

DEVELOPMENT CONTROL COMMITTEE

THURSDAY, 14TH JANUARY 2016, 6.30 PM
COUNCIL CHAMBER, TOWN HALL, CHORLEY

AGENDA

APOLOGIES

- 1 **MINUTES OF MEETING TUESDAY, 15 DECEMBER 2015 OF DEVELOPMENT CONTROL COMMITTEE**

(Pages 3 - 6)

- 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 seven items 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 **15/00961/FUL - TOWNGATE STABLES, DARK LANE, MAWDESLEY**

(Pages 7 - 14)

- 3B **15/00824/FUL - 90 PRESTON ROAD, WHITTLE-LE-WOODS**

(Pages 15 - 24)

- 3C **15/01116/FUL - FIVE ACRES PLANT CENTRE, FIVE ACRES, DAWBERS LANE, EUXTON**

(Pages 25 - 42)

- 3D **15/00686/FULMAJ - CROWN STAGE AND THEATRE SERVICES LTD, BROCK MILL, BROCK ROAD, CHORLEY.**

(Pages 43 - 50)

3E	15/01147/FULMAJ - CHORLEY FIRE STATION, WELDBANK LANE, CHORLEY, PR7 3NQ	(Pages 51 - 64)
3F	15/01196/S106A - ROYAL ORDNANCE SITE INCLUDING LAND BETWEEN DAWSON LANE AND EUXTON LANE, EUXTON LANE, EUXTON	(Pages 65 - 70)
3G	15/01121/ADV - PHOENIX WORKS, STEELEY LANE, CHORLEY	(Pages 71 - 76)

4 APPEALS AND OTHER DECISIONS

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

5 ANY URGENT BUSINESS PREVIOUSLY AGREED WITH THE CHAIR

GARY HALL
CHIEF EXECUTIVE

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

Electronic agendas sent to Development Control Committee reserves for information.

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

To view the procedure for public questions/ speaking click here

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



MINUTES OF DEVELOPMENT CONTROL COMMITTEE

MEETING DATE Tuesday, 15 December 2015

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

RESERVES: Councillors Eric Bell and Paul Leadbetter

OFFICERS: Paul Whittingham (Development Control Manager), Nicola Hopkins (Principal Planning Officer), Ian Heywood (Senior Planner (Conservation)), Alex Jackson (Legal Services Team Leader) and Cathryn Filbin (Democratic and Member Services Officer)

APOLOGIES: Councillors Henry Counce and Keith Iddon

15.DC.165 Minutes of meeting Tuesday, 17 November 2015 of Development Control Committee

RESOLVED – That the minutes of the Development Control Committee held on 17 November 2015 be approved as a correct record for signature by the Chair.

15.DC.166 Declarations of Any Interests

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

15.DC.167 Planning applications to be determined

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

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

15.DC.167a 15/00949/S106A - Land to the north of Northenden Road with access off Moss Bank, Coppull

RESOLVED (unanimously) – That the request under Section 106A (1) of the Town and Country Planning Act 1990 (as amended) to modify a planning obligation for affordable housing dated 8 September 2011 be approved.

15.DC.167b 15/00888/FULMAJ - Golden Acres Ltd, Plocks Farm, Liverpool Road, Bretherton

RESOLVED (unanimously) – That members of the Development Control Committee were minded to approve full planning permission subject to conditions detailed within the report in the agenda and the amended condition detailed in the addendum, following referral to the Secretary of State under the departure provisions.

15.DC.167c 15/00920/FUL - Land at Philipsons Farm, Higher House Lane, Heapey

The planning application was withdrawn by the applicant.

15.DC.167d 15/00961/FUL - Towngate Stables, Dark Lane, Mawdesley

Registered speakers: Roger Mallows (Mawdesley Parish Council) and Andrew Mawdesley (applicant).

RESOLVED (14:0:1) – That the decision be deferred to allow members of the Development Control Committee the opportunity to visit the site of the proposals.

15.DC.167e 15/01037/REMMAJ - Group 1, Euxton Lane, Euxton

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

15.DC.167f 15/00482/FULMAJ - Duxbury Park Phase 2, between Myles Standish Way and Duxbury Gardens, Mayles Standish Way, Chorley

Registered speaker – Clive Mellings (applicant)

RESOLVED (unanimously) – That full planning permission be approved subject to an associated Section 106 agreement relating to the on-site affordable houses and the conditions detailed within the report in the agenda.

15.DC.168 Enforcement

15.DC.168a Building south of Sarscow Farm, Eccleston

The Director of Public Protection, Streetscene and Community submitted a report which sought authority to take enforcement action in respect of a breach of planning control caused by the erection of brick and concrete block walls and roof lintels to form a new building without planning permission.

The development constitutes inappropriate development in the Green Belt.

RESOLVED (unanimously) – That it was expedient to issue an Enforcement Notice to remedy the breach of planning control for the demolition of the brick and concrete block walls and roof lintels shown cross hatched on the plan accompanying the notice and the removal of materials resulting from the demolition from the land.

15.DC.168b Closegate Farm, Buckholes Lane, Wheelton

The Director of Public Protection, Streetscene and Community submitted a report that sought authority to take enforcement action in respect of the unauthorised use of land, in that 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.

The site had an authorised use as a dwelling, cattery and livery. The use of the land for a haulage yard had created a mixed planning use. Use as a haulage yard was an inappropriate use within the green belt which had resulted in a loss of amenities to neighbouring properties.

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

- 1. ceasing the use of land as a haulage yard and removal of vehicles from the land, and;**
- 2. excavate the hardstanding area formed for the parking of haulage vehicles and removal of materials from the land.**

15.DC.168c 19 Chapel Lane, Hoghton

The Director of Public Protection, Streetscene and Community submitted a report which sought authority for the issue of an Enforcement Notice in respect of a breach of planning control in the erection of a single storey rear raised veranda.

Planning permission had been refused retrospectively to retain the veranda and an appeal lodged against that refusal was dismissed on appeal. The veranda remained in place and it was considered expedient to issue an enforcement notice to secure its removal.

RESOLVED (unanimously) – That is was expedient to issue an Enforcement Notice to remedy the breach of planning control for the demolition of the veranda and removal of the materials resulting from the demolition from the land.

15.DC.168d 209 Town Lane, Whittle-le-Woods

The Director of Public Protection, Streetscene and Community submitted a report which sought authority for the issue of an Enforcement Notice in respect of a breach of planning control by the erection of summerhouse/garden tool store.

Planning permission had been refused retrospectively to retain the summer house/garden tool store and the appeal lodged against that refusal had been dismissed. The development remained in place and it was therefore considered expedient to issue an enforcement notice to secure its removal.

RESOLVED (unanimously) – That it was expedient to issue an Enforcement Notice to remedy the breach of planning control for the demolition of the summerhouse/garden tool store and remove the materials resulting from the demolition from the land.

15.DC.168e Long Fold Farm, North Road, Bretherton

The Director of Public Protection, Streetscene and Community submitted a report which sought authority to issue an Enforcement Notice in respect of a breach of planning control in the erection of micro light and gyrocopter aircraft hangers.

There was no planning permission for the development on the land and the landowner had been advised that because the land was designated as Green Belt such development was considered inappropriate development and unacceptable in planning terms.

RESOLVED (unanimously) – That it was expedient to issue an Enforcement Notice to remedy the breach of planning control for the demolition of the micro light and gyrocopter aircraft hangers and removal of materials resulting from the demolition from the land for the reason contained in the addendum.

15.DC.169 Appeals and other decisions

The Director of Public Protection, Streetscene and Community submitted a report which provided information about two planning appeals that had been lodged with the Planning Inspectorate and one appeal that had been allowed between 3 August and 27 October 2015.

Members of the Development Control Committee were advised that further information had been received regarding appeals or other decisions which would be reported to the next meeting.

RESOLVED – That the report be noted.

15.DC.170 Any urgent business previously agreed with the Chair

The Chair wished those present a very happy Christmas and New Year.

Chair

Date

Item 3a	15/00961/FUL
Case Officer	Helen Lowe
Ward	Eccleston and Mawdesley
Proposal	Proposed stable block comprising 3no. stables, hay store & tack room together with associated paddock and midden
Location	Towngate stables, Dark Lane, Mawdesley
Applicant	Mr Andrew Mawdesley
Consultation expiry:	6 November 2015
Decision due by:	4 December 2015
Recommendation	Approve
Executive Summary	<p>This application proposes the erection of three stables, with an attached tack room and hay store, located within an area of Mawdesley that is washed over by the Green Belt.</p> <p>The proposed development is considered to accord with the Council's Guidance and would not be inappropriate in a rural area. The proposal is accordingly recommended for approval.</p>

Representations

Mawdesley Parish Council have made the following comments:

- The site is within a large commercial area and is the only open space in what is a Green Belt Area.
- The site has already had an enforcement notice to clear a large amount of illegally sited builder's equipment.
- Access to the site is completely unsuitable.
- The site is located within the Green Belt and consider that the development fails to maintain openness, by reason of the introduction of a building within a relatively small remaining area of open land. The proposal cannot be regarded as appropriate development.
- To allow the proposed development would result in further encroachment of development onto an area of countryside and thereby erode the openness of the countryside. This would be contrary to the basis of Green Belt planning policy locally and nationally.
- There is no evidence that it has been sited so as to relate well to existing trees, hedgerows or landscape features. The stables would be sited centrally within the field, maximising the visual impact of the built development. In addition, the proposed plans show no screening for car and horse-box parking, no details of the midden are provided other than its siting which is within 30 metres of the facing windows of the adjacent care home.
- the provision of internal masonry walls does not accord with this particular consideration as set out in the SPD;
- The inadequacy of on-site grazing for the horses has forced the applicant to indicate additional grazing land at Bluestone Lane. This would require the horses to be taken along some 500 metres of highway between the two grazing fields. As such, to exercise horses off site or to take horses between the two paddocks would require the horses to be led or ridden on local roads, including busy roads such as Hall Lane, Dark Lane and Bluestone Lane with blind corners and junctions providing additional hazards to the horses, riders and other road users.
- The proposed development is not a credible proposition on horse welfare grounds by reason of the lack of adequate on-site grazing and no convenient bridleways, if no other, and represents a clear overdevelopment of land and cannot be regarded as an appropriate use of land within the Green Belt.
- The visual intrusion and clutter associated with the development would detract from the outlook that residents could reasonably expect to enjoy in a countryside and Green Belt location, to the detriment of their amenities;
- There have been other incidents whereby stables have not been used for their stated purpose and inappropriate uses and developments have been introduced within the Green Belt. Such sustained and systematic abuse of the planning system reduces considerably the public's faith in the planning system and should be guarded against and avoided by the Council;

In total no further representations have been received

Consultees

Consultee	Summary of Comments received
Lancashire County Council Highways	The proposal is acceptable from a highways perspective

Assessment

This application was deferred from the previous Development Control Committee meeting in order for a site visit to take place. Information included on the previous agenda has now been incorporated into the report.

Supporting Information

1. The applicant has provided the following information in support of the application:
2. The existing structure is currently used to store a tractor to help manage the field to the rear and to contain straw and hay acquired at the end of the season for the horses, to last the winter. It provides a cost effective approach to obtaining feed and bedding material from local sources at a time it becomes available. In light of this much needed facility, the current structure is unsuited to rearing animals. As the existing agricultural shed was not designed to stable horses it therefore currently does not comply with the recommendations provided by the National Equine Welfare Council (NEWC) or the Code of Practice for the Welfare of Horses produced by DEFRA. It is also considered good practice to have a substantive roof overhang to a stable entrance to protect the opening from the wind rain and sun, while providing a view, which the existing structure lacks.
3. The existing shed offers no stabling facilities and the materials used in its construction do not permit thorough cleaning and disinfection. The agricultural shed is therefore drafty and presents a concern in terms of spread of disease, a potential cause for injury and a risk to the animals in the event of fire, as stabled horses should be capable of being released quickly in the event of fire or an emergency. Our client therefore wishes to safeguard the welfare of his daughters horses by eradicate the risk of cold stress, discomfort and an increased susceptibility to disease posed by the existing structure. The construction of a new stabling facility will serve to eradicate such concerns achieved by meeting current national welfare standards.'

Principle of the Development

4. The application site is located within the Green Belt. The construction of new buildings in the Green Belt is generally inappropriate, however the Framework sets out a number of exceptions. One of these exceptions is the provision of appropriate facilities for outdoor sport and recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
5. The Council has adopted the Central Lancashire Rural Development Supplementary Planning Document (SPD) which provides additional guidance on equestrian development. It states that small scale private development is considered to involve no more than three horses. Tack rooms and hay stores should part of the same building and each should be of a similar size to an individual stable. The maximum ridge height should be 3.5m.
6. The application proposes the erection of three stables, with an attached tack room and hay store, in an 'L' shaped formation. The maximum ridge height would be 3.5m. The stables would be constructed from timber cladding with a profiled metal sheet roof. It is usual for stables of this nature to have internal masonry walls up to a height of 1.2m, in order to prevent horses from damaging the stables. As the stables would be clad in timber this accords with the Council's SPD.
7. The proposed midden would be sited 2.6m from the northern boundary of the application site, however the buildings of Stocks Hall Care Home to the north are approximately 41m north of this boundary, thereby complying with the requirement of the SPD to be at least 30m from neighbouring residential properties.
8. The stables would be positioned approximately 23m north of the existing site entrance. This enables the existing hardstanding within the site to be retained and utilised as a

vehicle parking and turning area. Given the nature and character of surrounding land uses it is considered that the positioning of the proposed stables is appropriate and would not unduly detract from the character and appearance of the area. The area of hardstanding to be retained is not considered to be excessive.

9. At present there are a number of pieces of equipment and materials being stored on the land in association with the adjacent building yard & commercial uses. These would be removed should consent be granted. A condition could be attached to ensure their removal. There is also an existing storage building on the site that is proposed to be retained. No planning consent for the building exists, however it has clearly been in situ for many years. Further information is awaited from the applicant to confirm the intended future uses of this building. It is not considered that this building is suitable for use for housing of horses due to its condition.
10. The stables would be in private use, to be used by the applicant's family. A condition could be attached requiring the stables to be used for private purposes only.

Design and Appearance

11. The stables would be constructed from timber boarding with a profiled metal sheet roof. This accord with the Council's SPD. The size and scale are also considered to accord with the Council's Guidelines, as outlined above.

Neighbour Amenity

12. The nearest residential property would be Stocks Hall Care Home (currently under construction) to the north and Haydene and Springdale to the east. The properties to the east would be over 100m from the stables, with a number of buildings associated with Towngate Works, on the intervening land. The Care Home would be approximately 50m away to the north of the proposed stable block.
13. The site is bounded on the west, east and south with a mature hedge. There is an existing timber fence, approximately 1.8m high, along the northern boundary.
14. It is considered that the stables would be well screened by the existing boundary treatments, with limited visibility from any public vantage points and in any case would not represent a feature unusual in a rural area.

Highway Safety

15. Access to the application site is via Towngate works, a complex of small industrial and commercial units. The LCC Highways Engineer has not raised any concerns with the proposals. It would appear from the statement submitted by the applicant that there is likely to be some movement of horses from the application site, along Bluestone Lane, to and from other land owned by themselves. The Parish Council have expressed some concerns with regard to this arrangement. The Council's SPD states that the movement of horses or vehicles resulting from the siting of stables should not create a danger to horses and riders or to other road users.
16. Whilst the location of the stables adjacent to a commercial and industrial complex is unusual, the Highway Engineer has not raised any concerns. Taking also into account the small number of horses involved and the likelihood of such movements occurring irrespective of the proposals it is considered unlikely that a refusal could be sustained on these grounds.

Other matters

17. The Parish Council has raised a number of other matters regarding the proposals which include the amount of land available for grazing of the horses to be kept.
18. The DEFRA Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids (2009) advises that as a general rule each horse requires approximately 0.5-1.0 hectares of grazing of suitable quality, if no supplementary feeding is being provided. The applicant has indicated that supplementary feeding will be provided. Furthermore, it is not

considered that it is the role of the planning system to ensure the welfare of the horses is maintained in this regard.

19. Concerns are also raised with regard to the potential future uses of the stables and the possibility that if permission is granted it may not be adhered to. A decision can only be made on the proposals put forward and presumptions about possible future uses or breaches of planning control cannot be a material planning consideration.
20. It is also noted that the site has been subject of previous enforcement action. This is incorrect. It is a parcel of land to the south that has been the subject of enforcement action (ref. EN 647 & planning application 12/00173/FUL).

Overall Conclusion

21. The proposed development is considered to accord with the Council's Guidance and would not be inappropriate in a rural area. The proposal is accordingly recommended for approval.

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.

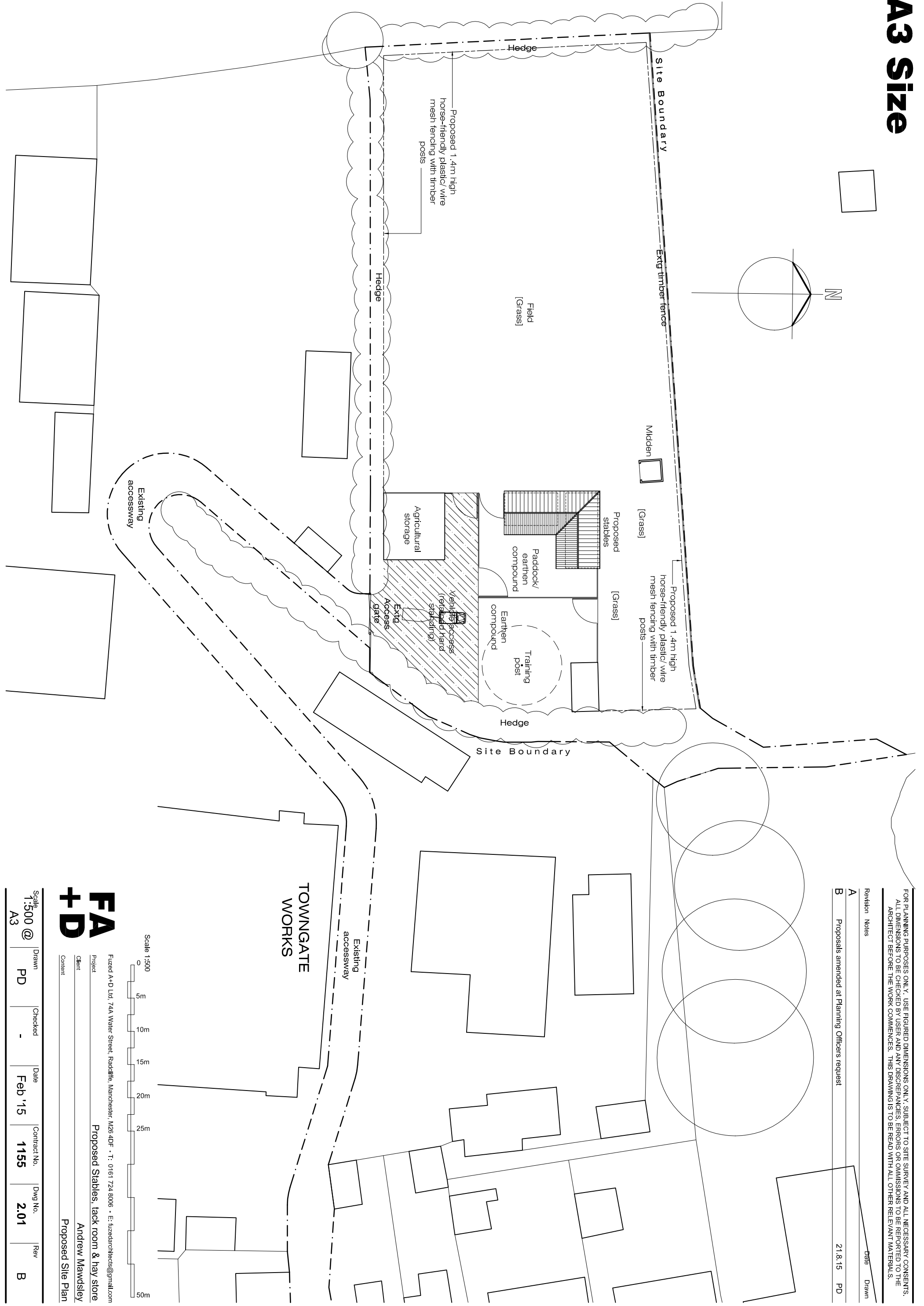
Planning History

There is no relevant planning history.

Suggested Conditions

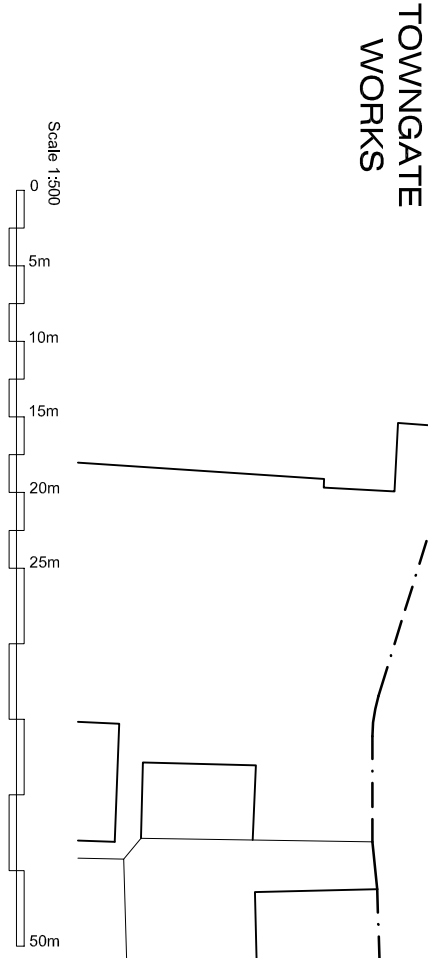
No.	Condition																		
1.	<p>The proposed development must be begun not later than three years from the date of this permission. <i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>																		
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 539 1305 949"> <thead> <tr> <th data-bbox="320 539 716 636">Title</th> <th data-bbox="716 539 983 636">Drawing Reference</th> <th data-bbox="983 539 1305 636">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 636 716 696">Location plan</td> <td data-bbox="716 636 983 696">1.01 A</td> <td data-bbox="983 636 1305 696">23 September 2015</td> </tr> <tr> <td data-bbox="320 696 716 757">Proposed site plan</td> <td data-bbox="716 696 983 757">2.01 B</td> <td data-bbox="983 696 1305 757">23 September 2015</td> </tr> <tr> <td data-bbox="320 757 716 817">Proposed floor plan</td> <td data-bbox="716 757 983 817">2.02 B</td> <td data-bbox="983 757 1305 817">23 September 2015</td> </tr> <tr> <td data-bbox="320 817 716 878">Proposed elevations</td> <td data-bbox="716 817 983 878">2.03 B</td> <td data-bbox="983 817 1305 878">23 September 2015</td> </tr> <tr> <td data-bbox="320 878 716 949">Existing site plan</td> <td data-bbox="716 878 983 949">1.02 A</td> <td data-bbox="983 878 1305 949">23 September 2015</td> </tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>	Title	Drawing Reference	Received date	Location plan	1.01 A	23 September 2015	Proposed site plan	2.01 B	23 September 2015	Proposed floor plan	2.02 B	23 September 2015	Proposed elevations	2.03 B	23 September 2015	Existing site plan	1.02 A	23 September 2015
Title	Drawing Reference	Received date																	
Location plan	1.01 A	23 September 2015																	
Proposed site plan	2.01 B	23 September 2015																	
Proposed floor plan	2.02 B	23 September 2015																	
Proposed elevations	2.03 B	23 September 2015																	
Existing site plan	1.02 A	23 September 2015																	
3.	<p>The stables hereby permitted shall be used for the stabling of horses and storage of associated equipment and feed only and, in particular, shall not be used for any trade, business or other storage purposes. <i>Reason: To define the permission and in the interests of the visual amenities and character of the area.</i></p>																		
4.	<p>If the stables hereby permitted are not brought into use or the use of them ceases for a period of one year within 10 years of their substantial completion, they shall be removed from the land and the land shall be restored to its former condition. <i>Reason: To avoid the proliferation of buildings in the Green Belt for which there is not a continuing need and in the interests of the visual amenity of the Green Belt.</i></p>																		
5.	<p>No goods, plant or material shall be deposited or stored in the open on the site. All existing goods, plant or materials not shown on the approved site layout, reference 2.01 rev B dated 23rd September 2015, shall be removed from the site in their entirety within three months of the commencement of the development. <i>Reason: In order to protect the amenities of the area and the openness of the Green Belt.</i></p>																		

A3 Size



FOR PLANNING PURPOSES ONLY. USE FIGURED DIMENSIONS ONLY. SUBJECT TO SITE SURVEY AND ALL NECESSARY CONSENTS.
 ALL DIMENSIONS TO BE CHECKED BY USER AND ANY DISCREPANCIES, ERRORS OR OMISSIONS TO BE REPORTED TO THE ARCHITECT BEFORE THE WORK COMMENCES. THIS DRAWING IS TO BE READ WITH ALL OTHER RELEVANT MATERIALS.

Revision Notes		Date	Drawn
A			
B	Proposals amended at Planning Officers request	21.8.15	PD



FA +D

Fuzed A+D Ltd, 74A Water Street, Raddiffe, Manchester, M26 4DF • T: 0161 724 8006 • E: fuzedarchitects@gmail.com

Project: **Proposed Stables, tack room & hay store**

Client: **Andrew Mawdsley**

Content: **Proposed Site Plan**

Scale	1:500 @	Drawn	PD	Checked	-	Date	Feb '15	Contract No.	1155	Dwg No.	2.01	Rev	B
-------	---------	-------	----	---------	---	------	---------	--------------	------	---------	------	-----	---

This page is intentionally left blank

Item 3b	15/00824/FUL
Case Officer	Helen Lowe
Ward	Pennine
Proposal	Retrospective application for retention of workroom to provide cosmetic tattooing service (sui generis) and change of use of land to garden
Location	90 Preston Road, Whittle le Woods
Applicant	Miss E Lloyd
Consultation expiry:	30th September 2015
Decision due by:	13th November 2015
Recommendation	Approve
Executive Summary	This is a retrospective application for the erection of a work shop to provide a cosmetic tattooing service. On balance it is considered that the proposal would not be so harmful to the amenities of adjoining residents to warrant refusal of the application.

Representations

<p>Whittle le Woods Parish Council have made the following comments:</p> <ul style="list-style-type: none"> • Concerns regarding neighbour consultation; • use of appropriate materials; • Adequate parking should be incorporated into the plan before the application is passed. <p>No changes were made to these comments one the amended plans were received.</p>
<p>In total one representations have been received which are summarised below</p>
<p>Objection</p>
<p>Total No. received: One</p> <ul style="list-style-type: none"> • This building is within 90cm of our fence at its nearest point. This, we feel, is intrusive and unnecessary given the area of land it potentially could be built on. • The building is completely out of character with its surroundings. • The size of the building is such that it imposes grossly on their rear aspect. Due to its elevated base then the height of their existing rear fence (approx. 1m80cm) is nowhere high enough to stop this imposition. • The building was erected, without planning permission, adjacent to their house and immediately behind the rear quarter comprising of their kitchen, utility and garage so that the loss of light onto our property is now significant and has had a detrimental effect on our property • They are now overlooked by what is planned to be the route of a stream of customers and the inevitable loss of privacy which is extremely important to us. • There will be the arrival and departure of cars and other vehicles and this again is a potential disturbance which is completely out of character with the area in question. • This is a residential area completely surrounding the plot in question and there is no recent history of trade premises being used in close proximity to the proposed site. • There appears to be no provision for business parking shown in the plans. <p>No further comments were received in response to the amended plans.</p>

Consultees

Consultee	Summary of Comments received
LCC Highways	No objections

AssessmentBackground

1. This is a retrospective application for the retention of a detached outbuilding/workroom that is to be used to provide a cosmetic tattooing services. The application also involves the change of use of a small area of land around the building to be used as domestic curtilage.
2. The application property is one of a small row of terraced stone cottages on Preston Road, Whittle Woods. The rear of the property is accessed via Lucas Lane West to the North.
3. The building measures 6m by 3.6m with a maximum height of 2.8m (it has a gently sloping mono-pitched roof). The building is partially completed and the applicant has indicated that they would ultimately wish to clad it in cedar boarding. No hours of operation have been provided however, each treatment usually takes several hours and the building would only be able to accommodate one customer at a time.
4. The building is located on an area of land to the rear of (east) of the 90 Preston Road, to the rear of an existing detached double garage (granted approval under application 03/01134/FUL). The land that it is sited on is not presently part of the residential curtilage of the property.

Principle of development

5. The application site is located within the settlement boundary but is not within or adjacent to a town, or local centre. Surrounding properties are residential. Policy EP4 of the Local Plan deals with employment development in residential areas, however the proposed use is considered to fall outside the use classes order and is therefore a *sui generis* use. Small scale employment development in residential areas is considered to be acceptable where there would be no detriment to the amenity of the area in terms of scale, character, noise, nuisance, disturbance, environment and car parking.
6. These issues are discussed separately below. The Framework states that there is a presumption in favour of sustainable development and that development should be focussed in locations that are sustainable. It is considered that the site is located in a sustainable location with easy access to public transport. Subject to the above matters being adequately addressed it is considered that the proposal is acceptable in principle.

Impact on Neighbour Amenity

7. The building is currently located a minimum of approximately 1.2m from the rear boundary with no. 15 Royton Drive. Amended plans have been provided that re-locate the building a further 900mm to the west, away from the boundary. The land on which the building is sited is at a higher level than the ground level of no.15 Royton Drive. The difference in levels is approximately 0.5m. There is a 1.8 m high fence along the boundary; therefore approximately 1.5m of the building is visible above the fence line.
8. The building is adjacent to the rear of the attached garage at 15 Royton Drive. There are two kitchen windows (the sole windows that serve this room) located in the west facing elevation of no. 15 Royton Drive that face towards the building, although they are not directly adjacent to the building. As the building is currently located, the windows at their closest are approximately 5.8m from the building.
9. It is considered that the building would cause some loss of outlook from these windows. However, given that the building is not directly to the rear of these windows; does not impinge on the private area of garden space; can be moved further from the boundary and the fact that the windows already have a very limited outlook it is not considered that it would be reasonable to refuse the application on these grounds. It is recommended that a condition be added requiring details of the staining of the proposed cedar boarding to be submitted and approved.

10. If moved as shown on the amended plans the building would be approximately 19m from the rear elevation of no. 94 Preston Road and is partially screened by the existing double garage. It is not considered that the building causes a significant loss of outlook or overbearing impact for the residents of properties on Preston Road.
11. It is accepted that proposed use itself is unlikely to cause an excessive degree of noise and disturbance, the principal cause of noise and disturbance is likely to arise from the comings and goings of customers and their vehicles. The applicant has suggested that visitor will park on street on Preston Road and enter through the dwelling. However, the applicant also has a substantial area of off street parking to the rear of their property (there is a small area available to provide parking for no. 88). Access to this parking area is from Lucas Lane West. The applicant owns the majority of the land to the rear of nos. 98, 96 and 94 Preston Road (there is no no. 92) and any vehicles parking to the rear would have to pass to the rear of these properties. As the treatments would take a relatively long period and only one person would be treated at once, it is not anticipated that the number of vehicle movements would be particularly high.

Design and appearance

12. Policy BNE1 of the Local Plan states that new development should not have a detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.
13. The size and scale of the building is commensurate with a domestic outbuilding and it not considered to be unduly over bearing or out of keeping with the surroundings. The submitted plans state that the building is to be faced with painted timber panels, however the applicant has indicated that they wish to clad it in cedar boarding. This is considered to be acceptable subject to details of the proposed staining/colouring being provided. This can be secured by condition.

Highway Safety

14. Policy ST4 of the emerging Local Plan sets out the relevant parking standards for new development and policy BNE1 requires that new development should not prejudice highway safety.
15. The LCC Highways Engineer has not raised any objections to the proposals. The number of vehicle movements is considered to be likely to be low and parking on Preston Road is considered to be satisfactory. Furthermore, there is a significant area of hardstanding to the rear of the application property that is within the ownership of the applicant. A revised location plan to reflect the correct extent of land ownership has been requested from the applicant.

Overall Conclusion

16. Subject to the imposition of conditions to secure the moving of the building away from the boundary and details of the staining of the proposed cedar boarding, it is considered that on balance it would be unreasonable to refuse the application on the grounds of its impact upon the amenities of neighbouring residents. It is also not considered that the nature of the business proposals would cause such a degree of noise and disturbance to warrant refusal of the application. The application is therefore recommended for approval.

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.

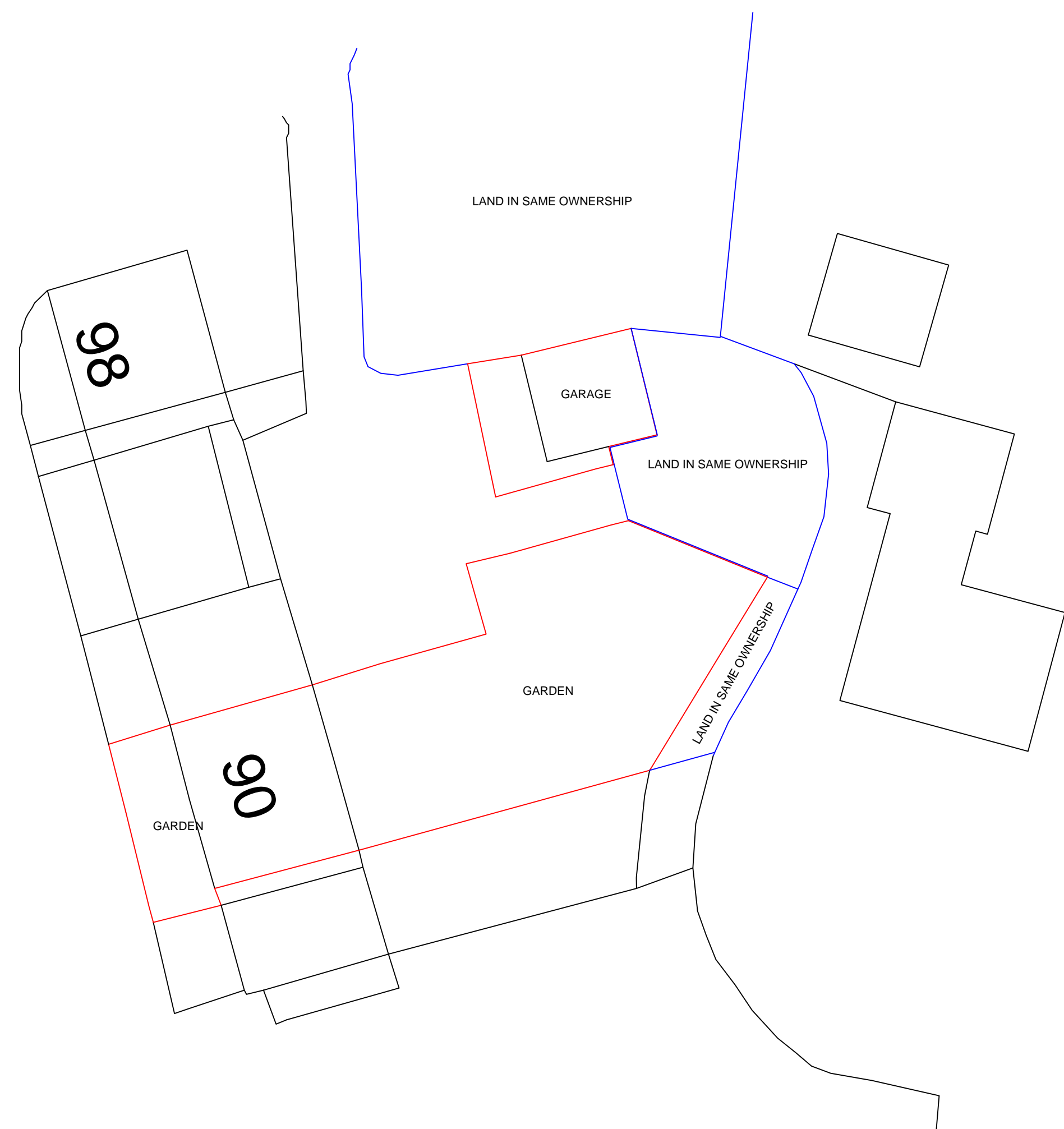
Planning History

Reference	Description	Decision	Date
5/5/09620	Garages	Approved	9 February 1973
74/00011/FUL	Kitchen extension and Storm Porch	Approved	24 April 1974
99/00913/FUL	Retrospective permission for the erection of a block wall to the rear of the property	Approved	8 March 2000
03/01134/FUL	Demolition of two existing garages, extension to garden of No. 90 Preston Road, extension to parking area and erection of detached double garage,	Approved	3 December 2003

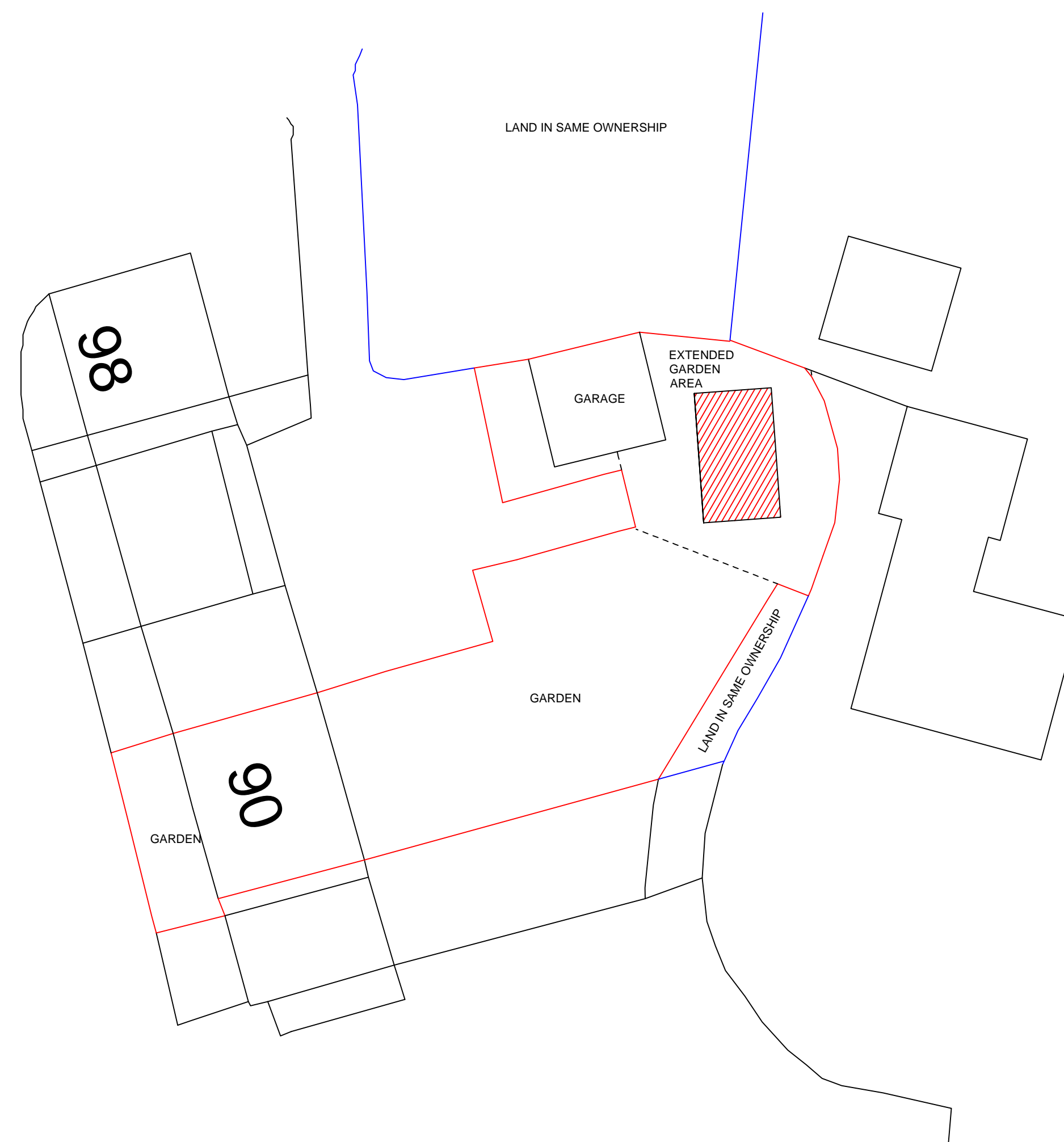
Suggested Conditions

No.	Condition				
1.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 383 1169 510"> <thead> <tr> <th data-bbox="320 383 810 445">Title</th> <th data-bbox="810 383 1169 445">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 445 810 510">Proposed outbuilding</td> <td data-bbox="810 445 1169 510">26th October 2015</td> </tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning</i></p>	Title	Received date	Proposed outbuilding	26 th October 2015
Title	Received date				
Proposed outbuilding	26 th October 2015				
2.	<p>Within three months of the date of this consent samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>				
3.	<p>Within three months of the date of this consent the building hereby approve shall be moved in accordance with the plan submitted in the 26th of October. The development shall be carried out strictly in conformity with the approved details.</p> <p><i>Reason: To protect the appearance the locality and in the interests of the amenities of local residents.</i></p>				

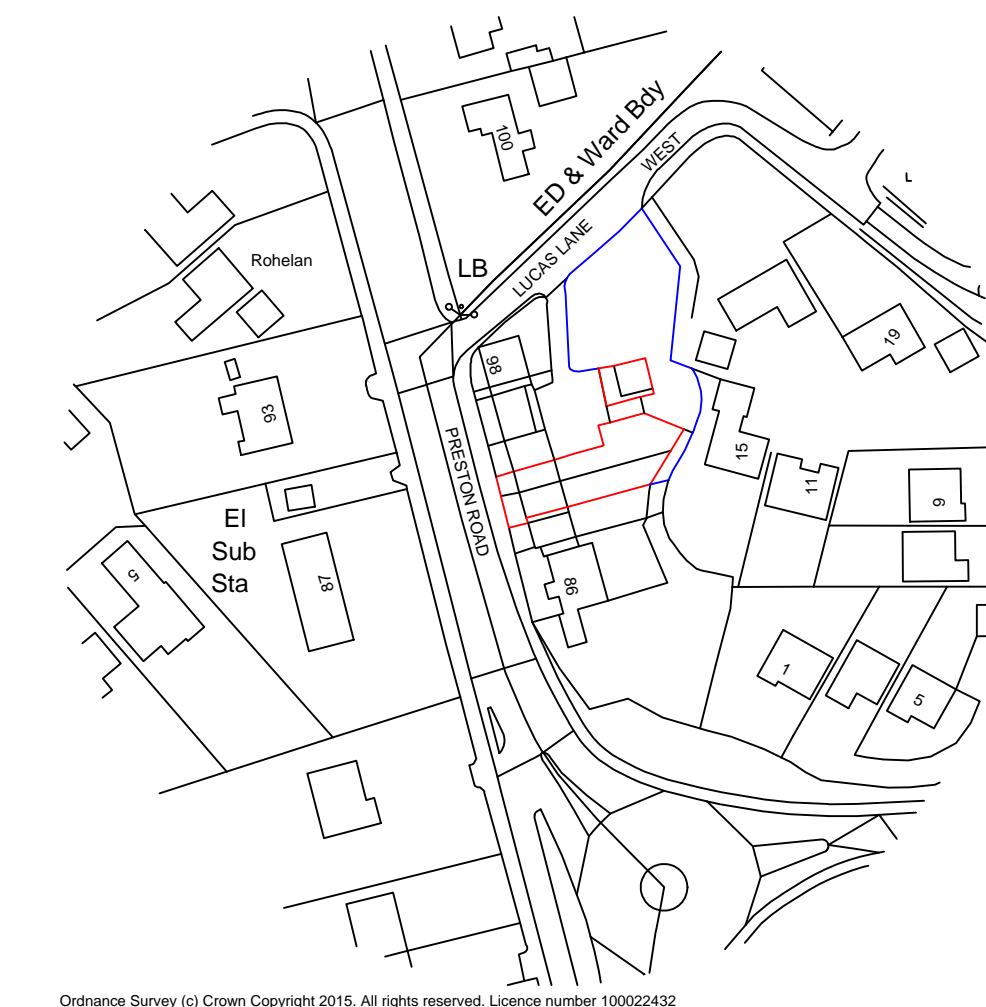
This page is intentionally left blank



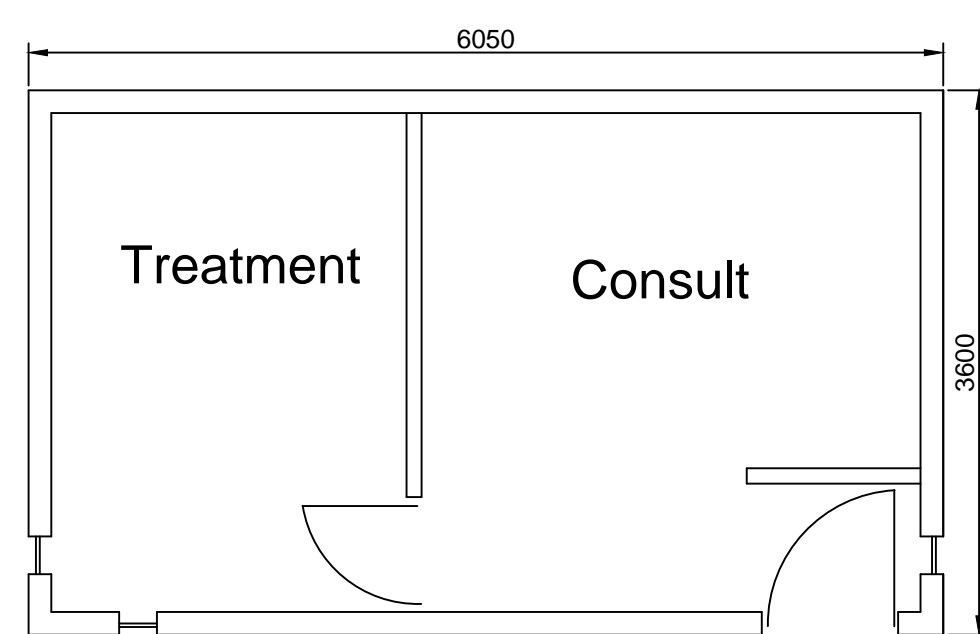
Existing Site Plan



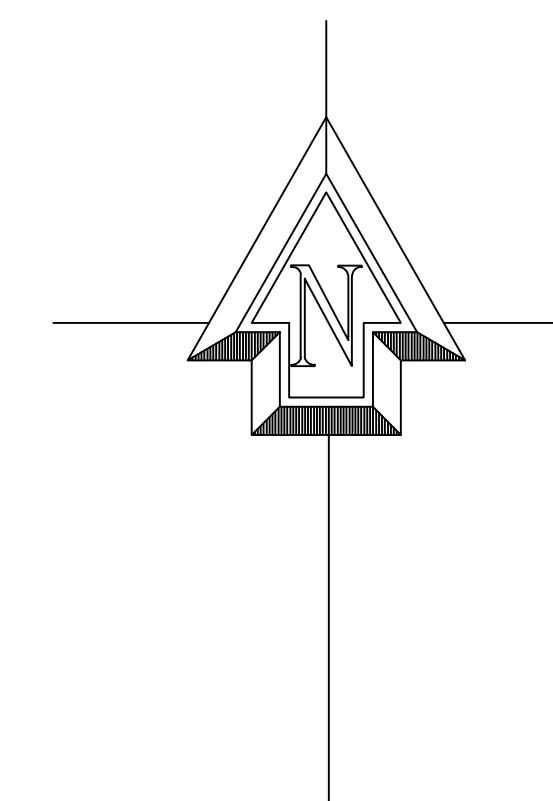
Proposed Site Plan



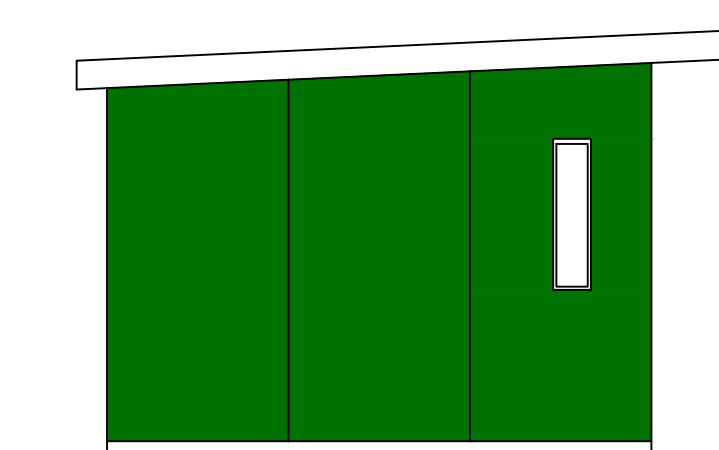
Location Plan



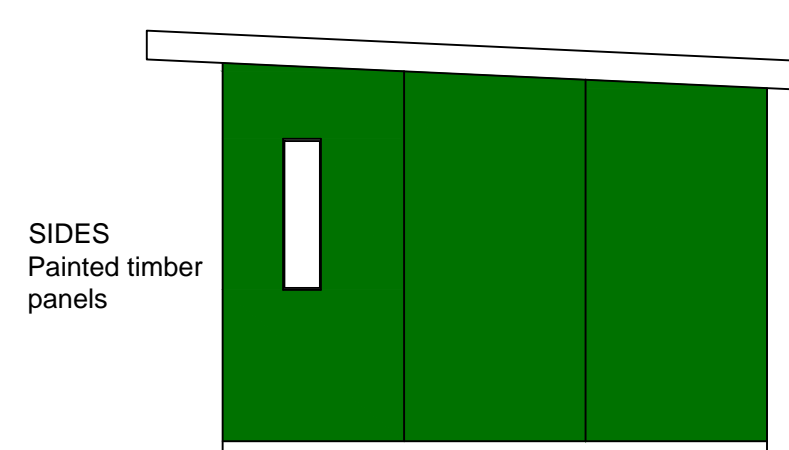
PROPOSED LAYOUT



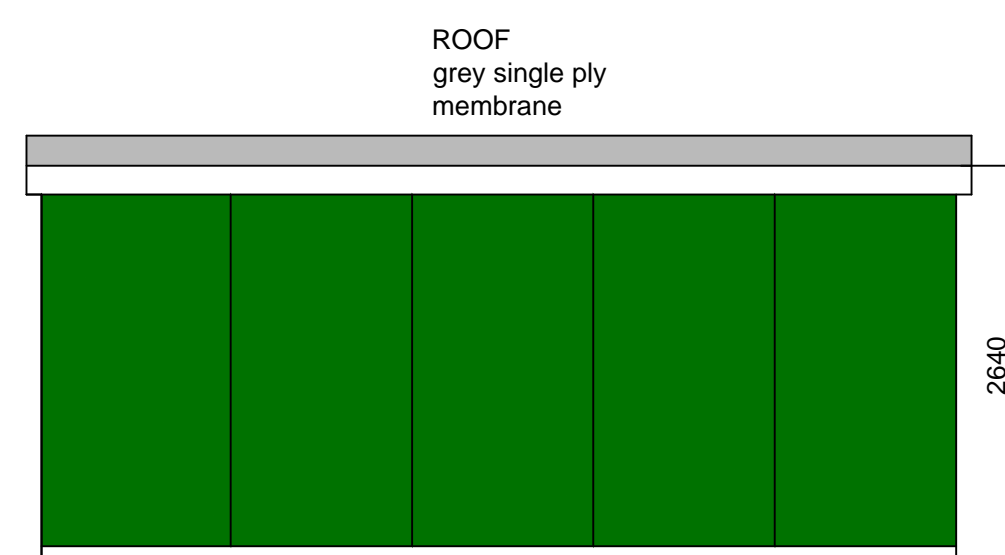
Proposed out building at :	
90 Preston Road Whittle le Woods Chorley PR6 7HE	
CLIENT:	Miss E Lloyd
DATE:	July 2015
SCALE:	1:50 1:200 & 1:1250 @ A1
DWG No:	
L.A:	
AMENDMENTS:	DATE:
ENTWISTLE DESIGN SERVICES	
7 Edgefield Astley Village Chorley PR7 1XH	Tel:01257 274976 E-Mail entwistledesign@aol.com



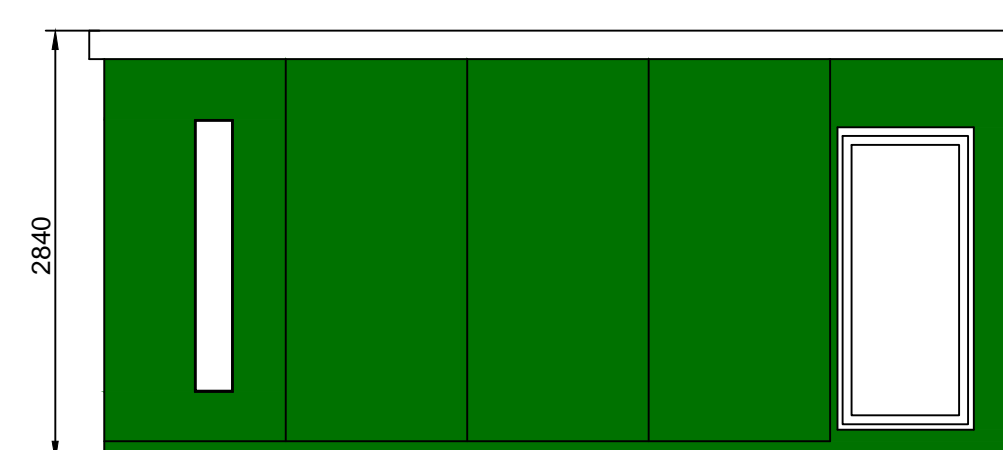
PROPOSED SIDE



PROPOSED SIDE



PROPOSED REAR



PROPOSED FRONT

This page is intentionally left blank

Item 3c	15/01116/FUL
Case Officer	Nicola Hopkins
Ward	Euxton South
Proposal	Retrospective application for the creation of an area of hardstanding to be partly used for parking and partly for agricultural storage (resubmission of application 15/00088/FUL)
Location	Five Acres Plant Centre, Five Acres, Dawbers Lane Euxton
Applicant	RTJ Northwest Ltd
Consultation expiry:	9th December 2015
Decision due by:	1st January 2016 (time extension agreed until 18th January 2016)

Recommendation

Refuse retrospective planning permission for the following reason:

The car park/ area of hardstanding represents further encroachment into the Green Belt than the existing built development at the site in conflict with one of the five Green Belt purposes. It is considered that there is sufficient space within the confines of the existing built development at this site to accommodate parking without the need for this additional car park and there is no justification as to why hardstanding for agricultural storage is required at this site, as such it has not been demonstrated that the land is genuinely required for agricultural purposes. The proposal represents inappropriate development which is harmful to the Green Belt and it is not considered that sufficient very special circumstances have been provided which outweigh the harm the development will have on the Green Belt.

Representations

Euxton Parish Council no comments received

In total 2 representations have been received which cite the following grounds of objection:

- This is additional parking over and above existing parking which was deemed acceptable for the site.
- The scale and size of the parking area is not in keeping with this Green Belt area.
- Approximately 40 bales of hay have been put on the site and this area has never been used for such storage.
- This area used to be used for growing plants the use for parking cars has adversely impacted on the neighbours' amenities.
- The car park is used late in the evening and at weekends and vehicles are left over night.
- A number of high intensity lights have been installed to illuminate the car park- these are left on overnight.
- Lorries now use the access adjacent to the car park and are often parked along the road causing highway safety concerns to motorists and pedestrians.
- Significant loss of residential amenity to the nearby listed building.
- This is simply a re-hash of application 15/00088/FUL which was refused permission and has an outstanding enforcement order against it dated 27 October 2015 – it is queried why this has not been enacted.
- Failure to do so is playing into the hands of Mr Ashcroft, buying him time and allowing him to continue to use this illegal car park instead of having 6 months to remove it.
- The hardstanding and fencing is within the Green Belt, was completed despite being unauthorised and no attempt to cease using it or to remove it has been made despite planning permission being refused.
- The fact that it is proposed to reduce the hardstanding in size does not in any way mitigate its impact in the Green Belt or the visual effect of the vehicles and the associated car lights and flood lights on the surrounding area.
- The owners of Five Acres did not lodge an appeal against the refusal and are attempting to introduce a new aspect into the equation as a red herring.
- The so called 'agricultural storage' is black and green wrapped haylage which must be an additional commercial use of the site because the land does not support the growing of grass for this.
- Resident consider that Mr Ashcroft has deliberately placed these at the front/roadside of the hardstanding in order to intimidate the neighbours.
- Also green bales of haylage have been put behind the gate as a deliberate act of provocation because there was a previous agreement from Mr Fairclough, one of the owners of the site, to plant some hawthorn hedging. Mr Ashcroft tore them out when residents objected previously to the car park.
- The application form states that the hours of working on this site are: 09.00 - 17.00 Monday -Friday + 09.00 - 17.00 Saturday and this is currently untrue as vehicles are regularly on the car park prior to 08.00, sometimes 06.00, later than 17.00 and albeit fewer in number are also there on Sundays. Paragraph 1 of the Very Special Circumstances section of the application states very clearly that the car park would only be used in line with the operating hours of the site which does not happen.
- Paragraph 3 of the VSC statement claims that directing car parking away from the main area is to avoid conflict with neighbours. This objection and those of other neighbours shows this is not the case. There has been no attempt to avoid conflict.

- The original application, in the design statement, unambiguously stated there was sufficient car parking and turning room for the staff and the traffic on the site and yet the applicant is now retrospectively again applying for a car park that has already been constructed without permission.
- To the rear of the car park there has now been placed a container/office building and para 8 of the VSC statement is implying that this site is going to be further developed within the Green Belt and appears to some sort of threat in that it is 'being overseen by a member of the Council' who should of course have no input into the decision regarding this retrospective planning application.
- The arguments used show that this site is increasingly becoming industrial and does not qualify as a horticultural one. There is a believe that this planning creep must be stopped and the enforcement order put into place.
- The applicant has not demonstrated any Very Special Circumstances as to why the original refusal for this hardstanding on land within the Green Belt should be changed and the Enforcement Notice should be issued immediately.

Consultees

Consultee	Summary of Comments received
LCC Highways	The proposed 30no. spaces still appears more than required for the operations on site. However, as stated in the response to the refused application, considering the location of the site, Highways would have no objection to the retrospective application.

Assessment

Background information

1. The Five Acres site was traditionally an established horticultural site, comprising numerous buildings used for horticultural purposes in conjunction with the associated land. However, in more recent years, part of the site (namely that which is nearest Dawbers Lane) diversified without the benefit of planning permission. This was regularised in 2010 through the approval of a Certificate of Lawfulness application which confirmed that Class A1, B1, B2 and B8 uses had been in place for at least ten years from the date of submission of the application (application ref: 10/00500/CLEUD).
2. Part of the site is occupied by Hedges Direct which is an internet based company specialising in growing an extensive range of hedging plants and they occupy a good portion of the site.

Proposed Development

3. This application relates to the creation of a hard-surfaced area of land located to the west of the complex of buildings at the Five Acres site. The area of hardstanding has already been created and as such this application is submitted retrospectively. The total area of hardstanding created measures 68.5 metres in length by 25.9 metres in width (1774.15m²).
4. Members will note that a planning application for the creation of an area of hardstanding, to be used for car parking, was refused earlier this year and this application relates to the same piece of hardstanding. However, as part of the previous application the proposed area of car parking covered the majority of the hardstanding. In respect of this application, a smaller area of the hardstanding is proposed to be used for car parking. The car park will measure 52 metres in length by 19 metres in width (988m²).
5. The fence that has been erected around the edge of the car park would be brought in so as to define the parking area. It is proposed that the remaining hard-standing would be used for agricultural storage purposes. Additional planting is also proposed along the northern and western boundaries.

Principle of the development- Green Belt

6. The application site is previously undeveloped agricultural land located in 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.

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.*
7. The proposed development is considered to be an engineering operation in accordance with paragraph 90 of the Framework. Engineering operations are not necessarily inappropriate development within Green Belt locations providing that they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.
8. As such there are two considerations in respect of the proposal and the appropriateness of the development in the Green Belt as follows:
- 1) *Will the development preserve the openness of the Green Belt?* Whilst the test for sites such as this relates to preserving openness it is important to note that the Framework contains no specific definition of 'openness'. The creation of an area of hardstanding effectively preserves the openness of the Green Belt and whilst the use of such an area for car parking and agricultural storage may impact on the visual amenities of the area and result in encroachment into the Green Belt it cannot be said, in this case, that purely the creation of an area of hardstanding would not preserve the openness of the Green Belt.
 - 2) *Will the development conflict with the purposes of including land in the Green Belt?*
Paragraph 80 of the Framework sets out the five Green Belt purposes which the scheme is assessed against as below:
Purpose 1 (to check the unrestricted sprawl of large built-up areas).
The proposal does not involve any built development and as such would not result in the encroachment of built development into the Green Belt.

Purpose 2 (to prevent neighbouring towns merging into one another)
Development of the site would not lead to the coalescence of neighbouring towns (Chorley and Standish). In respect of the neighbouring villages the development would not lead to a coalescence of neighbouring villages.

Purpose 3 (to assist in safeguarding the countryside from encroachment;).
The area of hardstanding extends outside of the defined curtilage associated with the established lawful uses at this site (established as part of 10/00500/CLEUD). When the certificate application was considered the areas used for horticultural uses, such as the part of the site subject to this application, were not included as the officer noted that they were outside the red edged plan. Accordingly the lawful use of the land is for horticultural uses. Additionally such uses are appropriate uses of agricultural land which do not necessarily require consent. It is understood that previously the ground was laid with gravel, with a visqueen layer underneath, and was used for growing Alpine plants which in the case of the activities on this site falls within the definition of agriculture (which is specifically omitted from the Framework definition of previously developed land). It is considered that the proposal represents the encroachment of engineering operations outside of the established and defined built form at this site representing encroachment into the countryside which is by definition inappropriate development in the Green Belt.

Purpose 4 (to preserve the setting and special character of historic towns;).
This does not apply as the site is not located near a historical town.

Purpose 5 (to assist in urban regeneration, by encouraging the recycling of derelict and other urban land).
It is not considered that the proposal conflicts with this purpose as the proposal does not involve new built development which would be more appropriately sited on brownfield land (which is the reasoning behind this purpose).

9. As such it is considered that the proposal, which involves the encroachment of hard engineered operations into an area of previously undeveloped agricultural land, falls to be considered inappropriate development. As such the tests of paragraph 88 of the Framework are engaged. In this case very special circumstances (VSC) need to be demonstrated which outweigh the harm the development will have to the Green Belt.

Proposed Car Parking Area

10. In support of the proposed car parking area, the following very special circumstances have been advanced by the applicant:
- The site area of the car park does not and would not contain any buildings. The land is only used for car parking in line with the operating hours of the site, and at a less intensive level when there are fewer staff at the site, on weekends and bank holidays. This means that at some periods the car park is empty. The land remains to have a more open character than if there was a building on it.
 - Sustainable modes of transport do exist for employees, many of the employees choose to car share. The proposed car park allows the site to direct car users out of the main service area of the site allowing space for HGV's to enter and manoeuvre through the site without conflict with staff and visitors' vehicles. As the development improves the access and vehicle movements it is considered that this could be put forward as a VSC.
 - The proposed car park is an on-site staff provision; the benefit of directing car users away from the main HGV service area also enables the site to avoid conflict with neighbours and the surrounding area. The on-site provision eliminates the need for cars, LGV's and HGV's to park and manoeuvre on the public highway/verges or encroach on neighbouring land. This mitigation of conflict, both on the site and on public/neighbouring land is put forward as a VSC.
 - The site places paramount importance on health and safety and without the car park facility, that is the subject of this application, the site would not be able to operate within the health and safety parameters that have been established and are regularly reviewed by risk assessments.
 - The site is a growing rural business which is improving the economic condition within Chorley. The business is innovative and as such, successful. It enhances links between smaller businesses and therefore creates a hub which ensures an element of prosperity in the countryside.
 - Since October 2011, the size of the permanently employed team has increased from 8 to 38 from what has proven to be an area from which it has been possible to attract high calibre individuals. The applicant has stated that they have significant trading links with local plant growers and purchase goods and services from a wide range of companies in the Chorley area.
 - Hedges Direct relocated the business to Chorley in October 2011. The site at Five Acres included the opportunity to develop all core operations on one site that is ideally positioned in relation to transport links. It also enabled the business to recruit high calibre new team members from the immediate and surrounding catchment areas. In reaching this decision the business took a sequential approach to various locations within the Chorley area, with Five Acres being the most suitable alternative site.
 - The Hedges Direct MD is in the process of a funding application to the European Agricultural Fund for Rural Development to assist in building projects on the site. This is being overseen by a member of the Council as part of the Lancashire Local Enterprise.
11. It is important to note that from an openness perspective the creation of a car park in this case cannot be said to impact on openness. However, the use of the car park, which results in an extension to the established built up part of this site, does result in an extension of 'urbanised' parts of the site (i.e. the established built form at this site).
12. It is noted that a number of the employees choose to car share (the number of staff cited refers to 38 however, when the previous application was considered a figure of 39 was provided. It is therefore assumed that the number of staff employed is within the high 30s). The number of parking spaces actually demarcated has reduced to 30 (the originally submitted plans only showed 29) although the extent of hardstanding within the proposed fenced off area extends beyond the demarcated parking spaces and details sufficient hardstanding for 40 parking spaces.

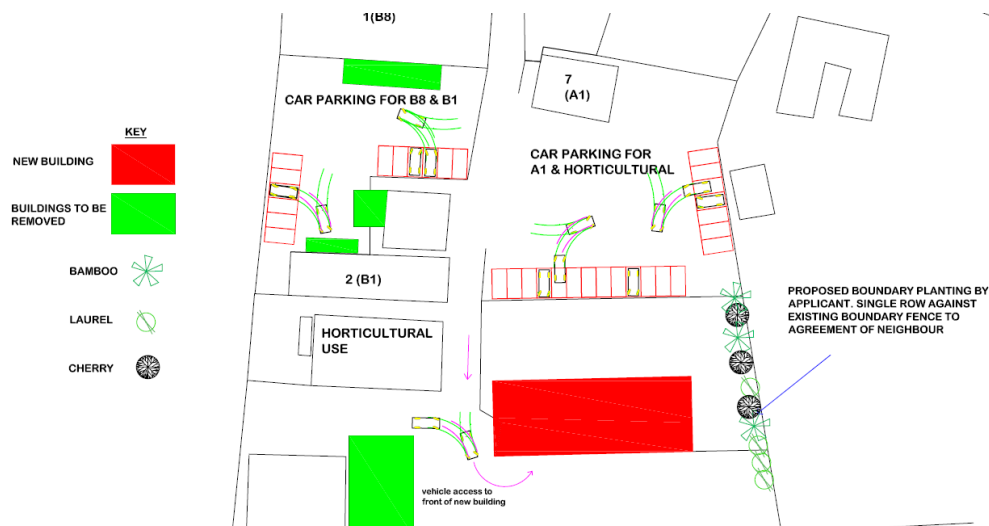
This was queried with the agent for the application who has confirmed that *The car parking area is the shape and size it is owing to the existing entrance and exit points. The area needs to remain rectilinear in form to allow for manoeuvring etc. The number of parking spaces could be controlled by condition.* Whilst the requirement for an entrance/ exit to the car park along with manoeuvring space is required, the amount of hardstanding proposed is excessive for 30 car parking spaces and results in an unnecessarily large area of hardstanding which is contrary to the purposes of including land within the Green Belt. Whilst the number of spaces could be conditioned the harm in this instance is the encroachment of the hardstanding into the Green Belt which is overly large for the 30 parking spaces it is suggested are required.

13. It is noted that the supporting information states that *Sustainable modes of transport do exist for employees many of the employees choose to car share.* A recent planning permission (14/01241/FUL) at the site included the following condition:

Within two months of this planning approval a Business Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures to reduce car borne trips to the site by the staff currently employed at the site. The measures in the agreed Travel Plan shall then thereafter be complied with.

Reason: The site is an unsustainable site located within a rural area. Sequentially preferable sites are available for the office accommodation however due to the needs of the business the office accommodation needs to be located on site. However due to the number of staff employed it is considered that there is a need reduce the number of car borne trips and to encourage the use of public transport within this location.

14. It is noted that the requirements of this condition have not been met (the agent has been advised of the breach and a draft Travel Plan has been provided although no formal discharge application has yet been submitted). The condition was worded specifically taking into account the fact that rural businesses are not necessarily located within sustainable locations but with the intention to secure some alternative modes of accessing the site such as car sharing/ cycle to work schemes which seems to be supported by the applicant within the submitted VSCs. This is further supported by the recent planning permission for the amenities block at the site which includes shower facilities to enable staff to choose to cycle to the site.
15. Whilst it is appreciated that there needs to be a clear separation between HGV movements and car parking, there is an existing, historic, large area of hardstanding which could be adequately used for parking without the need for an additional car park. During previous site visits this area of hardstanding has been clear and available for both parking and HGV movements.
16. It has been noted during previous site visits that the HGVs associated with Hedges Direct were parking and being filled within the Hedges Direct part of the site leaving the large area of hardstanding between Hedges Direct and the garden centre clear. Previously a plan has been submitted to discharge the parking condition attached to planning approval 12/00035/FUL which details proposed parking arrangements which were considered acceptable:



17. It is considered that this plan could be adapted to provide parking and facilitate HGV movements without the need for further encroachment into the Green Belt.
18. This was suggested to the applicant and their agent as part of the consideration of previous application. As part of this current application, the supporting information states that the justification for the car park is that the remaining areas of the site are used by other vehicles in connection with the businesses which occupy the site. To support this a vehicle route tracking plan has been provided to show the space requirement for the vehicles. This is identical to that submitted as part of the previous application.

Dispatch Vehicles

19. The supporting information confirms that the dispatch vehicles consist of two articulated lorries and one artic trailer which are delivered to the site at the start of the working day and removed, once loaded. These vehicles are used by Hedges Direct for loading of orders dispatched from the site at 6pm. The largest dispatch items consist of root ball plants stored in building 6, such as standard trees, which are prepared, packed onto pallets and placed on the yard via forklift ready for loading. During peak season, which equates to 62% of the trading year, the agent has stated that 4 articulated lorries are used by Hedges Direct to dispatch product.
20. During a site visit on 18th November at mid-morning, there were no articulated lorries or trailers on the site (the agent for the application has confirmed that the time of the site visit was during an extremely bad weather week and this affected all forms of transport and in particular ferry crossings. The agent considers that this explains why the space was not being used at that time on that day) notwithstanding the statement within the supporting information.
21. There needs to be space on each side of the artics so that packed pallets can be loaded by forklift; each artic lorry can hold between 44 to 50 pallets. The artic trailer is used for dispatch of orders of boxed plants and smaller sundry items stored and packed in building 8. There needs to be space around the trailer for pallets packed with boxed items to be loaded by forklift. The trailer is loaded with up to 300 boxes within the operating hours of a normal day to meet orders.
22. The articulated lorries and artic trailer dispatch vehicles are a haulage service engaged under contract by Hedges Direct. Smaller dispatch vehicles also visit the site. Up to three 7.5T or 18T vehicles and two vans visit the site each day, to be loaded with dispatch at the site. These vehicles are on site between 45 – 90 minutes and as such require access and a parking space as close as possible to building 8; these vehicles are loaded by hand.
23. As such it is clear that the vehicles need to be parked as close to buildings 6 and 8 as possible which is area 10 on the submitted plan (with a larger area (area 14) retained free for forklift movements to the main dispatch buildings 6-8 and the goods storage building 13.)

24. The supporting information details that there is sufficient space for three articulated lorries to station within area 10 whilst keeping space free for two smaller vehicles. This is detailed on the submitted plan wholly within area 10 including manoeuvring space.
25. The previously submitted supporting information confirmed that the business has a minimum of 3 articulated vehicles sat on site each day, which are continually loaded from both sides of each vehicle, throughout the full trading day. These vehicles are stationary once delivered and can't be moved until collection at 6pm. Area 10 appears to detail adequate space for these business needs.

Delivery Vehicles

26. The supporting information confirms that up to 46 deliveries visit the site over the course of a normal trading week. These consist of 8 articulated lorries, sixteen 7.5 to 18 tonne vehicles and 22 small vans. The artic deliveries bring stock on loaded pallets or metal racks. These are a separate haulage entity to the site. Two spaces are retained in the main yard for delivery artics.
27. Incoming goods on wooden pallets generally consist of larger plant stock such as standard trees, from other growing sites. The wooden pallets are unloaded from the delivery vehicles via forklift, placed on the yard and the plant stock is then distributed across the site, mainly to the growing beds (area 14).
28. Once relieved of stock, empty wooden pallets are stored in building 11. Delivery artics will also collect empty pallets from the site, which are returned to a packing and distribution centre in Preston. These wooden pallets are loaded from building 11 onto the delivery artics via forklift.
29. The metal racks carry plant stock which are then moved to the growing beds. These metal racks are stored in area 12. Similar to the wooden pallets, empty racks are stored on the site and returned to a distribution centre or other sites, via the delivery vehicles.
30. Smaller delivery vehicles visit the site and reflect the typical vehicle size. Up to three 7.5T or 18T vehicles and two vans visit the site each day, to be loaded with dispatch at the site. Delivery vehicles can also accommodate some dispatch items from the site, such as boxed items in building 8.

Idling Vehicle Space

31. The supporting information states that this is an area which is required for both dispatch and delivery vehicles to wait stationed in the event that there is not sufficient access room available in area 10 of the yard. As shown on the plan, there is only sufficient space for 3 dispatch articulated lorries to station within area 10 whilst keeping space free for 2 delivery artics. During peak season a fourth dispatch artic is required and as such cannot access the yard until a delivery artic in the yard is ready to leave. The idling space is the best location for the artic as it allows other vehicles to take the route through the site as shown.
32. As set out within the supporting information there are two articulated lorries and one artic trailer for dispatch purposes (notwithstanding the fact that during a mid-week site visit none of these vehicles were present on site). There is space for 3 articulated lorries to be stationed within area 10 whilst keeping space free for 2 artics which appears sufficient for both dispatch and delivery vehicles. Whilst it is noted that during peak season 4 articulated lorries are used for dispatch from the site it is considered that idling space for one articulated vehicle would be sufficient to enable the delivery articulated vehicle to unload and exit the site. The submitted vehicle tracking plan shows space for 6 articulated vehicles and 2 delivery vehicles which appears excessive based upon the requirements of this business. It appears that area 9 can be fully utilised for parking whilst ensuring sufficient space for dispatch and delivery vehicles (area 10) for the existing business needs along with idling space adjacent to building 6. This would retain area 9 free for parking.

Separate Business

33. The supporting information confirms that there are two other situations in which separate businesses operate and have a related vehicle route requirement. Building 6b is currently used by Hic Bibbi's in connection with the growing beds in the western most portion of the site. As this is a

horticultural operation, Hic Bibbi's need access to the building with a trailer towing tractor and other large scale machinery used for growing. Therefore an area has been shown on the route tracking plan to show the vehicle space requirement in relation to this use and has been marked HB.

34. However this building does not have planning permission (as it has not been constructed in accordance with the approved plans) and the approved plans detail suitable access arrangements for horticultural use without the need to access via the northern elevation. At a site visit on 18th November 2015 it was clear that this building has been subdivided internally into what appears to be three separate units with the end unit being used by a separate business and clearly not a horticultural use.
35. Although the approved plans have no internal subdivisions there is no condition restricting this and as such on the proviso that the building is used for horticultural purposes this is an acceptable use of the building. It is important to note that the supporting information submitted by the agent on 10th June 2015 in respect of application 15/00088/FUL confirmed that the left side of 6b is occupied by a joiner.
36. The approved plans for this building incorporate roller shutter doors in the east, west and south elevations adequate to enable forklift access and there is no evidence to detail why access is required along the northern elevation. Removal of this access would enable this land to be used for parking/ vehicle movements/idling vehicles.
37. The agent has been advised on several occasions of this breach and clarity has been requested in respect of the use of the end unit which does not appear to have the benefit of planning permission as this building was given consent as a horticultural building. To regularise the situation on site a retrospective application for the erection of a new horticultural building, an amendment of planning approval 12/00559/FUL, was submitted in December (15/01180/FUL). The proposed description and application type was queried with the agent given it was clear on site that the end unit is not in horticultural use and a revised description was suggested but no response received to date.
38. The agent for the application has not confirmed how his client wishes to proceed in respect of the above application and as such it is currently invalid.
39. The supporting information confirms that the site occupied by building 5 benefits from planning consent for the erection of a replacement building which will house Class B8 units and horticultural use. It has not been finalised whether these units will be occupied by Hedges Direct (as an expansion to their rented premises) or that it will be available to separate tenant.
40. Without an identified end user it is not clear why 4.5 metres of space is required in front of this building given that the main use is horticultural use, accessed by forklifts, with only a small element of B8 storage and distribution use. Whilst the B8 use will need loading and unloading space no evidence has been provided to support the assertions made for the amount of space detailed on the submitted plan.

Outside Storage

41. It is important to note that all of the planning consents to date for this site restrict outside storage (see the following conditions) and as such the outside storage requirements are not justification for the loss of alternative parking arrangements:
 - 12/00035/FUL** - No materials or equipment associated with the use hereby permitted shall be stored on the site other than inside the building.
Reason: In the interests of the amenity of the area and in accordance with Policy No. EM2 of the Adopted Chorley Borough Local Plan Review.
 - 12/00559/FUL** - No materials or equipment associated with the use of Buildings 1 or 2 hereby permitted shall be stored on the site other than inside the building(s).
Reason: In the interests of the amenity of the area and in accordance with Policy No. EM2 of the Adopted Chorley Borough Local Plan Review.
 - 14/01241/FUL** - No materials or equipment associated with the use hereby permitted shall be stored on the site other than inside the building.

Reason: In the interests of the amenity of the area

15/00165/FUL - No materials or equipment associated with the use hereby permitted shall be stored on the site other than inside the building.

Reason: In the interests of the amenity of the area

42. The supporting information states that the use of these outside areas for storage and operations relates to a fundamental requirement of the business and as such forms justification to support the area being unavailable for car parking. It is impractical for the business to operate with these impositions and to expect no activity relating to the business to take place on the yard. Large packed items for dispatch or delivery have to be loaded onto artics by forklift.
43. In terms of outside storage, the supporting information cites the 2010 Certificate of Lawfulness, which includes areas 9 and 10 on the proposed plan as it is considered that the conditions preventing this activity are unreasonable owing to the amount of time these areas have been used for outside storage/activity. The lawful development certificate was granted based on the red edge forming the planning unit that incorporates the outside areas and is not exclusive to the buildings. The evidence which supported the grant of the certificate explained the use of the area. However the decision in respect of the certificate relates to the following uses:
*The information provided does show that the buildings, as shown on the attached plan (Drawing no. ML/LW/4719), have been used for the specified uses for over 10 years, and therefore are considered lawful: * Building 1 used for storage (B8 use). * Building 2 used for office use (B1 use). * Building 3 used for office use (B1 use). * Building 5 used for retail plant centre sales (A1 use). * Building 6 used for retail plant centre sales (A1 use). * Building 7 uses for retail plant centre sales (A1 use). * Car parking area in relation to B1 use (office) and B8 use (storage). * Car parking area in relation to retail plant centre sales (A1 use). This consent does not apply to Building 4 as the evidence submitted does not show that the building has been used for B2 General Industrial use.*
44. The approved plan shows areas 9 and 10 as car parking for the retail use not storage areas. This notwithstanding the applicants could have appealed the conditions if they considered them unreasonable although the timescale for appeal has expired they could apply to remove them clearly detailing the required storage areas which could take into account vehicle movements and parking.

Proposed horticultural use of the land

45. The supporting information states that the remaining area of hardstanding (786.15m²) will be used for agricultural storage purposes as set out within the supporting statement as follows:
8. The proposal is to retain the whole of the hard-standing and to make a clear definition between the areas used for car-parking and agriculture. The site is the Green Belt.
9. The proposed area for agriculture is considered to be appropriate development for two reasons, one that the NPPF states that engineering operations is not inappropriate development within the Green Belt, and two, the use of this area for an agricultural purpose is not defined as development within planning legislation and reflected in the National Framework.
10. The creation of a hard-standing effectively preserves the openness of the Green Belt. The use of the area of hard-standing for agricultural purposes such as storing wrapped bales or machinery, rather than a fixed structure, is a suitable land use which is part and parcel of the countryside. The large amount of agricultural land extending beyond the hard-standing remains open and does not conflict with the purpose of including land within the Green Belt.
11. The extent of the hard engineering works into the countryside does however represent some encroachment although it is considered that because part of this will be used for agriculture and that it matches the remainder of the land, which is concrete and gravel, the encroachment can be mitigated against.
12. The difference between the hard-standing and land to the west is only very slight in physical nature. That land has been adapted, via engineering operations, for horticultural purposes and as such is formed of gravelled areas served by concrete paths, along with irrigation systems. The land has been this way for 15 years or more and can be confirmed by local knowledge. It is also

important to emphasise that this land is not redundant and remains a functioning component of the wider holding owned by the applicant.

13. To return the area of land removed from the car-park to enable it to be used for growing purposes, or in connection with it, would not necessarily require any alteration to its material form; as explained above this hard-standing could be used in any manner directly related to an agricultural land use (which includes horticultural activity) and not represent a harmful or urbanising effect on the Green Belt, nor would it be considered an inappropriate use.
46. Notwithstanding the above no justification as to why so much land is required as originally no information was provided as to the need for or use of this land. The agent for the application does not consider that VCS's are required to support an agricultural use of hard-standing in the Green Belt as VSC's were not required for the use of hard-standing for agricultural uses on appeal ref APP/D2320/W/15/3003118.
47. The appeal referred to above was at the Fayle Transport site and related to a retrospective planning application for the creation of an area of hardstanding associated with the agricultural land holding on the opposite side of Dawbers Lane (14/01187/FUL). It is noted as part of the Inspector's decision that she agreed that the proposal would result in encroachment into the Green Belt which is contrary to the third Green Belt purpose.
48. Notwithstanding the Inspectors decision it is important to note that nowhere in the Framework states that use of an area of hardstanding for agricultural purposes does not fall to be considered inappropriate development and therefore very special circumstances need to be demonstrated.
49. The proposed area of hardstanding to be used for agricultural storage in the case of this application is similar to the scheme at Fayle Transport where the Inspector agreed that the proposed hardstanding at Fayle Transport resulted in encroachment into the Green Belt. The fact that this conflicts with one of the purposes of including land in Green Belt means that the only conclusion that can be made is that it is inappropriate development. As such very special circumstances are required to justify the proposed part of the site to be used for agricultural storage.
50. As part of the appeal at Fayle Transport the Inspector considered that the hardstanding was genuinely required for agricultural purposes in that:
- The appellant also owns approximately 40 acres of land on the opposite side of Dawbers Lane to the site which are farmed on his behalf by a local tenant farmer. The information submitted with the appeal states that the hardstanding is required in order to store wrapped bales of silage produced from this land and agricultural equipment ancillary to this.*
- The appellant is clear in the information submitted with the appeal that the hardstanding would be used by the tenant farmer who farms the land opposite on his behalf. Although the appellant does own some of the agricultural machinery that would be stored there.*
51. This was reinforced by one of the conditions imposed by the Inspector which states: *the area of hardstanding hereby approved (as shown on 'site plan: LG/KF/2910') shall be used for the storage of wrapped bales and agricultural machinery produced from and associated with the 40 acres of agricultural land located to the north side of Dawbers Lane*
52. In the case of this site, it is unclear why this land is required for agricultural purposes. The land in the immediate vicinity of the site is used for growing including gravelled areas and irrigation systems associated with the horticultural business at this site which the agent confirms has been laid out in such a way for over 15 years. Although at the site visit wrapped bales were observed it is not clear where this has been produced from. Nor is there any evidence to state why an area of 786.15m is required for agricultural storage. All of the horticultural operations/ businesses at this site have been in operation for some time and there is no evidence provided with the application as to why this area of land is now required for any type of agricultural storage including produce or machinery.

53. As no evidence has been submitted that this area of hardstanding is genuinely required for agricultural purposes and, in the absence of very special circumstances, this part of the proposal cannot be supported within this Green Belt location. The proposal results in encroachment of hardstanding into the Green Belt further eroding the openness of this Green Belt location.

Overall Conclusion

54. 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.

55. Whilst engineering operations are not necessarily inappropriate in the Green Belt it is considered that the car park/ area of hardstanding encroaches further into the Green Belt in conflict with one of the purposes of including land in Green Belt. As such the development represents inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

56. The reduction of the number of car parking spaces on the amended plans does not involve a reduction in the amount of hardstanding created as the amended plans propose to retain the excess land (the land not identified as parking spaces) as hardstanding.

57. Whilst this land may have been formed of gravelled areas to enable its use for growing purposes, it is clear that it is no longer required for growing purposes and there are no details contained within the supporting information to detail what the land, not identified as parking spaces, will be used for specifically or why additional hardstanding is required for agricultural purposes.

58. No justification has been provided as to why additional hardstanding space is required nor has sufficient evidence been provided that the current areas of hardstanding could not be used for parking. In conclusion, sufficient very special circumstances have not been provided in support of the proposal that outweighs the harm that will be caused to the Green Belt by reason of inappropriateness and it is, therefore, recommended that the application is refused.

59. Following the refusal for this hardstanding last year the agent for the application confirmed in August: *I have been speaking with Hedges Direct DM and stakeholders and they have confirmed for me that plans to re-locate parking for their staff around the site (within the developed curtilage) and off site, are underway. Accordingly the use of the area of hard-standing will no longer be used for Car Parking in connection to that business on site.* Following receipt of this application and the comments previously made the agent has confirmed that the comments made in August meant: *consideration was being given to parking within the developed curtilage of the site, which when looking at the red edge of the lawful development certificate, there is not enough space to relocate the parking safely and within the curtilage taking into account the needs of the business... So that plan was abandoned and thus the application is re-submitted*

60. Members should note that authority to take enforcement action against this unauthorised area of hardstanding was granted at Committee in October. However, it was agreed that Officers would await the outcome of the decision on any planning application being submitted before taking enforcement action. If Members decide to refuse this application then Enforcement Action will be taken.

Planning Policies

61. 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.

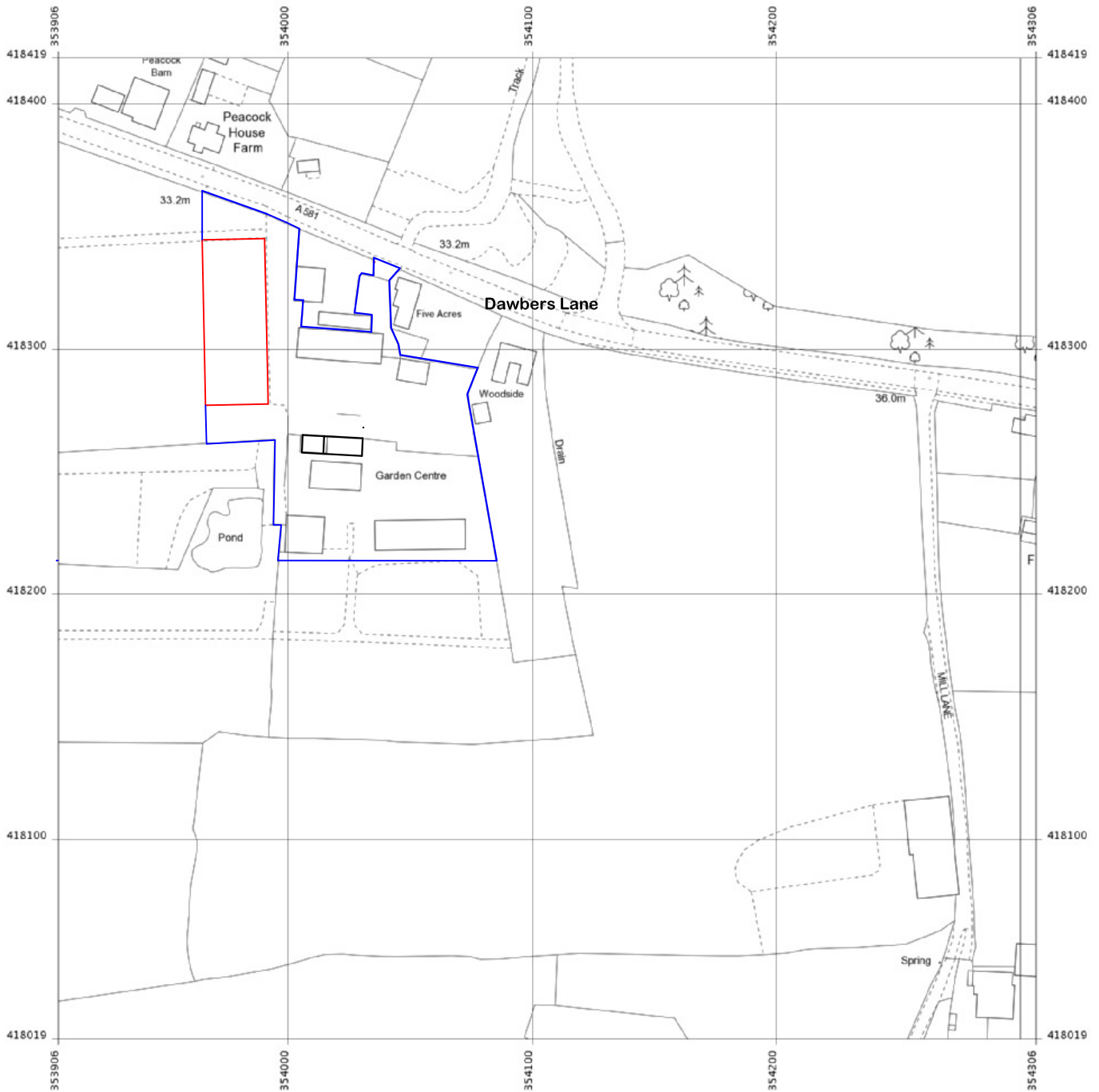
Planning History

Reference	Description	Decision	Date
83/00576/FUL	Open fronted farm storage	Approved	October 1983

	building.		
90/01147/COU	Change of use of land for storage of touring caravans.	Withdrawn	
92/00762/AGR	Agricultural notification for erection of agricultural building	Prior approval not required	November 1992
04/01439/FUL	Phase 1 of a 3 phase plan for horticultural glass houses	Approved	February 2005
04/01440/FUL	Phase 2 of a 3 phase plan for horticultural glass houses	Approved	February 2005
04/01441/FUL	Phase 3 of a 3 phase plan for horticultural glass houses	Approved	February 2005
05/00735/FUL	Formation of new access, driveway, turning area, erection of fence to rear, conversion of store room into double garage and demolition of conservatory	Approved	September 2005
10/00500/CLEUD	Application for certificate of Lawfulness (existing use) for B8 (storage & distribution), B1 (offices) and A1 (retail plant centre).	Certificate granted	Feb 2011
11/00696/PAR	Application for agricultural prior notification for the erection of an agricultural building for the storage of machinery (tractors, trailers, mowers, bailers and cultivation equipment) and hay	Refused	25 August 2011
11/00696/PAR/1	Application for agricultural prior notification for the erection of an agricultural building for the storage of machinery (tractors, trailers, mowers, bailers and cultivation equipment) and hay.	Withdrawn	
11/00925/FUL	Erection of storage and distribution building (B8) with ancillary staff room to house plants, packing boxes, pallets, fertiliser, potting machine, van, forklift truck and tools be used in connection with horticultural enterprise.	Withdrawn	
12/00035/FUL	Erection of storage and distribution building (B8) with ancillary staff room to house plants, packing boxes, pallets, fertiliser, potting machine, van, forklift truck and tools be used in connection with horticultural enterprise (re-submission of previously withdrawn planning application 11/00925/FUL).	Approved	March 2012
12/00380/FUL	Replacement of existing building (B8 use) with new mixed use building (B8 and horticultural).	Withdrawn	
12/00381/FUL	Replacement of existing building (B1 use) with new building (horticultural use).	Withdrawn	
12/00491/DIS	Application to discharge conditions 4 (hard-ground	Conditions discharged	June 2012

	surfacing materials); 5 (samples of external facing materials); 6 (scheme of landscaping); and 11 (car parking and vehicle manoeuvring details) of planning approval 12/00035/FUL.		
12/00559/FUL	Application for the removal of an existing horticultural building; the replacement of an existing storage and distribution building (B8 use) with a new mixed use building (B8 and horticultural use); and the replacement of an existing B1 building with a new horticultural building.	Approved	July 2012
13/00381/FUL	Application to erect 1No. poly tunnel.	Approved	July 2013
13/00382/FUL	Application to erect 1No. poly tunnel.	Approved	July 2013
14/00072/FUL	Application to amend the location of the approved poly tunnel (approved under application 13/00381/FUL)	Approved	March 2014
14/00073/FUL	Application to amend the location of the approved poly tunnel (approved under application 13/00382/FUL).	Approved	March 2014
14/00605/FUL	Erection of a building, replacing an existing horticultural building, to accommodate storage space (Use Class B8) and first floor office accommodation (Use Class B1) and an extension to an existing building to accommodate machinery storage.	Withdrawn	
14/01241/FUL	Erection of a building, replacing an existing horticultural building, to accommodate storage space at ground floor and first floor office accommodation along with the provision of 6 parking spaces	Approved	January 2015
15/00165/FUL	Section 73 application to vary condition 1 (approved plans) and condition 3 (approved plans) attached to planning approval 12/00035/FUL which approved the erection of a storage and distribution building (B8) with ancillary staff room be used in connection with horticultural enterprise	Approved	April 2015
15/00166/FUL	Erection of a detached single storey building to form replacement staff toilets	Approved	April 2015
15/00088/FUL	Retrospective application for the creation of a car parking area	Refused	July 2015

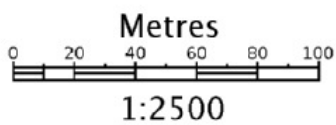
This page is intentionally left blank



Produced 23 Feb 2015 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown Copyright 2015.

Ordnance Survey and the OS Symbol are registered trademarks of Ordnance Survey, the national mapping agency of Great Britain.

The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.



**Five Acres, Dawbers Ln,
 Euxton, Chorley
 PR7 6EE**

Supplied by: Stanfords 23 Feb 2015
 Stanfords Ordnance Survey Partner Licence: 100035409
 Reference: O1821471
 Centre coordinates: 354106 418219

This page is intentionally left blank

Item 3d **15/00686/FULMAJ**

Case Officer **Adele Hayes**

Ward **Chorley North East**

Proposal **Erection of 12no. dwellings consisting of 6no. houses and 6no.apartments with associated landscaping, car parking and adopted access road following demolition of the existing factory.**

Location **Crown Stage And Theatre Services Ltd, Brock Mill, Brock Road, Chorley.**

Applicant **Progress Housing**

Consultation expiry: **5 January 2016**

Application expiry: **22nd October 2015**

Recommendation

It is recommended that this application is approved.

Proposal

1. This application seeks full planning permission for a residential development comprising 12no. dwellings consisting of 6no. two bedroomed houses and 6no. one bedroomed apartments with associated landscaping, car parking and adopted access road on the site of Brock Mill which was demolished last year.
2. The northern boundary of the site fronts Brock Road whilst it is adjoined by existing warehouses on the southern and western boundaries with housing located to the east. The site was formerly occupied by an industrial building.
3. The site is within close proximity of the A6 Road and Market Street is approximately 0.9 miles to the south where facilities such as retail stores, restaurants and supermarkets are located. The Parish Church of Saint Peter is also close by, located at the north of the site about 0.3 miles away. Schools such as St. Joseph's Catholic Primary School and Highfield Primary School are also close by within a 10 minute walk. Chorley and South Ribble District General Hospital is 1.1 miles away.

Representations

4. Representations have been received from 7 local residents citing the following grounds of objection:
 - The proposed 2100mm high fence is directly adjacent to an existing property and the gable wall of this house contains a ground floor window. The fence would completely cover the window obliterating any light.
 - The boundary fence would prevent the neighbouring occupier from maintaining their home.
 - There will be an unacceptable increase in traffic to an already busy, dangerous and inadequate road. A one way traffic system is suggested.
 - Many children play around and walk to school across the proposed access junction and the increased traffic and the necessary dog legged road infrastructure would affect their safety.
 - There will be increased noise and disturbance from the traffic and existing parking problems will be exacerbated.
 - There will be a loss of privacy.
 - The site of Brock Mill is not suited for housing development and this application should be rejected.
 - There is insufficient parking provision.
 - The planting of shrubs to the side of 2 Brock Road will cause collection of litter and vermin and without a maintenance program in place there would be no way to control this and the height of the shrubs.
 - The planting of shrubs close to a neighbouring property will affect the integrity of the foundations eventually leading to subsidence.
 - The height of the boundary wall adjacent to properties on Briercliffe Road should be left at 3m so that privacy levels are retained.
 - No. 2 Brock Road is listed as part of this application and this is a misrepresentation made by the applicant.

Consultations

5. Lancashire County Council (Highways) - recommend conditions
6. Lead Local Flood Authority - recommend conditions
7. Chorley's Waste & Contaminated Land Officer - recommend condition
8. Environmental Health - no objections
9. Lancashire County Council (Education) – confirm that an education contribution is not required.

10. United Utilities - recommend conditions
11. Strategic Housing – Comment that the application reflects the current need demonstrated by the Housing Register for 1 and 2 bedroom Social Housing, as well as being in a suitable location close to the town centre.

Assessment

Principle of the development

12. Policy 10 of the Central Lancashire Core Strategy seeks to protect all existing employment premises and sites last used for employment. This policy covers Class B1, B2 and B8 uses. Proposals on all employment sites/premises for re-use or redevelopment other than for Class B employment purposes will be assessed under Policy 10 criteria a – h) in relation to proposed housing use. This includes criterion g) that requires a convincing evidence of lack of demand through a rigorous and active 12 months marketing period for employment re-use and employment redevelopment and criterion h) that requires an assessment of the viability of employment development including re-use and employment redevelopment.
13. The Central Lancashire Supplementary Planning Document Controlling Re-use of Employment Premises (SPD) (adopted 2012) provides additional information on this policy.
14. The Council assesses all applications for the redevelopment of employment sites on their individual merits and the starting point is to retain all employment sites to support sustainable economic growth. Consideration will only be given to alternative uses where an applicant can clearly demonstrate that the criteria in Policy 10 have been fully met. This includes both changes of use and redevelopment from employment to non- employment uses.
15. The application site has been appropriately marketed since February 2012 and the submitted evidence confirms that there is no current demand for employment use. Colleagues in the Council's Economic Development Team have confirmed that the site has been on Evolutive and the application is also supported by an assessment of the viability of employment development including employment re-use and employment redevelopment.
16. The development of the site for housing purposes is, therefore, considered to be acceptable in principle.

Ecology

17. Sufficiently detailed ecological assessments have been supplied with the planning application and no further surveys or information are required prior to determination of the application. The ecological constraints identified can be resolved via informatives or conditions.
18. The buildings that have been demolished were surveyed for bat roosting potential by suitably experienced bat workers and determined to have negligible bat roosting potential. The conclusions of the assessment are accepted. The exterior of one of the buildings was covered in ivy, which was assessed as having low bat roosting potential and an emergence survey was carried out. This found no evidence of emergence and only recorded low levels of common pipistrelle in the vicinity of the development site. The overall risk regarding bats was concluded as low.
19. A number of trees will be lost as a result of the development and although these were not assessed for bat roosting potential, those to be lost, goat willows and leyland cypress, would have negligible risk owing to size and condition.
20. The development will result in the loss of a moderate amount of semi-natural regeneration and bird nesting habitat and without mitigation could result in a net loss of biodiversity contrary to guidance within the Framework. The ecological assessment makes a number of

recommendations on how to mitigate for this loss including tree planting, bird boxes and bat boxes. Suitable conditions are recommended.

Highway safety

21. The proposal requires a total of 18no. car parking spaces, but while parking provision is met for the proposed apartments, only half the spaces required for the houses are proposed. However, the site is located in a highly sustainable urban location that is well served by public transport and where local amenities are within close proximity. Good quality footways and footpaths exist in the area to facilitate walking and although there are no dedicated cycle routes/lanes, the existing road network accommodates cyclists without difficulties. Chorley Town Centre is within the recommended cycling distance of 5km of the site.
22. Therefore, notwithstanding the shortfall in the applicant's parking provision, it is not considered unreasonable to accept the proposed lower level of parking provision. The applicant has been asked to widen one of the 'visitor parking' spaces into that of the disabled with the necessary markings dedicating it as such.
23. It is noted from the Design and Access Statement that each dwelling will be provided with an individual garden and shed with bicycle storage facilities. As noted on the planning application form, secure storage will be provided for a total of 24 cycles.
24. Given the number of proposed dwellings, the site access should be provided to a width of either 4.8m to allow safe passage of a large and a small vehicle at a time or 5.5m to allow safe passage of two large vehicles at a time. Should widening of the access result in the existing lamp column currently at the entrance being affected, any relocation of the lamp column will be at the applicant's expense. The applicant has been asked to confirm whether this will be necessary.

Design and layout

25. The proposed block of flats and the semi-detached dwellings would be traditionally constructed and finished with brick walls and tiled roofs. The development would be two storey in keeping with the scale of other dwellings in the area and would be of a similar density.
26. The property adjacent to the site access, at 2 Brock Road, has an existing ground floor window to a dining room in the gable elevation and the originally proposed 2.1m high boundary fence has been deleted from the scheme to ensure that the outlook from this window is not adversely affected. This property is not included within the application site edged red.
27. The relationship of the proposed houses with existing properties Briercliffe Road is considered to be acceptable and the boundary treatment along the rear gardens of these properties is to be retained as a 3metre high wall for privacy and security reasons rather than being replaced by a 2.1 metre high fence as originally proposed.
28. The surrounding housing is higher density with small gardens. The proposed development shows that adequate privacy distances can be maintained in relation to the surrounding development. It is not considered that this proposal will have a detrimental impact on the neighbouring amenity.

Viability

29. The Open Space and Playing Pitch SPD was adopted for development control purposes at the Council meeting on 17th September 2013. Therefore, Local Plan Policies HS4A and HS4B, and the approach in the SPD, apply.
30. The Council's Planning Policy Officer advises that there is justification for a total payment to public open space from the site of £26,895.
31. In addition, since the Deregulation Act 2015 received Royal Assent on 26th March 2015, the Council has implemented transitional arrangements relating to the Code for Sustainable Homes that has been withdrawn, to continue to require dwellings to achieve an energy efficiency

equivalent to Code for Sustainable Homes Level 4, in excess of current Building Control requirements.

32. However, the applicant has submitted a viability assessment with the application that includes all sums necessary for the development of a scheme of 12 affordable homes within the usual anticipated market range of development costs. This has been assessed by the Council's Property Services Team and they advise that the impact of further costs in excess of current Building Control requirements and S106 sums make the scheme unviable.
33. The viability is therefore accepted and no contribution to public open space is requested. The dwellings will need to be built to current Building Regulations requirements.

Noise

34. Usually, the main concern with this type of development, are issues concerning the impact of noise. The applicant has submitted an acoustic report (No 10315 (Braiden Acoustics LTD) which seeks to quantify any impact and offers mitigation measures. The report is acceptable and the required mitigation measures should seek to protect the prospective residents. Conditions are, therefore, recommend to ensure that the measures outlined within the report are followed. Glazing recommendations are the main way of dealing with noise, according to the report. In addition to this, the report refers to a close boarded timber boundary fence but there is no specific detail about this. The fence is to provide additional protection for amenity areas from the impact of noise and again the boundary treatments would be dealt with by condition.

Flood Risk Assessment

35. An important part of the planning application process is consideration of flood risk as detailed under Footnote 20 of Paragraph 103 of the National Planning Policy Framework (NPPF). This is usually facilitated through a site-specific flood risk assessment (FRA). A site specific FRA is not required for this application however, the LLFA advises that flooding from local sources should be appropriately assessed in addition to flood risk from fluvial and coastal sources.
36. In line with the Environment Agency's 'Climate Change Allowance for Planners' guidance, the LLFA expects flood risk to be calculated for the following flood events:
- 1 in 1 year
 - 1 in 2.2 year (Qbar)
 - 1 in 30 year
 - 1 in 100 year PLUS the applicable climate change allowance
37. It is noted from the consultation response provided by United Utilities that a maximum discharge rate of 15 l/s has been agreed for the surface water sewer. The LLFA require confirmation that this rate does not increase the current run off rate for the developed site, and where possible offers a betterment of that rate, as close to the greenfield run off rate as possible. The LLFA will also require attenuation calculations to evidence the designed system can accommodate any additional surface water. These matters will be dealt with by condition.

Community Infrastructure Levy

38. The development is CIL liable but the developer can apply for an exemption as the development is for affordable housing.

Overall Conclusion

39. It is considered that the proposed development is acceptable in that it will provide housing on a currently derelict site.

40. As such, the proposed development is recommended for approval subject to planning conditions.

Planning Policies

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

Site History

The site history of the property is as follows:

Ref: 14/01254/FULMAJ **Decision:** WDN **Decision Date:** 3 March 2015

Description: Erection of 12no. dwellings consisting of 6no. houses and 6no.apartments with associated landscaping, car parking and adopted access road following demolition of the existing factory.

Ref: 08/00178/FUL **Decision:** WDN **Decision Date:** 26 March 2008

Description: Demolition of existing factory building and erection of 4 no. office blocks with associated car parking, landscaping and access via new Stump Lane access road

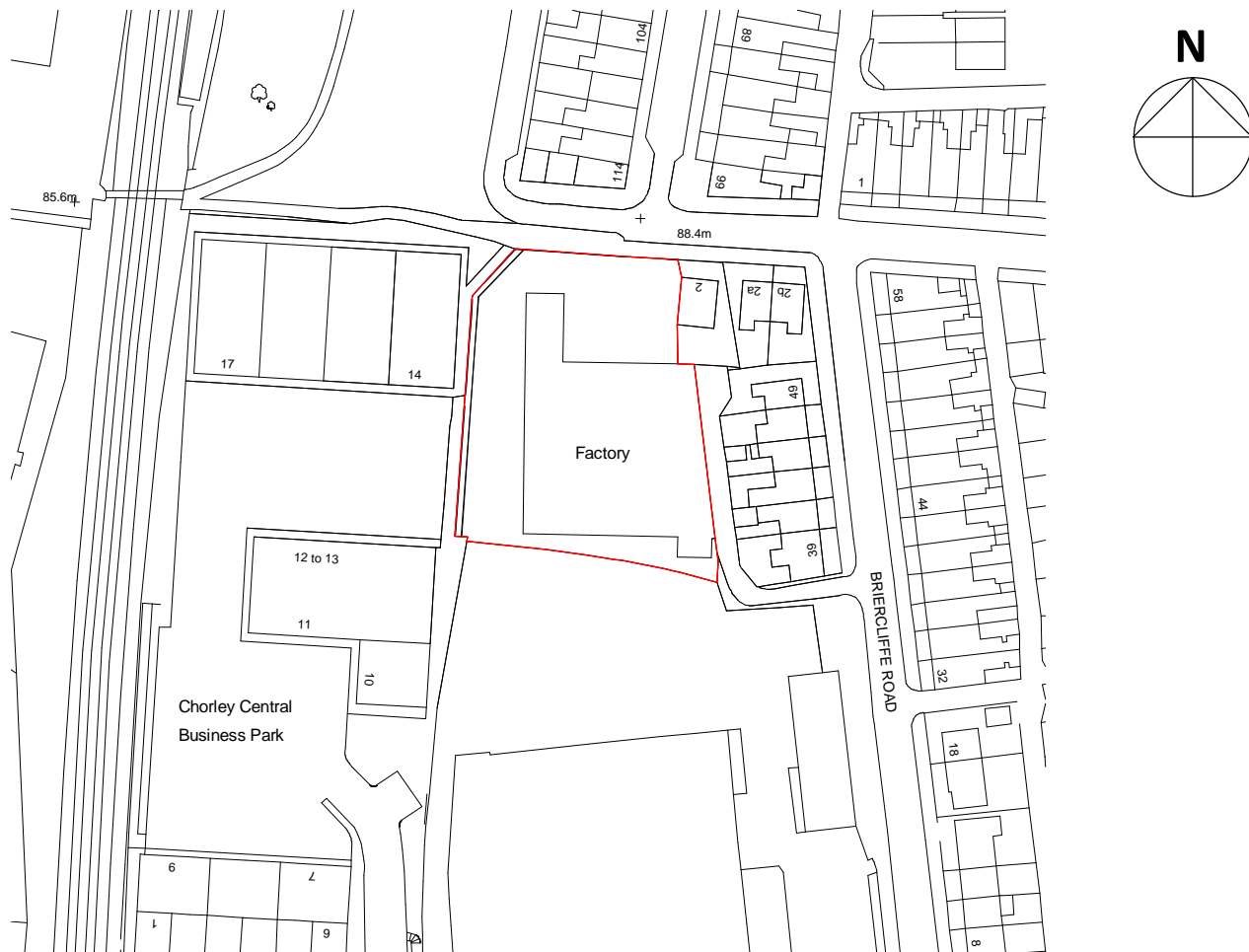
Ref: 01/00918/COU **Decision:** REFFPP **Decision Date:** 19 December 2001

Description: Change of Use from sewing factory to auction centre for selling of antiques and household furniture,

Ref: 84/00672/FUL **Decision:** REFFPP **Decision Date:** 13 November 1984

Description: Change of use to welding fabrication manufacturing of parts for machinery

DO NOT SCALE FROM THIS DRAWING
ALL DIMENSIONS MUST BE CHECKED ON SITE BY CONTRACTOR PRIOR TO CONSTRUCTION



Brock Mill,
Brock Road,
Chorley,
PR6 0DB

Site Area:
Approx **1,947m²**
(0.1947h)

Existing Factory Area:
Approx **967m²**

Rev	Date	Int	Description
-----	------	-----	-------------

	<h2>Brock Mill</h2> <h3>Location Plan</h3>			Job No: <h1>2687</h1>	Scale @ A4: <h1>1 : 1250</h1>
	Progress Housing	Drawn By: PC	Checked By: VS	Date: 26/09/14	Drawing No: <h1>P100</h1>

This page is intentionally left blank

Item 3e	15/01147/FULMAJ
Case Officer	Caron Taylor
Ward	Chorley South East
Proposal	Demolition of Chorley Fire Station and erection of 18 no. affordable dwellings (12 no. houses and 6 no. apartments) with car parking and associated landscaping
Location	Chorley Fire Station Weldbank Lane Chorley PR7 3NQ
Applicant	Chorley Community Housing
Consultation expiry:	17th December 2015
Decision due by:	18th February 2016

Recommendation

The application is recommended for approval.

Representations

In total 1 representation has been received which is summarised below
Objection
Total No. received: 1
<ul style="list-style-type: none"> • Whilst the redevelopment of the redundant fire station site is welcome, the construction of 18 dwellings for affordable community leases is subject to objection; • The layout of the site will negatively affect the aesthetics of Weldbank Lane. The placement of the 6 apartment building at the front and centre of the proposed plot is in stark contrast to all other architecture on Weldbank Lane; • The number of dwellings, at 18, is also too many for the site. Given the aesthetic of Weldbank Lane, this density of dwellings will create a miniature housing estate. Such a density of dwellings will create tensions and foster a degenerative social environment that will breed crime; • The proposal for allocation of 18 dwellings and parking clearly takes into account the inability of Weldbank Lane to support further parking on the street itself. However, it is clearly not taking into concern the traffic congestion already prevalent on the road and the addition of 18 vehicles will add to this issue and likely result in deaths given the proximity of three nearby schools. The planning committee must also consider the environmental detriment of adding further vehicles to the road; • Planning should be considerate of BREEAM standards and require a public transportation plan to encourage people away from the use of private motor vehicles. A further question must be asked as to why some of the dwellings have two car park spaces. Surely, those in need of low cost rental accommodation should not be able to afford the running or ownership costs of two motor vehicles? • Planning should also consider the toll upon local infrastructure. Water drainage, water supplies and electricity supply networks will all need upgraded as they are at breach point.

Consultees

Consultee	Summary of Comments received
LCC Flood Risk Management Team	Object to the application without further information being submitted (see body of report).
LCC Highways	<p>The layout of the proposed development is acceptable from highways perspective. They advise the two visitor spaces should instead be provided and marked as mobility spaces for use by the disabled. Provision should also be made for secure and covered cycle storage in accordance with the Chorley Council Parking Standard.</p> <p>The existing dropped section of footway frontage the site on Weldbank Lane should be reinstated to its original level including new kerb realignments with provision made for individual dropped crossings to the proposed frontage parking spaces. The proposed frontage parking on Gloucester Road would also require new individual dropped crossings.</p> <p>They suggest conditions to be applied if the application is approved.</p>
Ecology Advisor	<p>Sufficient information has been provided on ecological matters to allow the application to proceed to determination in this regard.</p> <p>A number of conditions are recommended to ensure that features of value are retained and protected during the implementation of any scheme.</p>
Chorley's Contaminated Land Officer	Requests a site investigation condition.
Police Architectural Liaison Officer	State the architect has confirmed that the development will be built to achieve Secured by Design standard and that all security recommendations needed to comply have been incorporated into the design.
Environment Agency	Have no objection in principle but make comments that the site appears to have been the subject of past activity which poses a high risk of pollution to controlled waters and advise that the Council consults with the Environmental Health/Environmental Protection Department for further advice and where necessary seek appropriate planning conditions to manage both the risks to human health and controlled waters from contamination at the site.
Chorley's Environmental Health Officer	State they have no historic pollution incidents recorded for this site and have no further comments in relation to the proposed development, all issues would be covered by the contaminated land site investigation condition.
Strategic Housing	The application is to provide social housing dwelling types in high demand as demonstrated by the housing register, and is therefore conducive to meeting local housing need. Strategic Housing welcomes this application as it would improve the housing offer in the borough.
LCC Education	LCC seek a contribution of £12,029.62 for 1 primary school place. However LCC will not be seeking a contribution for secondary school places.
United Utilities	Have no objection to the development subject to a condition that the drainage is carried out in accordance with the foul and surface water drainage design submitted and surface water must drain to a

	watercourse at the restricted rate of 11.6 l/s with no surface water draining to the public foul or combined sewer.
--	---

Assessment

Principle of the Development

1. The site is located within the settlement area of Chorley as identified in the adopted Local Plan 2012-2026. Within Core Strategy Policy 1: Locating Growth Chorley is identified as a Key Service Centre where growth and investment will be focussed. The site already has outline consent under permission ref: 12/00809/OUTMAJ. This granted outline permission for 14 no. dwellings following demolition of fire station.
2. The proposal would result in the redevelopment of previously developed land within a sustainable location. As such, in principle, developing the site for housing accords with Policy 1 of the Adopted Core Strategy and the Local Plan.

Design, Appearance and Layout

3. The application site is a former fire station site on the corner of Weldbank Lane and Gloucester Road in Chorley. A new fire station is situated at Washington Hall. The fire station buildings are mainly low level, some with flat roofs and others with shallow pitches. There is also a training tower which is approximately 16.5m high on the site. The corner of the site with Gloucester Road and the Gloucester Road frontage is landscaped with a lawn. The access and parking for the fire station is from Weldbank Lane to the east of the site close to where it bounds with Lancashire County Council's site which houses Chorley Adult Disability Services and Shaftesbury High School, though fire appliances access the fleet garage via a large concrete apron which also fronts Weldbank Lane.
4. The character of the area is of predominantly two-storey houses. Weldbank Lane itself is largely characterised by terraced houses built of red brick with vertically proportioned windows, including ground floor bay windows, slate pitched roofs with chimneys and canopies over the doors. There are some more modern detached and semi-detached two-storey houses on Weldbank Lane to the west of the site with front gables. Gloucester Road is characterised by more modern properties constructed in the 1960s. They are simpler in design with low pitched roofs, roof tiles and horizontally proportioned windows built of a more orange/brown coloured brick with rendered panels. To the east of the site is open space and the access to Lancashire County Council's site.
5. The proposal is for 12 houses and 6 apartments. The apartments are designed to look like the other houses on the site, except with two entrances doors and are located at plots 6/7, 8/9 and 12/13. Each 'house' has one apartment at ground floor and one at first floor.
6. The proposed development maintains the existing lawned area on the corner of Weldbank Lane and Gloucester Road. The properties are laid out so plots 1-7 face Gloucester Road, plots 8-13 face Weldbank Lane and plots 14 and 17 face towards the open space to the east of the site. This is considered acceptable as the layout faces outwards onto all sides it is viewed from.
7. In terms of the design of the properties they take reference from the properties on Weldbank Lane with bay windows and canopies over the front doors, being a modern interpretation of this feature on the terraced houses on Weldbank Lane. The units on the corners have front gables reflecting the properties to the west, with rendered panel which reflects the properties opposite the site on Gloucester Road. The roof pitches are also similar to the houses surrounding the development site.
8. The existing dwarf wall on the corner of Weldbank Lane and Gloucester Road is to be retained around the area of amenity greenspace. To the front of the properties will be 0.9m railings, with close boarded fencing to separate rear gardens.
9. Neighbour comments regarding on the proposed layout impacting negatively on Weldbank Lane due to the placement of the 6 apartments building at the front and centre of the layout being in stark contrast to all other architecture on Weldbank Lane are noted. It is not however considered that the design of the apartments is contrasting to the rest of the scheme or at odds with the

immediate area. The apartments are designed as two-storey buildings to sit alongside two-storey properties which are characteristic of the area.

10. The density of the proposed dwellings is considered acceptable and similar to the immediate surrounding properties. Opposite the site on Weldbank Lane are terraced properties with small rear gardens/yards which extend to the streets beyond, such as Claremont Road, Balcarres Road and Whittam Road. Gloucester Road and Claremont Road are characterised by two-storey semi-detached properties, several of which are split into two apartments similar to the application proposal. It is not therefore considered the apartments are out of keeping with the area.
11. As part of the layout a bin storage area will be provided within the parking court for the plots 14-18 to store the bins on the relevant collection day. This store is set back from the site frontage and it will not therefore be highly visible in the streetscene and is considered acceptable.
12. The design, layout and appearance of the proposal is therefore considered acceptable.

Neighbour Amenity

13. There are no residential properties that bound with the site to the east and southeast.
14. The nearest properties to the northeast are 43 and 43A Gloucester Road which are two flats. There is a door and two windows in the end elevation of this building. The Council's interface distances set out there should be 12m between a window at first floor and a blank wall. There will be approximately 10.5m between the first floor window and the side elevation of the proposed property on plot 1, however this is not a main habitable room window to this property and there are no habitable windows in the side of plot 1 (only a landing) and it is therefore considered an acceptable relationship.
15. Opposite the site on Gloucester Road are numbers 46 to 50. There is approximately 34m between the front windows of these properties and the front windows of the properties proposed on plots 1-4 which is considered to be an acceptable relationship.
16. Number 23 Weldbank Lane has main windows on its side elevation facing towards the site. There is approximately 22m retained between these windows and the front elevation of plot 6/7 which accords with the Council's standard spacing distances.
17. Opposite the site on Weldbank Lane are residential terraced properties numbers 32 to 62 (number 46 is a shop at ground floor). There is approximately 21.8m retained between the front of these properties and the proposed dwellings on plots 8-13 which accords with the Council's standard spacing distances.
18. Within the site in excess of 21 metres is retained between the rear of plots 1-5 and 17-18 which accords with the Council's standard spacing distances. The Council's standards require this to increase by 1m for every 0.25m difference in levels (over 0.5m). There is a 0.6m difference in finished floor levels between plots 14-16 and plots 3-4 and therefore the interface distance between facing first floor windows should be 22m. The proposal is very slightly short at 21.9m but is considered acceptable.
19. The proposed layout shows 11.2m between the rear first floor windows of plot 12/13 and the side elevation of plot 14. This is slightly below the interface distance of 12m, however is considered acceptable as plot 14 is 31cm lower than plots 12/13 and plots 12/13 are also due southwest so plot 14 will not create overshadowing except very early in the morning.
20. Plots 6/7 and 8/9 are at right angles to each other but share a rear garden rather than having their own private amenity space. The rear first floor windows of plots 8/9 will look towards the side boundary of the rear garden of plot 6 and are approximately 8m away. An identical relationship is created between the first floor rear windows of plots 6/7 and the rear garden area of plot 10. This is below the Council's interface distance of 10m however this layout enables the provision of a frontage to both Gloucester Road and Weldbank Lane which is looked upon favourably from a

design perspective. Therefore it is considered that the layout carries significant weight in favour of the application sufficient to outweigh the non-compliance with the interface distance.

21. Overall the application is considered acceptable in terms of neighbour amenity.

Highways and Parking

22. In terms of highways there would have been a level of comings and goings to the site when the property was in use as fire station. The access to plots 14-18 and associated parking court is in the same position on Weldbank Lane as the previous access to the fire station and the frontage parking to plots 8-13 on Welbank Lane are in a similar position to the previous concrete apron used by fire appliances. Parking for plots 1 to 7 will be on tandem drives accessed from Gloucester Road. The comments of Lancashire County Council Highways have not yet been received and will therefore be reported on the committee addendum.

23. Parking is provided either in front of the individual properties or in a small parking court in front of plots 14 -18 which is not prominent from outside the site. Siting the parking court in front of the properties will ensure that the parking is well over-looked to minimise the risk of crime.

24. Parking is provided in line with the Council's standards set out in Policy ST4 of the Local Plan. Two spaces are provided for two bed properties and one space for one bed properties. One additional space is also proposed near to the parking court area and two spaces opposite the side gable of plots 12/13.

25. The comments of LCC Highways regarding reallocating visitor spaces as mobility spaces for use by the disabled are noted. The Council's parking standards in Policy ST4 state that disabled spaces on housing developments will be negotiated on a case by case basis. The proposed development has three additional spaces over and above the number required for the number of bedrooms and properties proposed. These spaces will be available for overflow parking or visitors if other spaces are taken. It is not considered that allocating two of these as disabled spaces when the parking court serves only five dwellings is reasonable. The properties are to be built and rented out by a Registered Provider and therefore will have control over the parking spaces and can allocate spaces as disabled as necessary in the future.

26. LCC Highways stated that provision should also be made for secure and covered cycle storage in accordance with the Council's parking standards. The properties, including the apartments are to be provided with sheds in the rear gardens in which bicycles can be stored.

27. Neighbour comments regarding the parking levels and tenure are noted, however the Council do not apply separate parking standards to different tenures of properties. The parking standards are applied consistently across the borough. A Travel Plan is not required to be submitted with an application of this size.

28. The parking is therefore considered acceptable for the properties.

Drainage and Flood Risk

29. The site is currently largely covered by either buildings or hardstanding. The proposed development of the site would reduce the amount of hard standing on the site.

30. United Utilities have been consulted and have no objection to the development subject to their stipulated run-off rates being adhered to.

31. Lancashire County Council as the Lead Local Flood Authority (LLFA) objected to the application as the Planning Practice Guidance requires applicants for planning permission to discharge surface water runoff according to a hierarchy of runoff destinations and this does not appear to have been given adequate consideration. They therefore requested further information in line with the Planning Practice Guidance. The applicant has submitted further information in the form of a Drainage Strategy and this has been forwarded to the LLFA for further comments. This matter will be updated on the committee addendum.

Ecology and Landscaping

32. A protected species report accompanies the application. No evidence of bats were found and it indicated that the buildings were of low potential to support roosting activity and at the current time it can be concluded that European Protected Species – bats (Habitats Regulations 2010) do not represent a constraint on the demolition of the buildings.
33. The proposal is therefore considered acceptable in relation to ecology subject to conditions.
34. An Arboricultural Assessment also accompanies the application. This shows that there are no category A trees on the site though there is a category B tree (an Atlas Cedar) and several category C trees. Five category C (low quality) trees are shown to be removed with the other trees on the site retained with appropriate tree protection measures provided.
35. T8 (a category C Cherry tree) will be crown lifted to allow for vehicular access to proposed parking bays and the parking bays below will use no-dig construction. This is considered acceptable and the tree protection can be controlled by a condition.
36. The trees scheduled for removal are young and are not reported to support any decay or cavities. Therefore it is not considered necessary to require further bat assessment of these trees.
37. The proposal is therefore considered acceptable subject to conditions in relation to ecology.
38. The area of landscaping on the corner of Weldbank Land and Gloucester Road will be retained as part of the development, along with grassed area adjacent to the parking court on the east boundary. Within the site the rear gardens will be landscaped with the small grassed areas also dividing the driveways in front of the properties.
39. The landscaping of the site is therefore considered acceptable.

Viability

40. A viability assessment has been submitted with the application.
41. Under policies HS4A and HS4B of the Local Plan 2012-2016 there is a requirement for a financial contribution towards open space and playing pitches in the borough. In this case it would be £54,090.
42. In terms of sustainability, in accordance with Policy 27 of the adopted Core Strategy the proposed properties should be built to meet Code Level 6 from January 2016 and as it is an application for more than five dwellings it should also meet the other criteria of the policy. The Ministerial Statement on the 25th March 2015 announced that the Code for Sustainable Homes had been withdrawn. It also however sets out transitional arrangements which include local planning authorities being able to continue to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations, but are not above a Code Level 4 equivalent, until commencement of amendments to the Planning and Energy Act 2008. Therefore, whilst compliance with the Code can no longer be required, in accordance with the transitional arrangements, the Council still require an energy efficiency standard equivalent to Code Level 4 which is a 19% improvement above 2013 Building Regulations requirements.
43. The applicant states that the public open space payment and energy efficient standards required would make the scheme unviable.
44. Paragraph 173 of the Framework states that development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

45. The viability appraisal has been assessed by the Council’s surveyor and they state that overall the fees and development costs appear reasonable the viability shows that there is no profit or additional funds to provide for and efficiency standard equivalent to Code Level 4 which is a 19% improvement above 2013 Building Regulations requirements or for public open space improvements. The development is the subject of grants to allow the development to take place.

46. It is therefore considered that the viability of the scheme with increased energy efficiency requirements and a public open space payment would be compromised. Therefore taking into account the advice in the Framework that viability is a material planning consideration, the proposal considered acceptable without a public open space payment or having to comply with an energy efficiency standard 19% improvement above 2013 Building Regulations requirements.

47. A neighbour has commented that planning should be considerate of BREEAM standards, however these standards relate to commercial rather than residential buildings. Code for Sustainable Homes was the sustainability standard applied to residential properties and is covered in the section above.

Community Infrastructure Levy (CIL)

48. It is noted that Lancashire County Council has requested a contribution for education from the application. However, since the 1st September 2013 this has been covered by the Community Infrastructure Levy (CIL) and the Council cannot ‘double charge’ by asking for a contribution through a legal agreement, in accordance with the CIL Regulations.

49. The development is CIL liable but the developer can apply for an exemption as the development is for affordable housing. This however does not allow the Council to alternatively secure a contribution through a legal agreement.

50. Notwithstanding the above, a viability argument has been put forward with the application and accepted by the Council, therefore even if education could be secured by a legal agreement the request could not be supported within the viability of the scheme.

Contamination and Coal Mining

51. In terms of contamination the Council’s Contaminated Land Officer recommends a condition in relation to ground contamination due to the past processes and activities that have taken place at the site. The application is considered acceptable in this respect subject to a condition.

52. The site is in a Low Risk Area for coal mining. This requires an informative note to be applied to any permission.

Overall Conclusion

53. Although the site currently has outline permission for 14 units, it is considered that 18 units as proposed is acceptable. The design and layout respond to the character of the area and parking is provided in accordance with the Council’s standards. Subject to the responses from Lancashire County Council Highways and the Lead Local Flood Authority being acceptable which will be reported on the committee addendum, the application is recommended for approval.

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
12/00809/OUTMAJ	Outline application (with all matters reserved) for the erection of 14 no. dwellings following demolition of Fire	Permitted	12 th December 2012

	Station site.		
--	---------------	--	--

Suggested Conditions

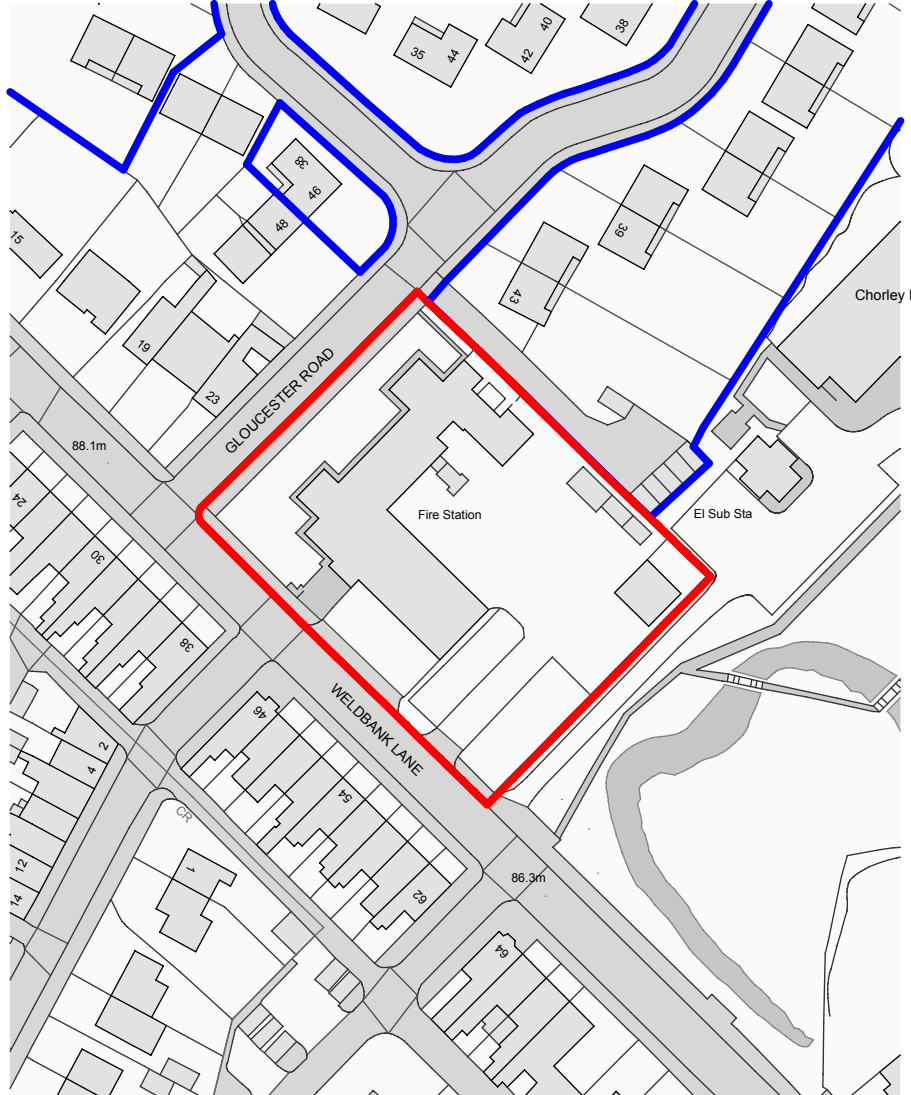
No.	Condition
1.	<p>The proposed development must be begun not later than three years from the date of this permission. Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2.	<p>All the dwellings hereby permitted shall be provided as affordable dwellings (as defined in the Central Lancashire Affordable Housing Supplementary Planning Document) to be managed by a Registered Provider. Reason: Weight has been given to the case put forward by the applicant as a Registered Provider in terms of the viability of the site in relation to the normal sustainability and public open space requirements.</p>
3.	<p>The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced. Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</p>
4.	<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>
5.	<p>The parking and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to the occupation of any of the buildings; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015). Reason: To ensure provision of adequate off-street parking facilities within the site.</p>
6.	<p>Prior to the commencement of development details of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved. Reason: To ensure that the materials used are visually appropriate to the locality.</p>
7.	<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 earlier, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. Reason: In the interest of the appearance of the locality.</p>
8.	<p>Prior to the laying of any hardstanding full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail</p>

	<p>shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained. Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.</p>																											
<p>9.</p>	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 501 1302 1003"> <thead> <tr> <th>Title</th> <th>Drawing Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Proposed Site Layout</td> <td>P1258 103 Rev F</td> <td>19th November 2015</td> </tr> <tr> <td>Planting Plan</td> <td>P1258 107</td> <td>20th November 2015</td> </tr> <tr> <td>Proposed Site Section</td> <td>P1258 104 Rev A</td> <td>19th November 2015</td> </tr> <tr> <td>Boundary Treatments Plan</td> <td>P1258 105 Rev D</td> <td>19th November 2015</td> </tr> <tr> <td>Proposed 1B/2P Apartment/2B/4P House Block – TYPE A & B</td> <td>P1258 110 Rev D</td> <td>19th November 2015</td> </tr> <tr> <td>Proposed 4B/2P Semi-detached House – TYPE C</td> <td>P1258 311 Rev C</td> <td>19th November 2015</td> </tr> <tr> <td>Proposed 4B/2P Terrace Plans – Type C</td> <td>P1258 312 Rev C</td> <td>19th November 2015</td> </tr> <tr> <td>Proposed 4B/2P Terrace Elevations – TYPE C</td> <td>P1258 313 Rev B</td> <td>19th November 2015</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>	Title	Drawing Reference	Received date	Proposed Site Layout	P1258 103 Rev F	19th November 2015	Planting Plan	P1258 107	20th November 2015	Proposed Site Section	P1258 104 Rev A	19th November 2015	Boundary Treatments Plan	P1258 105 Rev D	19th November 2015	Proposed 1B/2P Apartment/2B/4P House Block – TYPE A & B	P1258 110 Rev D	19th November 2015	Proposed 4B/2P Semi-detached House – TYPE C	P1258 311 Rev C	19th November 2015	Proposed 4B/2P Terrace Plans – Type C	P1258 312 Rev C	19th November 2015	Proposed 4B/2P Terrace Elevations – TYPE C	P1258 313 Rev B	19th November 2015
Title	Drawing Reference	Received date																										
Proposed Site Layout	P1258 103 Rev F	19th November 2015																										
Planting Plan	P1258 107	20th November 2015																										
Proposed Site Section	P1258 104 Rev A	19th November 2015																										
Boundary Treatments Plan	P1258 105 Rev D	19th November 2015																										
Proposed 1B/2P Apartment/2B/4P House Block – TYPE A & B	P1258 110 Rev D	19th November 2015																										
Proposed 4B/2P Semi-detached House – TYPE C	P1258 311 Rev C	19th November 2015																										
Proposed 4B/2P Terrace Plans – Type C	P1258 312 Rev C	19th November 2015																										
Proposed 4B/2P Terrace Elevations – TYPE C	P1258 313 Rev B	19th November 2015																										
<p>10.</p>	<p>If the demolition of the existing buildings on the site are not undertaken by the end of June 2016 further advice should be sought from a qualified ecologist as to the need for a further updated survey for bats. If required, a copy of the survey along with any mitigation measures should be submitted to and approved in writing by the Local Planning Authority and the development shall then only be carried out in accordance with the approved details. Reason: The submitted report states that the current survey is considered valid for 1 year. If works are not started within one year then it may be necessary to repeat certain surveys.</p>																											
<p>11.</p>	<p>During the construction period, all trees to be retained shall be protected as shown on the Tree Protection Plan drawing ref: 15/AIA/Chorley/06 at Appendix 4 of the Arboricultural Impact Assessment/Method Statement by Tree Solutions submitted with the application. The area shown on this plan shall be constructed using 'no-dig' hard surface construction using the method as detailed. Reason: To safeguard the trees to be retained.</p>																											
<p>12.</p>	<p>Due to past processes and activities at the site, there is a potential for ground contamination. Due to the proposed sensitive end-use (housing with gardens), no development shall take place until:</p> <p>a) a methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried out in accordance with current best practice including British Standard 10175:2011 'Investigation of potentially contaminated sites - Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;</p> <p>b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the</p>																											

	<p>Local Planning Authority; c) the Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. 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>Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals. 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. The development shall then only be carried out in accordance with the approved remediation proposals.</p> <p>Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use. In accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012). This is required prior to commencement to ensure the development will not result in harm to human health.</p>
<p>13.</p>	<p>No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement (footway and kerb reinstatement) has been submitted to and approved by the Local Planning Authority. None of the dwellings shall be occupied until the access to serve that dwelling has been constructed and completed in accordance with the approved details.</p> <p>Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.</p>
<p>14.</p>	<p>No dwelling shall be occupied until the shed for that dwelling has been erected as shown on the approved layout plan and shall be retained at all times thereafter.</p> <p>Reason: To encourage sustainable transport modes by providing somewhere secure to store bicycles.</p>
<p>15.</p>	<p>For the full period of demolition and construction, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site and the roads adjacent to the site shall be mechanically swept as required during the full demolition and construction period.</p> <p>Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.</p>

General Notes :

Do not scale off this drawing. Do not rely on this drawing for purposes other than that stated in the title block Status.
 Read this drawing with all other project related architects drawn and specified information including risk assessments.
 Constructors must be familiar with the client's building asbestos register ahead of facilitating work contained on this drawing.



Ordnance Survey, (c) Crown Copyright 2014. All rights reserved. Licence number 100022432



POST CODE: PR7 3NQ




Halsall Lloyd Partnership
ARCHITECTS & DESIGNERS

Liverpool 0151 7088944 Nottingham 0115 9897969 Newcastle 0191 4950055 Preston 01772 719996

B Boundary lines added
 A Scalebar added

21.07.15
 26.06.15

Revisions

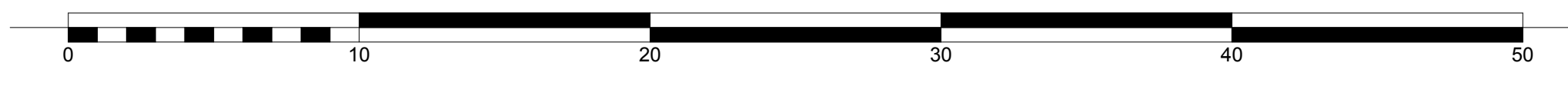
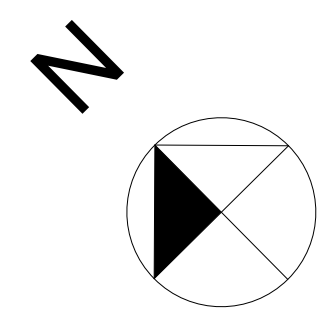
Client Chorley Community Housing		Title Location Plan				 www.hlpdesign.com	
Project Weldbank Lane, Chorley		Status PLANNING		Dwn. SG	Chk.		
Job No. P1258	Drwg No. P01	Rev. B	Scale @A3 1:1250	Date 02.07.14			
This drawing is protected by the copyright of the Halsall Lloyd Partnership Architects & Designers							

This page is intentionally left blank

General Notes :
 Do not scale off this drawing. Do not rely on this drawing for purposes other than that stated in the title block Status.
 Read this drawing with all other project related architects drawn and specified information including risk assessments.
 Constructors must be familiar with the client's building asbestos register ahead of facilitating work contained on this drawing.

- KEY**
-  Tarmac roads
 -  Concrete flagged paving
 -  Green/soft landscaping
 -  Proposed tree
 -  Existing tree retained
 -  Line of existing kerbs/buildings

TYPE A units - 1B2P apartments - 6No.
 TYPE B units - 2B4P houses - 3No.
 TYPE C units - 2B4P houses - 9No.
TOTAL - 18No. units



Halsall Lloyd Partnership
 ARCHITECTS & DESIGNERS
 Liverpool 0151 7088944 Nottingham 0115 9897969 Newcastle 0191 4950055 Preston 01772 719996

Client Chorley Community Housing	Title Proposed Site Layout	Revisions	
Project Weldbank Lane, Chorley	Status PLANNING	Dwn. RB	Chk. SG
Job No. P1258	Drwg No. 103	Rev. F	Date 26.06.14
Scale @A1 1-200		This drawing is protected by the copyright of the Halsall Lloyd Partnership Architects & Designers	

F Additional notes added 13.11.15
 E Additional units omitted, terrace block updated, planters to plots 6-4 rear, railings to greenspace omitted 12.10.15
 D Site layout amended, 2 additional units added 18.09.15
 C Plots 8-13 repositioned, boundary treatments amended 14.08.15
 B Site layout updated, plots 14-18 amended to terrace 29.07.15
 A Site layout updated following Client comments 26.06.15

This page is intentionally left blank

Item 3f	15/01196/S106A
Case Officer	Nicola Hopkins
Ward	Astley And Buckshaw
Proposal	Application under Section 106A of the Town and Country Planning Act 1990 (as amended) and the Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 to modify a planning obligation dated 16 December 2002
Location	Royal Ordnance Site Including Land Between Dawson Lne And Euxton Lne, Euxton Lane, Euxton
Applicant	Progress Housing Group
Consultation expiry:	4th January 2016
Decision due by:	29th January 2016
Recommendation	Approve modification of the affordable housing obligations

Requested Modifications

1. The site forms part of Buckshaw Village and reserved matters consent was granted in 2005 (05/00488/REMMAJ) for the erection of 54 houses with associated garages, roads and works. The approved scheme also included the erection of 18 affordable housing units comprising 8 flats and 10 mews houses. Reserved matters consent was granted subject to a number of conditions and the obligations contained within the 2002 Section 106 Agreement associated with the original outline consent (02/00748/OUTMAJ). The development is well underway.
2. This is an application submitted under Section 106A of the Town and Country Planning Act 1990 (as amended) and the Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 to modify the planning obligation insofar as it relates to the staircasing provisions and the mortgagee exclusions in respect of the shared ownership properties.
3. The original affordable housing clauses within the 2002 Section 106 Agreement were amended by a supplemental agreement dated 1st November 2005. The 2005 agreement included the following clauses:

6.6 Non-Liability of Predecessors and Successors in Title

(a) No person shall be liable for a breach of this Supplemental Agreement after parting all interest in the Site or the part of the Site in respect of which such breach occurs but without prejudice to any liability for any subsisting breach prior to parting with such interest.

(b) No mortgagee of any of the Site or part thereof shall be liable for any provision of this Supplemental Agreement unless such mortgagee shall go into possession of the Site or part thereof

(c) The provision of this Supplemental Agreement shall not be binding on any purchasers or lessees or occupiers of any part of the Site other than the Affordable Houses.

4. The registered provider is seeking to modify this clause in respect of 10 shared ownership properties located on Cheshire Court, Buckshaw Village to enable the units to be charged at Market Value Subject to Tenancies (MVT). The suggested changes would, in the worst case scenario, enable Progress Housing to dispose of the property on the open market which may result in some equity which would be recycled back into affordable housing in Chorley (if a profit is realised by the RP when the property is sold).
5. Members should note that 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 reason for the change is purely to secure an increase in the availability of finance which would result in more money for RPs to invest in new affordable housing schemes.
6. The applicant also sought to amend clause 7.1 of the 2002 Section 106 Agreement in respect of the staircasing restrictions as follows:

The Owner hereby covenants with the Councils that fifteen percent of the total number of Residential Units shall be provided for use for Affordable Housing purposes and details of the precise location of any Affordable Housing Unit the mix and tenure thereof and the phasing of provision shall be submitted to and agreed in writing between the Owner and the Councils by either no later than the date of submission of the first reserved matters application or full planning application in relation to any Phase of the Development which is to be developed in whole or in part for residential purposes or in the case of the first Phase of the Development which is to be developed in whole or in part for residential purposes within twelve months of the date of this Agreement.

7. However, this clause does not relate to staircasing and the affordable housing clauses within the 2002 Section 106 Agreement were amended by virtue of the 2005 supplemental agreement. The staircasing restrictions in respect of the affordable houses on Buckshaw are contained within a Memorandum of Agreement (dated 12th April 2006) between Chorley Council, South Ribble Council and Progress Housing. The Memorandum includes the following:

6.5 New Progress shall ensure that it retains at all times a minimum share of 20% of the equity in each Shared Ownership Unit.

8. As this Memorandum of Agreement is not technically a Section 106 Agreement it cannot be modified by virtue of S106A of the Town and Country Planning Act. However, the applicants have agreed that the most sensible way forward is to include the staircasing provisions within the new supplemental agreement.
9. The definition of Shared Ownership Units to enable the lessee to increase their equity share in the property up to 100% would be worded as follows:

means an Intermediate Unit where the lessee enters into a lease and purchases a percentage of the equity up to 100% of the equity (subject to the initial equity share of a shared ownership lease being restricted to between 25% and 75% equity share), the lessee pays a rent to the Affordable Housing Provider in respect of the remaining equity share in the property, the documentation for which will follow the Homes and Communities Agency model lease with the rent payable calculated at no more than 2.75% of the value of the unsold equity in the Dwelling. The lessee has the option to Staircase so as to increase their equity share in the Affordable Housing Unit up to 100% and acquire the freehold or long leasehold interest (as appropriate.)

10. The deed of variation will include provisions which restrict the owner from buying 100% share until they had owned the property for at least 12 months along with a recycling provision of at least 40% of receipts received from lessees purchasing the remaining equity share to be re-invested in Chorley.

Assessment

11. The Town and Country Planning Act allows Local Authorities to determine:
 - (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.
12. The change to the clauses would allow Progress Housing to dispose of the property on the open market which may result in some equity (this would be recycled back into affordable housing in Chorley). However for the reasons set out above it is very unlikely that this would occur and the changes purely relate to the RP securing best value when charging assets as required by the Homes and Community Agency.
13. The principle of allowing leaseholders of Shared Ownership properties to buy out 100% of the equity is considered to be acceptable and has been accepted on other sites within the Borough as this concession is conducive to allowing buyers to access mortgages to buy the properties and therefore improves the housing offer in the borough.
14. As such it is recommended that the definition is changed although the deed of variation will include provisions which restricts the owner from buying 100% share until they had owned the property for at least 12 months along with a recycling provision of at least 40% of receipts received from lessees purchasing the remaining equity share to be re-invested in Chorley. These additional provisions have been included on other sites within the Borough where the staircasing provisions have been amended and will be included within the deed of variation.

Overall Conclusion

15. 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
97/00509/OUTMAJ	Outline application for mixed use development (housing,	Approved	August 1999

	employment, shopping, leisure & commercial uses, open spaces, roads, sewers, community facilities & rail station) & indication of junction improvements on surrounding road network,		
02/00748/OUTMAJ	Modification of conditions on outline permission for mixed use development (housing, employment, shopping, leisure & commercial uses, open spaces, roads, sewers, community facilities, road improvements & rail station),	Approved	December 2002
04/01303/REMMAJ	Reserved matters application for the erection of 50 dwellings	Refused	February 2005
04/01306/REMMAJ	Reserved matters application for the erection of 50 dwellings	Refused	February 2005
05/00488/REMMAJ	Erection of 54 houses with associated garages, roads and works & erection of 18 affordable housing units comprising of 8 flats & 10 mews houses,	Approved	August 2005
05/00489/REMMAJ	Erection of 54 houses with associated garages, roads and works & erection of 18 affordable housing units comprising of 8 flats & 10 mews houses (Duplicate),	Approved	August 2005

This page is intentionally left blank

Item 3g	15/01121/ADV
Case Officer	Adele Hayes
Ward	Chorley East
Proposal	Erection of advertisements to visually improve and promote the routes around Steeley Lane comprising art panels of varying in style, size and materials to be installed at various locations along the side of the buildings and boundaries.
Location	Phoenix Works Steeley Lane Chorley
Applicant	Chorley Borough Council
Consultation expiry:	14 December 2015
Decision due by:	18 January 2016

Recommendation

1. It is recommended that advertisement consent is granted.

Proposal

2. Advertisement consent is sought to display various advertisements to visually improve and promote the routes around Steeley Lane comprising art panels of varying in style, size and materials to be installed at various locations along the side of the buildings and boundaries.
3. Rows of old bricked up arched windows are to be used for many of the coloured panels with the shape and size relating to the street scale; rectangular bricked up windows are used as the locations for black and white panels and the existing chain link long fence by Pilkingtons will be partially camouflaged by an open weave mesh banner with references to items or services which can be purchased on Steeley Lane. The other features along the rear of the railway station and on the corner verge are proposed to promote Steeley Lane as a vibrant area with an interesting history and a promising future, having a wealth of unique shops and businesses whilst also being very close and accessible to the town centre.
4. Art panels for the Phoenix Mill façade use images and photographs taken locally. 7no panels (approx. 2.1 high x 1.1 wide) are made up of colourful images of the local shops, their produce and shopkeepers or the services that businesses provide; 1no explains the project and 2no (approx. 1.6m high x 1.1m wide) are slightly smaller using black and white or sepia historical images. They will all have a narrow blue frame which will match in colour with the repainted existing steel fixings. They will be manufactured in lightweight dibond composite 3mm rigid sheets and secured to the old bricked in walls / windows.
5. A 35m long x 1.7m high PVC mesh banner will be secured to each of the existing supports of the fence line to the Pilkington Oils boundary. It is mostly green in colour, of various shades and swirls with silhouettes of some of the items which could be purchased from local shops or services offered. There is also a pointer to the Town Centre and Chorley Council's logo. The holes in the mesh will allow the wind to blow through and keep good visibility through to the oil yard.
6. A 12m long x 1m high art feature will be secured to the top section of the rear of the railway station brick wall which is 18m long x 4m high. This is to be positioned high enough up the wall to be out of reach to the general public and will comprise 6no. wavy steel bands with

fixing points, covered with circular images printed on to dibond composite 3mm rigid sheets. The wavy bands will link with the wave colours of the mesh banner detailed above and the use of steel will be a reference to the old iron foundry at Phoenix Mill as well as the street name itself. The circular images will depict old and new pictures of the station and Chorley Council's logo.

7. The shrubbery along the verge in front of the Royal Mail site will be cut back at the corner and turfed, although the trees will remain, and a 3m long x 1.5m high maximum, 3-section art panel will be installed into the verge set back 2m from the footpath edge. This sign will welcome visitors to the Steeley Lane area and let them know about the arts project and the shops and business further along. The colour and image branding of the other panels and art work will be repeated (waves in shades of green with silhouette symbols).

Representations

8. No representations have been received

Consultations

9. Lancashire County Council Highways raise no objections but comment that it is important to secure the consent of the individual land owners as none of proposed locations of the advertisements form part of the adopted highway.

Assessment

Issues for consideration

10. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of public safety and amenity, taking account of cumulative impacts.
11. It also states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment.

Public safety

12. One of the main issues to consider is the impact of the proposed sign on highway safety. LCC in their capacity as the Highway Authority are satisfied that road user visibility will not be affected at the proposed locations and since the advertisements are not proposed to be illuminated, then no glare, dazzle or distraction should be caused to passing motorists. In addition the advertisements will not hinder the interpretation of traffic signage within the locality. The photographs submitted show that apart from the signs at the corner of the Royal Mail site, the other signs will be installed facial to the existing walls and railings with minimal projections beyond the face of the structures. Where such projections would overhang the adopted highway in excess of 250mm, the advertisements must be installed at a height not less than 2.8m above carriageway level the Council's Property Team have been advised accordingly.

Impact on amenity

13. The signs will be highly visible and will promote the routes around Steeley Lane. Their size, scale and appearance are considered to be acceptable.

Conclusion

14. The proposed signs will support the Council's wider aspirations of economic prosperity and will not adversely impact on amenity or public safety. The proposal is considered to be in compliance with the Framework and the application is recommended for approval.

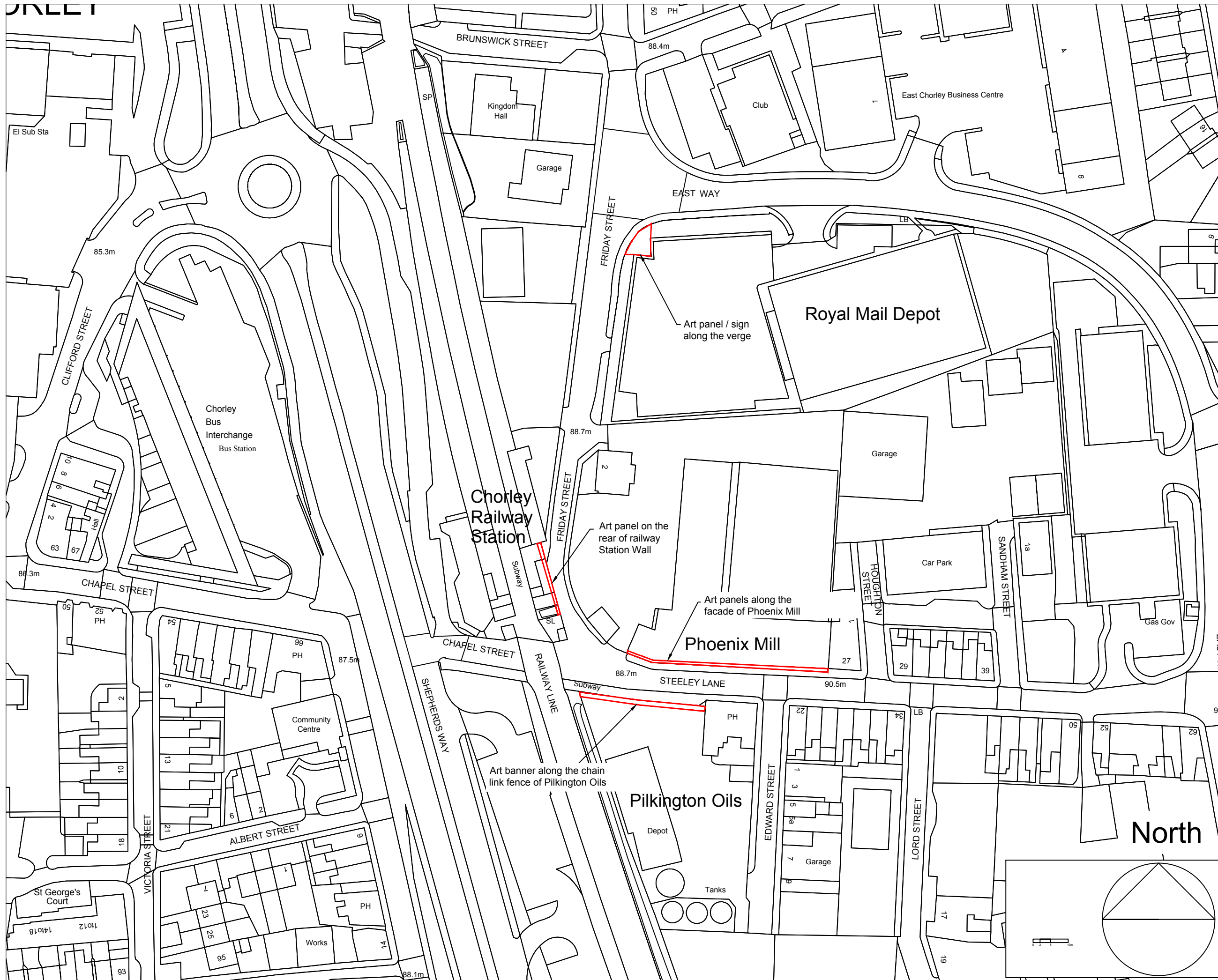
Suggested Conditions

No.	Condition																		
1.	The signs hereby permitted shall only be erected as per the approved details for a period of five years from the date of this advertising consent. <i>Reason: To avoid a proliferation of signs for which there is not an on-going need.</i>																		
2.	The advertisement hereby permitted shall be carried out in accordance with the following approved plans: <table border="1" data-bbox="282 504 1351 725"> <thead> <tr> <th data-bbox="282 504 767 533">Title</th> <th data-bbox="770 504 1038 533"></th> <th data-bbox="1042 504 1351 533">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="282 535 767 564">Location of Art Panels</td> <td data-bbox="770 535 1038 564">CX1387</td> <td data-bbox="1042 535 1351 564">10 November 2015</td> </tr> <tr> <td data-bbox="282 566 767 629">Proposed Mesh Banner Pilkington's Fenceline</td> <td data-bbox="770 566 1038 629">CX1387/SK03 rev C</td> <td data-bbox="1042 566 1351 629">10 November 2015</td> </tr> <tr> <td data-bbox="282 631 767 660">Proposed Royal Mail Corner Signage</td> <td data-bbox="770 631 1038 660">CX1387/SK04 rev D</td> <td data-bbox="1042 631 1351 660">10 November 2015</td> </tr> <tr> <td data-bbox="282 663 767 692">Proposed Mill Wall Arched Panels</td> <td data-bbox="770 663 1038 692">CX1387/SK05</td> <td data-bbox="1042 663 1351 692">10 November 2015</td> </tr> <tr> <td data-bbox="282 694 767 723">Proposed Rear Railway Station</td> <td data-bbox="770 694 1038 723">CX1387/SK06 rev B</td> <td data-bbox="1042 694 1351 723">10 November 2015</td> </tr> </tbody> </table> <i>Reason: For the avoidance of doubt and in the interests of proper planning</i>	Title		Received date	Location of Art Panels	CX1387	10 November 2015	Proposed Mesh Banner Pilkington's Fenceline	CX1387/SK03 rev C	10 November 2015	Proposed Royal Mail Corner Signage	CX1387/SK04 rev D	10 November 2015	Proposed Mill Wall Arched Panels	CX1387/SK05	10 November 2015	Proposed Rear Railway Station	CX1387/SK06 rev B	10 November 2015
Title		Received date																	
Location of Art Panels	CX1387	10 November 2015																	
Proposed Mesh Banner Pilkington's Fenceline	CX1387/SK03 rev C	10 November 2015																	
Proposed Royal Mail Corner Signage	CX1387/SK04 rev D	10 November 2015																	
Proposed Mill Wall Arched Panels	CX1387/SK05	10 November 2015																	
Proposed Rear Railway Station	CX1387/SK06 rev B	10 November 2015																	

Planning History

There is no relevant site history.

This page is intentionally left blank



Notes
 1) Figured dimensions to be taken. Do not scale dimensions. Contractors must verify all dimensions on site before preparing shop drawings or commencing any work.
 2) Copyright ©. This drawing must not be reproduced without the permission of Newground
 3) Reproduced from 1998 Ordnance Survey mapping with permission of the controller of HMSO.

DATE	REVISION NOTES	ISSUE	CHKD

newground
 landscape services
 Bob Watts Building, Nova Scotia Wharf, 193 Bolton Rd, Blackburn, Lancashire, BB2 3GE
 Tel 01254 265163
 email: hello@newground.co.uk
 www.newground.co.uk

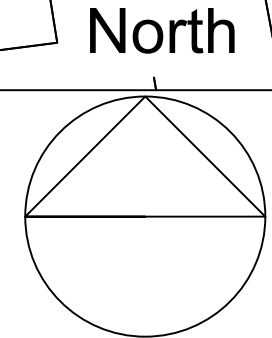
Landscape Institute
 Inspiring great places

CLIENT
 Chorley Council

PROJECT
 Steeley lane Shop Local Art Project

TITLE
 Location of Art panels

SCALE 1:1000 @ A3	DATE 9.11.15	DRAWING NO. CX1387/L01
DRAWN BY AD	CHECKED BY	PROJECT CODE CX1387
		ISSUE



This page is intentionally left blank