley

RESOLVED (14:0:1) – That the Section 73 application to vary condition number 10 of planning permission no: 95/00128/REM to enable the properties to be occupied as open market residential dwellings be approved.

15.DC.129l 15/00051/FUL - Dutch Barn Close, Chorley

RESOLVED (14:0:1) – That the Section 73 application to vary condition number 9 of planning permission no: 95/00841/FUL to enable the properties to be occupied as open market residential dwellings be approved.

15.DC.130 Enforcement**15.DC.130a Enforcement Report - Land at Skew Bridge, Bolton Road, Heath Charnock**

The Director of Public Protection, Streetscene and Community submitted a report which sought approval to take enforcement action under Section 215 of the Town and Country Planning Act 1990 in order to remedy harm caused to the amenity of the area land at Skew Bridge, Bolton Road, Heath Charnock.

The appearance of the land had deteriorated and was adversely affecting the amenity of the area.

RESOLVED (unanimously) – That a Section 215 Notice be served on those persons with an interest in the land and any occupiers, if appropriate, in order to remedy the harm caused to the amenity of the area.

15.DC.130b Enforcement Report - Sirloin Inn, Station Road, Hoghton

The Director of Public Protection, Streetscene and Community submitted a report which sought authority to take enforcement action in respect of the unauthorised decking area erected at the Sirloin Inn, Hoghton.

The decking was considered unacceptable on the basis that materials used were not in keeping with the building and that it obscured the front façade of the building which caused substantial harm to the significance of the building as a heritage asset. The proposal was contrary to The Framework, Policy 16 of the Adopted Central Lancashire Core Strategy and Policy BNE8 of the emerging Chorley Local Plan 2012 – 2026.

RESOLVED (unanimously) – That it was expedient to issue an Enforcement Notice to remedy the breach of planning control.

15.DC.130c Enforcement Notice - 17 Withnell Fold

The Director of Public Protection, Streetscene and Community submitted a report to seek authority to take enforcement action in respect of the unauthorised entrance canopy erected over the front door of 17 Withnell Fold, Chorley.

The canopy was of modern design and not in keeping with the existing historical properties, which were constructed of local sandstone. The canopy detracts from the character and appearance of the locally listed building.

RESOLVED (14:0:1) – That it was expedient to issue an Enforcement Notice to remedy the breach planning control.

15.DC.131 Tree Preservation Orders

15.DC.131a Tree Preservation Order Number 2 (Adlington) 2015

The Director of Public Protection, Streetscene and Community submitted a report which sought formal confirmation of the Tree Preservation Order No. 2 (Adlington) 2015 without modification in light of an objection being received.

Although the objector was not objecting to the Tree Preservation Order itself they did request tree pruning of T1, T2 and T3 prior to the protection being permanently afforded due to damage that could be caused to the objector's property during windy weather. In response, officers felt that the trees were in a suitable condition therefore the Order should be made without modification.

RESOLVED (unanimously) – That the Tree Preservation Order for number 2 (Adlington) 2015 be confirmed without modification.

15.DC.131b Tree Preservation Order Number 13 (Croston) 2014

The Director of Public Protection, Streetscene and Community submitted a report which sought formal confirmation of the Tree Preservation Order No 13 (Croston) 2014 in light of an objection being received.

The objector raised a number of issues including

- Tree T2 should be removed from the Order. It appears a very poor and unbalanced specimen which is impinging on the adjacent tree T1 and could well jeopardise the long term viability of this tree which is growing to suit and so is also becoming increasingly unbalanced. Tree T2 will also need regular cutting back to avoid the adjacent [overhead] wires and obstructing the road so further reducing its contribution to the amenities of the area/street scene - it does not seem worthy of protection which is likely to be contrary to the best interests of T1.
- Tree T1 as a stand-alone sycamore is probably not of sufficient amenity benefit as to warrant being included as part of the TPO.
- The size of the proposed Group 1 and Group 2 should be reduced by approximately 15m - the benefit associated with the trees within these areas will be fundamentally the same if reduced as suggested. The width of the two groups also seems to be shown as being significantly wider than it is on the ground, notably Group 1 which should be adjusted to reflect only the area within which the trees are growing.

RESOLVED (unanimously) – That the Tree Preservation Order for number 2 (Adlington) 2015 be confirmed with the following modifications:

- 1. Reduction in the length of Group 1 and 2 by approximately 15m,**
- 2. Reduction in the width of Group 1,**
- 3. Tree T2 removed from the Order.**

15.DC.132 Appeals and other decisions

The Director of Public Protection, Streetscene and Community submitted a report which informed members of the Development Control Committee of four planning appeals lodged with the Planning Inspectorate and two appeals which had been dismissed.

RESOLVED – That the report be noted.

Chair

Date

Item 3a	15/00067/FUL
Case Officer	Iain Crossland
Ward	Wheelton And Withnell Ward
Proposal	Erection of detached summer house in front garden
Location	1 Victoria Terrace Victoria Street Wheelton Chorley PR6 8HE
Applicant	Mrs Rosemary Gilmore
Consultation expiry:	30th April 2015
Decision due by:	7th May 2015

Recommendation

It is recommended that this application is refused

Executive Summary

The main issue to consider is whether the proposal would result in harm to the character and appearance of the surrounding area.

Representations

Wheelton Parish Council - No objections but request that local residents are consulted.
In total 2 representations have been received which are summarised below
Objection
Total No. received: 2
<ul style="list-style-type: none"> • This proposed development would be completely out of character with the rest of Victoria Terrace, Hill House and the rest of Victoria Street. • The structure would be beyond the building line. • The site plan on the Council's website is materially incorrect as it substantially understates the size of the footprint of 1 Victoria Terrace.

AssessmentThe Site

1. The application site is an end terraced dwelling of traditional character located in a prominent position on the edge of Wheelton village. The dwelling is faced in stone with a roof laid in slate. There is a large garden to the front of the house, which slopes downwards towards the highway, and a yard to the rear. Character of the local area is that of a rural village surrounded by open countryside. The site is located within the settlement area of Wheelton village and is adjacent to a Grade II listed building.

The Proposal

2. This application relates to the erection of a detached summer house in the front garden of 1 Victoria Terrace. The outbuilding would have an octagonal footprint with a width of 2.5m and depth of 1.8m. There would be pitched roof with a ridge and eaves height of 2.43m and 2m respectively and would be faced in painted timber and glazing.

Assessment

The main issues are as follows:-

Issue 1 – Impact on character and appearance of the locality

Issue 2 – Neighbour amenity

Issue 3 – Impact on a designated heritage asset

Principle of the Development

3. The National Planning Policy Framework (The Framework) states that applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay.
4. The application site is located in the core settlement area of Chorley. The emerging Chorley Local Plan 2012 - 2026 states that within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development.
5. The emerging Chorley Local Plan 2012-2026 states that planning permission will be granted for new development including free standing structures provided that 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. Domestic outbuildings are not specifically referred to in The Framework, or emerging Chorley Local Plan 2012-2026. Guidance is, however, set out in the Householder Design Guidance Supplementary Planning Document (SPD).
6. The Householder Design Guidance Supplementary Planning Document (SPD) states that outbuildings should generally be sited in an inconspicuous position. The siting and design of outbuildings needs particular care in rural areas, where they can be particularly prominent and in the context of listed buildings. Paragraph 8.2 states that *it will rarely be acceptable to site outbuildings in front of the original property as they would then be too prominent and conflict with any established building lines*. Proposals should be constructed in a style that reflects the original building, its setting and the residential amenities of neighbours.

Impact on character and appearance of the locality

7. The proposed outbuilding would have the appearance of a fairly typical domestic summerhouse and would be of modest scale. It would be located within a front garden of a residential dwellinghouse and would be positioned between the dwelling and highway at Victoria Street. It would be approximately 4.5m from the front elevation of the dwelling and approximately 4m from the highway. There is a significant reduction in levels from the front elevation of the house down to the highway and as such the outbuilding would be clearly visible in the street scene.
8. Despite the modest scale of the proposed outbuilding it would result in the development of an unusual feature in the context of a front garden, and would be particularly

conspicuous in this location, given its elevated position, siting beyond the building line and open aspect to the front. It would be visible from Victoria Street (to the front of the site and to the east), from the entrance to Millbrook Close and from distance along Blackburn Road and nearby public footpaths. Although it is acknowledged that the front garden of 1 Victoria Terrace has evolved over time, with the aid of previous extensions and landscaping works, to function in a similar manner to a rear garden, other neighbouring properties have not developed in this way and retain more typical garden frontages. Victoria Terrace has a traditional character, which is of value to the character of the surrounding area.

9. It is noted that there is some well-established planting and landscaping to the front of the property, which would help to filter views of the proposed summerhouse to some extent. This planting could, however, be cleared or cut back at any time and would not mitigate the harmful impact upon the street scene.
10. The proposed outbuilding would constitute an incongruous feature in the street scene, by virtue of its siting and prominent position such that it would be harmful to the character and appearance of Victoria Terrace as a collective, and therefore harmful to the character of the area.

Impact on neighbour amenity

11. The proposed summerhouse would be located approximately 1.5m from the boundary with 2 Victoria Terrace and approximately 6m from the property itself. Due the scale of the proposed summerhouse and degree of separation there would be no impact on light or outlook in relation to this property. The outbuilding is not considered to be a habitable room and its impact on privacy is therefore considered acceptable.
12. The proposed summerhouse would be located approximately 15m from Hill House to the west. Due the scale of the proposed summerhouse, its positioning and degree of separation there would be no impact on light, outlook or privacy in relation to this property.

Impact on a designated heritage asset

13. Hill House is located approximately 7m to the west of the application site. This is a grade II listed building and, as such, is considered to be a 'designated heritage asset' as defined by Annex 2 of the Framework. It is noted that a number of alterations to 1 Victoria Terrace have been carried out that have a greater impact upon Hill House than the current proposal, and that the proposed summerhouse would be modest in scale and well separated from Hill House. It is considered that the impact of this proposal upon the designated heritage asset over and above that which already exists through other surrounding development would be negligible.
14. As a result the proposed development would not impact upon the current setting any further and accordingly the remaining significance of the setting to the designated heritage asset would be sustained. Consequently it is considered that the proposal is acceptable in relation to policy BNE8 of the Chorley Local Plan 2012 – 2026.

Overall Conclusion

15. It is not considered that there would be any unacceptable impact on neighbour amenity or the designated heritage asset, however, the proposed development would by virtue of its siting and prominent positioning result in an incongruous feature in the street scene that would be detrimental to the character and appearance of the area. It is therefore recommended that the application should be refused.

Planning Policies

16. In accordance with S.38 (6) Planning and Compulsory Purchase Act (2004), the application has been determined in accordance with the development plan [the Central Lancashire Core Strategy (2012) and the Adopted Chorley Borough Local Plan Review (2003) 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.

17. In October 2013, the Local Plan Inspector 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.
18. 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."
19. The Council accepted the Local Plan 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.
20. Further consideration has been given to matters relating to Gypsies and Travellers, and the Local Plan Inspector's Supplementary Report on Gypsy and Traveller and Travelling Showpeople was issued (08 May 2015) and it concludes that the part of the Chorley Local Plan dealing with Gypsy and Traveller and Travelling Showpeople policy and site allocation is also sound, providing a number of main modifications are made.

Planning History

06/00689/FUL: Demolition of existing garage and conservatory, and erection of single storey front, side and rear extensions (inclusive of replacement garage and conservatory). Approved 29 September 2006

07/00725/FUL: Erection of single storey side and rear extensions. Approved 19 July 2007

Reason for refusal

No.	
1.	The proposed development would by virtue of its siting and prominent positioning result in an incongruous feature in the street scene that would be detrimental to the character and appearance of the area. The proposal is therefore contrary to The National Planning Policy Framework, BNE1 of the emerging Chorley Local Plan 2012 – 2026 and the Council's adopted Householder Design Guidance Supplementary Planning Document.

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Item 3b	15/00295/FUL
Case Officer	Nicola Hopkins
Ward	Chorley East
Proposal	Erection of 8 residential dwellings utilising existing access, with associated infrastructure and landscaping.
Location	Land Adjacent Canal Walk Play Area, Crosse Hall Lane Chorley
Applicant	Morris Homes
Consultation expiry:	26th May 2015
Decision due by:	22nd June 2015
 Recommendation	
Approve full planning permission	

Representations

In total 3 representations have been received which are summarised below	
<p>Crosse Hall Residents Group have made the following comments:</p> <ul style="list-style-type: none"> • Whilst there are no direct objections to the erection of the houses, we consider it imperative that attention is given to the traffic issue and safety outside St James School as priority. • These houses are in such close proximity to the school where we already have major concerns regarding road safety. • This has been an issue since Morris Homes did not fulfil the initial requirements regarding a proper turning circle and our initial complaints regarding the layout of the junction from Crosse Hall Lane and Howarth Road. • We had suggested that this land be considered for parking for the school in order to ease the congestion at the top of the lane but also appreciate the land opposite on Howarth Road could possibly be considered for this matter alternatively and may be a suitable way to allow these houses to be erected whilst the parking/driving safety issue be resolved simultaneously. 	
Not specified	
Total No. received: 2	
<ul style="list-style-type: none"> • No objection if Public Right of way is provided to access Crosse Hall Lane and Leeds and Liverpool Canal • The existing footpath, and gateway (recently boarded over), from the play area to Howarth Road on the west side of the playground between the playground fence and the school fence is not shown and must be retained as this will be the only means of access from Canal Walk to Howarth Road and the areas beyond when the path used more at present is sealed off as part of this application. • The dropped kerb on Howarth Road level with the site was installed by the developer as part of the road construction and in reality is not an existing access to the site it is a new one. This must be noted when considering the application. 	

Consultees

Consultee	Summary of Comments received
Canal and River Trust	No objection subject to conditions
Lancashire County Council (Highways)	No objections
United Utilities	No objection subject to conditions although they have noted that a public sewer crosses this site and UU will not permit building over it. Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. The applicant has been made aware of this issue.
Council's Tree Officer	Has commented on the trees at the site
Council's Waste and Contaminated Land Officer	Has requested a condition in respect of land contamination and has requested clarification in respect of waste collection

AssessmentPrinciple of the Development

1. The site is located within the settlement area of Chorley as identified within both the existing and emerging Local Plan. The emerging Local Plan identifies that development within settlement areas may be for an appropriate use such as housing, offices, community facilities or Green Infrastructure. This should be read in conjunction with other policies and proposals in the emerging plan and with Core Strategy Policy 1: Locating Growth. Within Core Strategy Policy 1 Chorley is identified as a Key Service Centre where development will be focused on the regeneration of the Town Centre but with some greenfield development.
2. The area of land is an area of undeveloped greenfield land and in principle it is considered that developing the site for housing accords with Policy 1 of the Adopted Core Strategy.
3. The proposed development involves the erection of eight 2 and 3 bedroom mews and semi-detached dwellings with one apartment on Haworth Road approximately 100m east of Haworth Road/Crosse Hall Lane. It is separated by the Leeds Liverpool Canal from the Rivington View site being developed Morris Homes (application 02/00680/REMMAJ) for development of over 160 dwellings.

Impact on the Neighbours

4. The application site is adjacent to St James C of E Primary School although it is separated from the school building by the school playing field and a strip of trees. The nearest residential neighbours to the site are 44 Canal Walk and 1-3 The Moorings.
5. 1, 2 and 3 The Moorings are 2 storey dwellinghouses which are separated from the application site by a former playground. In recent years the play equipment has been removed from the site and the area of land which separates the application site and the neighbouring houses is now used as an area of informal open space. The adjacent land is allocated within the emerging Local Plan as open space and a recent planning application on the site (12/01150/FUL) for 2 houses was withdrawn.
6. Due to the existence of the area of open space there is approximately 39 metres retained from the rear of the dwellings on The Moorings to the application site. As such it is not considered that the proposals will adversely impact on the existing or future residents.
7. The side gable of 44 Canal Walk is located approximately 38 metres from the side gable of plot 8. There are no first floor windows in the side elevation of 44 Canal Walk and there are no habitable room windows in the side gable of plot 8. Due to the arrangement of the windows within the proposed properties and the distance retained between the proposed and existing dwellings there will be no impact on the existing or future residents.
8. Plot 1 is located adjacent to the boundary with the school. A Didsbury house type is proposed on plot 1 which does include a first floor side window however this serves a bathroom and will be obscurely glazed. As such the proposed dwellings will not result in overlooking to the school field.
9. The Dalton house type on plots 5 and 6 are dwellings which 'turn the corner' houses however the layout has been designed to ensure that the rear first floor habitable room windows are located away from the common boundary to ensure that no loss of privacy is created. The first floor rear windows close to the boundary serve a bathroom and landing and can be obscurely glazed to avoid loss of privacy to the detriment of the future residents.
10. There is a 'step' between the rear wall of plots 4/ 7 and the attached dwellings on plots 5/6. Due to this difference any future extensions have the potential to adversely impact on the neighbours' amenities. Also given the arrangement of plots 5 and 6 it is considered necessary to remove permitted development rights on these plots to ensure the amenities of the future residents are protected.

Levels

11. The application site rises up from the road and has a higher land level than the road. Additionally there is a large area of earth mounded on part of the site which is currently fenced off. The applicant has provided a drainage strategy plan which details the proposed finished floor levels of the dwellings; these reflect the adjacent ground levels and will be similar to the finished floor levels of the existing houses which is considered to be acceptable. The applicant has confirmed that the existing earth mound will be removed from the site as part of the engineering works.

Highways and Access

12. The Highway Engineer has reviewed the proposals and has no objection. He has commented that the proposed development will be accessed from an existing access to Haworth Road, which is an un-adopted and privately maintained road.
13. 16 car parking spaces are required in accordance with Policy ST4 of the emerging Local Plan. The proposed parking includes 2 parking spaces adjacent to plot 1 and a long garage block along the northern site boundary which will accommodate 6 vehicles with parking space to the front of each garage. The plans have been amended to ensure the garages and parking spaces are large enough to 'count' as a parking space. The amended proposals provide sufficient parking space for the proposed dwellings.
14. Vehicular access to the site is via the existing access junction onto Howarth Road which appears to have been constructed as part of the road construction. The Highway Engineer has raised no concerns with utilising this access.
15. The comments of the Crosse Hall Residents Group are noted however as set out above the Highway Engineer has raised no objections to the proposals. The scheme has been designed to provide sufficient off street parking for the number of dwellings proposed to ensure the scheme does not exacerbate parking issues in the area. Any issues in terms of parking at the school are separate to this planning application.

Public Open Space

16. The site is located adjacent to a piece of amenity open space which is allocated as existing open space (Policy HW2) within the emerging Local Plan. This piece of land will be retained and still fully accessible as part of the proposed scheme. The layout of the proposed scheme sets the majority of the dwellings away from the boundary with this open space with the proposed intervening garage building. Plot 8 is located next to the boundary which does include a first floor landing window however the scheme as a whole will not create natural surveillance to the open space. This notwithstanding however it is noted that the existing earth mound on the site effectively screens this area of open space and the open space is already overlooked by the dwellings on The Moorings. As such it is considered that the proposals will not negatively impact on this area of open space.
17. The Open Space and Playing Pitch SPD was adopted for development control purposes at the Council meeting on 17th September 2013 and open space requirements relating to new housing schemes accord with emerging Local Plan Policies HS4A and HS4B and the approach in the SPD. However this development is for 8 no. dwellings which is below the 10 unit threshold set out within the NPPG and also has a combined gross floorspace of less than 1000m². In the case of this development there is no evidence at this time, which is directly related to the development, to seek a contribution towards public open space contrary to the national guidance.

Trees

18. There are existing mature trees on/ adjacent to the application site and as such the application is supported by an Arboricultural Survey and Implication Assessment and a Arboricultural Method Statement.
19. The Council's Tree Officer has visited the site and noted the following trees:

- T3 Early Mature Maple. Multi stemmed specimen with poor form, forming part of a larger linear group. Category C tree with limited merit.
 - G1 Six Early Mature Maple. Linear group with poor form suffering effects of vandalism. Category C trees.
20. The Tree Officer recommends the removal of T3 & G1 with replanting on site to compensate for the removal of T1 & G3. The Officer also advises that screen planting should be incorporated along the perimeter boundary, along the northern boundary with the play area and along the eastern boundary with school.
21. All of the trees are low quality trees (Category C) and as such they do not warrant a Tree Preservation Order however the trees along the school boundary do act as a landscaped screen between the site and the school. The proposed layout plan details the retention of Group G1 however the submitted drainage strategy plan details removal of these trees. The applicant has confirmed that they don't mind whether G1 stays or go. The trees are located on or near to the centre line of the boundary and as such any removal may require consent from the school or third party land owners. Working on a worst case scenario that it is identified that these trees need to be removed as part of the development a replacement tree planting condition will be attached to the recommendation.

Design

22. The proposed development incorporates a row of dwellinghouses with an underpass to the rear parking court (unit 2 is an apartment over the underpass) and a pair of semi-detached dwellinghouses. The development represents a modern 2 storey residential development which reflects the character of the wider area and as such is considered to be appropriate in terms of Policy 17 of the Adopted Core Strategy and Policy BNE1 of the emerging Local Plan.

Sustainable Resources

23. Policy 27 of the Core Strategy currently requires dwellinghouses to be built to meet Code for Sustainable Homes Level 4 which increases to Level 6 on 1st January 2016. However the 2015 Deregulation Bill received Royal Assent on Thursday 26th March 2015 which effectively removes Code for Sustainable Homes. The Bill does include transitional provisions which include:

“For the specific issue of energy performance, local planning authorities will continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. This is expected to happen alongside the introduction of zero carbon homes policy in late 2016. The government has stated that, from then, the energy performance requirements in Building Regulations will be set at a level equivalent to the (outgoing) Code for Sustainable Homes Level 4. Until the amendment is commenced, we would expect local planning authorities to take this statement of the government's intention into account in applying existing policies and not set conditions with requirements above a Code Level 4 equivalent.”

“Where there is an existing plan policy which references the Code for Sustainable Homes, authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard, or in the case of energy a standard consistent with the policy set out in the earlier paragraph in this statement, concerning energy performance.”

24. As such there will be a requirement for the dwellings hereby approved to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations in accordance with the above provisions.

Waste Collection

25. The Council's Waste and Contaminated Land Officer originally queried the proposed waste and recycling collection arrangements. The Officer requested that the bin storage point and suitable collection point be clarified and confirmed. In this regard a bin collection point has been added to the layout. The Edgware apartment has binstores built in to the ground floor level. Following receipt of this information the Waste and Contaminated Land Officer has confirmed that this is an acceptable arrangement.

Drainage

26. United Utilities have commented that a public sewer crosses this site and as such a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. The applicant has been made aware of this and confirmed that they can comply with the comments made.
27. A drainage strategy plan has been provided (which also includes the proposed finished floor levels of the houses) which has been forwarded to both United Utilities and the Canal and River Trust (as they requested a surface water drainage condition). The Canal and River Trust have confirmed that on the basis of the drainage plan provided, it appears that it is not proposed to discharge any water to the canal. As such the Canal & River Trust are no longer requesting a drainage condition. United Utilities comments will be reported on the addendum.

Community Infrastructure Levy

28. 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. The proposed housing development will be chargeable development.
29. The total residential floor space proposed of is 7173sqft however unit 2 is an apartment and as such the total chargeable floorspace is 6488sqft or 602.73m² including the garage accommodation (126m²) creates 728.73m² of floor space which equates to a CIL charge of approximately £47,367.45.

Canal/ Right of Way

30. The Leeds Liverpool Canal runs along the side of the application site. The Canal and River Trust have no objection in respect of the impact of the proposals and the canal subject to conditions.
31. It is noted that one of the neighbours' comments received requests that the right of way to the canal is maintained. There is no definitive right of way identified on the Council's mapping system from Howarth Road to the canal although there is an informal 'cut-through' that is evident on site down the embankment from the site to the canal tow path (adjacent to the bridge). In respect of this route the applicant has confirmed that these routes can be retained as they form part of the open space within the site.
32. Comments have also been received that the existing footpath, and gateway from the play area to Howarth Road on the west side of the playground between the playground fence and the school fence is not shown and must be retained as this will be the only means of access from Canal Walk to Howarth Road and the areas beyond when the path used more at present is sealed off as part of this application. It is noted that there is currently an informal access from Canal Walk through the application site to Howarth Road. The applicant has confirmed that the route identified will remain untouched as part of the proposals.

Overall Conclusion

33. The proposals result in the development of a piece of previously undeveloped land within a sustainable location which accords with Policy 1 of the Adopted Core Strategy. The proposals are considered to be acceptable for the reasons set out above and are accordingly recommended for approval.

Planning Policies

34. 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.
35. In October 2013, the Local Plan Inspector 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.
36. 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.”*
37. The Council accepted the Local Plan 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.
38. Further consideration has been given to matters relating to Gypsies and Travellers, and the Local Plan Inspector’s Supplementary Report on Gypsy and Traveller and Travelling Showpeople was issued (08 May 2015) and it concludes that the part of the Chorley Local Plan dealing with Gypsy and Traveller and Travelling Showpeople policy and site allocation is also sound, providing a number of main modifications are made.

Planning History

Reference	Description	Decision	Date
5/1/00984	Use of land for housing	Refused	1957

Suggested Conditions

No.	Condition																																																																
1.	The proposed development must be begun not later than three years from the date of this permission. Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004																																																																
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 539 1257 1973"> <thead> <tr> <th data-bbox="320 539 611 633">Title</th> <th data-bbox="611 539 699 633">Plot</th> <th data-bbox="699 539 954 633">Drawing Reference</th> <th data-bbox="954 539 1257 633">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 633 611 696">Location Plan</td> <td data-bbox="611 633 699 696"></td> <td data-bbox="699 633 954 696">LOC 01</td> <td data-bbox="954 633 1257 696">31st March 2015</td> </tr> <tr> <td data-bbox="320 696 611 792">Proposed Street Scene</td> <td data-bbox="611 696 699 792"></td> <td data-bbox="699 696 954 792">SS01</td> <td data-bbox="954 696 1257 792">31st March 2015</td> </tr> <tr> <td data-bbox="320 792 611 898">Proposed Planning Layout</td> <td data-bbox="611 792 699 898"></td> <td data-bbox="699 792 954 898">PL03 Rev A</td> <td data-bbox="954 792 1257 898">1st June 2015</td> </tr> <tr> <td data-bbox="320 898 611 994">Standard Screen Fence Details</td> <td data-bbox="611 898 699 994"></td> <td data-bbox="699 898 954 994">F1-1</td> <td data-bbox="954 898 1257 994">31st March 2015</td> </tr> <tr> <td data-bbox="320 994 611 1057">Garage Details</td> <td data-bbox="611 994 699 1057"></td> <td data-bbox="699 994 954 1057">GR2-1</td> <td data-bbox="954 994 1257 1057">2nd June 2015</td> </tr> <tr> <td data-bbox="320 1057 611 1153">Chatsworth Elevations</td> <td data-bbox="611 1057 699 1153">3/ 4</td> <td data-bbox="699 1057 954 1153">P/HTCHA/01</td> <td data-bbox="954 1057 1257 1153">31st March 2015</td> </tr> <tr> <td data-bbox="320 1153 611 1249">Chatsworth floor plans</td> <td data-bbox="611 1153 699 1249">3/ 4</td> <td data-bbox="699 1153 954 1249">P/HTCHA/02</td> <td data-bbox="954 1153 1257 1249">31st March 2015</td> </tr> <tr> <td data-bbox="320 1249 611 1312">Dalton Elevations</td> <td data-bbox="611 1249 699 1312">5/ 6</td> <td data-bbox="699 1249 954 1312">P/HTDA/01</td> <td data-bbox="954 1249 1257 1312">31st March 2015</td> </tr> <tr> <td data-bbox="320 1312 611 1375">Dalton Floor Plans</td> <td data-bbox="611 1312 699 1375">5/ 6</td> <td data-bbox="699 1312 954 1375">P/HTDA/01</td> <td data-bbox="954 1312 1257 1375">31st March 2015</td> </tr> <tr> <td data-bbox="320 1375 611 1471">Didsbury Detached Elevations</td> <td data-bbox="611 1375 699 1471">1</td> <td data-bbox="699 1375 954 1471">P/HTDID/D/01</td> <td data-bbox="954 1375 1257 1471">31st March 2015</td> </tr> <tr> <td data-bbox="320 1471 611 1568">Didsbury Semi Elevations</td> <td data-bbox="611 1471 699 1568">7/ 8</td> <td data-bbox="699 1471 954 1568">P/HTDID/S/01</td> <td data-bbox="954 1471 1257 1568">31st March 2015</td> </tr> <tr> <td data-bbox="320 1568 611 1664">Didsbury Floor Plans</td> <td data-bbox="611 1568 699 1664">1/ 7/ 8</td> <td data-bbox="699 1568 954 1664">P/HTDID/02</td> <td data-bbox="954 1568 1257 1664">31st March 2015</td> </tr> <tr> <td data-bbox="320 1664 611 1727">Edgware Elevations</td> <td data-bbox="611 1664 699 1727">2</td> <td data-bbox="699 1664 954 1727">P/HTED/01</td> <td data-bbox="954 1664 1257 1727">31st March 2015</td> </tr> <tr> <td data-bbox="320 1727 611 1812">Edgware Floor Plans</td> <td data-bbox="611 1727 699 1812">2</td> <td data-bbox="699 1727 954 1812">P/HTED/02</td> <td data-bbox="954 1727 1257 1812">31st March 2015</td> </tr> <tr> <td data-bbox="320 1812 611 1973">External Works and Private Drainage layout (including finished floor levels)</td> <td data-bbox="611 1812 699 1973"></td> <td data-bbox="699 1812 954 1973">02054/AD100</td> <td data-bbox="954 1812 1257 1973">28th May 2015</td> </tr> </tbody> </table>	Title	Plot	Drawing Reference	Received date	Location Plan		LOC 01	31 st March 2015	Proposed Street Scene		SS01	31 st March 2015	Proposed Planning Layout		PL03 Rev A	1 st June 2015	Standard Screen Fence Details		F1-1	31 st March 2015	Garage Details		GR2-1	2 nd June 2015	Chatsworth Elevations	3/ 4	P/HTCHA/01	31 st March 2015	Chatsworth floor plans	3/ 4	P/HTCHA/02	31 st March 2015	Dalton Elevations	5/ 6	P/HTDA/01	31 st March 2015	Dalton Floor Plans	5/ 6	P/HTDA/01	31 st March 2015	Didsbury Detached Elevations	1	P/HTDID/D/01	31 st March 2015	Didsbury Semi Elevations	7/ 8	P/HTDID/S/01	31 st March 2015	Didsbury Floor Plans	1/ 7/ 8	P/HTDID/02	31 st March 2015	Edgware Elevations	2	P/HTED/01	31 st March 2015	Edgware Floor Plans	2	P/HTED/02	31 st March 2015	External Works and Private Drainage layout (including finished floor levels)		02054/AD100	28 th May 2015
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	<i>Reason: For the avoidance of doubt and in the interests of proper planning</i>
3.	<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>Reason: Full details of the proposed external facing materials was not provided as part of the application and in order to ensure that the materials used are visually appropriate to the locality samples are required.</p>
4.	<p>No dwelling shall be occupied until all fences and walls shown in the approved details have been erected in conformity with the approved details. The approved fences include the erection of 1.8m high close boarded fences to delineate all of the rear private garden space of the dwellings hereby approved. 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>Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</p>
5.	<p>The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans.</p> <p>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents</p>
6.	<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.</p> <p>Reason: To safeguard the trees to be retained</p>
7.	<p>Prior to the commencement of the development full details of the trees to be removed at the site and full details (including species, number, stature and location) of the replacement tree planting shall have been submitted to and approved in writing by the Local Planning Authority. The replacement tree planting shall be carried out in accordance with the approved details as part of the approved landscaping scheme for the site.</p> <p>Reason: To safeguard the visual amenity of the area and to mitigate for the loss of the trees on the site. Trees are required to be felled to facilitate the development and to mitigate the loss full details of a replacement scheme are required prior to commencement to ensure that adequate mitigation can be secured</p>
8.	<p>Prior to the commencement of development full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. In particular the proposed vehicle crossing at the site access shall incorporate dropped kerbs and tactile pavings. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.</p> <p>Reason: The submitted information did not include details of the hard surfacing materials and to ensure that the materials used are visually appropriate to the locality samples are required.</p>
9.	<p>Before the development hereby permitted is first occupied, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.</p> <p>Reason: To ensure adequate on site provision of car parking and manoeuvring areas.</p>
10.	All new dwellings are required to achieve a minimum Dwelling Emission Rate of

	<p>19% above 2013 Building Regulations. Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.</p>
<p>11.</p>	<p>Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details. Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate</p>
<p>12.</p>	<p>No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate. Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.</p>
<p>13.</p>	<p>No development or demolition works 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:</p> <ul style="list-style-type: none"> • the parking of vehicles of site operatives and visitors wholly within the application site • hours of operation (including deliveries) during construction and demolition • loading and unloading of plant and materials wholly within the application site • storage of plant and materials used in constructing the development wholly within the application site • measures to control the emission of dust and dirt during construction • a scheme for recycling/disposing of waste resulting from construction works <p>Reason: The site is located on the main access route to a large housing estate and close to the existing junction with Crosse Hall Lane. The specified information is required in the interests of highway safety and to protect the amenities of the nearby residents. This information is required prior to commencement to ensure that the entire project adheres to appropriate procedures.</p>
<p>14.</p>	<p>Notwithstanding any indication on the approved plans, no development approved</p>

	<p>by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing foul or combined public sewerage systems. Any surface water draining to the public surface water sewer must be restricted to a maximum pass forward flow of 5 l/s. The development shall be completed, maintained and managed in accordance with the approved details.</p> <p>Reason: To ensure a satisfactory form of development, to prevent an undue increase in surface water run off and to reduce the risk of flooding</p>
15.	<p>A scheme for the landscaping of the development and its surroundings shall be submitted to the commencement of the development. These details shall include all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; Landscaping proposals should comprise only native plant communities appropriate to the natural area.</p> <p>All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p>Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.</p>
16.	<p>Notwithstanding the details of the submitted plans, the proposed accessway and parking area shall be constructed using permeable materials on a permeable base, the details of which shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials and shall be retained thereafter.</p> <p>Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off. The details are required prior to commencement to ensure that a suitable material is agreed early on with the development process</p>
17.	<p>All windows in the first floor of the side elevation of plot 1 hereby approved 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.</p> <p>Reason: In the interests of the privacy of the adjacent primary school</p>
18.	<p>The landing and bathroom windows in the first floor of the rear elevation of plots 5 and 6 hereby approved 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.</p> <p>Reason: In the interests of the privacy of occupiers of neighbouring property.</p>
19.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (Schedule 2, Part 1, Classes A, B, C, D, E) or any subsequent re-enactment thereof no extension to the dwellings on plots 4, 5, 6 and 7 hereby approved, porch, garden shed, greenhouse, garage or car port shall be erected other than those expressly authorised by this permission.</p> <p>Reason: In the interests of neighbour amenity and to ensure that future extensions do not adversely impact on the neighbours amenities.</p>



REV	DESCRIPTION	DATE	INIT
 <p>Morris Homes (Group) Limited Morland House Altrincham Road Wilmslow Cheshire SK9 5NW Tel: (01625) 544 444 Fax: (0845) 833 1845</p>			
<p>Job Title ADDITIONAL LAND, HAWORTH ROAD CHORLEY</p>			
<p>Dwg. Title Location Plan</p>			
date	drawn	checked	scale
10/03/15	RGE		1:1250
			dwg.no
			LOC 01
			rev

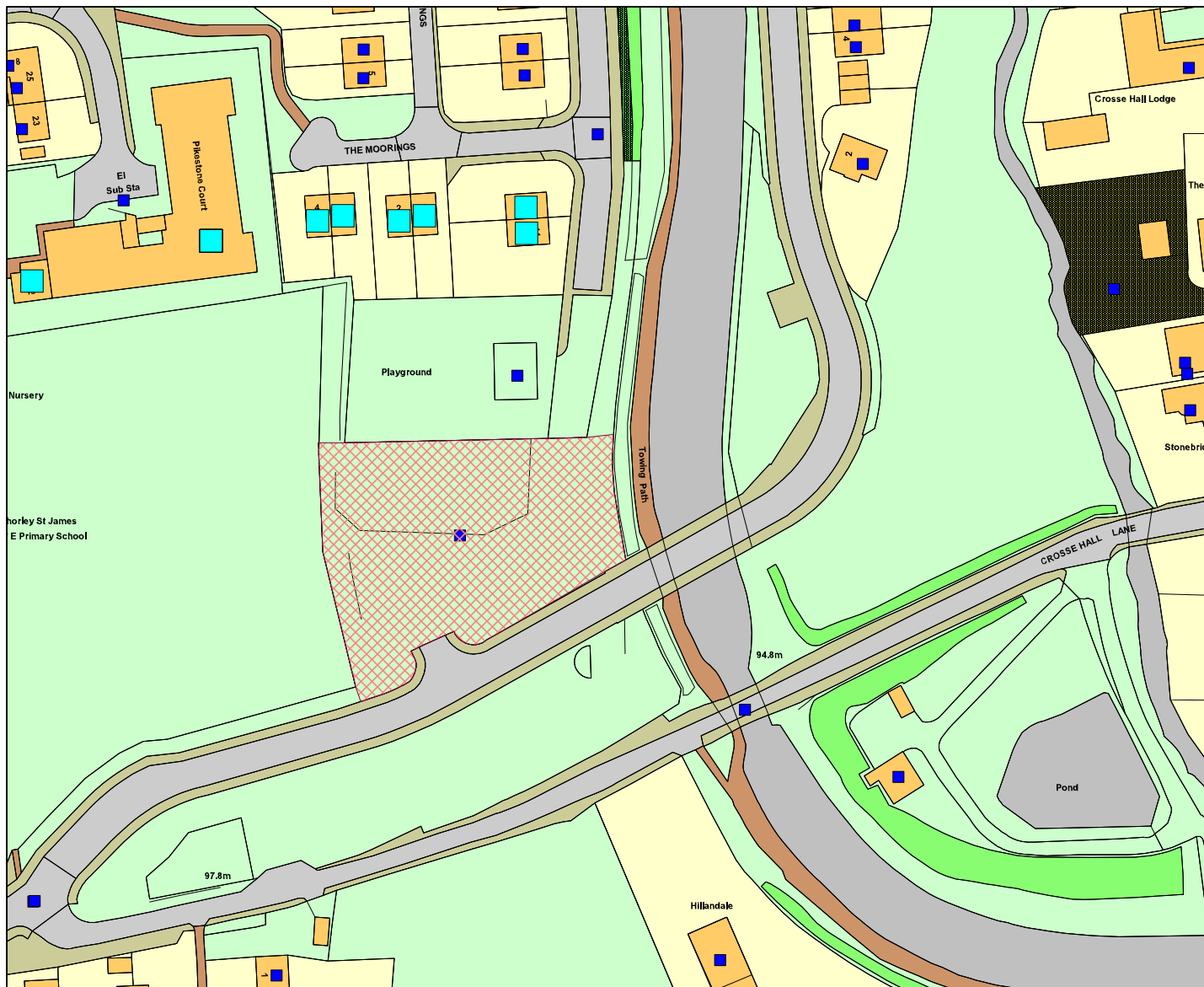
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15/00295/FUL

Land adjacent Canal Walk Play Area Crosses Hall Lane

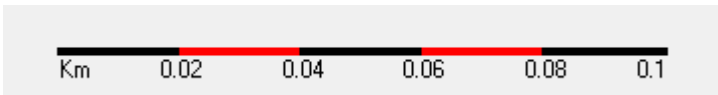


GIS by ESRI (UK)



Legend

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Organisation	Organisation
Department	Department
Comments	1:1250
Date	27 April 2015
SLA Number	SLA

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Item 3d	15/00359/FUL
Case Officer	Iain Crossland
Ward	Pennine Ward
Proposal	Conversion of end terraced dwelling into two dwellings including a single storey rear extension, erection of detached dwelling and creation of new vehicular access
Location	Rambler Cottage 86 Preston Road Whittle-Le-Woods Chorley PR6 7HE
Applicant	Mr & Mrs H & J Shasavar
Consultation expiry:	10 June 2015
Decision due by:	16 June 2015

Recommendation

It is recommended that this application is approved subject to conditions

Executive Summary

The main issues to consider are the acceptability of garden development, whether the proposal would result in an acceptable impact on neighbour amenity, the character and appearance of the surrounding area and the highway impact.

Representations

Whittle-le-Woods Parish Council- concern regarding sight lines and the safety of the entrances, owing to the close proximity of the roundabout on an already busy main road.
In total 3 representations have been received which are summarised below
Objection
Total No. received: 3
<ul style="list-style-type: none"> • The proposed positioning of the shed and composter will block access and make manoeuvring difficult. • A right of access would be blocked, which is contrary to a legal agreement relating to the lane • Impact on cars being parked close to property • Highways safety impact on Preston Road • Works have already commenced. Should the plans be approved before any work is undertaken? • Loss of light and outlook through construction of single storey extension to the rear

Consultees

Consultee	Summary of Comments received
LCC Highways	<p>I have assessed the safety implications of the proposed access to Preston Road and can confirm that there exists adequate visibility to allow the site to be safely accessed and egressed. As a result of adequate space within curtilage, exiting the site will not involve reversing manoeuvres as vehicles will be able to turn to exit in forward gear. Also, the presence of footway along the site frontage on Preston Road will enhance safety due to the separation of pedestrian areas from vehicles.</p> <p>While visibility at the junction of Royton Drive and the existing site access road seems good, the access road is narrow with restricted forward visibility. It has no footways and used as a shared pedestrian/vehicular access. As it is a 2-way access road, vehicles from opposing directions have difficulties safely passing each other. In such situations, due to the narrow width of the access road and the fact that there are no protected spaces, pedestrians often feel threatened by moving vehicles.</p> <p>From a highways perspective therefore, it appears the proposed access to Preston Road represents an improvement on the existing situation, as both vehicular and pedestrian traffic associated with the proposed development will be taken away from the existing access road instead of being added onto.</p>

	<p>From the submitted site plan, 06 rev. B dated June 2014; the proposed point of stopping-up of the existing access road leaves adequate room to allow vehicles to safely turn to exit from Royton Drive.</p> <p>In view of the above, there are no highway objections to the proposed development and the new access to Preston Road.</p>
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AssessmentThe Site

1. The application site comprises a residential dwellinghouse at 86 Preston Road, Whittle le Woods and the associate residential garden curtilage. The property is an end terrace dwelling with a large curtilage to the south side, beyond which is highway verge and a roundabout to the Lucas Lane housing estate.
2. The property faces Preston Road which is a classified highway, however, the vehicular access is currently gained via a narrow single track driveway from Royton Drive, which also serves dwellinghouses at 1, 3 and 5 Royton Drive.
3. The site is located in the core settlement area of Whittle Le Woods. The area is of a suburban character consisting of modern detached dwellings in a typical estate format and more traditional dwellings set along Preston Road. It is noted that the levels reduce across the site from north west to south east.

The Proposal

4. The proposed development is for the conversion of the end terrace dwelling at 86 Preston Road to form two terraced dwellings along with the erection of a single storey rear extension. The proposed extension would project approximately 3m from the rear elevation of the existing dwelling. It would be approximately 2m in width and there would be mono pitched roof with a ridge and eaves height of approximately 3.4m and 2.237m respectively.
5. The proposed development includes the erection of a detached dwelling and associated residential curtilage. The proposed dwelling would have a width of approximately 9.4m and depth of approximately 9m at ground floor and 7.2m at first floor resulting in a single storey rear projection. There would be a dual pitched roof over the main body of the dwelling with a ridge and eaves height of approximately 6.8m and 4.9m respectively. The property would be faced in render and the roof laid in slate.
6. A shared parking area would be created to serve all three dwellings, and it is proposed to create a new vehicular access to Preston Road with the existing access to Royton Drive closed off.

Assessment

The main issues are as follows:-

Issue 1 – Garden Development

Issue 2 – Impact on character and appearance of the locality

Issue 3 – Impact on neighbour amenity

Issue 4 – Impact on highways/access

Issue 5 – Section 106

Principle of the Development

7. The application site is located in the core settlement area of Whittle Le Woods. The Chorley Local Plan 2012 - 2026 states that within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development.
8. Policy HS3 of the emerging Chorley Local Plan 2012 - 2026 will replace the Interim Policy on Private Residential Garden Development. Policy HS3 states that development within private residential gardens not allocated for housing will only be permitted for:
 - (a) appropriately designed and located replacement dwellings where there is no more than one for one replacement;
 - (b) the conversion and extension of domestic buildings, and;
 - (c) infill development on gardens which is classified as the filling of a small gap in an otherwise built up street frontage which is typically a gap which could be filled by one or possibly two houses of a type in keeping with the character of the street frontage.

9. The conversion of the existing dwelling meets with criterion (b). The proposed new dwelling does not specifically comply with any of criteria (a) or (b) due to the nature of what is proposed. With regards to criteria (c), the site does not meet the definition of an infill plot as it is not a gap in a built up frontage.
10. However, paragraph 5.29 of the preamble to Policy HS3 states that when assessing applications for garden sites the Council will also have regard to the relationship of development to the surrounding character in terms of density, siting, layout, massing, scale, design, materials building to plot ratio and landscaping. The preamble also states that the Council will have regard to sustainability issues such as access to public transport, school, businesses and local services and facilities.
11. It is noted that there are a range of dwelling types and styles in the locality and that the proposed new build dwelling would reflect the siting and scale of other properties along Preston Road as it would face Preston Road itself, would respect the existing building line and would be of a modest scale. As there is no predominant design style in the locality the proposed dwelling would not be out of character, and it would be faced in render with stone sills and lintels and with a roof laid in slate to complement the property at 86 Preston Road to which it would be adjacent. As such the proposed new build dwelling would not be detrimental to the character of the area.
12. Policy HS3 includes the additional sustainability criteria detailed above so in terms of this issue, there are factors which weigh in favour of the proposal. Firstly, the site is located in the settlement area on a major 'A' road which serves as the main axis between Chorley and Preston and supports a high frequency bus service between the two. There is a good level of accessibility to local employment opportunities and to shops, schools and other services.
13. On the basis of the above factors, it is considered that the site is in a sustainable location and therefore meets with the objectives of Criteria (1) of Policy HS3, which seeks to promote sustainable forms of development.
14. Notwithstanding the above, criteria (d) of Policy 1 of the Central Lancashire Core Strategy states that some growth and investment will be encouraged in specific Urban Local Service Centres to help meet local housing and employment needs. Whittle Le Woods is identified as one of the Urban Local Service Centres.
15. As such, the principle of the development is considered to be acceptable in this case, subject to other material planning considerations.

Design and impact on the character of the area

16. The proposal includes the conversion of an end terraced dwelling into two dwellinghouses with a small single storey extension to the rear and for the erection of new detached dwelling on land to the south side.
17. It is noted that some of the works in preparation for the division of the existing dwelling at 86 Preston Road have been carried out already. Most notably this includes the insertion of a new door opening to the front, demolition of a side extension, landscaping and the erection of a two storey rear extension, which was carried out using the householder permitted development rights prior to application being submitted.
18. Other than these changes a single storey rear extension is proposed. As this would be located to the rear of the property it would not be visible from public view and would have negligible impact on the character and appearance of the property. The alterations involved in dividing the existing property would not result in any harm to the appearance of the property or character of the surrounding area and would reflect the appearance of neighbouring dwellings.
19. The proposed new build dwelling would be of a design that would reflect the scale and appearance of 86 Preston Road. It would be faced in render with stone sills and lintol

features and a roof laid in slates, which matches the neighbouring dwellings. The siting would be consistent with the building line along Preston Road and would face Preston Road thereby maintaining an active street frontage. As such the dwelling would be in keeping with the street scene and character of the area.

20. The creation of a new vehicular access would result in a feature that is typical of properties along Preston Road in this location and would not detract from the appearance or character of the area.
21. The development is therefore considered to be in accordance with Policy BNE1 of the emerging Chorley Local Plan 2012 - 2026 and has overcome the concerns regarding the impact on the street scene.

Impact on the neighbours

22. The application site is bound to the north by 88 Preston Road, to the east by 1 and 15 Royton Drive to the south by the highway.
23. The property to be divided at 86 Preston Road is attached to 88 Preston Road to the north. The proposed single storey rear extension would be located immediately adjacent to this neighbouring dwelling. It would extend 3m from the rear elevation of the allocation property and 88 Preston Road. As such it would not project more than 3 metres beyond a 45-degree line drawn from the near edge of any ground floor rear-facing window to a habitable room at 88 Preston Road, which is a standard assessment method used for extension within the Council's Householder Design SPD and is considered reasonable to refer to in this instance. It is therefore considered that the impact on outlook is acceptable.
24. It is noted that the proposed extension would be located to the south of 88 Preston Road and would therefore have some impact on light in relation to this property. The impact would, however, be negligible considering the impact that is already presented by the two storey rear extension located approximately 2m away. The window inserted in the rear elevation would not serve a habitable room and would have no impact on privacy.
25. There is a raised patio area to the rear of the divided properties. This would be separated from 88 Preston Road by a wall of approximately 1.8m in height and would not therefore provide any views of the private intimate amenity space at this property. The new build dwelling would be located over 17m away and would be screened from 88 Preston Road by the existing property at 86 Preston Road.
26. The dwelling to the east of the site at 1 Royton Drive is located approximately 7m from the site boundary. The proposed new building dwelling would be located approximately 6.5m from the boundary and 19m from the dwelling at 1 Royton Drive at its nearest point. The degree of separation is such that there would be no unacceptable impact on light in relation to this dwelling. The proposed dwelling would be positioned at an angle in relation to 1 Royton Drive and there would be no facing windows and no views created over the most private intimate amenity space at this neighbour property. As such there would be no impact on privacy. The proposed dwelling would not be directly visible from the dwelling at 1 Royton Drive and would not therefore impact on outlook.
27. There would be a raised patio to the rear of the proposed dwelling and this would be at a higher level in relation to 1 Royton Drive. Any views that would be created towards 1 Royton Drive would be restricted to the front and side of the property and not over the private intimate amenity space to the rear.
28. It is noted that car parking spaces would be created immediately adjacent to the boundary with 1 Royton Drive, however, these would be screened by boundary fencing. The parking would be for private residential parking only and as a result no unacceptable impact on the amenity of the occupiers at 1 Royton Drive would occur.

29. The garden curtilage of the proposed new dwelling would extend approximately 4.7m into the existing driveway, wrapping around the curtilage of 1 Royton Drive. Although it is acknowledged that this would be a slightly unusual arrangement it is considered that with the appropriate boundary treatment it would not be detrimental to the outlook or privacy of the occupiers of 1 Royton Drive. It is recommended that boundary detail confirmation is required by condition.
30. The dwelling to the east of the site at 15 Royton Drive is located approximately 10.5m from the application site at its nearest point and approximately 22m from the existing dwelling to be divided. The proposed single storey extension and conversion works would have a negligible impact on this property to the relative positioning and degree of separation. It is noted that the application site is at a higher level and that views towards the private intimate amenity space at 15 Royton Drive are possible. The views from the garden area at 86 Preston Road already exist, however.
31. The proposed new build dwelling would be located approximately 16m from the boundary with 15 Royton Drive and approximately 32m from the dwelling itself. As a result there would be no unacceptable impact on the amenity of the occupiers of 15 Royton Drive as a result of the proposed new build.
32. The division of 86 Preston Road into two separate properties can be implemented without causing unacceptable harm to future occupiers of either property. It is noted that there are windows to habitable rooms in the ground floor south side elevation of 86 Preston Road, which would remain as serving habitable rooms following division. These would be located approximately 6m from the gable elevation to the north side of the proposed new build. Although this is less than normally recommended it is noted that the main windows to this habitable space are in the rear elevation at 86 Preston Road and that the relationship is not an unusual one given that there would be a shared driveway between. Furthermore it would be useful to retain natural surveillance over the driveway.
33. A secondary window to a habitable room is proposed in the ground floor north side elevation of the proposed new build dwelling. This would directly face parallel windows to habitable space in the south side of 86 Preston Road. As the degree of separation is only 6m it is recommended that this window is obscure glazed by condition to safeguard the privacy of future occupiers.
34. On the basis of the above it is considered that the impact on neighbour amenity in terms of loss of light, privacy and outlook would be acceptable subject to appropriately worded conditions.

Impact on highways/access

35. The proposed development would result in 2 two bedroom dwellings and a three bedroom dwelling. Off street parking for six vehicles (two at each property) would be provided by way of a shared parking area to the rear. This meets with the parking standards set out in relation to policy ST4 of the emerging Chorley Local Plan 2012 – 2026.
36. The proposed development involves creating a new vehicular access off Preston Road with the existing access to Royton Drive closed off. Lancashire County Council (LCC) Highways have assessed the safety implications of the proposed access to Preston Road and confirm that there adequate visibility exists to allow the site to be safely accessed and egressed. As a result of adequate space within curtilage, exiting the site will not involve reversing manoeuvres as vehicles will be able to turn within the site to exit in forward gear. In addition the presence of a footway along the site frontage on Preston Road will enhance safety due to the separation of pedestrian areas from vehicles.
37. While visibility at the junction of Royton Drive and the existing site access road seems good, the access road is narrow with restricted forward visibility. It has no footways and is used as a shared pedestrian/vehicular access. As it is a 2-way access road, vehicles from opposing directions have difficulties safely passing each other. From a highways perspective therefore, it appears the proposed access to Preston Road represents an

improvement on the existing situation, as both vehicular and pedestrian traffic associated with the proposed development will not be increased along the existing access road.

38. From the submitted site plan the proposed point of stopping-up of the existing access road leaves adequate room to allow vehicles to safely turn to exit from Royton Drive and would not restrict manoeuvrability in relation to 1 Royton Drive.
39. It is therefore considered that there would be no harm to highway safety as a result of the proposed development, and that the site is in an accessible location.

Section 106 Agreement

40. The National Planning Practice Guidance was updated by Government on 28 November 2014 in respect of contributions for affordable housing and tariff style planning obligations. These measures were introduced to support small scale developers by reducing disproportionate burdens on developer contributions. The updated guidance confirms that such contributions should not be sought from small scale and self-build development. In particular, the guidance states that contributions should not be sought from developments of 10 units or less, and which have a maximum combined gross floorspace of no more than 1000m².
41. This development is for the net addition of two dwellings, which is below the 10 unit threshold and also has a combined gross floorspace of less than 1000m².
42. In the case of this development there is no evidence at this time, which is directly related to the development, to seek a contribution towards public open space contrary to the national guidance.

Other matters

43. A right of access would be blocked, which is contrary to a legal agreement relating to the lane: This is a private matter for the land owner to consider along with any legal matters relating to the land.
44. Works have already commenced. Should the plans be approved before any work is undertaken? Any works carried out prior to any application being granted are done so at the applicants own risk.

Overall Conclusion

45. It is considered that the 'principle' of a new dwelling and the conversion of an existing dwelling into two separate dwellings on this site are acceptable due to the sustainable credentials of the site and its characteristics along with the objectives of Policy 1 of the Core Strategy which encourages some growth in Whittle le Woods. The sustainability of the site results from its location in the settlement area on a main arterial route with excellent transport links to employment, schools, shops and other services. These factors are considered to establish the 'principle' of a new dwelling on the site and therefore compliance with Policy HS3 of the emerging Chorley Local Plan which is at an advanced stage.
46. The impact on the appearance and character of the area are acceptable as the new build dwelling is appropriately designed, is of an appropriate scale and relates well to the street scene. The impact on neighbour amenity is considered to be acceptable as is the impact on highway safety.
47. The proposed conversion of the existing dwelling into two separate dwellings would not impact on the character of the area and the proposed alterations would not result in any unacceptable impact on the amenity of neighbouring occupiers. The creation of a new access would not have an unacceptable impact on highway safety.
48. On the balance of the above the development is accordingly recommended for approval subject to conditions.

Planning Policies

49. 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.
50. In October 2013, the Local Plan Inspector 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.
51. 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.”*
52. The Council accepted the Local Plan Inspector’s modifications for Development Management purposes at its Executive Committee on 21st November 2013.
53. Further consideration has been given to matters relating to Gypsies and Travellers, and the Local Plan Inspector’s Supplementary Report on Gypsy and Traveller and Travelling Showpeople was issued (08 May 2015) and it concludes that the part of the Chorley Local Plan dealing with Gypsy and Traveller and Travelling Showpeople policy and site allocation is also sound, providing a number of main modifications are made.
54. 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.

Planning History

94/00124/FUL: Temporary change of use (6 months) from domestic to sales office and car park. Approved 29 March 1994

01/00264/TPO: Works to tree covered by Tree Preservation order No.8 (Whittle-le-Woods) 1999. Granted 1 June 2001

02/00663/FUL: Erection of conservatory to rear and retrospective application for detached garage to side and pitched roof over existing side extension. Retrospective consent granted 11 September 2002

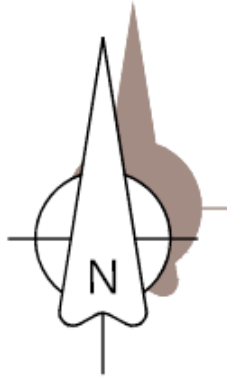
06/00360/TPO: Proposed felling of tree and removal of remaining stump (Tree Preservation Order No. 8 Whittle -le-Woods 1999). Consent granted 24 May 2006

Suggested Conditions

No.	Condition																																	
1.	<p>The proposed development must be begun not later than three years from the date of this permission. Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004</p>																																	
2.	<p>Notwithstanding the details shown on the submitted plans, the proposed car parking and turning area shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway), unless otherwise agreed to in writing by the Local Planning Authority. Reason: In the interests of highway safety and to prevent flooding</p>																																	
3.	<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. The dwelling shall not 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. Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents</p>																																	
4.	<p>The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced. Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</p>																																	
5.	<p>All planting, seeding or turfing comprised in the approved details of landscaping shown on drawing 06 rev. B dated June 2014 and received 03 June 2015 shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the earlier, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. Reason: In the interest of the appearance of the locality</p>																																	
6.	<p>The development shall be carried out in accordance with the following plans:</p> <table border="0" data-bbox="320 1487 1302 1823"> <thead> <tr> <th data-bbox="320 1487 603 1518">Plan Ref.</th> <th data-bbox="603 1487 895 1518">Received On:</th> <th data-bbox="895 1487 1302 1518">Title:</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 1518 603 1550">Drg. No. 10</td> <td data-bbox="603 1518 895 1550">03 June 2015</td> <td data-bbox="895 1518 1302 1550">Location Plan</td> </tr> <tr> <td data-bbox="320 1550 603 1581">Drg. No. 01 Rev B</td> <td data-bbox="603 1550 895 1581">03 June 2015</td> <td data-bbox="895 1550 1302 1581">Existing plans and elevations</td> </tr> <tr> <td data-bbox="320 1581 603 1612">Drg. No. 02 Rev A</td> <td data-bbox="603 1581 895 1612">03 June 2015</td> <td data-bbox="895 1581 1302 1612">Proposed ground floor plan</td> </tr> <tr> <td data-bbox="320 1612 603 1644">Drg. No. 03 Rev A</td> <td data-bbox="603 1612 895 1644">03 June 2015</td> <td data-bbox="895 1612 1302 1644">Proposed first floor plan</td> </tr> <tr> <td data-bbox="320 1644 603 1675">Drg. No. 04 Rev B</td> <td data-bbox="603 1644 895 1675">03 June 2015</td> <td data-bbox="895 1644 1302 1675">Proposed elevations</td> </tr> <tr> <td data-bbox="320 1675 603 1706">Drg. No. 05 Rev B</td> <td data-bbox="603 1675 895 1706">03 June 2015</td> <td data-bbox="895 1675 1302 1706">Existing block plan and levels</td> </tr> <tr> <td data-bbox="320 1706 603 1738">Drg. No. 06 Rev D</td> <td data-bbox="603 1706 895 1738">03 June 2015</td> <td data-bbox="895 1706 1302 1738">Proposed block plan and levels</td> </tr> <tr> <td data-bbox="320 1738 603 1769">Drg. No. 07 Rev A</td> <td data-bbox="603 1738 895 1769">03 June 2015</td> <td data-bbox="895 1738 1302 1769">Detached House Floor Plans</td> </tr> <tr> <td data-bbox="320 1769 603 1800">Drg. No. 08 Rev B</td> <td data-bbox="603 1769 895 1800">03 June 2015</td> <td data-bbox="895 1769 1302 1800">Detached House Elevations</td> </tr> <tr> <td data-bbox="320 1800 603 1832">Drg. No. 09 Rev A</td> <td data-bbox="603 1800 895 1832">03 June 2015</td> <td data-bbox="895 1800 1302 1832">Proposed site sections</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning</p>	Plan Ref.	Received On:	Title:	Drg. No. 10	03 June 2015	Location Plan	Drg. No. 01 Rev B	03 June 2015	Existing plans and elevations	Drg. No. 02 Rev A	03 June 2015	Proposed ground floor plan	Drg. No. 03 Rev A	03 June 2015	Proposed first floor plan	Drg. No. 04 Rev B	03 June 2015	Proposed elevations	Drg. No. 05 Rev B	03 June 2015	Existing block plan and levels	Drg. No. 06 Rev D	03 June 2015	Proposed block plan and levels	Drg. No. 07 Rev A	03 June 2015	Detached House Floor Plans	Drg. No. 08 Rev B	03 June 2015	Detached House Elevations	Drg. No. 09 Rev A	03 June 2015	Proposed site sections
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7.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (Schedule 2, Part 1, Class A) or any subsequent re-enactment thereof no extension or alteration to any of the dwellings hereby permitted shall be erected carried out other than those expressly authorised by this permission.</p>																																	

	Reason: In the interests of neighbour amenity and the character and appearance of the property. Further extensions carried out under permitted development could have a negative impact on the amenity of occupiers at 88 Preston Road and 15 Royton Drive.
8.	<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>Reason: To ensure that the materials used are visually appropriate to the locality.</p>
9.	<p>The parking and garaging and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained out and made available in accordance with the approved plan prior to the first occupation of the dwellings hereby permitted and such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).</p> <p>Reason: To ensure provision of adequate off-street parking facilities within the site</p>
10.	<p>Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system. The surface water must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority and no surface water shall discharge to the public sewerage system either directly or indirectly.</p> <p>Reason: To secure proper drainage of the site.</p>
11.	<p>No part of the development hereby approved shall commence until a scheme for the construction of the site access has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.</p> <p>Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable prior to the commencement of development on the new build dwelling hereby approved.</p>
12.	<p>All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.</p>
13.	<p>Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate.</p>
14.	No dwelling hereby approved shall be occupied until a SAP assessment (Standard

	<p>Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.</p>
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Item 3g **15/00307/FUL**
Case Officer **Ian Heywood**
Ward **Chorley North West**
Proposal **Reinstatement of Chelsea Flower Show Garden (Artisan Garden)**
Location **Walled Garden, Astley Park, Park Road**
Applicant **Chorley Council**
Consultation expiry: **19 May 2015**
Decision due by: **16 June 2015**

Recommendation
Approve full planning permission

Consultees

Consultee	Summary of Comments received
LCC Archaeology	Have commented that although the proposals lie close to an area of prehistoric activity excavated in the 1970s, the proposed groundworks are of such a limited depth and nature that they are not considered likely to disturb any archaeological remains that might survive within the proposed development area.
Historic England	Support the recreation of the Artisan Garden at Astley Hall subject to the agreement of the detailed design with your conservation officer.

AssessmentProposed Development

1. This application relates to the reinstatement of the Artisan Garden which went to this year's Chelsea Flower Show. It is intended that the garden will be the focal point of the Council's first Flower Show in August 2015. It is proposed to reinstate the garden behind the walled garden in Astley Park.
2. The location of the garden will sit behind the Walled Garden in an area, which prior to the Heritage Lottery Fund project, was the location of a large mound of composting material. This was subsequently cleared and set to amenity grass. The main carpark sits beyond this outside the boundary of the park. This area is the primary vehicular entrance to the back of the buildings and park. A pedestrian access bisects the area linking the car park with the walled garden through a timber doorway.
3. The proposed garden is proposed to act as an entrance feature and encourage people to access the park via this pedestrian route rather than the vehicle entrance which enters the park between the walled garden and the courtyard and Coach House.
4. The garden is to be located a distance of approximately 6m from the walled garden to avoid the foundations of the wall.
5. The garden has been designed by a local designer the theme of which is based on the journey of the artists father as an airman shot down in France during World War II. The design illustrates the bond between helper and evader in war-torn France and will feature a unique sculpture of a young flyer hiding up against the wall of a war-ravaged church. The sculpture will be constructed of multiple layers of corten steel or rusted mild steel, leading from the airman is a pathway constructed of carved Portland stone representing his parachute. The scene is set within the remains of a church the walls which are built from re-claimed dressed stone, the walls of the 'ruined church' will be a maximum height of 2.3m with foundations to a depth of 0.3m. Additional features incorporated into the walls are a backlit stained glass window and stone carved tablet.
6. Additional stone features will be incorporated into the design as artifacts scattered from the shell that originally destroyed the church. The design also includes tall shrub planting to the rear of the wall with mixed perennials and annuals growing through the rubble of the ruin, maximum depth of the dig for planting will be 0.3m.
7. A spur from the main path from the car park to the walled garden forms part of the proposals to enable access to the feature.

Historic Context

8. Astley Park is an early Victorian park built around listed Grade I Astley Hall. From 1575 the Hall became the principal residence of the Charnock family. It was subsequently passed through marriage to firstly the Brooke family in 1653 then the Towneley-Parker family in 1787. The Hall and park were inherited by Reginald Tatton in 1906 which a few years later he conveyed to Chorley Corporation and dedicated as a War Memorial in 1922 and is still in use as a public park today.
9. Astley Hall sits at the centre of the historic core of the park and dates from C16. It is set in front of a timber framed courtyard house. To the west is situated a Coach House (listed Grade II) and probably of later C18 and immediately north is Astley Farmhouse. The listed buildings are considered to be Heritage Assets in accordance with the Framework. North of Astley Hall sits a walled garden and beyond that an area of open grass (proposed location of Artisan Garden) with carpark beyond.
10. Historic maps show this area as an 'orchard' (1928) and as a 'paddock' (1822). The park stretches from the front of Astley Hall to the west and east and includes the wooded Chor valley to the south covering an area of 12 hectares. Significant renovation took place between 2006 and 2009 as a result of a successful Heritage Lottery bid (HLF).

Refurbishment of the Coach House, stable block and courtyard has provided a new café, gallery space education room with landscaped courtyard and walled garden.

11. The main carpark for the Park sits to the rear of the Hall beyond the walled garden and as such, historically was not one of the main entrances to the Park and Hall.
12. Historic England have made the following comments on the application. The grade I status of Astley Hall places it in the top 2.5% of listed buildings nationally. Key elements that add to the high significance of Astley Hall include the survival of early fabric and the evidential value of the development of the house over six centuries; for the high quality design and the craftsmanship in its execution; for the historical association with some of the most important families in this part of Lancashire; and while the designer of the earlier phases of the hall is not known it is associated with one of the most important architectural dynasties in the likely work of Lewis Wyatt.
13. Historic England are happy that the proposals will have minimal impact on the setting of the grade I listed Astley Hall. This was historically an area at the back of the hall and its present setting is in part compromised by its location adjacent to a large car park and modern housing.

Archaeological significance

14. There have been a number of archaeological finds over the past 50 years the first of which was in 1963. Work at Astley Hall Farm uncovered a number of pottery fragments and created remains identified as dating back to the Bronze Age some 3000 years before the construction of Astley Hall. The finding of a Neolithic transept arrowhead in 1998 within the walled garden led to excavations the following year led by Chorley Young Archaeologists. This resulted in the findings of a number of pottery fragments of storage vessels and ointment pots dating from early 18C. Work during the HLF project in 2006 uncovered a stone lined water tank in the walled garden which is believed to be part of a ramp pump water supply system for Astley Hall. However in respect of this part of the Park the Archaeologist at LCC has confirmed that the proposals are not considered likely to disturb any archaeological remains that might survive within the proposed development area.

Overall Conclusion

15. The successful HLF bid enabled the renovation of an historic park for the benefit of the local community and visitors to Chorley thus enabling promotion of Astley Park and its facilities as a visitor attraction in the North West. The proposed garden will enhance the visitor offer that the Park offers and assist in attracting further visitors to the Park.
16. The proposed location for the Artisan Garden would be visible to visitors arriving at the park by car and encourage visitors to enter the Park via the doorway into the walled garden. The location of the garden ensures that its visual impact is limited and from the south side the site is obscured by the northern wall of the walled garden. It is not considered that the proposals will adversely impact on the significance of designated heritage assets close to the site in accordance with the Adopted Central Lancashire Core Strategy (2012) Policy 16; Emerging Chorley Local Plan 2012 – 2026, BNE8 and Section 12 of the Framework.

Planning Policies


17. 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.

18. In October 2013, the Local Plan Inspector 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.
19. 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.”*
20. The Council accepted the Local Plan 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.
21. Further consideration has been given to matters relating to Gypsies and Travellers, and the Local Plan Inspector’s Supplementary Report on Gypsy and Traveller and Travelling Showpeople was issued (08 May 2015) and it concludes that the part of the Chorley Local Plan dealing with Gypsy and Traveller and Travelling Showpeople policy and site allocation is also sound, providing a number of main modifications are made.


Suggested Conditions

No.	Condition												
1.	<p>The proposed development must be begun not later than three years from the date of this permission. <i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004</i></p>												
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 539 1225 954"> <thead> <tr> <th data-bbox="327 539 815 600">Title</th> <th data-bbox="815 539 1225 600">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="327 600 815 663">Location Plan</td> <td data-bbox="815 600 1225 663">2nd April 2015</td> </tr> <tr> <td data-bbox="327 663 815 763">Construction details (wall, sculpture and path)</td> <td data-bbox="815 663 1225 763">21st April 2015</td> </tr> <tr> <td data-bbox="327 763 815 826">Garden layout (overview)</td> <td data-bbox="815 763 1225 826">2nd April 2015</td> </tr> <tr> <td data-bbox="327 826 815 889">Sculpture Plans</td> <td data-bbox="815 826 1225 889">2nd April 2015</td> </tr> <tr> <td data-bbox="327 889 815 954">Front view plan</td> <td data-bbox="815 889 1225 954">2nd April 2015</td> </tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning</i></p>	Title	Received date	Location Plan	2 nd April 2015	Construction details (wall, sculpture and path)	21 st April 2015	Garden layout (overview)	2 nd April 2015	Sculpture Plans	2 nd April 2015	Front view plan	2 nd April 2015
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-  Chorley Council Ownership
-  Development site
-  New Path

Project: Artisan Garden Astley Park
Drawing Title: Layout Plan
Scale: 1:500@A3
Status: Draft
Drawn by: SC
Revision and Date: March 2015



Chorley
Council



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