

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 11TH AUGUST 2015, 6.30 PM

COUNCIL CHAMBER, TOWN HALL, CHORLEY

AGENDA

APOLOGIES

1 **MINUTES OF MEETING TUESDAY, 14 JULY 2015 OF
DEVELOPMENT CONTROL COMMITTEE**

(Pages 5 - 10)

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 15 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. <http://planning.chorley.gov.uk/online-applications/>

3A **15/00375/FULMAJ - MARKET WALK EXTENSION, UNION
STREET, CHORLEY (REPORT TO FOLLOW)**

3B **15/00141/FUL - WOODS FOLD SAW MILL, DOLE LANE,
ABBAY VILLAGE**

(Pages 11 - 20)

3C **15/00482/FULMAJ - DUXBURY PARK PHASE 2 BETWEEN
MYLES STANDISH WAY AND DUXBURY GARDENS, MYLES
STANDISH WAY**

(Pages 21 - 44)

3D **15/00503/FUL, EUXTON PARK GOLF CENTRE, EUXTON
LANE, EUXTON, CHORLEY, PR7 6DL (REPORT TO FOLLOW)**

3E	15/00517/FUL - UNIT 1, 60A WESTHOUGHTON ROAD, ADLINGTON, CHORLEY, PR7 4ET	(Pages 45 - 50)
3F	15/00485/FUL - GILIVERVET, GARWOOD EQUINE CENTRE, BOLTON ROAD, ANDERTON, CHORLEY, PR6 9HN	(Pages 51 - 58)
3G	15/00577/FULMAJ - CHORLEY RUGBY UNION CLUB, CHANCERY ROAD, ASTLEY VILLAGE CHORLEY, PR7 1XP	(Pages 59 - 64)
3H	15/00556/OUT - HOLE HOUSE FARM, CHORLEY ROAD, HEATH CHARNOCK	(Pages 65 - 80)
3I	15/00383/FULMAJ - LAND OPPOSITE CHANCERY ROAD, WEST WAY, ASTLEY VILLAGE	(Pages 81 - 108)
3J	15/00494/FUL - 30 NEW STREET, ECCLESTON, CHORLEY, PR7 5TW	(Pages 109 - 118)
3K	15/00428/COU - 161 SPENDMORE LANE, COPPULL	(Pages 119 - 126)
3L	15/00462/FUL - 5 THE ORCHARD, CROSTON	(Pages 127 - 136)
3M	15/00571/FUL - TINKLERS HOUSE, HOGGS LANE, CHORLEY	(Pages 137 - 148)
3N	15/00601/FUL - TWO CORNERS RESIDENTIAL CARE HOME, 179 PRESTON ROAD, WHITTLE-LE-WOODS (REPORT TO FOLLOW)	
3O	15/00656/FUL - RICMARLO, PRESTON NOOK, ECCLESTON	(Pages 149 - 160)
4	APPEALS AND OTHER DECISIONS	
	Report of the Director of Public Protection, Streetscene and Community (to follow).	
5	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 Caunce, 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.

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To view the procedure for public questions/ speaking click here

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MINUTES OF DEVELOPMENT CONTROL COMMITTEE

MEETING DATE Tuesday, 14 July 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, Richard Toon, Paul Walmsley and Alan Whittaker

RESERVES: Councillors Eric Bell

OFFICERS: Jamie Carson (Director of Public Protection, Streetscene and Community), Adele Hayes (Principal Planning Officer), Nicola Hopkins (Principal Planning Officer), Caron Taylor (Senior Planning Officer), Alex Jackson (Legal Services Team Leader) and Cathryn Filbin (Democratic and Member Services Officer)

APOLOGIES: Councillors Keith Iddon

15.DC.138 Minutes of meeting Tuesday, 16 June 2015 of Development Control Committee

RESOLVED – That the minutes of the meeting of the Development Control Committee on 16 June 2015 be approved as a correct record for signature by the Chair.

15.DC.139 Declarations of Any Interests

There were two declarations of interest declared:

1. Councillor Christopher France declared an interest in item 3g 15/00448/FUL – Land east of 34 Thirlmere Drive, Withnell and left the meeting for consideration of this item.
2. Councillor Alistair Morwood declared an interest in item 3e 15/00312/FULMAJ – Polish Ex-servicemen's Club, 10 Park Road, Chorley and left the meeting for consideration of this item.

15.DC.140 Planning applications to be determined

The Director of Public Protection, Streetscene and Community submitted 10 reports for planning permission consideration.

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

Councillor June Molyneaux, using her discretion changed the order in which the planning applications were listed by moving item 3j to item 3a.

15.DC.140a 15/00383/FULMAJ - Land Opposite Chancery Road, West Way, Astley Village

This item was deferred to enable the applicant to address the noise concerns and give Lancashire County Council the opportunity to respond to comments received from Lancashire Fire and Rescue Service.

15.DC.140b 15/00375/FULMAJ - Market Walk Extension, Union Street, Chorley

Councillor June Molyneaux, used her powers, as Chair of the Committee, to relax the standing order rules in relation to public speaking to allow two speakers whose interest and grounds for objection were not aligned. The Chair retained the time limit of 3 minutes imposed by the standing orders for each speaker save as regards the applicant's agent who was allowed additional time to respond to any issues raised.

Registered speakers: Andrew Tait (objector representing Booths Supermarket), Wendy Salvin (objector representing residents of Stanley Place) and Richard Frudd (the applicant's agent).

RESOLVED (8:7:0) – That the decision be deferred until the next meeting for the following reasons:

- a. **To allow members of the Development Control Committee the opportunity to give greater consideration and assess the late submission of information received in the addendum.**
- b. **Greater consideration to be given to the amenities of residents, not just for the retail experience but for the proximity of civic functions for which the Council are responsible for.**

15.DC.140c 15/00224/OUTMAJ - Land 200m north of Derian House, Euxton Lane, Chorley

Registered speakers: David Jolly (objector) and Mr Davidson (the applicant's agent)

RESOLVED (9:6:0) – That planning permission be approved subject to a Section 106 legal agreement and the conditions detailed in the addendum.

15.DC.140d 15/00023/CLEUD - Botany Bay, Canal Mill, Botany Bay, Chorley

RESOLVED (unanimously) – That the Certificate of Lawfulness be granted.

15.DC.140e 15/00312/FULMAJ - Polish Ex-servicemen's Club, 10 Park Road, Chorley, PR7 1QN

Councillor Alistair Morwood left the meeting for the debate and decision on planning proposal – 15/00312/FULMAJ Polish Ex-servicemen's Club, 10 Park Road, Chorley.

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

15.DC.140f 15/00520/REM - Land bounded by Town Lane (to the north) and Lucas Lane (to the east), Town Lane, Whittle-le-Woods

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

15.DC.140g 15/00361/FULMAJ - Shaftesbury House Short Stay School, Stratford Road, Chorley, PR6 0AF

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

15.DC.140h 15/00448/FUL - Land East of 34 Thirlmere Drive, Withnell

Councillor Christopher France left the meeting for the debate and decision on planning proposal – 15/00448/FUL land east of 34 Thirlmere Drive, Withnell.

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

15.DC.140i 15/00536/FUL - Chorley Community Housing, 24-26 Gillibrand Street, Chorley, PR7 2EJ

Councillor Alan Whittaker left the room briefly before returning back to the meeting.

RESOLVED (14:0:1) – That the application for a change of use be approved subject to the conditions detailed within the report in the agenda and subject to no material representations being received before the expiry of the consultation (17 July 2015). The decision then be delegated to the Director of Public Protection, Streetscene and Community in consultation with the Chair and Vice Chair of the Development Control Committee.

15.DC.140j 15/00469/FUL - Wild Orchid, 11 Market Walk, Chorley, PR7 1DE

RESOLVED (unanimously) – That the change of use application be approved subject to conditions detailed within the report in the agenda.

15.DC.141 Enforcement

15.DC.141a 142 Bolton Street Chorley

This report was withdrawn from the agenda as a planning application to cover the breach of planning control was expected imminently.

Should the planning application not be forthcoming the report would be brought back before Committee for determination.

15.DC.141b Land at 80 Blackburn Road Whittle-le-Woods

The Director of Public Protection, Streetscene and Community submitted a report which sought authority to take enforcement action in respect of a breach of planning control.

Without planning permission the change of use from residential curtilage to a mixed use of residential curtilage and use as a plant hire and ground works depot including formation of a fenced compound area including the parking/storage of plant hire/ground works vehicles, equipment, machinery and the siting of storage containers and formation of access road to serve compound area.

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

15.DC.141c Site of former Brookes Arms Eaves Lane Chorley

The Director of Public Protection, Streetscene and Community submitted a report which sought approval to serve a Section 215 Notice on those persons with an interest in the site of the former Brookes Arms Public House, Eaves Lane, Chorley, in order to remedy the harm caused to the amenity of the area. The period of compliance would be within 28 days of the date which the Section 215 Notice took effect.

The condition of the land had been left in an untidy state following demolition works, which had adversely affected the amenity of the area. However, members of the Committee were informed that since the publication of the agenda, improvement work had commenced on site.

RESOLVED (unanimously) – That a Section 215 Notice be approved and that the decision to serve the notice be delegated to the Director of Public Protection, Streetscene and Community with authority to defer service of the notice for a minimum of 28 days should the works remedy the breaches subject of the proposed notice.

15.DC.142 CHORLEY BOROUGH COUNCIL (PUBLIC FOOTPATH NO. 8 ECCLESTON, CHORLEY) DIVERSION ORDER 2015

The Chief Executive submitted a report which asked the Committee to consider the making of a Public Path Diversion Order to facilitate the development of an earth embankment, ancillary control and infrastructure, a new permanent access road and borrow pits in the River Yarrow on the Croston Flood Risk Management Project, land 485m south east of 77 Lydigate Lane, Eccleston.

RESOLVED (unanimously) -

- 1. That the Head of Governance and Property Services be authorised to make the Chorley Borough Council (Public Footpath No 8 Eccleston) Public Footpath Diversion Order 2015 pursuant to Section 257 of the Town and Country Planning Act 1990, in order to permit the development to be carried out in accordance with the grant of planning permission namely the development of an earth embankment, ancillary control and infrastructure, a new permanent access road and borrow**

pits in the River Yarrow on the Croston Flood Risk Management Project Land 485M south east of 77 Lydigate Lane, Ecclestone.

- 2. That in the event that no objections are received to the making of the order or where an objection is received by the statutory deadline and it is subsequently withdrawn, then the Head of Governance and Property Services be authorised to confirm the making of the Chorley Borough Council (Public Footpath No 8 Ecclestone) Public Footpath Diversion Order 2015.**
- 3. The Head of Governance and Property Services be authorised to arrange advertisements in the local press, to serve notice on site and on prescribed persons and to certify the order as being complied with having regard to any representations from the Public Rights of Way Team at Lancashire County Council or to confirm the order in the absence of representations from Public Rights of Way and certify its terms as being complied with.**

Chair

Date

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Item 3b	15/00141/FUL
Case Officer	Ian Heywood
Ward	Wheelton and Withnell
Proposal	Erection of a building for the drying of timber and conversion of timber waste to biomass fuel pellets and extension of timber yard.
Location	Woods Fold Saw Mill Dole Lane Abbey Village
Applicant	Derek Fox & Son (Timber) Ltd
Consultation expiry:	16 July 2015
Decision due by:	24 April 2015

Recommendation Permit Full Planning Permission

Executive Summary

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

UPDATE

- A site visit was undertaken on 20th May 2015.

Representations

<p>Councillor Margaret France: Objects to the proposed development on the following grounds:</p> <ul style="list-style-type: none"> • Inappropriate development in the Green Belt • Noise and emissions • Traffic
<p>Withnell Parish Council: Objects to the proposed development. They cite the following grounds for objection:</p> <ul style="list-style-type: none"> • Inappropriate development in the Green Belt • Increased traffic • Emissions
<p>In total twenty three representations have been received which are summarised below</p>
<p>Objection</p>
<p>Total No. received: 23</p>
<ul style="list-style-type: none"> • Additional Noise • Additional emissions • Inappropriate development in the Green Belt – harm to the openness • Increased traffic • Risks involved in the timber process – akin to the recent tragic events in Cheshire, risk of explosion
<p>Support</p> <p>Total No. received: Nil</p>

Consultees

Consultee	Summary of Comments received
Chorley Council Environmental Health Officer	No objections
Chorley Council Waste and Contaminated Land Officer	No objections
Lancashire County Council Public Rights of Way Officer	No comments have been received.
Lancashire County Council Highways Officer	No objections

Planning Policy Position

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 Local Plan 2012-2026 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) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Description of the site

1. The site is an established forestry processing and saw mill site, established under application 96/00028/FOR, adjacent to a former quarry, within the Green Belt to the south west of Abbey Village. This is an elevated site that is, to some extent, screened by a stand of trees and a 2.5 metre (approximately) close-boarded fence to the northern side. It is to this side of the site that neighbouring properties are located, Barons Fold Farm, which is approximately 100 metres to the north west and Gladstone Terrace, which is approximately 200 metres to the north of the site. Sectional drawings submitted by the agent show the relationship between these properties and the site.
2. The location for the proposed building is currently covered by an expansive area of hard standing and is currently used for the storage of timber. A 1.8 metre steel post and concrete railway sleeper wall/fence lines the southern site boundary where it abuts Twist Moor Lane. The former quarry, which is also currently used for the storage of timber, is located to the south of Twist Moor Lane, which it is to the south of the site.
3. Immediately to the north of the location for the proposed building is an existing steel portal framed, agricultural style, building similar in appearance albeit smaller in scale to that proposed.
4. A public footpath, no. 49, runs along the length of Twist Moor Lane.

AssessmentAdditional Clarification of the Details of the Development

5. The dimensions of the proposed building are shown on drawing number 698:PL05 that was submitted with the application and which are, length 60 metres, depth 23 metres, height to eaves 8 metres, height to ridge (dual pitched roof) 10 metres. The volume therefore equates to 12420 cubic metres. The volume of the existing building is calculated to be approximately 8000 cubic metres. Approximately 5000 cubic metres of earth have been removed from this part of the site by terracing and regrading the area over a period of a number of years partly to improve the usability of the site as a whole by reducing gradients within it and partly in readiness for the proposed development.
6. The timber drying and biomass fuel production process is designed to operate 24 hours a day 365 days a year and can operate automatically for several days, i.e. during weekends without the need for operatives to be on site.
7. The agent has confirmed that the area of the site immediately to the north of the location of the proposed building is only to be used for vehicle manoeuvring and will not be used for outside storage purposes. A suitably worded condition will secure this.

Principle of Development

8. Pertinent Policies are: Adopted Central Lancashire Core Strategy DPD (2012), Policy 1. Also of relevance is the Framework (National Planning Policy Framework) Section 9.
9. The aforementioned policies seek to protect the Green Belt from inappropriate and unsympathetic development. Paragraph 87 of the Framework states that, '*As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*'
10. Paragraph 88 continues, '*When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very Special Circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.*'

11. Paragraph 89 of the Framework states that, '*A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are: (first bullet point) buildings for agriculture and forestry*'.
12. In this case the agent asserts that the development is directly connected to forestry in the same way that a dairy attached to a dairy farm is directly associated with agriculture.
13. The 'Very Special Circumstances' put forward are that the proposed development is not only directly associated with forestry, but also that it is merely an extension of operations that are currently performed on the site. It is argued that the processing of saw mill waste product on site rather than transporting it elsewhere is a considerable enhancement to the sustainability of the operation overall.
14. Forestry is defined as the growing of trees for timber production and includes the felling and processing of trees into a raw state usually within close proximity to where it has been grown, but does not include the manufacture of finished products. In this situation it is considered that the proposed development cannot therefore be considered as an extension of a forestry operation and that therefore it falls to be considered as inappropriate development within the Green Belt.
15. The use of the land for a saw mill and timber storage facility was established in 1996. Historic aerial photographs and site plans show that the current use of the land has been established since that time with all parts of the site, apart from that for which an extension is currently sought, having been established for in excess of 10 years. The proposed development is therefore considered to be directly related to the existing, established use of the site – processing of timber.
16. Whilst extensions to buildings within the Green Belt can be considered to be not inappropriate, in this case the proposal consists of an entirely new building. Nevertheless the new building is to be located close to an existing structure that is of a similar type and footprint such that the overall impact on the openness of the Green Belt is considered to be not significantly greater than is currently the case.
17. The very special circumstances in this case are therefore that firstly the proposal is an extension to existing activity undertaken on the site, an activity that will secure and possibly enhance current employment levels within the area. Secondly that the proposal is considered to be a sustainable form of development, that will enhance the sustainability of the site operations overall. Suitably worded conditions would secure the use of the building and see its removal in the event that the permitted use were to cease within a given time period from the grant of permission – usually ten years.
18. In terms of 'other harm' the application must also be considered in terms of the potential impact upon the openness of the Green Belt. In this case the proposed building is located within an established site complex of buildings and areas of hard standing, in other words it is within an existing area of built development. The site also has an existing, strong boundary treatment including close-boarded fencing and trees. It is suggested that strengthening the existing planting to the northern fringe of the site will ultimately result in a development that is almost entirely screened from view. Site section drawings show the relationship of the proposed building to the surrounding area and the adjacent dwellings and it is considered that this demonstrates an acceptable relationship will be achieved. A suitably worded condition would secure additional screen planting. Consequently it is considered that no 'other harm' will be caused to the Green Belt by the proposed development.
19. Overall it is considered that very special circumstances have been demonstrated in this case and that any potential impact upon the Green Belt is acceptable, and that with suitable mitigation (planting) will maintain or enhance the current position. It is therefore considered that the aforementioned policy requirements, as related to the Green Belt, have been met.

Impact on the amenity of neighbours

20. Pertinent Policies are: Adopted Chorley Local Plan (2015), Policy BNE1. This policy, amongst other things, suggests that any proposed development should not have an unacceptable impact upon the amenity currently enjoyed by neighbouring properties.
21. The nearest neighbouring residential property is located at Barons Fold Farm which is

situated approximately 100 metres north west of the site and which is largely screened by trees. Other neighbouring properties are situated at Gladstone Terrace which is located approximately 200 metres north of the site.

22. Chorley Council's Environmental Health Officer has examined the application and considers that emissions in terms of noise are acceptable and are well below tolerance levels.
23. The information supplied with the application with regard to other emissions such as smoke suggests that these are negligible. The specially designed and controlled boiler burns dried timber products, produced on site, in such a way that smoke emissions and smells produced are minimal. Such emissions are a condition to the government grant that the applicant will be applying for and cover a period of twenty years from implementation. Emissions therefore are strictly controlled.
24. The Government Grant scheme, under which the proposal is being submitted, requires the achievement of strictly controlled emissions over a twenty year period. The Council's Environmental Health Officer has confirmed that projected noise levels compare favourably to a quiet level of background noise and that these are therefore acceptable.
25. Whilst the application site is elevated in relation to the neighbouring properties there is an existing fence and line of tree planting that lies between them. A suitably worded condition will require the strengthening of this planting to, in time, further screen the site from the surrounding area. Site section drawings show that overall the impact on views from neighbouring properties will not be materially altered as a consequence of the proposed development.
26. The agent has confirmed that the current number of vehicle movements is five 38 tonne articulated wagon loads per day. The proposed process, when running at full capacity, will produce less than half (0.395) a 38 tonne wagon load of material a day. Effectively the projected number of vehicle movements is therefore one every two days at most. In terms of the days and timings for vehicle movements the agent has confirmed that these can be restricted to Monday – Friday and between 08:00 to 18:00. A suitably worded condition will secure this.
27. The agent has also confirmed that the process involved at the site in Cheshire where recent tragic events have unfolded after the milling plant exploded are completely different to that proposed or currently undertaken at Woods Fold. The site in Cheshire involved the use of resins and solvents in the manufacturing process. The proposal here involves the compression of wood waste material into biomass fuel pellets and the drying of bulk timber using a biomass fuelled boiler where the fuel is the same pellets produced on the site. There are therefore no safety concerns for this site's proposed use and it is not considered to be a potential hazard to local residents.
28. It is therefore considered that the proposed development will not have a material impact upon the amenity currently enjoyed by the neighbours to the site.

Highway Safety and Parking

29. Pertinent Policies are: Adopted Chorley Local Plan (2015), Policy ST4.
30. A key point made by the agent is that the proposed development will result in a reduced number of vehicle movements to and from the site. Currently waste material is removed from the site by HGV to other sites around the country. The proposed development will eliminate the need for these movements and will replace them with a reduced number of movements of finished products that can be coincided with current vehicle journeys. Thus overall the number of vehicle movements will be reduced. Further details are included above.
31. The proposed development is therefore considered to accord with the aforementioned policies.

Public Right of Way

32. Pertinent Policies are: Adopted Central Lancashire Core Strategy (2012), Policy 24; Adopted Chorley Local Plan (2015), Policy ST1. The proposed development does not block

or require the diversion of any of the public footpaths that intersect with the site. However a suitably worded informative will appraise the applicant of their legal obligations with this regard. The existing public footpath network will therefore be retained.

- 33. The proposed development is therefore considered to accord with the aforementioned policies.

Overall Conclusion

- 34. Whilst the application falls to be considered as inappropriate development in the Green Belt, having regard to the harm to the Green Belt and any other harm, there are considered to be very special circumstances that outweigh that harm in this case. It is considered that it will result in no material impact upon the amenity of neighbours and accords with local and national policy in terms of highways. Consequently the application is recommended for approval.

Planning History

Ref: 05/00574/CLEUD **Decision:** PEREUD **Decision Date:** 16 September 2005

Description: Application for Certificate of Lawfulness for the storage of timber residue, the peeling and processing of timber, sawmill products and residues

Ref: 96/00028/FOR **Decision:** PAFOR
Decision Date: 16 February 1996

Description: Application for forestry works in respect of the erection of a sawmill and office

Ref: 96/00068/FUL **Decision:** PERFPP **Decision Date:** 9 April 1979

Description: Construction of car park for Woodsfold Woodland Office

Proposed Conditions

No.	Condition
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Drawing: 698:PL05 Proposed Plans & Elevations Received on 12.02.2015 Drawing: 6566 Proposed Site Plan Received on 13.02.2015 Drawing: 698SEC02 Site Sections</p> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>
3.	<p>The development hereby permitted shall not commence unless and until samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>
4.	<p>The development hereby permitted shall not commence unless and until details of a scheme for additional tree planting to the northern and north western boundaries of the site have been submitted to and approved in writing by the local planning authority.</p> <p><i>Reason: To safeguard the appearance of the area and to safeguard the amenity of neighbours.</i></p>

5.	<p>The development hereby permitted is only for the use of timber drying and for the conversion of timber waste material into biomass fuel and for no use within use class B2 of the schedule to the Town and Country Planning (Use Classes) Order 1987 or any subsequent re-enactment.</p> <p><i>Reason: A change of use of the premises would have an unacceptable impact on neighbour amenity and the character and appearance of the area.</i></p>
6.	<p>The development hereby permitted shall be removed from the site and the land returned to its previous condition if the permitted use ceases for a continuous period of six months within ten years of the date of the grant of planning permission.</p> <p><i>Reason: To safeguard the appearance and character of the area.</i></p>
7.	<p>No goods, plant or material shall be deposited or stored in the open or displayed for sale in the open on the area of the site immediately adjacent to the proposed building. This area shall only be used for the manoeuvring of vehicles.</p> <p><i>Reason: In order to protect the amenities of the area, and to maintain adequate parking and vehicle manoeuvring areas.</i></p>
8.	<p>Heavy Goods Vehicle deliveries and collections shall be restricted to Monday – Friday (Bank Holidays excepted) and to between 08:00 and 18:00.</p> <p><i>Reason: To safeguard the amenity of neighbouring residential properties.</i></p>

Proposed Informatives:

Please Note: The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the NPPF.

Please Note: The grant of planning permission does not infer any permission to block or divert any public footpath. All public footpaths must remain open and free from obstruction both during the course of construction and upon occupation of the dwelling hereby permitted.

Diversion of any footpath requires the consent of Lancashire County Council to whom a separate application must be made.

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**CHRIS HEATON SURVEYS
LAND SURVEYORS**

21 The Craft
Easton
Chorley
Lancs PR7 6UH
Email: info@wemap.com

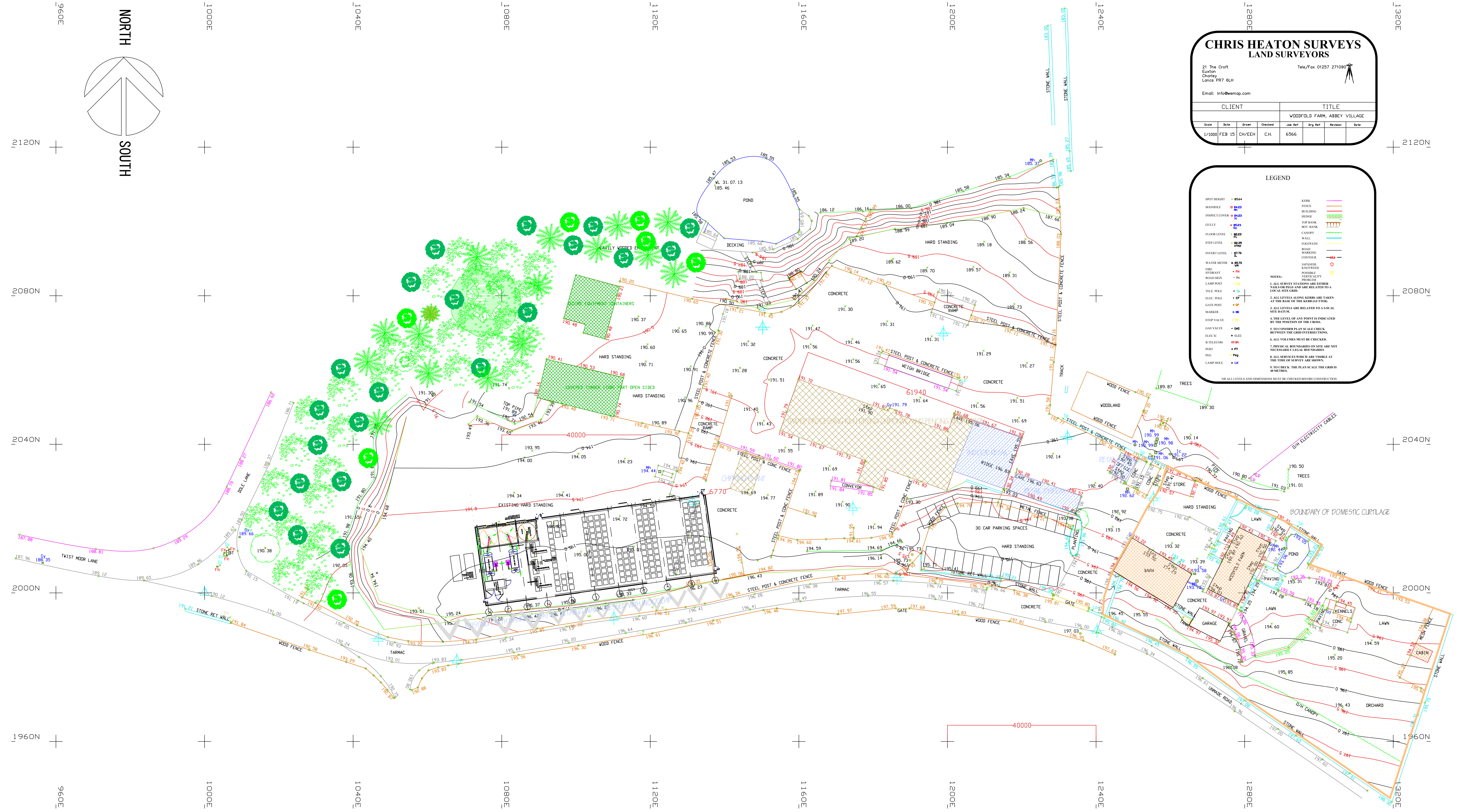
Tele/Fax 01257 271090

CLIENT				TITLE			
WOODFOLD FARM, ABBEY VILLAGE							
Scale	Date	Drawn	Checked	Job Ref	Buy Ref	Revision	Date
1:1000	FEB 15	CH/VEH	C.H.	6566			

LEGEND

SPOT HEIGHT	85.4	SKIN	---
MANHOLE	84.2	FENCE	---
INSPECT COVER	84.3	BRIDGE	---
GULLY	85.9	TOP MARK	---
FLOOR LEVEL	88.8	POLE MARK	---
STEP LEVEL	88.2	CANOPY	---
INVERT LEVEL	87.7	WALL	---
WATER METER	85.7	FLOORPADE	---
TRIE	88.1	ROAD	---
HYDRANT	88.1	ROADWAY	---
ROAD SIGN	88.1	RAIL	---
LAMP POST	88.1	RAIL	---
TELE POLE	88.1	RAIL	---
ELEC POLE	88.1	RAIL	---
GAS VALVE	88.1	RAIL	---
WATER VALVE	88.1	RAIL	---
WATER METER	88.1	RAIL	---
WATER METER	88.1	RAIL	---

NOTES:
 1. ALL SURVEY STATIONS ARE EITHER NAILS OR PEGS AND ARE RELATED TO A LOCAL DATUM POINT.
 2. ALL LEVELS ALONG KERBS ARE TAKEN AT THE BANK OF THE KERB PAVEMENT.
 3. ALL LEVELS ARE RELATED TO A LOCAL DATUM POINT.
 4. THE LEVEL OF ANY POINT IS INDICATED BY THE POSITION OF THE POINT.
 5. THE CONCRETE PLAN SCALE CHECK IS FROM THE CONSTRUCTION DRAWING.
 6. ALL VOLUMES MUST BE CHECKED.
 7. PHYSICAL DIMENSIONS ON SITE ARE NOT NECESSARILY LOCAL DIMENSIONS.
 8. ALL SURVEY WORK IS BASED AT THE TIME OF SURVEY AND SHOULD BE CHECKED.
 9. THE PLAN SCALE OF THE GARDEN IS 1:100.



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Item 3c	15/00482/FULMAJ
Case Officer	Nicola Hopkins
Ward	Chorley South East
Proposal	Erection of 70 dwellings, associated garaging, car parking and access arrangements
Location	Duxbury Park Phase 2 Between Myles Standish Way And Duxbury Gardens, Myles Standish Way
Applicant	Rowland Homes
Consultation expiry:	8th August 2015
Decision due by:	19th August 2015

Recommendation

Approve full planning permission subject to the associated S106 Agreement

Executive Summary

This site already has consent for 70 dwellings and as such the main issues to consider are the changes to the proposed layout when compared to the approved housing layout for this site.

Representations

The Chorley South East Ward Councillors have made the following comments:

- Agree with a number of the points raised by Duxbury Garden residents who we have spoken to.
- When this development was first put forward for planning, this was after an extensive consultation process undertaken by United Utilities. As a result of this process, the residents’ concerns about being overlooked, or overlooking, and issues around privacy and noise, were taken into account and the plans were amended accordingly.
- We now have Rowland homes, going back to virtually the original plans and totally disregarding the consultation process. This we find unacceptable as a lot of time and effort from all sides were put into the consultation and surely this should help inform any plans for the site as previously.
- We would urge Rowland Homes to re look at the plans for the site to make sure that neighbours amenities and comments are given full consideration. If this means deferring the plans to a later committee date then so be it.

In total 9 representations have been received which are summarised below

Objection	Not specified
Total No. received: 7	Total No. received:2
<ul style="list-style-type: none"> • Removal of promised planting to the rear of the existing properties • Resiting of affordable dwellings • Windows proposed facing existing dwellings • Request no windows are built onto the side of the dwellings facing existing properties. • Plot number 48 is extremely close to the fence line. • The corner of plot number 48 is touching the fence line which does not seem appropriate. • The construction process will disturb family life due to the proximity of the building work, alongside a high risk of possible disturbance to the foundations alongside the fence line. • A large number of hedgehogs in the area- building work would disturb the area’s wildlife. • Loss of light • 3 more trees will be planted in place of the existing trees next to number 28 Duxbury Gardens however request that the landscaping adds to this and puts a run of evergreen trees along the boundary fence so as to maintain the privacy of the dwellings at the end of the cul-de-sac, reduce overlooked and add to privacy for the new dwellings. 	<ul style="list-style-type: none"> • Request that the 2 birch trees (ref. BET JAC and BET PEN) are replaced with a different type of tree due to the neighbour’s severe pollen allergy • Previous plans showed existing properties not being overlooked with the nearest new property being “gable side on “. It is queried whether this is still the case.

<ul style="list-style-type: none"> • Lack of developer consultation with neighbours • Noise concerns • All residents agreed that the original plans- 13/00178/FULMAJ –took concerns on board. New plans have changed significantly at the back of the site and this directly affects Duxbury Gardens residents. • Duxbury Garden houses affected, except no 29, are 3 storey designed, as already noted, with living room on first floor and two bedrooms on second floor at the back-all will overlook plots 45-47 with Duxbury Gardens numbers 30, 31(my families) looking directly into numbers 45-47. Therefore not maintaining the sympathetic layout and design in original layout in original approved scheme. • Loss of privacy for the proposed plots and privacy issues for the existing houses • With 8 houses now potentially being built in an area of original approved scheme where there was only 3 will lead to a great deal more noise and disturbance due to more family members and also with each house having two parking spaces this means the potential of 16 cars instead of six. • Inaccuracies in the actual Planning and Design Statement-this cannot be legally correct or at least , not in the spirit or principles of the original approved scheme. • The environmental impact of natural habitat being eroded, meant the putting up of many 'bat boxes' into the trees that have now been felled. The current landscape is now decimated. • Rowland Homes: there has been absolutely no contact with households or consultation of any kind 	
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Consultees

Consultee	Summary of Comments received
Lancashire Constabulary Designing Out Crime Officer	Has made some recommendations to reduce the risk of crime affecting the residents, visitors and immediate locality, should planning permission be granted.
Environment Agency	No further comments to make further to initial response regarding the approved Flood Risk Assessment (FRA) (February 2013) and FRA amended letter dated 25 April 2013

Strategic Housing	The type and tenure of Affordable Housing proposed matches what was previously required for the 13/00178/FULMAJ application and is therefore acceptable to Strategic Housing.
Lead Local Flood Authority	No objection subject to appropriate conditions
LCC Highways	No objection
CBC Waste and Contaminated Land Officer	Satisfied with the submitted report and for the development to proceed in accordance with the recommendations made in this report

AssessmentProposed Development

1. The application site is located within Chorley Town and is accessed via Myles Standish way. This site forms part of a larger site than was historically occupied by United Utilities the remainder of the site is being developed for housing by Arley Homes.
2. The application site itself is adjacent to Duxbury Gardens and the Arley Homes residential estate to the north (currently under construction). To the south of the site is Myles Standish Way, from which the site already has an established vehicular access.
3. The application is submitted by Rowland Homes to erect 70 dwellings on the part of the site which was previously identified for employment use.

History of the site

4. The application site is part of a larger area previously granted outline approval (08/01044/OUTMAJ) for a mixed use development comprising up to 200 residential units and 10,800m² of B1 employment use. The current application relates to the previously approved area for B1 employment use.
5. In 2011, a reserved matters application (10/00946/REMMAJ) was approved for the development of 135 dwellings on the residential part of the site. Development of this part of the site is currently in progress and is close to completion.
6. Following the grant of full planning permission for residential development on part of the site, United Utilities applied to erect 70 dwellings on the part of the site (13/00178/FULMAJ) which was previously approved for employment use. This permission was granted in August 2013 and as such the acceptability of the principle of housing on this part of the site has been established.

Principle of the Development

7. The application site is allocated in the Chorley Local Plan (Policy HS1.2) for residential development and as such the principle of erecting houses on this site is considered acceptable.

Density

8. Policy 5 (Housing Density) of the Adopted Central Lancashire Core Strategy states that National Policy no longer sets out an indicative density of 30 dwellings per hectare(dph). However, in suburban and rural locations a density of 25-35 dph is typical.
9. Policy 5 also states that density is an important consideration in any proposed housing scheme, however, the key objective is to achieve high quality design that responds to the character of the area in terms of existing density.
10. The application site extends to an area of approximately 2.4 hectares. The provision of 70 dwellings on the site therefore equates to a density of 29 dwellings per hectare (dph). The density of the scheme allows for the construction of family dwellings with private amenity space reflecting current market trends. This density also takes into account the topography of the site which has significant implications on the layout of the site.
11. The Arley Homes scheme to the north comprises 126 dwellings and covers an area of approximately 4.7 hectares equating to a density of approximately 26dph. Although 135 dwellings were originally approved the plans have been amended to incorporate 126 dwellings. The proposed densities are shown to be comparable and the density proposed at the application site would therefore reflect that already established in the surrounding area. As such, the proposed density of the development is considered to be in accordance with Policy 5 of the Adopted Central Lancashire Core Strategy.

Impact on neighbour amenity and levels

12. The immediate neighbours to the proposed development are the properties to the north and west of the application site. The majority of these properties comprise the newly

constructed Arley Homes dwellings at the adjacent part of the site and a number of older dwellings on a site known as Duxbury Gardens.

13. 28 Duxbury Gardens is a two storey detached dwellinghouse located to the north of proposed plot 48. 28 Duxbury Gardens has a blank gable wall facing plot 48 and the proposed dwelling on plot 48 is a Renishaw house type with a blank gable wall facing the common boundary with 28 Duxbury Gardens. Plot 48 is proposed to have a similar finished floor level as the existing house resulting in no significant level change between the properties. Given the proposed siting of dwelling in relation to the existing dwelling, it is not considered that the proposals will result in loss of amenity to the detriment of the existing residents.
14. Plots 46 and 47 face the side garden area of 29 Duxbury Gardens however due to the existing garage at 29 Duxbury Gardens these plots will not enable direct overlooking of the private garden space of the existing property. Although it is noted that the proposed dwellings, in particular plot 46, will directly face the rear garden area of 29 Duxbury Gardens approximately 10m is retained from the rear of the proposed dwelling to the garden boundary in accordance with the Council's spacing standards.
15. Plots 43-45 are proposed to back onto 29-32 Duxbury Gardens. The existing properties comprise two storey dwellings (29 and 32) and 2.5 storey dwellings with room in the roof space incorporating dormer windows (30 and 31). The proposed properties are slightly offset in terms of their siting. However the layout maintains in excess of 10m long gardens and at least 21 metres is maintained between the rear elevation of the proposed dwellings and the existing dwellings. The proposed dwellings are two storey houses which form part of the affordable housing provision on the site. The proposed properties are approximately 0.3m lower than the existing properties ensuring that the spacing distances maintained are appropriate.
16. Concerns have been raised by some residents of Duxbury Gardens and the Ward Councillors that this part of the site was amended during the consultation with United Utilities so that there were no new houses backing onto the existing houses with the gable end of the new dwellings adjacent to the boundary with the existing houses. It was queried with Rowland Homes whether this part of the site could be amended in line with the previous approval. However this is not possible as there is a necessary sewer easement which runs across the proposed rear gardens of plots 43 to 47. The agent for the application has confirmed that *the previous application did not take account of this easement in the approved layout and as such this allowed for houses in this location to orientated differently. The relationship between proposed plots 43 to 47 and existing houses on Duxbury Gardens has been considered to ensure that interface distances are met and privacy is maintained for existing residents.*
17. 33-35 Duxbury Gardens face the side gable and rear garden of proposed plot 42. The dwelling on this plot is proposed to be a two storey three bedroomed dwelling which is one of the affordable units on the site. In excess of 13m is retained between the near edge of 33 Duxbury Gardens and the gable of plot 42 which exceeds the Council's standard spacing distances. 34 and 35 Duxbury Gardens are 2.5 storey dwellings which face the rear garden of plot 42. In excess of 15 metres is retained between the rear of these properties and the boundary with the garden which exceeds the required 10m. The proposed dwelling on plot 42 is approximately 0.05m lower than the existing dwellings ensuring that the spacing distances maintained are appropriate (this level difference was amended during the application process increasing the proposed slab level from 74.70 to 75.15 which is mid-way between the slab levels of 75.00 and 75.30 that are shown on the approved layout and to replicate the finished floor levels of the existing properties on Duxbury Gardens. Although the dwellings on Duxbury Gardens extend to 3 storeys in height, with habitable room rear windows on all levels, it is considered that the spacing distances maintained will protect the amenities of the existing and future residents.
18. 8 and 10 Duxbury Manor Way are located to the west of plots 40-42. The newly built properties are 2.5 storey dwellings with a rear roof dormer. However this dormer serves a

bathroom with obscure glazing and as such the interface consideration in respect of the existing and proposed dwellings relate to the ground and first floor windows. The proposed dwellings have a proposed finished floor level between 0.75m and 0.9m lower than the existing dwellings which require a 2m increase in the Council's standard spacing distances. However this reflects the previously approved layout in respect of this part of the site and as such this relationship has already been established as acceptable.

19. The rear of 6 Duxbury Manor Way faces the rear garden of plot 37. This newly built property is a 2.5 storey dwelling with a rear roof dormer. However this dormer serves a bathroom with obscure glazing and as such the interface consideration relates to the ground and first floor windows. 6 Duxbury Manor Way is approximately 1.32m higher than the proposed property on plot 37. However this reflects the previously approved layout in respect of this part of the site which retained 10m from the rear of 6 Duxbury Manor Way to the garden area. As such this relationship has already been established as acceptable.
20. Plot 36 is located adjacent to 13 Shireburne Drive and will be constructed at a land level approximately 1m lower than the existing dwelling. It is proposed that the side gable of the proposed dwelling will be adjacent to the side gable of the existing dwelling to create an acceptable relationship. Plot 36 is a Belgrave House type which does not have any windows in the side gable facing 13 Shireburne Drive
21. Plot 35 backs onto 19 and 21 Shireburne Drive and is proposed to be a two storey detached dwelling built at a land level approximately 1.2m lower than the existing dwelling. Given the level change there is a requirement to provide 23m window to window distance which is achieved in respect of this relationship.
22. 33-37 Shireburne Drive back onto the side gable of plot 32 and are approximately 2m higher than the proposed dwelling. There is approximately 12m retained between the existing houses and the proposed houses. The proposed houses are two storey dwellinghouses and with the level difference this ensures that the occupiers of the existing properties will not be facing a large two storey blank gable wall. This relationship is considered to be acceptable.
23. The Council's spacing standards are applied to ensure that an adequate amount of privacy and amenity is provided for the existing and future residents. The application is supported by various sectional drawings which demonstrate the difference in levels between the proposed dwellings. The main areas of concern relate to:
 - 23 and 25 Shireburne Drive overlooking the garden of plot 33,
 - 39-43 Shireburne Drive overlooking the garden of plot 32 and
 - The relationship of plots 26-28 with 37 Duxbury Manor Way.
24. 23 and 25 Shireburne Drive face the rear garden area of plot 33 and are approximately 0.65m higher than the proposed dwelling. 10m is retained to the rear garden boundary which is considered to be acceptable.
25. 39-43 Shireburne Drive back onto the proposed rear garden area of plot 32 and are approximately 2.3m higher. Given the level change there is a requirement to provide 17m long gardens which is not retained in this case.
26. Proposed plots 26-28 back onto 37 Duxbury Manor Way and will be built approximately 5.78m lower in land levels. Applying the increase in spacing required by the Council's standards due to the significant level changes across the site would result in a significant amount of space retained between dwellings. This is the case in respect of this relationship which would require 42m rear window to rear window where only approximately 26m is retained.
27. The sectional plan demonstrates the extent of views from the ground and first floor windows. The proposed and existing rear boundary treatments along with the level difference ensures that there will not be any loss of privacy or amenity for the future

residents which address the purposes of applying separation distances. This replicates the arrangement of houses on the adjacent Arley homes site which had to address similar level changes.

28. Plots 24-25 back onto the rear garden are of 41 Duxbury Manor Way, however given that these properties are approximately 4.7m lower than the existing property the proposed dwellings will not create overlooking to the detriment of the neighbours amenities.
29. Internally within the site plot 13 only has a 9.5m long garden which is slightly below the required 10m. However the future residents will be aware of this relationship when they purchase the property.
30. During the consideration of the application the finished floor levels to Plots 5/6 and 10 have been altered so that the differential between Plots 5 and 10 is now 0.85m (previously 1.09m) and Plots 6 and 10 is now 1.15m (previously 1.44m). The distance retained between plots 5 and 10 is 21.5m and plots 6 and 10 is 22.5m. This is only slightly below the required spacing distances (given the finished floor level difference) and are considered to be acceptable.
31. The proposed details include 0.9m high fences to delineate rear gardens. The applicants have been advised that such fencing details will not provide private rear gardens and as such are unacceptable. Submission of appropriate fencing will therefore be required by condition.

Affordable housing

32. In accordance with Policy 7 of the Adopted Central Lancashire Core Strategy the development is required to provide 30% affordable housing. The proposed development would result in 70 new dwellings and so in accordance with current policy; the scheme should provide 21 affordable units.
33. The development provides 21 affordable homes comprising:
 - 13 two bedroom houses- social rented
 - 2 three bedroom houses- social rented
 - 6 three bedroom houses- intermediate sale (shared ownership)
34. The affordable units are identified on plots 18-32 in the western end of the site and on plots 40-45 at the northern end of the site. As noted above concerns have been raised about the location of the affordable housing which differs from the previously approved scheme on this site. However the Adopted Affordable SPD encourages the dispersal of affordable housing units within residential development to promote mixed communities and minimise social exclusion. It is considered that siting the proposed affordable houses within two parts of the site accords with the aspirations of the SPD.
35. As such, it is considered the proposed development would provide adequate affordable housing on site in accordance with Policy 7 of the Adopted Central Lancashire Core Strategy.

Sustainable Resources

36. 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."

37. 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.

Trees and landscape

38. The application site is essentially split into two sections, the first being to the west and the second to the east of the existing access road.
39. The part of the site to the west is that which involves the greatest change in levels and rises significantly in an east-west direction, parallel with the properties already erected to the north of the site. This part of the site has already been cleared of any vegetation and is currently vacant.
40. The part of the site to the east has been left in more of a natural state and currently includes a number of trees, shrubs and grassland. An Arboricultural Constraints Appraisal has been submitted with the application which includes details of all the trees on site.
41. 12 individual trees form part of the appraisal which reflects the 12 trees already protected on this site (TPO 6 (Chorley) 2013). All of the trees are identified for retention and include appropriate root protection areas to ensure the continued protection of the trees during the construction process.
42. Concerns have been raised by one neighbour in terms of the types of trees originally proposed due to an existing resident having a pollen allergy, however the plans have been amended to replace these trees.

Ecology

43. Bowland Ecology Ltd was commissioned by Rowland Homes Ltd to undertake an extended Phase 1 Ecology Survey and desk study of the site at Duxbury Park, Chorley (NGR: SD 588 160). The extended Phase 1 survey aimed to update phase 1 surveys previously undertaken by United Environmental Services in 2008 and Bowland Ecology Ltd in 2012 in support of planning application that has been granted to develop the site.
44. The submitted information is currently being considered by Greater Manchester Ecology Unit and any comments they make will be reported on the addendum.

Drainage and Sewers

45. Part of the site falls within a Flood Zones 2 and 3. As such a Flood Risk Assessment & Drainage Strategy (FRA) has been submitted as part of the application. The Environment Agency commented on the previous application at this site and raised no objection subject to suitable conditions.
46. Surface water drainage is now the responsibility of Lancashire County Council as the Lead Local Flood Authority (LLFA) who have no objection to the proposals subject to the imposition of suitable conditions. These mainly relate to the inclusion of a surface water sustainable drainage scheme as they have commented that the FRA submitted as part of this application does not include evidence of surface water run-off rates. As this application relates to previously developed land, the LLFA would request that further

calculations are to be completed and the LLFA requests to be formally consulted on these. The FRA also states that there will be a requirement to attenuate surface water due to the increase in impermeable area as a result of the development. The final requirements of this attenuation have not been finalised and the LLFA would again request to be consulted on these proposals. This will be addressed by condition.

Open Space

47. The Open Space and Playing Pitch SPD was adopted for development control purposes at the Council meeting on 17th September 2013. The following requirements are based upon the standards within Local Plan Policies HS4A and HS4B and the approach in the SPD.

Amenity Greenspace

48. There is currently a deficit of provision in the Chorley South East ward in relation to this standard, a contribution towards new provision in the ward is therefore required from this development. The amount required is £140 per dwelling.

Provision for children/young people

49. There is currently a surplus of provision in the Chorley South East ward in relation to this standard, a contribution towards new provision in the ward is therefore not required from this development. The site is also not within the accessibility catchment (800m) of any areas of provision for children/young people that are identified as being low quality and/or low value in the Open Space Study. A contribution towards improvements is therefore also not required from this development.

50. It is also important to note that the adjacent development for 126 dwellings provided 0.35 hectares of open space provision including an equipped play area. The minimum size of play area required for the adjacent development was 0.08 hectares which meant that extra provision was made in that case. As such, taking into account the fact that an oversupply of equipped play space was provided immediately adjacent to the application site there is no justification for additional equipped play space.

Parks and Gardens

51. There are no parks/gardens within the accessibility catchment (1,000m) of this site identified as being low quality and/or low value in the Open Space Study therefore a contribution towards improving existing provision is not required.

Natural and Semi-Natural Greenspace

52. There is no requirement to provide new natural/semi natural greenspace on-site within this development. The site is within the accessibility catchment (800m) of areas of natural/semi-natural greenspace that are identified as being low quality and/or low value in the Open Space Study (sites 1725 – Between St Gregory's Place/Burgh Meadows and 1827 – Plock Wood, Lower Burgh Way), a contribution towards improving these sites is therefore required. The amount required is £557 per dwelling.

Allotments

53. There is no requirement to provide allotment provision on site within this development. The site is within the accessibility catchment (10 minutes' drive time) of proposed new allotment sites at Land at Sylvesters Farm, Euxton (HW5.2) and Harrison Road, Adlington (HW5.3). A contribution towards new allotment provision is therefore required from this development. The amount required is £15 per dwelling.

Playing Pitches

54. A Playing Pitch Strategy was published in June 2012 which identifies a Borough wide deficit of playing pitches but states that the majority of this deficit can be met by improving existing pitches. A financial contribution towards the improvement of existing playing pitches is therefore required from this development. The Playing Pitch Strategy includes an Action Plan which identifies sites that need improvements. The amount required is £1,599 per dwelling.

55. As 70 dwellings are proposed to total POS contribution equates to £161,770

Contamination and Coal Mines

56. Due to nature of the type of training that took place on site for both water and electricity industries there may be issues with contaminated land in some parts of the site. In addition to this, it is thought that there may be mine shafts across the site.

57. In this regard a Phase I & Phase II Geo-Environmental Site Investigation has been undertaken which has been reviewed by the Council's Waste and Contaminated Land Officer. The Officer is satisfied with the report and for the development to proceed in accordance with the recommendations made in this report. This can be addressed by condition.

Highways

58. LCC Highways have reviewed the proposals and confirmed that they have no objection subject to all the highway conditions and advice notes attached to the previous approval. The Highway Engineer has also commented that the highway contributions requested in respect of the previous approval are still relevant and should apply to the approval of this application.

59. In respect of the previous application LCC Highways requested a contribution of £130,620 to investigate and fund operation of an additional bus service in the area. In respect of the history of this site the outline application secured £368,900 towards sustainable transport improvements. The subsequent Section 73 application reduced the contribution (based upon a decrease in number of houses from 200 to 126) as follows:

- £83,970 related to the employment land
- £165,037 related to the residential land

60. This application takes the total number of houses back up to approx. 200 which was originally envisaged for the site although it is on the land originally allocated for employment uses and as such LCC consider that the original request of £130,620 is justified as it relates to sustainable transport improvements directly related to housing (i.e. access to shops, employment etc).

61. To resolve this issue as part of the previous planning application (on a pure calculation basis) it was calculated that the figure secured from the Arley Homes site equates to £1309 per dwelling. This was translated into the proposed development and equated to a sum of £91,687 (70 x £1309.82) which was secured as part of the legal agreement.

62. As Chorley is now a CIL Charging Authority and this scheme will be CIL liable requests for Section 106 contributions should be restricted to the regulation of development and site specific mitigation. To avoid any double charging, planning authorities cannot seek the provision of a contribution towards items included in the Regulation 123 List through S106 obligations, even where they would be justified as site specific remediation. It is considered that the sustainable transport contribution requested as part of this development is directly related to the development in question and the development as part of the wider site and as such is justified in this case. This will be secured as part of the legal agreement.

63. The Highway Engineer has raised concerns that the previously approved pedestrian/cycle route linking the site at its western end to the public open space (POS) has been removed in the current proposal. This linked directly to the area of open space within the Arley Homes development and was removed by Rowland Homes when they assessed the developability of the site. Creating this pedestrian link involved significant engineering operations and the creation of a sloped footpath due to the level differences on site. It is considered that the scheme as proposed without the link creates an improved layout in respect of the existing and future residents. The removal of this link does not hinder access to the POS although it will be a lightly longer route for the residents of this development.

64. The Engineer has also raised concerns that the previous Highways request for pedestrian/cycle route from the eastern end of the development to Red Bank has not been incorporated. However this land is outside of the applicant's control and would not be possible to secure.
65. The proposed houses incorporate sufficient driveway/garage space for the size of dwellings proposed. A number of the integral garages do not meet the Manual for Streets standard of 6x3m garages, however they are large enough to accommodate a car. The storage space which is included within the Manual for Streets garage dimensions in these cases will be secured by the inclusion of a shed.

Community Infrastructure Levy

66. 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.
67. This is a full application and the CIL regulations specify that the fall back position of approved schemes can only be taken into account in respect of CIL when a S73 application is submitted. However it is considered that a pragmatic approach is appropriate given that the intention of CIL was never to retrospectively impose CIL charging on approved schemes. As such the extent of approved development is subtracted from the extent of proposed development and CIL is only charged on the uplift created by virtue of the proposed amendments. However in these cases a shorter time limit to commence development is applied to take into account the length of time left on the 'fallback' planning approval. In this case the planning approval has to commence before 29th August 2016 and as such the recommended condition for this planning application is to commence the development within 1 year.
68. The previous approval on this site (13/00178/FULMAJ) incorporated the following floor space:

House type/ garage	Size (m ²)	Number	Total floor space
Type A	67.9	13	882.7
Type B	80.4	8	643.2
Type C	87.5	8	700
Type D	80.7	6	484.2
Type E	94.4	1	94.4
Type F	103.7	12	1244.4
Type G	119.7	2	239.4
Type H	116.8	5	584
Type Hs	116.8	3	350.4
Type J	117.1	3	351.3
Type K	131.3	9	1181.7
Single Garage	18	12	216
Double Garage	36	5	180
Total		70	7151.7

69. In respect of the proposed scheme the following floorspace is proposed:

House type/ garage	Size (m ²)	Number	Total floor space
Type A2	73.3	13	952.9
Type A3	89.3	8	714.4
Type BU	75.6	4	302.4
Type E	79.6	4	318.4
Type C	92.94	6	557.64
Type BOW	128.6	8	1028.8

Type R	134.3	7	940.1
Type BR	167.8	3	503.4
Type BEL	152.7	4	610.8
Type REY	133.2	2	266.4
Type M	163.3	3	489.9
Type H	160.4	3	481.2
Type B	114.9	4	459.6
Type B	114.9	1	114.9
Single Garage	19.84	17	337.28
Double Garage	38.44	4	153.76
Total		70	8231.88

70. The proposed development incorporates 1080.18m² of additional floorspace and as such the CIL liability associated with this development equates to £70,211.70 although if the affordable housing exemption is applied this may be reduced to take into account additional floorspace in respect of the affordable units. (There is 141.4m² of additional affordable housing floorspace which could reduce the CIL levy by £9,191).

Overall Conclusion

8. The erection of 70 dwellings on this site has already been established as acceptable and is considered to be an appropriate use of this site within a sustainable location. The layout has changed when compared to the previous layout however as demonstrated above the layout as proposed ensures that the amenities of the future and existing residents are protected. As such the proposals are recommended for approval subject to the associated legal agreement.

Planning Policies

71. 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 Local Plan 2012-2026 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) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

Reference	Description	Decision	Date
06/00850/CB3	Creation of an access junction off the proposed Eaves Green Link Road (site area 0.31ha).	Approved	November 2006
08/01044/OUTMAJ	Outline application for the erection of a mixed use development incorporating residential and B1 employment use following the demolition of the existing buildings (7.2 hectares).	Approved	December 2008
10/00004/DIS	Application to discharge condition 29 of planning approval 08/01044/OUTMAJ.	Discharged	January 2010
10/00240/DIS	Application to discharge condition 14 of planning approval 08/01044/OUTMAJ.	Discharged	April 2010
10/00888/FULMAJ	Application to vary conditions 11, 12 (ground remediation), 19 (surface water attenuation) and 21 (archaeology) of outline	Approved	11th January 2011

	planning permission ref: 08/01044/OUTMAJ to enable the site to be developed in phases.		
10/00946/REMMAJ	Reserved Matters application, pursuant to Section 73 planning permission 10/00888/OUTMAJ, proposing full details for the siting, layout, appearance and landscaping for a residential development comprising 135 dwellings at Duxbury Park, Myles Standish Way, Chorley	Approved	February 2011
11/00190/DIS	Application to discharge conditions 6, 8, 9, 12, 13, 14, 19, 21, 22, 24, 26, 27, 28, 29, & 30 attached to planning approval 10/00946/REMMAJ.	Discharged	May 2011
11/00263/FUL	Construction of a temporary junction and access road for use during the construction period.	Approved	May 2011
11/00453/REMMAJ	Section 73 application to vary conditions 1 (approved plans), 4 (approved plans), 10 (finished floor levels in respect of plots 6-8, 80-89 and 126-134), 26 (carbon emissions) and 27 (code for sustainable homes) attached to planning approval 10/00946/REMMAJ	Approved	August 2011
11/01019/REMMAJ	Section 73 application to vary conditions 1 and 4 (approved plans) and 25 and 27 (plot references) attached to planning approval 11/00453/REMMAJ	Approved	April 2012
13/00178/FULMAJ	Erection of 70 residential dwellings, associated garaging, car parking, access arrangements and landscape works.	Approved	August 2013

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Suggested Conditions

No.	Condition																																																																																				
1.	The proposed development must be begun not later than one year from the date of this permission. Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004																																																																																				
2.	The development hereby permitted shall be carried out in accordance with the following approved plans: <table border="1" data-bbox="320 562 1214 2022"> <thead> <tr> <th data-bbox="327 562 544 622">Title</th> <th data-bbox="544 562 762 622">Plot</th> <th data-bbox="762 562 991 622">Drawing Reference</th> <th data-bbox="991 562 1208 622">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="327 622 544 654">Location Plan</td> <td data-bbox="544 622 762 654"></td> <td data-bbox="762 622 991 654">R074/1000</td> <td data-bbox="991 622 1208 654">18th May 2015</td> </tr> <tr> <td data-bbox="327 654 544 719">A2-2 Block Plans</td> <td data-bbox="544 654 762 719">20, 21, 22, 23</td> <td data-bbox="762 654 991 719">HT164/P/2/V1-1</td> <td data-bbox="991 654 1208 719">18th May 2015</td> </tr> <tr> <td data-bbox="327 719 544 784">A2- 2 Block Elevations</td> <td data-bbox="544 719 762 784">20, 21, 22, 23</td> <td data-bbox="762 719 991 784">HT165/P/2/V1-2</td> <td data-bbox="991 719 1208 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Proposed Site Levels (eastern)		J3432.EX03 Rev A	18th May 2015
1.8M High close board timber fence		SD.1 Rev A	18th May 2015
1.8m high screen wall		S.O.46	18th May 2015
Planning layout		R074/1 Rev A	27th July 2015
Bowes House Type	2, 5, 9, 49, 50, 56, 57, 61,	HT104/P/111 Rev B	18th May 2015
Burlington House Type	46, 47, 64, 65	HT105/P/111 Rev C	18th May 2015
Marlborough floor plans	51, 59, 70	HT107/P/110	18th May 2015
Marlborough Elevations	51, 59, 70	HT107/P/112 Rev A	18th May 2015
Marlborough floor plans	70	HT107/P/210	18th May 2015
Marlborough Elevations	70	HT107/P/212 Rev A	18th May 2015
Bonington Elevations (without bay)			18th May 2015
Elmbridge House Type	8, 16, 66, 67	HT148/P/111	18th May 2015
Renishaw house type	3, 15, 39, 48, 52, 53, 69,	HT149/P/202 Rev A	18th May 2015
A2- 3 Block Floor Plans	21, 22, 23, 24, 25, 26, 27, 28, 29, 30 31, 32	HT164/P/3/V1-1	18th May 2015
A2- 3 Elevations	21, 22, 23, 24, 25, 26, 27, 28, 29, 30 31, 32	HT164/P/3/V1-2	18th May 2015
A3- 3 Block Plans	18, 19	HT165/P/2/V1-1	18th May 2015
Planting Plan		P.532.15.01 Rev A	24th June 2015
Planting Schedules		P.532.15.01 Rev A	24th June 2015
Proposed Site Sections		J3432 EX13	21st July 2015

Reason: For the avoidance of doubt and in the interests of proper planning

3. No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.
 Those details shall include, as a minimum:
- a) Information about the design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
 - b) The drainage strategy should demonstrate that the surface water run-off must be as close as reasonable practicable to the greenfield runoff rate and should not exceed the rate of discharge prior to this development which is yet to be

	<p>calculated. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.</p> <ul style="list-style-type: none"> c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant); d) Flood water exceedance routes, both on and off site; e) A timetable for implementation, including phasing as applicable; f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates; g) details of water quality controls, where applicable. <p>The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.</p> <p>Reasons</p> <ul style="list-style-type: none"> 1. To ensure that the proposed development can be adequately drained. 2. To ensure that there is no flood risk on or off the site resulting from the proposed development
<p>4.</p>	<p>No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development which, as a minimum, shall include:</p> <ul style="list-style-type: none"> a) the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company b) arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as: <ul style="list-style-type: none"> i. on-going inspections relating to performance and asset condition assessments ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime; c) means of access for maintenance and easements where applicable. <p>The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.</p> <p>Reasons</p> <ul style="list-style-type: none"> 1. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development 2. To reduce the flood risk to the development as a result of inadequate maintenance 3. To identify the responsible organisation/body/company/undertaker for the sustainable drainage system.
<p>5.</p>	<p>No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> • the parking of vehicles of site operatives and visitors • hours of operation (including deliveries) during construction • loading and unloading of plant and materials • storage of plant and materials used in constructing the development • the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate • wheel washing facilities • measures to control the emission of dust and dirt during construction

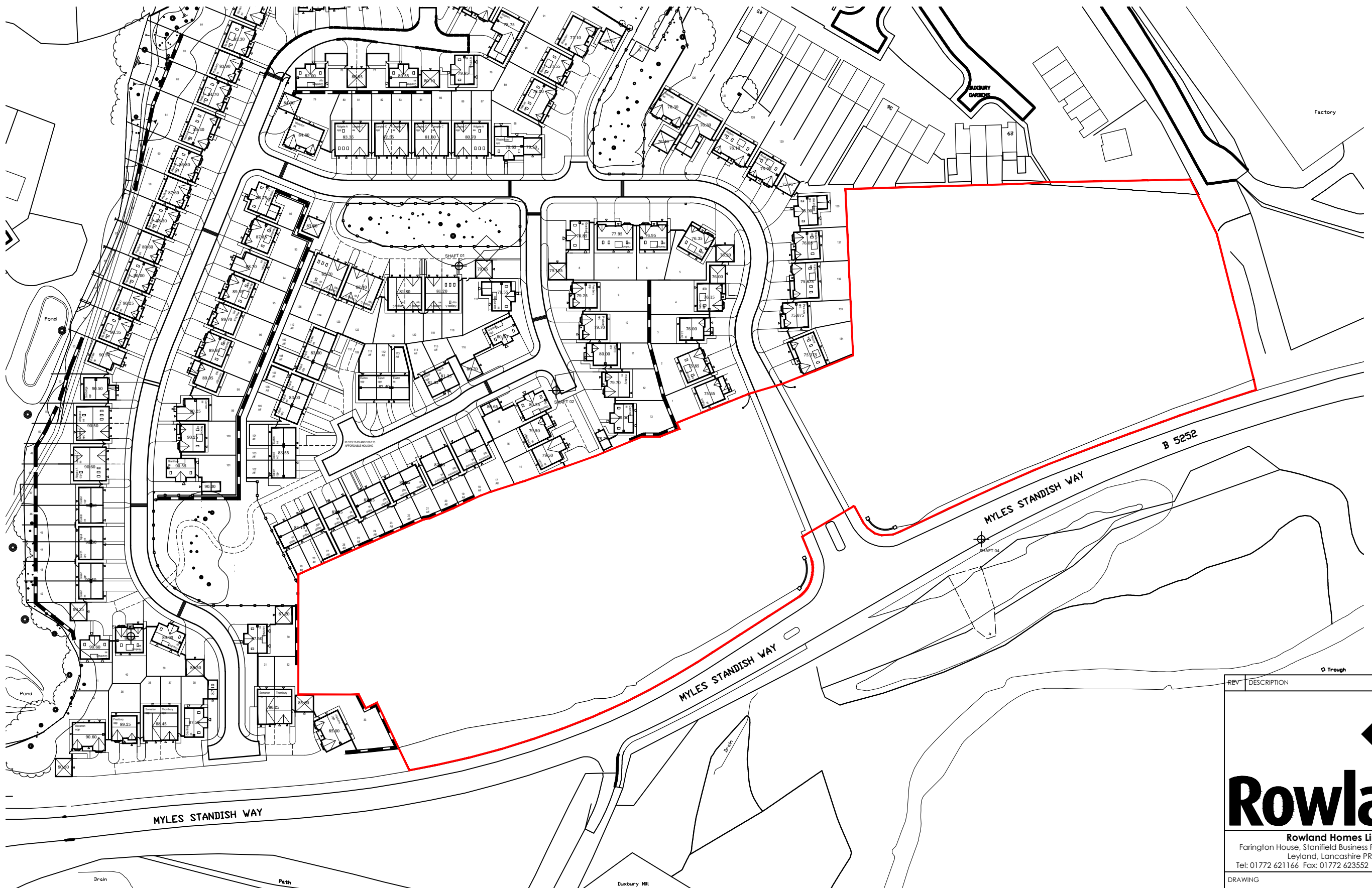
	<ul style="list-style-type: none"> • a scheme for recycling/disposing of waste resulting from demolition and construction works <p>Reason: in the interests of highway safety and to protect the amenities of the nearby residents</p>
6.	<p>The integral/attached and detached garages hereby permitted shall be kept freely available for the parking of cars and shall not be converted to living accommodation, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.</p> <p>Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking.</p>
7.	<p>The development hereby permitted shall be carried out in accordance with the recommendations contained within the submitted site investigation reports: PHASE I & PHASE II GEO-ENVIRONMENTAL SITE INVESTIGATION Land off Myles Standish Way, E3P Report: 10022r1 Issued: January 2014</p> <p>Upon completion of the remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority for approval.</p> <p>The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures identified.</p> <p>Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use</p>
8.	<p>The external facing materials, detailed on the approved plans, shall be used and no others substituted unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the materials used are visually appropriate to the locality.</p>
9.	<p>The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground-surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.</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>
10.	<p>Before the properties hereby permitted are first occupied, the driveways shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The driveways 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>
11.	<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>
12.	<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</p>

	<p>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>
13.	<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.</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>
14.	<p>The development hereby permitted shall only be carried out in conformity with the approved ground and building slab levels</p> <p>Reason: To protect the appearance of the locality and in the interests of the amenities of neighbouring properties.</p>
15.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no extensions or external alterations shall be undertaken to the dwellings hereby permitted on plots 1-3 (inclusive) , 5-10 (inclusive), 11-14 (inclusive), 17-33 (inclusive), 35-38 (inclusive), 40-47 60-62 (inclusive), 52-57 60-62 (inclusive), 60-62 (inclusive), 66-67 (inclusive), 69-70 (inclusive),</p> <p>Reason: To protect the appearance of the locality and the amenity of the future occupiers of the approved dwellings and those surrounding the site.</p>
16.	<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, mitigate the loss of potential habitats and secure a high quality design.</p>
17.	<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>
18.	<p>Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Foul shall be drained on a separate system. No building shall be occupied until the</p>

	<p>approved foul drainage scheme has been completed to serve that building, in accordance with the approved details.</p> <p>This development shall be completed maintained and managed in accordance with the approved details.</p> <p>Reason: To ensure suitable drainage is provided for the dwellings hereby approved, this is required prior to the commencement of the construction of the dwellinghouses to ensure that a suitable scheme can be put in place at the appropriate time.</p>
<p>19.</p>	<p>Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use. In accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012).</p>
<p>20.</p>	<p>Before the development hereby permitted is first commenced, full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.</p> <p>Reason: Full details of acceptable boundary treatments were not provided as part of the application (the use of 0.9m high post and rail fences to delineate rear gardens is not considered to be appropriate as they do not create private rear gardens) and in order to ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</p>
<p>21.</p>	<p>No dwelling on plots 2, 3, 5, 6, 9, 13, 15, 36, 37, 38, 39, 48, 49, 50, 52, 53, 56, 57, 58, 61, 62, 69 and 70 hereby permitted shall be occupied until garden sheds have been provided in accordance with plans which have been submitted to and approved in writing by the Local Planning Authority. The garden sheds shall be retained in perpetuity thereafter.</p> <p>Reason: The garages are smaller than would normally be provided and therefore to ensure sufficient storage/cycle storage is provided at the properties in accordance with Manual for Streets</p>
<p>22.</p>	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no windows/doors other than those expressly authorised by this permission shall be inserted or constructed at any time in the:</p> <ul style="list-style-type: none"> • East elevation of plot 10 • South elevation of plot 13 • South elevation of plot 19 • South elevation of plot 24 • North elevation of plot 32 • North elevation of plot 33 • West elevation of plot 37 • North elevation of plot 42 • South elevation of plot 40 • North elevation of plot 48 • South elevation of plot 51

	<ul style="list-style-type: none"> • East elevation of plot 66 <p>Reason: To protect the amenities and privacy of the adjoining properties</p>
23.	<p>All windows and doors in the:</p> <ul style="list-style-type: none"> • North elevation of plot 33 • North elevation of plot 42 • South elevation of plot 51 • East elevation of plot 66 <p>hereby permitted shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.</p> <p>Reason: In the interests of the privacy of occupiers of neighbouring properties.</p>
24.	<p>Prior to the occupation of the first dwellinghouse hereby approved, full details of the Management Company to deal with the future management and maintenance of the site shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company.</p> <p>Reason: No details of the management arrangements form part of the submission information and to ensure the satisfactory management of the private driveways, resident's parking spaces and landscaped areas full details are required.</p>
25.	<p>Prior to the occupation of any of the dwellings hereby approved details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.</p> <p>Reason: To ensure that the estate streets serving the development are maintained to an acceptable standard in the interest of residential / highway safety.</p>
26.	<p>Prior to the construction of any of the streets referred to in the previous condition full engineering, drainage, street lighting and constructional details of the streets shall be submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details.</p> <p>Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.</p>

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REV	DESCRIPTION	DATE



Rowland

Rowland Homes Limited
 Farington House, Stanfield Business Park, Stanfield Lane,
 Leyland, Lancashire PR25 4UA
 Tel: 01772 621166 Fax: 01772 623552 www.rowland.co.uk

DRAWING
LOCATION PLAN

PROJECT
MYLES STANDISH WAY, CHORLEY

SCALE	1:1250 @ A3	REV.		DRAWING No.	R074/1000
DATE	MAY '15				
DRAWN					

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Item 3e	15/00517/FUL
Case Officer	Caron Taylor
Ward	Adlington and Anderton
Proposal	Change of use of part of former children's play centre to a swimming school.
Location	Unit 1 60A Westhoughton Road Adlington Chorley PR7 4ET
Applicant	Mrs Karen Snape
Consultation expiry:	29th June 2015
Decision due by:	29th July 2015

Recommendation
That the application is refused.

Representations

Adlington Parish Council

- The application lacks detail concerning the changes required to the ventilation, air conditioning and drainage systems for the building related to the change of use, the large amount of water which will be stored on site and may need to be discharged at certain times, and the storage of any chemicals needed for the safe operation of a swimming pool;
- Concern was expressed regarding the lack of parking on site as the car park shown on the plans is shared with the adjacent units, and on-road parking is already a serious problem at this location;
- The development if allowed would increase the traffic problems in what is already a busy and dangerous location and has difficult access/egress from the main road.

One representation has been received which cites the following grounds of objection:

- Increased traffic flow of the site, onto and across a very busy road: becoming busier. Traffic safety on this part of A6 is deteriorating. This is a significant and growing concern;
- Increased noise - previous usage as play centre was often intrusively noisy (emanating from car park area) especially when families were arriving and departing;
- Smell - will the site emit chlorine (and/or other) smelling vapours?;
- Planning application section 23 indicates no hazardous substances stored on site. Is this correct? What water treatment system will be used to ensure the pool water is kept to a hygienic standard; chlorine?;
- Planning application states no trees bordering the site. This is incorrect. There are trees in the neighbouring property, 60 Westhoughton Road. These trees are important to the local landscape character and have been in place for more than 35 years;
- Application section 22 appears to be lacking detail. Will the building's ventilation and air conditioning systems be amended to cope with that of a swimming pool? What measures will be taken to ensure no emitted threat from Legionella or other bacteria and the safety of the neighbourhood from these?;
- Woeful lack of detail in any section of planning application about management of pool

water when it needs to be emptied for any reason. Only system indicated is for foul sewage. Will the water be drained into the local existing sewer system? Will the existing site and local systems be able to deal with the contents of the pool especially if emptied in an emergency? If current site drainage is unable to deal with this amount of water the planning application is deficient in showing any drainage system for the pool - there is a major concern that current local drainage system will be incapable of dealing with this large amount of extra water flowing in over a relatively short period of time.

Consultees

Consultee	Summary of Comments received
Environment Agency	Covered by their standing advice – see body of report.
Lancashire County Council Highways	<p>There is a large area of hard-standing to the side of the proposed Unit 1. In addition, there are marked car parking spaces in front of the Unit. It seems the marked parking spaces and the hard-standing area are also used by other businesses located adjacent the site. The hard-standing and the marked parking spaces are not shown within the applicant's boundary on the submitted plans and no plans have been submitted to show the proposed 20no spaces.</p> <p>In view of the above, it does not appear that parking provision for the proposal has been met and they therefore recommend a condition requiring details of car parking provision to be submitted.</p> <p>Note: see body of report.</p>

Applicant's Case

1. They have been running a swimming school for the last eight years with an existing customer base and wish to expand on this. The area where the proposed pool would be situated has no facility of this kind and on researching they have found there to be a high demand and a very promising response.
2. The lessons would be available to all ages and ability, class sizes would be kept small having six to eight pupils in the water at one time.
3. The hours of opening would be Monday to Friday approximately 9am until 6-6.30pm and weekends approximately 9.30am until 2.30-3pm.
4. No external alterations to the property are proposed.

Assessment

Background

5. The proposed pool would measure 8.6m by 4.6m and would be surrounded by a raised deck approximately 1.2m high accessed via a ramp or steps from the ground. There would be toilets, showers and changing rooms in the building along with a small reception area. There would no external alterations to the existing building.
6. The building was formerly used as a children's play centre. The rear part of the former children's play centre already has permission to change to a doggy day care centre, dog grooming salon, pet shop and swimming facility (for animal use). Car and furniture sales are taking place in the attached building to the southeast. This application relates to the north part of the front of the building.

Principle of the Development

7. The application site is within the settlement of Adlington as defined by the adopted Local Plan 2012-2026. It is not considered that the proposal would have an adverse impact on the function, vitality and viability of the borough's hierarchy of centres in accordance with policy EP9 of the Local Plan and the Framework as it is not a town centre use.

Impact on the neighbours

8. A neighbouring resident has objected to the application and raised a number of concerns about the proposed pool. These have been put to the pool supplier who have provided information on the operation of the pool:
9. They advise that the pool is of domestic size in terms of the pools they deal with and due to its small size it should not produce any noticeable smells or vapours. In terms of hazardous substances any pool chemicals will only be required in small quantities, again due to the size of the pool.
10. In terms of water treatment the water will be cleaned by a cyclonic cartridge filter system with the cartridge cleaned and replaced as necessary. The water will be chlorinated via liquid chlorine or a salt chlorination system to be determined but it would not require commercial water treatment systems.
11. In terms of air conditioning, due to its limited size and the large size of the building it will be located in, condensation from the pool is unlikely to be a problem, particularly as there will be a heat retention cover on the top of the water when it is not in use which prevents humidity escaping into the room. If condensation does become an issue however, then internal wall mounted dehumidification units powered by a domestic gas boiler could resolve this. It will not therefore be necessary to have external air conditioning units on the building.
12. Therefore it is not considered the proposed operation of the pool would lead to neighbour amenity issues in terms of vapours or smells or noise from air-conditioning units.
13. In terms of noise from comings and goings to the building it is not considered that this would be significantly different from its lawful use as a children's play centre. The proposed swim school would have two members of staff and use of part of the existing ample car park at the front and rear of the building.
14. It is not therefore considered that the application would have an unacceptable impact in terms of neighbour amenity.

Design and Layout

15. The proposal would not involve external alterations to the building.

Traffic and Transport

16. The swim school would use the existing access to the site from Bolton Road that was used by the former children's play centre, as stated previously the swim school would use the existing car parking available to the front and side of the unit. The comments of LCC Highways are noted, however the applicant has now provided details of the parking available for the unit (separate from the parking shown for part of the unit that has permission as a doggy day care centre) and included it in the red edge of the application. The parking proposed is considered sufficient for the number of visitors and staff to the swim school and is therefore considered acceptable.

Coal Mines

17. The site is in a low risk area in terms of coal mining as identified by The Coal Authority. This requires an informative note to be added to any permission.

Drainage and Sewers

18. The foul sewage from the building e.g. toilets would be connected to the mains sewer. The comments regarding draining of the pool are noted. The pool installer states there should never be a need to drain the pool. If this situation does ever arise it is covered by the Environment Agency's standing advice. A swimming pool may only be discharged to foul sewer with permission from United Utilities and an informative note is required to be placed on any permission giving the applicant advice on this should the need occur.

Overall Conclusion

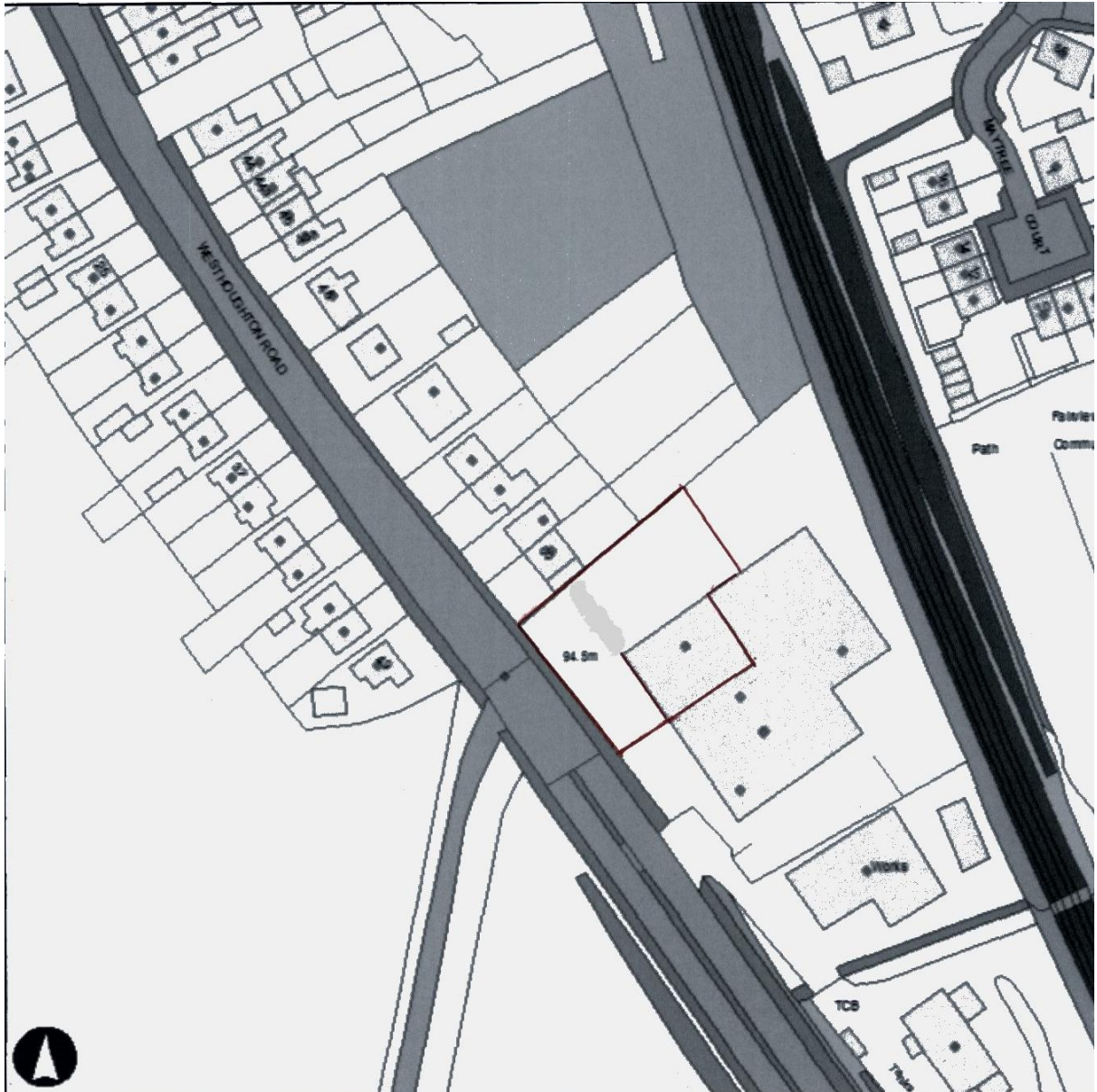
19. The application is recommended for approval subject to conditions.

Planning Policies

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 Local Plan 2012-2026 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) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

Reference	Description	Decision	Date
14/01166/COU	Change of Use from Children's play centre(use class D2) to doggy day care centre, dog grooming salon, pet shop and swimming facility (mixed use)	Permitted	26 th February 2015
06/00419/COU	Change of use of a retail unit to a parent supervised children's play centre with associated car parking unit area 1000 sq feet	Permitted	11 th May 2006



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Item 3f	15/00485/FUL
Case Officer	Caron Taylor
Ward	Adlington And Anderton
Proposal	Application for the erection of a new building ancillary to the existing equine vet business and retrospective application for the retention of a fence, tree surround and hard landscaping.
Location	Gillivervet Garwood Equine Centre Bolton Road Anderton Chorley PR6 9HN
Applicant	Gillivervet Ltd
Consultation expiry:	30th June 2015
Decision due by:	21st July 2015

Delegated		Delegated following Chairs Brief		Committee	X
Date:					

	Case Officer	Authorising Officer
	CT	
Date	30/07/2015	

Recommendation
Approve full planning permission

Representations

Anderton Parish Council

The council notes that in part this application is retrospective in respect of works already carried out which is regrettable and the council cannot condone this action. However in the interests of supporting and developing local, rural business the council would be generally supportive of the proposed development.

It is acknowledged that the proposed new building would normally be contrary to Green Belt policy but in the context of the existing site and buildings and specific location the council would not have objection to this being approved.

In total 3 representations have been received which are summarised below

Objection

- Applicant has a history of retrospective applications after activity undertaken without following due process correctly in advance. Care should be taken not to condone this;
- Creeping development in a green belt setting should only be exceptionally allowed, albeit that the development looks modest;
- Development would bring an increase in livestock activity with potential noise and smells nearer to neighbouring houses. Increased activity brings greater eyesore in approach to neighbouring houses with muck piled up outside building;
- It will increase damage to roadway with horse boxes. It has only just been repaired this year, with likely more problems in winter with wheel slip on the slope access,

- especially as the roadway is not kept gritted when icy;
- Increased volume of traffic accessing the site raises safety issues on a busy main road.
- It is noted that the proposed new building should normally be contrary to Green Belt policy- do not agree with constant new buildings being added every year or two;
- If the planning is going to be granted Mr Gilliver should create banking and a full and high screen of trees to act as a screen.
- The proposal will be in front of and in the eyeline of Woodward House and the materials uses would like an industrial estate type building;
- When opting to live in the countryside it is not expected that someone be continually allowed to spoil the view by building on Green Belt to such a degree.

Consultees

Consultee	Summary of Comments received
LCC Highways	State they have no objection to the application.

Applicant's Case

1. The applicant has responded to the objections received as follows:
2. The proposed development may increase the number of horses attending the practice but as for an increase in noise and smell this is strongly denied. The standard of hygiene and stable management are very high. At no time is any muck piled up outside the building. All used bedding is removed weekly in a skip and as such we have no muck heap, reducing smells and flies to an absolute minimum. They do not use straw and therefore have no straw muck heap. The straw muck heap referred to has absolutely nothing to do with the veterinary practice, they only use shavings as bedding and our soiled bedding & manure is removed weekly. Neighbours above and below the veterinary practice both have muck heaps contributing to smell and flies.
3. The proposed development is not directly in front of Woodward House but will be to the left of the property. The development is in line with the existing building and therefore cannot reduce their views. Woodward House is surrounded by trees and vegetation which shields the house and must therefore reduce their views.
4. With regard to the state of the lane, the applicant states they have had the lane resurfaced and improved the access for the adjacent properties only receiving a financial contribution from one of these properties.

Assessment

Background

5. Historically a Veterinary Practice was established at Garwood in 1989 by John Gilliver, a Veterinary Surgeon with a special interest in equine stud medicine. At present the practice employs 5 veterinary surgeons, 4 office staff & 4 yard staff.
6. The Practice deals almost exclusively with horses. The veterinary principal has a keen interest in Equine Reproduction and the practice has high stud content. Neighbouring practices refer their clients to the practice for equine reproductive services.
7. Equine reproduction is evolving and new techniques are emerging with artificial insemination using fresh, chilled and frozen equine semen. These techniques allow mare owners to use the very best competition stallions in Europe and the world, and have this facility within easy travelling distance to breed top class show-jumpers, eventers & dressage horses.
8. The Practice is approved by the British Equine Veterinary Association for the use of chilled & frozen semen and the practice has also been awarded Tier 2 status by the Practice Standards agency of the Royal College of Veterinary Surgeons.

9. Improving techniques for artificial insemination include deep intra uterine insemination & hysteroscopic insemination which require specialised equipment and expertise that can only be performed by a veterinary surgeon.

Principle of the Development

10. The application site is in the Green Belt. From aerial photographs it appears that the site where the building will be positioned, where the tree surround is and where the hardstanding has been laid was previously part of the field to the south and a new fence line has been erected along the south boundary of the development.
11. The National Planning Policy Framework (the Framework) states that a Local Planning Authority should regard the construction of new buildings as inappropriate in Green Belt.
12. The proposed building would be single storey with a mono-pitched pitched roof. It would be sited against the southern boundary of the site adjacent to a similar existing building. It would have a greater impact on the openness of the Green Belt than the existing development. Harm caused by inappropriateness must be added to other harm in the form of impact on openness.
13. The laying of hard surfacing, fencing and tree surround are considered to be engineering operations which is not inappropriate provided they preserve the openness and do not conflict with the purposes of including land within the Green Belt. The proposal would lead to encroachment of hardstanding into the countryside and the use of the hardstanding for the parking of vehicles would have an impact on openness. Therefore although minor in size it is considered inappropriate development.
14. Therefore as the proposal is considered inappropriate development in the Green Belt it should not be approved except in very special circumstances. A number of points have been put forward by the applicant in favour of the development:
 - The proposal is an extension to an existing rural business operating from the site. The business currently undertakes artificial insemination techniques in the existing main building that is also used for all the other veterinary activities e.g. examinations, lameness workups, dentistry, x-rays etc. - clients and general public also have access to these areas.
 - The proposed building would allow all the components of the technique to take place under one roof specifically designed for the purpose with a "safe pen" for valuable foals in front of the stocks restraining the mare, a small on site laboratory for thawing and evaluating semen and a safe storage facility for frozen semen in liquid nitrogen flasks is also proposed.
 - The applicant states that the proposed development would offer greater security, much safer working conditions and limited public access, as at present they cannot have a safe pen for valuable foals, and clients have access to these areas and the semen storage areas. In addition the laboratory is currently some distance from the mare handling area.
 - The proposed building would enable them to separate the horse breeding activities (scanning mares, artificial Insemination etc.) from the general horse work. Separate laboratory facilities would improve semen handling, thawing & evaluation at a closer site. The insemination process in its entirety can only be performed by a veterinary surgeon and the fact that the specialised equipment and trained personnel are on site and that the other facilities are available ensure that this is the only location for such a development. It is not a standalone facility but an integral part of the veterinary practice with specialist equipment already on site.
15. These considerations are considered very special, they specifically relate to the existing business and show that the proposed building is needed to be sited adjacent to the existing veterinary centre in terms of equipment and staffing but the artificial insemination

needs some physical separation. It is considered that together they do amount to very special circumstances which outweigh the harm by inappropriateness and to openness of the Green Belt. It is not considered there is other harm in addition to this.

16. The Framework states at paragraph 19 that significant weight should be placed on the need to support economic growth through the planning system and at paragraph 28 that plans should support the sustainable growth of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings. The proposal would support the growth of an existing local rural business.
17. In addition the proposed building will sit adjacent to an existing similar building separated by about half a meter. If the proposal had been proposed attached to this building, by moving it half a meter it is considered it would not be inappropriate development as an extension to that building as it is not considered it would be a disproportionate addition to it. This is considered to be a realistic fall-back position open to the applicant that is also given significant weight in the decision making process.

Design and Layout

18. The proposed building would be single storey measuring approximately 4m deep by 13.7m long with a mono-pitched pitched roof the same as per the existing building approximately 0.5m to the east. It will be of a similar height to this building being approximately 2.8m high at the front and 2.4m high at the rear. It will house a stable, small laboratory, a scanning room and accommodation for a mare with a foal. The application originally proposed that the building be built of blockwork with white render and a green profile tin roof. However it is considered that it would be more appropriate if the side and rear elevations of the building were also green profile cladding to match the existing adjacent building and this has been agreed with the agent. This will result in the building blending into the existing landscape. The building will largely be viewed in the context of the existing buildings on the site and would be situated close to them.
19. The proposals also include the erection of a fence which has already been erected. The fence is a post and rail wooden fence of a type often found in the countryside and existing on other boundaries immediate to the site so its design is considered acceptable.
20. The proposed planter, which has already been constructed, is also made of wood in the form of a large wooden planter approximately 1m in height and 2m by 2m. Its design is considered acceptable.

Impact on the neighbours

21. The site of the proposed building is level with the application site but the land slopes down to the rear (south) of the building so the site is more elevated than the properties to the south.
22. There are two properties to the south, known as Hayricks and Woodward House Farm, accessed by the same access track from Bolton Road that is used to access the application site. These properties are separated from the application site by part of a field owned by the applicant. Woodward House Farm is the nearest property looking towards the site of the proposed building and the extended hardstanding and fence, although the proposed building is not directly facing the front windows of this property, being to the northeast of it.
23. There will be approximately 22m from the rear elevation of the proposed building and hardstanding and the boundary with Woodward House Farm and over 30m from the front elevation of this property. Hayricks is sited further to the west than Woodward House Farm and does not directly face the building. There is planting on the boundary of these properties restricting some views of the site but it is accepted this will be substantially less in the winter than the summer months. The comments of the neighbouring properties are noted. These properties currently have views onto the site and of the car park. It is considered that the distance of the proposed building and of the extended

carpark from these properties is such that it will not have an unacceptable impact on their amenities in terms of noise and/or smells or outlook.

Trees

24. The application also applies retrospectively for a surround around a tree. It is considered acceptable and given the proximity of the tree to the carpark and the movement of horse boxes it is considered that will provide the tree with protection from vehicles manoeuvring.

Traffic and Transport

25. The application site is accessed down a track off Bolton Road and this will remain the same under the current application. It is not considered that the size of the proposal will result in an increase in traffic to a level that is unacceptable. The properties that have objected to the application are to the south south-west of the site and although they share an access point onto Bolton Road with the site, vehicles visiting the site do not need to pass these properties. Lancashire County Council Highways have not objected to the application. The track is privately owned and its upkeep is therefore a private matter between those responsible for it. It is clear that it has been resurfaced recently between the Bolton Road and the site access.

Coal Mines

26. The site is in a low risk area for coal mining as identified by The Coal Authority. This requires an informative note to be placed on any permission.

Overall Conclusion

27. The application is recommended for approval subject to conditions.

Planning Policies

28. 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 Local Plan 2012-2026 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) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

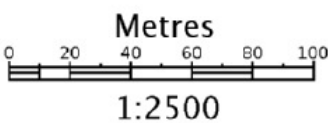
Reference	Description	Decision	Date
10/01124/FUL	Proposed occupational dwelling (also incorporating staff accommodation)	Refused	18 March 2010
06/00418/FUL	Erection of a detached house and garage with a self-contained room over garage	Withdrawn	23 May 2006
01/00144/FUL	Formation of sand paddock and erection of stable block and midden	Permitted	23 April 2001
94/00933/FUL	Erection of Building in association with Veterinary Practice,	Permitted	4 April 1995
94/00299/FUL	Erection of building to be used as Equine Clinic	Withdrawn	15 November 1994



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Garwood, Bolton Rd, Ander PR6 9HN

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Item 3g	15/00577/FULMAJ
Case Officer	Caron Taylor
Ward	Astley And Buckshaw
Proposal	Re-plan of 14 no. dwellings, including associated landscaping and parking (part of larger scheme of 50 dwellings previously approved under ref: 13/00082/FULMAJ and 14/00429/FULMAJ), to avoid water main that crosses the site.
Location	Chorley Rugby Union Club Chancery Road Astley Village Chorley PR7 1XP
Applicant	Persimmon Homes Lancashire
Consultation expiry:	30th July 2015
Decision due by:	17th September 2015
Recommendation	Permit full planning permission subject to a supplemental S106 Agreement.

Representations

No representations have been received.

Consultees

None undertaken.

Applicant's Case

1. A water main across the site was not in the location originally advised by United Utilities. A number of the properties as previously approved fall within the no-build easement for the main. This is unacceptable and they therefore cannot be built as per the planning permission.

Assessment

Background

2. Planning permission was originally granted on the site in 2013 for the erection of 50 residential dwellings and the redevelopment of existing rugby club and associated facilities (ref: 13/00082/FULMAJ). A further permission was then granted at the site (ref: 14/00429/FULMAJ) to change the size and design of the clubhouse building and make alterations to the parking.

Principle of the Development

3. The principle of the development has already been established by the previous permission on the site. The issue is therefore whether the amendment to the 14 plots is acceptable or not.

Acceptability of Amendments

4. The main change will be that the four houses which side onto Chancery Road (plots 7-10 on the proposed layout) will be moved further north to avoid the water main. This will mean that as vehicles/ pedestrians exit Mimosa Close (on the opposite side of Chancery Road) there will be a greater view of the side of a property than the previously approved scheme. However the fact that these properties are side onto Chancery Road (rather than all back onto it) is the most appropriate design solution reflecting the approved scheme on this site to improve views as people travel along the length of Chancery

Road. As a result of this change the surrounding properties have been amended accordingly, including moving one of the plots to the other side of the access road opposite plots 4/5. This plot will be prominent as the new estate is driven into but its front elevation will face south which is looked upon favourably. The amended layout is considered acceptable.

5. The amended layout will use the same house types as previously approved on the site and materials will be the same as that already approved.
6. In terms of parking there is no increase in overall number of approved bedrooms. All the plots comply with the Council's parking standards as set out in Policy ST4 of the Local Plan 2012-2026. Three of the properties on plots 6, 9 and 44 which have four or five bedrooms rely on a garage for their third parking space (the policy requires properties with four or more bedrooms to have three off-road parking spaces) and therefore a condition is proposed restricting conversion of the garages unless three parking spaces are available (for example if the future owner creates additional hard surfacing prior to converting the garage). Subject to this the parking is considered acceptable.
7. It is not considered that the proposal will have a greater impact on any surrounding properties, the nearest existing properties being on the other side of Chancery Road.

Community Infrastructure Levy

8. The original permission was approved prior to the Council adopting the Community Infrastructure Levy (CIL) on 1st September 2013. The original permission on the site secured an education contribution of £213,848 through a Section 106 agreement.
9. The original planning approval for housing on the site pre-dates the levy and as such that scheme was not subject to CIL. However the new application is a full application and proposes new residential development after the levy is applied and as such could be liable for CIL.
10. The CIL regulations only specify that the fall-back position of approved schemes can only be taken into account in respect of CIL when a S73 application is submitted. However in the case of sites within Chorley it is considered that a pragmatic approach is appropriate given that the intention of CIL was never to retrospectively impose CIL charging on approved schemes. Therefore it is proposed that CIL only be paid on any uplift in floor area of the dwelling above that previously approved. The CIL form submitted with the application states there is an uplift of 79.71m² of floor area on the proposed scheme compared to the previous one. CIL will therefore be paid on the increase in floor area.
11. This application secures an amendment to the layout of the properties on the site due to a water main and the proposed properties will be constructed at the same time as the rest of the site. It is therefore proposed that the application is approved subject to a supplemental agreement is tying the application into the original Section 106 for the site which secured an education contribution.

Sustainability

12. In terms of the sustainability of the proposed dwellings Policy 27 of the Core Strategy requires dwellings to be built to Level 4 of the Code for Sustainable Homes (rising to Level 6 for properties commenced from 1st January 2016). The previous permissions on the site required the dwelling to be built to Level 3 of the Code for Sustainable Homes following the receipt of viability information, however a 21% reduction in carbon emissions was proposed (above 15% required by Policy 27). Since the previous permissions the Government have issued a Ministerial Statement (25th March 2015) which announced that the Code for Sustainable Homes had been withdrawn, however, it also sets out transitional arrangements which includes local planning authorities being able to continue to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations (but not above a Code Level 4 equivalent) until commencement of

amendments to the Planning and Energy Act 2008 (which may be next year when the Building Regulations are updated). From then onwards energy performance requirements will be set in Building Regulations. Compliance with the Code can therefore no longer be required however in accordance with the transitional arrangements the Council will still require an energy efficiency standard equivalent to Code Level 4 which is a 19% improvement over 2013 Building Regulations. The agent has confirmed that the plots the subject of this application will be built to this standard.

Overall Conclusion

13. The amendments to the scheme are considered acceptable subject to conditions and a supplemental Section 106 agreement.

Planning Policies

14. 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 Local Plan 2012-2026 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) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

The recent site history relevant to the application is as follows:

14/00429/FULMAJ Permitted 28 January 2015

Section 73 application to vary condition no.5 (approved plans) of planning permission no.

13/00082/FULMAJ (which was for the erection of 50 no. residential dwellings and the redevelopment of existing rugby club and associated facilities including floodlighting columns) to change the size and design of the clubhouse building and make alterations to the parking.

13/00082/FULMAJ Permitted August 2013

Proposed erection of 50 no. residential dwellings and the redevelopment of existing rugby club and associated facilities including 8 x 15m floodlighting columns

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Item 3h **15/00556/OUT**

Case Officer **Nicola Hopkins**

Ward **Heath Charnock And Rivington**

Proposal **Outline application for the demolition of the existing farmhouse and outbuildings and the erection of 6No. houses, associated detached garages and access road (all matters reserved save for access and layout)**

Location **Hole House Farm, Chorley Road, Heath Charnock**

Applicant **Mr John Gregory**

Consultation expiry: **14th July 2015**

Decision due by: **31st July 2015 (time extension agreed until 14th August)**

Recommendation
Approve outline planning permission

Representations

Parish Council no comments received

One letter has been received that makes the following comments:

- The plans show that any vehicles exiting the site will have a clear 'line of site' onto Chorley Road, this is not correct
- Exiting the site will be dangerous as there will be no clear view to traffic from the right due to residents cars that are parked outside their own houses- a site visit is a must

Consultees

Consultee	Summary of Comments received
LCC Rights of Way Officer	Object to the proposed development on the grounds that it will obstruct a public right of way.
Lancashire Constabulary Designing Out Crime Officer	Has made some security recommendations
LCC Lead Local Flood Authority	No objection subject to the inclusion of suitable conditions
LCC Highways	No objection subject to conditions
United Utilities	No objection subject to conditions
Ecology	No objection subject to conditions

AssessmentProposed Development

1. This is an outline application to establish the acceptability of the principle of constructing 6 dwellings on this site. Consent is sought at this stage for the means of access to the site and the layout of the proposed dwellings. All other matters are reserved
2. The site is an existing small farm holding which is accessed off Chorley Road with the land level dropping into the site resulting in the site forming a 'valley' in respect of the surrounding land levels. There are significant level changes across the existing site which are assessed below. Eller Brook runs unculverted through the site.
3. The area of land is currently occupied by 2 dwellinghouses and a mix of several farm buildings, some of which are dilapidated. There is a single vehicular access into the site which leads through to the fields at the far end of the site. The proposed development involves the demolition of all the existing buildings on the site and the erection of six 3 and 4 bedroom new detached and semi-detached dwellinghouses on the site.

Principle of the Development

4. The site is located within the settlement area of Adlington as identified within the Local Plan. The 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 Adlington is identified as an Urban Local Service Centre where some growth and investment will be encouraged to help meet local housing and employment needs. As such in principle developing the site for housing is considered to be acceptable.

Private Residential Gardens

5. The site is currently occupied by Hole House Farm and various other structures. Policy HS3 of the Local Plan relates to private residential garden development and states:

In settlements applications for development within private residential gardens on sites not allocated in the Housing Allocations Policy 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.
- c) Infill development on gardens. Infill is the filling of a small gap in an otherwise built-up street frontage, e.g. 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.

When assessing applications for garden sites, the Council will also have regard to; Sustainability, such as access to public transport, schools, businesses and local services and facilities.

Proposals which significantly undermine amenity and harm the distinctive character of an area will be refused.

6. Only a very small part of the site forms private garden area as the site is characterised by various farm buildings. Given that this is in a sustainable location and the thrust of Policy HS3 is to protect private garden areas from development which isn't really applicable in respect of this site the proposals are considered to be acceptable.

Impact on the Neighbours

7. The nearest residential dwellings to the site are 1 Chorley Road, 32-36 Waterford Close and Oak Lodge. 1 Chorley Road is an end terraced dwelling located adjacent to the proposed access point which is also the existing access point. 1 Chorley Road is set on a higher land level than the application site and there is an accessway immediately adjacent to the application site which serves the rear of the terraced dwellings along Chorley Road. There are windows within the side elevation of 1 Chorley Road which appear to serve habitable rooms.

8. The nearest proposed plots to 1 Chorley Road are plots 1 and 2 located to the south east of the existing property. The finished floor levels of these properties will be approximately 3.3 metres lower than the existing property. The side windows of 1 Chorley Road will face the proposed detached garage at plot 1 and there is approximately 17m retained between the side of 1 Chorley Road and the side/ rear garden space associated with plot 1. Due to the orientation of the proposed properties and the distance maintained between the existing and proposed property on plot 1 it is not considered that there will be any loss of privacy to the detriment of the future residents even taking into account the land level difference.
9. The property on plot 2 is angled to ensure that there are no windows which directly face the windows located within the side elevation of 1 Chorley Road. Plot 2 is located approximately 15 away from the site boundary and is angled so none of the front windows directly face the rear garden area of 1 Chorley Road. Given the relationship of the properties and the change in land levels it is not considered that the property on plot 2 will create overlooking to the detriment of the residents at 1 Chorley Road.
10. 33-36 Waterford Close are located to the north west of the application site and are situated at a higher land level. Plot 3 is located close to the boundary with 36 Waterford Close. 36 Waterford Close has a finished floor level which is approximately 3 metres higher than plot 3 and the proposals include siting plot 3 so that the side elevation is nearest to the boundary of the site with the driveway and garage accommodation closest to the boundary.
11. The rear elevation of 36 Waterford Close will face the side elevation of plot 3 with a distance of approximately 17.4m retained between the rear elevation and the side of the proposed dwelling. The Council has a standard spacing distance of 12 metres windows to gable distance. All the standard distances are increased where there is a level change which in the case of this relationship would require a distance of 22m which is not retained in this case. However it is noted that plot 3 will be located at a much lower land level than the existing dwelling and as such the relationship will not result in the rear windows of 36 Waterford Close facing a blank gable wall. Given the distance retained and the level difference the relationship between these properties is considered to be acceptable.
12. 34 and 35 Waterford Close are located approximately 9.6m from the boundary of the application site and will face the rear garden area of plot 3. Given the level difference there is a requirement to provide 20m from the rear windows of 34 and 35 Waterford Close to the rear garden of the proposed property (10m standard distance). In the case of this site approximately 14.4m is retained between the rear elevation of 34 and 35 Waterford Close and the proposed garage at plot 3 and approximately 17.6m is retained to the usable rear garden area of plot 3 (there is land to the side of plot 3 which will form part of the garden area however this will be graded down to the dwelling reducing its usability). This is below the standard required. However it is noted that the private rear garden area of plot 3 will be screened by the proposed detached garage and the future home owners will be fully aware of the relationship when they choose to purchase the property. As such in this case the relationship is considered to be acceptable.
13. The rear elevation of 33 Waterford Close will face the side elevation of plot 5 with a distance of approximately 14.8m retained between the rear elevation and the side of the proposed dwelling. In the case of this relationship a distance of 25m is required which is not retained in this case. However it is noted that plot 5 will be located at a much lower land level than the existing dwelling (approximately 3.8m lower) and as such the relationship will not result in the rear windows of 33 Waterford Close facing a blank gable wall. Given the distance retained and the level difference the relationship between these properties is considered to be acceptable.

14. 33 and 34 Waterford Close are located approximately 9.6m from the boundary of the application site and will face the rear garden area of plot 5. Given the level difference there is a requirement to provide 24m from the rear windows of 34 and 35 Waterford Close to the rear garden of the proposed property (10m standard distance). In the case of this site approximately 14.8m is retained between the rear elevation of 33 and 34 Waterford Close and the usable rear garden area of plot 5 (there is land to the side of plot 5 which will form part of the garden area however this will be graded down to the dwelling reducing its usability). This is below the standard required. However it is noted that the future home owners will be fully aware of the relationship when they choose to purchase the property and strict adherence to the increased spacing standards would render this part of the site undevelopable. As such in this case the relationship is considered to be acceptable.
15. 32 Waterford Close is located very close to the common boundary however the planning history for the adjacent site (96/00787/FUL) details a Bollington House type on this plot, this is what has been constructed and incorporates the main habitable room windows in the side elevation rather than the rear elevation ensuring that an acceptable relationship is maintained with the application site.
16. Oak Lodge is located to the east of the application site on the opposite side of Eller Brook. In excess of 50m is retained between Oak Lodge and the application site and as such it is not considered that any loss of amenity will be created for the existing or future residents.
17. The other neighbours to the site are Brook Mill and the Cardwell Arms Public House and as such there is no neighbour amenity issue in respect of these properties.
18. Internally within the site three of the plots have a direct relationship (plots 3, 4 and 5). 21 metres is retained between the rear elevations of these dwellings along with 10m long gardens and plot 5 will be 0.5m higher than plots 3 and 4 which ensures that the standard spacing distances are applicable. Given that the dwellings just accord with the required spacing distances permitted development rights for extensions will be removed from these three plots so that any future impact can be fully assessed.

Highways and Access

19. The proposed access is a shared surface where there would be no physical demarcation between vehicles, pedestrians and cyclists. The Highway Engineer has commented that the proposed access as shown on the submitted plan will require 65mm kerb up-stands and 1.8m minimum service margins for safety and in order to be accepted for adoption under the Section 38 agreement of the Highways Act 1980.
20. The Engineer has commented that the preferred minimum width of access for the Fire and Rescue Service is 3.7m (kerb to kerb) and the pump appliance (Fire Lorries) should be able to get to within 45m of every dwelling on site. Therefore, while LCC Highways require an access width of 4.8m, if due to physical constraints this width cannot be achieved, it is essential that the Local Fire & Rescue Service is consulted if a width lower than 3.7m is proposed.
21. The existing access is approximately 3m at its narrowest point and the proposed access is approx. 4.5m at its narrowest point which accords with the access requirements set out above. Whilst the access point will need to be constructed to County's standards as it abuts an adopted highway there is no requirement for the internal road to be adopted, as such future management and maintenance will be addressed by condition.
22. Following receipt of the Engineer's comments the width of the access road serving plots 5 and 6 has been increased from 3.5m to 3.7m.
23. The Engineer has commented that the retaining wall adjacent the proposed access is part of the public highway, therefore as proposed, cutting back the retaining wall to make way for the access will only be agreed to by the County Council if it is considered that this will

not lead to undermining the structural stability of the Hole House Bridge to which it provides support. This concern has been forwarded to the applicant's transport consultants who have discussed the proposals with the bridge team at LCC. The following comments have been forwarded from LCC:

- In this instance we would have no objection to the bridge parapet being modified as shown on drawing no. 13/082/P01 rev A. However, if this proposal is revised then we reserve our right to review this decision. This is also subject to several conditions as below.
 - This situation would require entering into a section 278 agreement under the Highways Act.
 - The existing wall is a boundary wall however, the revised wall would become a retaining wall which in effect retains the proposed private road. Therefore full structural technical approval would have to be agreed and a commuted sum paid to the County for this change.
 - Formal easements to allow the Highway Authority to enter the private grounds and undertake inspection/maintenance/repair/reconstruction of the wall and the bridge would be required.
 - The matters above would have to be agreed before any works commence on site.
 - Also the Highway Authority has a right of support for Chorley Road afforded by the private land. The developer would have to satisfy that their proposals and method of working do not undermine the support of the highway. The proposed embankment to the private road must be supported by geotechnical investigation and data to confirm that it is competent to take the proposed loading.
 - Beware of any excavation adjacent to the bridge and its parapet/retaining wall (particularly the extent of the grounds of plot 1 and its garage). There will not be any permission to excavate the soil in front of the bridge structure and retaining wall as this will be providing a right of support.
24. As set out above it is possible to develop the site on the proviso that any works in proximity to the bridge have consent and any works to the bridge are fully considered. This will be addressed by condition.
25. For the three bedroom properties proposed there will be a requirement for 2 off road parking spaces and for the 4 bedroom properties proposed there will be a requirement for 3 off road parking spaces. For a garage to 'count' as a parking space it will be required to measure 6x3 metres (single garage) and 6x6 metres (double garage). Driveways in front of garages will need to measure a minimum of 6 metres to accommodate a vehicle clear of the highway with the garage door open. Although the design of the houses does not form part of this application all but one of the dwellings has a single detached garage and one dwelling has a detached double garage detailed on the submitted layout plan in accordance with the above dimensions. Each dwelling has sufficient parking for the size of dwelling proposed. As such the proposals accord with Policy ST4 of the Local Plan.
26. As the garage accommodation is essential for parking on the site permitted development rights will be removed to ensure that the garages are kept available for parking.

Public Open Space

27. The Open Space and Playing Pitch SPD was adopted for development control purposes at the Council meeting on 17th September 2013. The open space requirements relating to new housing schemes accord with Local Plan Policies HS4A and HS4B and the approach in the SPD.
28. However this development is for 6 new dwellings which is below the 10 unit threshold set out within the NPPG. Although the floor area is not known at this time even with a floor area of 120m² (which is a large detached dwelling) the site 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.

Ecology

29. The proposals involve demolishing the existing dwellings on site and various buildings and as such the application is supported by an Extended Phase 1 Habitat Survey & Baseline Ecological Impact Assessment and a Survey & Assessment in Respect of Bat Species, and Nesting Birds. These have been reviewed by the Ecologist at Greater Manchester Ecology Unit who has made the following comments.
30. The Ecology surveys and assessments, including the bat surveys, have been carried out by suitably qualified consultants and are to appropriate and proportionate standards. The Ecologist has no reason to disagree with the survey findings, which indicate that the site is not of substantive nature conservation value. As such the Ecologist has no overall objections to this outline application on nature conservation grounds.
31. However the broadleaved trees and the small stream on the site do have some local nature conservation value and the Ecologist recommends:
- That effort is made to retain broadleaved trees wherever possible and to suitably protect trees where these are to be retained.
 - An environmental construction management plan should include proposals to protect the small watercourse from harm.
 - No trees or other vegetation should be removed during the optimum period for bird nesting (March to July inclusive).
32. This can all be addressed by condition.

Trees

33. There are existing mature trees on the site and as such the application is supported by a Tree Survey Report. 8 individual trees and 7 groups of trees were assessed on the site. Only 2 of the groups surveyed were classified as moderate quality (one group of 4x Sycamore and a single Ash and one group of 3x Sycamore). The remaining were classified as low quality or identified as trees unsuitable for retention.
34. The trees identified as moderate quality include the trees along Chorley Road (adjacent to the existing stone wall) and provide an attractive visual appearance along the road. A Tree Preservation Order will be placed upon the trees of moderate quality which are identified for retention on the proposed layout and a condition will be attached to require replacement tree planting for the trees which will be removed as part of the development.

Sustainable Resources

35. 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.”

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

Drainage and Flood Risk

37. As set out previously the site is immediately adjacent to Eller Brook which although not a Flood Zone is an area more susceptible to flooding. As such the application is supported by a Flooding Assessment. This assessment concludes that a Flood Risk Assessment is not required however the assessment includes correspondence with the Environment Agency which confirms that if Environment Agency were to be consulted they would be satisfied if finished floor levels were raised above existing ground levels, with surface water flows being drained towards the river. They would also support the use of SuDS to encourage infiltration, and on site attenuation where possible.
38. Lancashire County Council as the Lead Local Flood Authority has also commented on the proposals as follows.
39. Paragraph 103 of the National Planning Policy Framework (NPPF) and Written Statement on Sustainable Drainage Systems (HCWS161) requires that surface water arising from a developed site should, as far as it is practicable, be managed in a sustainable manner to mimic surface water flows arising from the site prior to the proposed development, whilst reducing flood risk to the site itself and elsewhere, taking climate change into account.
40. In addition to the national guidelines on the use of SuDS, the Chorley Local Plan and the Design Guide SPD also includes provisions to encourage the use of SuDS on development proposals within Chorley. Specific policies include:
- Core Strategic Objective SO23 to 'manage flood risk and the impacts of flooding especially at Croston.'
 - Design Principle 5 - development should contribute towards resource and energy efficiency (production and use), environmental sustainability including flood risk management and biodiversity'. This design principle also encourages the use of SuDS.
41. The Lead Local Flood Authority encourages that site surface water drainage is designed in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems and Planning Practice Guidance, including restricting developed discharge of surface water to greenfield run-off rates making suitable allowances for climate change and urban creep, managing surface water as close to the surface as possible and prioritising infiltration as a means of surface water disposal where possible.
42. On smaller development sites, space efficient SuDS can still be incorporated and include, for example, green roofs, bioretention gardens, permeable paving, rills, rainwater harvesting, hardscape storage, micro-wetlands, and bioretention tree pits.
43. Under the Water Framework Directive (WFD), all water bodies should reach 'good ecological status' by 2015. No activities or works, including the proposed development, should deteriorate the status of any nearby watercourse as the main objectives for the WFD is to prevent deterioration in 'status' for all waterbodies. It is recommended that the developer has regard for the WFD in developing a detailed drainage strategy.
44. The proposals indicate that the applicant intends to discharge surface water into Eller Brook. Under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010), consent is needed from the Lead Local Flood Authority to build a culvert or structure (such as a weir) or carry out works within the banks of any ordinary watercourse which may alter or impede the flow of water, regardless of whether the watercourse is culverted or not.

45. Construction over a culverted/ open watercourse or within 8 metres of an open watercourse is not advised as access for maintenance purposes is restricted and it has the potential to pose an undue flood risk to structures should fluvial flooding occur.
46. No objections are raised to the proposals on flooding/ drainage grounds subject to appropriate conditions.

Community Infrastructure Levy

47. 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.
48. The total residential floor space proposed is not known at this outline stage however based upon 6 large family houses, an estimate of the floor space is 720m² and including the garage accommodation (126m²) creates 846m² of floor space which equates to a CIL charge of approximately £54,990. It is noted that there are various buildings on site which may be able to be deducted from the level of liability if they are buildings which people generally access and it can be proven they have been used for 6 months out of the last 3 years. The onus will be on the land owner to prove this if any reduction is applied for.

Right of Way

49. The Rights of Way Officer at LCC has commented that the application area incorporates Public Footpath No. 71 Heath Charnock and it appears that the proposed development will affect the route. In this regard the Officer objects to the proposals and he has commented that if the proposed layout is revised or the public footpath diverted by Chorley Borough Council under the Town and Country Planning Act the pedestrian access should not run along a route that is shared by motor vehicles. The Public Rights of Way team will not accept responsibility for maintaining a private vehicular access to the proposed properties.
50. The agent for the application has been made aware of this and confirmed that the footpath will be diverted along the new internal access road. This is detailed on the amended siting plan.

Overall Conclusion

51. This site is located within the settlement area of Adlington where some growth and investment will be encouraged to help meet local housing and employment needs. As such it is considered that the development of this site for housing is acceptable. It is noted that the current site consists of a wide array of buildings and structures and there is a lot of dilapidated vehicles and machinery on the site. The proposed development will result in improvements to the appearance of the site and the visual amenities of the area as a whole respecting the character of this predominantly residential area.

Planning Policies

52. 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 Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposals has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

No recent planning history

Suggested Conditions

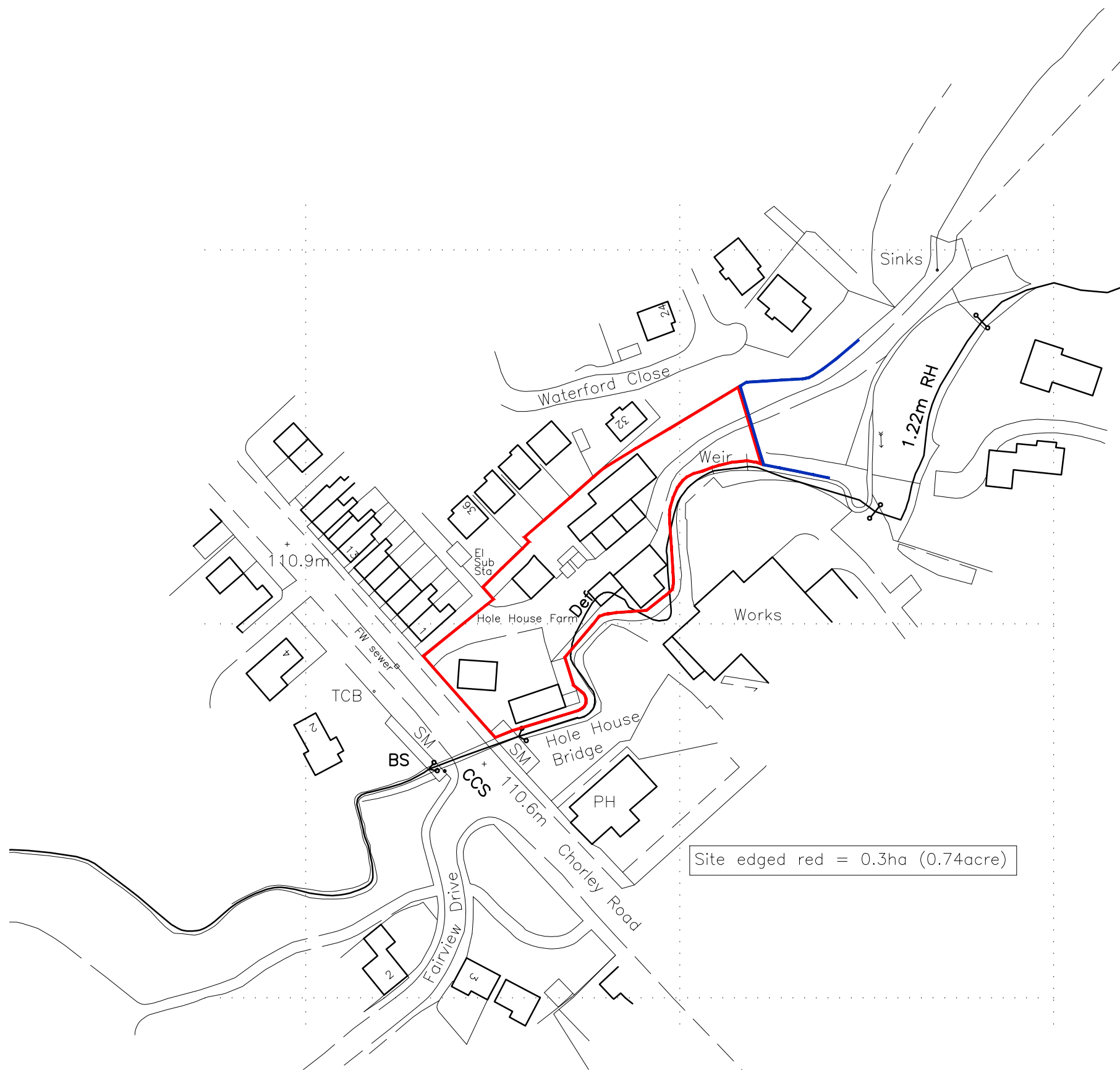
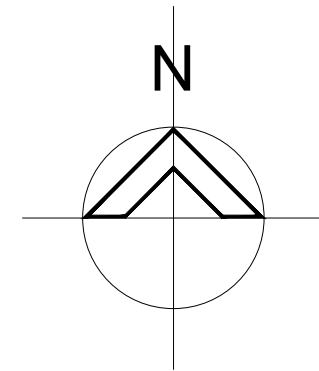
No.	Condition												
1.	<p>An application for approval of the reserved matters (namely the appearance, scale and landscaping of the site) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.</p> <p>Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>												
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 658 1254 819"> <thead> <tr> <th data-bbox="320 658 632 689">Title</th> <th data-bbox="632 658 943 689">Drawing Reference</th> <th data-bbox="943 658 1254 689">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 689 632 721">Location Plan</td> <td data-bbox="632 689 943 721">13/082/L01</td> <td data-bbox="943 689 1254 721">5th June 2015</td> </tr> <tr> <td data-bbox="320 721 632 786">Proposed Site Layout and Sections</td> <td data-bbox="632 721 943 786">13/082/P01 Rev B</td> <td data-bbox="943 721 1254 786">28th July 2015</td> </tr> <tr> <td data-bbox="320 786 632 819">Topographical Survey</td> <td data-bbox="632 786 943 819">13/082/T01</td> <td data-bbox="943 786 1254 819">5th June 2015</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning</p>	Title	Drawing Reference	Received date	Location Plan	13/082/L01	5 th June 2015	Proposed Site Layout and Sections	13/082/P01 Rev B	28 th July 2015	Topographical Survey	13/082/T01	5 th June 2015
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Topographical Survey	13/082/T01	5 th June 2015											
3.	<p>As part of the first application for reserved matters or 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 were 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>As part of the first application for reserved matters or prior to the commencement of development full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.</p> <p>Reason: Full details of the proposed fences/walls were not provided as part of the application and in order to ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents the details are required.</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>As part of the first application for reserved matters or prior to the commencement of development full details 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</p>												

	<p>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>As part of the first application for reserved matters or 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. 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. 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>All new dwellings are required to achieve a minimum Dwelling Emission Rate of 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>
10.	<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>
11.	<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>
12.	<p>No development or demolition works shall take place until a Construction Method Statement/ Environmental Construction Management Plan has first 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

	<p>demolition</p> <ul style="list-style-type: none"> • 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 • details of how surface water and pollution prevention • details of the protection of the small watercourse during construction <p>Reason: The site is located off the main access route into Adlington. The specified information is required in the interests of highway safety, to ensure any pollution arising from the development as a result of the demolition and construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies 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>13.</p>	<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 3, 4 and 5 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>
<p>14.</p>	<p>The detached garages hereby approved shall be kept freely available for the parking of cars and shall not be converted to living accommodation.</p> <p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any order amending or revoking and re-enacting that order.</p> <p>Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking</p>
<p>15.</p>	<p>As part of the first application for reserved matters or prior to the commencement of development a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:</p> <p>a) Information about the design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;</p> <p>b) The drainage scheme should demonstrate that the peak runoff rate for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event must be as close as reasonably practicable to the greenfield runoff rate from the development for the same event, but should not exceed the rate of discharge from the development prior to redevelopment for that event.</p> <p>c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);</p> <p>d) Flood water exceedance routes, both on and off site;</p> <p>e) A timetable for implementation, including phasing where applicable;</p> <p>f) Site investigation and test results to confirm infiltrations rates;</p> <p>g) Details of water quality controls, where applicable.</p>

	<p>The scheme shall thereafter be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme</p> <p>Reason: To prevent the risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure that water quality is not detrimentally impacted by the development</p>
16.	<p>Prior to the first occupation of any of the dwellings hereby permitted an appropriate management and maintenance plan for the sustainable drainage system shall be submitted to and approved in writing by the Local planning Authority. The plan shall include:</p> <ul style="list-style-type: none"> • the arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Residents Management Company <p>Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.</p> <p>Reason: To ensure that the drainage for the proposed development can be adequately maintained and to ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system</p>
17.	<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. The access thereafter shall be completed in accordance with the approved plans prior to the occupation of the dwellings hereby approved.</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 before work commences on site.</p>
18.	<p>Prior to the commencement of the development details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.</p> <p>Reason: To ensure that the estate streets serving the development are maintained to an acceptable standard in the interest of residential / highway safety.</p>
19.	<p>No tree/ vegetation removal shall be undertaken during the bird nesting season (March to July inclusive) unless a survey for nesting birds has been first undertaken, submitted to and approved in writing by the Local Planning Authority which demonstrates the absence of nesting birds.</p> <p>Reason: To ensure the protection of any birds which may be nesting within trees/ vegetation which will be felled/ removed as part of the proposals</p>
20.	<p>Prior to the commencement of the development the following details shall be provided to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> • Full structural technical specification of the retaining wall. • A geotechnical investigation and data to confirm that the wall is competent to take the proposed loading. <p>The development thereafter shall be carried out in accordance with the approved details.</p> <p>Reason: taking into account the works required to the bridge and the adjacent site and to ensure that the proposals and method of working do not undermine the support of the highway</p>

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CLIENT Mr. J. Gregory				
PROJECT Proposed residential development at Hole House Farm, Chorley Road, Heath Charnock, PR6 9LD				
DRAWING TITLE Location Plan				
DATE 30/05/14	SCALE 1:1250@A3	DRAWN ASL	DRWG No. 13/082/L01	REV
<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <p> LMP ARCHITECTURAL CONSULTANTS 213 PRESTON ROAD WHITTLE-LE-WOODS CHORLEY LANCASHIRE PR6 7PS TEL: 01257 261555 FAX: 01257 267224 www.lmparchitects.co.uk </p> </div> <div style="width: 35%; text-align: right;"> <p>© Copyright Lawson Margerison Practice Ltd.</p> </div> </div>				

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Item 3i	15/00383/FULMAJ
Case Officer	Nicola Hopkins
Ward	Euxton South
Proposal	Demolition of existing buildings. Erection of a vehicle storage and maintenance workshop and offices. Erection of purpose built offices and storage building for scaffolding business.
Location	Land Opposite Chancery Road, West Way, Astley Village
Applicant	Bugle Inn Motor Company and The Trustees of Marjon SSAS
Consultation expiry:	9th June 2015
Decision due by:	4th August 2015 (time extension agreed until 14th August 2015)

Recommendation

It is recommended that this application is approved subject to no objections being raised by the Council's Regulatory Services Officer regarding noise.

Representations

Euxton Parish Council has no concerns with the proposed vehicle storage and maintenance workshop and offices.

However the Parish Council does have concerns with the scaffolding business and in particular with the storage yard. They have made the following comments:

- Movement of scaffolding is very noisy and storage of scaffolding is often unsightly
- This development is in a particularly sensitive location, where the green belt is supported by an Area of Separation.
- It is separated only by open fields from the nearby housing in Euxton.
- Therefore request that the Borough Council be satisfied that the proposal meets all its requirements for the development within the green belt.
- If the Borough Council is minded to approve the development, it ensures that measures are in place to protect nearby housing areas from the visual and noise impacts.

In total 3 representations have been received which are summarised below

Lancashire Fire and Rescue Service, as a neighbour, has made the following comments:

- The existing access onto Westway has been widened by the addition of a lane strictly for egress of emergency service vehicles only and the full width of the existing access cannot be considered in this application.
- Egress onto Westway is controlled by a legal deed with the Woodlands Trust, who own the landscaping area adjacent to the highway.
- The additional lane and associated visibility splays onto Westway, by removal of trees on Woodlands Trust land to meet highway authority requirements, is upon the understanding it is only to benefit egress of emergency service vehicles from the new Chorley Community Fire Station.
- Any proposed development of the subject application site must exclude this area from use as access/egress and the potential for congestion at the junction with Westway must be taken into account as egress of emergency service vehicles cannot be impeded

Following receipt of the above representation a further representation has been received from M Jones Planning Consultancy on behalf of Lancashire Fire and Rescue Services making the following representations:

- My client does not wish to formally object to the proposal, but would like the Council to take into account some issues that may affect the effective operation of Washington Hall as a working fire station as well as training centre.
- On a procedural matter, the red line location plan submitted with the application does not include the site access road, which links the development to West Way (B5252). My client owns the access road and whilst the owner of the application site has the right of access across this land the appropriate planning notice has not been served. More importantly the red line application site boundary and site layout plans do not show the Council how delivery vehicles and cars are to safely gain access/egress from the site to the public highway at West Way.
- The application site was formerly a low key forensic laboratory with few daily visitors, which also afforded the site to be more secure by this type of occupation, the proposed development would have security implications due to the nature of its proposed uses. Whilst my client is pleased that the site is to be regenerated and visually improved, concern is raised with regards to the increase in traffic and deliveries of vehicles on transporters to and from the site. It would appear from considering the planning submission and layout plans articulated vehicles will access/egress the site from two access points to the north and east. The site layout plans seem to show the vehicle storage and workshop use gaining using the eastern access with

the scaffolding business using the northern access. Lancashire Council, as Highway Authority, has not requested a detailed Transport Assessment because it believes the former use was on a slightly larger scale than the proposal.

- The former use was a forensic laboratory and this would fall within Class B1 of the Town and Country Planning (Use Classes) Order 1987 as amended. It was a low key business use that generated very few vehicles. The proposals would appear to fall within a mixed use development (Sui Generis) with uses predominantly falling within Class B2 General Industry and B8 Storage or Distribution. On this basis, it is requested that a detailed Transportation Assessment is submitted and formally considered by the County Council as Highway Authority. In addition, the forensic laboratory operated only during normal office hours (09.00 – 18.00) and the proposed use will operate 06.00 – 19.00 Monday to Friday and 08.00 – 18.00 at weekends. The highway authority needs to take into account the increased hours of use and its impact on the road junction as well as my client's emergency activities.
- My client operates a 24 hour, 7 days each week emergency fire station and urban search and rescue facility. In addition, the site is a training facility and a central store for vehicles and equipment. More importantly the fire service headquarters is to be relocated to the site in the future with over 130 staff being relocated as well as the centre offering regional training facilities. The yard area to the north of the site is used on a daily basis for training purposes including the use of the fire house and towers. If the application site is used more intensively than at present my client is concerned that the junction of the site with West Way might not be sufficient to cater for the increased vehicular traffic and more importantly be a grid lock when emergency vehicles are needed.
- It is therefore requested that before a decision is made on this application a detailed Transportation Assessment is prepared that considers the impact of the proposed use on the future highway network as well as its impact on its neighbours as Lancashire fire and Rescue Service. It is requested that the assessment should include:
 - A detailed assessment of how the traffic generated from the proposed use will impact on the junction of the site with West Way especially during peak times and how it will impact on traffic flows generated from the adjoining uses both now and in the future when the fire service headquarters is relocated to Washington Hall;
 - Whether the junction with the access road and West Way requires any improvements such as traffic lights and/or traffic management to cater for the increased use, especially to ensure unrestricted access for emergency vehicles;
- The access to the northern part of the site is proposed to be re-opened and used solely by the scaffolding business. It is close to the training yard and the access often needs to be restricted when training takes place, especially when the towers and fire house are in use. By re-opening this access to articulated vehicles and other vehicles there are safety and access implications, which are material planning considerations in determining the application. It is requested that the Council consider imposing restrictions or seek revised plans that allow only one access to be provided to the east of the site with all vehicles entering and leaving the site by this access only

Prior to Committee on 14th July the following comments have been received on behalf of Lancashire Fire and Rescue Service:

- Speaking neither for nor against the development but stating facts that you need to be aware of in reaching a decision.
- The medium term plan is to potentially relocate other emergency service and support functions to the Washington Hall site and the private access road also serving the application site will provide the main, if not the only, access onto Washington Hall.
- My client can only honour the right of way to the application site to the extent contractually permitted as it would not wish to allow increased capacity

that may risk further development of its own site. As you are aware there have been a number of demolitions on the Washington Hall site in recent years but this is to remove redundant buildings in readiness for more focused operational development rather than a permanent downsizing of the site.

1 neighbour has expressed the following concern must be given to the wisdom of vehicle access to the site. West Way is a very busy road and a freeway. The Fire Service vehicles already experience difficulty accessing the road from their station.

Consultees

Consultee	Summary of Comments received
Greater Manchester Ecology Unit	No objection subject to suitable conditions
Environment Agency	No objection subject to suitable conditions
CBC Economic Development	Support the application. Their comments are included within the body of the report
LCC Highways	No objection subject to suitable conditions
Lancashire Constabulary Designing Out Crime Officer	No objection- provided some security recommendations
Lead Local Flood Authority	Initially requested the submission of a flood risk assessment. Following receipt of this document no objection is raised subject to conditions.
CBC Regulatory Services Officer	Has commented on the noise impacts of the development

Proposed Development

1. The application relates to the demolition of all of the existing buildings/ structures on the site and the erection of two new buildings. The current buildings/ structures were used as a Forensic Science Laboratory however the site has been vacant for a number of years now.
2. One of the proposed buildings will be occupied by the Chorley Group who will vacate their current site on Friday Street and use the building for offices, car storage and car repairs. The other proposed building will be occupied by a scaffolding business (Speedier Scaffolders) with purpose built offices, workshop and outside storage areas.
3. The site is located within the Green Belt, accessed via Westway off Southport Road and is opposite the fire station.
4. The Chorley Group will use the new accommodation as their new head office and will employ approximately 25 full time members of staff in the offices and 35 full time staff in the workshop area, comprising 15 technicians, 2 MOT, 6 service advisors/warranty/manager, 3 parts people, 6 valeters and 3 drivers.
5. The building for the Chorley Group will consist of:
 - 812m² of office space over 2 floors
 - 2,131m² of workshop space
6. Speedier Scaffolders will employ approximately 100 people from this site, 25 of whom will be based within the office/ yard on a permanent basis. The remaining staff will be drivers and operatives who come into the premises to collect the scaffolding and go to their required destinations. The scaffolders do not visit the premises to collect material only the drivers, at the current site at Westhoughton there are between 30 and 40 movements in and out during a normal day. They have already acquired an operator's licence which demonstrates that this site is considered suitable in operational terms to accommodate the 10 vehicles which will be based here.
7. The building for Speedier Scaffolders will consist of:
 - 526m² of office space over 2 floors
 - 600m² of workshop space

Assessment**Green Belt**

8. The site is located within the Green Belt. Policy 1 of the Adopted Core Strategy, which was adopted post Framework and as such is compliant with The Framework, states:

Focus growth and investment on well-located brownfield sites and the Strategic Location of Central Preston, the Key Service Centres of Chorley and Leyland and the other main urban areas in South Ribble, whilst protecting the character of suburban and rural areas. Some Greenfield development will be required on the fringes of the main urban areas. To promote vibrant local communities and support services, an appropriate scale of growth and investment will be encouraged in identified Local Service Centres, providing it is in keeping with their local character and setting, and at certain other key locations outside the main urban areas.

Growth and investment will be concentrated in:

- (a) The Preston/South Ribble Urban Area comprising:
 - i. The Central Preston Strategic Location and adjacent inner city suburbs, focussing on regeneration opportunities in Inner East Preston, the Tithebarn Regeneration Area and the New Central Business District Area in particular.
 - ii. The northern suburbs of Preston, focussing on Local Centres, with greenfield development within the Cottam Strategic Site and the North West Preston Strategic Location.
 - iii. The settlements south of the River Ribble, comprising:

- Penwortham, focussing on the regeneration of the District Centre, but with some greenfield development at the South of Penwortham and North of Farington Strategic Location.
- Lostock Hall, focussing on the regeneration of brownfield sites.
- Bamber Bridge, focussing on the regeneration of the District Centre and brownfield sites.
- Walton-le-Dale, Higher Walton, focussing on brownfield sites.

(b) The Key Service Centres of:

- ii. Leyland / Farington, focussing on regeneration of Leyland Town Centre* and brownfield sites.
- iii. Chorley Town, focussing on the regeneration of the Town Centre* but with some greenfield development.
- iv. Longridge, where land within Central Lancashire may be required to support the development of this Key Service Centre in Ribble Valley.

(c) Strategic Sites allocated at:

- i. BAE Systems, Samesbury – employment
- ii. Cuerden (Lancashire Central) – employment
- iii. Buckshaw Village – mixed use

(d) Some growth and investment will be encouraged at the following Urban Local Service Centres to help meet housing and employment needs:

- i. Adlington
- ii. Clayton Brook/Green
- iii. Clayton-le-Woods (Lancaster Lane)
- iv. Coppull
- v. Euxton
- vi. Whittle-le-Woods

(e) Limited growth and investment will be encouraged at the following Rural Local Service Centres to help meet local housing and employment needs and to support the provision of services to the wider area:

- i. Brinscall / Withnell
- ii. Eccleston
- iii. Longton

(f) In other places - smaller villages, substantially built up frontages and Major Developed Sites - development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes.

9. This part of the Borough is not identified for growth and although Policy 1 does allow for small scale development, limited to appropriate infilling, conversion of buildings and proposals to meet local need states, in other places such as Major Developed Sites, a large scale scheme as proposed will only be considered acceptable where there are exceptional reasons for a larger scale redevelopment scheme.
10. A large scale scheme as proposed will only be considered appropriate on this site in exceptional circumstances. It is acknowledged that the re-use of previously developed sites within the Green Belt is not necessarily inappropriate development and where the historic use of a large site in the Green Belt may cease the site owners may consequently seek an alternative use however such sites are generally not in the most accessible locations, which is the case in respect of this site, so are normally not appropriate for uses that would generate large numbers of trips to access-off site services.
11. The overall spatial vision of what Central Lancashire aspires to be like is what guides the Core Strategy. The Core Strategy includes locally distinctive Strategic objectives which are the key issues which need to be addressed. Each of the relevant Strategic Objectives

are set out within the relevant sections below. In respect of Policy 1 Strategic Objective SO1 seeks to foster growth and investment in Central Lancashire in a manner that:

- Makes the best use of infrastructure and land by focussing on the Preston/ South Ribble Urban Area, and the Key Service Centres of Leyland and Chorley.
- Marries opportunity and need by focussing investment in Preston City Centre and other Strategic Sites and Locations, and Leyland and Chorley town centres.
- Supports service provision in rural areas, particularly in the Rural Local Service Centres.

12. National guidance on Green Belt is contained in Chapter 9 of the Framework which states:

79. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

80. Green Belt serves five purposes:

- *to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

87. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

88. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

*89. A local planning authority should regard the **construction of new buildings as inappropriate** in Green Belt. **Exceptions** to this are:*

...

*limited infilling or the **partial or complete redevelopment of previously developed sites (brownfield land)**, whether redundant or in continuing use (excluding temporary buildings), **which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.***

13. The application site constitutes previously developed land within the Green Belt which would engage within the exception contained within paragraph 89 of The Framework involving the complete redevelopment of a redundant previously developed site on the proviso that the development does not have a greater impact on the openness of the Green Belt and the purpose of including land within it.

14. Policy BNE5 of the Local Plan relates to previously developed land within the Green Belt and reflects guidance contained within the Framework as follows:

The reuse, infilling or redevelopment of previously developed sites in the Green Belt, will be permitted providing the following criteria are met:

In the case of re-use

- a) The proposal does not have a materially greater impact than the existing use on the openness of the Green Belt and the purposes of including land in it;
- b) The development respects the character of the landscape and has regard to the need to integrate the development with its surroundings, and will not be of significant detriment to features of historical or ecological importance.

In the case of infill:

c) The proposal does not lead to a major increase in the developed portion of the site, resulting in a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

In the case of redevelopment:

d) The appearance of the site as a whole is maintained or enhanced and that all proposals, including those for partial redevelopment, are put forward in the context of a comprehensive plan for the site as a whole.

15. The construction of the new buildings will constitute inappropriate development unless one of the exceptions in the Framework is engaged. To benefit from the relevant exception in the case of this site, the applicant must demonstrate that the construction of the new buildings constitute:
 - The partial or complete redevelopment of previously developed land;
 - Which would not have a greater impact on the “openness” of the Green Belt; and
 - Which would not have a greater impact on the purposes of including land in the Green Belt.

16. The site is occupied by various vacant buildings which were used as a forensic science lab but have been empty for some time now. The site falls to be considered previously developed land and the proposals will result in the complete redevelopment of previously developed land.

17. In terms of openness whilst the test for sites such as this relates to the impact on openness it is important to note that the Framework contains no specific definition of ‘openness’. It is noted that the existence of buildings on the current site has an impact on the openness of this area of Green Belt.

18. The total volume of the existing buildings equates to 21,328m³. The building proposed for Speedy Scaffolding has a volume of 7000m³ and the building for Chorley Group has a volume of 14,200m³ which results in a volume marginally below the existing buildings on site. Although an assessment of scale, heights and footprint is no longer the test in respect of the Framework, it is considered that replacing a large range of mis-matched buildings and structures with two buildings which have less volume than the current buildings/ structures on site it is considered that from an openness perspective the perception is that the impact on openness will be less.

19. The five purposes of the Green Belt are as follows:
 - to check the unrestricted sprawl of large built-up areas;
The development proposes to restrict the built development to the existing site boundaries.
 - to prevent neighbouring towns merging into one another;
Development of the site would not lead to the coalescence of neighbouring towns (Chorley and Standish).
 - to assist in safeguarding the countryside from encroachment;
The development would not result in encroachment of the countryside as the development involves the redevelopment of previously developed land
 - to preserve the setting and special character of historic towns; and
This does not apply as the site is not located near a historical town
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
It is not considered that the development of this site would prejudice the development of other non-Green Belt sites within the Borough

20. As such it is considered that the proposed new buildings are not inappropriate development within this Green Belt location.

21. However, the proposed development also proposes to change the use of an area of existing car parking to create an area of outside storage associated with the scaffolding business. Paragraph 89 of the Framework lists types of built development which are not necessarily inappropriate and paragraph 90 lists certain other forms of development that are also not necessarily inappropriate in Green Belt however change of use of the car park into an open storage area does not form development which falls within paragraph 89/90 and as such falls to be considered inappropriate development. In such cases the tests of paragraph 88 are engaged which requires very special circumstances to be provided.

Visual Impact

22. It has been established in case law that openness and visual impact are different concepts in terms of Green Belt Policy. However they can relate to each other and as such the visual impact is a material consideration. In *Heath & Hampsted Society v LB of Camden* [2007] EWHC 977, the difference between openness and visual impact was explained as follows:

21. Paragraph 3.6 is concerned with the size of the replacement dwelling, not with its visual impact. There are good reasons why the relevant test for replacement dwellings in the Green Belt and Metropolitan Open Land is one of size rather than visual impact. The essential characteristic of Green Belts and Metropolitan Open Land is their openness ... The extent to which that openness is, or is not, visible from public vantage points and the extent to which a new building in the Green Belt would be visually intrusive are a separate issue...

The fact that a materially larger (in terms in footprint, floor space or building volume) replacement dwelling is more concealed from public view than a smaller but more prominent existing dwelling does not mean that the replacement dwelling is appropriate development in the Green Belt or Metropolitan Open Land.

22. The loss of openness (ie unbuilt on land) within the Green Belt or Metropolitan Open Land is of itself harmful to the underlying policy objective. If the replacement dwelling is more visually intrusive there will be further harm in addition to the harm by reason of inappropriateness, which will have to be outweighed by those special circumstances if planning permission is to be granted (paragraph 3.15 of PPG 2, above). If the materially larger replacement dwelling is less visually intrusive than the existing dwelling then that would be a factor which could be taken into consideration when deciding whether the harm by reason of inappropriateness was outweighed by very special circumstances.

23. When interpreting paragraph 89 of the Framework the Judge in *Timmins v Gedling BC and Westerleigh Group Limited* [2014] analysed the relationship between openness and visual impact. He held inter alia:

74. Any construction harms openness quite irrespective of its impact in terms of its obtrusiveness or its aesthetic attractions or qualities. A beautiful building is still an affront to openness, simply because it exists. The same applies to a building this is camouflaged or rendered unobtrusive by felicitous landscaping.

24. In this case the Judge concluded that:

78. In short it seems to me that there are three points which arise from the above analysis. First, there is a clear conceptual distinction between openness and visual impact. Secondly, it is therefore wrong in principle to arrive at a specific conclusion as to openness by reference to visual impact. Thirdly, when considering however whether a development in the Green Belt which adversely impacts upon openness can be justified by very special circumstances it is not wrong to take account of the visual impact of a development as one, inter alia, of the considerations that form part of the overall weighing exercise.

25. As part of the development falls to be considered inappropriate development the landscape/ visual impact of the proposed development as a whole is a key material consideration in terms of the overall balance as to whether there is harm.
26. In terms of the current situation on site there are a number of buildings and structures on site which range in height from single storey buildings, two storey portacabins and a three storey element to the building which exceed 5 metres in height. The proposed buildings will exceed the height of the existing buildings on site (with the Chorley Group building extending to 7.5m in height and the scaffolding building extending to 8.1m in height) which will have a greater visual impact.
27. However from a visual impact perspective it is considered that the site is currently occupied by a 'mis-match' of dilapidated buildings and portacabins and it is considered that redeveloping the site with a more modern scheme will benefit the visual characteristics of the area which is a material planning consideration when assessing the harm created to the Green Belt.
28. In terms of the area of open storage for the scaffolding business it is considered that this would have a greater impact visually than the previous use as a car park. However it is important to note that this part of the site will be viewed in the context of the built development proposed, additional boundary planting can be secured to mitigate the impact of this part of the site and the height of the stored materials can be controlled by condition. As such it is considered that visual impacts of the storage area can be reduced by the imposition of conditions.

Overall Conclusion Green Belt

29. The development falls to be considered inappropriate development within the Green Belt and as such the above very special circumstances are taken into account when balancing the harm created by reason of inappropriateness with any other harm and against other considerations as per the test contained within Paragraph 88 of the Framework.
30. The following very special circumstances exist in respect of this site:
- The site is previously developed land and its redevelopment is encouraged both at a national level within the Framework (one of the 12 core planning principles is to encourage the effective use of land by reusing land that has been previously developed (brownfield land)- paragraph 17) and a local level with a brownfield target of 70% of all new housing.
 - The existing site already has an impact on the openness of the Green Belt by the presence of existing structures, buildings and areas of hardstanding.
 - The site is currently a derelict site which does not make a positive contribution to the character or appearance of the rural location. Nor does the current site contribute to the 5 purposes of Green Belt which is assessed below in respect of the proposed development.
 - The development will create a visual benefit by the removal of the existing mis-match of buildings/ structures on the site.
 - The development will create jobs. At a national level the Framework confirms that *the Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future* (paragraph 18). Paragraph 19 goes on to confirm that *the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.*
31. In relation to the 5 purposes of the Green Belt (para 80 of the Framework) it is considered:
- to check the unrestricted sprawl of large built-up areas;

The development proposes to restrict the built development to the existing site boundaries.

- to prevent neighbouring towns merging into one another;
Development of the site would not lead to the coalescence of neighbouring towns (Chorley and Standish).
- to assist in safeguarding the countryside from encroachment;
The development would not result in encroachment of the countryside as the development involves the redevelopment of previously developed land
- to preserve the setting and special character of historic towns; and
This does not apply as the site is not located near a historical town
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

It is not considered that the development of this site would prejudice the development of other non-Green Belt sites within the Borough

32. As such although the development falls to be considered inappropriate development it is considered that the proposed development would contribute to the purposes by recycling derelict land which is one of the 12 core planning principles contained within the Framework.
33. The proposals constitute a re-use of this previously developed land which constitutes efficient and effective use of brownfield land. As set out above there are very special circumstances which do exist to support the redevelopment of this site which outweigh the harm the development would have on the Green Belt

Employment Land

34. As this application proposes redevelopment of employment premises (former forensics laboratory) for mixed uses purposes it should be assessed under the criteria in Policy 10 of the Core Strategy and the provisions in the SPD on Controlling the Re-Use of Employment Premises, which aim to protect all existing employment premises and sites last used for employment uses. Policy 10 states:

All existing employment premises and sites last used for employment will be protected for employment use. There will be a presumption that 'Best Urban' and 'Good Urban' sites will be retained for B use class employment use. Proposals on all employment sites/premises for re-use or redevelopment other than B use class employment uses will be assessed under the following criteria:

- (a) there would not be an unacceptable reduction on the type, quality or quantity of employment land supply;
- (b) the provision and need for the proposed use;
- (c) the relative suitability of the site for employment and for the alternative use;
- (d) the location of the site and its relationship to other uses;
- (e) whether the ability to accommodate smaller scale requirements would be compromised;
- (f) there would be a net improvement in amenity.

Any proposals for housing use on all employment sites/premises will need to accommodate criteria (a)-(f) above and also be subject to:

- (g) convincing evidence of lack of demand through a rigorous and active 12 month marketing period for employment re-use and employment redevelopment;
- (h) an assessment of the viability of employment development including employment re-use and employment redevelopment.

35. Although the uses proposed are considered to be sui-generis uses as mixed use facilities it is noted that both the Chorley Group premises and the scaffolding business will generate a number of jobs. The Council's Economic Development Section support the proposals and make the following comments:

- The Chorley Group are a well-established Chorley company that is growing and expanding. The Chorley Group showroom is attracting more customers resulting in an increased demand on the number of vehicles being stored and valeted.
- The storage and valeting of vehicles takes place on Friday Street and the company have now outgrown this site and requires a larger site for expansion. In addition, the Friday Street site is a short term 12 month lease and the uncertainty of an annual lease renewal does not provide a good basis for growth and investment in the current site. The Chorley Group have to vacate their current premises on Friday Street by December 2015.
- The Chorley Group are an active member of the local business community and have recently been a headline sponsor at the Council's annual Choose Chorley for Business evening event. They are currently working closely with the Chorley Council advisor on the development and expansion of their business.
- The Chorley Group have pride in Chorley as their Head Office base and although they have showrooms in a number of locations across Lancashire they continue to use the 'Chorley Nissan' name.
- The new site on land opposite Chancery Road is ideal to create a purpose built service centre, with more ramps and MOT bays. This will ensure the increased customer demand is met and allow The Chorley Group to expand.
- The new site (previous forensic labs) has been vacant for a number of years. The investment by The Chorley Group will create new and improved commercial floorspace.
- The relocation to this new site will safeguard existing jobs and create new jobs. 20 new posts are to be created and promoted to local Chorley job seekers. The Chorley Group are committed to training their staff and offering apprenticeships, and with Nissan, have worked with Blackburn College to create a Nissan workshop/training facility.

- If successful in moving to this new site, The Chorley Group are keen to apply for a Chorley Business Improvement Grant to financially assist toward the internal fit out. In doing so, the company will sign up our Chorley Employment Charter and it is likely up to 10 of the 20 new posts will be filled by local Chorley residents.

36. The proposals will provide new job opportunities and the proposals will maintain the site for employment purposes in accordance with the general thrust of Policy 10.

Offices

37. As set out above both of the proposed buildings incorporate a substantial amount of office accommodation with the Chorley Group envisaging that this site will be their head office. Offices fall within the definition of a main town centre use in accordance with the Framework. Such uses which are located outside of the town centre and/or designated shopping areas are required to be supported by a sequential assessment to ensure that there are no more sequentially preferable sites for the proposed offices. In this regard the application is supported by such as assessment.

38. Although the submitted sequential assessment queries the need for such a requirement given the mixed use nature of the proposals it is considered that a substantial amount of office accommodation is proposed in respect of the Chorley Group proposals which will form a significant part of the development and is not considered to be ancillary accommodation associated with the other use within the building.

39. A site between 1-1.5 hectares is required for the proposed facilities. The head office for the Chorley Group needs to be sited close to the day to day business to ensure the operation of the business is not affected and as such it is considered that there are no sequentially preferable sites for the Chorley Group office accommodation proposed as part of this development.

Other Considerations

Highway safety

40. In terms of the highway implications of the proposed development the LCC Highway Engineer has assessed the proposals and made the following comments:

41. The proposal does not include a new vehicle access to the public highway. The site has an existing access with adequate visibility and capacity at its junction with West Way and should cater for the proposal without difficulties. There are no identifiable safety issues of highway concern at the site access and indeed West Way and the highway network within the immediate environment of the site.

42. The site is in a location where infrastructure exists and offers employees and visitors the opportunity to adopt sustainable alternative modes of travelling to using private cars. There are good quality footways, cycle routes, bus stops with a train station within 2.0km of the site.

43. The proposed site layout incorporates adequate manoeuvring space to allow for various sizes of vehicles to safely turn. 58 parking spaces are proposed 5 of which will be disabled parking spaces.

44. Policy ST4 of the Local Plan sets out the parking requirements within the Borough. For the uses proposed there are the following parking requirements:

B1 office accommodation- 42 spaces (based on 1,338m² of office floorspace)

B2 general industrial- 57 spaces (based on 2,731m² of workshop space).

45. The parking is below the standards required in terms of Policy ST4 however it is noted that the largest parking generator will be the office accommodation for which there is sufficient parking. The Chorley Group building includes a large amount of operational parking separate to the main parking area and the majority of the staff in respect of Speedy Scaffolding will be based off site. As such the level of parking is considered to be acceptable.

46. The Highway Engineer has commented that a proposal of this type and scale should normally be accompanied by a Transport Assessment (TA) to establish the highway and transport impacts of the proposed development and to ascertain if the development can be satisfactorily integrated into the existing infrastructure network. This is a requirement of the National Planning Policy Framework (NPPF) which states that all developments that generate significant amounts of movement should be supported by a TA. However, The Engineer has taken into account the fact that the previous use of the site was on a slightly larger scale and although 10no additional parking spaces are currently proposed the overall the impact will be significantly different from the previous use. As such the Engineer has not insisted on the submission of the TA.

47. It is noted that further representations have been received from Lancashire Fire and Rescue Services in respect of the lack of TA and safety implications of the proposed access point. The Highway Engineer has responded to these comments below:

Comment: On a procedural matter, the red line location plan submitted with the application does not include the site access road, which links the development to West Way (B5252). My client owns the access road and whilst the owner of the application site has the right of access across this land the appropriate planning notice has not been served. More importantly the red line application site boundary and site layout plans do not show the Council how delivery vehicles and cars are to safely gain access/egress from the site to the public highway at West Way.

48. Highway Engineer's response: The letter has confirmed that the access road serving the site is owned by Lancashire Fire and Rescue Services (LFRS) and that the applicant has right of access. Given that it is an existing access already used by cars, delivery vehicles and fire tenders, It is not clear as to why the letter wants the applicant to separately demonstrate how delivery vehicles and cars associated with the proposed site are to 'safely gain access/egress from the site to the public highway at West Way'. As explained in the formal Highways response, the junction of the site access and West Way is sufficiently wide with good visibility and adequate capacity to accommodate traffic to be generated by the proposed development. There are no records of traffic accidents at the site access. From Highways perspective therefore, there should be no problems 'safely gaining access/egress'. It is therefore not considered necessary for the applicant to provide this information.

Comment: The application site was formerly a low key forensic laboratory with few daily visitors, which also afforded the site to be more secure by this type of occupation, the proposed development would have security implications due to the nature of its proposed uses. Whilst my client is pleased that the site is to be regenerated and visually improved, concern is raised with regards to the increase in traffic and deliveries of vehicles on transporters to and from the site. It would appear from considering the planning submission and layout plans articulated vehicles will access/egress the site from two access points to the north and east. The site layout plans seem to show the vehicle storage and workshop use gaining using the eastern access with the scaffolding business using the northern access. Lancashire Council, as Highway Authority, has not requested a detailed Transport Assessment because it believes the former use was on a slightly larger scale than the proposal.

The former use was a forensic laboratory and this would fall within Class B1 of the Town and Country Planning (Use Classes) Order 1987 as amended. It was a low key business use that generated very few vehicles. The proposals would appear to fall within a mixed use development (Sui Generis) with uses predominantly falling within Class B2 General Industry and B8 Storage or Distribution. On this basis, it is requested that a detailed Transportation Assessment is submitted and formally considered by the County Council as Highway Authority. In addition, the forensic laboratory operated only during normal office hours (09.00 – 18.00) and the proposed use will operate 06.00 – 19.00 Monday to Friday and 08.00 – 18.00 at weekends. The highway authority needs to take into account

the increased hours of use and its impact on the road junction as well as my client's emergency activities.

49. Highway Engineer's response: The letter expressed concern that the proposal will result in increased traffic and delivery of vehicles on transporters to and from the site and appears to have issues with the internal access layout. It would be noted from the submitted application form that the former forensic site had a gross floor area (gfa) of 5105m² (B1 use), but the current proposal is only for 1251m² gfa (B1 use) and 2731m² gfa (other uses – Sui Generis). On scale therefore, the previous use was larger than the current use. However, while the former site had 44 parking spaces, the current proposal is for 10 parking spaces more than the former forensic site. The additional 10 vehicles will obviously increase traffic movements to and from the site, but as noted in the Highways response, the impact due to this increase will not be severe as to cause adverse traffic conditions, given the capacity of the site access and West Way. Although described in the letter as low key business, traffic generated by the 44 vehicles associated with the forensic site was not known to have resulted in adverse transport impacts in the area. As regards the operative times indicated, it should be noted that the earlier the opening times of the site and the later the closing times, the more likely it is for peak hour traffic to be avoided, moreover, the applicant was requested to submit a Travel Plan which should provide further scope for improved travelling times to the site.

Comment: The access to the northern part of the site is proposed to be re-opened and used solely by the scaffolding business. It is close to the training yard and the access often needs to be restricted when training takes place, especially when the towers and fire house are in use. By re-opening this access to articulated vehicles and other vehicles there are safety and access implications, which are material planning considerations in determining the application. It is requested that the Council consider imposing restrictions or seek revised plans that allow only one access to be provided to the east of the site with all vehicles entering and leaving the site by this access only.

50. Highway Engineer's response: As regards the internal layout, the letter expressed concern that the proposed access to the north leading to the scaffolding warehouse might be too close to the LFRS training yard and may have safety implication when training is in session. I have assessed the safety implication of vehicle manoeuvring in and out of the proposed scaffolding yard and find the proposal acceptable, however as the site is not adopted by the County Council, but privately maintained, any alterations as a result of potential non highway risks to other businesses are matters for individual owners of the sites to address. From highways point of view the current two accesses makes entry and exit of the sites easier and appears a safer proposition due to difficulties of turning of large vehicles if the access was one. As a private site, Highways will be unable to suggest any such conditions to the Local Planning Authority for use of a single entrance point into the sites.

Comment: My client operates a 24 hour, 7 days each week emergency fire station and urban search and rescue facility. In addition, the site is a training facility and a central store for vehicles and equipment. More importantly the fire service headquarters is to be relocated to the site in the future with over 130 staff being relocated as well as the centre offering regional training facilities. The yard area to the north of the site is used on a daily basis for training purposes including the use of the fire house and towers. If the application site is used more intensively than at present my client is concerned that the junction of the site with West Way might not be sufficient to cater for the increased vehicular traffic and more importantly be a grid lock when emergency vehicles are needed.

51. Highway Engineer's response: The Highway Authority was consulted on a specific proposal as described in the planning application submission. As to whether the LFRS site is to be expanded in future is not a material highway consideration essential to make the current proposal acceptable. Any future expansion of the LFRS site will be highway assessed on its own merit whenever the Highway Authority is consulted. I must re-iterate that there are currently no congestion problems at the site access and there is adequate

capacity at the access to cater for traffic to be generated by the proposed site, therefore any talk of grid lock as stated in the letter appears the writer's own perception rather than reality. As indicated above, in traffic terms, the only difference between the current proposal and the former forensic site is traffic to be generated by the additional 10 vehicles.

Comment: It is therefore requested that before a decision is made on this application a detailed Transportation Assessment is prepared that considers the impact of the proposed use on the future highway network as well as its impact on its neighbours as Lancashire fire and Rescue Service. It is requested that the assessment should include:

- *A detailed assessment of how the traffic generated from the proposed use will impact on the junction of the site with West Way especially during peak times and how it will impact on traffic flows generated from the adjoining uses both now and in the future when the fire service headquarters is relocated to Washington Hall;*
- *Whether the junction with the access road and West Way requires any improvements such as traffic lights and/or traffic management to cater for the increased use, especially to ensure unrestricted access for emergency vehicles;*

52. Highway Engineer's response: It will is not always necessary for development proposals to be accompanied by a Transport Assessment. Although paragraph 32 of the National Planning Policy Framework (NPPF) sets out that all developments that generate significant amounts of transport movement should be supported by a Transport Assessment, the judgement as to whether a development proposal would generate significant amounts of movement is the ultimate responsibility of the Highway Authority; and this is done on a case by case basis taking into account considerations such as the scale of the proposed development and its potential for additional trip generation (smaller applications with limited impacts may not need a Transport Assessment), existing intensity of transport use and the availability of public transport; impact on other priorities/ strategies (such as promoting walking and cycling); the cumulative impacts of multiple developments within a particular area; etc., etc. In the case of this proposal, it was considered that the site was existing and that the only difference between the forensic site and the proposal is trips to be generated by the additional 10 vehicles, which as explained above will not result in significant amounts of transport movement as to warrant submission of Transport Assessment. Hence, the decision not to request a Transport Assessment from the applicant. The County Council will therefore not accede to the letter's request for a detailed Transport Assessment to be submitted.
53. As regards possible improvements, such as traffic lights/traffic management measures requested in the letter the Highway Engineer has commented that mitigation is only required where the proposed development is likely to impact adversely upon the highway network and the transport system. Therefore, given that this proposal is not likely to have any such adverse impacts the Engineer considers that it would be unreasonable to request any such impact mitigation measures from the applicant.
54. The Engineer has however commented that the applicant is required to submit a Travel Plan (TP) detailing the package of proposed measures aimed at reducing reliance on private cars and reducing congestion. As pointed out above the area has the requisite infrastructure to encourage alternative transport modes and with a TP in place, the development will most likely deliver significant reductions in the use of private cars, although it must be stressed that the success of the TP will involve continuous monitoring, review and improvement over time.
55. In respect of highways and traffic the proposals are considered to be acceptable subject to conditions.
56. It is noted that the Lancashire Fire and Rescue Service, as a neighbour, have commented on the proposals in relation to the fact that the existing access onto Westway has been widened by the addition of a lane strictly for egress of emergency service vehicles only and the full width of the existing access cannot be considered in this application.

57. The Highway Engineer has been made aware of these comments. It is important to note that the access road leading to the site is not an adopted highway and the assessment of the junction which has been undertaken does not foresee any 'potential congestion' due to the proposed development. It is considered that access for emergency service vehicles will not be impeded by the proposed development.
58. It is clear that the junction was widened to facilitate access for emergency service vehicles however no additional lanes have been provided within the adopted highway, the works which occurred involved widening the access which are still part of the public highway. There is an additional lane within the site which has been created and is painted red. The Highway Engineer has commented that given that the highway widenings form part of the public highway they cannot be reserved for use only by the Fire & Rescue Service and it would be almost impossible, from the Highway Authority's perspective, to prevent other vehicles from using these sections of the highway.
59. It appears that the use restrictions mentioned are on the additional lane is a private legal covenant with the landowners, The Woodland Trust, and is outwith of the public highway. As such any restrictions within the site should be enforced, if necessary, by the land owners. Even with such restrictions it is important to note that there is an alternative egress point from this site which provided egress for vehicles as part of the previous use of this site and will provide a suitable egress for the vehicles associated with the proposed development. The widened section of the junction is public highway and the Highway Engineer does not consider it necessary to require improvements to visibility at the access.

Sustainable Resources

60. The proposed buildings on this site both exceed 500m² and as such will be required to achieve BREEAM rating 'Very Good'. Policy 27 of the Core Strategy also includes the following requirements in respect of the proposed buildings:

Criteria (a) - Evidence is set out to demonstrate that the design, orientation and layout of the building minimises energy use, maximises energy efficiency and is flexible enough to withstand climate change;

Criteria (b) - Prior to the implementation of zero carbon building through the Code for Sustainable Homes for dwellings or BREEAM for other buildings, either additional building fabric insulation measures,

Or

appropriate decentralised, renewable or low carbon energy sources are installed and implemented to reduce the carbon dioxide emissions of predicted energy use by at least 15%;

Criteria (c) - Appropriate storage space is to be provided for recyclable waste materials and composting;

Criteria (d) - If the proposed development lies within a nationally designated area, such as a Conservation Area or affects a Listed Building, it will be expected to satisfy the requirements of the policy through sensitive design unless it can be demonstrated that complying with the criteria in the policy, and the specific requirements applying to the Code for Sustainable Homes and BREEAM, would have an unacceptable adverse effect on the character or appearance of the historic or natural environment.

61. Policy 27 also requires a reduction in carbon emissions over and above BREEAM however it is considered that both parts of Policy 27 can be addressed by condition.

Landscaping and Trees

62. The site is currently partly screened on the western and southern boundaries by existing trees and vegetation. The Ecologist as Greater Manchester Ecology Unit has commented that new shrub and tree planting would serve to compensate for the tree losses, would enhance the biodiversity value of the site and would serve to screen site activities from the surrounding area. As set out above in terms of the visual impacts on the Green Belt and the adjacent Area of Separation additional planting is required to assist in providing a

landscaping screen, this is particularly relevant in respect of the proposed outdoor storage area. This will be secured by condition.

63. There are a number of trees on site and as such the application is supported by a Arboricultural Report with Tree Constraints Plan & Arboricultural Impact Assessment. In total 20 individual trees were assessed and 1 group of trees. Two of the individual trees (both oak trees) close to the entrance of the site and the group of trees (mixed broadleaf) are categorised as 'B' category trees which are trees of moderate quality and value with an estimated remaining life expectancy of at least 20 years. The remaining trees are categorised as low quality or trees that cannot be realistically be retained due to their condition.
64. In total 13 of the individual trees surveyed were initially identified for removal including the 2 category B trees however the plans have been amended to ensure the protection of the 2 category B trees. To afford additional protection to these trees a TPO will be placed on the category B trees on the site and a 'no-dig' condition will be attached in respect of the trees to be retained on the site.

Ecology

65. As the proposals involve demolishing existing buildings and structures the application is supported by an Ecological Appraisal. This has been reviewed by the Ecologist at Greater Manchester Ecology Unit who has made the following comments.
66. The application site is not of substantive nature conservation value; it is dominated by buildings and hard standing and is surrounded by a security fence which limits access. The buildings to be demolished have only low potential to support bats and ponds within 250m of the site have only low potential to support great crested newts.
67. The Ecologist has commented that some evidence of nesting birds in parts of the existing building complex was found during survey. All nesting birds their eggs and young are specially protected under the terms of the Wildlife and Countryside Act 1981 (as amended). As such the Ecologist has recommended a condition that no demolition works should commence during the optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent by a suitably qualified person.
68. As a cautionary note the Ecologist has commented that although the buildings have been assessed as having only low potential for supporting bats, bats can and do turn up in unlikely places. If bats are found at any time during any approved demolition works then works must cease immediately and advice sought from a suitably qualified person about how best to proceed. The applicant will be advised of this risk by inclusion of an informative.
69. Following a high court decision (R (on the application of Simon Woolley) v Cheshire East Borough Council, June 2009) the Local Planning Authority have a legal duty to determine whether the three 'derogation tests' of the Habitats Directive implemented by the Conservation (Natural Habitats &c.) Regulations 1994 have been met when determining whether to grant planning permission for a development which could harm a European Protected Species. The three tests include:
- (a) the activity must be for imperative reasons of overriding public interest or for public health and safety;
 - (b) there must be no satisfactory alternative and
 - (c) favourable conservation status of the species must be maintained.
70. This requirement does not negate the need for a Licence from Natural England in respect of Protected Species and the Local Planning Authority are required to engage with the Directive.
71. As set out above the ecological impacts of the proposals have been fully considered and as such it is considered that the Council, subject to suitable conditions, has discharged its obligations in respect of the above tests.

Noise

72. The Parish Council have raised concerns about the noise and visual impacts of the proposed outside storage area for the scaffolding company. The Parish Council have mentioned the Area of Separation (Policy BNE4 of the Local Plan) however the proposed development does not extend into this area ensuring that the Area of Separation is maintained.
73. In terms of noise it is noted that a large outside storage area is proposed in connection with the scaffolding business. The movement of scaffolding equipment onto and off vehicles has the potential to adversely impact on nearby noise sensitive dwellings. In this regard the Council's Regulatory Services Officer has requested the submission of a noise assessment to understand any impact which may result in the need for restrictive conditions in respect of this element of the proposals. Alternatively Speedier Scaffolding may be able to demonstrate that their business and operational methods will have limited noise impact. Noise will be addressed further on the addendum.

Flood Risk and Drainage

74. Lancashire County Council as the Lead Local Flood Authority commented that a Flood Risk Assessment was needed for this site (due to the fact that the site exceeds 1 hectare) and in this respect a Flood Risk Assessment (FRA) has been submitted. This has been reviewed by LCC's Flood Risk Management Officer who has made the following comments.
75. The FRA submitted in support of this application has based the attenuations requirements on an additional 20% allowance for climate change. The LLFA recommends using a 30% allowance. The FRA also states that the highways within the site will be used to accommodate exceedance flows. Whilst this is acceptable in principle from a flood risk perspective, if the applicant is intending for the highway within the site to be adopted, the use of the highways as an exceedance route will need to be agreed in writing with the Highway Authority. However the internal roads within the site will not form part of the adopted highway.
76. It is noted from the FRA that the proposed development intends to incorporate the use of underground geo-cellular storage tanks. The LLFA has recommended guidelines for such systems which will be attached as an informative to the decision notice.
77. Under the Water Framework Directive (WFD), all water bodies should reach 'good ecological status' by 2015. No activities or works, including the proposed development, should deteriorate the status of any nearby watercourse as the main objectives for the WFD is to prevent deterioration in 'status' for all waterbodies. The ecological health of any receiving watercourse can be protected by the implementation of a SuDS scheme with an appropriate number of treatment stages that are appropriately maintained.
78. Local government has a major role in delivering and achieving the objectives set out in the WFD and to help the natural and modified environment adapt to the impacts of climate change. One mechanism of doing so is through the planning and development process to ensure that new developments do not pose a threat to water quality. It is recommended that the developer has regard for the WFD in developing a detailed drainage strategy.
79. In addition to the national guidelines on the use of SuDS, the Chorley Local Plan and the Design Guide SPD also includes provisions to encourage the use of SuDS on development proposals within Chorley. Specific policies include:
- Core Strategic Objective SO23 to 'manage flood risk and the impacts of flooding especially at Croston.'
 - Design Principle 5 - development should contribute towards resource and energy efficiency (production and use), environmental sustainability including flood risk management and biodiversity'. This design principle also encourages the use of SuDS.

80. It is therefore considered especially appropriate for the applicant to incorporate SuDS within the drainage strategy for the proposed development. It is considered that issues in respect of flood risk and drainage can be addressed by condition.

Overall Conclusion

81. The proposed development constitutes the redevelopment of previously developed land within the Green Belt. Whilst the proposals fall to be considered inappropriate development it is considered that the re-use of this derelict site which will create employment opportunities outweighs the harm created and the impact can be mitigated via suitable conditions. As such the application is recommended for approval on the proviso that the noise impacts can be addressed.

Planning Policies

82. 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 Local Plan 2012-2026 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) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

Reference	Description	Decision	Date
78/01239/LCC	New Offices/Teaching/Dining Block	No objection	12.02.1979
88/00036/CIRC	Circular 18/084 notification proposed erection of single storey extension to chemistry block	No objection	15.03.1988
88/00730/CIRC	Circular 18/84 notification for perimeter security fencing	No objection	08.11.1988
97/00927/CIRC	Circular 18/84 Notice of proposed development by Forensic Science Service to provide Security Fencing,	No objection	18.02.1998
98/00800/CIRC	Notice of proposed installation of CCTV and Lighting,	No objection	17.02.1999
99/00185/CIRC	Circular 18/84 notification in respect of provision of additional car parking facilities	No objection	26.05.1999
01/00626/CIRC	Notice of proposed development by Government Agency to provide additional work floor area with provision of 2 No new portacabins and 1 No. relocated portacabin,	No objection	11.09.2001
03/00694/CIRC	Provision of additional portacabin at second storey level above existing portacabin	No objection	13.08.2003
05/00504/CIRC	Erection of a new two storey modular building to the rear of the site	No objection	22.06.2005
06/00154/CIRC	Erection of two storey modular building to rear of site.	No objection	28.03.2006

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>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 539 1305 1973"> <thead> <tr> <th data-bbox="320 539 568 600">Title</th> <th data-bbox="568 539 815 600">Building</th> <th data-bbox="815 539 1062 600">Drawing Reference</th> <th data-bbox="1062 539 1305 600">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 600 568 660">Site Location Plan</td> <td data-bbox="568 600 815 660"></td> <td data-bbox="815 600 1062 660">1514/01</td> <td data-bbox="1062 600 1305 660">25th April 2015</td> </tr> <tr> <td data-bbox="320 660 568 721">Proposed Site Plan</td> <td data-bbox="568 660 815 721"></td> <td data-bbox="815 660 1062 721">1514/02 Rev A</td> <td data-bbox="1062 660 1305 721">2nd July 2015</td> </tr> <tr> <td data-bbox="320 721 568 936">Proposed Floor Plan</td> <td data-bbox="568 721 815 936">Chorley Group- Vehicle storage, maintenance workshop and office building</td> <td data-bbox="815 721 1062 936">1514/04</td> <td data-bbox="1062 721 1305 936">29th April 2015</td> </tr> <tr> <td data-bbox="320 936 568 1128">Proposed Sections</td> <td data-bbox="568 936 815 1128">Chorley Group- Vehicle storage, maintenance workshop and office building</td> <td data-bbox="815 936 1062 1128">1514/05</td> <td data-bbox="1062 936 1305 1128">29th April 2015</td> </tr> <tr> <td data-bbox="320 1128 568 1344">Proposed Elevations</td> <td data-bbox="568 1128 815 1344">Chorley Group- Vehicle storage, maintenance workshop and office building</td> <td data-bbox="815 1128 1062 1344">1514/03</td> <td data-bbox="1062 1128 1305 1344">23rd April 2015</td> </tr> <tr> <td data-bbox="320 1344 568 1559">Proposed Floor Plans</td> <td data-bbox="568 1344 815 1559">Speedier Scaffolding- Purpose built office and storage building</td> <td data-bbox="815 1344 1062 1559">1412/11 Rev A</td> <td data-bbox="1062 1344 1305 1559">23rd April 2015</td> </tr> <tr> <td data-bbox="320 1559 568 1751">Proposed Elevations (north and east)</td> <td data-bbox="568 1559 815 1751">Speedier Scaffolding- Purpose built office and storage building</td> <td data-bbox="815 1559 1062 1751">1412/12</td> <td data-bbox="1062 1559 1305 1751">23rd April 2015</td> </tr> <tr> <td data-bbox="320 1751 568 1944">Proposed Elevations (south and west)</td> <td data-bbox="568 1751 815 1944">Speedier Scaffolding- Purpose built office and storage building</td> <td data-bbox="815 1751 1062 1944">1412/12</td> <td data-bbox="1062 1751 1305 1944">23rd April 2015</td> </tr> </tbody> </table>	Title	Building	Drawing Reference	Received date	Site Location Plan		1514/01	25 th April 2015	Proposed Site Plan		1514/02 Rev A	2 nd July 2015	Proposed Floor Plan	Chorley Group- Vehicle storage, maintenance workshop and office building	1514/04	29 th April 2015	Proposed Sections	Chorley Group- Vehicle storage, maintenance workshop and office building	1514/05	29 th April 2015	Proposed Elevations	Chorley Group- Vehicle storage, maintenance workshop and office building	1514/03	23 rd April 2015	Proposed Floor Plans	Speedier Scaffolding- Purpose built office and storage building	1412/11 Rev A	23 rd April 2015	Proposed Elevations (north and east)	Speedier Scaffolding- Purpose built office and storage building	1412/12	23 rd April 2015	Proposed Elevations (south and west)	Speedier Scaffolding- Purpose built office and storage building	1412/12	23 rd April 2015
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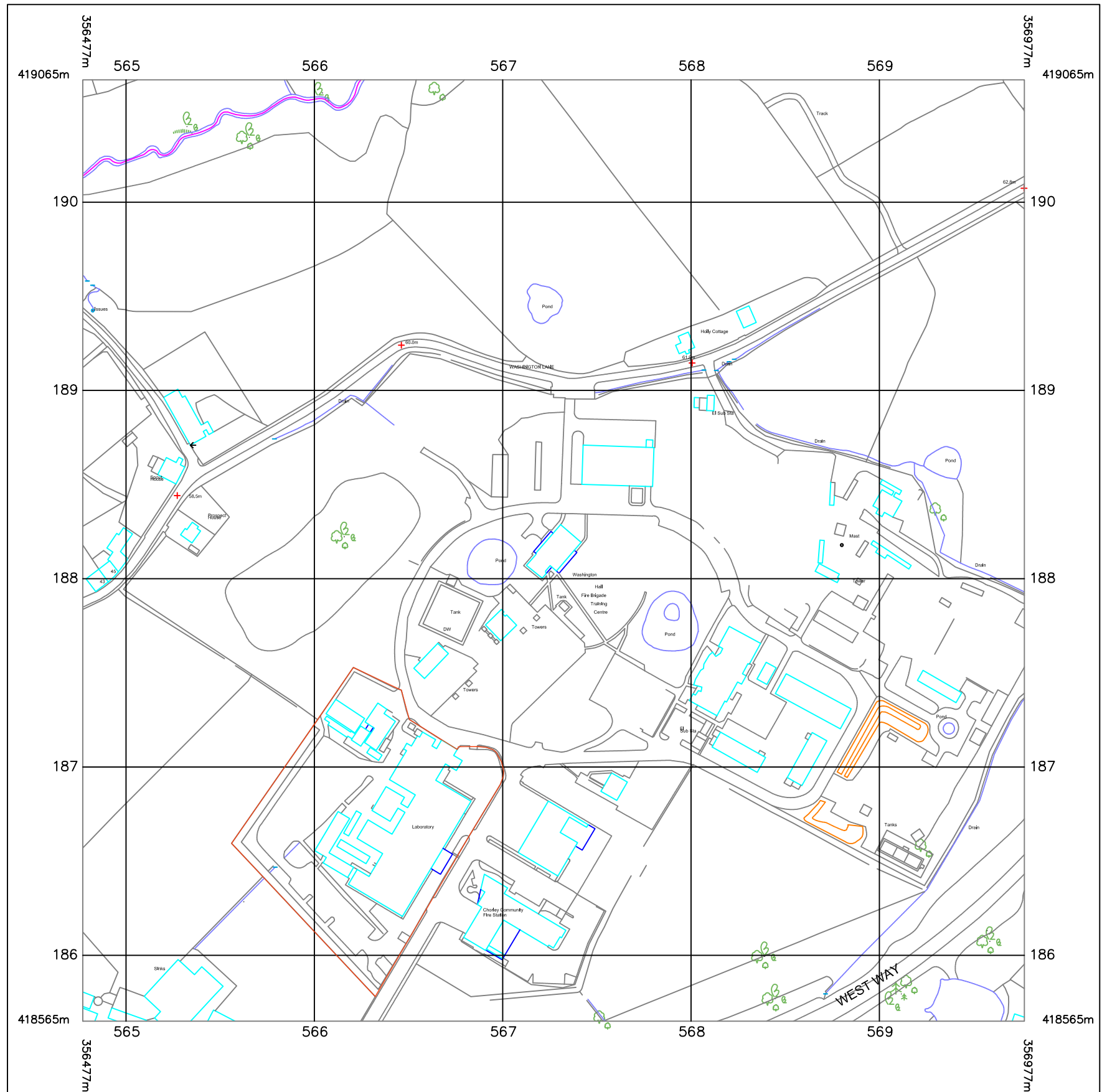
	Reason: For the avoidance of doubt and in the interests of proper planning
3.	<p>Prior to the commencement of each phase of the development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be first submitted 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>Prior to the commencement of any development, full details of the alignment, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been first submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.</p> <p>Reason: Full details of the proposed fences/ walls were not provided as part of the application and in order to ensure a visually satisfactory form of development</p>
5.	<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 first 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>
6.	<p>Prior to the commencement of each phase of the 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 first 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>
7.	<p>Before each phase of the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been first submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.</p> <p>Reason: The submitted information did not include details of the levels and protect the appearance of the locality and in the interests of the amenities of local</p>

	residents.
8.	<p>Before each phase of the development hereby permitted is first occupied, the car park and vehicle manoeuvring areas associated with that phase 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>
9.	<p>No development or demolition works shall take place until a Construction Method Statement has been first 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 • facilities to be provided within the site to clean the wheels of the vehicles exiting the site <p>Reason: The site is located close to the Fire Station. The specified information is required in the interests of highway safety and to ensure that the construction phase does not hinder the operation of the fire station. This information is required prior to commencement to ensure that the entire project adheres to appropriate procedures</p>
10.	<p>A scheme for the landscaping of the development and its surroundings shall be first submitted to and approved in writing by the Local Planning Authority prior 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 and shall demonstrate that the landscaping proposed will provide a visual screen along the western and southern boundaries of the approved outside storage 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>
11.	<p>The buildings hereby approved shall be constructed to achieve a minimum Building Research Establishment (BREEAM) standard of 'very good'. Within 6 months of occupation a 'Post Construction Stage' assessment and a Final</p>

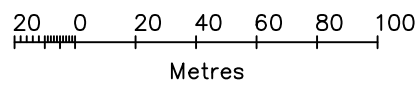
	<p>Certificate shall be submitted to the Local Planning Authority certifying that a BREEAM standard of 'very good' has been achieved.</p> <p>Reason: In the interests of minimising the environmental impact of the development</p>
12.	<p>Prior to the commencement of each phase of the development, a 'Design Stage' assessment and related certification which confirms that the phase will achieve BREEAM Very Good shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be carried out entirely in accordance with the approved assessment and certification.</p> <p>Reason: The buildings will be constructed to BREEAM 'Very Good' standards in the interests of minimising the environmental impact of the development. The Design Stage Assessment is required early on in the process to ensure the required standard is met</p>
13.	<p>Prior to the occupation of each phase of the development hereby permitted a letter of assurance; detailing how the building has achieved BREEAM has been issued by a licensed BREEAM Assessor/Auditor and approved in writing by the Local Planning Authority</p> <p>Reason: In the interests of minimising the environmental impact of the development.</p>
14.	<p>No demolition works shall be undertaken during the bird nesting season (March to July inclusive) unless a survey for nesting birds has been undertaken, submitted to and approved in writing by the Local Planning Authority which demonstrates the absence of nesting birds. Reason: to ensure the protection of any birds which may be nesting within the building/ structures which will be demolished on the site.</p>
15.	<p>Prior to the commencement of the development a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be first submitted to and approved, in writing, by the Local Planning Authority:</p> <ol style="list-style-type: none"> 1) A preliminary risk assessment which has identified: <ul style="list-style-type: none"> • all previous uses; • potential contaminants associated with those uses; • a conceptual model of the site indicating sources, pathways and receptors; and • potentially unacceptable risks arising from contamination at the site. 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. <p>The scheme shall be implemented thereafter in accordance with the approved details.</p> <p>Reason: The National Planning Policy Framework (paragraph 109) states that the</p>

	<p>planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented.</p>
<p>16.</p>	<p>Prior to the occupation of any phase of the development hereby permitted a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.</p> <p>Reason: The National Planning Policy Framework (paragraph 109) states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented.</p>
<p>17.</p>	<p>Prior to the commencement of the development (excluding demolition and site preparation works) details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been first submitted to and approved in writing by the local planning authority. Those details shall include, as a minimum:</p> <ul style="list-style-type: none"> a) Information about the design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD; b) The drainage strategy should demonstrate that the surface water run-off must not exceed the runoff rate for currently developed site which has been calculated at 11 litres per second. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant); d) Flood water exceedance routes, both on and off site; e) A timetable for implementation, including phasing as applicable; f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates; g) details of water quality controls, where applicable. <p>The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved buildings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.</p> <p>Reason: To ensure that the proposed development can be adequately drained, to ensure that there is no flood risk on or off the site resulting from the proposed Development and to ensure that water quality is not detrimentally impacted by the</p>

	development. This information is required prior to commencement of the built development to ensure a suitable scheme can be implemented.
18.	<p>Prior to the first use of each phase of the development hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Business Travel Plan shall be implemented within the timescale set out in the approved plan and will be audited and updated at intervals not greater than 18 months to ensure that the approved Plan is carried out.</p> <p>Reason: To promote and provide access to sustainable transport/multi-modal options.</p>
19.	<p>The construction of the proposed car parking spaces and hardsurfaced areas located within the root protection area of trees T002 and T010 (detailed on the Tree Constraints Plan ref: 0674 received 1st July 2015) shall be undertaken using a 'no-dig' cellular confinement system method of construction or alternative method which has first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the continued protection of the trees on the site</p>
20.	<p>All material/ scaffolding equipment stored outside shall not exceed a maximum height of 3m</p> <p>Reason: in the interests of maintaining the visual amenities of this Green Belt location</p>
21.	<p>The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA 1240 v3) and the following mitigation measures detailed within the FRA:</p> <ol style="list-style-type: none"> 1. Limiting the surface water run-off generated so that it will not exceed the run-off from the currently developed site and not increase the risk of flooding off-site. 2. Provision of 23m³ of compensatory flood storage to accommodate the additional flows generated as a result of the increase in the impermeable area. <p>The mitigation measures shall be fully implemented prior to occupation and Subsequently in accordance with the timing / phasing arrangements embodied within the scheme.</p> <p>Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the sit and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.</p>
22.	<p>Prior to the first occupation of any of the buildings hereby permitted an appropriate management and maintenance plan for the sustainable drainage system shall be submitted to and approved in writing by the Local planning Authority. The plan shall include:</p> <ul style="list-style-type: none"> • the arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company <p>Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.</p> <p>Reason: To ensure that the drainage for the proposed development can be adequately maintained and to ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.</p>
23.	<p>The approved phases of the development hereby approved are as follows:</p> <ul style="list-style-type: none"> • Chorley Group-Vehicle storage, maintenance workshop and office building • Speedy Scaffolding- Purpose built office and storage building <p>Reason: To define the permission</p>



WASHINGTON HALL LOCATION PLAN 1:2500 SCALE



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A3 sheet - 297x420mm

Client <i>Chorley Group</i>				
Project <i>Proposed Offices and Service Depot at Washington Hall, Euxton, PR7 6HJ.</i>				
Title <i>Site Location Plan for Washington Hall</i>				
Drg. No. <i>1514/01</i>	Scale <i>1/2500</i>	Date <i>Jan 2015</i>	Drawn <i>RSA</i>	Rev.
'Hillcrest', Weeton Village Preston, Lancashire PR4 3NB		Richard Ansell Ltd		Phone (01253) 836888 Mobile (07973) 621288 Email richard@ansell.org
WWW.FYLDEARCHITECTURE.CO.UK				

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Item 3j	15/00494/FUL
Case Officer	Iain Crossland
Ward	Eccleston And Mawdesley Ward
Proposal	Erection of two storey side extension to dwelling and erection of detached single storey office
Location	30 New Street Eccleston Chorley PR7 5TW
Applicant	Mr & Mrs P Kirby
Consultation expiry:	02 July 2015
Decision due by:	15 July 2015

Recommendation

It is recommended that this application is approved subject to conditions

Executive Summary

The main issues to consider are the impact on the on neighbour amenity, the character and appearance of the surrounding area, the highway impact and the principle of development.

Representations

Eccleston Parish Council – No comments received
In total 1 representation has been received which is summarised below
Objection
Total No. received: 1
<ul style="list-style-type: none">• Lack of parking• Increase in visitor numbers and associated disturbance• Imposing nature of extensions

Consultees

Consultee	Summary of Comments received
LCC Highways	<p>The proposed side extension will result in the property becoming a 4-bedroomed dwelling. It is a policy of Chorley Council, that development proposals should make provision for parking in accordance with a set standard. According to the standard, 3no car parking should be provided in respect of a 4-bedroomed dwelling.</p> <p>The proposed plan submitted as part of the planning application shows that only 2no parking spaces are proposed, but as the layout shows even the 2no spaces cannot be easily and safely accommodated within curtilage as the outline of the parking spaces are touching each other. This means that the curtilage is only large enough for parking of a single car.</p> <p>It is apparent that the applicant has not met the required parking standard and if permitted, will cause parking to be displaced onto the residential street leading to obstruction of resident's driveways and general unsatisfactory on-street parking conditions in the area.</p> <p>As such, I strongly recommend that you resist approval of the application.</p>

AssessmentThe Site

1. The application site is a dwellinghouse located on a residential housing estate in the settlement area of Ecclestone. The property is a semi-detached dwelling of traditional design that is faced in red brick with a roof laid in ridged concrete roof tiles. The property has been extended in the past with a conservatory and two storey rear extension with a flat roof.
2. There is car parking to the front and a large garden to the rear that incorporates two existing outbuildings, one of which is used as a home office. The outbuildings are located on the boundary with 28 New Street.
3. The property occupies a corner plot on a cul-de-sac in an area characterised by residential development and a mix of uses nearby along The Green.

The Proposal

4. The proposed development is for the erection of a two storey side extension to the existing dwelling and erection of detached single storey office. The extension would project approximately 2.4m with a depth of 1.9m and 3.4m with a depth of 5.4m to form a stepped appearance. There would be a dual pitched roof and rear gable that would cover the existing flat roofed extension. The eaves height would match that of the existing building and the ridge height would be 0.75m lower than the existing ridge.
5. The office building would measure approximately 4.85m by 3.6m and would have an internal floor space of approximately 15m.sq. There would be a dual pitched roof with a ridge and eaves height of 3.1m and 2.4m respectively. The building would be faced in timber with a felt roof.

Assessment

The main issues are as follows:-

Issue 1 – Principle of development

Issue 2 – Impact on neighbour amenity

Issue 3 – Impact on character and appearance of the locality

Issue 4 – Impact on highways/access

Principle of the Development

6. The National Planning Policy Framework (The Framework) is strongly in support of proposals that sustain and enhance economic growth. It states in paragraph 19 that significant weight should be placed on the need to support economic growth through the planning system.
7. Within the Framework paragraph 24 states that *local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered.*
8. The proposed office is, however, of a very small scale and Policy EP4 of the Chorley Council Local Plan 2012 – 2026 is supportive of employment uses for small businesses or the self-employed in residential areas.
9. The Local Plan 2012-2026 policy EP4 provides further detail and states that: *New small scale employment development (Use Classes B1, B2, B8, A1, A2), will be permitted in areas where housing is the principal land use provided there would be no detriment to the amenity of the area in terms of scale, character, noise, nuisance, disturbance, environment and car parking.*
10. The office development would accommodate the equivalent of one full time member of staff, made up of two part time employees that walk to the site from the local area. As such is very small scale and of very low impact through noise, nuisance, and disturbance. It is recognised that car parking is limited on the site and this is assessed later in the report.

Impact on neighbour amenity

11. The proposed extension would be located to the west side of the dwelling and would incorporate a previous rear extension. It would be located approximately 1.2m from the boundary with 28 New Street to the west and approximately 2.8m from the property at its nearest point. It is noted that there are no windows to habitable rooms in the south east facing side elevation of 28 New Street. As such the proposed development would not be visible from this neighbouring property.
12. Although the proposed extension would be located to the south east of 28 New Street and would be two storey in scale the relative positioning (at an angle) and degree of separation are such that the impact on light in relation to habitable rooms would be limited.
13. There is currently a two storey rear extension at the application property with a window in the first floor side elevation, overlooking the rear garden at 28 New Street. This would be removed as a result of the proposed extension and the impact on privacy thereby improved. There would be windows to habitable rooms in the rear elevation of the proposed extension, however, these would not provide any views of the private intimate amenity space at 28 New Street.
14. It is noted that there would be high level windows in the ground floor side elevation of the extension serving a kitchen. These would replace an existing kitchen window in a similar position and would not result in any adverse impact on privacy due to their high level positioning and a 1.8m high fence on the boundary.
15. There are no residential properties to the rear of the site and the proposed extension would not impact on the neighbouring property at 32 New Street due to its positioning.
16. The proposed business use would effectively allow for the equivalent of an additional employee, who does not live at the associated residential dwelling to work from the unit on a permanent basis. The business is largely concerned with administrative processes typical of a B1 office use operating through telecommunications technology. As such the intensity of the operations would be of a low level.
17. The proposed office would have no windows facing the neighbouring residential property at 28 New Street. It would have windows facing 32 New Street but any views would be screened by a 1.8m high fence on the boundary. The outbuilding would be of a small scale, largely screened from neighbouring properties by the boundary fencing. Its scale and positioning would be such that it would not have any unacceptable impact on light or outlook in relation to the neighbouring properties.
18. Any pedestrian movements to and from the building would be very limited and would be largely hidden from view. As a result this low level use would not result in any unacceptable harm to the amenity of neighbouring residents.
19. Although it is recognised that any overspill in car parking onto the street can result in nuisance it is acknowledged that due to the location of the office and nature of a small local business there is a realistic prospect that employees will travel to work on foot or by a means other than the car. Also any car parking for the office is likely to take place at a time of day when other residents have left for work themselves leaving the street relatively clear for the parking of cars, as noted on the officers site visit. It is recommended that this is controlled through an hours condition.

Impact on character and appearance of the locality

20. The proposed side extension would be set back from the front elevation of the dwelling and would be subservient in scale. There would be a dual pitched roof that would match the pitch of the existing roof. The extension would be faced in matching materials and the design would be compatible with the existing dwelling with the benefit that the roof would extend across an existing flat roofed extension. It is noted that the proposed extension would have a similar appearance to that of a previous extension at 28 New Street.
21. The extension would be visible in the street scene, however, it would not be out of character and there would be no terracing effect by virtue of the set back and relative positioning to the neighbouring property.

22. The proposed office building would resemble a domestic outbuilding and would be of a small scale commensurate with the scale of the dwelling and curtilage. It would not be visible from public land.
23. The business that would be based at the property is a low intensity office and would not result in a tangible impact on the character of the area by virtue of its low intensity.

Impact on highways/access

24. The site currently has some off street car parking to the front of the dwelling capable of accommodating two cars, although the applicant has submitted evidence that three vehicles are regularly parked on the site.
25. The LCC Highways officer suggests that due to the arrangement of the parking area at the site it would only accommodate off street parking for one vehicle. However, it is accepted that there are many instances of such historic residential car parking areas that are not ideal in highway terms but can be used to demonstrate accommodation of more than one vehicle. This is because although one or more of the cars may be blocked from entering or existing the site members of the same household generally co-operate to enable off street car parking to take place harmoniously.
26. The proposed development would result in there being four bedrooms at the property. A dwelling of four or more bedrooms should generally have access to three off street parking spaces. The office would have a floor space of approximately 15m sq and would normally require one car parking space. This would result in a total requirement of four off street car parking spaces.
27. Although the ideal number of car parking spaces would not be met in this case it is noted that Policy ST4 of the Local Plan 2012 – 2026 allows for lower levels of provision to be considered in locations that are considered to be more sustainable and well served by public transport. The application site is located within the settlement area of Ecclestone, within walking distance (approximately 220m) of the high street and Local Centre at The Green, which supports a variety of local amenities. There is also a bus service available from The Green. As such the site is in a sustainable location, and indeed one reason for the office being located at the property is to maintain accessibility for the two members of staff who, the applicant states, walk to the site presently to in order to work. In addition to this home working can be more sustainable than travelling to a separate site for employment, as it reduces the need to travel.
28. It is therefore considered that under the circumstances a reduced level of car parking would be acceptable, due to the sustainable nature of the location and small scale nature of the office development proposed. Also, that the office would be in use during the day when there is generally more availability of on street parking. In order to avoid the expansion of the business on this site and prevent any subsequent nuisance from a proliferation of on street car parking it is recommended that a condition is attached to any planning approval limiting the use of the office to one employee who is not a resident of the associated residential dwelling house to work at the office at any one time. Also that the working hours of the office are limited to 09:30am and 05:00pm Monday to Friday to reduce potential parking conflict.
29. Although the comments of the Lancashire County Council Highways Officer are noted it is not considered that the lack of available parking would present a severe harm to highway safety. On this basis it is not considered that a refusal of planning permission could be upheld on highways grounds in line with The Framework.

Overall Conclusion

30. The proposed extensions and office building would not impact unacceptably on the amenity of neighbouring occupiers or the character of the local area. In addition there would be no unacceptable impact on highway safety. On the basis of the above, it is recommended that planning permission be granted.

Planning Policies

31. 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 Local Plan 2012-2026 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) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning history

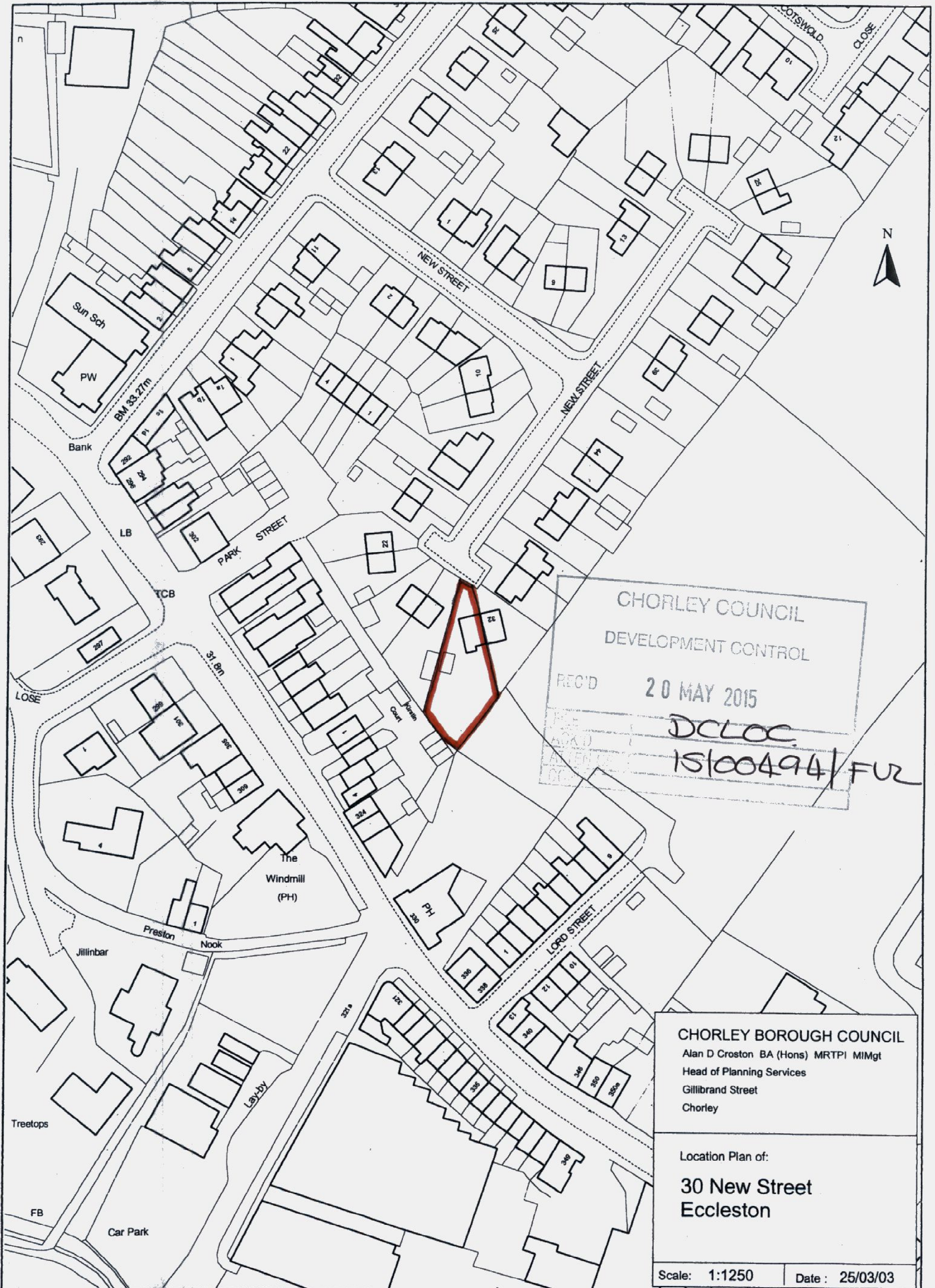
03/00310/FUL: Conservatory to rear. Decision Date: 11 June 2003

84/00031/FUL: Erection of prefabricated timber stables. Decision Date: 17 April 1984

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>No more than one employee who is not a resident of the associated residential dwelling house shall work at the office unit hereby permitted at any one time. <i>Reason: The application states that 1no.full time member of staff would be based at the office and the application has been assessed on this basis. Any increase in the number of employees not resident at the dwelling would lead to an increase in unsustainable transport modes and additional vehicle movements that would impact on neighbour amenity.</i></p>												
3.	<p>All external facing materials shall match in colour, form and texture those stated on the plans and application form. <i>Reason: In the interests of the visual amenity of the area in general and the existing building.</i></p>												
4.	<p>The use of the office building hereby permitted by an employee who is not a resident of the associated residential dwelling house shall be restricted to the hours 09:30am and 05:00pm Monday to Friday and at no time on Saturdays, Sundays and Bank Holidays. <i>Reason: To define the permission and in the interest of proper development of the site.</i></p>												
5.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="0" data-bbox="319 1120 1292 1243"> <tr> <td>Title</td> <td>Plan Ref.</td> <td>Received On:</td> </tr> <tr> <td>Location Plan</td> <td></td> <td>20 May 2015</td> </tr> <tr> <td>Proposed Site Plan</td> <td></td> <td>20 May 2015</td> </tr> <tr> <td>Proposed and existing plans and elevations</td> <td></td> <td>20 May 2015</td> </tr> </table> <p><i>Reason: To define the permission and in the interests of the proper development of the site.</i></p>	Title	Plan Ref.	Received On:	Location Plan		20 May 2015	Proposed Site Plan		20 May 2015	Proposed and existing plans and elevations		20 May 2015
Title	Plan Ref.	Received On:											
Location Plan		20 May 2015											
Proposed Site Plan		20 May 2015											
Proposed and existing plans and elevations		20 May 2015											
6.	<p>The office building hereby permitted shall be used only for the business of the occupiers of the existing dwellinghouse (30 New Street, Ecclestone, PR7 5TW) and shall not be occupied by a separate business nor severed from the planning unit, which includes the dwellinghouse. <i>Reason: In order to safeguard the residential amenity and character of the area, and to ensure that the office use hereby approved does not increase unsustainable transport modes. This small scale office use at this site has been based on the site specific considerations.</i></p>												

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CHORLEY COUNCIL
DEVELOPMENT CONTROL

REC'D 20 MAY 2015
DCLOC
15/00494/FUR

CHORLEY BOROUGH COUNCIL
Alan D Croston BA (Hons) MRTPI MIMgt
Head of Planning Services
Gillibrand Street
Chorley

Location Plan of:
**30 New Street
Eccleston**

Scale: 1:1250 Date: 25/03/03

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Item 3k	15/00428/COU
Case Officer	Helen Lowe
Ward	Coppull
Proposal	Conversion of existing house to ground floor offices (A2) and 2no. first floor flats (including external stair case)
Location	161 Spendmore Lane, Coppull
Applicant	Easy House Lets Ltd.
Consultation expiry:	3rd July 2015
Decision due by:	10th July 2015
Recommendation	Approve
Executive Summary	The application proposes that change of use of an existing three bedroom terraced property into two one bedroom flats and an estate agency. The property is located within the Local Centre of Coppull, as defined in the Local Plan. The proposal accords with relevant local plan policies and would not cause any undue harm to highway safety or neighbour amenity. The proposal is accordingly recommended for approval.

Representations

Coppull Parish Council Have stated that they have no objections
No representations regarding the application have been received

Consultees

Consultee	Summary of Comments received
LCC Highways	<ul style="list-style-type: none">• Two parking spaces will be required for the office; and one for each of the flats;• The applicant has met the 4no. car parking spaces required, but within a different curtilage;• No objection to the proposals, however it is essential that the parking spaces always remain for use in association with the current proposal and not as part of any future development within the curtilage where they are located.• It is recommended that a condition is attached.

Assessment

Background

1. The application property is a two bedroom terraced property located within the settlement boundary of Coppull. It is also located within the Local Centre, as defined in the emerging Local Plan. Adjacent properties within the row of terraces comprise a mixture of retail uses, some with flats above and some dwellings. To the rear is a narrow access road, separating the rear yards of the properties from several small parcels of land, which are used as parking and garden areas, some serving the properties on Spendmore Lane, some in separate ownership.
2. The adjoining property to the east, no. 159 Spendmore Lane is also owned by the applicant, presently in use as a letting agency and two one bedroom flats (application reference 08/00435/COU).

Principle of the Development

3. Policy EP7 of the Local Plan states that in district and local centres planning permission will be granted for A1, A2, A3 and A4 uses which support the role and function of District and Local Centres. The policy also goes on to state that the provision of flats on the upper floors of the building will be encouraged.
4. The proposed office use is to be used as an Estate Agency, falling within Use Class A2. The proposal is therefore considered to be in accordance with the Local Plan.

Neighbour Amenity

5. The proposed external stair case would provide access to the two first floor flats that are proposed. The stairs would provide a degree of overlooking to the rear yard area of the property to the west, no. 163, which is presently in use as an opticians. There does not appear to be any living accommodation within this property. Views into the rear yard area of the adjacent property to the east (no. 159) will be screened by the existing two storey out rigger. It is therefore not considered that the proposed stair case would cause any undue loss of privacy for neighbouring residents.
6. Converting the existing first floor accommodation to two flats will result in different types of living accommodation being located adjacent to neighbouring properties, which may potentially cause additional noise and disturbance to neighbouring properties – for example at present a bedroom is adjacent to the boundary with no. 163, this will become a living room. The upstairs of no. 163 do not appear to be being used as living accommodation, therefore it is not considered that the resulting changes in layout would cause any undue harm to the amenities of adjoining residents, nor would the existing adjoin use have a detrimental impact upon the new occupants.
7. The proposed changes would result in the stair case being removed adjacent to no. 159, and the resulting space forming part of the living room/kitchen area. According to the approved plans for 08/00435/COU this would be adjacent to the dining room and a hallway of the upstairs flat. Additionally, issues of noise insulation are dealt with through the building control process and as such it is not considered necessary to replicate these controls.

Highway Safety

8. Policy ST4 of the Local Plan sets out the Council's parking standards. These state that for A2 uses, one parking space per 30 sq m of floor space is required. The proposed office space would comprise approximately 54 sq m, giving a parking requirement of just under two spaces. The applicant has proposed that four spaces be provided on land to the rear, also owned by themselves. At present there is no off street parking dedicated to the application property, which as a three bedroom dwelling would have an off street parking requirement of two spaces, according to the Council's standards.
9. It is not considered that it is unusual for a terraced property such as this to have off street parking located outside its domestic curtilage and it is recommended that the condition suggested by LCC Highways be imposed.

Overall Conclusion

10. The proposal is in accordance with policy EP7 of the emerging Local Plan. It is not considered that the proposal would give rise to any undue loss of amenity for neighbouring residents or give rise to any harm to highway safety.

Planning Policies

11. 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 Local Plan 2012-2026 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) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

Reference	Description	Decision	Date
80/00474/FUL	Change of use of house to house and shop or offices	Approved	9 June 1980

Suggested Conditions

No.	Condition												
1.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 383 1305 763"> <thead> <tr> <th data-bbox="320 383 911 443">Title</th> <th data-bbox="911 383 1305 443">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 443 911 506">Location plan</td> <td data-bbox="911 443 1305 506">5th May 2015</td> </tr> <tr> <td data-bbox="320 506 911 568">Proposed and existing elevations</td> <td data-bbox="911 506 1305 568">13th May 2015</td> </tr> <tr> <td data-bbox="320 568 911 631">Site plan</td> <td data-bbox="911 568 1305 631">5th May 2015</td> </tr> <tr> <td data-bbox="320 631 911 694">Existing floor plans</td> <td data-bbox="911 631 1305 694">5th May 2015</td> </tr> <tr> <td data-bbox="320 694 911 757">Proposed floor plans</td> <td data-bbox="911 694 1305 757">5th May 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	5 th May 2015	Proposed and existing elevations	13 th May 2015	Site plan	5 th May 2015	Existing floor plans	5 th May 2015	Proposed floor plans	5 th May 2015
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Location plan	5 th May 2015												
Proposed and existing elevations	13 th May 2015												
Site plan	5 th May 2015												
Existing floor plans	5 th May 2015												
Proposed floor plans	5 th May 2015												
2.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004</p>												

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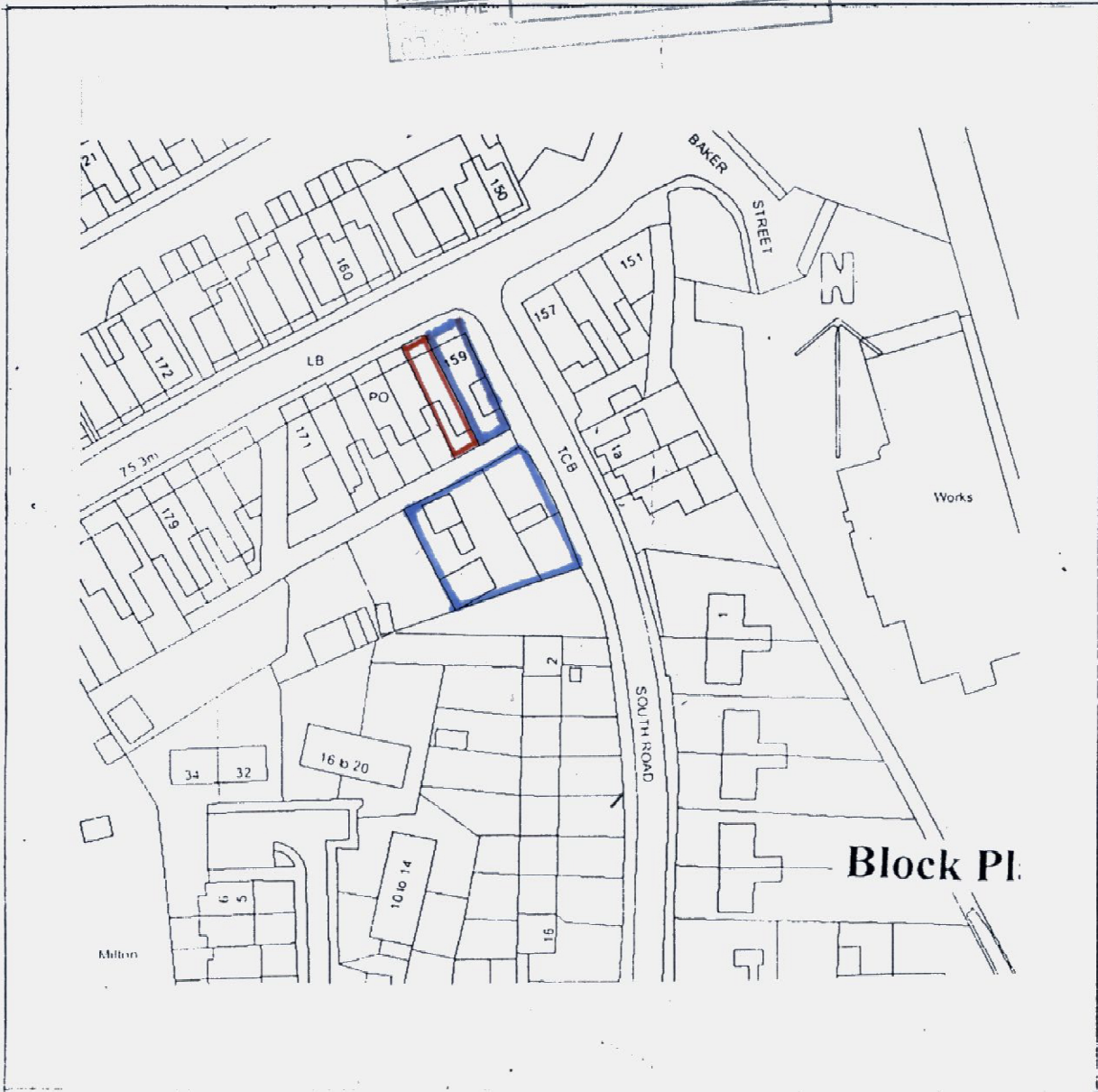
CHORLEY COUNCIL
 DEVELOPMENT CONTROL

REC'D - 5 MAY 2015

FILE

ACK'D

Siteplan® 1:1250



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Centre Coordinates: 348952 413435

National Grid sheet reference at centre of this Siteplan: SD4813

Supplied by: Blackwells
 Serial Number: 00394800

Part or all of this Siteplan is enlarged from mapping produced at one or more of the following scales 1:1250, 1:2500, 1:10000.

DC/OC
 1500428/cou.

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Item 3I	15/00462/FUL
Case Officer	Helen Lowe
Ward	Lostock
Proposal	Erection of single storey dwelling (resubmission of application 14/0158/FUL)
Location	5 The Orchard, Croston
Applicant	Mrs B Fairclough
Consultation expiry:	3rd July 2015
Decision due by:	8th July 2015 (extension of time agreed until 14th August 2015)
Recommendation	Approve

Executive Summary This application proposes the erection of a one bedroom bungalow, within the side garden of a dwelling in Croston. The site complies with the Council's policy on infill development in gardens. It is not considered that the proposal would cause undue harm to the amenities of neighbouring residents, highway safety or the character and appearance of the area. The proposal is accordingly recommended for approval.

Representations

Croston Parish Council No comments have been received from the Parish Council

In total two representations have been received which are summarised below

Objection

Total No. received: Two

- The proposed dwelling would cause an extreme feeling of enclosure and overshadowing to their property;
- The mass, bulk and proximity of the proposed development would present an overbearing and intrusive element to us as neighbours at the rear of our property;
- They would suffer loss of privacy and have to endure its visual overbearing impact;
- It would create a feeling of over development;
- Has an environmental and geological survey been undertaken to ascertain whether the proposed development would impact upon the water table, subsidence or other related factors? There is a regular problem at the moment outside 5 The Orchard with flooding which is likely to be exacerbated by the introduction of concrete and other hard building materials.
- The building process would have a negative impact on highway safety and cause noise disturbance, dirt, dust and mud;
- Loss of privacy and overlooking;
- Increase in noise and disturbance due to the close proximity of the dwelling;
- Proximity of the driveway;
- If a property went ahead, they would have concerns should they wish to alter the plans and add an extra window to the side of the property next to theirs.
- They believe the plan may not have been drawn and/or measured properly. They are unsure if the distance from the boundary with their house (no.7) to the side elevation of no. 5 is actually 12.99m, as shown on the submitted plans.

Consultees

Consultee	Summary of Comments received
LCC Highways	No objections

AssessmentBackground

1. The application site forms the side garden area to the south of no. 5 The Orchard, a true bungalow. The application site is located within the settlement boundary of Croston. The site is bounded to the east and south by other dwellings.
2. A planning application for the erection of a detached two storey dwelling was refused earlier this year (ref. 14/01158/FUL) due to the unacceptable degree of overlooking and loss of privacy that would be caused for the occupants of no. 11A Lostock Road to the rear.
3. The current application proposes the erection of a one bedroom, true bungalow. The eaves height of the proposed dwelling would be 2.2m and the ridge height would be 4.2m.

Principle of the Development

4. The application site is located to the south of no. 5 The Orchard, within the side garden area of the property.
5. Policy HS3 of the Local Plan deals with private residential garden development. It states that within settlements, applications for development within private residential gardens will only be permitted for replacement dwellings, conversion of domestic buildings and infill development. Infill development is the filling of a small gap in an otherwise built up street frontage. The Council will also have regard to the sustainability of the site and proposals which significantly undermine the distinctive character of an area will be refused.
6. One of the core principles of the Framework is that development should be focussed in locations that are sustainable. It is considered that the site is located in a relatively sustainable location with easy access to public transport, amenities such as a supermarket and public house nearby and the means to access other amenities easily. The Framework also states that development in sustainable locations should be approved without delay.
7. It is considered that the application site does form an infill plot in an existing street frontage and is located in a sustainable location with easy access to services such as a school and doctors surgery.

Neighbour Amrnty

8. Policy BNE1 of the emerging Local Plan states that new development must not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact. The Council's interface standards state that windows to habitable rooms at ground floor level should not allow an unrestricted view into neighbouring garden areas or into the ground floor window of any other house.
9. The rear elevation of the proposed dwelling would be 5.37m from the rear boundary with no. 11A Lostock Road. The rear elevation of no. 11A has a set of patio doors at ground floor level, serving a lounge. This would be approximately 11.5m from the kitchen window of the proposed dwelling, offset at an oblique angle. There is also a fence, approximately 1.8m high along the common boundary. Taking into account that the proposal is for a bungalow and taking the above factors into consideration it is considered that it would be difficult to refuse the application on the grounds that it would cause an excessive loss of privacy for the occupants of no. 11A.
10. The side elevation of the proposed dwelling would be a minimum of 3.2m from the side elevation of no. 7. A ground floor window to a bathroom is proposed in the side elevation that would face the side of no. 7. There are no windows in the side elevation of no. 7 and this area of the garden appears to be used a side passageway or driveway. The rear elevation of the proposed dwelling would be set back approximately 1.5m from the rear elevation of no.7. A degree of oblique overlooking into the rear garden of no. 7 may arise

as a result of the proposed dwelling, however it is not considered that this level of overlooking would be so severe as to warrant refusal of the proposal.

11. Noise and disturbance experience during the construction period would be temporary. For a development of this size and scale it is not considered that it would be appropriate to refuse the application on these grounds, nor is the site sufficiently constrained to warrant the imposition of a condition requiring a construction method statement to be agreed and implemented. Matters of drainage would be dealt with through the building regulations. The use of permeable materials for ground surface materials to the front could be secured by condition.
12. The comments made regarding the accuracy of the plans are noted. The position of the neighbouring property, no. 7 has been surveyed on site by the case officer and assessed on that basis. Arrangements will be made with the agent to survey the application site and clarify the distance between the site boundary with no. 7 and the gable of no. 5.

Design and Appearance

13. The Framework attaches considerable importance on achieving good design and a high quality built environment. It states that planning policies and decisions should respond to local character and history and seek to reinforce local distinctiveness. The importance of high quality design is reflected in the recently adopted Central Lancashire Core Strategy (Policy 17) and the Local Plan (policy BNE1).
14. Neighbouring properties on The Orchard are a mixture of true bungalows and two storey properties, both detached and semi-detached. There are dormer bungalows to the rear. The adjacent property to the south, no. 7 The Orchard, has been extended towards the application site through the addition of a two storey side extension, however to the front the first floor accommodation is provided within the roof and a dormer, giving the appearance of a one and a half storey dwelling to the front. This design compliments the scale and size of the adjacent true bungalow at no. 5.
15. The roof of the proposed dwelling has been hipped on all sides. This is not in keeping with the adjacent dwelling, however, this has the effect of reducing the bulk and scale of the property and reduction the impact on neighbouring properties. It is not considered that this would be so detrimental to the character of the street scene to warrant refusing the application.
16. The materials proposed are concrete/black interlocking roof tiles and red/brown multi rustic facing brick. These materials are considered to be in keeping with neighbouring properties.

Highway Safety

17. The Council's parking standards (policy ST4 of the Local Plan) require that dwellings with one bedrooms should have at least one off road parking spaces. The proposed dwelling would have driveway of 2.4m in width and 7.4 m in length. An additional area measuring 4.5m by 2.4m off the driveway in the front garden is proposed as a turning/parking area.

CIL

18. The Chorley CIL Charging Schedule provides a specific amount for housing - £65 per sq m. This was adopted in July 2013 and charging commenced on 1 September 2013. As the proposal results in new residential floor space being created a CIL liability notice will be issued for the development.

Overall Conclusion

19. Taking into consideration the reasons set out above the proposal is considered to be acceptable. The proposal is accordingly recommended for approval, subject to the imposition of suitable conditions.

Planning Policies

20. 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 Local Plan 2012-2026 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) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

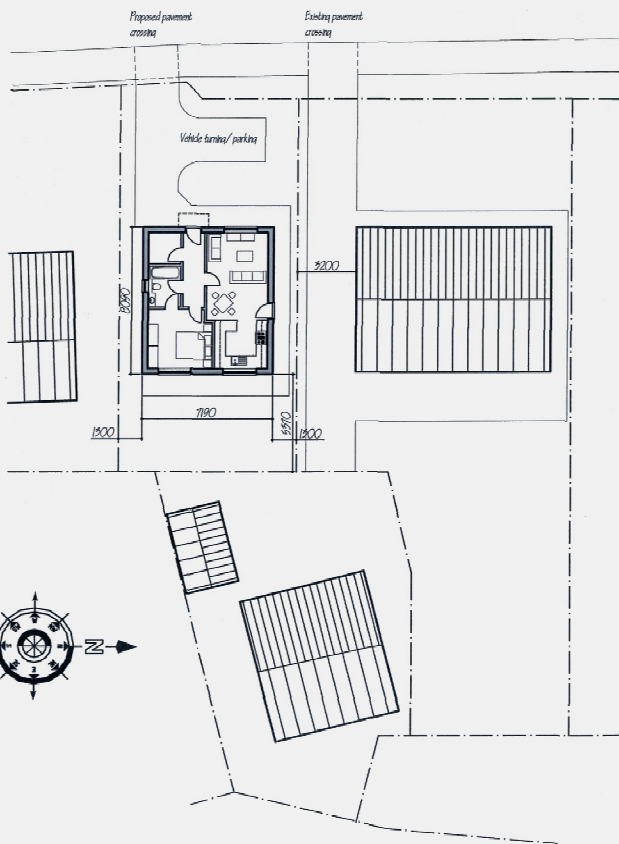
Reference	Description	Decision	Date
14/01158/FUL	Proposed erection of a detached two storey dwelling	Refused	

Suggested Conditions

No.	Condition												
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004</i></p>												
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 533 1305 824"> <thead> <tr> <th data-bbox="320 533 762 595">Title</th> <th data-bbox="762 533 1058 595">Drawing Reference</th> <th data-bbox="1058 533 1305 595">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 595 762 696">Proposed site plan and location plan</td> <td data-bbox="762 595 1058 696">20140807-01 C</td> <td data-bbox="1058 595 1305 696">13 May 2015</td> </tr> <tr> <td data-bbox="320 696 762 759">Proposed floor and roof plans</td> <td data-bbox="762 696 1058 759">20140807-02 C</td> <td data-bbox="1058 696 1305 759">13 May 2015</td> </tr> <tr> <td data-bbox="320 759 762 824">Proposed elevations</td> <td data-bbox="762 759 1058 824">20140807-03 C</td> <td data-bbox="1058 759 1305 824">13 May 2015</td> </tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning</i></p>	Title	Drawing Reference	Received date	Proposed site plan and location plan	20140807-01 C	13 May 2015	Proposed floor and roof plans	20140807-02 C	13 May 2015	Proposed elevations	20140807-03 C	13 May 2015
Title	Drawing Reference	Received date											
Proposed site plan and location plan	20140807-01 C	13 May 2015											
Proposed floor and roof plans	20140807-02 C	13 May 2015											
Proposed elevations	20140807-03 C	13 May 2015											
3.	<p>Prior to the commencement of any development, full details of the alignment, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to protect the amenities of occupiers of nearby property.</i></p>												
4.	<p>The external facing materials, detailed on the approved plans, shall be used and no others substituted.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>												
5.	<p>Notwithstanding the details shown on the submitted plans, the proposed driveway/hardsurfacing to the front of the property 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.</p> <p><i>Reason: In the interests of highway safety and to prevent flooding</i></p>												
6.	<p>All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.</p> <p><i>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.</i></p>												
7.	<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><i>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 Ascent 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.</i></p>
<p>8.</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.</p> <p><i>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 Ascent 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.</i></p>
<p>9.</p>	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (Schedule 2, Part 1, Classes A, B, C, D, E) or any subsequent re-enactment thereof, no extension to the dwelling, porch, garden shed, greenhouse, garage or car port shall be erected nor any hardstanding area extended other than those expressly authorised by this permission.</p> <p><i>Reason: In the interests of neighbour amenity.</i></p>

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PROPOSED SITE PLAN



LOCATION PLAN

Scale 1:1250

CHORLEY COUNCIL
DEVELOPMENT CONTROL
REC'D 13 MAY 2015
15000621FU
DOPLAN
including Location Map

No.	Date	Description
1	May 2015	Proposed amended to suit Planning req.
2	May 2015	Proposed amended to suit Planning req.
3	May 2015	Proposed amended to suit Planning req.

App No: 20140807 - 01 "C"	
Scale: 1:200	Date: Aug 2014
As shown to 1:250	

Project:
Proposed Detached House
Land adjacent to:
5, The Orchard,
Croston,
Leyland

Drawn by:
Proposed Site & Location
Plans

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Item 3m	15/00571/FUL
Case Officer	Iain Crossland
Ward	Chorley East Ward
Proposal	Erection of detached bungalow
Location	Tinklers House Hoggs Lane Chorley PR7 4AW
Applicant	Mr David McKeown
Consultation expiry:	15 July 2015
Decision due by:	17 August 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.

Consultees

Consultee	Summary of Comments received
Environmental Health	The Environment Agency has no objection in principle to the proposed development
United Utilities	<p>A public sewer crosses this site and we will not permit building over it. We will require an access strip width of eight metres, four metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement.</p> <p>Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary.</p>
Conservation Officer	<p>I consider the proposed development to be acceptable. It will, in my view, preserve the appearance of the nearby listed buildings (railway viaduct and canal bridge) and sustain the significance of these designated heritage assets.</p> <p>Comments:</p> <p>In this case the site is located approximately 50 metres from the railway viaduct and 84 metres from the canal bridge. The viaduct is set at a much higher level than the site and is a massive, imposing structure by comparison with the proposed bungalow. The canal bridge is screened from any view from the site by other buildings in the intervening distance between them.</p> <p>As a result I consider that there will be no impact upon the appearance of either listed building and that consequently their respective significances, and that imbued in their setting, will not be materially altered as a result of the proposed development. Consequently their significance will be sustained and unharmed by the proposed development.</p>

AssessmentThe Site

1. The application site comprises the garden curtilage at Tinklers House, Hoggs Lane, Chorley. The site is located within the core settlement area of Chorley and is accessed via a private drive off Hoggs Lane, which in turn provides access to the A6 Bolton Road.
2. Tinklers House itself is a red brick bungalow of traditional design and has a large garden curtilage defined by the bank of Black Brook, which is a designated main river. Tinklers House is one of a small group of five dwellings located at the very end of Hoggs Lane between the canal and railway line. The dwellings are of a variety of designs both modern and traditional faced in red brick and stone.
3. The site has a sense of isolation and despite being located immediately adjacent to Cowling Business Park and approximately 350 from the A6. This is due to the topography of the site and presence of the river, railway and canal, which form physical barriers.

The Proposal

4. The proposed development is for the erection of a detached bungalow and associated residential curtilage. The proposed bungalow would measure approximately 9.7m by 13.5m and would incorporate accommodation in the roof space. There would be a dual pitched roof with a ridge and eaves height of approximately 6.4m and 2.5m respectively. The property would be faced in red brick and the roof laid in slate.
5. The dwelling would incorporate two bedrooms and an integrated garage. There would be a driveway with parking area to the front.

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 designated heritage asset

Issue 5 – Impact on highways/access

Issue 6 – Section 106

Issue 7 - CIL

Principle of garden development

6. The application site is located in the core settlement area of Chorley. 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.
7. Policy HS3 of the Chorley Local Plan 2012 - 2026 replaces 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.
8. The site does not specifically comply with either criterion (a) or (b) due to the nature of what is proposed. With regards to criteria (c), the site does not meet the definition of a typical infill plot in that it is not a gap in a built up frontage.
9. Paragraph 5.29 of the preamble to Policy HS3 states, however, that when assessing applications for garden sites the Council will also have regard to the relationship of the 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, schools, businesses and local services and facilities.

10. 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 the other surrounding properties in that there is no distinct building line with dwellings clustered around the private drive, dwellings are set in sizeable curtilage and the proposed dwelling 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 red brick with a roof laid in slate to complement Tinklers House to which it would be adjacent. As such the proposed new build dwelling would not be detrimental to the character of the area.
11. In terms of sustainability, as set out in Policy HS3, there are factors which weigh in favour of the proposal. The site is located in the settlement area approximately 350m from the A6 Bolton Road, which supports a high frequency bus route. The site is also in close proximity to schools, shops, businesses and other services.
12. It is therefore considered that the site is in a sustainable location and therefore meets with the objectives of Policy HS3, which seeks to promote sustainable forms of development and is therefore is likely to be acceptable in principle
13. Notwithstanding the above, criteria (d) of Policy 1 of the Central Lancashire Core Strategy encourages growth in key service centres such as Chorley.
14. 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

15. The proposed bungalow has been designed to reflect the character and appearance of the surrounding area and would be constructed of brick elevations with a pitched roof laid in slate. It is noted that bungalows are common to the locality.
16. The position of the proposed bungalow would have a front elevation facing the private drive and would be set back from the driveway with space around the dwelling. There is no distinct building line with dwellings clustered around the access drive and therefore the positioning of the proposed bungalow would be consistent.
17. The dwelling would be of an appropriate scale for the plot and a bungalow on this site would respond well to the surrounding properties.
18. The application site is currently a less well maintained part of a large garden area that is made up of rough grass. The proposed development would result in a site that is more likely to be maintained through being in active use and reducing the extent of the curtilage of Tinklers House. This would be achieved without harming the character of the area. Natural surveillance would be increase through an active street frontage and overall the appearance and character of the area would be improved.
19. The development is therefore considered to be in accordance with Policy BNE1 of the Chorley Local Plan 2012 - 2026 and has overcome the concerns regarding the impact on the street scene.

Impact on neighbour amenity

20. The proposed bungalow would be located approximately 14m from Tinklers House. It would not incorporate any windows facing this dwelling, and although the windows in the rear elevation would provide views over the garden curtilage at Tinklers House there would be no views of the private intimate amenity space. The proposed bungalow would be located to the south of Tinklers House but would not impact on light or outlook due to its relative positioning, scale and degree of separation.

21. The proposed bungalow would be located approximately 25m from Black Brook House, 26m from Casa Nostra and 30m from Red Bank. The degree of separation is such that there would be no unacceptable impact on privacy, light or outlook.
22. As a result of the above it is not considered that there would be any detrimental impact on the amenity of any neighbouring occupiers.

Impact on designated heritage asset

23. Paragraph 129 of the Framework states that, 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
24. The Chorley Local Plan 2012 to 2026, Policy BNE8 refers to the Protection and Enhancement of Heritage Assets. Essentially this policy mirrors the Framework. Paragraph b, states that, 'Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for the following: iii, The Conservation and, where appropriate the enhancement of the setting of heritage assets
25. In this case the site is located approximately 50 metres from the listed railway viaduct and 84 metres from the listed canal bridge. The viaduct is set at a much higher level than the site and is a massive, imposing structure by comparison with the proposed bungalow. The canal bridge is screened from any view from the site by other buildings in the intervening distance between them.
26. There will be no impact upon the appearance of either listed structure and consequently their respective significances, and that imbued in their setting, will not be materially altered as a result of the proposed development. Consequently their significance will be sustained and unharmed by the proposed development.

Impact on highways/access

27. Vehicular access would be created directly from the private access drive, which is unadopted. This reflects the access arrangements at the other neighbouring properties.
28. There would be three car parking spaces proposed at the property, one space within the integral garage and two spaces on the driveway. The proposed development would result in a two bedroom dwelling. This meets with the adopted parking standards set out in policy ST4 of the Chorley Local Plan 2012 – 2026. It is therefore considered that there would be no harm to Highway Safety as a result of the proposed development.

Section 106 Agreement

29. 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.
30. This development is for the net addition of one dwelling, which is below the 10 unit threshold and also has a combined gross floorspace of less than 1000m².

31. 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.

CIL

32. The proposed development is CIL liable, however, it is the intention of the applicant to apply for a self-build exemption.

Overall Conclusion

33. It is considered that the 'principle' of a new dwelling on this site is 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 the Chorley core area. The sustainability of the site results from its location in the settlement area close to 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 Chorley Local Plan 2012 - 2026.
34. The impact on the appearance and character of the area are acceptable as the new build dwelling is appropriately designed and is of an appropriate scale. The impact on neighbour amenity is considered to be acceptable as is the impact on highway safety. In addition to this the significance of nearby designated heritage assets would be maintained.
35. On the balance of the above the development is accordingly recommended for approval subject to conditions.

Planning Policies

36. 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 Local Plan 2012-2026 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) and the development plan. The specific policies/ guidance considerations are contained within the body of the report

Planning History

01/00028/FUL. Erection of single storey dwelling and detached double garage. Approved 20 June 2001

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 areas 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>Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details. Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</p>
5.	<p>A scheme for the landscaping of the development and its surroundings shall be submitted prior 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; and detail any changes of ground level or landform, proposed finished levels, means of enclosure, minor artefacts and structures. 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>
6.	<p>The external facing materials, detailed on the approved plans and application form, shall be used and no others substituted. Reason: To ensure that the materials used are visually appropriate to the locality.</p>

<p>7.</p>	<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>															
<p>8.</p>	<p>No development approved 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 public sewerage systems. The development shall be completed, maintained and managed in accordance with the approved details.</p> <p>Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run off and to reduce the risk of flooding.</p>															
<p>9.</p>	<p>The development shall be carried out in accordance with the following plans:</p> <table border="0" data-bbox="320 837 1230 987"> <thead> <tr> <th>Plan Ref.</th> <th>Received On:</th> <th>Title:</th> </tr> </thead> <tbody> <tr> <td>10667/P/05B</td> <td>11 June 2015</td> <td>Location Plan</td> </tr> <tr> <td>10667/P/04B</td> <td>11 June 2015</td> <td>Proposed site plan</td> </tr> <tr> <td>10667/P1/01B</td> <td>11 June 2015</td> <td>Proposed floor plan</td> </tr> <tr> <td>10667/P/03B</td> <td>11 June 2015</td> <td>Proposed elevations</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning</p>	Plan Ref.	Received On:	Title:	10667/P/05B	11 June 2015	Location Plan	10667/P/04B	11 June 2015	Proposed site plan	10667/P1/01B	11 June 2015	Proposed floor plan	10667/P/03B	11 June 2015	Proposed elevations
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<p>10.</p>	<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>															
<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.</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>															
<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.</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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CHIEF OFFICER
 DEVELOPMENT
 11 JUN 2015
 DC LOC.
 15/00571/FUR

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Drawing Title		Location Plan		Site	
Drawn	MB	Checked	Scale 1:1250 @ A3	Drg No. 10667/P/058	Date June 2015

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Item 30 **15/00656/FUL**
Case Officer **Nicola Hopkins**
Ward **Eccleston And Mawdesley**
Proposal **Erection of one detached dwellinghouse**
Location **Ricmarlo, Preston Nook, Eccleston**
Applicant **Mr Paul Thompson**
Consultation expiry: **6th August 2015**
Decision due by: **3rd September 2015**

Recommendation
Approve full planning permission

Representations

Eccleston Parish Council no comments received
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Consultees

Consultee	Summary of Comments received
United Utilities	No objection subject to conditions
LCC Highways	Originally raised some queries however following the receipt of an amended plan LCC Highways have no objection

AssessmentProposed Development and Site

1. The site is located within a predominantly residential area on a cul-de-sac. The existing site is occupied by a detached two storey dwellinghouse which is currently being renovated and extended (permission 15/00523/FUL). The property is set within a large curtilage next to an extended area of non-garden land within the ownership of the applicant. Whilst it is noted that there is land outside the residential curtilage which forms a gap between Ricmarlo and the adjacent dwellings to the north west it is important to note that when viewed from the streetscene all of this land 'reads' as if it forms part of the curtilage of Ricmarlo.
2. The proposed development involves the erection of a detached dwellinghouse on land to the north west of the existing dwelling with direct access off Preston Nook.
3. Outline planning consent has previously been granted to erect 2 dwellings either side of the existing dwelling (14/00551/OUT) which involved reducing the size of the existing dwelling. The extensions to the dwelling which were recently given consent effectively mean that the approved dwelling between the existing dwelling and the neighbouring bungalow, Woodview, cannot be constructed. As such the proposed development results in a reduction of one approved dwelling on this site.
4. Outline consent has also been granted for three detached dwellings on the land to the rear of the existing and proposed dwellinghouse. This consent remains extant.

Principle of the Development

5. Outline planning permission has previously been granted on this site for a dwellinghouse and as such the principle is established.
6. The site is located within the settlement area of Ecclestone as identified within the Local Plan. The 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 plan and with Core Strategy Policy 1: Locating Growth. Within Core Strategy Policy 1 Ecclestone is identified as a Rural Local Service Centre where limited growth and investment will be encouraged to help meet local housing and employment needs and to support the provision of services to the wider area.
7. The proposal involves redeveloping part of the existing residential curtilage and as such Policy HS3 of the Local Plan is applicable. Policy HS3 states:
Applications for development within private residential gardens on sites not allocated in the Housing Allocations Policy 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.
 - c) Infill development on gardens. Infill is the filling of a small gap in an otherwise built-up street frontage, e.g. 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.
When assessing applications for garden sites, the Council will also have regard to;
 - 1) Sustainability, such as access to public transport, schools, businesses and local services and facilities.

Proposals which significantly undermine amenity and harm the distinctive character of an area will be refused.

8. Policy HS1 of the Local Plan expressly states that development on private residential gardens is not required as a matter of principle. The preamble to Policy HS3 confirms that the Council will resist proposals for garden development considered to harm the character and local amenity and biodiversity balance of an area and the policy confirms that proposals which significantly undermine amenity and harm the distinctive character

of an area will be refused. As such development will only be considered to be acceptable in exceptional circumstances, subject to other material planning considerations.

9. There is no presumption in favour of developing this greenfield site (the National Planning Policy Framework excludes private residential garden curtilages in built up areas from the definition of previously developed land) as the Council has a deliverable five year housing supply including the additional buffer of 5%.
10. Whilst it is noted that there is land outside the residential curtilage which forms a gap between Ricmarlo and the adjacent dwellings to the north west it is important to note that when viewed from the streetscene all of this land 'reads' as if it forms part of the curtilage of Ricmarlo and as such effectively the proposed dwelling will result in an infill between Ricmarlo and the properties to the north west. Given the sustainable location of the site and its position in relation to other dwellings nearby it is considered that the proposal is consistent with the aims of the Framework and the thrust of policy HS3 and is acceptable in principle.

Levels

11. There are significant level changes adjacent to the site and the edge of the existing residential curtilage slopes down steeply to the adjacent land (with a level difference of approximately 5.5 metres from the bottom of the banking to the garden level). It is noted that there is inadequate level garden space between the existing dwelling and the adjacent land to accommodate the dwelling as proposed all at one level.
12. To address this, the house will be built up at one side creating a gable elevation down to the lower land level with steps at the front of the house and a ground floor terrace/ balcony area created at the rear of the dwelling.
13. The proposed finished floor level of the dwelling is approximately 0.43m lower than Ricmarlo and it is proposed to lower the existing land levels to create a tiered/ terraced rear garden on three different levels. The lowest level will be approximately 2m lower than the proposed dwelling. This terraced effect garden will be replicated at the rear of Ricmarlo (although this does not form part of this planning application).

Design and Appearance

14. The proposal involves the erection of a detached modern dwellinghouse. The ridge height of the proposed dwellinghouse is higher than Ricmarlo however it is noted that there is a mix of dwelling types, sizes and ages within the street scene and as such the erection of a modern detached two storey dwelling will not be out of character with the appearance of the area.

Impact on the neighbours

15. The immediate neighbours to the site are Twisted Chimney, 1 Ince Lane, Ince Cottage, 16 Enfield Close and 4a Preston Nook. The approved dwellings to the rear of the application site will also be neighbours.
16. Twisted Chimney is a large detached dwellinghouse which was granted planning permission in May 2000 and has a finished floor level of approximately 30.07. The dwelling is located to the west of the application site and the dwelling has a very similar suggested finished floor level (29.60) as the existing dwelling. Over 25 metres is maintained between Twisted Chimney and the proposed dwelling which is to be positioned at an angle to the neighbouring dwelling. As such no loss of amenity will be created in respect of either the existing or future residents.
17. 1 Ince Lane and Ince Cottage are a pair of semi-detached dwellings located to the north west of the application site. The finished floor level of these properties is approximately 30.84 which is approximately 1.2 metres higher than the finished floor level of the proposed dwelling. There is however an intervening parcel of land between the existing and proposed dwelling (where the access road is indicated for the adjacent planning

approval) and as such in excess of 17 metres separation distance is maintained. As such no loss of amenity will be created in respect of either the existing or future residents.

18. 16 Enfield Close is located close to north of the application site however as in excess of 25 metres is maintained between the proposed dwelling and the existing dwelling it is considered that there will be no loss of amenity for the occupiers of this dwelling.
19. The land to the rear of the site has planning permission for three detached dwellings (14/00550/OUT). Approved plot 3 borders this application site. However the proposed dwelling maintains over 27 metres to the rear boundary and does not allow any direct views of the proposed private garden area of plot 3.
20. 4a Preston Nook is a newly constructed detached two storey dwelling (08/01017/FUL) located on the opposite site of the highway to the application site. The proposed dwelling will face the front elevation of 4 Preston Nook however at an obscure angle. Over 24 metres is maintained between the proposed and existing dwelling and 4a Preston Nook has a finished floor level (31.15) which is approximately 1.1 metres higher than the finished floor level of proposed dwelling. Given the level change an additional 3 metres in excess of the Council's required 21 metres window to window distance is required which is achieved on this site.

Highways and Traffic

21. The Highway Engineer originally raised some concerns about the inclusion of highway land within the blue edge of the application site and queried whether there was sufficient parking space for the proposed 4 bedroom dwelling. The plans have been amended removing the highway land from the blue edge and the plans now detail that the driveway can adequately accommodate 3 vehicles noting that there is a garage also. As such the Highway Engineer has no objections to the proposals.

Trees

22. Within the vicinity of the site there is mature vegetation however this is mainly related to the adjacent piece of land. Although there are trees close to this application site they have been categorised as retention category C (which are trees of low quality with an estimated life expectancy of at least 10 years, or young trees with a stem diameter below 150mm) apart from one which is categorised as retention category U (which is trees of such a condition that they cannot be realistically retained as living trees in the context of the current land use for longer than 10 years).
23. The Council's Tree Officer has previously visited the site and a TPO has been placed on the trees which are worthy of retention. These trees are however located away from the application site and will not be affected by the proposals.
24. It is noted that there will be hedgerow removal to facilitate the proposal however the hedgerow has not been identified as being high quality and the landscaping scheme can secure an appropriate replacement boundary treatment to mitigate for the loss.

Open Space

25. 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 Local Plan Policies HS4A and HS4B and the approach in the SPD.
26. However this development is for 1 new dwelling which is below the 10 unit threshold set out within the Framework. The floor area of the proposed dwelling is 212m² below the 1000m² threshold. 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.

Sustainable Resources

27. 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.”

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

Drainage

29. United Utilities have confirmed that a public sewer crosses this site and that they will not permit building over it. United Utilities will require an access strip width of six metres, three metres either side of the centre line of the sewer. Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary.
30. It is understood that the sewer is sited away from this part of the site and in any case drainage can be fully dealt with by condition.

Community Infrastructure Levy

31. 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.
32. The submitted CIL form confirms that 212m² of floorspace will be created (this is confirmed by the submitted proposed floor plans) which at a rate of £65.00 per m² (in accordance with the Adopted CIL Charging Schedule), would result in the development being CIL chargeable to an approximate value of £13,780. However it is noted that the applicants have submitted a self-build exemption form which may result in the CIL levy being zero.

Overall Conclusion

33. The proposal is considered to be acceptable in terms of planning policy and as such is 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 Local Plan 2012-2026 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) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

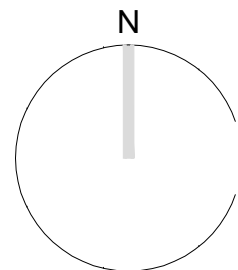
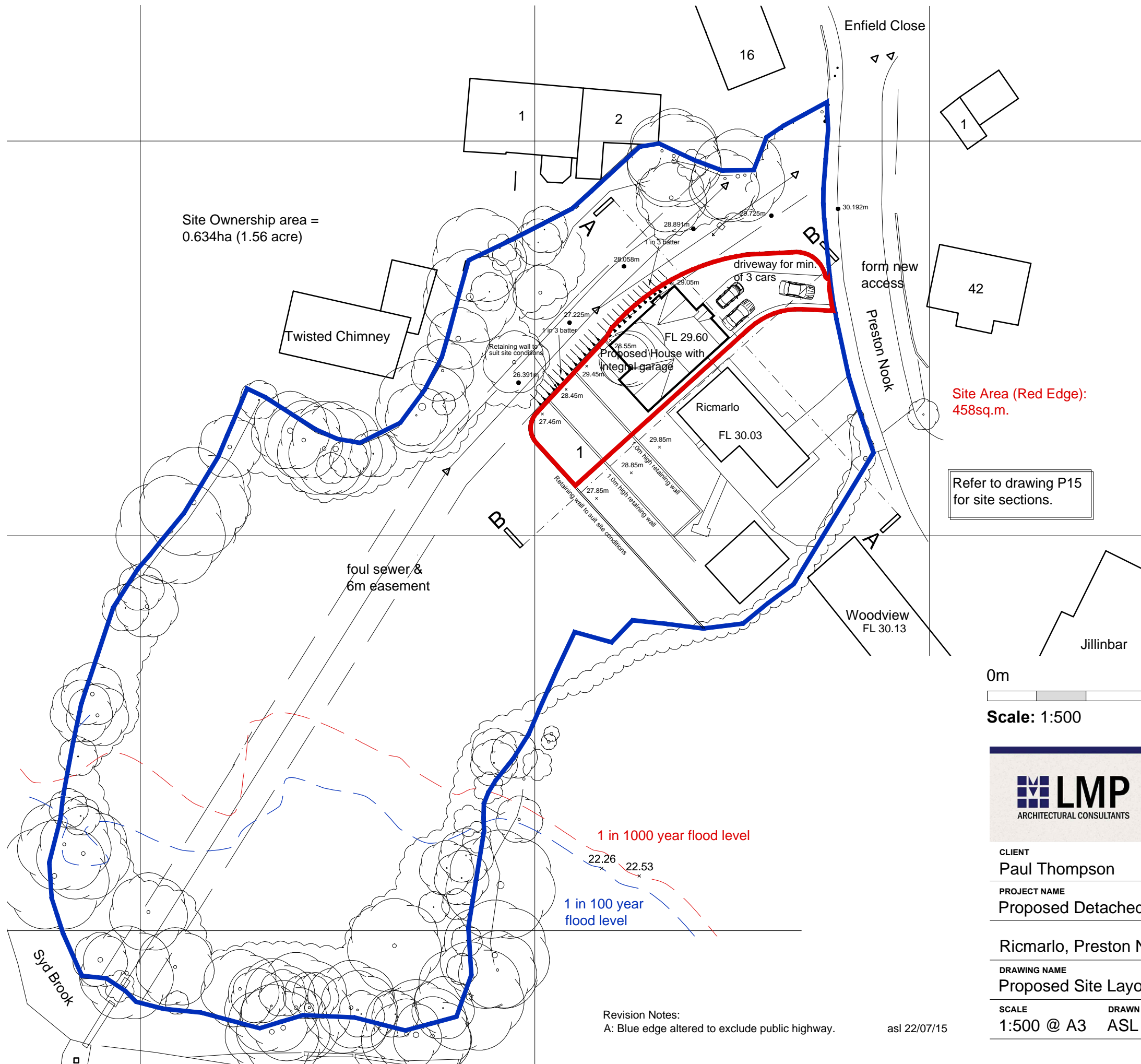
Reference	Description	Decision	Date
14/00550/OUT	Outline application (all matters reserved) for the erection of up to three detached dwellings.	Approved	August 2014
14/00551/OUT	Outline application (all matters reserved) for the erection of 2 detached dwellings and the remodelling of the existing dwelling.	Approved	August 2014
15/00523/FUL	Erection of first floor side extension, single storey rear extension with balcony above and front porch	Approved	July 2015

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>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 501 1219 752"> <thead> <tr> <th data-bbox="320 501 592 535">Title</th> <th data-bbox="592 501 892 535">Drawing Reference</th> <th data-bbox="892 501 1219 535">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 535 592 595">Proposed Site Sections</td> <td data-bbox="592 535 892 595">13/095/P15</td> <td data-bbox="892 535 1219 595">2nd July 2015</td> </tr> <tr> <td data-bbox="320 595 592 689">New Dwelling - Proposed Floor Plans & Elevations.</td> <td data-bbox="592 595 892 689">13/095/P16</td> <td data-bbox="892 595 1219 689">2nd July 2015</td> </tr> <tr> <td data-bbox="320 689 592 752">Proposed Site Layout</td> <td data-bbox="592 689 892 752">13/095/P17 Rev A</td> <td data-bbox="892 689 1219 752">23rd July 2015</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning</p>	Title	Drawing Reference	Received date	Proposed Site Sections	13/095/P15	2nd July 2015	New Dwelling - Proposed Floor Plans & Elevations.	13/095/P16	2nd July 2015	Proposed Site Layout	13/095/P17 Rev A	23rd July 2015
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Proposed Site Layout	13/095/P17 Rev A	23rd July 2015											
3.	<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. Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</p>												
4.	<p>A scheme for the landscaping of the development and its surroundings shall be submitted prior 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; and detail any changes of ground level or landform and the proposed finished levels. The scheme should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area.</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>												
5.	<p>The proposed measures given in section 5.2.1 of the ecological survey and assessment by ERAP Ltd (March 2014) for the avoidance of impacts on protected and priority species shall be implemented in full. In the event that great crested newt (or other protected species) is unexpectedly encountered before or during site clearance or development work, then work shall stop until specialist advice has been sought regarding the need for a licence from Natural England and/or the implementation of necessary mitigation measures. Reason: in the interests of the visual amenities of the site and to enhance the biodiversity value of the site.</p>												
6.	<p>Plants listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) which occur on the site shall be eradicated from the site and working methods shall be adopted to prevent their spread in accordance with Environment Agency guidance and codes of practice.</p>												

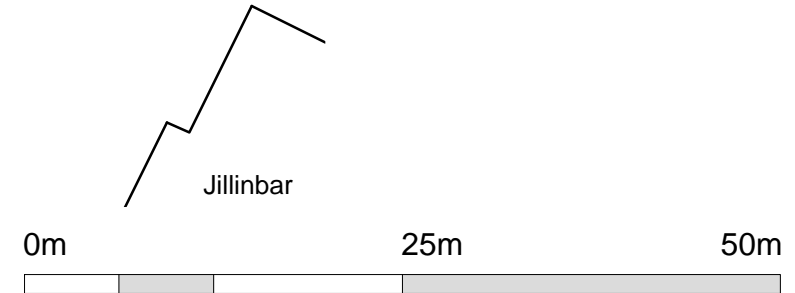
	Reason: In the interests of eradicating and ensuring that Invasive & Injurious Weeds are permanently removed from the site
7.	All trees being retained in or adjacent to the application area will be adequately protected during construction, in accordance with existing guidelines (e.g. BS5837:2012 Trees in relation to design, demolition and construction - Recommendations). Reason: In the interests of ensuring the continued protection of the trees on the site.
8.	External lighting associated with the development shall be minimal, designed to avoid excessive light spill and shall not illuminate potential bat habitat (e.g. hedgerow, trees) and or/ bird breeding places. The principles of relevant guidance should be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009). Reason: In the interests of maintaining a favourable conservation status of bats on the site.
9.	Notwithstanding the details shown on the submitted plans, the proposed driveway/hardsurfacing to the front of the property shall be constructed using permeable materials on a permeable base. Permeable materials shall be maintained in perpetuity thereafter. 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
10.	Prior to the commencement of the development, due to the sensitive end-use of the development (residential housing with gardens), a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures, shall be submitted to and approved in writing by the Local Planning Authority. The report should include an initial desk study, site walkover and preliminary risk assessment. If the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report. Reason: It is the applicant's responsibility to properly address any land contamination issues, to ensure the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012).
11.	All new dwellings are required to achieve a minimum Dwelling Emission Rate of 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.
12.	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

	<p>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>
13.	<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.</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>
14.	<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 dwelling, porch, garden shed, greenhouse, garage or car port shall be erected nor any hardstanding area extended other than those expressly authorised by this permission.</p> <p>Reason: In the interests of neighbour amenity.</p>
15.	<p>Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.</p> <p>Reason: To secure proper drainage</p>
16.	<p>Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.</p> <p>Reason: To secure proper drainage</p>
17.	<p>Before the development hereby permitted is first commenced, full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.</p> <p>Reason: Full details of the proposed fences/walls were not provided as part of the application and in order to ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents the details are required.</p>
18.	<p>Notwithstanding any indication on the approved plans, no development approved 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 and to prevent an undue increase in surface water run off and to reduce the risk of flooding.</p>

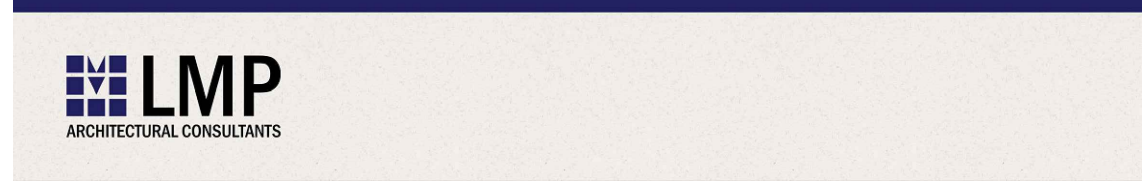


Site Area (Red Edge): 458sq.m.

Refer to drawing P15 for site sections.



Scale: 1:500



CLIENT
Paul Thompson

PROJECT NAME
Proposed Detached House at
Ricmarlo, Preston Nook, Eccleston, PR7 5TL

DRAWING NAME
Proposed Site Layout

SCALE	DRAWN BY	DATE	DRAWING NUMBER	REVISION
1:500 @ A3	ASL	26/06/15	13/095/P17	A

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