

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 15TH DECEMBER 2015, 6.30 PM
COUNCIL CHAMBER, TOWN HALL, CHORLEY

AGENDA

APOLOGIES

- 1 **MINUTES OF MEETING TUESDAY, 17 NOVEMBER 2015 OF DEVELOPMENT CONTROL COMMITTEE**

(Pages 3 - 4)

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

Plans to be considered will be displayed at the meeting or may be viewed in advance by following the links to the current planning applications on our website.

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

- 3A **15/00949/S106A - LAND TO THE NORTH OF NORTHENDEN ROAD WITH ACCESS OFF MOSS BANK, COPPULL**

(Pages 5 - 12)

- 3B **15/00888/FULMAJ - GOLDEN ACRES LTD, PLOCKS FARM, LIVERPOOL ROAD, BRETHERTON**

(Pages 13 - 56)

- 3C **15/00920/FUL - LAND AT PHILIPSONS FARM, HIGHER HOUSE LANE, HEAPEY**

(Pages 57 - 64)

- 3D **15/00961/FUL - TOWNGATE STABLES, DARK LANE, MAWDESLEY (TO FOLLOW)**

3E	15/01037/REMAJ - GROUP 1, EUXTON LANE, EUXTON	(Pages 65 - 76)
3F	15/00482/FULMAJ - DUXBURY PARK PHASE 2, BETWEEN MYLES STANDISH WAY AND DUXBURY GARDENS, MAYLES STANDISH WAY, CHORLEY	(Pages 77 - 100)
4	ENFORCEMENT	
4A	BUILDING SOUTH OF SARSCOW FARM, ECCLESTON	(Pages 101 - 106)
4B	CLOSEGATE FARM, BUCKHOLES LANE, WHEELTON	(Pages 107 - 112)
4C	19 CHAPEL LANE, HOGHTON	(Pages 113 - 118)
4D	209 TOWN LANE, WHITTLE-LE-WOODS	(Pages 119 - 124)
4E	LONG FOLD FARM, NORTH ROAD, BRETHERTON	(Pages 125 - 132)
5	APPEALS AND OTHER DECISIONS	
	Report of the Director of Public Protection, Streetscene and Community for information (to follow).	
6	ANY URGENT BUSINESS PREVIOUSLY AGREED WITH THE CHAIR	

GARY HALL
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Development Control Committee Councillor June Molyneaux (Chair), Councillor Christopher France (Vice-Chair) and Councillors Aaron Beaver, Martin Boardman, Charlie Bromilow, Henry Counce, Paul Clark, John Dalton, Danny Gee, Keith Iddon, Alistair Morwood, Mick Muncaster, Richard Toon, Paul Walmsley and Alan Whittaker.

Electronic agendas sent to Development Control Committee reserves for information.

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To view the procedure for public questions/ speaking click here

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



MINUTES OF DEVELOPMENT CONTROL COMMITTEE

MEETING DATE Tuesday, 17 November 2015

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

OFFICERS: Paul Whittingham (Development Control Manager), Adele Hayes (Principal Planning Officer), Alex Jackson (Legal Services Team Leader) and Cathryn Filbin (Democratic and Member Services Officer)

APOLOGIES: Councillor Aaron Beaver

15.DC.162 Minutes of meeting Tuesday, 27 October 2015 of Development Control Committee

RESOLVED - That the minutes of the Development Control Committee held on 27 October 2015 be approved as a correct record for signature by the Chair.

15.DC.163 Declarations of Any Interests

There were no declarations of interest declared for any items listed on the agenda.

15.DC.164 Planning applications to be determined

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

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

The Chair used her discretion to vary the order of business and moved item 3e - 15/00475/OUTMAJ – Sappi Paper Mill, Moulden Brow, Feniscowles, Hoghton to the first item for planning permission consideration.

15.DC.164a 15/00475/OUTMAJ - Sappi Paper Mill, Moulden Brow, Feniscowles, Hoghton

Registered speaker – David Frohnsdorff

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

15.DC.164b 15/00950/S106A - Land south west of Bishopton Crescent and at the junction of Buckshaw Avenue and Ordnance Road, Buckshaw Village

RESOLVED (13:1:0) – That modification of the Section 106 obligations be approved.

15.DC.164c 15/00949/S106A - Land to the north of Northenden Road with access off Moss Bank, Coppull

RESOLVED (unanimously) – That members of the Development Control Committee deferred their decision on the modification of planning obligations until the next meeting, and sought further clarification from officers of the Council, on the proposed changes to the clause and its impact on affordable housing in Chorley.

15.DC.164d 15/00920/FUL - Land at Phillipsons Farm, off Higher House Lane, Heapey (report to follow)

The report was withdrawn from the agenda.

15.DC.164e 15/00937/OUT - Brown House Farm, Bolton Road, Anderton (report to follow)

The report was withdrawn from the agenda.

Chair

Date

Item 3a	15/00949/S106A
Case Officer	Nicola Hopkins
Ward	Coppull
Proposal	Request under Section 106A (1) of the Town and Country Planning Act 1990 (as amended) to modify a planning obligation (Affordable Housing) dated 8th September 2011
Location	Land To The North Of Northenden Road With Access Off Moss Bank, Coppull
Applicant	Progress Housing Group
Consultation expiry:	27 th October 2015
Decision due by:	N/A

Recommendation
Approve modification of planning obligations

Representations

Coppull Parish Council no objections

UPDATE SINCE LAST COMMITTEE

Members will recall that this site was considered at the last Development Control Committee and deferred for further clarification on the proposed changes to the clauses and their impact on affordable housing in Chorley.

By way of clarification the Solicitor acting on behalf of the applicants has confirmed the following:

The reason we are requesting the changes to the mortgagee exclusion provisions is that the current clause would at best, allow the units to be charged at the Existing Use Value (i.e. on the assumption that the units are subject to the affordable restrictions), although it could result in the units not being acceptable for charging purposes depending on the lender's stance at the time. If the Council can accept our amendments, it will enable Progress to charge the units at Market Value Subject to Tenancies (MVT). The difference between the two valuation types is around 30%. Registered Providers (RPs) are required by the Homes and Community Agency to secure best value when charging assets. The reason for this is that an increase in the availability of finance results in more money for RPs to invest in new affordable housing schemes, and upgrade existing stock. Most local authorities therefore see the benefit in assisting RPs to secure the best deals they can when it comes to refinancing their stock, because ultimately it will result in more affordable housing which will in turn assist those in housing need.

The risk in accepting the changes is close to zero because no RP Lender has ever exercised a power of sale, let alone used an exclusion clause to remove affordable housing restrictions. In practice, all RPs are backed by the HCA who would intervene should an RP ever get into financial difficulty (which in itself is highly unlikely given that the HCA must approve all RP financing deals and business plans).

The same changes were previously accepted in respect of Barnes Wallis Way.

Members should also note that the description has been amended as above. This is due to the fact that Section 106 (A) of the Town and Country Planning Act only enables the submission of an application to modify or discharge an obligation after 5 years which is not the case here. However Section 106(A) paragraph 1 does allow for the modification or discharge of an obligation by agreement between the appropriate authority (Chorley Council) and the person or persons against whom the obligation is enforceable. This is considered to be an appropriate mechanism in the case of this site to ensure the delivery of affordable housing.

Site to which the S106 Agreement relates

1. The site is a former greenfield site accessed from Moss Bank. Full planning permission was granted in September 2011 for the erection of 25 two-storey dwellings and associated infrastructure (including 20% affordable dwellings) (10/00833/FULMAJ). Permission was granted subject to a number of conditions and obligations contained within a Section 106 Agreement.
2. In 2011 a number of the conditions were varied by virtue of Section 73 (11/00865/FULMAJ) which resulted in the issuing of a new planning permission with a supplemental S106 Agreement. Then in 2012 further amendments were proposed which included an additional dwelling (12/00235/FUL).
3. In 2014 a deed of variation was completed at the site to allow the shared ownership properties to staircase upto 100%.
4. This is a request submitted under Section 106A (1) of the Town and Country Planning Act 1990 (as amended) and to modify the planning obligation insofar as it relates to:
 - The mortgagee exclusion provisions at Schedule 2 be amended
 - The requirements for the recycling percentages to be held in a designated reserve fund as per Schedule 3 (in respect of the 2014 deed of variation) to be varied so that the funds can simply be accounted for but do not need to be held in a separate reserve fund.

Assessment

5. In accordance with the Town and Country Planning Act the Local Authority can consider the request in respect of the following options:
 - (a) that the planning obligation shall continue to have effect without modification;
 - (b) if the obligation no longer serves a useful purpose, that it shall be discharged; or
 - (c) if the obligation continues to serve a useful purpose, but would serve that purpose equally well if it had effect subject to the modifications specified in the application, that it shall have effect subject to those modifications.
6. However it is noted that the Local Planning Authority (LPA) does not have a duty to determine the request but case law has established that the LPA has discretion to consider a request. The Local Planning Authority also has the option to authorise something other than those requests put forward by the applicant. In such cases no right of appeal lies to the Planning Inspectorate.
7. The requested changes to the mortgagee exclusion provisions are as follows:

" Chargee" means any mortgagee or chargee or any receiver (including an administrative receiver) or administrator appointed by such mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security of the whole or any part of the Affordable Units or any persons or bodies deriving title through such mortgagee, chargee, receiver or administrator.

Clause 4.10 – this should either be deleted in its entirety or the following wording should be added at the end of the clause *"Provided always that the provisions of paragraphs 1 and 2 of the Second Schedule shall apply in respect of a Chargee exercising power of sale."*

Second Schedule paragraph 2 should be deleted and replaced with the following wording:

The Chargee shall prior to seeking to dispose of the Affordable Units pursuant to any default under the terms of its mortgage or charge:

- a) *first give written notice to the Council of its intention to dispose of the Affordable Units and shall have used reasonable endeavours over a period of three months from the date of the written notice to complete a disposal of the Affordable Units to another registered provider or to the Council for a consideration not less than the amount due and outstanding under the terms of the relevant security documentation including all principal monies, interest, costs and expenses; and*
- b) *If such disposal has not completed within the three month period, the mortgagee, chargee, receiver or administrator shall be entitled to dispose of the Affordable Units free*

from the affordable housing obligations, covenants and restrictions in this agreement which shall determine absolutely

8. The Council's Housing Section has reviewed this proposals and confirmed that Progress Housing Group have had an issue with a shared ownership owner who faced repossession and the clauses set out above would allow Progress Housing to dispose of the property on the open market which would result in some equity. The Council's Strategic Housing Officer considers that if this was recycled in Chorley then this would be a benefit. As such it is recommended that the deed of variation includes the above clauses along with recycling provisions. However for the reasons set out above it is very unlikely that this would occur.
9. In respect of the requested changes to the designated reserve fund for the recycling percentages the Council's Strategic Housing Officer initially raised concerns that not having a separate pot for receipts for shared ownership may become a problem when accounting for interest gained on these receipts although he has suggested that a separate pot for all Chorley receipts may be a way forward. In this regard the applicant's Solicitor has concerns that separate bank accounts are an administrative burden. To take this issue forward the applicant's Solicitor has confirmed that his client is happy to account for interest earned on the recycling funds held. Suggested wording has been provided and this will be appropriately dealt with in the deed of variation.

Overall Conclusion

10. For the reasons set out above the suggested modification of the planning obligations are considered to be reasonable and as such are recommended for approval.

Planning History

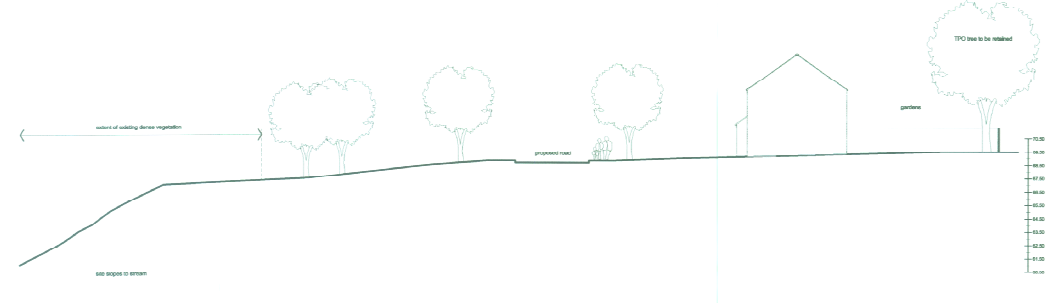
Reference	Description	Decision	Date
97/00730/OUT	Outline application for 18 dwellings & construction of roads & sewers in connection with residential development. This consent lapsed in July 2004.	Approved	10 July 2001
04/00717/FULMAJ	Erection of 18 residential units and construction of associated roads and sewers	Withdrawn	
04/01452/FULMAJ	Erection of 18 residential units (including optional conservatories) and construction of associated roads and sewers	Withdrawn	4 March 2005
05/00413/ADV	Retrospective application for the erection of a sign for a housing site	Withdrawn	18 November 2005
05/00674/FULMAJ	The erection of 16 residential units including optional conservatory positions with associated roads and drainage. This was refused on housing land availability grounds, and the absence of affordable housing in the scheme. An appeal was submitted but withdrawn before it was determined	Refused	28 September 2005
10/00833/FULMAJ	Erection of 25 no. two-storey dwellings and associated infrastructure (including 20% affordable dwellings).	Approved	9 September 2010
11/00865/FULMAJ	Application to vary conditions 1,	Approved	23 November 2011

	4 and 8 of planning approval 10/00833/FULMAJ to allow alterations to the approved plans. The amendments are: slight repositioning of plots 5 - 13 to accommodate a sewer easement, changes to the finished floor levels (raising plots 1-4, lowering plots 5-13 and raising plots 14 - 22), alterations to the elevations of the Rufford house type, changes to window style of all properties and omission of the water pumping station building.		
11/00940/DIS	Application to discharge conditions 3 (gabion wall), 5 (boundary treatments), 6 (hardsurfacing), 9 (landscaping scheme), 12 (sustainable resources), 14 (surface water scheme), 17 (himalayan balsam scheme), 18 (management company), 20 (ground contamination), 21 (construction environment management plan, 22 (lighting scheme), 23 (ecology re-survey), 24 (materials), 25 (programme for development) of planning approval 11/00865/FULMAJ	Discharged	February 2012
12/00235/FUL	Amendments to previously approved application 11/00865/FULMAJ to include an additional dwelling (plot 26), the substitution of house types on plots 23 and 25 and the repositioning of plots 22 and 24 to allow for this.	Approved	May 2012

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PROPOSED SKETCH MASTERPLAN - 1:500



SITE SECTION AA - 1:200



SITE SECTION BB - 1:200

DWELLING SCHEDULE:

A.	WILKINS	7 units
B.	WATSON	5 units
C.	CRATHORNE	4 units
D.	ROSEBERRY	4 units
E.	ROSEBERRY (inc. double garage)	1 unit
TOTAL DWELLINGS -		25 UNITS
TOTAL SITE AREA (incl. verge)		0.99 hectares

DRAWING KEY:

	existing trees, to be retained		overhead power cables, residential underground
	proposed trees		underground facilities cover + additional
	existing landscape, to be retained		extent of biological heritage site (BHS)
	existing drainage vegetation (cont'd)		site boundary

CHURLEY BOROUGH COUNCIL
 10/11/10
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 10/11/10

0	PROPOSED FINISHED INTERNAL FLOOR LEVELS ADDED TO DWELLINGS	10/11/10	PAJ
1	REVISION OF DWELLING SCHEDULE TO ACCOMMODATE 25 UNITS	10/11/10	PAJ
2	REVISION OF DWELLING SCHEDULE TO ACCOMMODATE 25 UNITS, ALL UNITS 1 FLOOR/2 FLOORS	08/11/10	PAJ
3	REVISION OF DWELLING SCHEDULE TO ACCOMMODATE 25 UNITS, ALL UNITS 1 FLOOR/2 FLOORS	08/11/10	PAJ
4	REVISION OF DWELLING SCHEDULE TO ACCOMMODATE 25 UNITS, ALL UNITS 1 FLOOR/2 FLOORS	08/11/10	PAJ
5	REVISION OF DWELLING SCHEDULE TO ACCOMMODATE 25 UNITS, ALL UNITS 1 FLOOR/2 FLOORS	08/11/10	PAJ
6	REVISION OF DWELLING SCHEDULE TO ACCOMMODATE 25 UNITS, ALL UNITS 1 FLOOR/2 FLOORS	08/11/10	PAJ
7	REVISION OF DWELLING SCHEDULE TO ACCOMMODATE 25 UNITS, ALL UNITS 1 FLOOR/2 FLOORS	08/11/10	PAJ
8	REVISION OF DWELLING SCHEDULE TO ACCOMMODATE 25 UNITS, ALL UNITS 1 FLOOR/2 FLOORS	08/11/10	PAJ
9	REVISION OF DWELLING SCHEDULE TO ACCOMMODATE 25 UNITS, ALL UNITS 1 FLOOR/2 FLOORS	08/11/10	PAJ
10	REVISION OF DWELLING SCHEDULE TO ACCOMMODATE 25 UNITS, ALL UNITS 1 FLOOR/2 FLOORS	08/11/10	PAJ

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Representations

Bretherton Parish Council has no objections to make on this application, but is concerned that that the development will result in an increase in traffic in the village

In total 2 representations have been received which are summarised below

Objection

- The new plans will create more noise and odours
- On some days odours can still be detected from the site
- Need to make sure that side effects similar to an abattoir are not created at this site such as noise and odour
- Visual impact of building 45, which will affect both the setting of the nearby listed dwellings and views in the green belt.
- The setting of the listed dwelling will be seriously affected by the size and height of building 45, which is proposed to be 53.7 metres long and 29.15 metres high.
- There will be an increase in larger vehicles delivering to Plocks Farm, some of which are likely to use Carr House Lane.
- The reduction in traffic referred to with the application relates to vehicles taking finished products off site, which is a separate part of the process.
- The applicant has proposed planting more trees than are in the current application, on embankments, to screen building 45 over time however there are constraints on where these trees can be planted because of power lines and underground pipes.
- The revised planting plan will help to minimise the visual impact of this development on our home. However can only fully support the planting plan if there is a good mix of fast-growing, evergreen and deciduous trees, so that the screening is effective all year round.

Consultees

Consultee	Summary of Comments received
Lancashire Constabulary	Have confirmed they have no comments
CBC Waste and Contaminated Land Officer	Have confirmed they have no comments
United Utilities	No objection subject to conditions
Natural England	No objection
CBC Economic Regeneration	Support the proposals
Lead Local Flood Authority	Originally objected to the proposals however following the receipt of further information removed the objection subject to conditions
LCC Archaeology	No objection subject to a condition requiring a programme of archaeological investigation
Environment Agency	No objection subject to conditions
West Lancashire Borough Council	No objection subject to conditions in respect of noise, lighting and environmental management plan
Greater Manchester Ecology Unit	No objection subject to conditions

LCC Highways	No objection subject to conditions
CBC Parks and Open Spaces Officer	No objections to the proposal from a landscape and visual standpoint.

Applicants Summary of Benefits

Social Dimension	Economic Dimension	Environmental Dimension
<ul style="list-style-type: none"> • The business employs 400 people and generates significant spending in the locality (Chorley, West Lancashire and South Ribble Districts, as it sits close to the boundaries of all three). • This ‘multiplier’ effect supports strong, vibrant and healthy communities. • GA is a local business which has not changed ownership since its formation in 1992. It has a loyal workforce who mainly live locally in West and Central Lancashire. 	<ul style="list-style-type: none"> • The number of direct jobs has more than doubled between 2009 and 2015 to 439 employees, of which over 90% live within 10 miles of the site. • Two thirds of the jobs are permanent employees and a third are agency workers. • The majority of the growth in employment has been in the permanent employees. • The number of jobs supported indirectly within the supply chain has also increased significantly to an estimated 332 jobs across the UK. • Jobs supported as a result of employee spending (i.e. induced jobs) is estimated at 116 across the UK, of which over half are estimated to be located within 10 miles of the site. • The previous strategic 10 year masterplan established in 2009 set a turnover target of £100m. GA has been growing at 20% p.a. in the UK and adding an average of 6 new customers a week, so expects to achieve this target on plan by 2017/18. • This new strategic plan sets a further ambitious target of achieving £200m turnover within the next 10 years. • The principle objective of this strategic plan is to reduce manufacturing costs from over £400 per tonne to the market level of £250 per tonne. • Greater efficiency could be achieved as 	<ul style="list-style-type: none"> • The company is currently not hitting its revised Climate Change Levy target under the Food and Drinks Federation Agreement, being a further 12% over and above a previous 12% set in 2008 and which incurs a cost of £50,000 per annum for the purchase of carbon; currently £12.00 per tonne, but increasing to £14.00 per tonne with further increases likely. The installation of a Combined Heat and Power (CHP) Plant will save 4,000 tonnes of carbon and reduce the cost from £50,000 to £10,000 per annum. The CHP will also allow waste heat to be recycled into the plant. • The use of anaerobic digestion to treat the liquid waste arising will save £10,000 in waste disposal and prevent the need to spread undigested fat onto agricultural land. • Repairs to the embankment in concert with the Environmental Agency following what happened in the winter of 2013/14 which needs repair; hence it is covered by the application. • Net gains in biodiversity have been achieved continually since 1993. • Extensive planting at the site • Reduction in odours and noise

	<p>part of the processes at the site</p> <ul style="list-style-type: none">• The proposed investment is a statement of confidence in British manufacturing and the quality of the local workforce in the Borough of Chorley.• It is GA's intention to make this investment at its Plocks Farm site, subject to planning, rather than choosing to invest in Eastern Europe.• The investment proposals are expected to be entirely funded through the reinvestment of profits from the business.• As well as the 764 jobs, the construction activity required to deliver the strategic plan will generate temporary economic benefits and can be estimated to support 203 years of construction work, based on an investment value of £31m and the UK average of £153,000 of construction turnover per job in 2013. Given that development will be phased over a 10 year period, this would suggest that the investment programme will support an average of 20 construction jobs per annum.	
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Assessment

Background

1. Plocks Farm was originally an arable farm, but first diversified into the manufacture and distribution of dry extruded animal foods in 1992 using the farms crop production as its basis. Following on from this diversification several planning applications were approved at the site as the business grew.
2. A major application approved in 2003 (9/03/00528/FULMAJ) provided a Masterplan for the site and at the time of the application the applicants advised that they considered there to be scope over the next 10 years to increase the output to 60,000 tonnes per annum, entailing an increase in the workforce to 220 people, employed in 4 shifts, to maintain production 7 days a week. The 2003 application related to an extension to buildings to form a produce store, tractor store, administrative and staff office accommodation, raw materials store, new entrance control, landscaping and waste water treatment area. The Council recognised that the business was an industrial one (Class B2) but of a highly specialist nature which is inextricably linked to agriculture. This proposal was considered inappropriate development in the Green Belt by definition, however the Council were satisfied that there were very special circumstances to justify permitting it. It was referred to the Government Office for the North West as a departure case, but the Secretary of State did not call the application in and so permission was granted.
3. Then in 2009 the site owners applied for extensions and alterations to the pet food manufacturing facility including an automated finished product store (AFPS); upgraded and new extrusion process lines including a sunken mill; raw material storage; odour abatement (a roofed pine bark based biological filter system including venting chimneys, one 30 metres high); waste water treatment; additional capacity of waste recovery and recycling facilities; landscaping including earth excavation and mounding; related infrastructure. This application was submitted primarily because the Company, The Golden Acres Group, were required to meet changed legislative requirements. These include The Pollution Prevention and Control Regulations 2000 which requires the Company to operate under an Environmental Permit with the Environment Agency, The Climate Change Act (which requires an 80% reduction in greenhouse gas emissions by 2050), The Climate Change Levy and the Landfill Regulations 2002. This was approved in March 2010.
4. The 2010 permission included a Masterplan for the whole site which was an update of the Masterplan approved in 2003. This current application comprise a further review of the Masterplan so that planning permission can then be sought for development envisaged over the 10 year period going forward. This will involve some of the development already implemented and other parts not. The applicants have reviewed the 2010 approved Masterplan after 6 years and now know what the Group's requirements for the site are looking forward for the next 10 years hence this application.

Proposed Development

5. The 2015 Masterplan reflects the applicant's objectives now, which are:
 - 1) *To provide our customers' customer with the provenance of every raw material included in every bag via an enquiry over the internet.*
 - 2) *To allow the use of fresh, unprocessed meat from known sustainable sources, to allow the preparation of specialist premium pet food that is demanded by our customers across the world for their companion animals.*
 - 3) *To ensure the storage of raw ingredients, the cooking and the packing of the pet food is as hygienic and free from contamination as possible, in accordance with "Good Manufacturing Practice".*
 - 4) *To ensure that the process is fully flexible, but efficient so it can compete on the World market.*
 - 5) *To ensure that the impact on the local community, in terms of traffic, noise, odour and visual amenity is minimised, while offering a source of local employment that creates economic activity in a rural area.*
6. The proposed development includes:
 - The construction of the Ingredients kitchen, on the site of the approved 'AFPS'. This would accommodate the blending and grinding of raw materials into a fine powder ready for cooking.

- The construction of a larder to contain 14,500 boxes containing 550 kilos of dry extruded pet food to store the 500 different pet food products, where they can be tested prior to placing the products in a bag for the customer. This would comprise a 5,850m² extension beyond the approved warehouse at the north end of the complex.
- The construction of a Meat Kitchen on the west (river) side of the complex in order to prepare fresh meat by pasteurising and dehydrating with a centrifuge and evaporator ready to be cooked within the extruder. This technically advanced process would enable the meat flavours to be extracted and then reused on the product to improve the palatability for pets.
- The erection of a Fridge in the form of an extension to the Ingredients Kitchen referred to above. This would also sit on the west side of the complex.
- The installation of an Anaerobic Digestion Process, to the north of the complex, to allow for the recovery of methane gas from the liquid waste arising on site, which is currently spread on agricultural land.
- The installation of the Combined Heat and Power Plant (CHP), to be able to utilise the methane gas produced, together with natural gas, to generate on-site electricity and utilise the 90C hot water produced within the process.
- A repair to the embankment of the River Douglas, which has settled since its construction 40 years ago to prevent future flooding and in the event of high tides coinciding with certain weather conditions.
- The relocation of the approved office building and secure private car park to the north of the existing access road from the A59.

7. As planning approval 03/00528/FULMAJ has been partially implemented those parts of the approved proposals (not yet built) could be implemented. The following buildings are still required but are yet to be constructed (these are retained within the 2015 Masterplan):

Building Reference	Description	Area (m ²)
19	Pallet Store	150
20	Recycling Store	648
21	IBC Store (to be designated as Hot Room ref 52)	2,475
25	Tank Farm Canopy (roof)	673
30	IBC Cleaning Building	334
TOTAL		4,280

8. The rationalisation of the approved facilities by the 2015 Masterplan review has resulted in some of the buildings within the 2010 permission no longer being required as follows:

Building Reference	Description	Area (m ²)	Reason no longer required
18	Automatic Finished Product Store (AFPS)	13,677	Storage now accommodated off site (Buckshaw Village, Chorley)
22	Mill / Raw Materials	2,268	Part superseded by Hot Room (Ref 52)
28	Fan House	669	Building no longer required
31	Biomass Material Storage	2,186	Power generation to be by CHP facility thus biomass infrastructure abandoned
35	30m high Biomass Flue Chimney	n/a	
TOTAL		18,800	

9. The new buildings/ elements of the development subject to this planning application are as follows:

Building Reference	Description	Area (m ²)	Notes
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45	Ingredients Kitchen	12,050	Improved facilities for import of materials, preparation, and delivery to production process
45A	I / Kitchen- Canopy to cover adjacent Yard	2,480	
46	Meat Kitchen	5,600	
47	Fridge	2,072	
48	Larder	5,657	
49	Wet Scrubber & Fan	75	For the odour abatement plant
50	CHP Station	153	Supersedes Fan House (Ref 28)
51	Odour Abatement Plant comprising Wet Scrubber and Biobed	450	Odour control for AD Plant (Ref 54)
52	Hot Room (for Raw Materials)		Approved IBC Store Building (re-referenced)
53	Water Storage Tanks	628	For water recycling
54	Anaerobic Digestion Plant	1,055	Area incl. Plant Room, Reception Hall & tanks
-	Flood Bank raising	n/a	Recommended by the Environment Agency to achieve a consistent 7m AOD level on local flood protection.
TOTAL		30,220	

Ref 45 Ingredients Kitchen / 47- Fridge / 48 - Larder

10. The Ingredients Kitchen with the associated Fridge and Larder is proposed be built north of the main complex, on the site of the previously approved AFPS with the three functions arranged within a single building envelope. Incoming dry raw materials are delivered to the east end, directly off the existing access road and service yard. These materials are transferred by a series of mechanical elevators into 150no bulk storage bins, from where they are weighed into batches of mixed ingredients, ground into a fine powder, and placed in individual mobile containers (with a capacity of 3m³ each) ready for transportation to the extruders.
11. The Ingredients Kitchen is split on two levels and is 190m long x 46m wide. The ridge height is generally 17m above floor level however, at the east end this rises to 23m in height to cover the delivery conveyors and batching operations.
12. The upper level of the Ingredients Kitchen is 83m long x 34m wide. The ridge height is 15.15m above floor level.
13. The Fridge is used for the storage of frozen and chilled meats. It effectively forms an extension of the lower level of the Ingredients Kitchen, at the west end. The building is 45m long x 46m wide, and the ridge height is 17m above floor level.
14. The Larder is used for the storage of the dry extruded pet food, in 14,500 no. 550 kg boxes, ready for packing into bags. The building is a similar extension to the Ingredients Kitchen, but on the north elevation. It is 140m long x 45m wide, with the ridge height also 17m above floor level
15. The Ingredients Kitchen building has a canopy extension over the adjacent yard to allow deliveries to take place in the dry.

Ref 47 - Meat Kitchen

16. The Meat Kitchen is where fresh and frozen meats are pasteurised, de-fatted through a centrifuge, and then dehydrated with the use of an evaporator to reduce the water content from 90% to 40%. It would be built to the south and west of the Ingredients Kitchen. It is 80m long x 70m wide, arranged on two levels to accommodate the existing landform and assist operations. The ridge height is 14.85m at the lower land level and 13.8m at the higher land level.

Ref 50 - CHP Station

17. The Combined Heat & Power (CHP) Station occupies the location of the previously approved Fan House (now omitted), next to the Energy Centre. It results from a decision to change from power generation from biomass as previously proposed to the more efficient CHP process, using natural gas as the energy source. The building detail is 30m long x 17m wide and the building is 8.3m high to the ridge. The south end has an open-sided extension which provides a cover to the oil storage tanks, at the end of which is a 10m high flue.

Ref 51 - Wet Scrubber (Biobeds)/ 54 Anaerobic Digestion Plant (AD)

18. These items of infrastructure are immediately to the north of the Larder and immediately adjacent to the perimeter woodland belt along the flood bank. The wet scrubber addresses any odour emissions from the Ingredients Kitchen and the AD plant, and is a smaller version of those already approved and constructed (building 32). There are small buildings associated with this infrastructure, these are 24m long x 16m wide (Anaerobic Digester) and 24m long x 15m wide for the Wet Scrubber. The buildings are 7m high to the ridge.

Ref 53 - Water Storage Tanks

19. The storage tanks for water recycling are in the same area. There are two of these, for roof and surface water storage. They are 20m diameter x 8m tall.

Re-designated (approved) building

20. Building 52 is not a new building per se - it is the approved IBC Store building. This is to be re-designated as the Hot Room, used for the storage of liquid raw materials that would otherwise solidify at ambient temperatures: the facility would use waste heat from the manufacturing process to raw materials to become more liquid and easier to transfer to the processing.

Principle of the Development

21. 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.
22. The policy confirms that growth and investment will be focussed 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.
23. 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, a large scale development as proposed does not meet any of the criteria for such locations. As such exceptional circumstances will need to be demonstrated for the proposals to be considered acceptable in terms of Policy 1.
24. The site is also located within the Green Belt. 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:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local
- community needs under policies set out in the Local Plan; or
- 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.

90. Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- mineral extraction;
- engineering operations;
- local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- the re-use of buildings provided that the buildings are of permanent and substantial construction; and
- development brought forward under a Community Right to Build Order.

25. The proposed development, however, does not fall into any of the exceptions of paragraph 89 or could be considered not inappropriate in respect of paragraph 90. The proposed development therefore constitutes inappropriate development and as such the tests of paragraph 88 of the Framework are engaged. In this case very special circumstances need to be demonstrated which outweigh the harm the development will have to the Green Belt. These are considered further below.

26. The Adopted Central Lancashire Rural development SPD (2012) mirrors advice contained within the Framework.

27. The premises at the site currently comprises 27,707.79m² of floor space (298,254sq ft) within a site of 27 hectares. Planning permission exists in perpetuity for a further 26,707m² of floor space (287,481sq ft). This gives a total of 54,414.55m² (585,733 sq ft) of consented and built floor space.

28. The proposals subject to this application result in a net increase of 9,589.18m² (103,217sq ft) in excess of the existing and approved (though unbuilt) development. This results in an increase of approximately 18% of floor area. This would all be within the established site closer to the river.

29. The very special circumstances put forward by the agent for the application in respect of the proposals include:

- Golden Acre's business requirements to secure a sustainable future and in a policy context which supports economic growth to such an extent that it must be given 'significant weight'.

- The 18% increase in the floor area (when the extant planning permission is taken into account) can be integrated into the landscape without having a material impact on the Green Belt – because the site is so well screened and will be even better screened in the future and with no 30m high chimney acting as a landmark.
- On the previous occasion a major factor was the need to plan for an automated warehouse facility; this has been replaced by a need for state of the art larder, fridge and meat kitchen. In addition the preference is for a combined heat and power station (CHP) which captures energy from the site.
- Seen in section, the height of the buildings now proposed is significant. However, the buildings would sit on lower lying land (when compared to the original complex) between the latter and the River Douglas. The river is divided from that land by a substantial bund on which there is extensive, established planting. To the east and north are further significant tree belts which very successfully screen the site.

30. The factors considered above individually do not represent Very Special Circumstances and the question for the decision taker is whether collectively those factors combine with sufficient weight to represent the very special circumstances that would overcome the harm to the green belt by reason of the openness. To assist in the decision making process the following benefit/ dis-benefit table has been produced:

	Material Consideration	Very Special Circumstance (Green Belt Policy)	Exceptional Circumstances (Policy 1 of the Core Strategy Test)	Weight to be afforded (limited/moderate/substantial)	Impact in balancing exercise (negative/neutral/positive)
BENEFITS					
1.	Economic Growth	This is a benefit as the proposals relates to an existing enterprise with a strong affinity with agriculture. The proposals will enable an existing business which provides an important source of local employment to compete within the market and continue to contribute to the local, regional, national, European and global economy	This is an exceptional circumstance as supporting a strong local economy is a key priority within the Council's Corporate Strategy and this company contributes to more than the local and regional market as it operates within both the European and global markets.	Substantial	Positive
2.	Removal of the approved 30m high chimney	This is a benefit as the existing site is fairly well contained and the approved chimney would have been visible within the surrounding area. From a visual amenity perspective the proposals will reduce the impact on the visual assessment of the area	This is an exceptional circumstance as the site can assist in contributing to the 5 purposes of Green Belt.	Substantial	Positive
3.	Enhanced buffer planting creating a self-contained site.	From a visual amenity perspective the proposals will reduce the impact of the development on the visual assessment of the area	This is an exceptional circumstance as the site can assist contributing to the 5 purposes of Green Belt.	Substantial	Positive
4.	The development will create construction jobs, which have acknowledged economic benefits along the supply chain.	At a national level the Government is committed to securing economic growth in order to create jobs and confirms that significant weight should be placed on the need to support economic growth through the planning system.	This is not an exceptional circumstance as any job creation would just be during the construction process and the specialist nature of the construction reduces the potential for a local workforce	Moderate	Neutral
5.	Biodiversity/	This is a benefit as this will provide a	This is not an exceptional circumstance as	Moderate	Neutral

	Ecological Enhancements-Woodland Management Plan	suitable framework for management of the existing woodland/ biodiversity areas which is considered to contribute to good woodland management and result in a net biodiversity gain	whilst management of woodland is always considered to be a benefit the majority of the planting is a result of the development which has occurred on the site to mitigate the impact of the built development		
6.	Reduction in traffic movements	This is considered to be a benefit as the nature and size of the business generates significant large vehicle movements over a 24 hour period and the proposals will reduce the transport demands associated with production at Plocks Farm	This is considered to be an exceptional circumstance as it reduces the need to travel in accordance with Strategic Objective 3 of the Core Strategy	Substantial	Positive
7.	Improved flood defence proposals	Strategic Objective 23 of the Adopted Core Strategy seeks to manage flood risk and the impacts of flooding. Policy 29 of the Core Strategy seeks to reduce the risk of flooding by: (d) Appraising, managing and reducing flood risk in all new developments, avoiding inappropriate development in flood risk areas (h) Seeking to maximise the potential of Green Infrastructure to contribute to flood relief. It is considered that the scheme will assist in reducing river flooding, will address surface water flooding on the area and involves a green earth mound which seeks to contribute to flood relief	This is considered to be an exceptional circumstance as it assists with meeting the Council's Core Strategy Strategic Objective's	Substantial	Positive
8.	New rainwater harvesting system	This is considered to be a benefit to enable the control of runoff at source and to promote greywater re-use within the site. This is a key priority at both a national and local level to meet the challenge of climate change and reduce flood risk	This is not considered to be an exceptional circumstance as although it assists with the Council's Core Strategy Strategic Objective's the surface water runoff at this site can be directly attributed to the amount of hardstanding and building which have been constructed on this site.	Moderate	Neutral

9.	CHP Scheme	This is considered to be a benefit as this part of the scheme will deliver significant overall reductions in carbon emissions at the site through the efficient onsite generation of electricity.	This is considered to be an exceptional circumstance as it will assist in reducing energy use and carbon emissions in accordance with the Council's Core Strategy Strategic Objective's	Substantial	Positive
DISBENEFITS					
	Material Consideration	Concerns		Weight to be afforded (limited/ moderate/ substantial)	Impact in balancing exercise (negative/ neutral/ positive)
1	Inappropriate development in the Green Belt	The proposals are inappropriate development within the Green Belt which is, by definition, harmful to the Green Belt		Substantial	Negative
2	Impact on openness	It has been concluded that the proposals will impact on the openness of the Green Belt. 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.		Substantial	Negative
3	Visual Impact- larger building	The proposed Ingredients Kitchen/Fridge/ Larder introduces a higher, larger building on this part of the site which will be visible above the tree lines.		Moderate (in the short term). Limited (in the long term when the growth of the Woodland will provide total screening)	Neutral

Visual Impact

31. 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.

32. 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.

33. 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.

34. As the development falls to be considered inappropriate development the landscape/ visual impact of the proposed development is a key material consideration in terms of the overall balance as to whether there is harm. In this regard the application is supported by a Landscape and Visual Impact Assessment (LVIA).
35. The development site generally benefits from a high level of containment created by the local topography and existing trees, hedgerows and planted areas around the boundaries

of the site. The majority of the site is effectively 'screened' when viewed externally. As a result, the visual effects associated with the proposed development are relatively limited.

36. Part of the 2015 development (shown on the current Masterplan) is the introduction of the CHP Station (replacing the approved Energy Centre) whilst the Hot House is a new use for the approved IBC Store. The LVIA asserts that in terms of substitution these are both of similar scale and thus have a nil effect on the landscape setting.
37. The most significant part of this development is the replacement of the approved AFPS with the Ingredients Kitchen/Fridge/ Larder, and the adjacent Meat Kitchen which increases the floor area and introduces a higher building. The LVIA asserts that the effect of the change is of minor significance as the roofline of these buildings will break the canopy line of the screening woodland, but that this is a short-term effect as the continued growth of the Woodland will provide total screening.
38. The proposed Ingredients Kitchen/Fridge/Larder/Meat Kitchen grouping allows for opportunities for architectural detailing to fragment their size by measures such as steps in the roofline and subtly contrasting shades of colour in the cladding. The LVIA asserts that when viewed from the side the proposed new building, though larger than the approved AFPS, is better integrated into the surroundings.
39. The most significant visual improvement is the removal of the 30m high chimney (approved but not implemented). The chimney would have provided a prominent landmark in the landscape, its removal is of benefit, and keeps the local landscape character unchanged.
40. This assessment has been reviewed by the Council's Parks and Open Spaces Officer who has confirmed that from a landscape and visual perspective, the most significant difference between the 2015 masterplan and 2010 masterplan is the height of the Ingredients Kitchen / Meat Kitchen / Fridge/ Larder (2015 masterplan) as compared to AFPS (2010 masterplan). The photomontages demonstrate that, in the short term, a limited number of views towards the site will be adversely affected by the introduction of this built form. This is particularly evident in Photomontage Viewpoints 4 (View from Carr Lane roundabout) and 7 (view from the canal bank) illustrating the 2015 scheme on completion as below:

Viewpoint 4 - View from Carr Lane Roundabout



2015 MASTERPLAN REVIEW - PHOTOMONTAGE (VP4)

Viewpoint 7 - View from the Canal Bank at the bottom of Plox Brow, Tarleton



2015 MASTERPLAN REVIEW - PHOTOMONTAGE (VP7)

41. However, this temporary increased visibility of the Ingredients Kitchen/Meat Kitchen / Fridge/ Larder must be considered in the context of the removal of the 30m chimney flue from the 2010 proposals (the following montage includes the projection planting):.



2010 PERMISSION - VP4 WITH 30M CHIMNEY (P33) (REF09/00738/FULMAJ)
*Note - Image includes projection planting

42. In addition, the mitigation measures proposed by the applicant in the form of architectural cladding will help to break up the visual mass of the proposed building and allowing the built forms to sit more comfortably in their landscape surroundings. The LVIA also acknowledges that advance planting will continue to mature so that 10 years following the completion of the scheme these viewpoints will have significantly improved due to the further maturation of the woodland planting.

View from Carr Lane roundabout



2015 MASTERPLAN REVIEW - PHOTOMONTAGE (VP4) +10 YEARS

View from the canal bank



2015 MASTERPLAN REVIEW - PHOTOMONTAGE (VP7) +10 YEARS

43. From a visual impact perspective it is considered that omission of the 30m high chimney from the scheme which would have been visible within the surrounding area and creating

a self-contained site which effectively integrates the complex into the local landscape benefits the visual characteristics of the area which is a material planning consideration when assessing the harm created to the Green Belt. On balance, the 2015 proposal will not result in a significantly greater level of visual intrusion than the approved scheme on this site.

Green Belt Conclusion

44. It is considered that the development of the site is inappropriate development that would result in significant harm to the green belt. The benefits listed above do not individually amount to very special circumstances however when taken together, cumulatively, they are material. The consideration is whether the potential harm to the green belt by reason of inappropriateness, and any other harm, is outweighed by other considerations.
45. In this case it is considered that the proposals will support the economic growth within this rural area. At a national level the Government encourages Local Authorities to support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings. The DEFRA publication: Towards a one nation economy: A 10-point plan for boosting productivity in rural area (August 2015) confirmed that the Government wants to harness the enormous economic potential England's rural areas have to offer. This follows from the Treasury Publication: Fixing the foundations: Creating a more prosperous nation (July 2015) which confirms that the Government will ensure that rural areas can also contribute to, and benefit from, productivity growth. At a local level the Council is committed to economic development and if this planning application is successful the business may be eligible to apply for a Chorley Business Investment Growth (BIG) grant.
46. This is a well-established company that is growing and expanding. Since 2009, the company has grown from 209 to 439 employees and from a turnover of £44m to £77m, a growth of 75%. There has also been significant growth in their exports, increasing by 37%. This expansion plan has an estimated cost of £31m.
47. The proposals involve investment in new facilities and technology which will mean that the production process and manufacturing flow will be made more efficient and streamlined. The new manufacturing layout will allow the company to operate a 'Just in Time' manufacturing process, increasing competitiveness. By separating raw materials from production, this will improve hygiene and reduce the potential for cross contamination.
48. Another key driver for this significant investment is to reduce their manufacturing cost per tonne. This has increased from £219 in 2009 to £419 in 2015. By making the production process more efficient with less handling, the objective of the applicants is to reduce this cost to the market level of £250 per tonne, improving their competitiveness and safeguarding jobs. This projected high growth in turnover will have an impact on job creation through trade customers and local suppliers and as the majority of employees live locally, it is estimated 63 jobs in the local area are supported indirectly through employee local spending.
49. It is considered that all of the above including the benefits associated with the proposed development listed above amount to very special circumstances which outweigh the harm to the Green Belt.

Ecology and Biodiversity

50. The main part of the proposed development involves extending the built development at the complex onto a previously undeveloped field (although this land forms part of the wider complex) to the north of the existing buildings closer to the River Douglas. The application is supported by an update to the 2009 Ecology, Biodiversity & Nature Conservation chapter of the Environmental Statement (ES).
51. The site, excluding the River Douglas, supports habitats of site-local value only. The habitats directly affected include areas of amenity grassland, bare ground, ephemeral/short perennial habitats and a small (approx. 0.25ha) formal stand of juvenile trees.
52. The River Douglas is a Biological Heritage Site (BHS) and therefore of County importance. The individual habitats affected include coarse low-diversity grasslands, salt-marsh communities and fen. The grassland and fen communities are very common nationally, while the salt-marsh communities are very common components of upper salt-marsh zones in the UK. Were these habitats to be evaluated outside the BHS, they would be of site-local importance only.
53. The construction phase will have a negligible effect on all habitats outside of the River Douglas BHS, and a slight adverse effect is predicted on the BHS. The effects in all instances are reversible. The adverse effects are sustainable and can be managed through a range of precautionary and enhancement measures which include the following:
- Restoration of grassland habitats on the river bank.
 - Woodland thinning/removal of non-native species in immature stands.
 - Improvement/creation of woodland-edge habitats at the amenity grassland/woodland interface.
54. The bird fauna of the site is unremarkable, typical, and of site-local value only. The loss of 0.25ha of juvenile woodland on birds is considered to negligible in its effect as the habitat lost has negligible value on account of its limited size, age and poor structure. No other potential impacts on nesting birds are predicted in association with the development.
55. The site overall is predominantly devoid of bat roosting potential, and the main areas where potential bat roost sites have been identified are mature trees and specific buildings on the site which will be avoided during the development. Small localised areas of Buildings 4, 5 and 17 have 'less than low' potential for foraging bats.
56. In terms of bat foraging areas, the main areas with foraging potential are located away from the development. Most of the potential foraging areas adjacent to the proposal area have low value due to poor structure, lack of associated habitats and in some instances very exposed conditions. The better foraging sites are not affected by any of the proposals. There is no loss of foraging overall.
57. The adverse effects on bats and birds are negligible and sustainable and can be managed through a range of precautionary and enhancement measures which include the following.
- The proposals do not affect any potential roost sites that are 'low potential' or above, therefore it is appropriate given the 'less than low' bat potential to apply precautionary measures during construction. These works can be managed lawfully through an appropriate planning condition. Similarly as there will be no severance of potential foraging routes, precautions in respect of the implementation of a lighting plan should be applied. This will ensure that light spillage into potential foraging routes is avoided during the operational phase.
 - The foraging potential for both bats and birds can be enhanced by the improvement of the woodland-edge habitats at the amenity grassland/woodland interface.

- Bat foraging potential can be further enhanced and maintained by the continued management of the woodlands, including thinning and removal of non-native trees. Roost potential will be increased by the provision of strategically placed bat boxes.
 - The continued management of the woodland through thinning will also improve the structural quality of the woodlands for birds.
 - Provision of dead-wood habitat for invertebrates also provides an enhanced food source for bats and birds.
58. The submitted information has been reviewed by the Ecologist at Greater Manchester Ecology Unit who has confirmed that some measures are required to protect features of ecological value on and close to the site. In particular there is potential for harm to be caused to the banks of adjacent River, and potentially to the water quality of the River, during the planned works to raise the flood defence earthworks. These earthworks also have the potential to harm the developing woodland forming the western boundary of the development site.
59. In order to protect the River the Ecologist has recommended:
- That an Environmental Construction Method Statement (ECMS) be required to be prepared for the scheme, and in particular for the works to raise the flood defence earthwork. This ECMS should include details of measures to protect the water course during the course of construction; reference should be made to Pollution Prevention Guidelines prepared by the Environment Agency, in particular PPG guidance note no 5, and Industry best practice for working close to water courses (e.g. CIRIA Guidance note no C648). Once agreed, this Method Statement must be implemented in full.
 - That full details of Landscape re-instatement on the new earthwork and the River banks should be required. Once approved the Landscape plan should be implemented in full. The Environment Agency will need to be consulted on re-instatement plans.
 - There should be no direct lighting of the water course or the flood embankments.
 - The erection of bat roosting boxes on trees or structures close to the water course.
60. The Ecologist agrees with the proposal in the ES that the small loss of woodland that may result from the scheme should be compensated for through improved management of the remaining woodland areas rather than requiring new planting. In this regard the existing Habitat and Landscape Creation and Management Plan should be updated to take into account the new proposals.
61. Following the Supreme Court ruling (*Morge vs Hampshire County Council – Supreme Court ruling Jan 2011*) the Local Authority now have a responsibility to consult Natural England on proposals which may affect protected species and ask the following questions:
- Is the proposal likely to result in a breach of the Habitats Regulations?
 - If so, is Natural England likely to grant a licence?
62. Natural England have been consulted on the proposals and raised no objection although it is noted that they have not assessed this application and associated documents for impacts on protected species. However taking into account the above it is not considered that that the proposals will result in a breach of the Habitats Regulations.
63. Following the 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.

64. 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.
65. The Framework (para 118) confirms that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
66. As such the Framework adopts a tiered/ cascade approach in that the first two tests relate to whether the development is in the public interest and whether there is an alternative to developing the site. The development is directly related to the expansion and economic development of this business and creating a sustainable business process on this existing site. The business needs to expand to meet the growing needs of the business and to compete globally. The initial development of the site represented farm diversification which is appropriate within this rural area. As such it is considered that the first two derogation tests and the alternative site test within the Framework are met in that there is no satisfactory alternative to enable the expansion of this business within the local area.
67. The next test is whether a favourable conservation status of protected species will be maintained and whether the biodiversity impacts are adequately mitigated. As set out above no significant adverse impact on protected species or biodiversity are identified and any impacts can be addressed by precautionary and enhancement measures. As such it is considered that the Local Authority has engaged with the three tests of the Habitats Directive and the guidance contained within the Framework and from an ecological perspective the proposals are acceptable.

Trees

68. As set out previously the site is densely vegetated and as such the application is supported by an Arboricultural Impact Assessment. In respect of the site one tree, eight groups of trees, five woodlands, and three hedges were surveyed. One group and one woodland have high retention values, one woodland has a moderate retention value, one tree, six groups, three woodlands and three hedges have low retention values and one group is considered unsuitable for retention.
69. Tree removal to necessitate the development includes removing parts of existing groups, removal of 2 Horse Chestnuts to facilitate the access to the proposed car park. The trees to be removed are categorised as retention category C and U which are low quality trees and not worthy of protection by a Preservation Order. It is considered that the tree loss to facilitate the development can be adequately mitigated for though improved management of the remaining woodland areas as confirmed by the Ecologist.
70. The proposed woodland area to the south of Plocks Farm (adjacent to the A59 hedgerow) was included in the 2009 approval (09/00738/FULMAJ) but has yet to be planted, the delay was caused by the need to use the area for temporary storage as part of developing facilities on a relatively confined (and operational) site. The woodland is seen as an important part of the setting on this quarter, particularly from Bank Hall and Bank Bridge. It is scheduled for planting in the season 2015 -16. The 2009 Masterplan also included planting along the river bank to the north and east of the Farm. This will be planted as part of the finishing of the flood bank raising works (it is noted that the ecologist has requested that full details of Landscape re-instatement on the new earthwork and the River banks should be submitted. As the proposals now involve raising the height of the banking this can be secured by condition).
71. As noted above concerns have been raised about the impact of building 45 from a neighbour who occupies a listed building due to the fact that the landscaping within the north east part of the site includes gaps. To mitigate the impact the agent has confirmed

that a separate planning application for a landscaped mound and tree planting, to reinforce the screening at the north east end of the site, will be submitted before 15th December Committee. The applicant has spoken directly to the neighbours concerned to confirm this way forward. This will form part of a separate planning application as this part of the site includes both overhead and underground services and although agreement will be sought from the relevant service providers this may take longer than the timescales prescribed as part of this application hence the separate application. The proposed tree planting includes Alder, Pine and Oak trees along with understorey planting including Hawthorn, Holly and Elder in accordance with the request made by the neighbour. Carr House is a Listed Building and the Conservation Officer has considered the impact of the proposals on the setting of this Listed Building. The Conservation Officer does not consider that the proposed development will adversely impact on the setting of this Listed Building given the degree of separation maintained and the existing planting although it is noted that any additional planting will be a benefit to the wider area. New planting is not required to overcome harm but will provide additional benefits and supplement the visual screen detailed in the above photomontage when viewed from Carr Lane roundabout (above) as follows:



Noise

- 72. The business at the site is a manufacturing process and as such noise generation as a result of the proposals is a consideration. In this regard the application is supported by an update to the 2009 Noise Assessment.
- 73. The 2010 planning approval (09/00738/FULMAJ) contains a condition on sound emissions, as follows:
 “16, Upon Commencement of operations in Building 22, as shown on the approved Masterplan (drawing 12), the rating level of noise from development hereby permitted shall not exceed 44 dB (LA_r) for 5 minutes between 2300 and 0700 hours daily, recorded in a ‘free-field’ location at properties east of the site on the A59 Liverpool Road. The properties are identified on the approved Masterplan.
 Reason: To secure effective control over noise levels experienced at certain local residential properties close by and in accordance with Policy EP20 of the Adopted Chorley Borough Local Plan Review”.
- 74. The 44 dB limit value was informed by the findings for background sound levels at Liverpool Road to be typically 40 dB overnight. The recent development of housing at Plox Brow to the west of Plocks Farm has brought residential neighbours closer to the site and in particular closer to elements which have the potential to generate audible sound at night. It would therefore be prudent for the new housing to be considered as an additional receptor to Liverpool Road. For consistency with the Liverpool Road receptors, a limiting sound level at Plox Brow would be one that (as a rating level) is no more than 4 dB above the typical night-time background sound level.
- 75. Policy 28 of the Adopted Core Strategy relates to renewable and low carbon energy schemes, which is applicable to the proposed CHP plant, and states that any noise, odour, traffic or other impact of the development should be mitigated so as not to cause unacceptable detriment to local amenity. In terms of the proposed elements of this application the noise impact is as follows:

Building Reference	Description	Noise
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45	Ingredients Kitchen	<p>Building 45 would incorporate a basement plantroom for the milling equipment. Being below ground level and within a masonry plantroom, the sound from the mills has the opportunity to be substantially attenuated.</p> <p>The 2009 assessment of sound levels for the mills predicted a sound level of 39 dB to the nearest dwelling on Liverpool Road at 90 metres distance.</p> <p>The expectation is that the primary sound source associated with the Ingredients Kitchen would be substantially within the current 44 dB limit value for the night-time period at Liverpool Road residential properties.</p> <p>For existing and proposed residential development at Plox Brow to the west, the extrapolation of sound from the Building 45 mills plantroom (a distance of approximately 320 metres) would equate to a sound level of 28 dB</p>
46	Meat Kitchen	<p>Building 46 would sit closest to Plox Brow and housing at that location. The east elevation would feature the loading bay with its doors for goods access and egress. The west elevation to Plox Brow would not incorporate doors, other than personnel doors for means of escape.</p> <p>There is the potential for moderately high levels of sound to be generated by the meat preparation processes. It is prudent to enclose (acoustically) machinery that is particularly noisy and that is the intention for this development.</p> <p>The Assessment forecasts a sound level at Plox Brow dwellings of 30 dB. This would be satisfactory in the context of a 39 dB limit at night. It is not expected for goods delivery doors nor personal doors to be in regular use during the night-time period.</p>
47	Fridge	<p>The source of sound associated with the Building 47 Fridge would be external dry-air cooling (refrigeration) fans. Their location is currently not finalised, nor the extent or specific type of equipment. This would be evaluated in detail through condition discharge at a future point.</p> <p>The illustration in respect of the noise assessment finds that cooling fans could generate a level of 29 dB at dwellings to the west. This is within a suggested reasonable limit value.</p> <p>Cooling plant would need to be selected in the first instance with low sound emissions in mind, and sited so as to benefit from shielding by other buildings or structures so that the resultant level at Plox Brow was compatible with other source contributions.</p>
48	Larder	<p>Sound levels within the larder are not expected to be of significance given this Building 48 would be a store.</p>
49	AD Process	<p>Sound would arise from the odour control system fan associated with the proposed installation. Fan noise has been successfully controlled at the Bio-Bed facility identified at Building 32 on the Masterplan. The same principle of sound level control would apply, that comprising acoustic-</p>
51		
54		

		<p>grade enclosure for fans and associated ductwork, plus attenuators where necessary.</p> <p>The illustration in respect of the noise assessment states that the level of fan sound emission via a stack would be satisfactory in relation to a suggested limit value at Plox Brow and the permitted level at Liverpool Road.</p>
50	CHP Station	<p>The primary source of sound likely to apply to the CHP installation would be the fan-powered coolers external to the plantroom. The information available to date on these indicates a sound level of 60 dBA at a distance of 10 metres. Sound emanating from the insulated cladding of the CHP Building 50 itself would be controlled by way of enclosures (within the building) of the engines and air intake/exit points would be attenuated. The actual exhausts for the engine would pass through heat exchangers and the boiler before exiting to atmosphere. Exhaust silencers would still be a part of the system.</p> <p>It is understood the sound emission value at the exhaust stack termination point would typically be 55 dBA at 10 metres.</p> <p>The illustration in respect of the noise assessment finds the primary sources of the CHP facility could generate a level at the closest dwelling of 35 dB. Compared with the permitted rating level limit of 44 dB this value would be satisfactory.</p> <p>In the direction of Plox Brow, the separation distance would be approximately double (at 400 metres) and the corresponding level of CHP fan and exhaust sound would be 6 dB less, at 29 dB. This would be satisfactory in the context of the suggested 39 dB limit.</p>
52	Hot Room (for Raw Materials)	<p>This would be the same as the Building 21 (store) approved following the 2009 ES submission. No sound of significance is expected to arise. Building 52 may provide some acoustic shielding of site sound to Windmill Cottages.</p>

76. The proposed development also includes the erection of a 5m high acoustic fence which has already been erected within the site (as such consent is sought for this element of the scheme on a retrospective basis). The fence is located adjacent to the existing buildings on the site. This fence was erected to give a quick and immediate response to complaints from residents on Mill Brow, opposite the site during 2012.

77. West Lancashire Borough Council have no objection subject to conditions in respect of the following:

- Noise- to ensure that the conditions include a representative location for Plox Brow, Tarleton residents and encompass a noise monitoring scheme for the noise sensitive receptors in West Lancashire.
- Lighting- to ensure the impacts on the West Lancashire residents are taken into account
- The inclusion of an environmental management plan condition which includes no activity that results in noise being audible at the boundary of the development site shall occur outside of the hours of (i) 0800 - 1800, Monday to Friday; (ii) 0800 to 1300, Saturday. Additionally no such activity shall occur on Sundays and Bank Holidays.

78. Points 1 and 2 have been addressed within the suggested conditions.

79. In terms of the environment management plan condition the following condition was attached to the 2010 permission and it was proposed to reflect this on any new permission at this site:
No development shall take place for any of the phases to be shown in the phasing plan, including any works of demolition, 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:
- operating hours during which works of construction or demolition or works incidental thereto shall take place;
 - the parking of vehicles of site operatives and visitors;
 - 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 and
 - a scheme for recycling/disposing of waste resulting from demolition and construction works.
80. The applicants have raised concerns with West Lancashire's request in terms of the construction hours for the following reasons:
- 1) It would retrospectively restrict the current operations particularly on Sundays or bank holidays
 - 2) For the 2 year construction phase, the applicants have engaged European contractors who have specialist skills to install parts of the plant. They are required to work for 10 continuous days, followed by 4 days off site. While working on site they will be working from 7.00am to 7pm
 - 3) The methodology used by the noise consultants and environmental health involves an acknowledgment of background noise levels over a 24 hour period and restrictions (where necessary) then take account of best practice e.g. WHO guidance. The context, here an established industrial complex, is a material consideration.
 - 4) The applicants have consulted with their noise consultants (Sharps Redmore) on WLBC's proposed wording and the former have advised that the relevant British Standard is helpful. BS5228-1:2009 + A1:2014 is a Code of Practice for noise and vibration control on construction and open sites. Part 1: Noise is the relevant section. This expressly deals with the impact of noise from construction operations. Annex E therein provides comprehensive guidance on thresholds for sound for daytime, evening, night-time and weekend periods, acknowledging (as one would imagine) that such out-of-hours working is commonplace. The applicants along with their noise consultants consider that a condition stating that construction works should to be inaudible at the boundary is impractical, unnecessary and unreasonable and would prejudice the project
81. As such given the site specific considerations of this business and the history of this site (2 major planning approvals without such time restrictions) the planning condition as previously attached is considered to be appropriate.
82. It is important to note that from a noise perspective (and odour addressed below) this site is a permitted site with the Environment Agency. The applicant has informed the Environment Agency of the proposed plans and the applicant has been advised that a permit variation may be required to change/add new activities in their Environmental Permit. The Environment Agency has advised the applicant to consider the proposal of the combined heat and power system as a new permitted activity or a directly associated activity to the existing permitted operations as a minimum.

83. As such it is considered from a noise perspective that the impacts can be fully addressed by suitable conditions and any increase in the construction hours will be considered when the relevant discharge applications are submitted.

Odours

84. The business which operates from the site is a pet food manufacturer which has associated odours. Clearly the way forward the applicant's wish to pursue which includes the use of fresh raw materials which are cooked as part of the process also has the potential to create odour, and the concern of one the of the neighbouring residents is noted in this regard.
85. The supporting information confirms that odour complaints have reduced from the period between 2010 to 2012 when an average of 110 per annum were received, to a total of two per annum for the years ending 2013 and 2014. This is directly related to the implementation of the major odour abatement system which formed part of the 2010 planning permission. Odours are now reduced to 20% below the approved limit and as such the approved 30m high chimney is no longer required.
86. This application is supported by an odour impact assessment as this application seeks to construct a more permanent solution to controlling odour emissions from the plant from both the existing production facilities and for proposed future upgrades in raw materials reception and processing plant. This process is split into 4 phases as follows:
87. Under Phase One of its development proposals the Company proposes to construct three new wet scrubbers and biofilters to treat air extracted from:
- Process air extracted from the current Lines A, B & C
 - Process air extracted from a proposed new production line - Line D
 - Factory headspace extraction from the building housing Line D
 - Raw materials tipping areas for Lines A, B & C
88. Phase Two of the proposals will involve a review of the effects of the biofilters constructed in Phase One with results assessed both by emissions testing, using odour sampling and olfactometric analysis to quantify emissions, and by local subjective assessments in the area around the plant. The results of the objective odour sampling and analysis will be compared with the predictions derived from the modelling described in the submitted odour assessment. If the monitoring shows that odour impact is above target levels, and/or exceeds the "limits" derived in dispersion modelling, then enhanced dispersion arrangements will be used improve dispersion of treated odours off the biofilters.
89. Under Phase Three of the development plans the Company proposes to construct a further two new wet scrubber and biofilter sets to treat air extracted from the following sources in addition to that treated by the new Phase One biofilters:
- Process air extracted from a proposed new production process line - Line E
 - Factory headspace extraction from the building housing the current Lines A, B & C (air currently treated by activated carbon filters)
 - Additional raw materials storage areas within the extended plant
 - Air extracted from the Effluent Treatment Plant (air currently treated by a series of small abatement plants)
90. Phase Four of the development proposals will involve a further review of the impact of the biofilters constructed in Phases One and Three, as carried out under Phase Two. Again, if the monitoring shows that odour impact is above target levels, and/or exceeds the "limits" derived in dispersion modelling, then additional or enhanced dispersion arrangements will be used improve dispersion of treated odours off the biofilters.
91. The submitted assessment concludes that experience at this site with existing biofilters has shown that long residence time biofilters following pre-treatment with wet scrubbers will provide more effective odour abatement than has been achieved at comparable plants using wet chemical scrubbers and cold plasma systems. Although there is some uncertainty about predicting the performance of any abatement plant before it is actually

running practical experience from the Company's existing biofilters, which have relatively basic pre-treatment of air by simple wet scrubbers, suggests that more elaborate scrubbers and biofilters should be able to achieve treated air odour concentrations of less than 1,000 ouE/m³. If this is achieved then biofilters will provide effective control of off-site odours with treated air discharged through stacks at around 12m above ground.

92. If the proposed biofilters fail to achieve the expected levels of odour abatement the assessment concludes that it is important the Company are prepared with a "fall back" position of additional odour mitigation at relatively short notice so that the duration of any off-site odour impact is limited. The most sustainable additional mitigation measure would be the use of stack of around 30m to improve dispersion of residual odours treated air off the biofilters.
93. The above phases will be secured by condition and it is considered that the measures proposed along with the fact that this is a permitted site with the Environment Agency will satisfactorily address an potential odour impacts at this site.

Flood Risk

94. The applicants work closely with the Environment Agency given the proximity of the site to the River Douglas and the fact that the banks of the river overflowed during recent past extreme flooding events. The application sites falls within Flood Zones 1, 2 and 3 and as it sits behind raised embankments the defined Flood Zone 3 areas constitute defended floodplain. This scheme includes repairs to the river embankment and due to the size of the development this has been reviewed by both the Environment Agency and Lancashire County Council as the Lead Local Flood Authority.
95. LCC originally objected to the scheme however following further discussions with the applicant's drainage consultants and the Environment Agency which resulted in the production of an updated assessment they have removed their objection subject to conditions. This reflects the Environment Agency comments on the proposals.
96. Appropriate flood resistant and resilient measures have been designed as part of the scheme which can be secured by condition. Measures to upgrade the existing on site drainage system to manage surface water from impermeable surfaces has been proposed which includes a new rainwater harvesting system to allow for the control of runoff at source and to promote greywater re-use within the site. In conclusion the Flood Risk Assessment demonstrates that the site is at a low risk of flooding from all sources and includes measures to manage the residual risk. The proposed development would not result in an increased risk of flooding to the site or the land outside of its boundary.

Transport and Highways

97. Due to the nature and scale of the proposed development the application is supported by a transport assessment. Golden Acres currently have two core sites, the manufacture of pet food is undertaken at Plocks Farm with the distribution of finished product at the 'R2' distribution site at Buckshaw Village in Chorley. Under current production levels, even the off-site storage at R2 Buckshaw is fully utilised and so GA has leased a further storage facility in Much Hoole in Lancashire, known as 'Longton Unit 2'. This facility is used solely for the storage of finished product.
98. The proposals will result in a reduction in trips relating to the movement of raw materials and finished product thus reduce the transport demands associated with production at Plocks Farm. Staff levels will not increase as a result of the proposals and so there will be no impact to employment trips.
99. Currently, 65,000 tonnes of finished product is produced annually at Plocks Farm. The production from the plant is constant across the year and the plant is in operation 24 hours a day and 365 days a year. Transport associated with the operation of the plant using current production processes can be broken down into the following categories:
- Transfer of Raw Materials- at current production levels, the movement in raw materials accounts for on average 98 trips per day

- Transfer of Finished Product- at current production levels, the trips associated with the movement in packed finished product accounts for 71 daily trips
 - Other Trips- at current production levels, trips associated with employment are estimated to be 328 trips per day.
100. In order to transfer finished product from Plocks Farm to R2 and Longton Unit 2, an articulated HGV runs between the sites, 24 hours a day, 7 days a week. During each trip from Plocks Farm, the HGV carries a full load of 25 tonnes of finished product and on the return legs it carries empty pallets and packaging which is where possible, reused or recycled. The logistics of the HGV has therefore been designed to reduce potential trips on the highway network.
101. Currently around 439 staff are employed by GA with around 359 employed at Plocks Farms and the remainder based at the distribution centre at R2 Buckshaw. Production is undertaken 24 hours a day, 7 days a week. Two 12 hour shifts are undertaken in a 24 hour period with the shifts starting and finishing at 6am and 6pm.
102. The proposed development will not increase the productive capacity of the plant, but will increase storage facilities for raw ingredients and finished products. The development proposals will enable a significant reduction in the need for trips associated with off-site storage of raw materials and finished product. It is estimated that the development proposals will result in a reduction of 99 (-41%) HGV trips per day from the local highway network
103. The proposed car park will provide approximately 150 spaces, which will reduce congestion in the car park during shift changes. As the proposed development will not increase the number of staff on site, there will be no increase in staff trips to the plant.
104. Lancashire County Council Highways have considered the proposals and confirmed that the proposals are acceptable from highways safety point of view; however, to prevent any more increase in the level of traffic generation a condition to ensure that the proposed buildings do not serve any other uses other than those described has been recommended.
105. The Engineer has pointed out that there is a discrepancy in the net additional gross internal floor space indicated in the Transport Assessment and that shown on the planning application form however the Engineer's response is based on the higher GFA figure provided.
106. The existing 88 car parking spaces on site are to be increased to 150 although no additional staff to the existing 359 will be employed. Based on the 150 spaces, a total of 8 disabled parking spaces should be provided and provision should be made for secure and covered storage of 21 bicycles and 9 motorcycles in accordance with the Chorley Council Parking Standard (Policy ST4 of the Adopted Local Plan). This can be secured by condition.

Sustainable Resources and Energy Impact

107. The works done at the site in recent years has increased the electricity base-loads which has resulted in increased levels of carbon emissions, such that the target reductions in Specific Energy Consumption (SEC) demanded by the Climate Change Agreement (CCA) are currently exceeded by a significant margin.
108. To address this issue the proposed development includes the introduction of a 2MWe CHP engine fuelled with natural gas and an anaerobic digester plant coupled with a 500kWe CHP engine.
109. The submitted Energy Impact Assessment concludes that the introduction of the two proposed CHP schemes would deliver significant overall reductions in carbon emissions at the site through the efficient onsite generation of electricity. Based on electricity and gas forecast demands over the course of the 10 year plan, carbon emissions would be

approximately 25% lower when compared with the scenario without onsite generation. This is largely achieved by a 56% reduction in electricity taken from the grid, albeit with a 24% increase in natural gas required to fuel one of the CHP schemes, when compared with the scenario without onsite generation.

Public Consultation

110. In accordance with the Council's Statement of Community Involvement prior to submitting this application the applicants undertook an Open Day on Sunday 5th July 2015 to which all residents of Bretherton and those in Tarleton located in close proximity to the site were invited. A letter and brochure were also sent to all Parish Councillors of Tarleton and Bretherton, together with the District Councillors of Chorley Council advising them of the proposals and inviting them to view the site on a day to be arranged following receipt of the comments from the Open Day. A letter and brochure was sent to the MP for the South Ribble constituency, Seema Kennedy, inviting her to attend the Open Day.
111. The Open Day was held between 10.00am and 4.00pm and a total of 140 visitors attended site for a tour around the factory and to view the proposals with 82 questionnaires being completed at the end of the tour which allowed visitors to express their views on the proposals.
112. Following the Open Day GA Pet Food Partners wrote to all those that attended and responded to the comments received.
113. The vast majority of these were supportive of the proposals. The main comments received were transport related comments as follows:
114. Improved Signage – The comments recommend improvements to signage for the plant applies to drivers who are unfamiliar with the location of the Plocks Farm site access. Drivers who are unfamiliar with the location of the access road will be those making deliveries from 3rd party suppliers. The applicant will seek to reduce the chances drivers missing the access to Plocks Farm by enhancing the information that is issued to 3rd party delivery companies. The provision of additional highways signage is a matter that the applicant is also prepared to discuss with the local highway authority.
115. HGV Traffic Turning Left - In response to the concerns over the site access, the suggestion that HGVs should only be able to turn left out of the access has been considered in relation to safety and the capacity of the junction. The A59 in the vicinity of the site access junction is considered to have a low accident rate with only 6 accidents in the last 5 years. Additionally, a highway improvement scheme at the access road was recently implemented. This has removed the ambiguity associated with unclear lane markings and provided a right turn ghost island at the site access junction. It is considered that this has enhanced safety at the access.
116. It terms of the capacity of the access to Plocks Farm, the only movements that are opposed are the movements out of Plocks Farm and the right turn from the A59 into Plocks Farm. It should be noted that traffic movements that do not relate to Plocks Farm will be unaffected by capacity issues, should they arise. Notwithstanding this, it is demonstrated that in 2020 the site access will continue to operate within capacity in its current configuration without any significant queues and delays. After consideration by the applicant to whether the site access exit should be left out only, there is no evidence base to suggest that there is an existing safety issue at the access. Additionally, if the site access was to operate over its capacity, then this would only affect vehicles related to Plocks Farm. On this basis, it is concluded that a left turn only from the access is not necessary.
117. Site Access off Roundabout - One comment suggested that it would be beneficial to provide a site access directly off the roundabout where the A59 meets Carr House Lane (B5247). Provision of such a link would displace trips from the A59 as they could instead use the new site access road. This would bring some benefits to users of the A59, along the 450m section that runs between the existing site access and the roundabout.

However the site access will continue to operate within capacity in its current configuration without any significant queues and delays and without evidence of any existing highway safety issue. Notwithstanding this, GA may in the future, wish to consider construction of a secondary access directly off the Carr House Lane roundabout, however provision of this access this would have environmental impacts that would need to be assessed.

Overall Conclusion

118. For the reasons set out above it is considered that very special circumstances have been demonstrated which outweigh the harm the proposals will have on the Green Belt. All of the other impacts can be addressed by condition.

119. If Members are minded to approve the application please note it is not open to Members to determine the application as it will have to be referred to the Secretary of State under the provisions of the Town and Country Planning (Consultation) (England) Direction 2009 as the proposal constitutes inappropriate development incorporating the provision of a building where the floor space to be created is 1,000 square metres or more and would have a significant impact on the openness of the Green Belt. The Secretary of State will then determine whether he wants to call in the application for determination or whether this can be determined at the local level.

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 proposal 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

Reference	Description	Decision	Date
77/00049/FUL	General Purpose Farm Building	Approved	29 March 1977
80/00466/FUL	Farm office and weighbridge	Approved	9 June 1980
89/01190/FUL	Erection of farm building	Approved	13 March 1990
93/00025/COU	Change of use of building to house extrusion plant with ancillary equipment	Approved	9 March 1993
93/00368/AGR	Agricultural determination for agricultural machinery storage building	Approved	18 June 1993
93/00699/FUL	Extension to farm office and weigh office	Approved	9 November 1993
93/00729/FUL	Construction of two elevator towers	Approved	6 December 1993
94/00503/FUL	Ground floor and first floor extension to farm office and weigh room	Approved	27 September 1994
94/00968/FUL	Erection of General Purpose Agricultural Building	Approved	15 March 1995
94/00969/FUL	Extension to existing building housing Extrusion Plant to accommodate Bio Filter Plant	Approved	March 1995
95/00279/FUL	Alteration of existing roofline to accommodate mixing bin,	Approved	6 June 1995
96/00044/FUL	Widening of the existing driveway and improvements to the access	Approved	1 May 1996
96/00320/FUL	Extension of existing mill	Approved	28 August 1996

	building over existing yard area incorporating rising of roof height,		
99/00132/FUL	Demolition of outbuildings, construction of bin storage building together with canteen shower block, garage, stables and stores,	Approved	7 July 1999
03/00528/FULMAJ	Extension to buildings to form produce store, tractor store, administrative and staff accommodation, raw materials store, new entrance control, landscaping and waste water treatment area,	Approved	26 September 2003
07/00843/FUL	Proposed installation of a sprinkler tank and associated pump house	Approved	5 October 2007
08/00364/FUL	Installation of fan house, three activated carbon filters and flue to control odour emissions at Plocks Farm	Approved	15 August 2008
09/00078/SCE	EIA Screening Opinion for Plocks Farm, Liverpool Road, Bretherton	EIA Required	23 February 2009
09/00236/SCOPE	Scoping Opinion for the Environmental Impact Assessment at Plock farm, Liverpool Road, Bretherton.	Comments issued	23 April 2009
09/00738/FULMAJ	Extensions and alterations to pet food manufacturing facility including an automated finished product store (AFPS); upgraded and new extrusion process lines including a sunken mill; raw material storage; odour abatement (a roofed pine bark based biological filter system including venting chimneys, one 30 metres high); waste water treatment; additional capacity of waste recovery and recycling facilities; landscaping including earth excavation and mounding; related infrastructure.	Approved	25 March 2010
10/00572/DIS	Extensions and alterations to pet food manufacturing facility including an automated finished product store (AFPS); upgraded and new extrusion process lines including a sunken mill; raw material storage; odour abatement (a roofed pine bark based biological filter system including venting chimneys, one 30m high); waste water treatment; additional capacity of waste recovery and recycling facilities; landscaping including earth excavation and mounding;		

	related infrastructure.		
10/00647/FUL	Relocation of plant to treat waste water from dry pet food production process	Approved	13 October 2010
10/01054/DIS	Application to discharge conditions no. 5 and 6 of planning permission 10/00647/FUL	Discharged	12 January 2011
10/01080/MNMA	Application for minor Non Amendment to planning application 10/00647/FUL for the relocation of plant to treat waste water (Effluent Treatment Plant)	Approved	6 January 2011
12/00032/FUL	Change of use from residential (C3) use to mixed residential (C3) use and office (B1) use	Approved	12 March 2012
12/00450/DIS	Application to discharge condition 14 of planning approval 09/00738/FULMAJ (odour assessment)	Conditions discharged	21 June 2012
12/00644/FUL	Substitute revised drawings for those noted as 'Approved Plans', to reflect changes made to the buildings to address operational requirements. For summary details please refer also to Supporting Statement (dated 22 June 2012) attached.	Withdrawn	
12/01118/FUL	Construction of a new Energy Centre and Fan House, part retrospective application for amendment to previously approved plans (under permission ref: 09/00738/FULMAJ), to allow the building to be higher than the detail approved by the Masterplan to allow the filter bags (which remove airborne dust) to be removed from within the building, and to accommodate acoustic protection. The Fan House part of the building was required to comply with condition 14 of the 2009 permission.	Approved	January 2013
13/00472/FUL	Construction of service yard - in situ concrete surfacing to existing stone area, plus structures to allow unloading and cleaning of silos which deliver raw materials to Plocks Farm	Approved	August 2013
14/00049/FUL	Construction of an acoustic enclosure building over an air extraction system	Approved	April 2014
14/00581/FUL	Construction of building for use as engineering workshop and formation of concrete	Approved	July 2014

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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 1283 1899"> <thead> <tr> <th data-bbox="320 501 612 551">Title</th> <th data-bbox="612 501 920 551">Drawing Reference</th> <th data-bbox="920 501 1283 551">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 551 612 600">Location Plan</td> <td data-bbox="612 551 920 600">14.505/100</td> <td data-bbox="920 551 1283 600">3rd September 2015</td> </tr> <tr> <td data-bbox="320 600 612 649">Masterplan</td> <td data-bbox="612 600 920 649">11G</td> <td data-bbox="920 600 1283 649">3rd September 2015</td> </tr> <tr> <td data-bbox="320 649 612 752">Extent of Flood Bank Raising With Contours</td> <td data-bbox="612 649 920 752">P2014-003-01 B</td> <td data-bbox="920 649 1283 752">3rd September 2015</td> </tr> <tr> <td data-bbox="320 752 612 801">Sections 2</td> <td data-bbox="612 752 920 801">P2014-003-02 P2</td> <td data-bbox="920 752 1283 801">3rd September 2015</td> </tr> <tr> <td data-bbox="320 801 612 851">Sections 3</td> <td data-bbox="612 801 920 851">P2014-003-04 P2</td> <td data-bbox="920 801 1283 851">3rd September 2015</td> </tr> <tr> <td data-bbox="320 851 612 900">Bund Extension Cross Section</td> <td data-bbox="612 851 920 900">P2014-003-05 P2</td> <td data-bbox="920 851 1283 900">3rd September 2015</td> </tr> <tr> <td data-bbox="320 900 612 949">Flood Bank Location Plan</td> <td data-bbox="612 900 920 949">P2014-003-06 A</td> <td data-bbox="920 900 1283 949">3rd September 2015</td> </tr> <tr> <td data-bbox="320 949 612 999">Site Plan</td> <td data-bbox="612 949 920 999">2014-040-P001 B</td> <td data-bbox="920 949 1283 999">3rd September 2015</td> </tr> <tr> <td data-bbox="320 999 612 1088">Meat Kitchen - 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	<p>Implementation shall be in accordance with that plan unless as otherwise agreed by the Local Planning Authority. Reason: To ensure effective control over the respective phases of the development hereby permitted.</p>
<p>4.</p>	<p>No development shall commence until a plan showing the phasing of the development has been submitted to and agreed by the Local Planning Authority. Implementation shall be in accordance with that plan unless as otherwise agreed by the Local Planning Authority. Reason: To ensure effective control over the respective phases of the development hereby permitted.</p>
<p>5.</p>	<p>Prior to the commencement of each phase of the development full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site) shall be submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plans. The development shall only be carried out in conformity with the approved details. Reason: To protect the appearance of the locality and in the interests of the amenities of local residents this information is required prior to the building process beginning</p>
<p>6.</p>	<p>No development shall take place for any of the phases of the development to be shown on the phasing plan until full details of both hard and soft landscaping works have been submitted to and approved by the Local Planning Authority in writing, and those works shall be carried out as approved. Those details should include proposed finished levels or contours; means of enclosure; parking layouts; vehicle access and circulation areas; hard surfacing materials; proposed and existing functional services above and below ground (e.g. drainage, power, communication cables, pipelines etc). In particular details of landscape re-instatement on the new earthwork and the River banks shall be provided at the appropriate time. The submitted information shall include:</p> <ul style="list-style-type: none"> a) Soft landscaping works shall include planting plans; written specification (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme. b) All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. c) No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority those details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surround landform. <p>The development thereafter shall be carried out in accordance with the approved details.</p> <p>Reason: In the interest of the appearance of the area and to ensure that the landscaping, which is an essential component of retaining the character of this site, is implemented at an appropriate time.</p>
<p>7.</p>	<p>None of the phases of development to be shown on the approved phasing plan shall be commenced until a habitat creation and landscape management plan, including long term design objectives, management responsibilities and</p>

	<p>maintenance schedules for all landscape areas has been submitted to and approved by the Local Planning Authority. Any loss of woodland as a result of the scheme should be compensated for though improved management of the remaining woodland areas to be set out within the submitted plan. The habitat and landscape at the site shall thereafter be managed in accordance with the approved plan as part of the wider site management unless amendments to the plan are first agreed in writing by the Local Planning Authority.</p> <p>Reason: In the interests of nature conservation, to enhance biodiversity and the appearance of the locality.</p>
<p>8.</p>	<p>All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.</p> <p>Reason: In the interest of the appearance of the locality</p>
<p>9.</p>	<p>No development shall take place for any of the phases to be shown in the phasing plan, including any works of demolition, until a Construction Method Statement has been submitted to, and approved by the Local Planning Authority in writing. The approved Statement should be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> • Operating hours during which works of construction or demolition or works incidental thereto shall take place; • The parking of vehicles of site operatives and visitors; • Loading and unloading of plant and materials; • Storage of plant and materials used in constructing the development; • The erection and maintenance of security boarding including decorative displays and facilities for public viewing, where appropriate; • Wheel washing facilities; • Measures to control the emission of dust and dirt during construction; and • A scheme for recycling/disposing of waste resulting from demolition and construction works. <p>Reason: To minimise the impact of construction on the local environment, in the interests of noise generation and highway safety this information is required prior to the building process beginning</p>
<p>10.</p>	<p>No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological investigation, recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site this work needs to be undertaken prior to the commencement of building works on the site</p>
<p>11.</p>	<p>Details of all external lighting for each approved phase of the development shall be submitted to and approved in writing by the Local Planning Authority before each phase of the development hereby permitted is used. In particular no lighting proposed should result in direct lighting of either the adjacent water course or River banks. Development shall be carried out in accordance with the approved details.</p> <p>Reason: To minimise the visual impact of the development, to protect the</p>

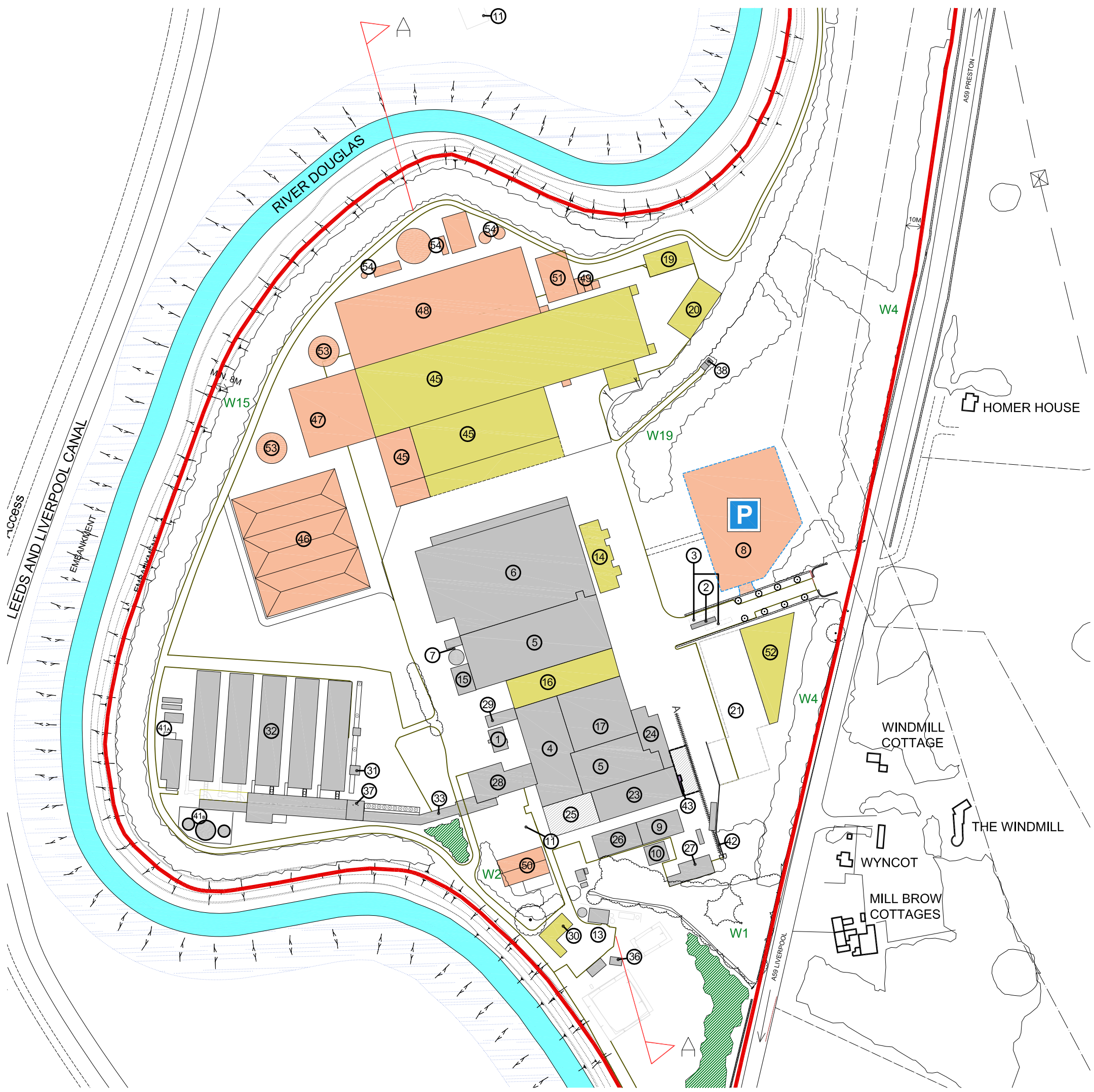
	<p>ecological value of the adjacent watercourse and to ensure that the proposed development does not result in excessive light pollution to the detriment of the neighbours amenities (including those neighbours in West Lancashire)</p>
<p>12.</p>	<p>No development shall take place until a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details. Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG</p>
<p>13.</p>	<p>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.</p> <p>Those details shall include, as a minimum:</p> <ul style="list-style-type: none"> a) Information about the lifetime of the development, 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 pre-development greenfield runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. c) Flood water exceedance routes, both on and off site; d) A timetable for implementation, including phasing as applicable; e) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates, where applicable; f) 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:</p> <ul style="list-style-type: none"> <input type="checkbox"/> the proposed development can be adequately drained. <input type="checkbox"/> there is no flood risk on or off the site resulting from the proposed development <input type="checkbox"/> water quality is not detrimentally impacted by the development proposal
<p>14.</p>	<p>No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.</p> <p>Reason: To ensure that:</p>

	<ul style="list-style-type: none"> the drainage for the proposed development can be adequately maintained. 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.
15.	<p>No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.</p> <p>Reason: To ensure that:</p> <ul style="list-style-type: none"> The construction phase(s) of development does not pose an undue flood risk on site or elsewhere; To ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.
16.	<p>All attenuation tanks and flow control devices are to be constructed and operational prior to the commencement of any other development and prior to any development phase.</p> <p>Reason: To ensure that:</p> <ul style="list-style-type: none"> site drainage during the construction process does not enter the watercourses at un-attenuated rate. to prevent a flood risk during the construction of the development
17.	<p>No part of the development hereby permitted shall be brought into use until a travel plan to promote travel by sustainable modes has been submitted to and approved by the Local Planning Authority in writing. The travel plan shall be implemented in accordance with the timetable to be set out in that plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually to the Local Planning Authority for approval for a period of ten years from the first occupation of the development hereby permitted.</p> <p>Reason: To ensure that the site is as sustainable as possible from a transport perspective.</p>
18.	<p>During the construction period all trees to be retained shall be protected by 1.2m high fencing as specified in BS3998 of 2010 – Tree Work Recommendations</p> <p>Reason: To safeguard the trees to be retained in the interest of the appearance of the area and nature conservation.</p>
19.	<p>The monitoring of noise from each phase of the development hereby permitted, to be shown on the phasing plan shall be undertaken in accordance with a noise monitoring scheme to be submitted to and approved by the Local Planning Authority in writing. The scheme for each phase shall provide full details of, and justification for, how, where, when and by whom monitoring will be performed. The scheme shall remain in place throughout the operation of the site unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To secure effective control over noise levels to protect local residents (including those residents within West Lancashire)</p>
20.	<p>The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measure detailed within the FRA:</p> <ul style="list-style-type: none"> Finished floor levels of occupied buildings are set no lower than 7.02 m above Ordnance Datum (AOD). <p>The mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied</p>

	<p>within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.</p> <p>Reason: To reduce the risk of flooding to the proposed development and future occupants.</p>
21.	<p>The proposed increase in the height of the river embankment shown on the approved plans shall be to 7.0m AOD.</p> <p>Reason: To minimise flood risks</p>
22.	<p>None of the buildings hereby permitted shall be occupied until a flood evacuation plan has been submitted to and approved by the Local Planning Authority in writing. In the event of a flood event the site and/or building(s) shall be evacuated in accordance with the approved plan.</p> <p>Reason: To ensure that appropriate measures are in place in the event of a flood event</p>
23.	<p>The premises shall be used for the extrusion of agricultural produce for the purposes of animal and pet food production only and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that order without modification.</p> <p>Reason: The site is in the Green Belt where development is strictly controlled.</p>
24.	<p>Foul and surface water shall be drained on separate systems.</p> <p>Reason: To secure proper drainage and to manage the risk of flooding and pollution.</p>
25.	<p>Prior to the first use of the car park hereby approved 8 disabled parking spaces shall be marked out on the approved car park and made available for use. The disabled car parking provision shall be retained at all times thereafter specifically for this purpose.</p> <p>Reason: To ensure the provision of adequate car parking on site for this purpose.</p>
26.	<p>Prior to the commencement of each phase of the development details of covered and secured cycle storage and associated shower and changing facilities have been submitted to and approved in writing by the Local Planning Authority. The details shall accord with the Chorley Council Parking Standards. The scheme shall be implemented in accordance with the approved details before the first occupation/use of the development. The facilities shall be retained at all times thereafter.</p> <p>Reason: To encourage sustainable transport modes.</p>
27.	<p>Prior to the commencement of the works to raise the flood defence earthwork an Environmental Construction Method Statement (ECMS) shall be submitted to and approved in writing by the Local Planning Authority. This ECMS should include details of measures to protect the water course during the course of construction; reference should be made to Pollution Prevention Guidelines prepared by the Environment Agency, in particular PPG guidance note no 5, and Industry best practice for working close to water courses (e.g. CIRIA Guidance note no C648). The development thereafter shall be carried out in accordance with the approved Method Statement.</p> <p>Reason: to protect features of ecological value on and close to the site. In particular there is potential for harm to be caused to the banks of adjacent River, and potentially to the water quality of the River, during the planned works to raise the flood defence earthworks. These earthworks also have the potential to harm the developing woodland forming the western boundary of the development site.</p>
28.	<p>Prior to the commencement of the development full details of the bat roosts/ boxes</p>

	<p>to be installed on trees or structures close to the water course shall be submitted to and approved in writing by the Local planning Authority. The approved bat boxes shall be installed prior to the occupation of the first building hereby approved. The bat boxes shall be maintained in perpetuity thereafter. Reason: in the interests of maintaining bats at the site.</p>
<p>29.</p>	<p>Prior to the commencement of the construction of building 47 details of the external dry-air cooling (refrigeration) fans shall be submitted to and approved in writing by the Local Planning Authority. Cooling plant should be selected with low sound emissions and sited so as to benefit from shielding by other buildings or structures. Full details of the noise level generated from the fans shall be detailed. The fans thereafter shall be installed in accordance with the approved details. Reason: The details of the fans and the level of noise to be generated is unknown at this point. The details are required prior to the construction process to ensure that the resultant level at Plox Brow was compatible with other noise source contributions at the site.</p>
<p>30.</p>	<p>Prior to the commencement of the construction of the CHP Station details of the fan-powered coolers external to the plantroom shall be submitted to and approved in writing by the Local Planning Authority. Full details of the noise level generated from the coolers shall be detailed. The coolers thereafter shall be installed in accordance with the approved details. Reason: The details are required prior to the construction process to ensure that the resultant noise level at nearby noise receptors is compatible with other noise source contributions at the site.</p>
<p>31.</p>	<p>The measures to control odours at the site shall be undertaken as follows:</p> <p><i>Phase 1</i> Construct three new wet scrubbers and biofilters to treat air extracted from:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Process air extracted from the current Lines A, B & C <input type="checkbox"/> Process air extracted from a proposed new production line - Line D <input type="checkbox"/> Factory headspace extraction from the building housing Line D <input type="checkbox"/> Raw materials tipping areas for Lines A, B & C <p><i>Phase 2</i> Review the effects of the biofilters constructed in Phase One with results assessed both by emissions testing, using odour sampling and olfactometric analysis to quantify emissions, and by local subjective assessments in the area around the plant. The results of the objective odour sampling and analysis will be compared with the predictions derived from the modelling described in the submitted odour assessment. If the monitoring shows that odour impact is above target levels, and/or exceeds the "limits" derived in dispersion modelling, then enhanced dispersion arrangements will be used improve dispersion of treated odours off the biofilters.</p> <p><i>Phase 3</i> Construct a further two new wet scrubber and biofilter sets to treat air extracted from the following sources in addition to that treated by the new Phase One biofilters:</p> <ul style="list-style-type: none"> • Process air extracted from a proposed new production process line - Line E • Factory headspace extraction from the building housing the current Lines A, B & C (air currently treated by activated carbon filters) • Additional raw materials storage areas within the extended plant • Air extracted from the Effluent Treatment Plant (air currently treated by a series of small abatement plants) <p><i>Phase 4</i> Further review of the impact of the biofilters constructed in Phases One and Three,</p>

	<p>as carried out under Phase Two. Again, if the monitoring shows that odour impact is above target levels, and/or exceeds the “limits” derived in dispersion modelling, then additional or enhanced dispersion arrangements will be used improve dispersion of treated odours off the biofilters.</p> <p>Reason: To ensure that the odour impact on local residents is minimised and addressed by appropriate mechanisms</p>
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- KEY**
- EXISTING BUILDINGS (CORE FARM & APPROVED BUILDINGS 2003-2014)
 - PROPOSED BUILDING (WITH PLANNING APPROVAL)
 - APPROVED BUILDINGS NO LONGER REQUIRED
 - NEW WOODLAND 2003 - 2014
 - ADDITIONAL DEVELOPMENT (2015 MASTER PLAN REVIEW)

- ① FARMHOUSE
- ② ENTRANCE CONTROL
- ③ WEIGHBRIDGE
- ④ MILL
- ⑤ PRODUCT STORE
- ⑥ EXTENSION TO PRODUCT STORE
- ⑦ PUMP HOUSE & SPRINKLER TANK
- ⑧ PROPOSED NEW CAR PARK (REVISED LOCATION)
- ⑨ EMPTY BAG STORE
- ⑩ ENGINEERING STORE
- ⑪ FORMER BIO FILTER - REMOVED 2011 -
- ⑫ TEMPORARY CARBON FILTER - TO BE REMOVED -
- ⑬ WASTE WATER TREATMENT AREA
- ⑭ OFFICE BUILDING (NOTE PROPOSED RELOCATION)
- ⑮ TRACTOR STORE
- ⑯ LINK BUILDING
- ⑰ BLENDING - APPROVAL TO BE MODIFIED
- ⑱ - NOT USED -
- ⑲ PALLET STORE
- ⑳ RECYCLING BUILDING
- ㉑ IBC STORAGE AREA
- ㉒ - NOT USED -
- ㉓ LINE D BUILDING (BLENDING EXTENSION)
- ㉔ LINES A, B, D & E COVERED INTAKE BUILDING
- ㉕ TANK FARM CANOPY
- ㉖ HOT HOUSE
- ㉗ ENGINEERS WORKSHOP AND FACILITIES
- ㉘ ENERGY CENTRE & FAN HOUSE
- ㉙ LINE C INTAKE BUILDING
- ㉚ IBC CLEANING BUILDING
- ㉛ SILO DOCKING STATION
- ㉜ BIO BEDS
- ㉝ EXTRACTION CORRIDOR
- ㉞ BIOFILTER OUTLET CHIMNEY - TO BE REMOVED -
- ㉟ BIOMASS FLUE CHIMNEY - TO BE REMOVED -
- ㊱ COOLING WATER PUMP HOUSE
- ㊲ BOILER HOUSE
- ㊳ TRANSFORMER / SWITCH ROOM
- ㊴ - NOT USED -
- ㊵ - NOT USED -
- ㊶ EFFLUENT TREATMENT PLANT
- ㊷ EFFLUENT TREATMENT PLANT TANKS
- ㊸ TEMPORARY 5M HIGH ACOUSTIC FENCE
- ㊹ SILO UNLOADING STRUCTURE
- ㊺ - NOT USED -
- ㊻ INGREDIENTS KITCHEN & COVERED YARD
- ㊼ MEAT KITCHEN
- ㊽ FRIDGE
- ㊾ LARDER
- ㊿ WET SCRUBBER
- ① CHP STATION
- ② BIOBED
- ③ HOT ROOM FOR RAW MATERIALS
- ④ ROOF AND SURFACE WATER STORAGE
- ⑤ ANAEROBIC DIGESTION PLANT

PLOCKS FARM, BRETHERTON

GOLDEN ACRES GROUP LIMITED
PROPOSED AMENDMENTS AT GOLDEN ACRES
MASTERPLAN REVIEW FEBRUARY 2015

19 OLD HALL STREET
 LIVERPOOL
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Item 3C 15/00920/FUL

Case Officer Helen Lowe

Ward Chorley North East

Proposal Retrospective application for agricultural storage building

Location Land at Philipsons farm, Higher House Lane, Heapey

Applicant Mr J Aylward

Consultation expiry: 20th October 2015

Decision due by: 16 November 2016

Recommendation Refuse

Executive Summary This is a retrospective application for the retention of a single storey lean to extension to an existing agricultural building. The application site is located within an area of other open countryside. Development will be permitted where it can be demonstrated that it is needed for the purposes of agriculture, forestry or other uses appropriate to the rural area. It is not considered that it has been demonstrated that building is reasonably required and the proposal is therefore recommended for refusal.

Representations

Heapey Parish Council no comments received
In total two representations have been received which are summarised below
Objection
Total No. received: Two
<ul style="list-style-type: none"> • The owners have recently submitted a prior approval application to convert part of the existing building in to a dwelling, this clearly indicates that the storage use is not essential and therefore does not comply with the guidelines set down by the Framework; • The explanation provided by the applicant falls significantly short of demonstrating that the proposal is needed and is reasonably necessary; • The applicant has failed to identify why the existing agricultural buildings, which form part of the holding, cannot accommodate the proposal and why the size of the building proposed is necessary. Without sufficient evidence to demonstrate the necessity of the building it must be concluded that the building is not reasonably necessary or needed; • If the building was needed and reasonably necessary the applicant would not have submitted a prior approval application to convert the building to residential use a matter of weeks before the submission of this application; • Notwithstanding the representations outlined in this letter, if the Council is minded to approve the application it is requested that any approval is subject to a condition limiting the future use of the building.

Consultees

Consultee	Summary of Comments received
Lancashire County Council Estates	<ul style="list-style-type: none"> • The application site is run as part of a business, supplying a butchers in Westthoughton; • The business owns approximately 260 acres across three site, with approximately 70 acres at the application site, 15 acres is rented on a yearly basis; • The business currently has a flock of approximately 200 breeding ewes with the male lambs sold and the female lambs fattened for sale through the butchers. 30 suckler cows are also reared within the business with a further 150 cattle bought in to fatten; • the application site is predominantly used within the sheep rearing enterprise although there were also some bulling heifers kept in one of the buildings at the application site; • In addition to the sheep and cattle, the applicant is rearing approximately 100 turkeys for the Christmas market within one of the buildings; • The applicant and his partner keep 5 horses at the application site which are stabled within one of the existing buildings;

	<ul style="list-style-type: none">• Agricultural operations are undoubtedly undertaken from the unit;• Currently three buildings with planning permission exist on site, with permission granted for the purpose of agriculture. The stabling of horses cannot be considered as agriculture and therefore the use of one of the three buildings for this purpose is contrary to the planning permission that was granted. A horse van is also kept in one of the buildings;• Whilst the building that is the subject of this application is currently used for agricultural purposes, should the non-permitted uses within the other buildings cease, then there would be sufficient space within those buildings that have planning permission to accommodate those items currently stored in the lean to.• There is no justified need for the building subject to this planning application.
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AssessmentBackground

1. This is a retrospective application for the erection of a single storey lean to extension to an existing agricultural building. The larger building was granted consent in 2004 (application reference 04/00744/FUL) and was to be used as a general purpose agricultural building. A public right of way runs to the north (FP 37) and to the east (FP 6) of the application site, but is unaffected by the proposals.
2. The applicant has stated that the extension that is the subject of the existing application was erected seven years ago and is used as secure storage for equipment and an isolation room for sick animals which require medical attention from the vet. There is also a small office within the extension.
3. It transpired that the extension that is the subject of this application did not have planning consent when an application for prior approval for the use of the extension as residential accommodation as submitted earlier this year (reference 15/00789/P3PAO).

Principle of the Development

4. The application site is located within an Area of Other Open Countryside, as identified in the Local Plan Policy BNE2 of the Local Plan is therefore applicable. This states that development will be permitted provided that the applicant can demonstrate that it is needed for (amongst other things) the purpose of agriculture or forestry, or other uses appropriate to the area.
5. The County Land Agent has advised that there is sufficient space within the buildings that do have planning consent to accommodate the uses within the extension, if the approved buildings were being used in accordance with their consent (i.e. for agricultural purposes only).
6. Furthermore, it is considered that the recent application to use the extension as a dwelling indicates that the building is not required for agricultural purposes.

Neighbour Amenity

7. The nearest residential property is Higher Healey cottage, located approximately 110m to the north east. Higher Healey House is approximately 120m to the east. The application site is at a significantly lower level than the neighbouring residential properties and well screened by mature trees.
8. It is considered that the extension is sufficiently far from the neighbouring dwellings to present any undue loss of amenity and it is not readily visible from the adjacent public footpaths.

Design and Appearance

9. The extension is constructed from concrete panels and tin cladding. The existing building to which is attached is constructed from the same materials. These are considered to be appropriate for an agricultural building and the extension is in keeping with the existing buildings on the site.

Overall Conclusion

10. The extension is not considered to be reasonably necessary for the purposes of agriculture and the application is therefore contrary to policy BNE2 of the Local Plan.

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 proposal 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.

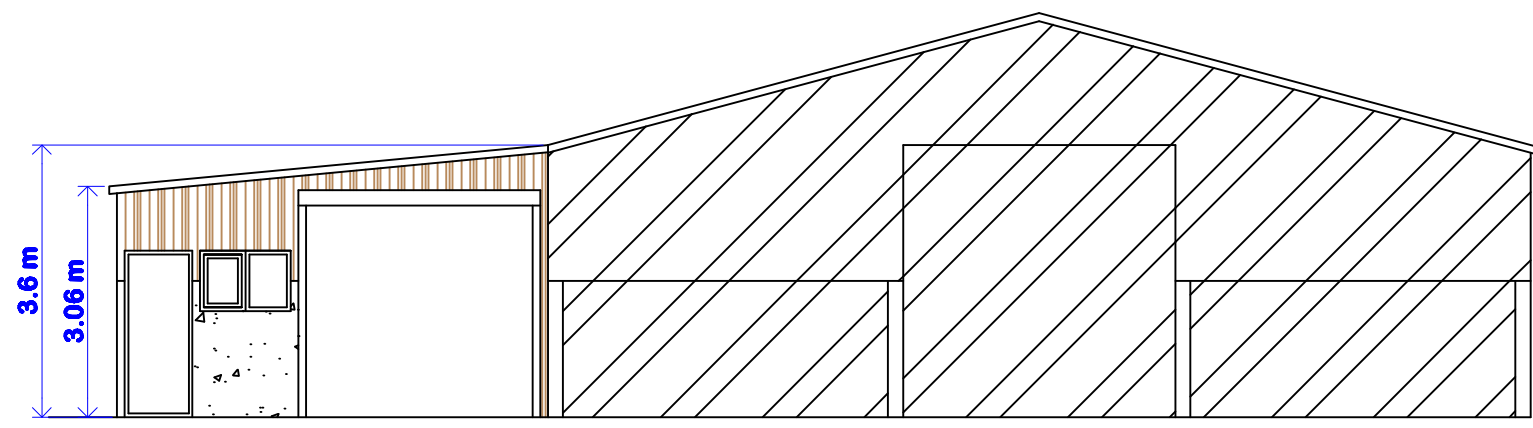
Planning History

Reference	Description	Decision	Date
02/01221/AGR	Application for Determination in respect of the erection of an agricultural storage building,	Withdrawn	24 December 2002
03/00012/FUL	Erection of agricultural building for storage & livestock,	Approved	30 April 2003
04/00354/FUL	Erection of agricultural livestock and storage building,	Refused	19 May 2004
04/00605/FUL	Erection of agricultural livestock and storage building,	Withdrawn	7 July 2004
04/00744/FUL	Retrospective application for general purpose agricultural building,	Approved	24 August 2004
04/00964/FUL	Erection of agricultural livestock and storage building,	Approved	19 November 2004
06/00160/AGR	Agricultural Storage Building	Withdrawn	20 February 2006
15/00343/FUL	Agricultural Building for Midden Storage	Approved	20 July 2015
15/00789/P3PAO	Prior approval application under Part 3, Class Q (a) and (b) of The Town and Country (General Permitted Development) Order 2015 to convert part of an existing agricultural building into a dwelling along with the building operations necessary to convert the building	Withdrawn	11 September 2015

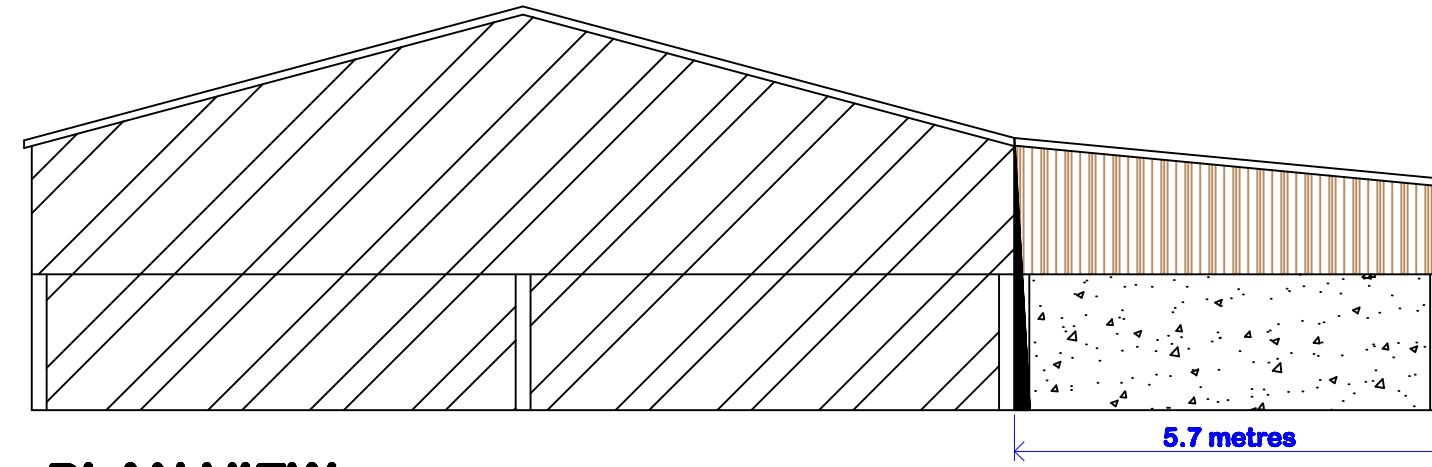
Suggested Conditions

No.	Condition
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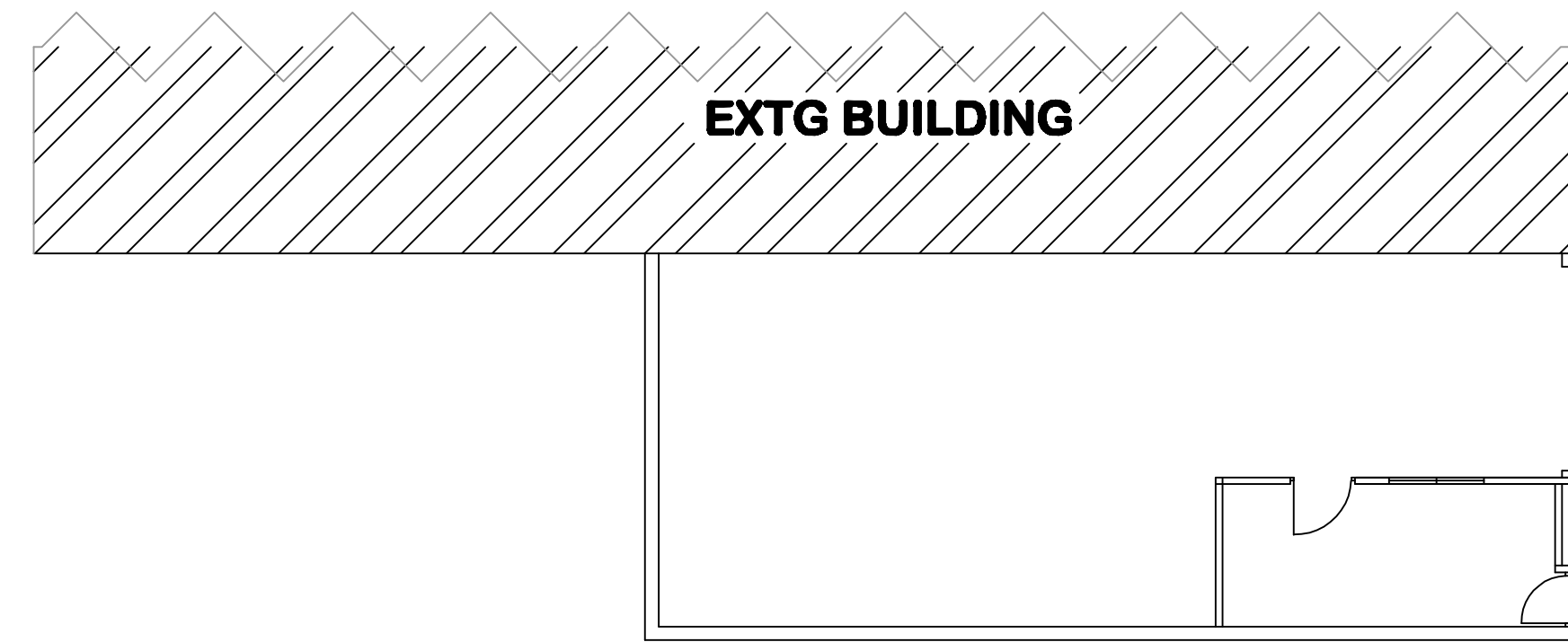
NORTH FACING GABLE



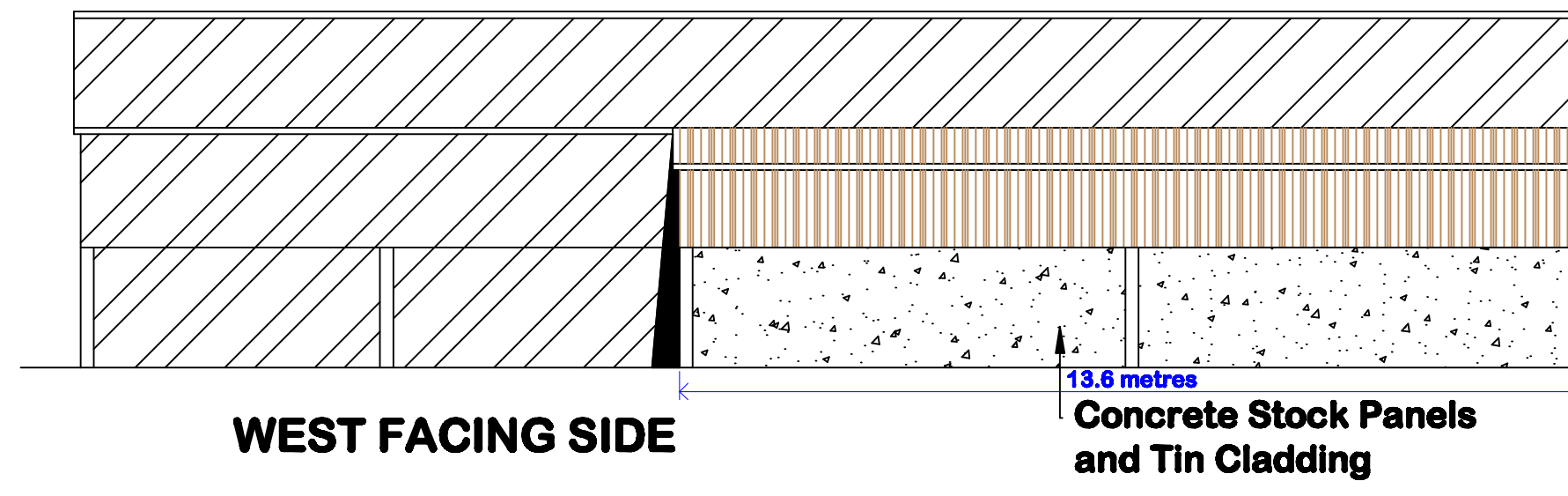
SOUTH FACING GABLE



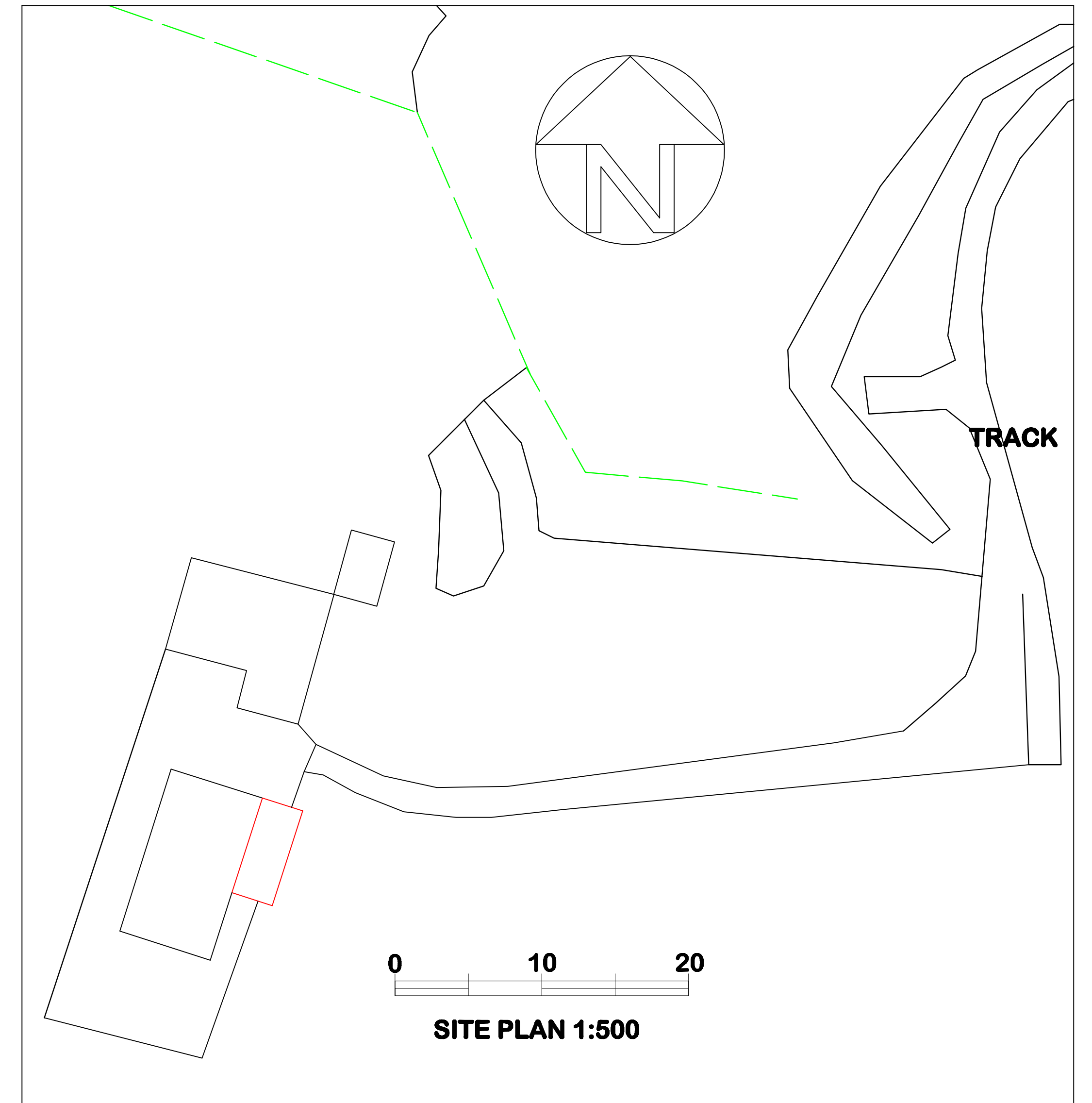
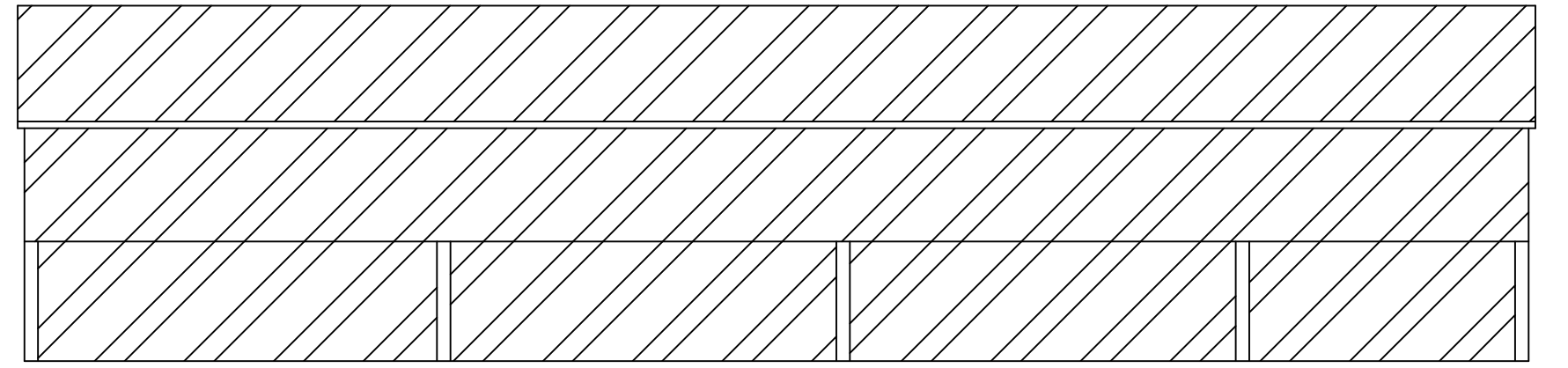
PLAN VIEW

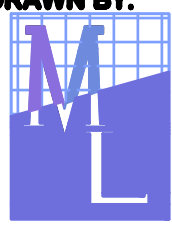


EAST FACING SIDE



WEST FACING SIDE



DRAWN BY:  Planning Consultancy Ltd 5 Bobbin Mill Cottages, Stubbins Lane, Cloughton on Brock, Preston, PR3 0PL Telephone 01995 600733. Mobile 07813 296 287 e-mail: mel@mplanning.co.uk	CLIENT: OWNER J. AYLWARD 99 HEAPEY ROAD CHORLEY PR6 8BJ PROJECT: Retrospective Planning Application for Agricultural Storage Building LOCATION: LAND ADJACENT PHILLIPSONS FARM, HIGHER HOUSE LANE, CHORLEY, PR6 9BT X: 380599 Y: 418823	DATE: 04 AUGUST 2016 DWG NO.: LQ/AJ0430 SCALE: 1:100 & 1:500 PAPER SIZE: A1
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Item 3e	15/01037/REMAJ
Case Officer	Adele Hayes
Ward	Astley And Buckshaw
Proposal	Reserved matters application pursuant to outline planning permission 14/00927/OUTMAJ for the erection of 167 no. dwellings (including of 41 no. affordable dwellings)
Location	Group 1 Euxton Lane Euxton
Applicant	Persimmon Homes Lancashire
Consultation expiry:	8 December 2015
Decision due by:	18 December 2015

Recommendation

It is recommended that this application is approved.

Proposal

1. The Group One site is located to the west of Central Avenue and covers an area of 54.34 hectares. It is located to the south west of Buckshaw Village and forms part of the former Royal Ordnance site. It is split between the administrative areas of South Ribble Borough Council and Chorley Borough Council with the larger part of the site within the boundary of Chorley.
2. Outline planning permission was granted in December 2009 for the redevelopment of the Group One site for mixed use development comprising housing and commercial uses and associated landscape treatment and highway works (08/00910/OUTMAJ). Permission was granted subject to a number of conditions and obligations contained within a Section 106 Agreement.
3. Three further Section 73 applications (11/00403/OUTMAJ, 13/00126/OUTMAJ and 14/00927/OUTMAJ) to vary condition 29 (access on the A49) of the outline planning permission, to remove the requirement for the dwellings to achieve Code Level 6 and to vary condition no. 30 (Construction of main access road) to enable re-positioning of the main access road through the site, were approved on 27th July 2011, 17 July 2013 and 30 March 2015 respectively.
4. Infrastructure has been constructed to deliver serviced land which is solely accessed from a new junction onto the A49. This has enabled the sale of land across plots H3, H4 and H5 at the north western sector of Group One. Reserved matters approval has been given for these plots and housing development is now complete on this part of the wider site. The balance of the development land falls in the administrative area of Chorley and development is now underway.
5. BAE Systems gained consent in September 2013 to vary the affordable housing obligations contained in the original Section 106 Agreement dated 22 December 2009 in so far as they relate to the part of the Group 1 site within Chorley Borough Council's administrative area.
6. The amendments effectively reduce the affordable housing provision from 20 per cent to 15 per cent across the land in Chorley and for all of the affordable housing units provided to be in the form of social rented housing.

7. All of the other obligations within the original Agreement were not affected by this application. The site has since been acquired by the applicants.
8. This application relates to parcel H1a(c) and seeks reserved matters consent for the erection of 167 dwellings and associated works (pursuant to outline permission reference 14/00927/OUTMAJ). The scheme includes for the provision of 41 no. affordable dwellings.

Main Issues

9. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Design and layout
 - Impact on the neighbours
 - Traffic and transport
 - Contamination
 - Drainage and sewers

Representations

10. No representations have been received.

Consultations

11. **Lancashire County Council (Highways)** - No objections in principle subject to minor revisions to the internal road layout. The applicant has agreed to the request and amended plans have been submitted. Any further comments will be reported on the addendum.
12. **Chorley's Waste & Contaminated Land Officer** - Has no objections to the proposed development and advises that the applicant should check all Remediation Verification Reports to confirm any site development constraints, recommendations and conditions; for example, a development platform has been created by BAE, but there is a general requirement for import of a suitably-validated cover layer of soils for any proposed residential gardens and landscaped areas. Furthermore in some areas of the site there is a requirement for ground gas protection measures in the development. The applicant should consult the approved Assessment of Ground Gas Regime Phase 2 and Phase 3 report. An informative to this effect is suggested.
13. **Chorley's Strategic Housing Officer** - Comments that 2 bedroom Social Rent houses are high demand and very much welcomed although it would be preferred if there was more of a mix to include flats and bungalows.

Assessment

Principle of the development

14. The acceptability of the proposal has already been established by the original grant of outline planning permission and subsequent S73 applications as detailed above. The outline permission required a Design Code to be drawn up and this has been submitted to and approved by the Council. The application has therefore been assessed as to whether it conforms to the approved Design Code.

Design and character of the development

15. The design principles for the proposed development are set out in the Design Code for the site. Three distinct character areas are proposed in the Design Code:

- 'Mixed Use Hub' (plots C1, C2 and M1) that connects the site into Buckshaw Village, 'The Village' (plots H1 and H5) that follows the new link road through the site and three distinctive 'Woodland Greens' (H2, H3 and H4).

16. The Design Code provides details about how these character areas respond to their distinctive nature in respect of the proposed building mix, type, height and use of materials and establishes parking principles, landscaping details and boundary treatments.
17. There will be a mixture of dwelling types and sizes ranging from 2 to 4 bedroom family homes. 41 units are proposed to be affordable dwellings and this will meet the requirements of the renegotiated terms of the Section 106 Obligation for this parcel and parcels H2 and H1e as well.
18. The proposed scheme is considered appropriate in respect of its layout and accords with the approved principles established by the outline planning permission and the proposed housing mix is considered to represent a good mix of dwelling sizes.
19. The layout of the development parcel is as generally indicated at outline stage, accessed from two access points from the main spine road running through the Group 1 site, with an additional accessway also provided.
20. The general design principle for the proposed housing incorporates a perimeter block layout with strong street frontages and secure defensible rear gardens. The individual house types, which comprise a mix of detached, semi-detached, and terraced dwellings accord with the Design Code. Some properties will incorporate integral garages, while others have in curtilage parking or access to shared parking areas.
21. Landscaping associated with the development will provide amenity and sustainability benefits.

Impact on the neighbours

22. The application site is set within a distinct parcel within the Group 1 site. The development parcel rises on a north-west / south-east axis and the relationships of the dwellings are considered to be acceptable.

Traffic and Transport

23. The site will be accessed from two main points off the main spine road running through the development. Cul-de-sacs and accessways will branch off this.
24. The majority of the proposed dwellings meet the Council's parking standards of two spaces for two/ three bed properties and four spaces for four or more bed properties with the exception of properties that will not have driveways and will share communal parking areas where the spaces are not all allocated to specific properties. The affected properties will benefit from between 150% - 175% provision.
25. With the spaces not being allocated it will allow a more flexible and efficient use of them as visitors will be able to park in spaces that would not otherwise be available if they were dedicated to a property, even if they were empty. This approach, with a mixture of dedicated and non-dedicated spaces, is supported by Manual for Streets which states a combination of on-plot, off-plot and on-street parking will often be appropriate. LCC Highways have not objected to the proposal on these grounds and it has been accepted elsewhere on the Group 1 site. The more flexible the use of parking spaces, the more efficient the use of space is. In this case it is also considered that communal parking for residents and visitors is therefore considered acceptable.
26. Garages counted as a parking space will be conditioned to prevent them being converted without express planning permission being granted.

Contamination

27. The site has been the subject of a separate application for remediation (ref: 09/00095/FULMAJ) and is not therefore a matter for this reserved matters application.

Drainage and Sewers

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

Overall Conclusion

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

Suggested Conditions

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: TO FOLLOW

3. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s).

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

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

Reason: To ensure that the materials used are visually appropriate to the locality.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

6. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot, have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents..

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 2, Class A) (or any Order revoking and re-enacting that Order) no fences, gates or walls shall be erected within the curtilage of any dwelling hereby permitted (other than those expressly authorised by this permission) or on the boundary of the site.

Reason: To protect the appearance of the locality and ensure a satisfactory relationship is maintained with the immediate surroundings.

8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use.

9. The development hereby approved shall be carried out in accordance with the approved surface water regulation system.

Reason: To secure proper drainage.

10. Before the dwellings hereby permitted are occupied the driveways and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The driveways and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

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

11. The garage(s) hereby approved 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.

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

Planning Policies

National Planning Policies:

The Framework

Adopted Chorley Borough Local Plan Review

Policies: GN2

Planning History

97/00509/OUT: Outline application for mixed use development. Approved August 1999.

97/00660/CTY: Erection of a landfill containment facility for the storage of contaminated soils and demolition material and associated land forming. Approved January 1998.

02/00748/OUT: Modification of conditions on outline permission for mixed use development. Approved December 2002.

05/00017/CTY: Variation of conditions 1, 3 and 4 of planning permission 9/97/660 to allow the importation of hazardous waste and to amend the phasing of landfilling and restoration at the existing landfill containment facility. Approved March 2005.

07/01108/CTY: Variation of condition 1 of planning permission 09/05/0017, extending the period of operations of the contained landfill facility by 3 yrs. from 1/03/08 to 1/03/11. Approved by LCC January 2008.

08/00645/FUL: Erection of a bat house at Group One, Buckshaw Village. Approved July 2008.

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

08/01002/FUL: Erection of a bat house at group one Buckshaw Village. Approved November 2008.

09/00058/CTY: Construction of a landscape mound for recreational and nature conservation use, utilising surplus excavation soils from the restoration of the site. Approved by LCC April 2009.

09/00084/FUL: Erection of a bat house at group one, Buckshaw Village. Approved April 2009.

09/00095/FULMAJ: Land reclamation and remediation earthworks to create a development platform at Group 1, Buckshaw Village (site area 54.34 hectares). Approved December 2009.

10/00153/DIS: Application to discharge conditions 4, 9, 10, 11, 12, 14, 16, 17, & 18 attached to planning approval 09/00095/FULMAJ. Discharged April 2010.

10/00247/DIS: Application to discharge condition 32 of planning approval 08/00910/OUTMAJ. Discharged April 2010.

10/00309/DIS: Application to discharge condition 14 attached to planning approval 09/00095/FULMAJ (discharge of phase 1 only). Discharged July 2010.

10/00339/DIS: Application to discharge conditions 7, 8 and 23 of planning approval 09/00095/FUL. Discharged June 2010.

10/00608/NLA: Neighbouring local authority application for construction of an access road onto the A49. No objection August 2010.

10/00693/DIS: Application to discharge condition 14 attached to planning approval 09/00095/FULMAJ (further phase relating to more information on tree removal/tree retention in the high and medium risk remediation zones). Discharged September 2010.

10/00940/DIS: Application to discharge conditions 7, 10, 12, 22 & 28 attached to planning approval 08/00910/OUTMAJ. Discharged December 2010.

10/01061/DIS: Application to discharge condition 47 attached to planning approval 8/00910/OUTMAJ. Discharged January 2011.

10/01062/DIS: Application to discharge condition 13 attached to planning approval 9/00095/FULMAJ. Discharged January 2011.

11/00080/DIS: Application to discharge conditions 5, 6, 8, 9, 11, 29, 30 and 46 attached to planning approval 08/00910/OUTMAJ. Discharged March 2011.

11/00099/DIS: Application to discharge condition 14 attached to planning approval 9/00095/FULMAJ. (phase 2 of the tree removal/tree retention and amendments to Phase 1 previously approved as part of 10/00309/DIS and 10/00693/DIS). Discharged February 2011.

11/00361/NLA: Neighbouring Local Authority consultation on a reserved matters application for the construction of an access road, foul water pumping station and layout of the NEAP/ open space (site 0.9ha) at Group 1, Buckshaw Village. No objection May 2011.

11/00403/OUTMAJ: Section 73 application to vary condition 29 (access on the A49) attached to outline planning approval 08/00910/OUTMAJ. Approved July 2011.

11/00784/DIS: Application to discharge condition 45 attached to planning approval 11/00403/OUTMAJ. Discharged October 2011.

11/00897/DIS: Application to discharge condition 24 attached to planning approval 11/00403/OUTMAJ. Discharged October 2011.

12/00007/FUL: Construction of an access roads to serve parcels H3 and H4 of Group 1 and the erection of a foul pumping station. Approved May 2012.

12/00265/MNMA: Application for minor non-material amendment to planning application 11/00403/OUTMAJ to amend to the remediation phasing. Approved April 2012.

12/00266/MNMA: Application for minor non-material amendment to planning application 09/00095/FULMAJ to amend to the remediation phasing. Approved April 2012.

12/00448/DIS: Application to discharge condition 17 attached to planning approval 09/00095/FULMAJ. Discharged May 2012.

12/00475/FULMAJ: Section 73 application to vary condition 18 (southern boundary treatment) attached to planning approval 09/00095/FULMAJ. Approved January 2013.

12/00688/FUL: Construction of an access road leading from Central Avenue together with earthworks and landscape treatment associated with the realignment of watercourses. Approved November 2012.

12/00791/MNMA: Application for minor non material amendment to outline planning application 08/00910/OUTMAJ comprising changes to the approved phasing of the development. Approved January 2013.

12/00801/DIS: Application to discharge conditions numbered 6 (exportation of material), 7 (cleaning of vehicle wheels), and 8 (routing of heavy goods vehicles) of planning approval 09/00095/FULMAJ. Discharged December 2012.

12/00835/DIS: Application to discharge condition 3 (requirement to agree the extent of the proposed sub-phase H3 for which a reserved matters application is to be submitted) of permission 08/00910/OUTMAJ (outline permission for the development of Group 1). Discharged September 2012.

12/00979/DIS: Application to discharge condition numbered 14 (tree survey) of planning approval 09/00095/FULMAJ. Discharged October 2012.

12/01205/DIS: Application to discharge conditions numbered 3 (phasing) and 24 (verification reports) of planning approval 11/00403/OUTMAJ. Discharged December 2012.

12/01237/DIS: Application to discharge condition numbered 14 (tree survey) of planning approval 09/00095/FULMAJ. Discharged February 2013.

13/00126/OUTMAJ: Section 73 application to vary condition no. 17 (Code for Sustainable Homes) of planning permission no. 11/00403/OUTMAJ to remove the requirement for dwellings built post January 2016 to achieve Level 6. Approved July 2013.

13/00310/FULMAJ: Engineering works comprising the re-grading of land at the ordinary watercourse crossing the site on a north-south alignment (following the installation of a culvert) to create a level platform for the construction of a Neighbourhood Equipped Area for Play to serve the planned housing neighbourhood. Approved June 2013.

13/00649/FUL: Application under Section 106 BA of the Town and Country Planning Act 1990 (as amended) to modify a planning obligation dated 22 December 2009. Approved September 2013.

13/00945/DIS: Application to discharge condition 3 (requirement to agree the extent of the proposed sub-phase H1a(ii) for which a reserved matters application is to be submitted) of permission 13/00126/OUTMAJ (outline permission for the development of Group 1). Discharged October 2013.

13/01014/DIS: Application to discharge of condition 22 (remediation strategy) and condition 24 (verification report) of planning permission of 13/00126/OUTMAJ. Discharged November 2013.

13/01113/DIS: Application to discharge of condition 22 (remediation strategy) and condition 24 (verification report) of planning permission of 13/00126/OUTMAJ. Discharged December 2013.

13/01132/REMAJ: Reserved matters application pursuant to outline planning permission 13/00126/OUTMAJ for the erection of 93 no. 2, 3 and 4 bedroom, 2 storey residential dwellings, together with associated access roads, driveways, garages, private garden areas and means of enclosure. Includes for the provision of 14 no. affordable dwellings within the above. Approved March 2014.

14/00056/DIS: Application to discharge conditions numbered 11, 13, 14, 15, 16, 17, 18, 33, 36, and 37 attached to outline planning approval 13/00126/OUTMAJ in so far as they relate to development parcel H1a(ii). Discharged April 2014.

14/00177/FULMAJ: Application to vary condition 7 of planning permission ref: 12/00945/REMAJ (which was a Reserved Matters application for the erection of 32 no. dwellings) to allow the dwellings to be built to Code Level 3 (but Code 4 Energy) rather than Code Level 4 or 6. Withdrawn May 2014.

14/00179/DIS: Application to discharge conditions 6 (carbon emissions statement) and 8 (Design Stage Assessment) of planning approval ref: 12/00945/REMAJ (which was a Reserved Matters application for the erection of 32 no. residential dwellings). Pending.

14/00265/REMAJ: Proposed erection of 20 no. dwellings and associated landscaping and highway works (further re-plan of part of site previously approved by permission ref: 13/01144/REMAJ). Approved May 2014.

14/00343/DIS: Application to discharge condition numbered 25 (site compound) attached to outline planning approval 13/00126/OUTMAJ in so far as it relates to development parcel H1a(ii). Discharged May 2014.

14/00549/DIS: Application to discharge condition 3 (requirement to agree the extent of the proposed sub-phase H2 for which a reserved matters application is to be submitted) of permission 13/00126/OUTMAJ (outline permission for the development of Group 1). Discharged July 2014.

14/00635/REMAJ: Reserved matters application for the erection of 64 no. residential dwellings and associated landscape and highway works (pursuant to outline permission ref: 13/00126/OUTMAJ). Approved September 2014.

14/00659/DIS: Application to discharge condition 3 (requirement to agree the extent of the proposed sub-phase H1e for which a reserved matters application is to be submitted) of permission 13/00126/OUTMAJ (outline permission for the development of Group 1). Discharged April 2015.

14/00927/OUTMAJ: Section 73 application to vary condition no. 30 (Construction of main access road) of planning permission no. 13/00126/OUTMAJ to enable re-positioning of the main access road through the site. Approved March 2015.

14/00933/REMAJ: Reserved matters application for the erection of 51no. residential dwellings (including 9no. affordable) and associated landscape and highway works (pursuant to outline permission ref: 13/00126/OUTMAJ). Approved December 2014.

14/00990/ADV: Erection of 12 no. directional yellow signs (1m x 36cm) fixed to lampposts on routes leading from Euxton, the M61 and the M6 pointing the way to Redrow housing development at Buckshaw Village (Group 1 part of site). Withdrawn November 2014

14/01014/ADV: 1000 x 360 mm Lampost mounted signs. Withdrawn January 2015.

14/01152/REM: Reserved matters application pursuant to outline planning permission 13/00126/OUTMAJ for substitution of house type on Plot 5 approved under reserved matters approval 13/01132/REMAJ. Approved December 2014

14/01151/MNMA: Minor non-material amendment to plots 1 - 4 (approved under 13/01132/REMAJ) involving repositioning of previously approved house types. Approved December 2014.

14/01231/REMAJ: Reserved matters application pursuant to outline planning permission 13/00126/OUTMAJ for substitution of house type on Plots 64-68 and 70 approved under reserved matters approval 13/01132/REMAJ. Approved February 2015.

14/01232/REMAJ: Reserved matters application for 58no. dwellings and associated works (pursuant to outline permission ref: 13/00126/OUTMAJ). Variation of the plans approved by permission ref: 14/00635/REMAJ to amend the layout and house types on the parcel, including a reduction overall of 6no. dwellings. Approved January 2015.

15/00207/DIS: Application to discharge condition 4 (foul and surface water drainage) of application ref: 14/01232/REMAJ (which was for 58 dwellings and associated works). Pending.

15/00225/DIS: Application to discharge condition 4 (foul and surface water drainage) for planning permission ref: 14/01232/REMAJ (which was for 58 dwellings). Pending.

15/00238/DIS: Application to discharge condition 14 (materials) of outline planning permission ref: 13/00126/OUTMAJ. Discharged May 2015.

15/00248/DIS: Application to discharge condition 14 (materials) of outline planning permission ref: 14/00927/OUTMAJ (outline permission for the development of Group 1), in relation to Parcel H2. Discharged May 2015.

15/00422/MNMA: Minor non-material amendment to plots 31-35 _ 53-61 (14 plots) (approved under 13/01132/REMAJ) involving a substitution of the approved roof tile specification. Approved May 2015.

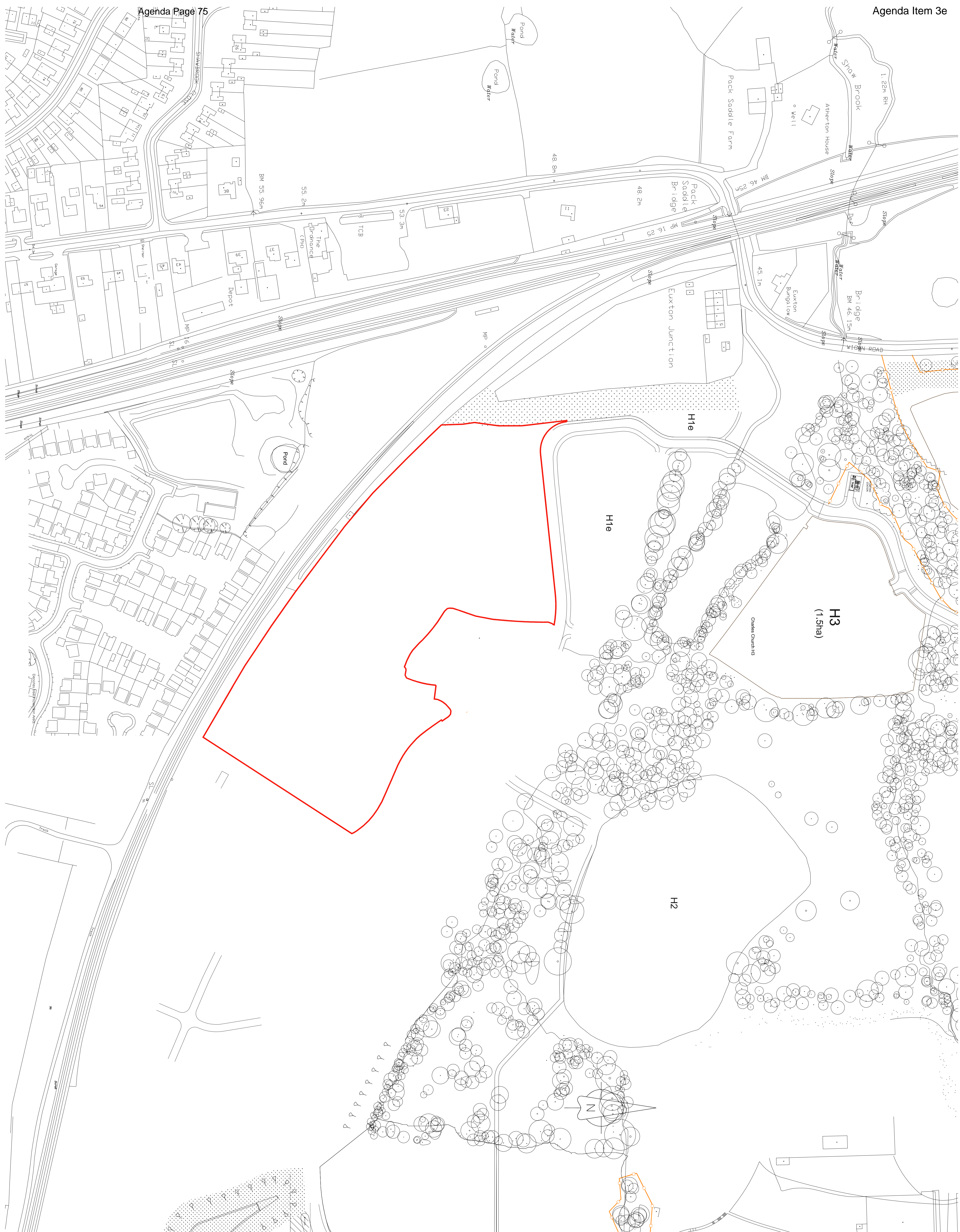
15/00505/PNOT: Prior notification of the intention to install an electricity substation and pump station. Approved June 2015.

15/00674/OUTMAJ: Section 73 application to vary conditions nos. 16 (Code for Sustainable Homes); 17 (Code for Sustainable Homes) ; 28 (Junction configuration) and 30 (Construction of main access road) attached to outline planning permission no. 14/00927/OUTMAJ. Pending.

15/00769/OUTMAJ: Section 73 application to vary conditions nos. 16 (Code for Sustainable Homes) and 17 (Code for Sustainable Homes) in respect of plots 41 to 52 (12 plots) on development parcel H1a(il), attached to outline planning permission no. 14/00927/OUTMAJ. Pending.

15/00825/DIS: Application to discharge condition 3 (requirement to agree the extent of the proposed sub-phase H1c for which a reserved matters application is to be submitted) of permission 14/00927/OUTMAJ (outline permission for the development of Group 1). Discharged October 2015.

15/01030/DIS: Application to discharge condition 3 of permission 14/00927/OUTMAJ (revision to agreed extent of the proposed sub-phase H2 to enable extension of shared driveway to provide improved turning head). Discharged November 2015.



<p>Westbury Partnerships Lancashire 100-102, The Quadrant, Lancaster, LA1 1RN Tel: 01524 542 700 Fax: 01524 542 701 Web: www.westburypartnerships.com</p>		<p>PERSIMMON Persimmon Homes Lancashire Persimmon Homes, Lancaster Business Park, Clifton Road, Lancaster, LA1 3BE Tel: 01524 542 700 Fax: 01524 542 701 Web: www.persimmonhomes.com</p>	
<p>Development: Area H1c Group One Location: EUXTON Marketing Name: LOCATION PLAN Drawing Title: LP/01/H1c Revision: SCALE B/A1 1:1250 Drawn By: AP Date: 04/08/2015 Checked By: Date:</p>			

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Item 3F	15/00482/FULMAJ
Case Officer	Nicola Hopkins
Ward	Chorley South East
Proposal	Erection of 68 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 (time extension agreed until 18th December 2015)

Recommendation

Approve full planning permission subject to the associated S106 Agreement which will just relate to the on-site affordable houses

Executive Summary

This site already has consent for 70 dwellings (the scheme proposes 68 new 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.

Update

Members will recall that this application was considered at DC Committee on 29th September following a report being presented to the meeting on 11 August. (The red sections within the body of the report below address the changes between the 11th August and 29th September Committee reports). The resolution was to approve the application subject to a legal agreement in addition to the imposition of full CIL liability as identified below at paras 82 to 85.

Rowland Homes purchased the site in July 2015, at the time that the planning application was submitted. The implication of full CIL liability was provided to Rowland Homes prior to the release of the Committee report for the 29th September Committee. Members should be aware that the Councils revised position on CIL could not have been taken into account by Rowland Homes in purchasing the site.

Rowland Homes also developed a site at Cypress Close in Clayton Le Woods and were aware of the Councils established position in respect of both CIL liability and Section 106 for both Public Open Space and school places.

Rowland Homes have considered the implications of the requirement to now pay CIL on the full scheme in addition to the 106 requirements from a viability perspective. They have submitted a viability appraisal that shows the following three scenarios:

- A CIL liability calculated only on the uplift in floorspace and 106 payments including public open space sums totalling £367,785.**
- A full CIL liability of £410,000 with the required S106 obligations.**
- A full CIL liability of £410,000 without the required S106 obligations.**

The Councils property services team have assessed the viability information and have identified that based on the original CIL and 106 requirements of £367,785 compared to the full CIL liability of £410,000 that there would be an additional cost to Rowland Homes of £42,215. The increased cost would result in the anticipated profit reducing

from 19.94% (based on costs) & 16.62% (based on revenue) compared to 19.47% (costs) & 16.29% (revenue). With both CIL and S106 being required then the profit would be reduced further to 15.7% (costs) & 13.6% (revenue).

Members will be aware of the National Guidance that “competitive returns to a willing landowner and willing developer to enable the development to be deliverable.” This return will vary significantly between projects to reflect the size and risk profile of the development and the risks to the project. A rigid approach to assumed profit levels should be avoided and comparable schemes or data sources reflected wherever possible. In this instance land values paid are aligned with other development and from the Council’s own valuations of land available for housing, the costs including abnormal costs are within the expected range considering the site is a previously developed site that requires piling and preliminary works in order to build out the site.

The National Planning Policy Framework sets out a core planning principle that in decision-taking local planning authorities should encourage the effective use of land by re-using land that has been previously developed and take a flexible approach in seeking levels of planning obligations and other contributions to ensure that the combined total impact does not make a site unviable.

The evidence before Officers and Members is that costs of the development (full CIL liability) were not envisaged or taken into account when the site was purchased and that the imposition of those costs, result in the development becoming less viable and in the developers view unviable. If on the basis of the above information, Members consider that the additional costs to be imposed would make the development unviable then there is justification to approve the application without the section 106 agreement including any off site contributions (although a Section 106 Agreement will still be secured for the on-site affordable housing) . Having assessed the viability information then Council officers within the property services team do feel that information provided is credible and that combining the CIL liability and 106 would significantly reduce anticipated profit and the development could not take account of unexpected costs or respond to market conditions that result in lower sales values.

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 11 representations have been received which are summarised below

Objection	Not specified
Total No. received: 9	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.

- 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
- Rowland Homes haven't listened to the concerns raised.
- The meeting should be deferred so Rowland Homes could have a re-look at the plans and consult the neighbours.
- There are 7 properties on Duxbury Gardens that are being affected and at least 5 have raised objections.
- Will be thoroughly disappointed if these plans go forward as they are after the original consultations

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
Greater Manchester Ecology Unit	Have commented on the proposals addressed within the 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 68 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 68 dwellings on the site therefore equates to a density of 28 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 (now plot 46). 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 (now plots 44 and 35) 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 44, 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. *Following the amendments to the scheme 29-32 Duxbury Gardens now back onto a single detached dwelling (plot 43). The amended layout retains approximately 15m (at it closest point) to the rear boundary and over 24m to the rear elevation of 31 Duxbury Gardens which exceeds the Council's standard spacing distances. Additionally the property on plot 43 has been designed so that there are no first floor rear habitable room windows. This is considered to be an acceptable relationship.*
18. *The proposed property on plot 43 includes first floor side windows, one which serves a bathroom and as such will be obscurely glazed and one which serves a bedroom. The bedroom window will face the side gable of plot 44 ensuring that no loss of privacy is created as a result of this window.*
19. 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 rear 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.

20. 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.
21. 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.
22. 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
23. 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.
24. 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.
25. 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.
26. 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.

27. 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.
28. 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.
29. 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.
30. 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.
31. 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.
32. 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.
33. The originally proposed details included 0.9m high fences to delineate rear gardens. However as this was raised as a concern as this would not provide private rear gardens the plans have now been amended to include 1.8m high fences which will ensure that private rear gardens are provided.

Affordable housing

34. 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.
35. 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)
36. 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.
37. **Following the amendments to the scheme the proposed development now results in 68 new dwellings and so in accordance with current policy; the scheme should provide 20 affordable units.**

38. The development provides 18 on site affordable homes comprising:
- 13 two bedroom houses- social rented (Plots 20 to 32)
 - 5 three bedroom houses- intermediate sale (shared ownership) (Plots 18, 19 & 40 to 42)
39. The affordable units are identified on plots 18-32 in the western end of the site and on plots 40-42 at the northern end of the site. It is considered that siting the proposed affordable houses within two parts of the site accords with the aspirations of the SPD.
40. 18 on site affordable houses are however below the required 20. The Central Lancashire Affordable Housing SPD does confirm that the Council's preferred way forward is on-site provision however it does allow for off-site provision or financial contributions where robustly justified. In this case to provide a scheme which addresses the relationship of the proposed and existing dwellings on Duxbury Gardens which has directly altered the affordable housing provision on site it is considered that a financial contribution, to be secured via a Section 106 Agreement, can be secured to address the deficit of 2 affordable units on this site.
41. In accordance with the calculation contained within the SPD the commuted sum associated with this development is $150,475 \times 33\% = 49,657 \times 2 = \text{£}99,313.50$
42. In this regard Rowland Homes have raised concerns with the level of commuted sum as the proposals reduce the number of dwellings which will be built but still necessitates the same land and infrastructure costs. Rowland Homes have also commented that the change increases the CIL payment. As such they initially confirmed that they are only able to offer a commuted Sum of £55,000 for off-site affordable homes.
43. The required affordable housing commuted sum set out above is approximately £5000 higher than the calculation undertaken by Rowland Homes and a reduction in houses on this site results in a reduction to the required POS contribution and sustainable transport contribution (as set out further below). As such it was considered that there was capacity in the scheme to increase this offer.
44. Taking these comments on board Rowland Homes have increased their offer to £75,000. This would enable the provision of 1.5 off site affordable units and will be used to secure the delivery of affordable housing on a stalled site within this part of Chorley. Members will note that the level of contribution is approximately £24,000 below which would typically be required and Members are asked to confirm whether the level of contribution is acceptable.

Sustainable Resources

45. 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.”

46. 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

47. 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.
48. 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.
49. 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.
50. 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.
51. 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

52. 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.
53. Greater Manchester Ecology Unit has provided the following comments:
It would appear that some harm has been caused to the woodland strip at the eastern edge of the (current) application site by previous ground clearance works.

Assuming that compensation for losses and/or mitigation has not been previously agreed as part of the wider scheme I would support the proposals in the most recent ecology survey to seek compensation for this loss and /or mitigation for future harm to ground flora, as follows -

“the remaining ancient woodland groundflora and associated woodland soils beneath the trees at the eastern boundary of the application site should be translocated to an appropriate location as agreed with the LPA. This would include removing all the plants, bulbs, the top soil and subsoil to a suitable location following an approved Method Statement. The area of habitat to be translocated will be identified and marked out by a suitably qualified ecologist prior to translocation”.

54. Translocation of the woodland groundflora aims to preserve the remaining biodiversity of the site in a situation where it will be protected from further developmental pressures.
55. Following the Supreme Court ruling (Morge vs Hampshire County Council – Supreme Court ruling Jan 2011) the Local Authority now have a responsibility to consult Natural

England on proposals which may affect protected species and ask the following questions:

- Is the proposal likely to result in a breach of the Habitats Regulations?
- If so, is Natural England likely to grant a licence?

56. Natural England has not been consulted on the proposals as it is not considered that that the proposals will result in a breach of the Habitats Regulations.
57. Following the 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 of for public health and safety;
 - b) there must be no satisfactory alternative and
 - c) favourable conservation status of the species must be maintained.
58. 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. It is not considered that the proposals will impact on protected species and the ecological impact identified above can be addressed by condition.

Drainage and Sewers

59. 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.
60. 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

61. 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

62. 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

63. 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.

64. 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

65. 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

66. 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

67. 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

68. 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.

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

70. **Following the amendments to the scheme the reduction in dwellings results in a total POS contribution equates to £157,148**

Contamination and Coal Mines

71. 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.
72. 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

73. 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.

74. 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
75. 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).
76. 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.
77. 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.
78. **Following the amendments to the number of dwellings proposed the sustainable transport contribution has reduced to £89,067.76 (68 x £1309.82) which was secured as part of the legal agreement.**
79. 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.
80. 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.
81. 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

82. 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.

83. This is a full application and S.128A of the CIL regulations specify that where an applicant wishes to make changes to a previously approved planning permission and they do so via a S.73 application the amount payable by the applicant will be any increase in the difference between what the CIL payment would have been had the previous application been subject to CIL and the amount of CIL payable for the current application.
84. Members will note that to date where there is an extant permission on a site and the applicant makes a further application in respect of the same site but this application has not been made under S.73 (and is therefore a standalone permission) then the Council have adopted an approach similar to that specified by S.128A on the basis that the intention of CIL was never to retrospectively impose CIL charging on approved schemes. In these cases since the adoption of CIL the extent of approved development has been subtracted from the extent of proposed development and CIL has only been charged on the difference between any increase of liability created by virtue of the proposed amendments on the basis that a shorter time limit to commence development is applied to take into account the length of time left on the previous planning approval.
85. The same approach will be taken in respect of this application however Members should be aware that this transitional approach will not be applicable for any new full planning application submitted from 1st September 2015 and as such any new full planning applications will be fully CIL liable even if the site has an extant permission.

Overall Conclusion

86. The erection of 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

87. 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	Approved	11th January 2011

	(surface water attenuation) and 21 (archaeology) of outline 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

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="320 533 1294 2002"> <thead> <tr> <th data-bbox="320 533 564 629">Title</th> <th data-bbox="564 533 804 629">Plot</th> <th data-bbox="804 533 1048 629">Drawing Reference</th> <th data-bbox="1048 533 1294 629">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 629 564 689">Location Plan</td> <td data-bbox="564 629 804 689"></td> <td data-bbox="804 629 1048 689">R074/1000 Rev B</td> <td data-bbox="1048 629 1294 689">11th August 2015</td> </tr> <tr> <td data-bbox="320 689 564 750">A2-2 Block Plans</td> <td data-bbox="564 689 804 750">20, 21, 22, 23</td> <td data-bbox="804 689 1048 750">HT164/P/2/V1-1</td> <td data-bbox="1048 689 1294 750">18th May 2015</td> </tr> <tr> <td data-bbox="320 750 564 853">A2- 2 Block Elevations</td> <td data-bbox="564 750 804 853">20, 21, 22, 23</td> <td data-bbox="804 750 1048 853">HT165/P/2/V1-2</td> <td data-bbox="1048 750 1294 853">19th May 2015</td> </tr> <tr> <td data-bbox="320 853 564 913">A3-3 Block Plans</td> <td data-bbox="564 853 804 913">40, 41, 42</td> <td data-bbox="804 853 1048 913">HT165/P/3/V2-1</td> <td data-bbox="1048 853 1294 913">19th May 2015</td> </tr> <tr> <td data-bbox="320 913 564 1016">A3-3 Block Elevations</td> <td data-bbox="564 913 804 1016">40, 41, 42</td> <td data-bbox="804 913 1048 1016">HT165/P/3/V2-1</td> <td data-bbox="1048 913 1294 1016">19th May 2015</td> </tr> <tr> <td data-bbox="320 1016 564 1115">Reynold Floor Plans</td> <td data-bbox="564 1016 804 1115">1, 10</td> <td data-bbox="804 1016 1048 1115">HT130/P/110 Rev A</td> <td data-bbox="1048 1016 1294 1115">18th May 2015</td> </tr> <tr> <td data-bbox="320 1115 564 1214">Reynold Elevations</td> <td data-bbox="564 1115 804 1214">1, 10</td> <td data-bbox="804 1115 1048 1214">HT130/P/111 Rev A</td> <td data-bbox="1048 1115 1294 1214">18th May 2015</td> </tr> <tr> <td data-bbox="320 1214 564 1312">Hatton House Type</td> <td data-bbox="564 1214 804 1312">6, 56, 60</td> <td data-bbox="804 1214 1048 1312">HT139/P/111 Rev C</td> <td data-bbox="1048 1214 1294 1312">18th May 2015</td> </tr> <tr> <td data-bbox="320 1312 564 1411">Belgrave House Type</td> <td data-bbox="564 1312 804 1411">13, 36, 37, 38</td> <td data-bbox="804 1312 1048 1411">HT146/P/115</td> <td data-bbox="1048 1312 1294 1411">18th May 2015</td> </tr> <tr> <td data-bbox="320 1411 564 1509">Bonington Floor Plans (with bay)</td> <td data-bbox="564 1411 804 1509">11, 35, 52, 53</td> <td data-bbox="804 1411 1048 1509">HT147/P/110-11 Rev I</td> <td data-bbox="1048 1411 1294 1509">18th May 2015</td> </tr> <tr> <td data-bbox="320 1509 564 1630">Bonington Elevations (with bay)</td> <td data-bbox="564 1509 804 1630">11, 35, 52, 53</td> <td data-bbox="804 1509 1048 1630">HT147/P/112-11 Rev A</td> <td data-bbox="1048 1509 1294 1630">18th May 2015</td> </tr> <tr> <td data-bbox="320 1630 564 1751">Bonington Floor Plans (without bay)</td> <td data-bbox="564 1630 804 1751">17</td> <td data-bbox="804 1630 1048 1751">HT147/P/113</td> <td data-bbox="1048 1630 1294 1751">18th May 2015</td> </tr> <tr> <td data-bbox="320 1751 564 1901">Bonington Elevations (without bay)</td> <td data-bbox="564 1751 804 1901">17</td> <td data-bbox="804 1751 1048 1901">HT147/P/202-38</td> <td data-bbox="1048 1751 1294 1901">18th May 2015</td> </tr> <tr> <td data-bbox="320 1901 564 2002">Charleston House Type</td> <td data-bbox="564 1901 804 2002">7, 12, 33, 34, 35, 58, 61</td> <td data-bbox="804 1901 1048 2002">HT166/P/111 Rev A</td> <td data-bbox="1048 1901 1294 2002">18th May 2015</td> </tr> </tbody> </table>	Title	Plot	Drawing Reference	Received date	Location Plan		R074/1000 Rev B	11 th August 2015	A2-2 Block Plans	20, 21, 22, 23	HT164/P/2/V1-1	18 th May 2015	A2- 2 Block Elevations	20, 21, 22, 23	HT165/P/2/V1-2	19 th May 2015	A3-3 Block Plans	40, 41, 42	HT165/P/3/V2-1	19 th May 2015	A3-3 Block Elevations	40, 41, 42	HT165/P/3/V2-1	19 th May 2015	Reynold Floor Plans	1, 10	HT130/P/110 Rev A	18 th May 2015	Reynold Elevations	1, 10	HT130/P/111 Rev A	18 th May 2015	Hatton House Type	6, 56, 60	HT139/P/111 Rev C	18 th May 2015	Belgrave House Type	13, 36, 37, 38	HT146/P/115	18 th May 2015	Bonington Floor Plans (with bay)	11, 35, 52, 53	HT147/P/110-11 Rev I	18 th May 2015	Bonington Elevations (with bay)	11, 35, 52, 53	HT147/P/112-11 Rev A	18 th May 2015	Bonington Floor Plans (without bay)	17	HT147/P/113	18 th May 2015	Bonington Elevations (without bay)	17	HT147/P/202-38	18 th May 2015	Charleston House Type	7, 12, 33, 34, 35, 58, 61	HT166/P/111 Rev A	18 th May 2015
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Brantwood House Type	4, 14, 66	HT167/P/100	18 th May 2015
Materials Schedule Plan		R074/3 Rev D	22 nd September 2015
Detached Double Garage	1, 10, 36, 43, 68	P/DG/1	18 th May 2015
Single Detached Garage	4, 7, 11, 12, 14, 16, 17, 33, 34, 35, 52, 53, 58, 65, 66	P/SG/1	18 th May 2015
Tree Protection drawing		P.532.15.02 Rev A	7 th August 2015
Proposed Site Levels (western)		J3432.EX02 Rev B	18 th May 2015
Proposed Site Levels (eastern)		J3432.EX03 Rev A	18 th May 2015
1.8M High close board timber fence		SD.1 Rev A	18 th May 2015
1.8m high screen wall		S.O.46	18 th May 2015
Planning layout		R074/1 Rev D	22 nd September 2015
Bowes House Type	2, 5, 9, 47, 48, 54, 55, 59	HT104/P/111 Rev B	18 th May 2015
Burlington House Type	44, 45, 62, 63	HT105/P/111 Rev C	18 th May 2015
Marlborough floor plans	49, 57	HT107/P/110	18 th May 2015
Marlborough Elevations	49, 57	HT107/P/112 Rev A	18 th May 2015
Marlborough floor plans	68	HT107/P/210	18 th May 2015
Marlborough Elevations	68	HT107/P/212 Rev A	18 th May 2015
Elmbridge House Type	8, 16, 64, 65	HT148/P/111	18 th May 2015
Renishaw house	3, 15, 39, 46, 50,	HT149/P/202 Rev	18 th May 2015

type	51, 67	A	
A2- 3 Block Floor Plans	21, 22, 23, 24, 25, 26, 27, 28, 29, 30 31, 32	HT164/P/3/V1-1	18 th May 2015
A2- 3 Elevations	21, 22, 23, 24, 25, 26, 27, 28, 29, 30 31, 32	HT164/P/3/V1-2	18 th May 2015
A3- 3 Block Plans	18, 19	HT165/P/2/V1-1	18 th May 2015
Planting Plan		P.532.15.01 Rev E	8 th September 2015
Planting Schedules		P.532.15.01 Rev E	8 th September 2015
Proposed Site Sections		J3432 EX13	21 st July 2015
Fencing Layout		RO74/2 Rev C	22 nd September 2015
900 high post & rail fence detail		SD.21	18 th May 2015
Plot 43 Floor Plans	43	R074/1010	22 nd September 2015
Plot 43 Elevations	43	R074/1011	22 nd September 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 calculated. 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;

	<p>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. 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> <ol 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> <ol 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: <ol 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> <ol 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 • 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>
<p>6.</p>	<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</p>

	<p>accommodation, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015. 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. 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. 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. 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. 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 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</p>

	<p>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), 40-45 (inclusive), 50-55 (inclusive), 58-62 (inclusive), 64-65 (inclusive), 67-68 (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 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</p>

	<p>dwellinghouses to ensure that a suitable scheme can be put in place at the appropriate time.</p>
19.	<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. 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>
20.	<p>No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot, have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development. Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</p>
21.	<p>No dwelling on plots 2, 3, 5, 6, 9, 13, 15, 36, 37, 38, 39, 46, 47, 48, 50, 51, 54, 55, 56, 59, 60, 67 and 68 hereby permitted shall be occupied until garden sheds have been provided in accordance with plans which have been submitted to and approved in writing by the Local Planning Authority. The garden sheds shall be retained in perpetuity thereafter. Reason: The garages are smaller than would normally be provided and therefore to ensure sufficient storage/cycle storage is provided at the properties in accordance with Manual for Streets</p>
22.	<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 • First floor of the north elevation of plot 43 • North elevation of plot 46 • South elevation of plot 49 • East elevation of plot 64 <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 • First floor of the north elevation plot 43 • West elevation of plot 43 • South elevation of plot 49 • East elevation of plot 64 <p>hereby permitted shall be fitted with obscure glass and obscure glazing shall be</p>

	<p>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>
27.	<p>Prior to the commencement of the development a Method Statement detailing the translocation of the remaining ancient woodland groundflora and associated woodland soils beneath the trees at the eastern boundary of the application site shall be submitted to and approved in writing by the Local Planning Authority. The translocation shall include removing all the plants, bulbs, the top soil and subsoil and the submitted Method Statement shall include full details of the proposed timescale for relocation. Following approval of the Method Statement the area of habitat to be translocated shall be clearly identified and marked out by a suitably qualified ecologist prior to translocation.</p> <p>Reason: to preserve the remaining biodiversity of the site in a situation where it will be protected from further developmental pressures and to mitigate from future harm</p>
28.	<p>Plants listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) are known to occur on the/ adjacent to the site. These species 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> <p>Reason: to ensure the eradication and control of any invasive species which are found on the site</p>



Report of	Meeting	Date
Director of Public Protection Streetscene and Community	Development Control Committee	15 December 2015

ENFORCEMENT ITEM

REBUILDING OF FORMER FARMHOUSE, SOUTH OF SARSCOW FARM, SARSCOW LANE, ECCLESTON.

PURPOSE OF REPORT

1. To seek authority to take enforcement action in respect of rebuilding of former farmhouse building.

RECOMMENDATION(S)

2. That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control: - Without planning permission the erection of brick and concrete block walls and roof lintels to form a new building.

Remedy For Breach

Demolish the brick and concrete block walls and roof lintels shown cross hatched on the plan accompanying the notice and remove the materials resulting from the demolition from the land.

Period For Compliance

Three Months

Reason For Issue Of Notice

The development constitutes inappropriate development in the Green Belt. Inappropriate development is by definition harmful to the Green Belt unless very special circumstances exist to outweigh the harm to the Green Belt by reason of inappropriateness. As such, the development is contrary to the policies of the National Planning Policy Framework and the Adopted Chorley Local Plan 2012-2026.

EXECUTIVE SUMMARY OF REPORT

3. At the end of March 2015, a complaint was received stating that building work was being carried out to the building. Following a site inspection, it was noted that the rear wall had been re-built and a damp proof membrane added, there were new window openings to the rear and a new door opening, the chimney had been repaired and the front of the building adapted and opened up, a steel girder added to strengthen the same. The majority of the

rear wall has been totally re-built; the work has gone further than a simple maintenance, improvement or alteration.

Confidential report Please bold as appropriate	Yes	No
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CORPORATE PRIORITIES

4. This report relates to the following Strategic Objectives:

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

BACKGROUND

- 5. This report relates to a former farmhouse abandoned in the mid-1950’s and has remained derelict since this date. In 1974 an application was made to convert the building to a residential dwelling, this was refused because the work involved would constitute inappropriate development in the Green Belt Planning permission was also refused in 2004, again to convert the building to a dwelling house. In 2008 pre-application advice was given with regards to converting the building to residential use, again the conclusion was negative towards the proposal and a structural engineer stated that the walls were in a poor state and approximately 38% of the area would require rebuilding. In 2012 the present owner of the property invited a planning officer to the site in order that the building could be assessed. The remains were seen to be in a dangerous state and unfit for any use.
- 6. This year, major rebuilding work has taken place to the building, including rebuilding and double skinning the rear wall with a damp proof membrane, repairing the chimney, repairing the roof and installing a new RSJ support beam to the front elevation. Such works constitute development requiring planning permission. The owner of the land claims that the building is used for agricultural purposes and that the works carried out to the building are permitted development and does not require planning permission. They have further stated that they consider the works are not development but maintenance and repair. They have been advised to apply for retrospective planning permission with regard to the development carried out to the building, however to date no application has been submitted. The owner has also been advised that because the land is designated as Green Belt such development is considered inappropriate and unacceptable in planning terms.

ASSESSMENT

- 7. This is a former farm house, now abandoned and planning permission has been refused for residential use. The owner claims the building is being used for agricultural use; however there is little evidence of this. Even if the agricultural use was proven, any works to the building require prior notification of intention to carry out development, this has not occurred and therefore planning permission is required. In this case the works carried out to the building have resulted in the re-building of a substantial part of the former farmhouse.
- 8. The land is within the Green Belt and policy guidance within the National Planning Policy Framework is a relevant policy consideration. Within the Green Belt only those uses of land

which are considered appropriate development will be permitted unless it can be demonstrated that very special circumstances exist to outweigh the harm to the Green Belt.

9. Other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These include the re-use of buildings, provided that the buildings are of permanent and substantial construction. The building in question was not of permanent and substantial construction before the building works were carried out and the resulting building is not designed for agriculture and the resulting development is inappropriate and contrary to the National Planning Policy Framework. It is considered therefore, given the inappropriateness of the development within the Green Belt that it would be expedient to issue an enforcement notice in this case.

IMPLICATIONS OF REPORT

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

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

COMMENTS OF THE STATUTORY FINANCE OFFICER

12. No comments.

COMMENTS OF THE MONITORING OFFICER

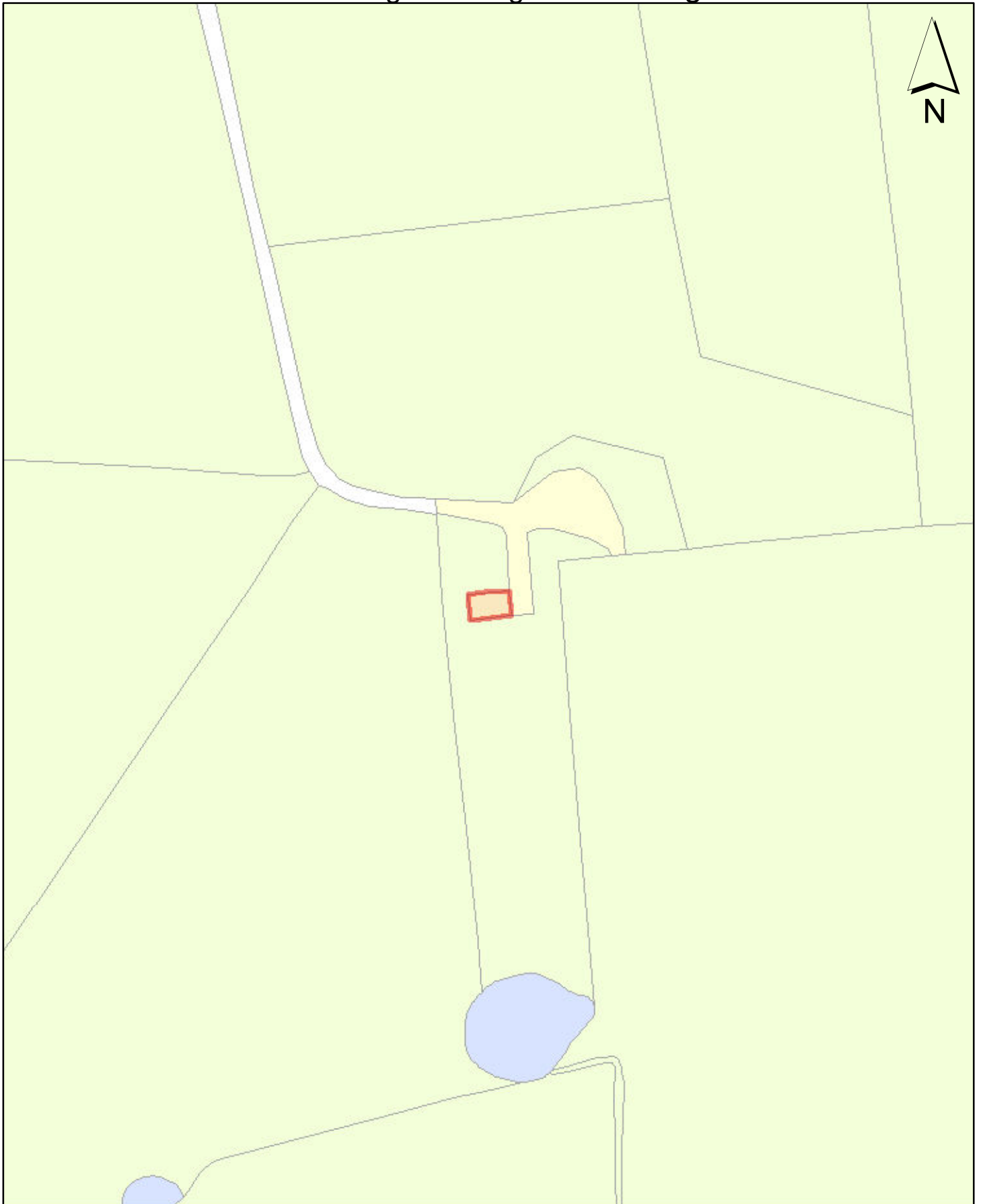
13. The proposed action is proportionate having regard to the planning breaches and history of the site.

JAMIE CARSON
 DIRECTOR OF PUBLIC PROTECTION STREET SCENE AND COMMUNITY

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Colin Wordsworth	5414	25 November 2015	***

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Enforcement Notice EN662

Disused Building South of Sarscow Farm
Sarscow Lane
Eccleston



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Report of	Meeting	Date
Director of Public Protection Streetscene and Community	Development Control Committee	15 December 2015

ENFORCEMENT ITEM

CHANGE OF USE OF LAND FROM RESIDENTIAL CURTILAGE/ COMMERCIAL STABLES/ CATTERY TO A MIXED USE OF RESIDENTIAL CURTILAGE/ STABLES/ CATTERY AND USE AS A HAULAGE YARD, LAND AT CLOSE GATE FARM, BUCKHOLES LANE, BRINSCALL, WHEELTON, CHORLEY

PURPOSE OF REPORT

1. To seek authority to take enforcement action in respect of the unauthorised use of the land.

RECOMMENDATION(S)

2. That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control: Without planning permission the change of use from residential curtilage/ Stables/ Cattery to a mixed use of residential curtilage, stables, cattery and use as a Haulage Yard.

Remedy For Breach

1. Cease the use of the land as a haulage yard and remove the vehicles from the land.
2. Excavate the hardstanding area formed for the parking of haulage vehicles and remove the materials from the land.

Period For Compliance

Two months

Reason For Issue Of Notice

The development constitutes inappropriate development in the Green Belt. Inappropriate development is by definition harmful to the Green Belt unless very special circumstances exist to outweigh the harm to the Green Belt by reason of inappropriateness. As such, the development is contrary to the policies of the National Planning Policy Framework.

The development by reason of its' appearance and noise generated has a harmful impact on neighbouring properties leading to a loss of amenity contrary to policy BNE1 of the Chorley Local Plan.

EXECUTIVE SUMMARY OF REPORT

- 3. The site has an authorised use as a dwelling, cattery and livery. The use of the land for a haulage yard has created a mixed planning use. Use as a haulage yard is an inappropriate use within the green belt and this has resulted in a loss of amenities to neighbouring properties. It is therefore expedient to take enforcement action.

Confidential report Please bold as appropriate	Yes	No
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CORPORATE PRIORITIES

- 4. This report relates to the following Strategic Objectives:

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

BACKGROUND

- 5. This case relates to land which forms part of the curtilage of a new dwelling and related livery and cattery business (12/01158/FULMAJ refers) and lies within the Greenbelt. In September 2013, the site was granted a vehicle operator’s licence for the siting of 6 HGV vehicles and 6 trailers (this is a separate issue to the need for planning permission). In September this year, hardstanding was laid to form a parking area for the parking area for the HGV operations to begin, and the movement of HGV type vehicles etc. has continued since its completion, in and out of the property. This is a breach of planning control and requires planning permission. A letter was sent to the owners of the business requesting confirmation that the use would cease and to confirm their intentions. To date there has been no response to the letter.

ASSESSMENT

- 6. The land is within the Green Belt and policy guidance within the National Planning Policy Framework is a relevant policy consideration.
- 7. Within the Green Belt only those uses of land which are considered appropriate development will be permitted unless it can be demonstrated that very special circumstances exist to outweigh the harm to the Green Belt.
- 8. In this case the uses of land do not fall within any of the categories of development considered to be appropriate development within the Green Belt and is therefore by definition inappropriate development.
- 9. The addition of a hard standing for the parking of the vehicles constitutes inappropriate development and this further adds to the encroachment into the Green Belt and loss of openness.
- 10. There is no planning permission for the development on the land and the occupier has been advised that because the land is designated as Green Belt such development is considered inappropriate development and unacceptable in planning terms. It would be unlikely that planning permission would be granted should a planning application be submitted .No

action has been taken to cease the use of the land. It is considered therefore given the inappropriateness of the development within the Green Belt that it would be expedient to issue an enforcement notice in this case.

IMPLICATIONS OF REPORT

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

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

COMMENTS OF THE STATUTORY FINANCE OFFICER

12. No comments.

COMMENTS OF THE MONITORING OFFICER

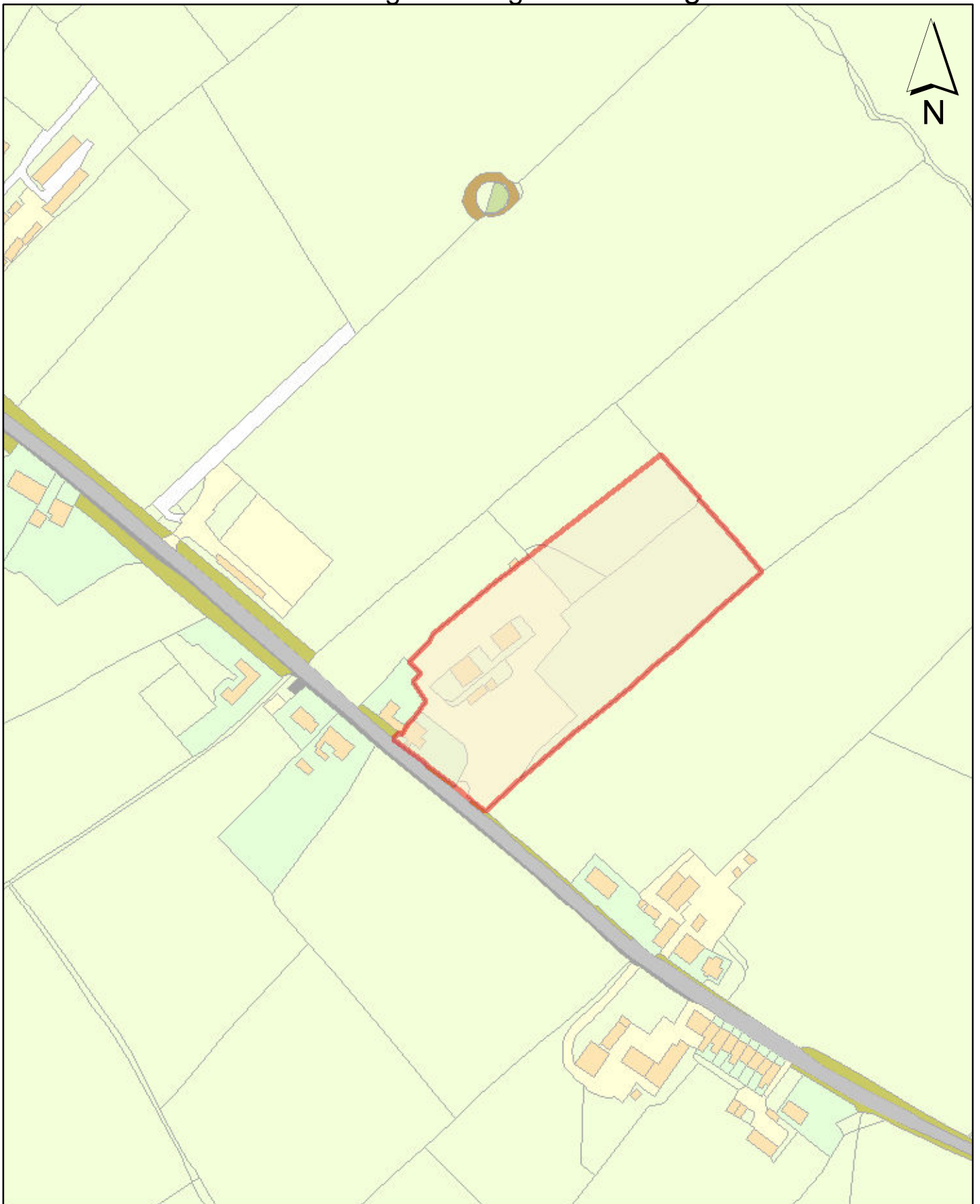
13. The proposed action is proportionate having regard to the planning breaches and history of the site.

JAMIE CARSON
 DIRECTOR OF PUBLIC PROTECTION STREET SCENE AND COMMUNITY

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Colin Wordsworth	5414	23 November 2015	***

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Enforcement Notice EN659

Close Gate Farm
Buckholes Lane
Wheelton
PR6 8JL



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Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	15 December 2015

ENFORCEMENT ITEM

ERECTION OF A SINGLE-STOREY REAR RAISED VERANDA 19 CHAPEL LANE HOGHTON

PURPOSE OF REPORT

1. To seek authority for the issue of an Enforcement Notice in respect of the erection of a single storey rear raised veranda

RECOMMENDATION(S)

2. That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control: - Without planning permission the erection of a single-storey rear raised veranda.

Remedy For Breach

Demolish the veranda and remove the materials resulting from the demolition from the land.

Period For Compliance

Two Months

Reason For Issue Of Notice

The proposed balcony would have a detrimental harmful impact on the character and appearance of the dwelling and surrounding area, and is therefore contrary to policies GN5, HS9 of the Chorley Borough Local Plan Review, policy HS5 of the emerging Chorley Local Plan 2012-2026 and the councils Householder Design Guidance Supplementary Planning Document.

The proposed balcony, by virtue of its siting and design, would have a detrimental impact upon the amenity of the occupiers of no.17 Chapel Lane. The proposed development is, therefore contrary to policy HS9 of the Chorley Borough Local Plan Review, policy HS5 of the emerging Chorley Local Plan 2012-2026 and the councils Householder Design Guidance Supplementary Planning Document.

EXECUTIVE SUMMARY OF REPORT

3. Planning permission has been refused retrospectively to retain the veranda and an appeal lodged against that refusal dismissed on appeal. The veranda remains in place and it is therefore considered expedient to issue an enforcement notice to secure its removal.

Confidential report Please bold as appropriate	Yes	No
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CORPORATE PRIORITIES

4. This report relates to the following Strategic Objectives:

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

BACKGROUND

5. This case relates to a residential terraced property located within a row of other residential properties. A veranda was erected at the rear of the property without planning permission. A retrospective planning application was submitted for the veranda and this was refused planning permission under delegated powers. The refusal of permission was appealed and the Inspectors decision on the appeal was to uphold the Council’s decision and dismiss the appeal. Following the dismissal of the appeal the veranda remains in place and in order to secure the removal of the unauthorised development it would be expedient to take enforcement action.

ASSESSMENT

6. The planning merits of the development have already been considered in refusing planning permission for the development and by the Inspector in dismissing the appeal. Following the appeal decision the veranda remains in place and it is considered expedient therefore to take enforcement action to secure the removal of the unauthorised development.

IMPLICATIONS OF REPORT

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

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

COMMENTS OF THE STATUTORY FINANCE OFFICER

8. No comments.

COMMENTS OF THE MONITORING OFFICER

9. The proposed action is proportionate having regard to the planning breaches and history to each site.

JAMIE CARSON

DIRECTOR OF PUBLIC PROTECTION STREETSCENE AND COMMUNITY

Background Papers			
Document	Date	File	Place of Inspection
Planning Application	28.03.2015	15/00288/FUL	Civic Offices, Union Street, Chorley

Report Author	Ext	Date	Doc ID
Peter Willacy	5226	17.11.15	

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Enforcement Notice EN661

19 Chapel Lane
Hoghton
Preston
PR5 0RY



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Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	15 December 2015

ENFORCEMENT ITEM

ERECTION OF SUMMERHOUSE/GARDEN TOOL STORE

209 TOWN LANE WHITTLE-LE-WOODS

PURPOSE OF REPORT

1. To seek authority for the issue of an Enforcement Notice in respect of the erection of a summerhouse/garden tool store.

RECOMMENDATION(S)

2. That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control: - Without planning permission the erection of a summerhouse/garden tool store.

Remedy For Breach

Demolish the summerhouse/garden tool store and remove the materials resulting from the demolition from the land.

Period For Compliance

Two Months

Reason For Issue Of Notice

The proposed development would be located within the Green Belt as defined by the Adopted Chorley Borough Local Plan Review, emerging Chorley Local Plan 2012 – 2026 and the adopted Central Lancashire Core Strategy. The proposed development constitutes inappropriate development in the Green Belt, substantial weight attaches to the harm to the Green Belt by reason of inappropriateness and further harm arising here by reason of the impact of the proposed development on the openness of the Green Belt. Very special circumstances are required if inappropriate development is to be approved in the Green Belt in accordance with paragraph 88 of the National Planning Policy Framework ('the Framework') however in this case no such circumstances have been provided. As such it is considered that the proposals are contrary to The National Planning Policy Framework, Policy DC1 of the Adopted Chorley Borough Local Plan Review, BNE1 of the emerging Chorley Local Plan 2012 – 2026 and the Council's adopted Householder Design Guidance Supplementary Planning Document.

The proposed development would be detrimental to the rural and open character of the

area by virtue of its scale and positioning in an exposed and prominent location. This is contrary to The National Planning Policy Framework, BNE1 of the emerging Chorley Local Plan 2012 – 2026 and the Council’s adopted Householder Design Guidance Supplementary Planning Document.

EXECUTIVE SUMMARY OF REPORT

- 3. Planning permission has been refused retrospectively to retain the summer house/garden tool store and an appeal lodged against that refusal dismissed on appeal. The remains in place and it is therefore considered expedient to issue an enforcement notice to secure its removal.

Confidential report Please bold as appropriate	Yes	No
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CORPORATE PRIORITIES

- 4. This report relates to the following Strategic Objectives:

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

BACKGROUND

- 5. This case relates to the erection a summer house/garden tool store on land previously granted planning permission as extended domestic garden curtilage. The permission for the extension of curtilage was granted subject to a condition restricting certain permitted development rights to erect outbuildings on the land in order to protect the openness of the Green Belt .A summer house /garden tool store has been erected on the land in breach of the condition and a retrospective planning application was submitted for the building which was refused planning permission under delegated powers. An appeal lodged against the refusal of permission was dismissed, however the building still remains on the land and there appears to be no intention to remove it from the land.

ASSESSMENT

- 6. The planning merits of the development have already been considered in refusing planning permission for the development and by the Inspector in dismissing the appeal. The building constitutes inappropriate development and causes harm to the character and appearance of the Green Belt. Following the appeal decision the summer house/garden tool store remains in place and its is considered expedient therefore to take enforcement action to secure the removal of the unauthorised development in order to protect the openness, character and appearance of the Green Belt.

IMPLICATIONS OF REPORT

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

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

COMMENTS OF THE STATUTORY FINANCE OFFICER

8. No comments

COMMENTS OF THE MONITORING OFFICER

9. The proposed action is proportionate having regard to the planning breaches and history to each site.

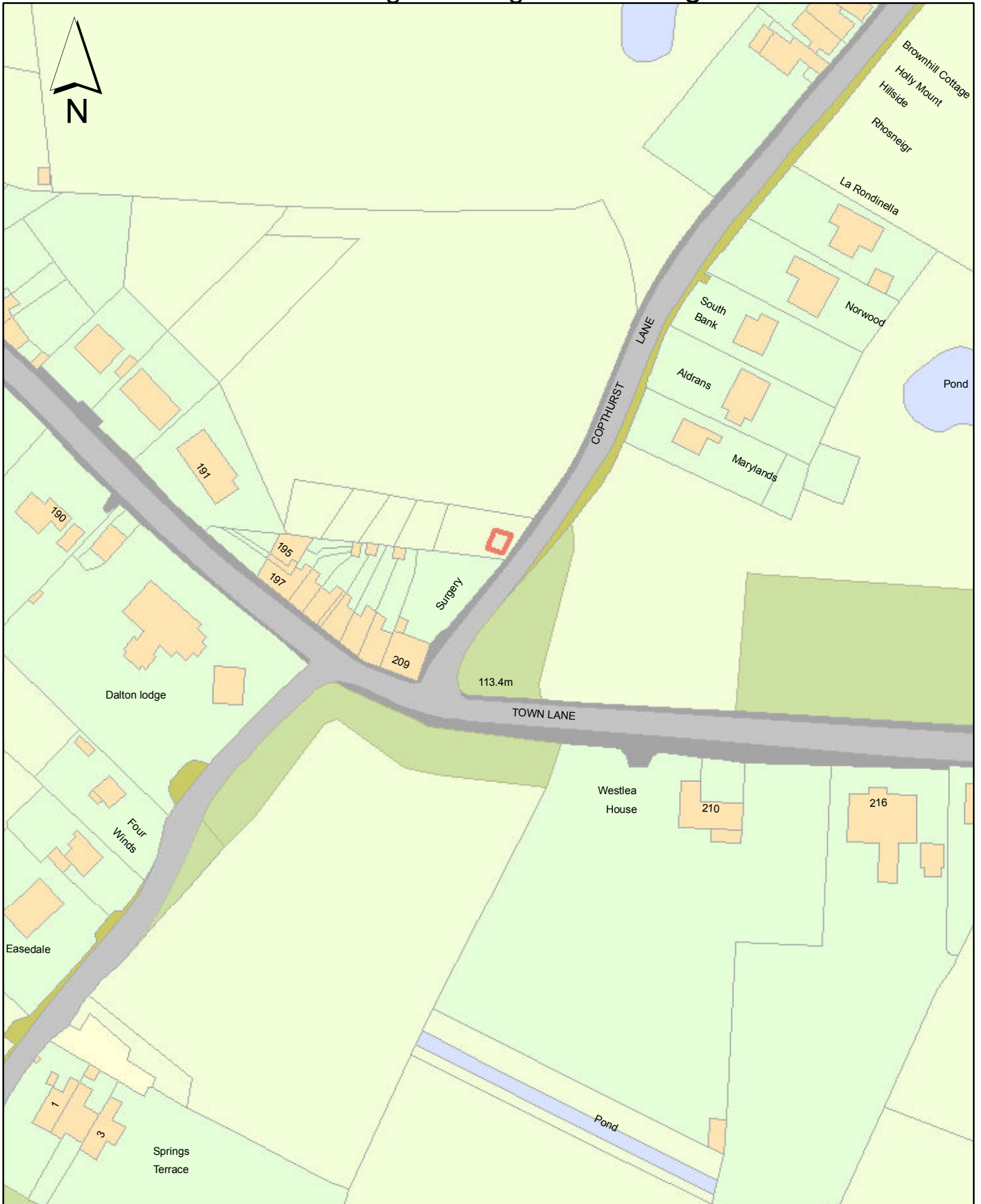
JAMIE CARSON

DIRECTOR OF PUBLIC PROTECTION STREETSCENE AND COMMUNITY

Background Papers			
Document	Date	File	Place of Inspection
Planning Application	01.07.2014	14/00742/FUL	Civic Offices, Union Street, Chorley

Report Author	Ext	Date	Doc ID
Peter Willacy	5226	17.11.15	

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Enforcement Notice EN665

Land to the rear of 195 - 209 Town Lane
Whittle-Le-Woods



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Report of	Meeting	Date
Director of Public Protection Streetscene and Community	Development Control Committee	15 December 2015

ENFORCEMENT ITEM

ERECTION OF MICRO LIGHT AND GYROCOPTER AIRCRAFT HANGERS LAND AT LONG FOLD FARM NORTH ROAD BRETHERTON

PURPOSE OF REPORT

1. To seek authority to take enforcement action in respect of the unauthorised erection of micro light and gyrocopter aircraft hangers.

RECOMMENDATION(S)

2. That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control: Without planning permission the erection of micro light and gyrocopter aircraft hangers.

Remedy For Breach

Demolish the micro light and gyrocopter aircraft hangers and remove the materials resulting from the demolition from the land

Period For Compliance

Three Months

Reason For Issue Of Notice

EXECUTIVE SUMMARY OF REPORT

3. There is no planning permission for the development on the land and the landowner has been advised that because the land is designated as Green Belt such development is considered inappropriate development and unacceptable in planning terms. It is considered therefore given the inappropriateness of the development within the Green Belt that it would be expedient to issue an enforcement notice in this case.

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

CORPORATE PRIORITIES

4. This report relates to the following Strategic Objectives:

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

BACKGROUND

- 5. This case relates to the erection of three aircraft hangers on land at Long Fold Farm Bretherton within this Council's area which are used to house micro light and gyrocopter aircraft. The aircraft use a temporary grass airstrip in neighbouring South Ribble's area and a further hanger has also been erected next to the airstrip.
- 8. South Ribble refused planning permission earlier this year for a micro light airstrip and the aircraft hanger and have also refused another application for a certificate of lawful use in respect of the airstrip.

ASSESSMENT

- 9. The land is within the Green Belt and policy guidance within the National Planning Policy Framework and Policy DC1 of the Adopted Chorley Borough Local Plan Review are relevant policy considerations.
- 6. The provision of appropriate facilities for outdoor sport and outdoor recreation such as hangers may be acceptable as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. It would need to be demonstrated that the facilities were appropriate for the use which they support. No information has been provided to demonstrate that the buildings are necessary for the operation of the microlight airfield, or that they cannot be relocated within or utilise other existing buildings within the farm complex.
- 7. Even if the provision of additional buildings were considered to be required, it is considered that the siting and location of the buildings in their current location is unduly harmful to the openness and character of the Green Belt. The buildings are sited remotely from the existing complex of farm buildings, and in disparate locations within the field in which they are located. The buildings are therefore inappropriate within the Green Belt.
- 8. In this case there is no planning permission for the micro light landing strip and an application for Certificate of Lawful Use has been refused. On that basis therefore any justification for the retention of the hangers would be based on unauthorised development in its own right and that alone would mean that the hangers could not be justified as appropriate facilities.

IMPLICATIONS OF REPORT

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

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

COMMENTS OF THE STATUTORY FINANCE OFFICER

14. No comments

COMMENTS OF THE MONITORING OFFICER

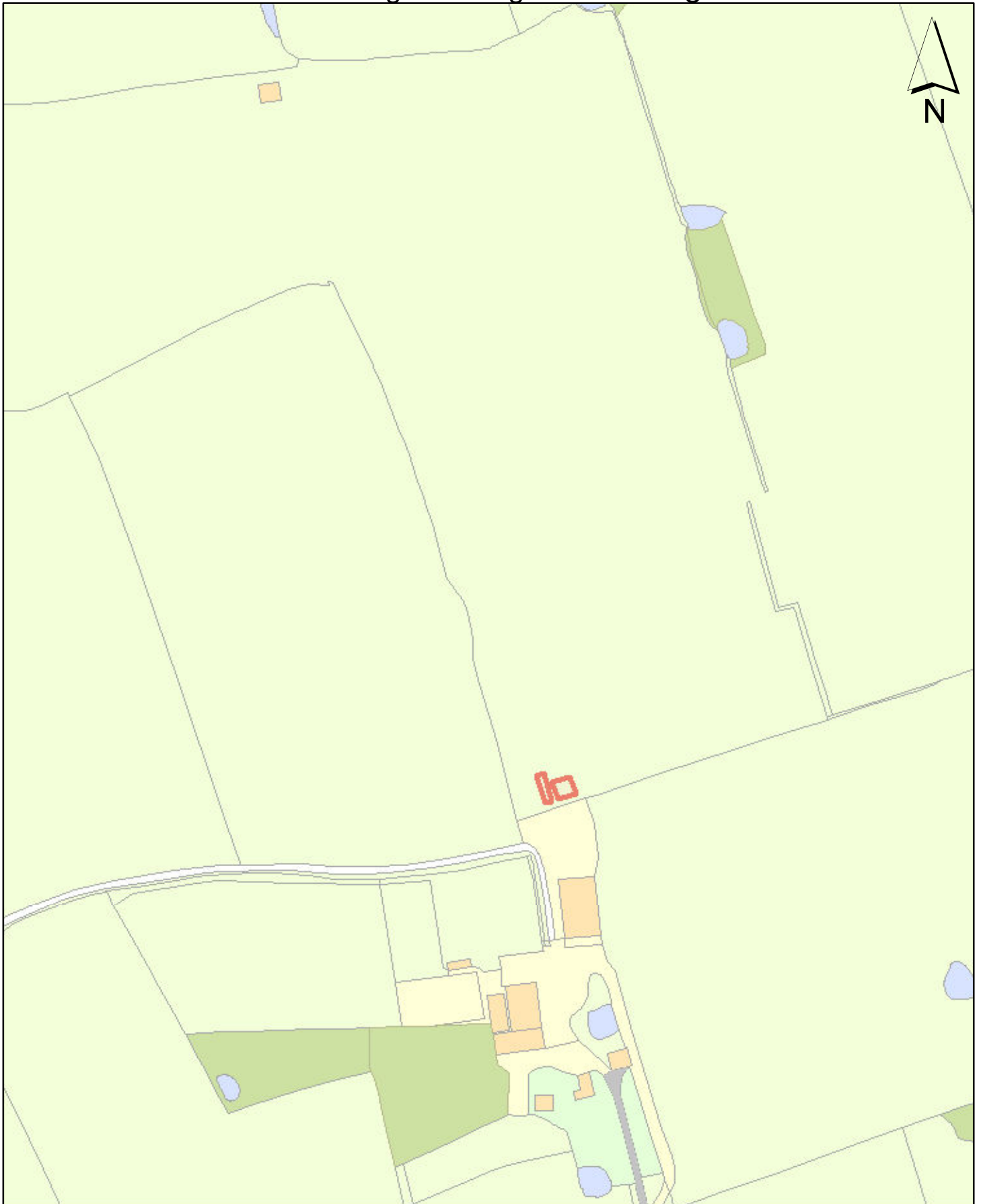
15. The proposed action is proportionate having regard to the planning breaches and history to each site.

JAMIE CARSON
DIRECTOR OF PUBLIC PROTECTION STREETSCENE AND COMMUNITY

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Peter Willacy	5226	18 November 2015	***

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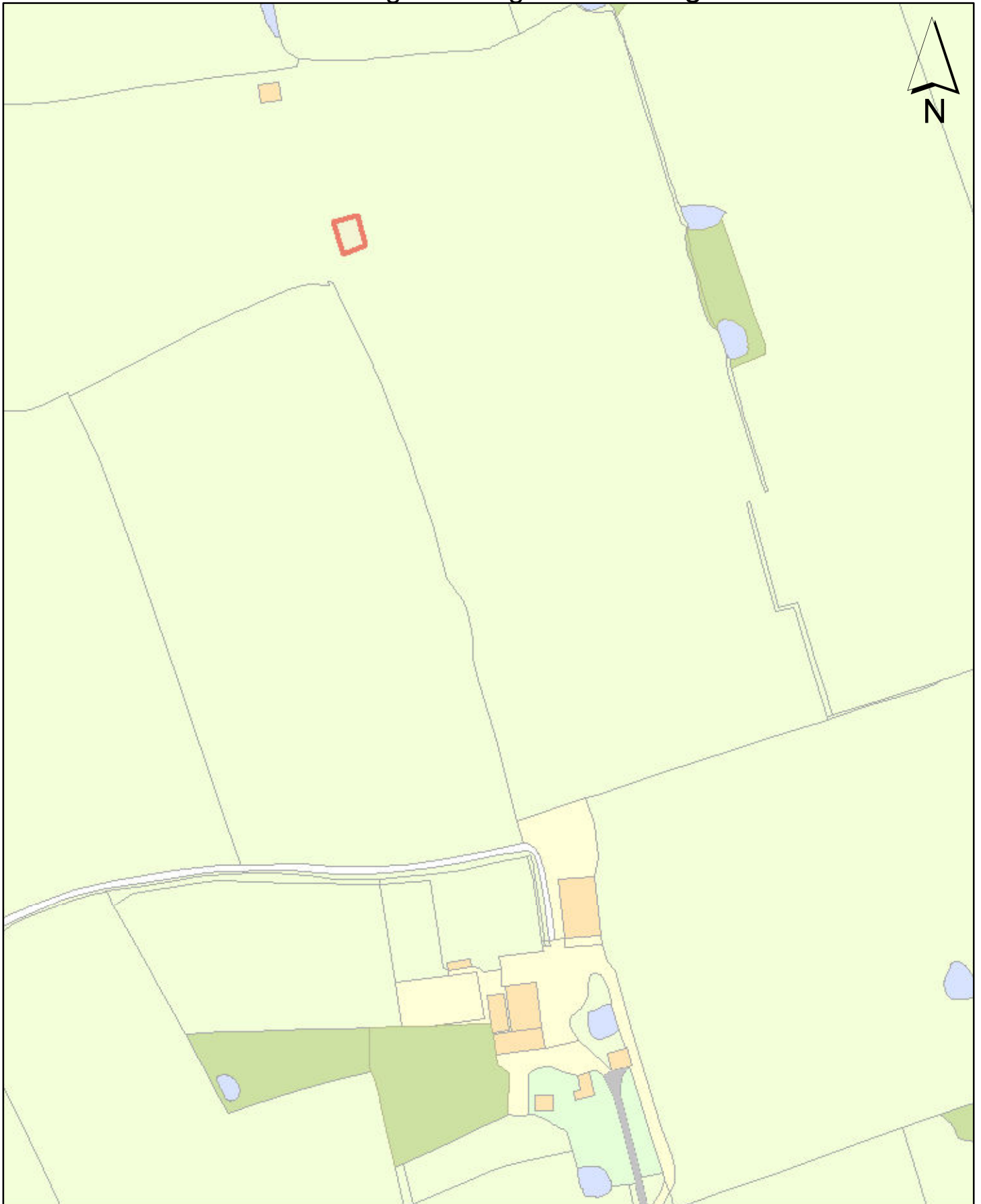
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Enforcement Notice EN663

Long Fold Farm
North Road
Bretherton



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Enforcement Notice EN664

Long Fold Farm
North Road
Bretherton



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